
STATUTORY INSTRUMENTS

1995 No. 639

PENSIONS

**The Judicial Pensions (Additional
Voluntary Contributions) Regulations 1995**

<i>Made</i>	- - - -	<i>7th March 1995</i>
<i>Laid before Parliament</i>		<i>9th March 1995</i>
<i>Coming into force</i>	- -	<i>31st March 1995</i>

The Lord Chancellor, and, in relation to judicial offices whose jurisdiction is exercised exclusively in relation to Scotland, the Secretary of State, in exercise of the powers conferred on them by section 33A of the Judicial Pensions Act 1981(1) and sections 10, 12(2), 23, 29(3) and (4) of and Schedule 2 to the Judicial Pensions and Retirement Act 1993(2) and with the concurrence of the Treasury, hereby make the following Regulations: —

PART I

PRELIMINARY

Title and Commencement

1.1. These Regulations may be cited as the Judicial Pensions (Additional Voluntary Contributions) Regulations 1995 and shall come into force on 31st March 1995.

Interpretation

1.2. In these Regulations —

“additional voluntary contributions” means any contributions by a member of the scheme constituted under Part I of the 1993 Act or an existing scheme over and above those contributions towards the cost of providing surviving spouse’s and children’s benefits which

(1) 1981 c. 20. Section 33A was inserted by the Courts and Legal Services Act 1990 (c. 41), section 82 and amended by the Judicial Pensions and Retirement Act 1993 (c. 8), section 24 and schedule 3. The power of the Secretary of State to make regulations under section 33A is expressed to be in relation to pensions for service in offices existing only in Scotland. These are coterminous with offices whose jurisdiction is exercised in relation to Scotland.

(2) 1993 c. 8; by virtue of section 10(7), the power to make these regulations is vested in “the appropriate Minister” which expression is defined in section 30(1) as (a) in relation to any judicial office whose jurisdiction is exercised exclusively in Scotland, the Secretary of State, or (b) subject to (a), the Lord Chancellor.

are required as a condition of membership (whether made by deductions from salary or from a lump sum on death or retirement);

“AVC scheme” means a judicial pension scheme other than a FSAVC scheme providing for the purchase of benefits additional to those provided by the scheme constituted under Part I of the 1993 Act or an existing scheme by means of additional voluntary contributions;

“approved scheme” means a retirement benefits scheme approved under Chapter I, Part XIV of the 1988 Act, or such other legislation as may be in force from time to time in respect of such approval;

“assumed retirement age” means the age, being between the years of 60 and the member’s compulsory retirement age, which a member to whom regulation 2.2(1)(a) applies shall, from time to time, have notified the administrators in writing as being the age at which he intends to retire;

“authorised provider” has the meaning given to it in section 10(8);

“death benefit” means a lump sum payable on the death of a member;

“existing scheme” means a judicial pension scheme other than that constituted by the 1993 Act and which is not a voluntary contributions scheme;

“FSAVC scheme” means a retirement benefits scheme approved under section 591(2)(h) of the 1988 Act established by a pension provider other than the administrators of a judicial pension scheme and to which only the member contributes.

“Index”, at any time, means the index of retail prices published by the Central Statistical Office of the Chancellor of the Exchequer, or any successor agreed as appropriate by the Board of Inland Revenue, for the calendar month three months prior to that time;

“leading scheme” and “main scheme” shall have the meanings given to them in regulation 2 of the 1993 Regulations;

“normal pension age”, in relation to a member, means the age at which the member would be able to retire from his existing scheme with a pension immediately payable.

“PCSPS” means the Principal Civil Service Pension Scheme established under section 1 of the Superannuation Act 1972(3);

“retirement benefits scheme” has the meaning given to it in section 611 of the 1988 Act;

“the 1988 Act” means the Income and Corporation Taxes Act 1988(4);

“the 1993 Act” means the Judicial Pensions and Retirement Act 1993, and any reference to a Part or section by number alone shall be construed as a reference to the Part or section so numbered in that Act;

“the 1993 Regulations” means the Retirement Benefits Schemes (Restriction on Discretion to Approve) (Additional Voluntary Contributions) Regulations 1993(5);

“qualifying judicial office” means any office for the time being specified in Schedule 1 to the 1993 Act and references to a person holding qualifying judicial office shall be construed in accordance with section 1(6);

“retained death benefits” has the meaning given to it in regulation 2.4.

“voluntary contributions scheme” means an FSAVC scheme or an AVC scheme.

(3) 1972 c. 11.

(4) 1988 c. 1.

(5) S.I.1993/3016.

PART II

JUDICIAL ADDITIONAL VOLUNTARY CONTRIBUTIONS SCHEME

Interpretation and application

2.1.—(1) In this Part —

“aggregated retirement benefit” shall mean the total amount of all benefits, other than retained benefits, that may be paid to a retired member including the pension equivalent of any lump sum.

“final salary” means the amount of salary received in the twelve months prior to the date of leaving qualifying judicial office that has been assessed for tax under Schedule E under Part V of the 1988 Act.

“the scheme” means the Judicial Additional Voluntary Contributions Scheme constituted by this Part.

(2) The scheme shall be administered in accordance with the regulations set out in this Part.

(3) The administrators of the scheme shall be the administrators of the pension scheme constituted under Part I of the 1993 Act or the administrators of an existing scheme as appropriate.

(4) The pension equivalent of a lump sum shall be calculated by dividing the cash value of the lump sum by 12.

Membership

2.2.—(1) Membership of the scheme shall be open to —

- (a) persons to whom Part I of the 1993 Act applies; and
- (b) persons who hold qualifying judicial office on the appointed day, and who held such office at any time before that day but to whom Part I of the Act does not apply except —
 - (i) persons to whom Part I does not apply because the person has made an election under section 13 or under the corresponding provisions (as defined in section 13(9));
 - (ii) the Chief or any other Immigration Adjudicator under the Immigration Act 1971(6);
 - (iii) any of the officers from time to time specified in column 1 of Schedule 3 to the Judicature (Northern Ireland) Act 1978(7);
 - (iv) any officer who belongs to a pension scheme constituted under the County Courts Act (Northern Ireland) 1959(8), the Resident Magistrates' Pensions Act (Northern Ireland) 1960(9) or the Judicial Pensions Act (Northern Ireland) 1951(10);
 - (v) any officer who is a member of the PCSPS, including any person who has made an election under paragraph 3 of Schedule 1 to the Judicial Pensions Act 1981;
 - (vi) A Commissioner for the special purposes of the Income and Corporation Taxes Acts appointed under section 4 of the Taxes Management Act 1970(11) appointed before 1st January 1985.

(2) Application for membership of the scheme shall be made in writing to the administrators.

(6) 1971 c. 77.

(7) 1978 c. 23.

(8) 1959 c. 25 (N.I.).

(9) 1960 c. 2 (N.I.).

(10) 1951 c. 20 (N.I.).

(11) 1970 c. 9. Section 4 was substituted by the Finance Act 1984 (c. 43) section 127, schedule 22.

(3) Members who fall within paragraph (1)(a) above shall notify the administrators in their application of their assumed retirement age.

