This Statutory Instrument contains corrections to errors in S.I. 2022/319 and S.I. 2017/522 as amended by S.I. 2023/403 and is being issued free of charge to all known recipients of that Statutory Instrument.

Draft Regulations laid before Parliament under section 29(2A) of the Judicial Pensions and Retirement Act 1993 (c. 8) and section 24(1) of the Public Service Pensions Act 2013 (c. 25), for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2024 No.

PUBLIC SERVICE PENSIONS

The Judicial Pensions (Amendment) Regulations 2024

Made - - - - ***

Coming into force

The Lord Chancellor, in relation to judicial offices for which the Lord Chancellor is the appropriate Minister within the meaning of section 30 of the Judicial Pensions and Retirement Act 1993(**a**) ("JUPRA") and the Secretary of State in relation to judicial offices for which the Secretary of State is the appropriate Minister within the meaning of section 30 of JUPRA, make the following Regulations in exercise of the powers conferred by section 18A and 29(3) of JUPRA.

The Lord Chancellor also makes the following Regulations in exercise of the powers conferred by sections 1(1) and (2)(b), 2(1) (as read with paragraph 2(1) of Schedule 2), 3(1) to (3), 11(1)(a), 12(1), (1A), (6), (7), 12A(1) and (3) of, and paragraph 2 of Schedule 1, and Schedule 3 to, the Public Service Pensions Act 2013(**b**) ("the 2013 Act").

In accordance with section 21 of, and paragraph 2(2) of Schedule 2 to, the 2013 Act, the Lord Chancellor has consulted the Secretary of State and such persons (or representatives of such persons) as appear to the Lord Chancellor likely to be affected by these Regulations.

In accordance with section 3(5) of the 2013 Act, the Lord Chancellor has obtained the consent of the Treasury before making these Regulations.

The Lord Chancellor has had regard to the matters referred to in section 5(3) of the 2013 Act.

A draft of this instrument has been laid before and approved by a resolution of each House of Parliament pursuant to section 29(2A) of JUPRA and section 24(1) of the 2013 Act.

(**a**) 1993 c. 8.
(**b**) 2013 c. 25.

PART 1

Introductory

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Judicial Pensions (Amendment) Regulations 2024 and come into force on the day after the day on which they are made.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

PART 2

The Judicial Pensions (Fee-Paid Judges) (Amendment) Regulations 2023

Insertion of new Part into the Judicial Pensions (Fee-Paid Judges) (Amendment) Regulations 2023

2. After Part 3 (Benefits in respect of periods before amendment day) insert —

"PART 3A

Benefits in respect of periods after amendment day

Benefits in respect of period after amendments

70A.—(1) This Part applies where—

(a) a member ("P") retired, or died without retiring; and

(b) approximated amounts of pension were paid to P after the amendment day in respect of P's retirement or death under arrangements made for the purpose of providing benefits after the amendment day corresponding to an anticipated increase in benefits (including an increase from zero) payable under the principal scheme as a consequence of amendments made by these Regulations.

(2) In this Part, expressions defined for the purpose of the 2017 Regulations have the same meaning as in those Regulations.

Meaning of "approximated pension payments amount" and "post-amendment day benefits increase amount"

70B. In this Part—

(a) the "approximated pension payments amount" means the total amount of pension that was paid to a person under arrangements made for the purpose of providing increased benefits after the amendment day in respect of P's retirement or death under the principal scheme in lieu of benefits being finally calculated in accordance with the principal scheme;

(b) the "post-amendment day benefits increase amount" means the total amount of the increase in benefits under the principal scheme that would have been payable after the amendment day in respect of P's retirement or death, after deduction of any contributions that would have been payable, as a consequence of amendments made by these Regulations, if those benefits had been finally calculated in

accordance with the principal scheme on the day before the day on which P retired or died without having retired.

Additional payment where no or insufficient approximated pension payments made

70C.—(1) Paragraph (2) applies where the approximated pension payments amount in relation to a person is less than the post-amendment day benefits increase amount.

(2) The administrators must pay to the person the amount of the difference between the two amounts mentioned in paragraph (1).

