
STATUTORY INSTRUMENTS

2017 No. 522

The Judicial Pensions (Fee-Paid Judges) Regulations 2017

PART 4

PARTIAL RETIREMENT

Modifications etc. (not altering text)

C1 Pts. 1-11 restricted (10.3.2022 for specified purposes) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), **ss. 90**, 131(1)(2)(f)

Option to take partial retirement in relation to a fee-paid judicial office

27.—(1) Paragraph (2) applies where a member (“P”) at any time on or after the commencement day ceases to hold an eligible fee-paid judicial office (“the relevant office”) and—

- (a) P has reckonable service in relation to the relevant office;
- (b) either—
 - (i) at the time P ceases to hold the relevant office, P holds one or more other eligible fee-paid judicial offices, or
 - (ii) after P ceases to hold the relevant office, P is appointed to another judicial office; and
- (c) at the time P ceases to hold the relevant office, P has at least 2 years' qualifying judicial service.

(2) P may take partial retirement in relation to the relevant office by giving notice in writing to the appropriate Minister.

(3) The notice—

- (a) must be in the form determined by the appropriate Minister, and
- (b) must be received by the appropriate Minister within the period of 6 months beginning with the day on which P ceases to hold the relevant office.

(4) A notice under this regulation has effect on the day on which it is received by the appropriate Minister, and is irrevocable.

(5) For the purposes of this regulation, P is not treated as ceasing to hold a judicial office if—

- (a) P's appointment to a judicial office in one chamber of the First-tier Tribunal changes to a judicial office in another chamber of that Tribunal, or
- (b) P's appointment to a judicial office in one chamber of the Upper Tribunal changes to a judicial office in another chamber of that Tribunal.

Status: Point in time view as at 10/03/2022.

Changes to legislation: There are currently no known outstanding effects for the The Judicial Pensions (Fee-Paid Judges) Regulations 2017, PART 4. (See end of Document for details)

Effect of partial retirement

28.—(1) Where a member (“P”) takes partial retirement in relation to an eligible fee-paid judicial office (“the relevant office”), P is treated for the purposes of the relevant provisions as if P had retired on the day on which P ceased to hold the relevant office.

(2) In this regulation “the relevant provisions” means—

- (a) Part 3 (retirement benefits) apart from regulation 26 (multiple retirements), and
- (b) Part 6 (death benefits).

(3) In the application of the relevant provisions in relation to P's deemed retirement under paragraph (1), P is treated as having reckonable service only in the relevant office.

(4) The application of the relevant provisions in relation to P's deemed retirement under paragraph (1) (and P's pension under Part 3 in respect of that deemed retirement) does not prevent their application in relation to P's actual retirement (and P's pension under Part 3 in respect of that retirement).

(5) In the application of the relevant provisions in relation to P's actual retirement, P is treated as having no reckonable service in the relevant office.

Status:

Point in time view as at 10/03/2022.

Changes to legislation:

There are currently no known outstanding effects for the The Judicial Pensions (Fee-Paid Judges) Regulations 2017, PART 4.