Retained benefits

2.3.—(1) The administrators shall require any person who is, or who wishes to become a member of the scheme, to provide such information as the administrators may require, concerning any retained benefits (but not retained death benefits) that that person may have which are derived from the following —

- (a) a retirement benefits scheme which has been approved or for which approval is sought under Chapter I Part XIV of the 1988 Act;
- (b) a relevant statutory scheme as defined by section 611A of the 1988 Act;
- (c) a fund to which section 608 of the 1988 Act applies;
- (d) a retirement benefits scheme which has been accepted by the Inland Revenue as corresponding within the meaning of section 596(2)(b) of the 1988 Act;
- (e)
 - (i) a retirement annuity or trust scheme approved under section 620 of the 1988 Act; or
 - (ii) a personal pension scheme (as defined by section 630 of the 1988 Act) approved under section 631 of the 1988 Act (other than an arrangement to which only minimum contributions are paid)
 which related to relevant earnings from the current employment or previous employments;
- (f) transfer payments from an overseas scheme held in a type of arrangement defined in (a), (b) or (e) above,

including such benefits which have been transferred to another scheme, whether or not in the United Kingdom.

(2) Retained benefits may be disregarded where the total of—

- (a) the resulting annual pension; and
- (b) the pension equivalent of any lump sum payable;

is less than £260.

2.4.—(1) The administrators shall also require details of retained death benefits.

(2) Retained death benefits worth less than £2,500 may be disregarded.

(3) For the purposes of calculating the retained death benefit there shall be ignored

- (a) any benefits representing a return of the member's own contributions plus interest; and
- (b) benefits derived from a return of surplus funds under annuity contracts approved under section 620 of the 1988 Act or personal pension schemes approved under section 631 of the 1988 Act.

(4) In this regulation —

“retained death benefits” means any lump sum benefits payable on the member's death derived from the sources set out in sub-paragraphs (a) to (f) of regulation 2.3.

2.5. The administrators may disclose any information obtained relating to retained benefits or retained death benefits to the bodies or persons mentioned in section 10(3)(c) of the Act.

Maximum benefits for members falling within regulation 2.2(1)(a)

2.6. Regulations 2.7, 2.8, 2.9 and 2.10 shall apply to members who fall within regulation 2.2(1)(a).

- 2.7.—**(1) The aggregated retirement benefit shall not exceed the figure equal to the lesser of —
- (a) the amount referred to in paragraph (2)(a), (b) or (c) as appropriate; and
 - (b) the greater of —
 - (i) 2/3rds of the member’s pensionable pay less retained benefits; and
 - (ii) 1/60th of the member’s pensionable pay for each year of service up to a maximum of 40 years.
- (2) The amount referred to in paragraph (1)(a) shall be —
- (a) where the member retires between the ages of 50 and 75 (except where he retires before the age of 65 on the ground of ill health), 1/30th of the member’s pensionable pay for each year of service up to a maximum of 20 years;
 - (b) where the member retires before the age of 65 on the ground of ill health, 1/30th of the member’s pensionable pay for each year of service that would have been completed had the member worked until the age of 65 up to a maximum of 20 years;
 - (c) where the member leaves the scheme before the age of 65 on any other grounds, an amount calculated in accordance with the formula

$$\frac{M \times N}{NS}$$

where —

- (i) M is the maximum pension which would have been available to the member at age 65;
- (ii) N is the number of years and days of service (expressed in years and fractions of years as appropriate) in the Part 1 scheme completed at the date the member leaves the scheme; and
- (iii) NS is the number of years and days of service (expressed in years and fractions of years as appropriate) in the Part 1 scheme which the member would have completed had he remained in service until the age of 65.

2.8.—(1) The aggregated retirement benefit shall (subject to paragraph (2)) be determined by the administrators by aggregating—

- (a) any benefits from the scheme constituted under Part I of the 1993 Act or an existing scheme, including benefits resulting from the purchase of added years or added benefits under that scheme; and
- (b) any benefits from a voluntary contributions scheme.

(2) Any benefits that are attributable to the pension of a surviving spouse or child shall not be aggregated for the purpose of determining the aggregated retirement benefit.

2.9.—(1) This regulation applies where —

- (a) a lump sum is payable by virtue of the member having died in service before retirement; or
- (b) death occurs once the member has left pensionable service where his entitlement to a lump sum was preserved under an order made under section 141 of the Pension Schemes Act 1993(12) or section 137 of the Pension Schemes (Northern Ireland) Act 1993(13).

(2) Where this regulation applies, the maximum lump sum which may be paid shall be the greater of —

(12) 1993 c. 48.

(13) 1993 c. 49.

- (a) £5,000; or
 - (b) 4 times the greater of the annual rate of the member's salary or of the member's pensionable pay at the date of death or, where paragraph (1)(b) applies, the date of leaving office, less the aggregation of the benefits set out in paragraph (3).
- (3) The benefits to be aggregated for the purposes of paragraph (2)(b) are —
- (a) retained death benefits;
 - (b) the death benefits provided by the scheme constituted under Part 1 of the 1993 Act or an existing scheme including benefits resulting from the purchase of added years or added benefits;
 - (c) any death benefit provided by a voluntary contributions scheme.

2.10.—(1) Any surviving spouse's or children's pension payable to the surviving spouse or child in respect of a deceased member, shall not exceed 2/3rds of the member's maximum aggregated retirement benefit as determined in regulation 2.7 on the basis that —

- (a) the member had no retained benefits; and
- (b) that, at the date of death he had retired on the ground of ill-health rather than died.

(2) Where pensions are payable to more than one person, the total amount of those pensions shall not exceed the member's maximum aggregated retirement benefit determined on the same basis as in paragraph (1).

Maximum benefits for members falling within regulation 2.2(1)(b)

2.11. Regulations 2.8, 2.10, 2.12 and 2.13 shall apply to members who fall within regulation 2.2(1)(b).

2.12.—(1) The aggregated retirement benefit shall not exceed the figure equal to the lesser of —

- (a) the amount referred to in paragraph (2)(a), (b) or (c) as appropriate; and
- (b) the greater of —
 - (i) 2/3rds of the member's final salary less retained benefits; and
 - (ii) 1/60th of the member's final salary for each year of service up to a maximum of 40 years.

(2) The amount referred to in paragraph (1)(a) shall be —

- (a) where the member retires at his normal pension age the amount calculated by applying the appropriate fraction (ascertained in accordance with the following table, into which fractions of a year shall be interpolated in accordance with paragraph (3) below) to his final salary —

<i>Years of service</i>	<i>Appropriate fraction</i>
Year 1 to 5	1/60 for each year
Year 6	8/60
Year 7	16/60
Year 8	24/60
Year 9	32/60
Year 10 or more	40/60 for each year;

- (b) where the member retires before his normal pension age on the ground of ill-health the amount determined in accordance with paragraph 3(a) which the member could have received had he remained in service until his normal pension age;
 - (c) where the member leaves the scheme before his normal pension age on any other ground, an amount calculated in accordance with the formula set out in regulation 2.7(2)(c) but as if references in that formula to —
 - (i) the age of 65 were replaced by references to the member’s normal pension age; and
 - (ii) the Part 1 scheme were replaced by references to the member’s existing scheme.
- (3) Where the number of years of service at retirement is less than ten and is not an exact number of years, the interpolation referred to in paragraph (2)(a) shall be effected as follows—
- (a) where the number of complete years of service is less than five, 1/365 of a sixtieth for each additional day shall be added to the appropriate fraction;
 - (b) where the number of complete years of service is five, 3/365 of a sixtieth for each additional day shall be added to the appropriate fraction;
 - (c) where the number of complete years of service is greater than five, 8/365 of a sixtieth for each additional day shall be added to the appropriate fraction.
- 2.13.** Regulation 2.9 shall apply as if for sub paragraph (2)(b) there were substituted —
- “(b) 4 times the annual rate of the member’s final salary..”