Repayment of any excess approximated pension payments

70D.—(1) Paragraph (2) applies where the approximated pension payments amount in relation to a person is greater than the post-amendment day benefits increase amount.

(2) The administrators may recover the difference between the two amounts mentioned in paragraph (1) from the person, including by way of deduction from any benefits to which P is entitled under the principal scheme, including in such instalments from payments of retirement pension as the administrators may determine.".

PART 3

The Judicial Pensions Regulations 2022

Amendment of the Judicial Pensions Regulations 2022

3. The Judicial Pensions Regulations 2022(**a**) ("the 2022 Regulations") are amended in accordance with this Part.

Insertion of new regulation 7A

4. After regulation 7 (qualifying judicial office) insert—

"Qualifying judicial offices with retrospective entitlements

7A.—(1) Where an office, as specified in an order made under paragraph 2 of Schedule 1 to the Act, has a corresponding entitlement start date under paragraph (2), then:

(a) that office is deemed to have been a qualifying judicial office from that entitlement start date for the purpose of these Regulations subject to paragraph 7; and

(b) the holder of that office is entitled from the office's entitlement start date to the date on which the office was specified in the order referred to in paragraph (1) (the "retrospective entitlement period") to the pension and other benefits conferred by these Regulations subject to paragraph 7.

(2) The following office has the following entitlement start date: Member (Chair Only) First-tier Tribunal (Social Entitlement Chamber) Criminal Injuries Compensation, 1 April 2022.

(3) The holder of an office to which paragraph (1) applies must pay to the scheme contributions in respect of service carried out during their retrospective entitlement period ("previous service contributions") as calculated under paragraph (4).

(4) The member's previous service contributions are to be calculated as follows—

(**a**) S.I. 2022/319.

Step 1

Find the member's pensionable earnings as set out under regulation 16 for each scheme year.

Step 2

Multiply the member contributions rate as calculated under regulation 105 by the pensionable earnings for each scheme year.

Step 3

Add together the amounts calculated under Step 2.

(5) Except to the extent that the previous service contributions have already been paid, where possible they must be paid:

(a) by way of a lump sum at any time during the period of 6 months beginning with the date on which the office is specified in the order referred to in paragraph (1) (or by such later date as the scheme manager may agree); or

(b) by way of deductions by the member's employer from the member's pensionable earnings for each pay period, as may be specified in an agreement between the member and the scheme manager.

(6) Where it is not possible to pay the previous service contributions under paragraph (5), they must be paid by way of a deduction from—

(a) pension payments under Part 6 of these Regulations in such instalments as the scheme manager considers appropriate;

(b) the lump sum (if one is payable under regulations 60 or 61 of these Regulations) paid on retirement;

(c) where a member dies before retiring, the lump sum payable under regulation 93 of these Regulations; or

(d) if applicable, the transfer value payment under Chapter 2 of Part 10 of these Regulations.

(7) The holder of an office to which paragraph (1) applies may opt out in relation to all or part of the retrospective entitlement period by sending a notice (an "opt-out notice") to the scheme manager, in a form required by the scheme manager, within 6 months beginning with the date on which the office is specified in the order referred to in paragraph (1) (or by such later date as the scheme manager may agree).

(8) Where the holder of an office sends an opt-out notice to the scheme manager under paragraph (7), that person is treated as always having been an opted-out member in relation to all or part of the retrospective entitlement period.".

Amendment of regulation 62

5. In regulation 62 (commutation supplement)—

(a) in paragraph (1)(b), for "61(3)" substitute "60(1)"; and

(b) in paragraph (2)(a), for "61(3)" substitute "60(1)".

Amendment of regulation 84

6. In regulation 84(6) (annual rate of surviving adult's pensions payable on death of active member), in paragraph (b) of the definition of "Y", at the end insert— ". Where this figure is 0, a value of 0.083 will be applied".

Insertion of new regulation 117A

7. After regulation 117 (appointment of scheme actuary and actuarial valuations) insert—

"Employer Cost Cap

117A.—(1) The employer cost cap for this scheme is 33.1% of pensionable earnings for members of this scheme.

