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Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 40. (See end of Document for details)

Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 2

JUDICIAL SCHEMES

Options exercise

40   Legacy scheme elections

(1) An election ("a legacy scheme election") may be made in respect of a person who has remediable service in a judicial office.

(2) Subsection (1) is subject to subsection (3) and section 41(2) and (5) (partnership pension account: requirement to transfer and surrender rights).

(3) A legacy scheme election may not be made in respect of a person if a 2015 scheme election has been made in respect of the person.

(4) A legacy scheme election—
   (a)   must be in writing,
   (b)   must be received by the relevant authority before the end of the election period,
   (c)   (subject to subsection (5)) takes effect at the end of the election period, and
   (d)   is irrevocable.

(5) In a case in which—

2   Public Service Pensions and Judicial Offices Act 2022 (c. 7)
                                                  PART 1 – Public service pension schemes
                                                            CHAPTER 2 – Judicial schemes
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Changes to legislation: There are currently no known outstanding effects for the Public
Service Pensions and Judicial Offices Act 2022, Section 40. (See end of Document for details)

(a)   section 41(2) or (5) applies (election made in respect of a person with PPA opted-out service), and

(b)   the steps mentioned in section 41(3) or (6) have not been taken at the end of the election period,

the legacy scheme election takes effect immediately after the steps are taken.

Modifications etc. (not altering text)

C1   Ss. 40-66 excluded (5.7.2023) by The Judicial Pensions (Remediable Service etc.) Regulations 2023 (S.I. 2023/766), regs. 1(b), **9(2)**

Commencement Information

I1   S. 40 in force at Royal Assent for specified purposes, see **s. 131(1)**

I2   S. 40 in force at 4.7.2023 in so far as not already in force by S.I. 2023/746, **reg. 2(a)**

Status:
Point in time view as at 05/07/2023.

Changes to legislation:
There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 40.