

STATUTORY INSTRUMENTS

2017 No. 522

The Judicial Pensions (Fee-Paid Judges) Regulations 2017

PART 14

THE FEE-PAID JUDICIAL ADDED SURVIVING ADULT'S PENSION SCHEME

CHAPTER 1

INTRODUCTION

Interpretation

116. In this Part—

^{F2} ...

“added surviving adult's pension” has the meaning given in regulation 117(3);

“assumed contribution commencement date” has the meaning given in regulation 118(1);

“assumed retirement age” has the meaning given in regulation 118(3);

“assumed retirement date” means the date on which an active JASAPS member reaches the assumed retirement age;

“JASAPS” means the scheme constituted by this Part of the Regulations;

“JASAPS member” means a member of the JASAPS;

“periodic contributions start date” has the meaning given in regulation 123(3);

“retired JASAPS member” means a JASAPS member who has retired from fee-paying judicial office ^{F3}...;

“Table 2” means the table in Schedule 2 to the 1995 Regulations ^{F4}.

[^{F5}“unretired JASAPS member” means a JASAPS member who continues to hold judicial office.]

[^{F6}(b) in relation to fee-paid days between 1st April 2015 and 31st March 2022, regulation 4 applies for the purposes of this Part as if paragraph (2)(c) were omitted;

(c) references to reckonable service and to qualifying fee-paid days in this Part are to be read as including a reference to fee-paid days in judicial office after 31st March 2022 as if the principal scheme had not been closed to further accruals.]

Textual Amendments

F1 Reg. 116 renumbered as reg. 116(a) (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **56(a)**

F2 Words in reg. 116(a) omitted (1.4.2023) by virtue of [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **56(b)(i)**

- F3** Words in reg. 116(a) omitted (1.4.2023) by virtue of [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **56(b)(ii)**
- F4** [S.I. 1995/637](#). The tables in Schedule 2 were substituted by [S.I. 1996/52](#).
- F5** Words in reg. 116(a) inserted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **56(b)(iii)**
- F6** [Reg. 116\(b\)\(c\)](#) inserted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **56(c)**

Membership

117.—^{F7}(1) Membership of the JASAPS is open to [unretired and retired members of the principal scheme (but not to opted-out members)]—

- (a) who have service in an eligible fee-paid judicial office between 31st March 1995 and 5th April 2006;
- (b) whose benefits under the principal scheme in relation to at least one such office are, or are to be, calculated under the post-1995 provisions; and
- (c) who have a spouse or civil partner to whom benefits could be paid under this Part.]

(2) A person to whom membership of the JASAPS is open may become a JASAPS member by giving notice in writing to the administrators within 12 months of the [^{F8}amendment day] (or by such later date as the administrators may agree).

(3) A JASAPS member has the right to purchase added units of surviving adult's pension (“added surviving adult's pension”) in accordance with the provisions of this Part.

Textual Amendments

- F7** [Reg. 117\(1\)](#) substituted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **57(a)**
- F8** Words in [reg. 117\(2\)](#) substituted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **57(b)**

^{F9}Deemed JASAPS membership where a 2015 scheme election is made

117A.—(1) This regulation applies where—

- (a) a person (“P”) has remediable service in an eligible fee-paid judicial office;
- (b) P has, during the period of remediable service, paid contributions to purchase added surviving adult’s pension under this Part; and
- (c) a 2015 scheme election is made in respect of P.

(2) P is deemed to have been an active JASAPS member in respect of the contributions.]

Textual Amendments

- F9** [Reg. 117A](#) inserted (5.7.2023) by [The Judicial Pensions \(Remediable Service etc.\) Regulations 2023 \(S.I. 2023/766\)](#), reg. 1(b), **Sch. para. 3(7)**

Assumed dates etc

118.—(1) For the purposes of this Part, a JASAPS member must nominate a date (“the assumed contribution commencement date”) from which contributions are assumed to have been payable in relation to added surviving adult's pension.

(2) The date nominated under paragraph (1) must be no earlier than the date on which the JASAPS member first held an eligible fee-paid judicial office and in any event must be between [^{F10}31st March 1995] and 5th April 2006.

(3) For the purposes of this Part, an [^{F11}unretired] JASAPS member must nominate an age between the age of 60 and the member's compulsory retirement age at which that member intends to retire (“the assumed retirement age”).

Textual Amendments

F10 Words in [reg. 118\(2\)](#) substituted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), [regs. 1\(1\)](#), [58\(a\)](#)

F11 Word in [reg. 118\(3\)](#) substituted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), [regs. 1\(1\)](#), [58\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Judicial Pensions (Fee-Paid Judges) Regulations 2017, CHAPTER 1.