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STATUTORY INSTRUMENTS

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**2015 No. 182**

**The Judicial Pensions Regulations 2015**

**PART 9**

**Contributions**

**Refund of all member contributions and payments for extra pension made by the member**

**129.**—(1) Member contributions and payments resulting from the exercise of an option under Schedule 1 made by the member are only refundable if—

- (a) regulation 21 applies; or
- (b) the member ceases to be in pensionable service under this scheme and—
  - (i) the member has less than 2 years' qualifying service;
  - (ii) if a transfer value payment has been received by this scheme in relation to the member, it was from another occupational pension scheme; and
  - (iii) the member has not reached normal pension age under this scheme.

(2) If paragraph (1)(b) applies, the member is entitled to be paid an amount equal to the sum of all member contributions and payments resulting from the exercise of an option under Schedule 1 made by the member, less an amount equal to the income tax payable under section 205 (short service refund lump sum charge) of FA 2004(1) as a result of a refund of those contributions and payments.

(3) If all member contributions and payments for extra pension made by the member are refunded under this regulation, the member's rights under this scheme are extinguished.