

# Public Service Pensions and Judicial Offices Act 2022

#### **CHAPTER 7**

# PUBLIC SERVICE PENSIONS AND JUDICIAL OFFICES ACT 2022

# PART 1

PUBLIC SERVICE PENSION SCHEMES

## **CHAPTER 1**

SCHEMES OTHER THAN JUDICIAL SCHEMES AND LOCAL GOVERNMENT SCHEMES

# Remediable service

1 Meaning of "remediable service"

Retrospective provision about remediable service

- 2 Remediable service treated as pensionable under Chapter 1 legacy schemes
- 3 Benefits already paid
- 4 Meaning of "the relevant Chapter 1 legacy scheme" etc
- 5 Election for retrospective provision to apply to opted-out service

Pensioner and deceased members: immediate choice of new scheme benefits

- 6 Immediate choice to receive new scheme benefits
- 7 Elections by virtue of section 6: timing and procedure
- 8 Power to deem election by virtue of section 6 to have been made
- 9 Persons with remediable service in more than one Chapter 1 legacy scheme

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# Active and deferred members: deferred choice of new scheme benefits

- 10 Deferred choice to receive new scheme benefits
- 11 Elections by virtue of section 10: timing and procedure
- 12 Power to deem election by virtue of section 10 to have been made
- Persons with remediable service in more than one Chapter 1 legacy scheme

# Pension benefits and contributions: corrections

- 14 Pension benefits and lump sum benefits: pensioner and deceased members
- 15 Pension contributions: pensioner and deceased members
- Pension contributions: active and deferred members (immediate correction)
- 17 Pension contributions: active and deferred members (deferred correction)
- 18 Powers to reduce or waive liabilities

# Powers to make provision in relation to special cases

- 19 Pension credit members
- 20 Voluntary contributions
- 21 Transfers
- 22 Further powers to make provision about special cases

# Compensation

- 23 Power to pay compensation
- 24 Indirect compensation
- 25 Remedial arrangements to pay voluntary contributions to legacy schemes

# Further provision about corrections, special cases and compensation

- 26 Interest and process
- 27 Treasury directions

# Miscellaneous

- 28 Scheme rules that prohibit unauthorised payments
- 29 Remediable service statements
- 30 Section 61 of the Equality Act 2010 etc

# *Immediate detriment cases*

- 31 Application of Chapter to immediate detriment cases
- Whether an "immediate detriment remedy" has been obtained

## Interpretation

- 33 Meaning of "Chapter 1 scheme" etc
- 34 Meaning of "new scheme benefits"
- 35 Meaning of "legacy scheme contributions" and "new scheme contributions"
- 36 Meaning of "opted-out service"
- 37 Scheme regulations

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# 38 Interpretation of Chapter

# **CHAPTER 2**

#### JUDICIAL SCHEMES

#### Remediable service

39 Meaning of "remediable service"

# Options exercise

- 40 Legacy scheme elections
- 41 Partnership pension account: requirement to transfer and surrender rights
- 42 Legacy scheme elections: effect
- 43 Meaning of "the relevant judicial legacy salaried scheme"
- 44 2015 scheme elections
- 45 2015 scheme elections: effect
- 46 Person by whom election is to be made

# Options exercise: further provision

- 47 Cases in which 2015 scheme election treated as made
- 48 Benefits for children where election made
- 49 Effect of elections on benefits previously paid or payable
- 50 Effect of elections on pension contributions previously paid or payable

# Pension benefits and contributions: corrections

- 51 Pension benefits and lump sums benefits
- 52 Pension contributions
- 53 Effective pension age payments
- 54 Transitional protection allowance
- 55 Power to reduce benefits in lieu of paying liabilities owed to scheme
- 56 Powers to reduce or waive liabilities

#### Powers to make provision in relation to special cases

- 57 Pension credit members
- 58 Further powers to make provision about special cases

#### Compensation

- 59 Power to pay compensation
- 60 Remedial arrangements to pay voluntary contributions to judicial schemes

Further provision about corrections, special cases and compensation

- 61 Interest and process
- 62 Treasury directions

# Miscellaneous

- 63 Scheme rules that prohibit unauthorised payments
- 64 Information statements

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- 65 Power to delegate
- 66 Section 61 of the Equality Act 2010 etc

#### Immediate detriment cases

- 67 Application of Chapter to immediate detriment cases
- 68 Whether an "immediate detriment remedy" has been obtained

# Interpretation

- 69 Meaning of "the election period"
- 70 Meaning of "a judicial scheme" etc
- 71 Meaning of "judicial office" etc
- 72 Meaning of "the relevant authority"
- 73 Meaning of "opted-out service" and "PPA opted-out service"
- 74 Scheme regulations
- 75 Interpretation of Chapter
- 76 Modifications of Chapter in relation to fee-paid judicial offices