(2) If the cost of this scheme goes beyond the margin either side of the employer cost cap for this scheme specified in regulations under section 12(5)(a) (employer cost cap) of the Act(**a**), the Lord Chancellor must consult the scheme advisory board and such persons as appear likely to be affected by any steps that may be taken, with a view to reaching agreement with the relevant heads of jurisdiction on the steps required to achieve the target cost for this scheme.

(3) If, following such consultation, agreement is not reached, the percentage of the member's pensionable earnings specified in regulation 30(3) as the amount of earned pension for a scheme year must be adjusted for pensionable earnings after the date of adjustment, so that the target cost for this scheme is achieved.

(4) In this regulation—

(a) "cost of this scheme" means the cost of this scheme calculated following a valuation in accordance with regulation 117;

(b) "target cost for this scheme" means the target cost for this scheme specified in regulations under section 12(5)(b) (employer cost cap) of the Act(**b**).".

PART 4

The Judicial Pensions (Fee-Paid Judges) Regulations 2017

Amendment of the Judicial Pensions (Fee-Paid Judges) Regulations 2017

8. The Judicial Pensions (Fee-Paid Judges) Regulations 2017(**c**) ("the 2017 Regulations") are amended in accordance with this Part.

Amendment of regulation 2

9. In regulation 2(1) (interpretation), in the definition of "service credit day multiplier", after "the HM Land Registry," insert— "0.00 where the relevant office is that of Judge of the Consumer Credit Appeal Tribunal or Judge of the Estate Agents Appeal Tribunal,".

Amendment of regulation 9

10. In regulation 9 (opted out members and active members), after paragraph (2A) insert—

"(2B) If P became a member as a consequence of amendments made to these Regulations pursuant to the Judicial Pensions (Amendment) Regulations 2024 and opts out within the period of 7 months beginning with the day on which the Judicial Pensions (Amendment) Regulations 2024 came into force, P is treated as always having been an opted-out member.".

(**a**) Regulation 3 of S.I. 2014/575, as amended by S.I. 2022/787.
(**b**) Regulation 4 of S.I. 2014/575, as amended by S.I. 2022/787.
(**c**) S.I. 2017/522, as amended by S.I. 2023/403; there are other amending instruments but none is relevant.

Amendment of regulation 11C

11. In regulation 11C(2)(b) (elections available to members)—

(a) omit ", if P has retired or died before this regulation came into force,";

(b) for "12", in the second place that it occurs, substitute "48";

(c) after "the amendment day" insert— ", whichever is the later".

Amendment of regulation 55

12. In regulation 55 (calculation of pre-commencement dependants' contributions amounts)—

(a) in paragraph (1), after "under paragraph (2)" insert ", (2A)";

(b) in paragraph (2), after "Schedule 1" insert "where the office was first held before 31st March 1995";

(c) after paragraph (2) insert—

"(2A) For an office specified in Table 1 or Table 2 of Schedule 1 where the office was first held on or after 31st March 1995, paragraph (2) applies with the exception that references to column 3 should be read as column 4.".

Amendment of regulation 55A

13. In regulation 55A (calculation of initial pre-commencement dependants' contributions amount)—

(a) in paragraph (1), after "under paragraph (2)" insert ", (2A)";

(b) in paragraph (2), after "Schedule 1" insert "where the office was first held before 31st March 1995";

(c) after paragraph (2) insert—

"(2A) For an office specified in Table 1 or Table 2 of Schedule 1 where the office was first held on or after 31st March 1995, paragraph (2) applies with the exception that the reference to column 3 should be read as column 4.".

Amendment of regulation 58A

14. In regulation 58A (payment of initial pre-commencement contributions)—

(a) in paragraph (1)(a), for "of 6 months beginning with 1st April 2023" substitute "ending with 1st April 2027, or by such later date as the administrators consider reasonable in all the circumstances";

(b) in paragraph (5), for "Regulation 65 applies" substitute "Regulations 65, 66, 67 and 68 apply" and for "regulations 54A and 55A" substitute "regulation 55A".