Increase to pensions in payment

2.14. The maximum amount of pension benefit ascertained under regulations 2.7 to 2.13 may be increased by up to 3% for each complete year, or in proportion to the increase in the Index which has occurred since payment of the pension commenced, if greater.

Maximum contributions

2.15.—(1) The member shall instruct the administrators in writing as to the level of contributions that he wishes to make.

(2) A member’s contributions to the scheme in any tax year shall not exceed whichever is the smaller of (a) and (b) as set out in paragraph (3).

(3) The amounts referred to in paragraph (2) are —

- (a) (i) in the case of a single contribution by the member into the scheme, the amount determined by the scheme administrators which, if the member were to leave service immediately after making the payment, is likely to provide benefits equal to the limits set out in regulations 2.7 to 2.10 or 2.12 and 2.13 as appropriate; or
- (ii) in the case of an annual contribution, the amount determined by the scheme administrators which, if maintained at that level
 - (1) in respect of members falling within regulation 2.2(1)(a) until the assumed retirement age, and
 - (2) in respect of members falling within regulation 2.2(1)(b) until the member’s normal pension age,

is likely to provide benefits equal to the limits set out in regulations 2.7 to 2.10 or 2.12 and 2.13 as appropriate;

- (b) (i) in respect of members falling within regulation 2.2(1)(a), that percentage of the member’s pensionable pay that is subject to tax under Schedule E under Part V of the 1988 Act which, together with any contributions made by the member to

any other judicial pension scheme (including voluntary contributions schemes) will bring the total contributions to 15% of the pensionable pay; or

- (ii) in respect of members falling within regulation 2.2(1)(b), that percentage of the member's total salary that is subject to tax under Schedule E under Part V of the 1988 Act which, together with any contributions made by the member to any other judicial pension scheme (including voluntary contributions schemes) will bring the total contributions to 15% of that salary.

Authorised provider

2.16. A member's contributions and any transfer payment accepted under regulation 2.22 shall be invested with an authorised provider for the purpose of providing benefits.

2.17. The administrators may require an authorised provider to surrender the whole or part of the value of such contributions and transfer payment, in which case the administrators shall reinvest such contributions in accordance with regulation 2.16.

Manner of making contributions

2.18. A member may make contributions into the scheme to the limits set out in regulation 2.15, by either —

- (a) single payments to the limit of two in any one financial year; or
- (b) regular payments,

and in either case payment must be made by way of deduction from the member's salary.

Investment of contributions

2.19. The administrators shall invest any contributions made under regulation 2.18 and any transfer payment accepted under regulation 2.22 as soon as reasonably practicable, with the authorised provider.

2.20. Where the authorised provider offers more than one type of investment the member may elect that his contributions be paid into particular types of investments.

2.21. The investments made in respect of a member with the authorised provider may be realised and reinvested with the authorised provider at the request of the member, in such amounts, at such times and in such manner as may be specified by the administrators with the approval of the authorised provider.

Transfer values in

2.22. A payment representing the cash equivalent of a member's accrued rights in any other qualifying scheme (as defined by paragraph 11(3) of schedule 2 to the 1993 Act) shall only be accepted by the scheme if it is from another voluntary contributions scheme and it is certified by the administrator of that scheme to derive from only the member's own contributions to that scheme, and any transfer payment into that scheme, with any interest that may be payable.

2.23. Where a member wishes to make such a payment from a non-judicial occupational pension scheme, he shall declare to the administrators the contributions already made and the salary received in the 12 months prior to the date of transfer into the scheme.

Benefits which may be provided

2.24.—(1) Subject to the limits referred to in regulations 2.7 to 2.13, a member shall be entitled to the benefits attributable to the contributions paid by the member, and by any payment accepted under regulation 2.22.

(2) The benefits permitted are —

- (a) subject to regulation 2.26, a pension payable to the member from the member's retirement during his lifetime, under which:
 - (i) payments may be guaranteed to be payable for up to 10 years after retirement in any event; or
 - (ii) payments may be guaranteed to be payable for up to 5 years after retirement with any balance in respect of any period between death and the expiry of that period of 5 years being paid in one lump sum on death;
- (b) a lump sum payable on the death of the member;
- (c) where the member dies before retirement, or in the circumstances referred to in regulation 2.28(2)(c), the total realisable value of the investments made by the administrators with the contributions paid by the member and any transfer payment accepted under regulation 2.22;
- (d) subject to regulation 2.26, a pension payable on the death of the member after retirement to one or more of —
 - (i) his spouse during the remainder of her lifetime; and
 - (ii) his children until the child reaches the age of 18 or, if later, ceases to receive full time education or vocational training.

(3) Pensions may be level in payment, increase at a fixed rate not exceeding 3 per cent per annum compound or vary in line with the Index.

(4) In the case of benefits payable at or after a member's retirement, the member may choose which of the above types of benefit shall be payable and shall give notice in writing to the administrators at retirement of his choice.

2.25. Benefits under this scheme shall be paid by the administrators in accordance with these regulations and shall only be payable —

- (a) at the date that the member's pension under Part I of the 1993 Act or under an existing scheme comes into payment; or
- (b) in relation to a surviving spouse's or children's pension, the date at which those benefits become payable under Part I of the 1993 Act or under an existing scheme.

2.26. Benefits at retirement may normally only be taken in pension form but the whole of the member's pension may be commuted for a lump sum, from which any tax payable by the administrators shall be deducted, where —

- (a) the pension equivalent of the member's pension benefits from all sources does not exceed £260 per annum;
- (b) the pension is payable under regulation 2.24(2)(d) and does not exceed £260 per annum; or
- (c) the administrators are satisfied on medical evidence that the member is fatally ill.

2.27.—(1) A member may nominate a person to receive any lump sum payable on his death by giving notice in writing to the administrators;

(2) If no such nomination is made, the administrators shall pay the lump sum to the personal representatives of the member.

Leaving the scheme

2.28.—(1) A member may cease to be a member of the scheme at any time before benefits provided under regulation 2.24 are paid.

(2) Subject to Part IV, Chapter IV of the Pension Schemes Act 1993⁽¹⁴⁾ or Part IV, Chapter IV of the Pensions Schemes (Northern Ireland) Act 1993⁽¹⁵⁾, the member shall, on leaving the scheme, request the administrators to do one or more of the following as appropriate —

- (a) to transfer the value of the member's accrued benefits to an approved scheme of a subsequent employer, or to a personal pension scheme subject, in each case, to the receiving scheme—
 - (i) being willing to accept the transfer value; and
 - (ii) meeting the prescribed requirements referred to in section 95(2)(a) of the Pension Schemes Act 1993 or section 91(2)(a) of the Pension Schemes (Northern Ireland) Act 1993,

and the administrators shall certify to the receiving scheme that the whole of the transfer value derives from the member's contributions and any transfer payment accepted under regulation 2.22 and that all of it must be used to secure a non-commutable pension;

- (b) to use the value of the member's accrued benefits to purchase one or more insurance policies of the type described in section 95(2)(c) of the Pension Schemes Act 1993 or section 91(2)(c) of the Pension Schemes (Northern Ireland) Act 1993;
- (c) if the member's service, together with any service whilst a member of a previous employer's pension scheme from which a transfer value has been paid to this scheme, totals less than two years, to pay the member the value of his accrued benefits after deduction of any tax payable by the administrators;
- (d) to purchase an annuity contract approved under section 431(4)(d) and (e) and section 591(2)(g) of the 1988 Act from an authorised insurance company as defined by the 1993 Act.