#### **CHAPTER 3**

#### LOCAL GOVERNMENT SCHEMES

# Remediable service

77 Meaning of "remediable service"

# Power to pay final salary benefits

- 78 Power to pay final salary benefits
- 79 Section 78: transitional provision

# Power to make provision in relation to special cases

- 80 Pension credit members
- 81 Further powers to make provision about special cases

#### Compensation

- 82 Power to pay compensation
- 83 Indirect compensation

Further provision about final salary benefits, special cases and compensation

- 84 Interest and process
- 85 Treasury directions

# Interpretation

- 86 Meaning of "local government scheme" etc
- 87 Interpretation of Chapter

## **CHAPTER 4**

**GENERAL** 

Document Generated: 2024-06-29

#### Status: Point in time view as at 29/06/2023.

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# Restriction of schemes from 31 March 2022

- 88 Restriction of existing schemes
- 89 Restriction of existing schemes: savings and transitional provision
- 90 Restriction of other schemes
- 91 Prohibition of new arrangements to pay voluntary contributions

# Employer cost cap

- 92 Amendments relating to employer cost cap
- 93 Operation of employer cost cap in relation to 2016/17 valuation

# Other amendments of PSPA 2013 and PSPA(NI) 2014

- 94 Amendments relating to scheme regulations
- 95 Amendments relating to the establishment or restriction of schemes
- 96 Amendments relating to the Secret Intelligence Service etc
- 97 Amendments relating to the judiciary
- 98 Amendments relating to non-scheme benefits
- 99 Amendments relating to pension schemes for members of the Senedd
- 100 Guidance to public service pension scheme managers on investment decisions

#### Miscellaneous

- 101 Power of Treasury to make scheme for compensation
- 102 Power of Department of Finance to make scheme for compensation
- 103 Power to make provision in relation to certain fee-paid judges
- 104 HMRC information-sharing and other functions relating to compensation etc
- Section 91 of Pensions Act 1995 and section 356 of Armed Forces Act 2006
- 106 Minor amendment
- 107 Parliamentary procedure for judicial schemes: transitory provision
- 108 Power to make consequential provision

#### Interpretation of Part

- 109 Meaning of "member" etc
- 110 Interpretation of Part

## PART 2

#### PENSIONS AND BANKING (SPECIAL PROVISIONS) ACT 2008 BODIES

# New public pension schemes

- 111 Establishment of new public schemes and transfer of rights
- 112 New public schemes: further provision
- 113 Protection against adverse treatment: transfer of rights
- 114 Protection against adverse treatment: amendment of new public schemes
- 115 Transfer of assets and liabilities

# Other liabilities to pay pensions

116 Transfer of other pensions and benefits

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# Supplementary

- 117 Taxation
- 118 Information
- 119 Regulations
- 120 Interpretation

# PART 3

#### JUDICIAL OFFICES

# Judicial pay and conditions

- 121 Retirement date for holders of judicial offices etc
- 122 Allowances for judicial office holders

# Sitting in retirement offices

- 123 Sitting in retirement offices
- 124 Appointment to sitting in retirement offices
- 125 Appointment to sitting in retirement offices: further provision
- 126 Discipline and removal from office
- 127 Power to add new offices

# Consequential etc provision

128 Consequential etc provision

## PART 4

## GENERAL

- 129 Regulations and directions
- 130 Extent
- 131 Commencement
- 132 Short title

# **SCHEDULES**

SCHEDULE 1 — Retirement date for holders of judicial offices etc PART 1 — AMENDMENTS OF LEGISLATION

- 1 Pensions Appeal Tribunals Act 1943 (c. 39)
- 2 Agriculture Act 1947 (c. 48)
- 3 Lands Tribunal Act 1949 (c. 42)
- 4 Foreign Compensation Act 1950 (c. 12)
- 5 Courts-Martial (Appeals) Act 1951 (c. 46)
- 6 County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))
- 7 Judicial Pensions Act 1959 (c. 9)
- 8 Resident Magistrates' Pensions Act (Northern Ireland) 1960 (c.2 (N.I))
- 9 Betting, Gaming and Lotteries Act 1963 (c. 2)
- 10 Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.))
- 11 Courts Act 1971 (c. 23)
- 12 Misuse of Drugs Act 1971 (c. 38)
- 13 Industry Act 1975 (c. 68)
- 14 Rent Act 1977 (c. 42)

