
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Public Service Pensions and Judicial Offices Act 2022 (c. 7) (“PSPJOA 2022”) was made to remedy age discrimination caused by transitional provision contained in the Judicial Pensions Regulations 2015 (S.I. 2015/182) (“the 2015 Regulations”). The Judicial Pensions (Remediable Service etc.) Regulations 2023 (S.I. 2023/766) (“the 2023 Regulations”) were made under PSPJOA 2022 to implement it and make further technical provision for judicial schemes.

These Regulations make technical amendments to the 2015 Regulations and the 2023 Regulations, in relation to payments purportedly made to the judicial pension scheme 2015 (“the 2015 scheme”). These payments were not in fact made to or received by the judicial pension scheme, due to the operation of anti-discrimination rules. These amendments are intended to clarify that some references to payments made under or received by the 2015 scheme were intended to be references to payments purported to have been made under or received by that scheme. This ensures that the remedy can be delivered in relation to those payments.

These Regulations are scheme regulations under the Public Service Pensions Act 2013 (c. 25) (“PSPA 2013”) and in accordance with PSPJOA 2022 in relation to a member’s remediable service in the judicial legacy schemes (as defined in section 70(3) of PSPJOA 2022) and in the 2015 scheme. They are, to the extent required by section 62 of PSPJOA 2022, made in accordance with Treasury directions under that section (in the form of the Public Service Pensions (Exercise of Powers, Compensation and Information) Directions 2022). To the extent that these Regulations have retrospective effect, this is authorised by section 3(3)(b) of PSPA 2013.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum has been published alongside these Regulations on <http://www.legislation.gov.uk>.