Amendment of regulation 62

15. In regulation 62(3ZA) (amount of contribution)—

(a) after "Schedule 1" insert "and that office was first held before 31st March 1995";

(b) after "the relevant column is column 3", insert "; if the fee was for an office specified in Table 1 or Table 2 of Schedule 1 and that office was first held on or after 31st March 1995, the relevant column is column 4".

Amendment of regulation 65

16. In regulation 65(5) (full repayment of dependants' benefits contributions on retirement), omit "(or if later, since 7th April 2000)".

Amendment of regulation 66

17. In regulation 66(6) (partial repayment of dependants' benefits contributions on retirement), omit "(or 7 April 2000 if later)".

Amendment of regulation 67

18. In regulation 67(5) (full repayment of dependants' benefits contributions on partial retirement), omit "(or if later, since 7th April 2000)".

Amendment of regulation 69A

19. In regulation 69A(7) (commutation of small pensions), in paragraph (a) of the definition of "the commutation provisions", for "Part 8" substitute "Chapter 2 of Part 2B or Part 6 of these Regulations".

Amendment of regulation 104

20. In regulation 104(2) (membership of the Fee-Paid Judicial Added Years Scheme ("FPJAYS")), for "12" substitute "48".

Amendment of regulation 107

21. In regulation 107(3) (contributions by retired FPJAYS members), in paragraph (b) of the formula, at the end, insert "and, where regulation 4(4A) applies for the purposes of determining P's qualifying fee-paid service, disapplying the multiplier of 1.25".

Amendment of regulation 117

22. In regulation 117(2) (membership of the Fee-Paid Judicial Added Surviving Adult's Pension Scheme), for "12" substitute "48".

Amendment of regulation 128A

23. In regulation 128A(1) (interpretation of the Fee-Paid Judicial Added Benefits Scheme ("FPJABS"))—

(a) omit the definition of "PRS";

(b) after the definition of "unretired FPJABS member" insert—

""WS" has the meaning given in regulation 128B.".

Consequential amendment of Parts 14A and 14B

24. For "PRS" substitute "WS" in the following regulations:

(a) regulation 128F(2)(b)(i) and (ii);

(b) regulation 128F(3)(a);

(c) regulation 128F(5)(a);

(d) regulation 128F(5)(c);

(e) regulation 128K(1);

(f) regulation 128L(2)(a);

(g) regulation 128L(2)(b);

(h) regulation 128L(3);

(i) regulation 128L(4)(a)(i);

(j) regulation 128L(4)(a)(ii);

(k) regulation 128L(4)(b)(i);

(l) regulation 128L(4)(b)(ii); and

(m) regulation 128X(2).

Amendment of regulation 128B

25.—(1) In the heading to regulation 128B (determination of PRS value for use in this Part), for "PRS value" substitute "WS and RS values".

(2) in regulation 128B—

(a) for paragraph (1) substitute—

"(1) In this Part, WS means a value derived using the appropriate annual salary values for each eligible fee-paid office in which the member has reckonable service (in accordance with paragraphs (5), (7) or (9) as appropriate) for which entitlements are to be calculated under the pre-1995 provisions.";

(b) in paragraph (2), in the opening words, before "RS" insert "In this Part, ";

(c) omit paragraphs (3) and (4);

(d) in paragraph (11), for "the values of RS, WS and JS" substitute "WS".

Amendment of regulation 128C

26. In regulation 128C(2) (membership of FPJABS), for "2024" substitute "2027".

Amendment of regulation 128D

27. In regulation 128D(2) (assumed dates etc.), at the end, insert "and after the commencement of the member's reckonable service for which benefits are to be calculated under the pre-1995 provisions".

Amendment of regulation 128E

28. In regulation 128E(2) (notice to purchase added units of benefit)—

(a) in sub-paragraph (b), after "age;" insert "and";

(b) omit sub-paragraph (c).

Amendment of regulation 128I

29. In regulation 128I(1)(a) (limits on contributions by unretired FPJABS members), for the formula substitute—

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

Amendment of regulation 128J

30.—(1) In the heading to regulation 128J (cost of added units of benefit for retired FPJABS members), for "Cost of" substitute "Contribution required for".

