STATUTORY RULES OF NORTHERN IRELAND

1996 No. 10

PENSIONS

The Judicial Pensions (Additional Voluntary Contributions) (Amendment) Regulations (Northern Ireland) 1996

Made - - - -	*10th January 1996*
To be laid before Parliament	
Coming into operation	*2nd February 1996*

The Lord Chancellor, in exercise of the powers conferred on him by the enactments specified in the Schedule to this instrument and of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Judicial Pensions (Additional Voluntary Contributions) (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 2nd February 1996.

(2) In these Regulations, "the principal Regulations" means the Judicial Pensions (Additional Voluntary Contributions) Regulations (Northern Ireland) 1995(**1**) and a Regulation or Schedule referred to by number means the Regulation or Schedule so numbered in the principal Regulations.

Revocation

2. Regulation 2.3(1)(*g*) is hereby revoked.

Amendments to the principal Regulations

3. In Regulation 2.2, 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 medial history and state of health as shall be requested by the administrators of the scheme.".

4. In Regulation 2.6(2), in the table in sub-paragraph (*a*), the words "for each year" in the second place where they occur shall be deleted.

5. In Regulation 2.18 for the word "administrator" there shall be substituted "administrators".

(**1**) S.R. 1995 No. 189

6. Regulation 2.24 shall be amended as follows—

(a) in paragraph (2), the words "as appropriate" shall be deleted; and

(b) in paragraph (2)(*d*), the words "as defined by the 1993 Act" shall be deleted.

7. After Regulation 2.26 there shall be added the following Regulation—

"**Administrative expenses**

2.27. 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.".

8. For Regulation 3.1 there shall be substituted the following Regulation—

"**3.1.**—(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).".

9. Regulation 4.3 shall be amended as follows—

(a) in paragraph (1), in the definition of "lump sum benefit", for the reference to "Regulation 2.7(1)" there shall be substituted "Regulations 2.3(1) and 2.7(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 2.3.".

10. In Regulation 4.6 after paragraph (1) there shall be inserted the following paragraph—

"(1A) If a member leaves scheduled office on 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 service in such office in accordance with Regulation 4.6A and so proportionately for any part unit of benefit purchased.".

11. After Regulation 4.6 there shall be added the following Regulation—

"**4.6A.**—(1) This Regulation applies for the purpose of determining the increase in the rate of children's pension payable in the circumstances set out in Regulation 4.6(1A).

(2) Where the annual rate of children's pension before the application of this Regulation and Regulation 4.6 is that proportion of the annual rate of the member's judicial pension which is set out in column 1 of the table below, the amount of the children's pension shall be increased by that proportion of the member's annual salary at the date of his death or retirement which is set out in column 2 of the table—

Rate of children's pension before increase	Rate of increase
¼	1/160th