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- 15 Judicature (Northern Ireland) Act 1978 (c. 23)
- 16 Senior Courts Act 1981 (c. 54)
- 17 Public Passenger Vehicles Act 1981 (c. 14)
- 18 Mental Health Act 1983 (c. 20)
- 19 County Courts Act 1984 (c. 28)
- 20 Reserve Forces (Safeguard of Employment) Act 1985 (c. 17)
- 21 Transport Act 1985 (c. 67)
- 22 Copyright, Designs and Patents Act 1988 (c. 48)
- 23 Child Support Act 1991 (c. 48)
- 24 Social Security Administration (Northern Ireland) Act 1992 (c. 8)
- 25 Judicial Pensions and Retirement Act 1993 (c. 8)
- 26 Merchant Shipping Act 1995 (c. 21)
- Reserve Forces Act 1996 (c. 14) 27
- 28 Employment Tribunals Act 1996 (c. 17)
- 29 Plant Varieties Act 1997 (c. 66)
- 30 Social Security Act 1998 (c. 14)
- 31 The Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I.
- 32 The Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21))
- 33 Courts Act 2003 (c. 39)
- 34 Education Act 2005 (c. 18)
- Constitutional Reform Act 2005 (c. 4) 35
- 36 Tribunals, Courts and Enforcement Act 2007 (c. 15)
- 37 Charities Act (Northern Ireland) 2008 (c. 12 (N.I.))
- 38 Coroners and Justice Act 2009 (c. 25)
- 39 Welsh Language (Wales) Measure 2011 (2011 nawm 1)
- 40 Tribunals (Scotland) Act 2014 (asp 10)
- 41 Justice Act (Northern Ireland) 2015 (c. 9 (N.I.))
- 42 Victims' Payment Regulations 2020 (S.I. 2020/103) PART 2 — TRANSITIONAL PROVISION
- 43 General

47

- Lay justices in England and Wales
- 45 Lay magistrates in Northern Ireland
  - PART 3 REPEAL OF SPENT PROVISIONS ETC
- 46 Omit paragraph 3(3) of Schedule 9B to the Rates (Northern...
- (1) The Judicature (Northern Ireland) Act 1978 is amended as... 48 (1) The Judicial Pensions and Retirement Act 1993 is amended...
- 49 Omit paragraph 42 of Schedule 39 to the Education Act...
- 50 Omit paragraph 3(4) of Schedule 15 to the Immigration and...

# SCHEDULE 2 — Allowances payable to judicial office holders

- Compensation (Defence) Act 1939 (c. 75)
- 2 Lands Tribunal Act 1949 (c. 42)
- Courts-Martial (Appeals) Act 1951 (c. 46)
- Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.))
- County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))
- Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29) (N.I.)
- Courts-Martial (Appeals) Act 1968 (c. 20)
- Administration of Justice Act 1973 (c. 15)
- 9 Senior Courts Act 1981 (c. 54)
- County Courts Act 1984 (c. 28)

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- 11 Transport Act 1985 (c. 67)
- 12 Social Security Administration (Northern Ireland) Act 1992 (c. 8)
- 13 Scottish Land Court Act 1993 (c. 45)
- 14 Merchant Shipping Act 1995 (c. 21)
- 15 Employment Tribunals Act 1996 (c. 17)
- 16 Education (Northern Ireland) Order 1996 (S.I. 1996/274 (N.I. 1))
- 17 Industrial Tribunals (Northern Ireland) Order 1996 (S.I. 1996/1921 (N.I. 18))
- Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997 (S.R. (N.I.) 1997 No. 269)
- 19 Traffic Management (Northern Ireland) Order 2005 No. 1964 (N.I. 14)
- 20 Judiciary and Courts (Scotland) Act 2008 (asp 6)
- 21 Courts Reform (Scotland) Act 2014 (asp 18)
- SCHEDULE 3 Judicial offices
  - PART 1 LORD CHIEF JUSTICE AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
  - PART 2 SENIOR PRESIDENT OF TRIBUNALS AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
  - PART 3 LORD CHIEF JUSTICE OF NORTHERN IRELAND AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
  - PART 4 NORTHERN IRELAND JUDICIAL APPOINTMENTS COMMISSION AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
  - PART 5 PRESIDENT OF WELSH TRIBUNALS AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
  - PART 6 LORD PRESIDENT OF THE COURT OF SESSION AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
- SCHEDULE 4 Consequential etc amendments in connection with Part 3
  - PART 1 AMENDMENTS OF PRIMARY LEGISLATION
- 1 Courts-Martial Appeals Act 1951 (c. 46)
- 2 Administration of Justice Act 1970 (c. 31)
- 3 Courts Act 1971 (c. 23)
- 4 Judicature (Northern Ireland) Act 1978 (c. 23)
- 5 Senior Courts Act 1981 (c. 54)
- 6 County Courts Act 1984 (c. 28)
- 7 Matrimonial and Family Proceedings Act 1984 (c. 42)
- 8 Judicial Pensions and Retirement Act 1993 (c. 8)
- 9 Employment Tribunals Act 1996 (c. 17)
- 10 Courts Act 2003 (c. 39)
- 11 Constitutional Reform Act 2005 (c. 4)
  - PART 2 AMENDMENTS OF SECONDARY LEGISLATION
- 12 Access to Justice Act 1999 (Destination of Appeals) Order 2016 (S.I. 2016/917)
  - PART 3 REPEAL OF SPENT PROVISIONS
- 13 Judicial Pensions and Retirement Act 1993 (c. 8)
- 14 Tribunals, Courts and Enforcement Act 2007 (c. 15)
- 15 Crime and Courts Act 2013 (c. 22)

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