(2) In regulation 128J(1)—

(a) for "cost of" substitute "contribution required for"; and

(b) in the definition of "A", for "the appropriate table in Schedule 3 to the 1995 Regulations" substitute "Schedule 4".

Amendment of regulation 128K

31.—(1) In the heading of regulation 128K (cost of added units of benefit for unretired FPJABS members), for "Cost of" substitute "Annual contribution rate for".

(2) In regulation 128K(1)—

(a) for "cost of" substitute "annual contribution rate for";

(b) in the definition of "A", for "the first table in Schedule 3 to the 1995 Regulations" substitute "Schedule 4"; and

(c) after the definition of "B", for the words from "PRS is to be determined as if—" to the end, substitute "WS is to be determined as if references to the member's retirement were instead references to the assumed contributions commencement date.".

Amendment of regulation 128N

32. In regulation 128N(2) (refund of contributions: family benefits), in the definition of "A", for "the appropriate table in Schedule 3 to the 1995 Regulations" substitute "Schedule 4".

Amendment of regulation 128R

33. In regulation 128R(2) (conversion of added years into added units of benefit)—

(a) for the definition of "D" substitute—

> "D is the appropriate service credit figure, specified in Schedule 5, determined by reference to the age of the member at the member's last birthday at:
>
> (i) retirement in respect of retired members; and
>
> (ii) the assumed retirement date under Part 13 in respect of unretired members;";

(b) after the definition of "D", omit the words from "For the purpose of the definition of D" to "the appropriate annual salary of the office concerned".

Amendment of regulation 128S

34. In regulation 128S (variation of added units of benefit after conversion under regulation 128R)—

(a) in paragraph (2)(b), for "2024" substitute "2027";

(b) in paragraph (7)(b), for "2024" substitute "2027".

Amendment of regulation 128T

35. In regulation 128T (variation of added years purchase upon notice by member)—

(a) in paragraph (2), for "2024" substitute "2027";

(b) in paragraph (8), for "2024" substitute "2027".

Amendment of regulation 128V

36. In regulation 128V (variation of existing JASAPS purchase upon notice by member)—

(a) in paragraph (2), for "2024" substitute "2027";

(b) in paragraph (8), for "2024" substitute "2027".

Amendment to regulation 128X

37. In regulation 128X(2) (conversion of units of benefit into added years)—

(a) for the definition of "D" substitute—

> "D is the appropriate service credit figure, specified in Schedule 5, determined by reference to the age of the member at the member's last birthday at:
>
> (i) retirement in respect of retired members; and
>
> (ii) the assumed retirement date under Part 14A in respect of unretired members.";

(b) after the definition of "D", omit the words from "For the purpose of the definition of D" to "a reference to the post-1995 provisions".

Amendment of Schedule 1 (Judicial Offices)

38.—(1) Table 4 of Schedule 1 is amended as follows.

(2) After the entry for "President of Welsh Tribunals" insert—

"Legal Chair Agricultural Land Tribunal Wales	220	30th June 2013
Deputy Legal Chair Agricultural Land Tribunal Wales	220	30th June 2013";

(3) After the entry for "First-tier Tribunal Judge (Property Chamber) Agricultural Land and Drainage" insert—

"First-tier Tribunal Judge (Health, Education and Social Care Chamber) Primary Health Lists	220	18th January 2010";

(4) After the entry for "Legal Member Transport Tribunal" insert—

"Judge of the Consumer Credit Appeal Tribunal	220	1st September 2009
Judge of the Estate Agents Appeal Tribunal	220	1st September 2009".

Insertion of new Schedules

39. After Schedule 3, insert Schedules 4 (personal benefits and family benefits percentage figures) and 5 (service credit figures), as set out in Schedules 1 and 2 respectively to these Regulations.

