
STATUTORY INSTRUMENTS

2023 No. 766

The Judicial Pensions (Remediable
Service etc.) Regulations 2023

PART 4

Provision in relation to certain fee-paid judges

CHAPTER 11

Unauthorised payments

Scheme rules that prohibit unauthorised payments

45.—(1) Paragraph (2) applies where—

- (a) a payment from a judicial scheme is permitted or required to be made under this Part,
- (b) the payment, if made, would be an unauthorised payment, and
- (c) a rule of the scheme prohibits the scheme from making unauthorised payments.

(2) The payment may be made only if it falls within a description of payments that correspond to a description of payments specified for the purposes of section 63 of PSPJOA 2022 in Treasury directions.

(3) Paragraph (4) applies where—

- (a) in the course of taking the steps mentioned in regulation 32 (requirement to transfer assets held in a partnership pension account) a payment is made from a partnership pension account,
 - (b) the payment, if made, would be an unauthorised payment, and
 - (c) a rule of the scheme prohibits the scheme from making unauthorised payments.
- (4) The payment may be made notwithstanding the rule mentioned in paragraph (3)(c).

Commencement Information

II Reg. 45 in force at 5.7.2023, see [reg. 1\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Judicial Pensions (Remediable Service etc.) Regulations 2023, CHAPTER 11.