
STATUTORY INSTRUMENTS

2023 No. 766

**The Judicial Pensions (Remediable
Service etc.) Regulations 2023**

PART 2

Provision about special cases where a member has remediable service

CHAPTER 3

Partial retirement

Partial retirement notice

10.—(1) Paragraph (2) applies where—

- (a) P exercised a partial retirement option under regulation 60(2) of the 2015 Regulations in respect of any fee-paid judicial office⁽¹⁾,
- (b) a legacy scheme election is made in respect of P, and
- (c) the conditions set out in regulation 27(1) of FPJR 2017 are met in respect of P.

(2) A notice in respect of P that complies with the requirement in regulation 27(3)(a) of FPJR 2017 is treated as having been given in accordance with sub-paragraph (3)(b) of that regulation if it is received by the appropriate Minister before the end of the election period.

(3) A notice under paragraph (2) has effect on the date agreed by the member and the scheme manager under regulation 61(1)(b) of the 2015 Regulations in relation to the exercise of the partial retirement option referred to in paragraph (1)(a).

(4) Paragraph (5) applies where—

- (a) P gave notice to take partial retirement under regulation 27(2) of FPJR 2017,
- (b) a 2015 scheme election is made, or is treated as having been made, in respect of P, and
- (c) the conditions set out in regulation 60(1) of the 2015 Regulations are met in respect of P.

(5) A partial retirement option in respect of P is treated as having been exercised in accordance with regulation 61(1)(b) of the 2015 Regulations if a partial retirement option notice that complies with the requirements of regulation 61(1)(a) and (2) of those Regulations is received by the scheme manager before the end of the election period.

(6) An option under paragraph (5) has effect on the day the notice mentioned in paragraph (4) (a) was received by the appropriate Minister.

Commencement Information

II Reg. 10 in force at 5.7.2023, see [reg. 1\(b\)](#)

(1) See section 71(3) of PSPJOA 2022 for the meaning of “fee-paid judicial office”.

Changes to legislation: There are currently no known outstanding effects for the The Judicial Pensions (Remediable Service etc.) Regulations 2023, Section 10. (See end of Document for details)

Changes to legislation:

There are currently no known outstanding effects for the The Judicial Pensions (Remediable Service etc.) Regulations 2023, Section 10.