(3) Where a member ceases to make contributions to the scheme (except where he ceases to make contributions to an existing scheme by reason of transferring to the scheme constituted under Part 1 of the 1993 Act) he may, if he wishes, leave his accrued benefits in the scheme until such time as his benefits under the scheme constituted by Part 1 of the 1993 Act or his existing scheme as appropriate become payable.

(4) For the purpose of this regulation, the value of a member's accrued benefits shall be the total realisable value of the investments made by the administrators with the contributions paid by the member and any transfer payment accepted under regulation 2.22.

(5) Without prejudice to the effect of section 95(1) and (9) and section 99 of the Pensions Schemes Act 1993 and section 91(1) and (9) and section 95 of the Pension Schemes (Northern Ireland) Act 1993, where a transfer value is paid out from the scheme the administrators will be discharged from any obligation to provide any benefits in respect of the scheme.

Surplus funds

2.29. The administrators of the scheme shall comply with the requirements of regulation 5 (Restriction on discretion to approve — other schemes) of the 1993 Regulations and where the scheme is the leading scheme in relation to a member, with the requirements of regulation 6 (Calculation of surplus funds) of those Regulations so far as they concern main schemes.

(14) 1993 c. 48.

(15) 1993 c. 49.

2.30. Whenever the administrators are liable for any tax in respect of any payment made to any person under this Part, they shall deduct sums equal in total to such tax from any payments made to such person.

PART III

FREE-STANDING ADDITIONAL VOLUNTARY CONTRIBUTION SCHEMES

Maximum contributions

3.1.—(1) Where a member of a scheme constituted under Part I of the 1993 Act or an existing scheme wishes to make contributions to a FSAVC scheme for the purpose of improving his personal pension benefits, then, notwithstanding the provisions of section 18, any retained benefits of the member shall be taken into account for the purpose of assessing the maximum amount of contribution that he is entitled to make.

(2) Paragraph (1) shall not apply where the member makes contributions to a FSAVC scheme for any other purpose.

Contributions under the 1988 Act

3.2. Nothing in these Regulations shall affect the duty of the FSAVC scheme provider to apply the limits on contributions in accordance with section 591 of the 1988 Act.

The 1993 Regulations

3.3.—(1) The administrators shall comply with the requirements of regulation 4 (Restriction on discretion to approve — freestanding additional voluntary contributions schemes) of the 1993 Regulations.

(2) Where a pension scheme is a leading scheme, the administrators shall comply with regulation 6 (Calculation of surplus funds) of the 1993 Regulations in so far as it relates to a main scheme.

(3) Regulations 2.7 to 2.13 shall apply as appropriate for the purpose of calculating the surplus funds referred to in regulation 6 of the 1993 Regulations.

PART IV

JUDICIAL ADDED YEARS SCHEME, JUDICIAL ADDED BENEFITS SCHEME AND JUDICIAL ADDED SURVIVING SPOUSE'S PENSION SCHEME

Interpretation

4.1.—(1) In this Part, unless the context otherwise requires —

“the JABS” means the Judicial Added Benefits Scheme constituted by this Part of the Regulations;

“the JASSPS” means the Judicial Added Surviving Spouse’s Pension Scheme constituted by this Part of the Regulations;

“the JAYS” means the Judicial Added Years Scheme constituted by this Part of the Regulations.

“pension-capped salary” in relation to a member means, for any period of 12 months, so much of his aggregate salary in that period as, within the meaning of section 590C(1) of the 1988 Act does not exceed the permitted maximum for the relevant year of assessment.

(2) Except where otherwise provided, any reference to added years, added units of benefits or added units of surviving spouse’s pension shall include a reference to parts of years, parts of units of benefit and parts of units of surviving spouse’s pension respectively.

(3) The JAYS, the JASSPS and the JABS shall be administered in accordance with the regulations set out in this Part.

(4) The administrators of the JAYS, the JASSPS and the JABS shall be the administrators of an existing scheme or of the pension scheme constituted under Part I of the 1993 Act as appropriate.

Membership

4.2.—(1) Membership of the JAYS and the JASSPS shall be open to any person to whom Part I of the 1993 Act applies.

(2) A member of the JAYS shall, subject to the provisions of these regulations, have a right to increase his length of service in qualifying judicial office by the purchase of added years of pension credit.

(3) A member of the JASSPS shall, subject to the provisions of these regulations, have a right to purchase added units of surviving spouse’s pension during any period in which he currently has a spouse to whom benefits could be paid under the scheme.

(4) Membership of the JABS shall be open to a person who is a member of an existing scheme except those officers referred to in regulation 2.2(1)(b)(ii) to (vi).

(5) A member of the JABS shall, subject to the provisions of these regulations, have a right to purchase added units of benefit in his existing scheme.

Limits on the added years that may be purchased under the JAYS

4.3.—(1) The maximum number of years service which may accrue to a member is 20.

(2) The maximum number of added years that a member may purchase is the difference between the number of years service determined in accordance with this regulation and 20.

(3) The administrators shall require the provision of information relating to retained benefits and retained death benefits in accordance with regulations 2.3 and 2.4.

(4) The administrators shall determine the number of years service by aggregating —

- (a) the length of prospective service to the assumed retirement age from the age of the scheme member (in years and days) at the date of his first appointment to qualifying judicial office; and
- (b) the service equivalent of
 - (i) any benefit from a voluntary contributions scheme;
 - (ii) any of the retained benefits mentioned in regulation 2.3;
 - (iii) any transfer value from another scheme (except a transfer from another judicial pension scheme under the provisions of section 12 of the 1993 Act).

Limits on the added benefits that may be purchased under JASSPS

4.4. Added units of benefit in the JASSPS may be purchased up to such amount as the administrators determine will provide a surviving spouse’s pension equal to the amount calculated in accordance with regulation 2.10(1).

Limits on the added benefits that may be purchased under the JABS

4.5.—(1) For the purposes of this regulation —

“aggregated retirement benefit” has the meaning given to it in regulation 2.1 and shall be determined in accordance with regulation 2.8; and

“lump sum benefit” means the aggregate of the lump sum benefits that may be paid to the member from the sources set out in regulation 2.8(1).

(2) The administrators shall require the provision of information relating to retained benefits and retained death benefits in accordance with regulations 2.3 and 2.4.

(3) The aggregated retirement benefit shall not exceed the figure calculated in accordance with regulation 2.12(1).

(4) The lump sum benefit shall not exceed the figure calculated in accordance with sub-paragraphs (a) or (b) as appropriate—

(a) on retirement at the member’s normal pension age the appropriate fraction of final salary (as defined in regulation 2.1) ascertained in accordance with the scale set out in the Occupational Pension Schemes (Maximum Rate Lump Sum) Regulations 1987(16) as amended from time to time; and

(b) on retirement before the member’s normal pension age on the ground of ill-health, the fraction of final salary ascertained in accordance with the scale set out in the Occupational Pension Schemes (Maximum Rate Lump Sum) Regulations 1987, as amended from time to time, which the member could have received had he remained in service until his normal pension age.

(5) Added units of benefit in the JABS may be purchased up to such amount as the administrators determine will provide benefits equal to the lesser of the aggregated retirement benefit and the lump sum benefit.

Manner of making contributions into the JAYS

4.6.—(1) The right to purchase added years must be exercised by notice in writing to the administrators while the member is still holding qualifying judicial office and may not be exercised if the member has reached the assumed retirement age.

(2) Before contracting to purchase added years the member must sign a declaration stating that he has no reason to believe that his health may prevent him from serving until the assumed retirement age.

(3) Contributions to the JAYS shall be made by way of periodical deductions from salary only and shall commence on a date agreed between the administrators and the member.

