



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 2

JUDICIAL SCHEMES

Options exercise

46 Person by whom election is to be made

- (1) The person by whom a legacy scheme election or 2015 scheme election in respect of a person (“P”) is to be made is P or, if P is deceased—
 - (a) the adult survivor, or
 - (b) if there is no adult survivor, P’s personal representatives.
- (2) In this section “adult survivor” means a surviving spouse, civil partner or other adult who is entitled under the relevant judicial scheme to a pension determined (to any extent) by reference to P’s remediable service.
- (3) In subsection (2) “the relevant judicial scheme” means the judicial scheme under which P most recently accrued pensionable service.

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)**

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 46. (See end of Document for details)

Commencement Information

- I1** S. 46 in force at Royal Assent for specified purposes, see **s. 131(1)**
- I2** S. 46 in force at 4.7.2023 in so far as not already in force by **S.I. 2023/746, reg. 2(a)**

Changes to legislation:

There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 46.