



STATUTORY INSTRUMENTS.

**S.I. No. 493 of 2009**



UNIVERSITY OF DUBLIN TRINITY COLLEGE (CLOSED) PENSION  
SCHEME 2009

**(Prn. A9/1783)**

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The University of Dublin Trinity College, with the approval of An tÚdarás um Ard-Oideachas with the consent of the Minister for Education and Science and the Minister for Finance, in exercise of the powers conferred on it by section 25(7) of the Universities Act 1997 (No. 24 of 1997), hereby make the following Scheme:

1. This Scheme may be cited as the University of Dublin Trinity College (Closed) Pension Scheme 2009.

2. In this Scheme—

“An tÚdarás um Ard-Oideachas” means the body established by section 2 of the Higher Education Authority Act 1971 (No. 22 of 1971);

“Principal Employer” means Trinity College; and

“Trinity College” has the meaning assigned to it by section 3 of the Universities Act 1997 (No. 24 of 1997).

3. The instruments or provisions contained in the Schedule comprise the University of Dublin Trinity College (Closed) Pension Scheme 2009.

4. This Scheme is closed to new members appointed to Trinity College on or after 1 February 2005.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 15th December, 2009.*

## SCHEDULE

(1) An Interim Deed dated 1 April 1972 and made between the Principal Employer and Irish Pensions Trust Limited whereby the Principal Employer established a retirement benefits scheme now known as “The University of Dublin Trinity College Pension Scheme”.

(2) A Deed of Declaration of Trust dated 1 January 1974 whereby a fund known as “Trinity College Superannuation Fund (1972)” was established and Rules of the Superannuation Fund were provided therein.

(3) A Deed of Amendment dated 30 October 1979 whereby, with effect from 1 October 1975, it was provided that the provisions of this Deed of Amendment together with the General Rules and Special Rules attached thereto should govern the Scheme and the name of the Fund was changed to “The University of Dublin Trinity College Pension Scheme”.

(4) A Deed dated 23 May 1986 whereby the provisions of the Scheme were amended as provided therein.

(5) A Deed dated 20 April 1988 whereby the provisions of the Scheme were amended as provided therein.

(6) A Deed dated 23 June 1988 whereby the provisions of the Scheme were amended as provided therein.

(7) A Deed of Amendment dated 29 September 1995 whereby the provisions of the Scheme were amended as provided therein.

(8) A Deed of Amendment and Appointment dated 20 October 1995 whereby, with effect from 1 October 1995, the provisions of the Scheme were amended as provided therein and additional trustees and member trustees were appointed as trustees of the Scheme.

(9) A Deed of Retirement and Appointment dated 13 May 1997 whereby Michael Desmond English retired as a trustee of the Scheme and Grace Dempsey was appointed as a trustee of the Scheme in his place.

(10) A Deed of Retirement and Appointment dated 3 March 1998 whereby Professor John Gaskin retired as a trustee of the Scheme and Professor John Byrne was appointed as a trustee of the Scheme in his place.

(11) A Deed of Retirement and Appointment dated 26 May 1999 whereby Laurence Harvey Stein retired as a trustee of the Scheme and Donal Patrick O’Donovan was appointed as a trustee of the Scheme in his place.

(12) A Deed of Amendment dated 25 October 2001 whereby the provisions of the Scheme were amended as provided therein.

(13) A Deed of Removal and Appointment dated 28 February 2002 whereby Irish Pensions Trust Limited continued as a trustee of the Scheme and as the

term of office of Michael Gleeson, Kieran Joseph McGinley, Susan Ann Power, Grace Dempsey, Professor John Byrne and Donal Patrick O'Donovan expired on 1 October 2001 the Principal Employer formally removed them from office as trustees of the Scheme and subject as provided therein appointed Michael Gleeson, Grace Dempsey, Donal Patrick O'Donovan, Professor John A. Fitzpatrick, Patrick Cullen and Mary McMahon as trustees of the Scheme for a 6 year term, which began on 15 November 2001.

(14) Letter P18/27/90 dated 31 May 2002 from the Department of Finance providing for the reduction in qualifying period for preservation from 5 years to 2 in order to ensure consistency with section 28 of the Pensions Act 1990 (No. 25 of 1990) (as amended by section 17 of the Pensions (Amendment) Act 2002 (No. 18 of 2002)).

(15) A Deed of Amendment dated 29 July 2004 whereby the provisions of the Scheme were amended as provided therein.

(16) An Agreement dated 29 July 2004 and made between the trustees of the Scheme and The Northern Trust Company whereby The Northern Trust Company was appointed by the trustees as Custodian of the Scheme assets with effect from 16 August 2004.

(17) A Deed of Amendment dated 7 October 2005 whereby the provisions of the Scheme were amended as provided therein.

(18) A Deed of Removal and Appointment dated 23 September 2008 whereby Irish Pensions Trust Limited continued as a trustee of the Scheme and as the term of office of Michael Gleeson, Grace Dempsey, Donal Patrick O'Donovan, Professor John A. Fitzpatrick, Patrick Cullen and Mary McMahon expired on 15 November 2007 the Principal Employer formally removed them from office as trustees of the Scheme and subject as provided therein re-appointed them as trustees of the Scheme for a 6 year term, which began on 15 November 2007.

(19) A Deed of Removal and Appointment dated 24 September 2008 whereby, with effect from 8 May 2008, Patrick Cullen was removed as a trustee of the Scheme and Fred Cowzer was appointed as a trustee in his place.

(20) A Deed of Removal and Appointment dated 5 March 2009 whereby, with effect from 24 September 2008, Grace Dempsey was removed as a trustee of the Scheme and Ian Mathews was appointed as a trustee in her place.

PRESENT when the Corporate seal of The Provost, Fellows and Scholars of The College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin,  
2009.

JOHN HEGARTY,  
Provost, University of Dublin Trinity College.

An tÚdarás um Ard-Oideachas hereby approves the foregoing Scheme.



GIVEN under the Official Seal of An tÚdarás um Ard-Oideachas,  
10 December 2009.

TOM BOLAND,  
Chief Executive Officer, An tÚdarás um Ard-Oideachas.

The Minister for Education and Science hereby consents to the foregoing Scheme.



GIVEN under the Official Seal of the Minister for Education and Science,  
10 December 2009.

BATT O'KEEFFE,  
Minister for Education and Science.

The Minister for Finance hereby consents to the foregoing Scheme.



GIVEN under the Official Seal of the Minister for Finance,  
10 December 2009.

BRIAN LENIHAN,  
Minister for Finance.

EXPLANATORY NOTE

*This note is not part of the instrument and does not purport to be a legal interpretation.*

This Scheme is made under Section 25(7) of the Universities Act 1997. Section 25(7) requires each university to determine the terms and conditions of any superannuation scheme for its employees. The Fifth Schedule to the 1997 Act places an obligation on each university to submit their pension scheme to the Higher Education Authority for its approval which is given with the consent of the Ministers for Education and Science, and Finance. This instrument refers to all the provisions which comprise Trinity College Dublin's closed pension scheme and formally records that approval and consent.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
nó trí aon díoltóir leabhar.

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