(4) The rate of contribution for each added year shall be calculated, to two decimal places, in accordance with the formula $(A/B) \times$ pension-capped salary where —

(i) A is the sum of the personal benefits and family benefits percentage figures which correspond to the length of time between the date agreed under regulation 4(6)(3) and the member’s assumed retirement age and which are set out in the table in Schedule 1 appropriate to the salary group of the member at the date of his first contribution;

(ii) B is the length of time referred to in sub-paragraph (i) in years and days (expressed in years and fractions of a year to four decimal places),

subject to the limit on total contributions allowed in any one year by regulation 4.9(1).

(5) For a part of a year the rate shall be that determined in paragraph (4) multiplied by the decimal fraction of a year (to four decimal places) which expresses the number of days being purchased, to a minimum of 0.01%.

(6) The making of periodical contributions at the relevant rate to the JAYS shall continue until the member —

- (i) reaches the assumed retirement age; or
 - (ii) dies; or
 - (iii) leaves qualifying judicial office; or
 - (iv) notifies the administrators that he wishes the contributions to cease,
- whichever occurs first.

Manner of making contributions into the JASSPS

4.7.—(1) Regulations 4.6(1) to (3) and 4.6(6) shall apply to the JASSPS except that for references to “added years” there shall be substituted references to “added units of surviving spouse’s pension” and for the reference to “the JAYS” there shall be substituted a reference to “the JASSPS”.

(2) Contributions shall be expressed as a level monthly payment per unit of additional surviving spouse’s pension and the level monthly payment, subject to a minimum of £1, shall be —

- (i) for each unit of additional surviving spouse’s pension, the amount applicable to the member’s age at the date of his first contribution as set out in the table in Schedule 2;
- (ii) for a part of a unit of additional spouse’s pension, the amount determined in sub-paragraph (i) above multiplied by the appropriate decimal fraction (to four decimal places);

subject to the limit on total contributions allowed in any one year by regulation 4.9(2).

Manner of making contributions into the JABS

4.8.—(1) Regulations 4.6(1) to (3) and 4.6(6) shall apply to the JABS except that for references to “added years” there shall be substituted references to “added units of benefit”, for the reference to “the JAYS” there shall be substituted a reference to “the JABS” and for references to “the assumed retirement age” there shall be substituted references to “his normal pension age”.

(2) The rate of contribution for each added unit of benefit shall be calculated, to two decimal places, in accordance with the formula $(A/B) \times \text{annual salary}$ where —

- (i) A is the sum of the personal benefits and family benefits percentage figures set out in the appropriate table in Schedule 3 which correspond to the length of time between the date agreed under regulation 4.6(3) and the member’s normal pension age; and
- (ii) B is the length of time referred to in sub-paragraph (i) in years and days (expressed in years and fractions of a year to four decimal places),

subject to the limit on total contributions allowed in any one year by regulation 4.9(3),

(3) For each part unit of benefit purchased the rate shall be that determined in paragraph (2) multiplied by the appropriate decimal fraction (to four decimal places), to a minimum of 0.01%.

(4) Schedule 4 to these Regulations shall apply for the purposes of determining which of the tables in Schedule 3 is appropriate to the member.

Maximum contributions

4.9.—(1) A member’s contribution to the JAYS in any tax year shall not exceed the smaller of—

- (a) such amount determined by the administrators, which if maintained at that level until the assumed retirement age, is likely to provide a number of years service equal to the limit set out in regulation 4.3(2), and
 - (b) that percentage of the member's pension-capped salary which, together with any contributions made by the member to the scheme constituted under Part I of the 1993 Act and any other judicial pension scheme (including voluntary contributions schemes) will bring the total contributions to 15% of that pension-capped salary.
- (2) A member's contribution to the JASSPS in any tax year shall not exceed that percentage of the member's pension-capped salary which together with —
- (a) any contributions made by the member to the scheme constituted under Part I of the 1993 Act; and
 - (b) any other judicial pension scheme (including voluntary contributions schemes),
- will bring the total contributions to 15% of that pension-capped salary.
- (3) A member's contribution to the JABS in any tax year shall not exceed the smaller of —
- (a) such amount determined by the administrators, which if maintained at that level until his normal pension age, is likely to provide benefits equal to the limits set out in regulation 4.5(5); and
 - (b) that percentage of the member's salary which is subject to tax under Schedule E under Part V of the 1988 Act which, together with any contributions made by the member to his existing scheme and any other judicial pension scheme (including voluntary contributions schemes) will bring the total contributions to 15% of that salary.

Valuation of benefits under the JAYS

4.10.—(1) If a member leaves qualifying judicial service or makes an election under section 13 of the 1993 Act on or after reaching the assumed retirement age, any added years that he has purchased shall count as full years service for the purpose of determining the length of his service in qualifying judicial office under the 1993 Act.

(2) If a member retires on the ground of ill-health or dies before the assumed retirement age, he shall, for the purposes of calculating the appropriate annual rate of pension under section 3 of the 1993 Act, be credited with the full amount of added years for which he is paying contributions, provided that where—

- (a) he retires on the ground of ill health or dies within twelve months of contracting to purchase added years; or
- (b) he dies or retires on the ground of ill health because of an incapacity to which he became subject within twelve months of that date;

the administrators are satisfied that the declaration given in accordance with regulation 4.6(2) was made in good faith.

(3) If a member ceases making contributions before reaching the assumed retirement age for reasons other than death or retirement on the ground of ill-health, then, at the date that he so ceases he shall be credited with added years of service in accordance with the formula $A \times (B/C)$ where —

- (a) A is the number of added years for which he had contracted to pay contributions;
- (b) B is the period (expressed in years and days) over which he has paid contributions for those added years; and
- (c) C is the period (expressed in years and days) calculated from the date of commencement of contributions, over which he would have paid contributions for those added years if he had continued in service until the assumed retirement age.

(4) If a member who has ceased to participate in the scheme under paragraph (3), subsequently starts to pay contributions again, this regulation and regulations 4.6 and 4.13 shall apply separately to those contributions and the value of benefits purchased with them.

(5) For the purposes of this regulation, parts of added years purchased by a member shall be valued on a pro-rata basis.

Valuation of Benefits under the JASSPS

4.11.—(1) Where a member has purchased added units of surviving spouse's pension his surviving spouse shall be entitled to receive additional pension under the scheme constituted by Part 1 of the 1993 Act.

(2) The annual amount of additional pension per unit shall be £1,000 together with increases in line with the Index from the earlier of the member's assumed retirement age or his death.

(3) Such additional pension shall be payable at the same times and intervals and in the same manner as the surviving spouse's pension under section 5 of the 1993 Act.

(4) If a member retires on the ground of ill-health or dies before the assumed retirement age he shall be credited with the number of units of surviving spouse's pension for which he is paying contributions, provided that where —

- (a) he dies or is retired on the ground of ill-health within twelve months of the date of contracting to purchase added units of surviving spouse's pension, or
- (b) he dies or is retired on the ground of ill-health because of an incapacity to which he became subject within twelve months of that date,

the administrators are satisfied that the declaration given in accordance with regulation 4.6(2) as applied by regulation 4.7(1), was made in good faith.

(5) If a member ceases making contributions before the assumed retirement age for reasons other than death or retirement on the ground of ill-health then, at the date he so ceases he shall be credited with added units of surviving spouse's pension in accordance with the formula $A \times (B/C)$ where —

- (a) A is the number of added units of surviving spouse's pension for which he had contracted to pay contributions;
- (b) B is the number of months contributions which he has paid for those added units; and
- (c) C is the number of months contributions which he would have paid for those added units if he had continued in service until the assumed retirement age.