PART 5

The Judicial Pensions Regulations 2015

Insertion of new regulation into the Judicial Pensions Regulations 2015

40. After regulation 13 (qualifying judicial office) insert—

"Qualifying judicial offices with retrospective entitlements

13A.—(1) Where an office, as specified in an order made under paragraph 2 of Schedule 1 to the Act, has a corresponding entitlement start date under paragraph (2), then:

(a) that office is deemed to have been a qualifying judicial office from that entitlement start date for the purpose of these Regulations subject to paragraph 7; and

(b) the holder of that office is entitled from the office's entitlement start date to the date on which the office was specified in the order referred to in paragraph (1) (the "retrospective entitlement period") to the pension and other benefits conferred by these Regulations subject to paragraph 7.

(2) The following office has the following entitlement start date: Member (Chair Only) First-tier Tribunal (Social Entitlement Chamber) Criminal Injuries Compensation, 1 April 2015.

(3) The holder of an office to which paragraph (1) applies must pay to the scheme contributions in respect of service carried out during their retrospective entitlement period ("previous service contributions") as calculated under paragraph (4).

(4) The member's previous service contributions are to be calculated as follows—

Step 1

Find the member's annualised rate of pensionable earnings as calculated under regulation 124 for each scheme year.

Step 2

Multiply the member contributions rate by the annualised rate of pensionable earnings for each scheme year.

Step 3

Add together the amounts calculated under Step 2.

(5) Except to the extent that the previous service contributions have already been paid, where possible they must be paid:

(a) by way of a lump sum at any time during the period of 6 months beginning with the date on which the office is specified in the order under paragraph (1) (or by such later date as the scheme manager may agree); or

(b) by way of deductions by the member's employer from the member's pensionable earnings for each pay period, as may be specified in an agreement between the member and the scheme manager.

(6) Where it is not possible to pay the previous service contributions under paragraph (5), they must be paid by way of a deduction from—

(a) pension payments under Part 6 of these Regulations in such instalments as the scheme manager considers appropriate;

(b) the lump sum (if one is payable under regulation 76 or 77 of these Regulations) paid on retirement;

(c) where a member dies before retiring, the lump sum payable under regulation 111 of these Regulations; or

(d) if applicable, the transfer value payment under Chapter 2 of Part 10 of these Regulations.

(7) The holder of an office to which paragraph (1) applies may opt out in relation to all or part of the retrospective entitlement period by sending a notice (an "opt-out notice") to the scheme manager, in a form required by the scheme manager, within 6 months beginning with the date on which the office is specified in the order referred to in paragraph (1) (or by such later date as the scheme manager may agree).

(8) Where the holder of an office sends an opt-out notice to the scheme manager under paragraph (7), that person is treated as always having been an opted-out member in relation to all or part of the retrospective entitlement period.".

PART 6

The Public Service Pensions Act 2013 (Judicial Offices) Order 2015

Amendment of the Public Service Pensions Act 2013 (Judicial Offices) Order 2015

41. In the Schedule (specified judicial offices) to the Public Service Pensions Act 2013 (Judicial Offices) Order 2015,(**a**) after the entry for "Chairman of the Criminal Injuries Compensation Board" insert—

"Member (Chair Only) First-tier Tribunal (Social Entitlement Chamber) Criminal Injuries Compensation".

We consent to the making of these Regulations

Two of the Lords Commissioners of His Majesty's Treasury
HM Treasury

Lord Chancellor
Ministry of Justice

Secretary of State for Scotland
Scotland Office

(**a**) S.I. 2015/580.

SCHEDULE 1

Regulation 39

“SCHEDULE 4

Personal Benefits and Family Benefits Percentage Figures

Table 1

Personal benefits and family benefits percentage figures for offices included in Table 1 of Schedule 1

