



STATUTORY INSTRUMENTS.

S.I. No. 285 of 2010

FINANCIAL MEASURES (MISCELLANEOUS PROVISIONS) ACT 2009
(THE ECONOMIC AND SOCIAL RESEARCH INSTITUTE) TRANSFER
ORDER 2010

(Prn. A10/0857)

FINANCIAL MEASURES (MISCELLANEOUS PROVISIONS) ACT 2009
(THE ECONOMIC AND SOCIAL RESEARCH INSTITUTE) TRANSFER
ORDER 2010

I, BRIAN LENIHAN, Minister for Finance, in exercise of the powers conferred on me by section 5 of the Financial Measures (Miscellaneous Provisions) Act 2009 (No. 14 of 2009), hereby make the following Order:

1. This Order may be cited as the Financial Measures (Miscellaneous Provisions) Act 2009 (The Economic and Social Research Institute) Transfer Order 2010.

2. In this Order—

“Act” means the Financial Measures (Miscellaneous Provisions) Act 2009 (No. 14 of 2009);

“Body” means the Economic and Social Research Institute; and

“Funds” means the Economic and Social Research Institute Pension Plan and the Economic and Social Research Institute Superannuation Plan funds.

3. The date of effect of this Order is 30 June 2010.

4. The superannuation provisions in the instruments and other documents listed in the Schedule comprise the relevant pension scheme.

5. (1) Before the date of effect of this Order, the Body shall cause a bank account in respect of each Fund (in this Order referred to as the “Transfer Order Account(s)”), to be established.

(2) After the establishment of the Transfer Order Accounts and before the date of effect, the Body shall transfer from the Funds to those accounts sufficient monies to meet the estimated liabilities of the Funds which fall due for payment after the date of effect, the reasonable cost of valuations to be carried out under Section 10(3)(a) of the Act and any other costs, which have been approved by the Minister for Finance, incurred in effecting the transfer.

(3) The Body shall ensure that sufficient monies are transferred to the Transfer Order Accounts to satisfy the liabilities and other costs referred to in paragraph (2).

(4) In calculating the amount required to be transferred under paragraph (2), the Body shall take into account employer and employee contributions or other

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 15th June, 2010.*

receivables payable but not yet paid to the Fund in respect of the period prior to the date of effect.

(5) Following the approval of the Minister for Finance, the Body may authorise payments from the Transfer Order Accounts to meet the liabilities and other costs referred to in paragraph (2) and shall lodge contributions and other receivables referred to in paragraph (4) to the Transfer Order Accounts.

(6) When the Body is satisfied that all liabilities and other costs under paragraph (2), approved under paragraph (5), have been paid from a Transfer Order Account and all contributions and other receivables referred to in paragraph (4) have been lodged to that account, the Body shall prepare a final statement in respect of that Transfer Order Account, remit any balance to the Reserve Fund, close the account and submit a copy of the final statement to the Minister for Finance and the Commission.

6. As soon as may be after the date of effect, the Body shall cause final accounts of the Funds to be prepared and shall have those accounts audited.

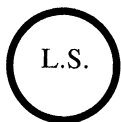
SCHEDULE

A. The Economic and Social Research Institute Pension Plan

1. A Deed of Declaration of Trust and General Rules dated the 15th day of January 1975.
2. Subscribers Agreement Form dated the 21st day of September 1976.
3. A Deed of Amendment dated the 2nd day of August 1977.
4. Special Rules dated the 4th day of January 1982.
5. Additional Special Rules dated the 21st day of March 2002.
6. Additional Special Rules dated the 23rd day of May 2005.
7. A Deed of Appointment and Amendment dated the 24th day of May 2005.
8. A Deed of Removal and Appointment and Amendment dated the 5th day of March 2010.
9. Consolidated Trust Deed and Rules dated the 2nd day of June 2010.

B. The Economic and Social Research Institute Superannuation Plan

1. Subscribers Agreement Form dated the 12th day of February 1974.
2. A Deed of Declaration of Trust and General Rules dated the 15th day of January 1975.
3. A Deed of Amendment dated the 2nd day of August 1977.
4. Special Rules dated the 6th day of December 1994.
5. Additional Special Rules dated the 21st day of March 2002.
6. Additional Special Rules dated the 7th day of June 2005.
7. A Deed of Appointment and Amendment dated the 24th day of May 2005.
8. A Deed of Amendment dated the 5th day of March 2010.
9. Consolidated Trust Deed and Rules dated the 2nd day of June 2010.



GIVEN under my Official Seal,
11 June 2010.

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 Order is made under Section 5 of the Financial Measures (Miscellaneous Provisions) Act 2009. Under Section 6 of that Act, the assets of the funds of the Economic and Social Research Institute Pension Plan and the Economic and Social Research Institute Superannuation Plan are transferred to the National Pensions Reserve Fund on the date this Order takes effect — 30 June 2010.

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,
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