(6) If a member who has ceased to participate in the scheme under paragraph (5), subsequently starts to pay contributions again, this regulation and regulations 4.7 and 4.13 shall apply separately to these contributions and the value of surviving spouse's pension purchased with them.

(7) For the purposes of this regulation, part added units of surviving spouse's pension purchased by a member shall be valued on a pro-rata basis.

Valuation of Benefits under the JABS

4.12.—(1) If a member leaves qualifying judicial service on or after reaching his normal pension age, any added unit of benefit that he has purchased shall entitle him to an additional pension benefit under his existing scheme of 1/40th of his annual salary at the date of retirement together with a lump sum of 2/40ths of his annual salary at the date of retirement and shall entitle his surviving spouse to a surviving spouse's pension of 1/80th of that salary payable on his death and so proportionately for any part unit of benefit purchased.

(2) Any unit purchased shall not be taken into account for the purposes of determining —

- (a) the length of service for the purpose of calculating entitlement to pension benefits under the existing scheme; or
 - (b) the length of qualifying service for determining the date of retirement.
- (3) If member retires on the ground of ill-health or dies before his normal pension age, he shall be credited with the number of units for which he is paying contributions, provided that where —
- (a) he retires on the ground of ill-health or dies within twelve months of the date of contracting to purchase added units of benefit, or
 - (b) he dies or retires on the ground of ill-health because of an incapacity to which he became subject within twelve months of that date,

the administrators are satisfied that the declaration given in accordance with regulation 4.6(2), as applied by regulation 4.8(1), was made in good faith.

(4) If a member ceases making contributions before his normal pension age for reasons other than death or retirement on the ground of ill-health, then, at the date he so ceases he shall be credited with added units of benefit in accordance with the formula $A \times (B/C)$ where —

- (a) A is the number of added units of benefit for which he had contracted to pay contributions;
- (b) B is the period (expressed in years and days) over which he has paid contributions for those added units; and
- (c) C is the period (expressed in years and days) calculated from the date of commencement of contributions, over which he would have paid contributions for those added units if he had continued in service until his normal pension age.

(5) If a member who has ceased to participate in the scheme under paragraph (4), subsequently starts to pay contributions again, this regulation and regulations 4.8 and 4.13 shall apply separately to those contributions and the value of benefits purchased with them.

Refund of contributions

4.13.—(1) If a member who has bought added years or added units of benefit under the JAYS or the JABS is both unmarried and has no eligible children at the time that he retires, dies or otherwise leaves his judicial pension scheme, he shall be entitled to a refund in accordance with this regulation.

(2) Where paragraph (1) applies, the amount to be refunded to a member of the JAYS shall be calculated by applying the percentage figure ascertained in accordance with the formula A/B to the pension capped salary he received for the period from the date he last ceased to have either a spouse or eligible children until the date of retirement where —

- (i) A is the family benefits percentage figure which corresponds to the length of time between the date agreed under regulation 4.6(3) and the member's date of retirement and which is set out in the table in Schedule 1 is appropriate to the salary group of the member at the date of his first contribution; and
- (ii) B is the length of time referred to in sub-paragraph (i) in years and days (expressed in years and fractions of a year to four decimal places).

(3) Where paragraph (1) applies, the amount to be refunded to a member of the JABS shall be calculated by applying the percentage figure ascertained in accordance with the formula A/B to the pension capped salary he received during the period from the date he last ceased to have either a spouse or eligible children until the date of retirement where —

- (i) A is the family benefits percentage figure set out in the appropriate table in Schedule 3 which corresponds to the length of time between the date agreed under regulation 4.6(3) and the member's date of retirement; and

(ii) B is the length of time referred to in sub-paragraph (i) in years and days (expressed in years and fractions of a year to four decimal places).

(4) Schedule 4 to these Regulations shall apply for the purposes of determining which of the tables in Schedule 3 is appropriate to the member.

(5) Where the spouse of a member who has bought added units of surviving spouse's pension dies or is divorced before the member ceases to be a member of the scheme constituted under Part 1 of the 1993 Act, contributions to the JASSPS shall not be refunded.

(6) Refunds made under this regulation shall be —

- (a) paid with compound interest at the rate announced annually by the Treasury in relation to the PCSPS and which is based on average building society interest rates; and
- (b) subject to a deduction of the appropriate amount in respect of tax charged under section 598 of the 1988 Act.

Monies

4.14. Benefits payable to members under the JAYS, the JASSPS or the JABS shall —

- (a) in respect of a member holding an office within Part I of Schedule 1 to the 1993 Act at the date of retirement be charged on and paid out of the Consolidated Fund; and
- (b) in respect of a member holding any other office at the date of retirement be paid out of money provided by Parliament.

Dated 6th March 1995

Mackay of Clashfern, C.

Dated 7th March 1995

Ian Lang
One of Her Majesty's Principal Secretaries of
State

We concur

Dated 7th March 1995

Andrew Mitchell
Timothy Wood
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE 1

Regulation 4.6

SALARY GROUP 1: THOSE MEMBERS WHOSE SALARY EXCEEDS
THE INLAND REVENUE CAP ON PENSIONABLE EARNINGS

<i>Period to Assumed Retirement Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 1 year	34.2	5.0
Less than 2 years and not less than 1 year	33.8	5.3
Less than 3 years and not less than 2 years	33.3	5.6
Less than 4 years and not less than 3 years	32.8	5.9
Less than 5 years and not less than 4 years	32.3	6.1
Less than 6 years and not less than 5 years	31.9	6.3
Less than 7 years and not less than 6 years	31.4	6.4
Less than 8 years and not less than 7 years	30.9	6.6
Less than 9 years and not less than 8 years	30.5	6.7
Less than 10 years and not less than 9 years	30.0	6.7
Less than 11 years and not less than 10 years	29.5	6.8
Less than 12 years and not less than 11 years	28.9	6.8
Less than 13 years and not less than 12 years	28.4	6.8
Less than 14 years and not less than 13 years	27.8	6.8
Less than 15 years and not less than 14 years	27.3	6.8
Less than 16 years and not less than 15 years	26.7	6.7
Less than 17 years and not less than 16 years	26.2	6.7
Less than 18 years and not less than 17 years	25.7	6.6

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Period to Assumed Retirement Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 19 years and not less than 18 years	25.1	6.6
Less than 20 years and not less than 19 years	24.6	6.5
Less than 21 years and not less than 20 years	24.1	6.4
Less than 22 years and not less than 21 years	23.6	6.3
Less than 23 years and not less than 22 years	23.1	6.2
Less than 24 years and not less than 23 years	22.6	6.2
Less than 25 years and not less than 24 years	22.2	6.1
Less than 26 years and not less than 25 years	21.5	6.0
Less than 27 years and not less than 26 years	20.9	5.9
Less than 28 years and not less than 27 years	20.2	5.8
Less than 29 years and not less than 28 years	19.6	5.7
Less than 30 years and not less than 29 years	19.0	5.7

SALARY GROUP 2:

THOSE MEMBERS WHOSE SALARY FALLS BETWEEN 80% AND 100% OF THE INLAND REVENUE CAP ON PENSIONABLE EARNINGS

<i>Period to Assumed Retirement Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 1 year	34.2	5.1
Less than 2 years and not less than 1 year	33.9	5.4
Less than 3 years and not less than 2 years	33.7	5.7
Less than 4 years and not less than 3 years	33.4	5.9
Less than 5 years and not less than 4 years	33.1	6.2