Period to Assumed Retirement Age	Personal Benefits	Family Benefits
Less than 1 year	28.9	5.5
Less than 2 years and not less than 1 year	28.5	6
Less than 3 years and not less than 2 years	28.1	6.4
Less than 4 years and not less than 3 years	27.6	6.7
Less than 5 years and not less than 4 years	27.2	7.1
Less than 6 years and not less than 5 years	26.9	7.3
Less than 7 years and not less than 6 years	26.6	7.6
Less than 8 years and not less than 7 years	26.3	7.8
Less than 9 years and not less than 8 years	26	8.1
Less than 10 years and not less than 9 years	25.7	8.2
Less than 11 years and not less than 10 years	25.4	8.4
Less than 12 years and not less than 11 years	25.2	8.5
Less than 13 years and not less than 12 years	24.9	8.6
Less than 14 years and not less than 13 years	24.6	8.7
Less than 15 years and not less than 14 years	24.3	8.7
Less than 16 years and not less than 15 years	24	8.7
Less than 17 years and not less than 16 years	23.6	8.7
Less than 18 years and not less than 17 years	23.2	8.7
Less than 19 years and not less than 18 years	22.8	8.6
Less than 20 years and not less than 19 years	22.4	8.5
Less than 21 years and not less than 20 years	21.9	8.5
Less than 22 years and not less than 21 years	21.5	8.4
Less than 23 years and not less than 22 years	21.1	8.2
Less than 24 years and not less than 23 years	20.7	8.1
Less than 25 years and not less than 24 years	20.2	8
Less than 26 years and not less than 25 years	19.8	7.9
Less than 27 years and not less than 26 years	19.4	7.8
Less than 28 years and not less than 27 years	19	7.7
Less than 29 years and not less than 28 years	18.6	7.5
Less than 30 years and not less than 29 years	18.7	7.4

Period to Assumed Retirement Age	Personal Benefits	Family Benefits
Less than 31 years and not less than 30 years	17.8	7.3
Less than 32 years and not less than 31 years	17.5	7.2
Less than 33 years and not less than 32 years	17	7.1
Less than 34 years and not less than 33 years	16.6	7
Less than 35 years and not less than 34 years	16.2	6.9
Less than 36 years and not less than 35 years	15.8	6.8
Less than 37 years and not less than 36 years	15.5	6.7
Less than 38 years and not less than 37 years	14.9	6.6
Less than 39 years and not less than 38 years	14.6	6.5
Less than 40 years and not less than 39 years	14	6.4

Table 2

Personal benefits and family benefits percentage figures for offices included in Table 2 or 3 of Schedule 1

Period to Assumed Retirement Age	Personal Benefits	Family Benefits
Less than 1 year	34.3	4.6
Less than 2 years and not less than 1 year	34.1	4.8
Less than 3 years and not less than 2 years	33.9	5
Less than 4 years and not less than 3 years	33.8	5.3
Less than 5 years and not less than 4 years	33.6	5.5
Less than 6 years and not less than 5 years	33.3	5.7
Less than 7 years and not less than 6 years	33.1	5.9
Less than 8 years and not less than 7 years	32.9	6.1
Less than 9 years and not less than 8 years	32.7	6.2
Less than 10 years and not less than 9 years	32.5	6.3
Less than 11 years and not less than 10 years	32.2	6.4
Less than 12 years and not less than 11 years	31.8	6.5
Less than 13 years and not less than 12 years	31.7	6.5
Less than 14 years and not less than 13 years	31.7	6.6
Less than 15 years and not less than 14 years	31.2	6.6
Less than 16 years and not less than 15 years	30.4	6.6
Less than 17 years and not less than 16 years	29.9	6.5
Less than 18 years and not less than 17 years	29.8	6.6
Less than 19 years and not less than 18 years	29.5	6.6
Less than 20 years and not less than 19 years	28.9	6.5
Less than 21 years and not less than 20 years	28.2	6.4
Less than 22 years and not less than 21 years	27.6	6.4
Less than 23 years and not less than 22 years	27.4	6.3
Less than 24 years and not less than 23 years	26.9	6.3
Less than 25 years and not less than 24 years	26.4	6.2
Less than 26 years and not less than 25 years	25.8	6.2
Less than 27 years and not less than 26 years	25.3	6.1
Less than 28 years and not less than 27 years	24.8	6
Less than 29 years and not less than 28 years	24.3	6

