STATUTORY RULES OF NORTHERN IRELAND

1996 No. 86

PENSIONS

Judicial Pensions (Additional Voluntary Contributions) (No. 2) (Amendment) Regulations (Northern Ireland) 1996

Made - - - -	*8th March 1996*
Coming into operation	*7th April 1996*

The Department of Economic Development(**1**), in exercise of the powers conferred on it by section 11A(1), (1A), (1B), (2), (3), (4) and (5) of the Judicial Pensions Act (Northern Ireland) 1951(**2**) and of every other power enabling it in that behalf, and with the consent of the Department of Finance and Personnel, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Judicial Pensions (Additional Voluntary Contributions) (No. 2) (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 7th April 1996.

Amendment of the Judicial Pensions (Additional Voluntary Contributions) (No. 2) Regulations (Northern Ireland) 1995

2. The Judicial Pensions (Additional Voluntary Contributions) (No. 2) Regulations (Northern Ireland) 1995(**3**) shall be amended as provided by regulations 3 to 11.

Membership

3. In regulation 4, after paragraph (2), there shall be added the following paragraph—

> "(3) Before his application for membership of the scheme is accepted, an applicant shall provide, and shall authorise to be provided, such information relating to his medical history and state of health as shall be requested by the administrators of the scheme.".

(**1**) *See* S.I.1991/2631 (N.I. 24) Article 7(2)
(**2**) 1951 c. 20 (N.I.); section 11A was inserted by S.I. 1991/2631 (N.I. 24) Article 6 and amended by 1993 c. 8 Schedule 3 paragraph 8
(**3**) S.R. 1995 No. 255

Maximum benefits for members

4. In regulation 8(2)(*a*), the words "for each year" in the second place where they occur shall be deleted.

Transfer values in

5. In regulation 20(1) for the word "administrator", there shall be substituted "administrators".

Administrative expenses

6. After regulation 28 there shall be added the following regulation—

"**Administrative expenses**

28A. Any administrative expenses incurred, to an extent agreed by the administrators of the scheme, by the authorised provider by virtue of acting as the authorised provider under these Regulations may be defrayed out of sums received by way of voluntary contributions.".

Maximum contributions

7. For regulation 29, there shall be substituted the following regulation—

"**29.**—(1) Paragraph (2) shall apply where a member of an existing scheme wishes to make contributions to a FSAVC scheme for the purpose of improving his personal pension benefits or the lump sum payable by virtue of his having died in service.

(2) There shall be taken into account for the purpose of assessing the maximum amount of contributions the member is entitled to make—

(a) in relation to the personal pension benefits, the member's retained benefits;

(b) in relation to the lump sum payable by virtue of the member having died in service, the member's retained death benefits.

(3) Paragraph (2) shall not apply where the member makes contributions to a FSAVC scheme for any purpose other than that set out in paragraph (1).".

Membership of the Judicial Added Benefits (No. 2) Scheme

8. Regulation 33 shall be amended as follows—

(a) in paragraph (1), in the definition of "lump sum benefit", for the words "regulation 9(1)" there shall be substituted "regulations 5(1) and 9(1)"; and

(b) for paragraph (2) there shall be substituted the following paragraph—

"(2) The administrators shall require the provision of information relating to retained benefits in accordance with regulation 5.".

Valuation of benefits under JABS

9. In regulation 36 after paragraph (1), there shall be inserted the following paragraph—

"(1A) If a member leaves qualifying judicial service upon or after reaching his normal pension age, any added unit of benefit that he has purchased shall increase the rate of any children's pension payable on his death in respect of such service in accordance with regulation 36A and so proportionately for any part unit of benefit purchased.".