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<i>Period to Assumed Retirement Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 6 years and not less than 5 years	32.9	6.4
Less than 7 years and not less than 6 years	32.6	6.6
Less than 8 years and not less than 7 years	33.2	6.9
Less than 9 years and not less than 8 years	34.3	7.2
Less than 10 years and not less than 9 years	34.6	7.4
Less than 11 years and not less than 10 years	34.2	7.5
Less than 12 years and not less than 11 years	32.9	7.4
Less than 13 years and not less than 12 years	30.9	7.2
Less than 14 years and not less than 13 years	29.6	7.1
Less than 15 years and not less than 14 years	29.4	7.1
Less than 16 years and not less than 15 years	28.8	7.1
Less than 17 years and not less than 16 years	27.8	7.0
Less than 18 years and not less than 17 years	27.3	6.9
Less than 19 years and not less than 18 years	27.3	7.0
Less than 20 years and not less than 19 years	27.1	7.0
Less than 21 years and not less than 20 years	26.7	6.9
Less than 22 years and not less than 21 years	26.1	6.8
Less than 23 years and not less than 22 years	25.4	6.7
Less than 24 years and not less than 23 years	24.5	6.6
Less than 25 years and not less than 24 years	23.4	6.4

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Period to Assumed Retirement Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 26 years and not less than 25 years	22.5	6.1
Less than 27 years and not less than 26 years	21.6	5.9
Less than 28 years and not less than 27 years	20.7	5.6
Less than 29 years and not less than 28 years	19.9	5.4
Less than 30 years and not less than 29 years	19.1	5.2

SALARY GROUP 3:

THOSE MEMBERS WHOSE SALARY IS LESS THAN 80% OF THE INLAND REVENUE CAP ON PENSIONABLE EARNINGS

<i>Period to Assumed Retirement Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 1 year	34.9	4.6
Less than 2 years and not less than 1 year	34.7	4.8
Less than 3 years and not less than 2 years	34.5	5.0
Less than 4 years and not less than 3 years	34.4	5.3
Less than 5 years and not less than 4 years	34.2	5.5
Less than 6 years and not less than 5 years	33.9	5.7
Less than 7 years and not less than 6 years	33.7	5.9
Less than 8 years and not less than 7 years	33.5	6.1
Less than 9 years and not less than 8 years	33.1	6.2
Less than 10 years and not less than 9 years	33.1	6.3
Less than 11 years and not less than 10 years	32.8	6.4
Less than 12 years and not less than 11 years	32.4	6.5

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<i>Period to Assumed Retirement Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 13 years and not less than 12 years	32.3	6.5
Less than 14 years and not less than 13 years	32.3	6.6
Less than 15 years and not less than 14 years	31.8	6.6
Less than 16 years and not less than 15 years	31.0	6.6
Less than 17 years and not less than 16 years	30.5	6.5
Less than 18 years and not less than 17 years	30.4	6.6
Less than 19 years and not less than 18 years	30.1	6.6
Less than 20 years and not less than 19 years	29.5	6.5
Less than 21 years and not less than 20 years	28.8	6.4
Less than 22 years and not less than 21 years	28.2	6.4
Less than 23 years and not less than 22 years	28.0	6.3
Less than 24 years and not less than 23 years	27.5	6.3
Less than 25 years and not less than 24 years	27.0	6.2
Less than 26 years and not less than 25 years	26.4	6.2
Less than 27 years and not less than 26 years	25.9	6.1
Less than 28 years and not less than 27 years	25.4	6.0
Less than 29 years and not less than 28 years	24.9	6.0
Less than 30 years and not less than 29 years	24.4	5.9

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SCHEDULE 2

Regulation 7.7

JUDICIAL ADDED SURVIVING SPOUSE'S PENSION SCHEME

Level Monthly Payment Required to Purchase
an Additional £1,000 of Spouse's Benefits

Age in years and complete months at first contribution:

Years	Months											
	0	1	2	3	4	5	6	7	8	9	10	11
40	8.43	8.50	8.62	8.68	8.74	8.81	8.87	8.93	8.99	9.06	9.12	
41	9.18	9.25	9.32	9.39	9.46	9.52	9.59	9.66	9.73	9.80	9.87	9.94
42	10.01	10.08	10.16	10.23	10.31	10.38	10.46	10.54	10.61	10.69	10.76	10.84
43	10.92	11.00	11.08	11.17	11.25	11.33	11.42	11.50	11.58	11.67	11.75	11.84
44	11.93	12.02	12.11	12.20	12.29	12.38	12.48	12.57	12.66	12.75	12.85	12.94
45	13.04	13.14	13.24	13.34	13.44	13.55	13.65	13.75	13.85	13.96	14.06	14.17
46	14.27	14.39	14.50	14.61	14.72	14.84	14.95	15.07	15.18	15.30	15.41	15.53
47	15.65	15.77	15.90	16.02	16.15	16.28	16.41	16.53	16.66	16.79	16.92	17.05
48	17.19	17.33	17.47	17.61	17.75	17.90	18.04	18.18	18.33	18.47	18.62	18.77
49	18.92	19.08	19.23	19.39	19.55	19.71	19.88	20.04	20.20	20.37	20.53	20.70
50	20.87	21.05	21.23	21.41	21.59	21.77	21.95	22.14	22.32	22.51	22.70	22.89
51	23.08	23.28	23.49	23.69	23.90	24.11	24.32	24.53	24.75	24.96	25.18	25.39
52	25.62	25.85	26.09	26.33	26.57	26.81	27.05	27.30	27.55	27.80	28.05	28.31
53	28.56	28.83	29.10	29.37	29.65	29.93	30.22	30.51	30.80	31.09	31.39	31.70
54	32.01	32.32	32.64	32.96	33.29	33.62	33.95	34.30	34.64	34.99	35.35	35.71
55	36.08	36.45	36.83	37.22	37.61	38.00	38.41	38.82	39.24	39.66	40.09	40.53
56	40.98	41.43	41.89	42.36	42.84	43.33	43.82	44.33	44.84	45.37	45.90	46.45
57	47.00	47.57	48.14	48.73	49.34	49.95	50.58	51.22	51.87	52.54	53.22	53.92
58	54.63	55.36	56.10	56.86	57.65	58.44	59.26	60.10	60.96	61.84	62.74	63.67
59	64.62	65.60	66.60	67.63	68.69	69.78	70.90	72.06	73.25	74.47	75.74	77.04
60	78.38	79.77	81.21	82.69	74.22	85.81	87.46	89.16	90.93	92.76	94.67	96.65
61	98.72	100.87	103.11	105.44	107.89	110.44	113.10	115.90	118.83	121.91	125.14	128.54
62	132.13	135.91	139.91	144.15	148.64	153.43	158.53	163.99	169.84	176.13	182.91	190.25
63	198.22	206.90	216.40	226.81	238.26	250.91	264.93	280.56	298.05	317.74	340.07	365.57