Period to Assumed Retirement Age	Personal Benefits	Family Benefits
Less than 30 years and not less than 29 years	23.8	5.9
Less than 31 years and not less than 30 years	23.3	5.8
Less than 32 years and not less than 31 years	22.9	5.8
Less than 33 years and not less than 32 years	22.3	5.7
Less than 34 years and not less than 33 years	21.8	5.7
Less than 35 years and not less than 34 years	21.3	5.6
Less than 36 years and not less than 35 years	20.8	5.6
Less than 37 years and not less than 36 years	20.4	5.5
Less than 38 years and not less than 37 years	19.7	5.5
Less than 39 years and not less than 38 years	19.3	5.4
Less than 40 years and not less than 39 years	18.6	5.4”

SCHEDULE 2

Regulation 39

“SCHEDULE 5

Service Credit Figures

Table 1

Age at last birthday	Service credit (%)
30	98.5
31	98.5
32	98.5
33	98.5
34	98.5
35	98.5
36	98.5
37	98.5
38	98.5
39	98.5
40	98.5
41	98.5
42	98.5
43	98.5
44	98.5
45	98.5
46	98.5
47	98.5
48	98.5
49	98.5
50	98.5
51	98.5

Age at last birthday	Service credit (%)
52	98.5
53	98.5
54	98.5
55	98.5
56	98.5
57	98.5
58	98.5
59	98.5
60	98.5
61	98.5
62	98.5
63	98.5
64	98.5
65	98.5
66	98.5
67	98.5
68	98.5
69	98.5
70	98.5
71	98.5
72	98.5
73	98.5
74	98.5
75	98.5
76	98.5
77	98.5
78	98.0
79	98.0
80	98.0
81	98.0
82	98.0
83	98.0
84	98.0
85	98.0
86	98.0
87	98.0
88	98.0
89	98.0
90	98.0
91	98.0
92	98.0
93	97.5
94	97.5
95	97.5

Age at last birthday	Service credit (%)
96	97.5
97	97.5
98	97.5
99	97.5”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make a range of amendments across the judicial pension schemes.

Part 2 of these Regulations inserts a new part into the Judicial Pensions (Fee-Paid Judges) (Amendment) Regulations 2023 (“the 2023 Regulations”), as established under the powers conferred by section 18A of the Judicial Pensions and Retirement Act 1993 (c. 8) (“JUPRA”). The 2023 Regulations amend the 2017 Regulations, as defined below. The new “Part 3A” will provide for the reconciliation of certain approximated pensions paid out after 1 April 2023 with the formal entitlements owing under the 2017 Regulations.

Part 3 of these Regulations amends the Judicial Pensions Regulations 2022 (“the 2022 Regulations”), as established under the powers conferred by section 1(1) of the Public Service Pensions Act 2013 (c. 25) (“the 2013 Act”). Regulation 3 provides that offices, where they have an entitlement start date, may have retrospective benefits under the 2022 Regulations and Regulation 6 inserts an employer cost cap into the 2022 Regulations, as required by section 12 of the 2013 Act.

Part 4 of these Regulations amends the Judicial Pensions (Fee-Paid Judges) Regulations 2017 (“the 2017 Regulations”), as established under the powers conferred by section 18A of JUPRA. In particular, it corrects errors, provides new offices with eligibility under the 2017 Regulations and modifies the operation of one of the additional benefits schemes (the Fee-Paid Judicial Added Benefits Scheme) through a range of amendments reflecting actuarial advice.

Part 5 of these Regulations amends the Judicial Pensions Regulations 2015 (“the 2015 Regulations”), as established under the powers conferred by section 1(1) of the 2013 Act. Regulation 39 provides that offices, where they have an entitlement start date, may have retrospective benefits under the 2015 Regulations.

Part 6 of these Regulations amends the Public Service Pensions Act 2013 (Judicial Offices) Order 2015 (“the Judicial Offices Order”), as established under the powers conferred by paragraph 2 of Schedule 1 to the 2013 Act. Specifically, it amends the Schedule to the Judicial Offices Order so that a further office has a judicial pension entitlement under the 2022 Regulations.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty’s Stationery Office and King’s Printer of Acts of Parliament.

ISBN 978-0-34-826437-1

£8.14

http://www.legislation.gov.uk/id/ukdsi/2024/9780348264371