

STATUTORY INSTRUMENTS

2017 No. 522

The Judicial Pensions (Fee-Paid Judges) Regulations 2017

PART 10

REPAYMENT OF DEPENDANTS' BENEFITS CONTRIBUTIONS

Modifications etc. (not altering text)

- C1** Pts. 1-11 restricted (10.3.2022 for specified purposes, 1.4.2022 in so far as not already in force) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\), ss. 90, 131\(1\)\(2\)\(f\)](#)

Full repayment of dependants' benefits contributions on retirement

- 65.**—(1) This regulation applies where—
- (a) a member (“P”) retires on or after the commencement day, and
 - (b) conditions A and B are met.
- (2) On the day after that on which P retires, P becomes entitled to a payment from the appropriate Minister.
- (3) The amount of the payment under paragraph (2) is the sum of—
- (a) the amount previously paid by P under Part 8 to the extent that it consists of the pre-commencement dependants' contributions amount; and
 - (b) the total of the contributions previously paid by P under Part 9 to the extent that they represent dependants' benefits contributions.
- (4) Condition A is that, on the day on which P retires—
- (a) P is not married and is not in a civil partnership; and
 - (b) P does not have a qualifying child.
- (5) Condition B is that, at all times since P first held an eligible fee-paid judicial office (or if later, since 7th April 2000)—
- (a) P was not married and was not in a civil partnership, and
 - (b) P did not have a qualifying child.
- (6) In this Part—
- “the pre-commencement dependants' contributions amount” means the amount determined under regulation 55;
 - “dependants' benefits contribution” means the amount determined under regulation 62(3).

Partial repayment of dependants' benefits contributions on retirement

- 66.**—(1) This regulation applies where—
- (a) a member (“P”) retires (whether before, on or after the commencement day), and

- (b) conditions A and B are met.
- (2) On the relevant day, P becomes entitled to a payment from the appropriate Minister.
- (3) In paragraph (2) “the relevant day” means—
 - (a) the day after that on which P retires, or
 - (b) if later, the commencement day.
- (4) The amount of the payment under paragraph (2) is the sum of—
 - (a) the amount previously paid by P under Part 8 which consists of so much of the pre-commencement dependants' contributions amount as is attributable to qualifying fee-paid days falling after the specified date; and
 - (b) the total of the contributions previously paid by P under Part 9 which represent dependants' benefits contributions paid on fees in respect of qualifying fee-paid days falling after the specified date.
- (5) Condition A is that, on the day on which P retires—
 - (a) P is not married and is not in a civil partnership; and
 - (b) P does not have a qualifying child.
- (6) Condition B is that, on any day during the period beginning with the day on which P first held an eligible fee-paid judicial office (or 7 April 2000 if later) and ending with the day on which P retires—
 - (a) P was married or was in a civil partnership, or
 - (b) P had a qualifying child.
- (7) In this regulation “the specified date” means the last day in respect of which condition B is met.

Full repayment of dependants' benefits contributions on partial retirement

- 67.**—(1) This regulation applies where—
- (a) a member (“P”) takes partial retirement in relation to an eligible fee-paid judicial office (“the relevant office”), and
 - (b) conditions A and B are met.
- (2) On the day after that on which P takes partial retirement, P becomes entitled to a payment from the appropriate Minister.
- (3) The amount of the payment under paragraph (2) is the sum of—
- (a) the amount previously paid by P under Part 8 which consists of so much of the pre-commencement dependants' contributions amount as is attributable to qualifying fee-paid days worked in the relevant office; and
 - (b) the total of the contributions previously paid by P under Part 9 which represent dependants' benefits contributions paid on fees in respect of qualifying fee-paid days worked in the relevant office.
- (4) Condition A is that, on the day on which P takes partial retirement—
- (a) P is not married and is not in a civil partnership; and
 - (b) P does not have a qualifying child.
- (5) Condition B is that, at all times since P first held the relevant office (or if later, since 7th April 2000)—
- (a) P was not married and was not in a civil partnership, and

- (b) P did not have a qualifying child.

Partial repayment of dependants' benefits contributions on partial retirement

- 68.**—(1) This regulation applies where—
- (a) a member (“P”) takes partial retirement in relation to an eligible fee-paid judicial office (“the relevant office”), and
 - (b) conditions A and B are met.
- (2) On the day after that on which P takes partial retirement, P becomes entitled to a payment from the appropriate Minister.
- (3) The amount of the payment under paragraph (2) is the sum of—
- (a) the amount previously paid by P under Part 8 which consists of so much of the pre-commencement dependants' contributions amount as is attributable to qualifying fee-paid days that—
 - (i) were worked in the relevant office; and
 - (ii) fell after the specified date; and
 - (b) the total of the contributions previously paid by P under Part 9 to the extent that they consist of dependants' benefits contributions and were paid on fees in respect of qualifying fee-paid days that—
 - (i) were worked in the relevant office; and
 - (ii) fell after the specified date.
- (4) Condition A is that, in the day on which P takes partial retirement in relation to the relevant office—
- (a) P is not married and is not in a civil partnership; and
 - (b) P does not have a qualifying child.
- (5) Condition B is that, on any day during the period beginning with the day on which P first held the relevant office and ending with the day on which P takes partial retirement—
- (a) P was married or was in a civil partnership, or
 - (b) P had a qualifying child.
- (6) In this regulation “the specified date” means the last day in respect of which condition B is met.

Repayments under this Part to be paid with compound interest

- 69.** Where the appropriate Minister makes a payment to a member under this Part, it must be paid together with compound interest at the rate announced annually in relation to the Principal Civil Service Pension Scheme.

Changes to legislation:

There are currently no known outstanding effects for the The Judicial Pensions (Fee-Paid Judges) Regulations 2017, PART 10.