SCHEDULE 3

Regulation 4.8

HIGHER JUDICIARY SCHEME
 CIRCUIT JUDICIARY SCHEME
 LAND TRIBUNAL SCHEME
 DISTRICT JUDICIARY SCHEME

<i>Period to Normal Pension Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 1 year	28.9	5.5
Less than 2 years and not less than 1 year	28.5	6.0
Less than 3 years and not less than 2 years	28.1	6.4
Less than 4 years and not less than 3 years	27.6	6.7
Less than 5 years and not less than 4 years	27.2	7.1
Less than 6 years and not less than 5 years	26.9	7.3
Less than 7 years and not less than 6 years	26.6	7.6
Less than 8 years and not less than 7 years	26.3	7.8
Less than 9 years and not less than 8 years	26.0	8.1
Less than 10 years and not less than 9 years	25.7	8.2
Less than 11 years and not less than 10 years	25.4	8.4
Less than 12 years and not less than 11 years	25.2	8.5
Less than 13 years and not less than 12 years	24.9	8.6
Less than 14 years and not less than 13 years	24.6	8.7
Less than 15 years and not less than 14 years	24.3	8.7
Less than 16 years and not less than 15 years	24.0	8.7
Less than 17 years and not less than 16 years	23.6	8.7

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<i>Period to Normal Pension Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 18 years and not less than 17 years	23.2	8.7
Less than 19 years and not less than 18 years	22.8	8.6
Less than 20 years and not less than 19 years	22.4	8.5
Less than 21 years and not less than 20 years	21.9	8.5
Less than 22 years and not less than 21 years	21.5	8.4
Less than 23 years and not less than 22 years	21.1	8.2
Less than 24 years and not less than 23 years	20.7	8.1
Less than 25 years and not less than 24 years	20.2	8.0
Less than 26 years and not less than 25 years	19.8	7.9
Less than 27 years and not less than 26 years	19.4	7.8
Less than 28 years and not less than 27 years	19.0	7.7
Less than 29 years and not less than 28 years	18.6	7.5
Less than 30 years and not less than 29 years	18.7	7.4

STIPENDIARY MAGISTRATE AND SHERIFF PRINCIPAL SCHEME

<i>Period to Normal Pension Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 1 year	34.3	4.6
Less than 2 years and not less than 1 year	34.1	4.8
Less than 3 years and not less than 2 years	33.9	5.0
Less than 4 years and not less than 3 years	33.8	5.3
Less than 5 years and not less than 4 years	33.6	5.5

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Period to Normal Pension Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 6 years and not less than 5 years	33.3	5.7
Less than 7 years and not less than 6 years	33.1	5.9
Less than 8 years and not less than 7 years	32.9	6.1
Less than 9 years and not less than 8 years	32.7	6.2
Less than 10 years and not less than 9 years	32.5	6.3
Less than 11 years and not less than 10 years	32.2	6.4
Less than 12 years and not less than 11 years	31.8	6.5
Less than 13 years and not less than 12 years	31.7	6.5
Less than 14 years and not less than 13 years	31.7	6.6
Less than 15 years and not less than 14 years	31.2	6.6
Less than 16 years and not less than 15 years	30.4	6.6
Less than 17 years and not less than 16 years	29.9	6.5
Less than 18 years and not less than 17 years	29.8	6.6
Less than 19 years and not less than 18 years	29.5	6.6
Less than 20 years and not less than 19 years	28.9	6.5
Less than 21 years and not less than 20 years	28.2	6.4
Less than 22 years and not less than 21 years	27.6	6.4
Less than 23 years and not less than 22 years	27.4	6.3
Less than 24 years and not less than 23 years	26.9	6.3
Less than 25 years and not less than 24 years	26.4	6.2

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Period to Normal Pension Age</i>	<i>Personal Benefits</i>	<i>Family Benefits</i>
Less than 26 years and not less than 25 years	25.8	6.2
Less than 27 years and not less than 26 years	25.3	6.1
Less than 28 years and not less than 27 years	24.8	6.0
Less than 29 years and not less than 28 years	24.3	6.0
Less than 30 years and not less than 29 years	23.8	5.9

SCHEDULE 4

Regulation 4.8 and 4.13

EXISTING JUDICIAL SCHEME JUDICIAL
OFFICES INCLUDED IN EACH ARRANGEMENT

Higher Judiciary Scheme

Lord of Appeal in Ordinary Lord Chief Justice of England Master of the Rolls Lord President of the Court of Session Lord Chief Justice of Northern Ireland Lord Justice Clerk Lord Justice of Appeal (in England and Wales or Northern Ireland) President of the Family Division Vice-Chancellor High Court Judge (in England and Wales or Northern Ireland) Judge of the Court of Session President of Vice-President of the Industrial Tribunals and the Fair Employment Tribunal, appointed under section 3 of the Fair Employment (Northern Ireland) Act 1989⁽¹⁷⁾ Chairman of Industrial Tribunals or of the Fair Employment Tribunal, appointed in pursuance of regulations under Article 30 of the Industrial Training (Northern Ireland) Order 1984⁽¹⁸⁾ or appointed under section 3(1)(c) of the Fair Employment (Northern Ireland) Act 1989 Chairman of the Scottish Land Court President of the Industrial Court appointed in pursuance of Article 91 of the Industrial Relations (Northern Ireland) Order 1992⁽¹⁹⁾ Recorder of London Common Serjeant

Sheriff Principal Scheme

Sheriff Principal in Scotland

Circuit Judiciary Scheme

Circuit Judge County Court Judge in Northern Ireland Chief or other Social Security Commissioner Chief or other Child Support Commissioner Chief or other Social Security Commissioner for Northern Ireland Chief or other Child Support Commissioner for Northern Ireland President of the Industrial Tribunals (England and Wales) President of the Industrial Tribunals (Scotland) Chairman of Industrial Tribunals appointed in pursuance of regulations under section 128 of the Employment Protection (Consolidation) Act 1978⁽²⁰⁾ President or Vice-President of Value Added Tax Tribunals

⁽¹⁷⁾ 1989 c. 32.

⁽¹⁸⁾ S.I. 1984/1159 (N.I.9).

⁽¹⁹⁾ S.I. 1992/528 (N.I.8).

⁽²⁰⁾ 1978 c. 44.

Chairman of Value Added Tax Tribunals President, Regional Chairman or Chairman of Social Security Appeal Tribunals, Medical Appeal Tribunals, Disability Appeal Tribunals or Child Support Appeal Tribunals if in a 15 year scheme President of Social Security Appeal Tribunals, Medical Appeal Tribunals, Disability Appeal Tribunals or Child Support Appeal Tribunals in Northern Ireland President or other member of the Lands Tribunal for Northern Ireland

District Judiciary Scheme

Sheriff in Scotland Master or Registrar of the Supreme Court Registrar of Civil Appeals Master of the Court of Protection District Judge of the Principal Registry of the Family Division(*) District Judge in England and Wales(*)

(*) Except for office-holders pensionable under the PCSPS. Who are not eligible to join the judicial AVC schemes.

President, Regional Chairman or Chairman of Social Security Appeal Tribunals, Medical Appeal Tribunals, Disability Appeal Tribunals, Child Support Appeal Tribunals if in a 20 year scheme Commissioner for the special purposes of the Income Tax Acts appointed under section 4 of the Taxes Management Act 1970(21) President of Pensions Appeal Tribunals

Land Tribunal Scheme

President or other member of the Lands Tribunal, the Lands Tribunal for Scotland President or other member of the Immigration Appeal Tribunal

Stipendiary Magistrate Scheme

Stipendiary Magistrate in England and Wales Resident Magistrate appointed under the Magistrates' Courts Act (Northern Ireland) 1964(22) Chairman of Social Security Appeal Tribunals, Medical Appeal Tribunals, Disability Appeal Tribunal or Child Support Appeal Tribunals in Northern Ireland

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the payment by members of the pension scheme constituted under Part I of the Judicial Pensions and Retirement Act 1993 and members of an existing judicial pension scheme of voluntary contributions towards the cost of additional benefits under their respective schemes.

(21) 1970 c. 9.
(22) 1964 c. 21