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STATUTORY INSTRUMENTS

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**1995 No. 632**

**The Judicial Pensions (Miscellaneous) Regulations 1995**

**PART II**

**Election for new pension arrangements**

**Interpretation**

3. In this Part, “election” means an election under section 1(2) of the 1993 Act by or in respect of a person to whom that provision applies.

**Method and date of making election**

4.—(1) A person shall make an election by notifying the appropriate Minister in writing of his wish that Part I should apply to him or, where the election is being made by a personal representative, that Part I should apply to the deceased person; and the election shall be made on the date that the appropriate Minister receives the notification.

(2) A notice given under paragraph (1) shall be signed and dated by the person making the election and shall contain his full name and his current qualifying judicial office or, where appropriate, the qualifying judicial office of the deceased person at the date of death.

(3) A personal representative shall supply with the notice of election evidence of his entitlement to act as personal representative.

(4) The election shall take effect from the date of the notice.

**Time limit for making election**

5. Any election shall be made no later than—

- (a) the date six months after the date on which the person in respect of whom it is made has ceased to hold qualifying judicial office; or
- (b) the day before the date upon which any payment of pension or other benefit has been made under a judicial pension scheme in respect of his service in such office,

whichever shall be the earlier.

**Election by Personal Representatives**

6. Where an election is made by a personal representative, the deceased person shall be treated for the purposes of sections 4(3) and 5 to 8 as if Part I had applied to him at the date of death.