
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 2

Member options

Transfers out of the 2015 scheme

9.—(1) This regulation applies where a transfer value payment has been made during the period of remediable service under regulation 133 of the 2015 Regulations in respect of P’s accrued rights under the 2015 scheme (disregarding any provision of Chapter 2 of Part 1 of PSPJOA 2022).

(2) Nothing in sections 40 to 66 of PSPJOA 2022 applies in relation to P’s remediable service.

(3) The scheme manager must provide the appropriate person with a statement of the cash equivalent to which P would have been entitled, had—

- (a) sections 40 to 66 of PSPJOA 2022 applied in respect of P’s accrued rights on the guarantee date in relation to the period of remediable service, and
- (b) a legacy scheme election been made in respect of P.

(4) Where—

- (a) the value of the cash equivalent in respect of the sum specified in regulation 137(3)(a) of the 2015 Regulations, is less than
- (b) the value of the cash equivalent to which P would have been entitled under paragraph (3) in respect of that sum,

the scheme manager must pay to the appropriate person an amount equal to the value of the difference.

(5) The scheme manager is discharged from any further obligation to provide benefits in relation to the cash equivalent if—

- (a) the scheme manager makes any payment required to be made by paragraph (4), or
- (b) the amount mentioned in paragraph (4)(a) is greater than the amount mentioned in paragraph (4)(b).

(6) In this regulation, the “guarantee date” is the date specified in the statement of entitlement that was provided to P under regulation 135(1) of the 2015 Regulations in respect of the transfer value payment.

Changes to legislation: There are currently no known outstanding effects for the The Judicial Pensions (Remediable Service etc.) Regulations 2023, Section 9. (See end of Document for details)

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Commencement Information

II Reg. 9 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, Section 9.