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STATUTORY INSTRUMENTS

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**2017 No. 522**

**The Judicial Pensions (Fee-Paid Judges) Regulations 2017**

**PART 8**

**CONTRIBUTIONS IN RESPECT OF PRE-COMMENCEMENT SERVICE**

**Interpretation**

**52.** In this Part—

- “fee period” means a period specified in column 1 of the Contributions Table;
- “the pre-commencement contributions amount” has the meaning given by regulation 53(1);
- “P” means a member who is not an opted-out member;
- “the Contributions Table” means the table set out in regulation 57(1).

**Liability to pay pre-commencement contributions amount**

**53.—**(1) P must pay to the appropriate Minister an amount (“the pre-commencement contributions amount”), being the sum of—

- (a) the pre-commencement personal contributions amount (see regulation 54), and
- (b) the pre-commencement dependants’ contributions amount (see regulation 55).

(2) Paragraph (1) is subject to paragraphs (3) and (4).

(3) P is not required to pay the pre-commencement contributions amount if P—

- (a) retired before the commencement day, and
- (b) had on retirement less than two years qualifying judicial service.

(4) P is not required to pay so much of the pre-commencement contributions amount as is represented by the amount mentioned in paragraph (1)(b) if P—

- (a) retired before the commencement day,
- (b) was not married or in a civil partnership at any time during the period—
  - (i) beginning with the day on which P first held an eligible fee-paid judicial office, and
  - (ii) ending with the day on which P retired; and
- (c) did not have a qualifying child at any time during that period.

**Calculation of pre-commencement personal contributions amount**

**54.** The pre-commencement personal contributions amount in relation to P is determined as follows—

*Step 1*

For each fee period, find the total of the fees paid to P in respect of qualifying fee-paid days falling within the period.

*Step 2*

Multiply the total found under Step 1 for each fee period by the percentage specified in relation to that fee period in column 2 of the Contributions Table.

*Step 3*

Add together the amounts found under Step 2.

**Calculation of pre-commencement dependants' contributions amount**

**55.** The pre-commencement dependants' contributions amount in relation to P is determined as follows—

*Step 1*

For each fee period, find the total of the fees paid to P in respect of qualifying fee-paid days falling within the period.

*Step 2*

Multiply the total found under Step 1 for each fee period by the percentage specified in relation to that fee period in column 3 of the Contributions Table.

*Step 3*

Add together the amounts found under Step 2.

**Qualifying fee-paid days disregarded if they do not add to reckonable service**

**56.**—(1) A qualifying fee-paid day worked in an eligible fee-paid judicial office is disregarded for the purposes of regulations 54 and 55 if P's reckonable service in relation to that office would have been equal to or greater than the maximum amount in relation to that office, had P retired on the day before that day.

(2) The reference in paragraph (1) to the maximum amount in relation to an office is to that amount as determined in accordance with regulation 5 (reckonable service).

**The Contributions Table**

**57.**—(1) The Contributions Table is as follows.

<i>Fee Period</i>	<i>Contribution (personal)</i>	<i>Contribution (dependants)</i>
7th April 2000 to 31st March 2012	0%	1.80%
1st April 2012 to 31st March 2013	1.28%	1.80%
1st April 2013 to 31st March 2014	2.56%	1.80%
1st April 2014 to 31st March 2015	3.20%	1.80%
1st April 2015 to 31st March 2016	X%	1.80%
1st April 2016 to 31st March 2017	Y%	1.80%

(2) In the entry in that table for the fee period beginning on 1st April 2015, “X%” means the percentage specified in column 2 of the table in paragraph (4), in the row relating to P’s annualised fees for that period.

(3) In the entry in that table for the fee period beginning on 1st April 2016 (“the final fee period”), Y% means the percentage specified in column 2 of the table in paragraph (5), in the row relating to P’s annualised fees for that period.

(4) The table mentioned in paragraph (2) is as follows—

<i>Annualised fees</i>	<i>Contribution (personal)</i>
Up to but not including £15,001	0.96%
£15,001 to but not including £21,001	0.96%
£21,001 to but not including £47,001	1.47%
£47,001 to but not including £150,001	2.61%
£150,001 and above	4.43%

(5) The table mentioned in paragraph (3) is as follows—

<i>Annualised fees</i>	<i>Contribution (personal)</i>
Up to but not including £15,001	0.96%
£15,001 to but not including £21,211	0.96%
£21,211 to but not including £48,472	1.47%
£48,472 to but not including £150,001	2.61%
£150,001 and above	4.43%

### **Payment of pre-commencement contributions amount**

**58.**—(1) The pre-commencement contributions amount, or any part of it, may be paid—

- (a) by way of a lump sum at any time during the period of 6 months beginning with the commencement day;
- (b) by way of such deductions from fees paid to P in respect of fee-paid days as may be specified in an agreement between P and the appropriate Minister,

and for the purposes of paragraph (b), a “fee-paid” day means a day in respect of which P receives a fee in P’s capacity as a holder of an eligible fee-paid judicial office.

(2) The deductions specified under paragraph (1)(b)—

- (a) must be of fixed monetary amounts, and
- (b) must be the same for each fee.

(3) A new agreement under paragraph (1)(b) may be entered into at any time after the end of the period of 12 months beginning with the day on which the previous agreement was entered into.

(4) Except to the extent that the pre-commencement contributions amount has already been paid under paragraph (1), it is to be paid by way of a deduction from—

- (a) the lump sum payable to P under Part 3, or

(b) where P dies before retiring, the lump sum payable in respect of P under Part 6.