



STATUTORY INSTRUMENTS.

S.I. No. 378 of 2017

CÓRAS IOMPAIR ÉIREANN PENSION SCHEME FOR REGULAR
WAGES STAFF (AMENDMENT) SCHEME (CONFIRMATION) (NO. 2)
ORDER 2017

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I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 44(4) of the Transport Act 1950 (No. 12 of 1950) and Article 4 of the C ras Iompair  ireann (Additional Powers) Order 1988 (S.I. No. 381 of 1988) and the Communications (Transfer of Departmental Administration and Ministerial Functions) (No. 2) Order 1987 (S.I. No. 92 of 1987) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)) and the Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011 (S.I. No. 418 of 2011) after consultation with the Minister for Public Expenditure and Reform, hereby order as follows:

1. This Order may be cited as the C ras Iompair  ireann Pension Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) (No. 2) Order 2017.
2. In this Order “amending Scheme” means the Scheme amending the C ras Iompair  ireann Pension Scheme for Regular Wages Staff (confirmed by the C ras Iompair  ireann Superannuation Scheme for Regular Wages Staff (Confirmation) Order 1945 (S.R. & O. No. 242 of 1945)), prepared by C ras Iompair  ireann and submitted to the Minister for Transport, Tourism and Sport under section 44(5) of the Transport Act 1950 (No. 12 of 1950) and set out in the Schedule.
3. The amending Scheme is confirmed and comes into operation on 1 September 2017.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigi uil” of 18th August, 2017.*

SCHEDULE

CÓRAS IOMPAIR ÉIREANN PENSION SCHEME FOR REGULAR
WAGES STAFF (AMENDMENT) (No. 2) SCHEME 2017*Interpretation*

1. (1) In this amending Scheme—

“existing Scheme” means the C oras Iompair  ireann Pension Scheme for Regular Wages Staff confirmed by the C oras Iompair  ireann Superannuation Scheme for Regular Wages Staff (Confirmation) Order 1945 (S.R. & O. No. 242 of 1945) as last amended by the 2017 amending scheme;

“2007 amending scheme” means the amending scheme confirmed by the C oras Iompair  ireann Pension Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) Order 2007 (S.I. No. 671 of 2007);

“2015 amending scheme” means the amending scheme confirmed by the C oras Iompair  ireann Pension Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) Order 2015 (S.I. No. 90 of 2015);

“2017 amending scheme” means the amending scheme confirmed by the C oras Iompair  ireann Pension Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) Order 2017 (S.I. No. 373 of 2017);

“operative date” means 1 January 2015.

(2) In this amending Scheme, unless otherwise expressly stated, the words and expressions used shall have the meanings assigned to them by the existing Scheme.

Continuance of existing Scheme

2. (1) Subject as hereinafter specifically provided the benefits provided by the existing Scheme shall continue to be paid or be payable under and in accordance with the terms thereof and without alteration to every existing pensioner whose pension commenced prior to the operative date and to the personal representative of any deceased pensioner or member if the deceased’s pension commenced or death occurred prior to the operative date.

(2) Subject as hereinafter specifically provided nothing in this amending Scheme shall affect the rights of any of the persons mentioned in the preceding sub-article, nor shall this amending Scheme affect any subsisting right or liability accrued to or in respect of, or incurred under the existing Scheme by, any person who retired from or left the service of the Board or died prior to the operative date.

Amendment of existing Scheme

3. Subject to Article 2 of this amending Scheme, the existing Scheme shall be amended with effect on and from the operative date so as to conform to the provisions hereinafter contained and every provision of the existing Scheme

which is inconsistent with the provisions hereinafter contained shall cease to have effect.

4. The 2007 amending scheme is amended in Article 1(1) on and with effect from the operative date by substituting for the definition of “Scheme Membership” (amended by Article 5 of the 2015 amending scheme) the following:

“ ‘Scheme Membership’ means—

- (a) the total periods of service in the employment of the Board during membership of the Scheme where service as a Job Sharing Employee shall be treated as if the member was a Full Time Employee, and
- (b) service which under the Superannuation and Pensions Act 1963 (No. 24 of 1963) has been given with an approved organisation and is to be treated as pensionable for the purposes of the Scheme,

but in none of the foregoing periods is included—

- (i) notional purchased service, and
- (ii) service in the employment of the Board on and after the date of becoming a member of the C oras Iompair  ireann Superannuation Scheme 1951 set out in the Schedule to the C oras Iompair  ireann Superannuation Scheme 1951 (Confirmation) Order 1951 (S.I. No. 353 of 1951), as last amended by the C oras Iompair  ireann Superannuation Scheme 1951 (Amendment) Scheme (Confirmation) Order 2015 (S.I. No. 92 of 2015), on promotion from the Regular Wages Staff.”.



GIVEN under my Official Seal,
16 August 2017.

SHANE ROSS,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not a part of the Instrument and does not purport to be a legal interpretation).

The purpose of this Order is to rectify the definition of “Scheme Membership” inserted by Article 5 of the C oras Iompair  ireann Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) Order 2015.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
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