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STATUTORY INSTRUMENTS

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**2017 No. 522**

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

**PART 14**

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

**CHAPTER 3**

**[<sup>F1</sup>unretired] JASAPS MEMBERS**

**Contributions by [<sup>F2</sup>unretired] JASAPS members**

**125.**—(1) An [<sup>F3</sup>unretired] JASAPS member (“M”) may purchase added surviving adult pension by way of—

- (a) up to three lump sum payments, made within three years beginning with the date on which M gave notice under regulation 117(2) (but no more than one lump sum payment may be made in one calendar year), in respect of contributions relating to the period beginning with the assumed contribution commencement date and ending with the day before the periodic contributions start date; and
- (b) periodic deductions from fees [<sup>F4</sup>or salary], beginning on the periodic contributions start date, in relation to contributions relating to the period beginning with that date and ending with M's assumed retirement date.

(2) The aggregate amount of lump sum payments which M may make under paragraph (1)(a) is the smaller of—

- (a) the amount equal to the sum of the amounts determined for each tax year during the period beginning with the assumed contribution commencement date and ending with the day before the periodic contributions start date in accordance with the formula—

$$\left( \frac{15 \times FI}{100} \right) - C$$

where—

- i FI is M's annual fee income for the tax year in question [<sup>F5</sup>in any office in relation to which benefits are to be calculated under the post-1995 provisions] which is subject to income tax, or if lower, the permitted maximum for that tax year, and
  - ii C is the sum of any contributions made by M to any other judicial pension scheme (including voluntary contributions schemes) in that tax year, excluding any contributions made by the member in accordance with regulation 3 of the Judicial Pensions (Contributions) Regulations 2012; and
- (b) the amount calculated in accordance with the formula—

$$\left( \frac{C \times D}{E} \right) \times F$$

where—

- i C is the cost of one unit of added surviving adult's pension (an “added unit”), determined in accordance with regulation 124(1);
- ii D is the number of added units which M has notified to the administrators under regulation 123(1)(c);
- iii E is the period between the assumed contribution commencement date and M's assumed retirement date, expressed in years and any fraction of a year;
- iv F is the period beginning with the assumed contribution commencement date and ending with the day before the periodic contributions start date, expressed in years and any fraction of a year

(3) For the purposes of paragraph (2)(a)(i), M's “annual fee income” is the total of the fees paid to M [F<sup>6</sup>for any office in relation to which benefits are to be calculated under the post-1995 provisions] in respect of qualifying fee-paid days in the tax year concerned

(4) The maximum aggregate amount of periodic contributions M may make under paragraph (1) (b) is calculated in accordance with the formula—

$$\left( \left( \frac{C \times D}{E} \right) \times F \right) + X$$

where—

- a C is the cost of one added unit, determined in accordance with regulation 124(1);
- b D is the number of added units which M has notified to the administrators under regulation 123(1)(c);
- c E is the period between the assumed contribution commencement date and M's assumed retirement date, expressed in years and any fraction of a year;
- d F is the period beginning with the periodic contributions start date and ending with M's assumed retirement date, expressed in years and fraction of a year;
- e X is the difference between the maximum amount which M could have contributed under paragraph (2) and the amount M actually contributed under that paragraph.

(5) M may only make periodic contributions to the JASAPS during any period when M has a spouse or civil partner to whom benefits could be paid under the JASAPS.

#### Textual Amendments

- F2** Word in [reg. 125](#) heading substituted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **63(a)**
- F3** Word in [reg. 125\(1\)](#) substituted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **63(a)**
- F4** Words in [reg. 125\(1\)\(b\)](#) inserted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **63(b)**
- F5** Words in [reg. 125\(2\)\(a\)\(i\)](#) inserted (1.4.2023) by [The Judicial Pensions \(Fee-Paid Judges\) \(Amendment\) Regulations 2023 \(S.I. 2023/403\)](#), regs. 1(1), **63(c)**

**F6** Words in reg. 125(3) inserted (1.4.2023) by The Judicial Pensions (Fee-Paid Judges) (Amendment) Regulations 2023 (S.I. 2023/403), regs. 1(1), **63(d)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Judicial Pensions (Fee-Paid Judges) Regulations 2017, Section 125.