



STATUTORY INSTRUMENTS.

S.I. No. 112 of 2018



INLAND FISHERIES IRELAND SUPERANNUATION SCHEME 2018

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Inland Fisheries Ireland, in exercise of the powers conferred on it by section 32 of the Inland Fisheries Act 2010 (No. 10 of 2010), with the approval of the Minister of State at the Department of Communications, Climate Action and Environment under the Communications, Climate Action and Environment (Delegation of Ministerial Functions) Order 2017 (S.I. No. 314 of 2017) and the consent of the Minister for Public Expenditure and Reform, hereby makes the following scheme:

1. (1) This Scheme may be cited as the Inland Fisheries Ireland Superannuation Scheme 2018.

(2) This scheme comes into operation on 01 March 2018.

2. The Rules set out in the Schedule to the Rules for Pre-existing Public Service Pension Scheme Members Regulations 2014 (S.I. No. 582 of 2014) are adopted as a scheme for the granting of superannuation benefits to or in respect of members of the staff, including the Chief Executive Officer, of Inland Fisheries Ireland, subject to the modifications set out in Article 3.

3. The modifications referred to in Article 2 are as follows:

(a) the substitution of the following for Article 29(3):

“(3) In the case where the former member dies while in receipt of a pension, other than a pension based on Article 18 (Cost Neutral Early Retirement), a preserved pension or a pension awarded on medical grounds, the reference pension is the amount of such pension.”;

(b) the substitution of the following for Article 29(4):

“(4) In the case where the former member dies following retirement on medical grounds, the reference pension is the pension which would have been granted to him or her if it fell to be calculated by reference to—

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 10th April, 2018.*

- (a) where the deceased member was not fully insured, his or her pensionable remuneration at date of retirement as adjusted by reference to Article 47, and the pensionable service which the deceased member would have had if he or she had served to age 65, or, if earlier, to the date on which his or her contract of employment would expire, or
- (b) where the deceased member was fully insured, the formula contained in Article 11(2), save that C is the pensionable service which the deceased member would have had if he or she had served to age 65 or, if earlier, to the date on which his or her employment contract would expire, and subject to the adjustment of such reference pension by reference to Article 47 during the period between retirement and death,

provided that in the case of a former member who was work-sharing or part-time, service to age 65 is calculated as set out in the Department of Public Expenditure and Reform Circular 11/2012.”;

- (c) the substitution of the following for Article 29(5):

“(5) In the case of a preserved pension being in payment to the deceased member or where the deceased member had an entitlement to a preserved pension, having attained the minimum pension age, the reference pension is the amount of such pension.”;

- (d) the substitution of the following for Article 29(6):

“(6) In the case where the deceased member had entitlement to a preserved pension but at date of death had not attained the minimum pension age, the reference pension is—

- (a) where the deceased member was not fully insured, an amount equal to:

$D \times E / 80$ where

D is the number of years of reckonable service at the date of resignation and

E is his or her pensionable remuneration at date of resignation as adjusted by reference to Article 47 during the period between resignation and death, or

(b) where the deceased member was fully insured, an amount calculated in accordance with the formula contained in Article 11(2), save that C is the number of years of reckonable service at the date of resignation and subject to the adjustment of such reference pension by reference to Article 47 during the period between resignation and death.”;

(e) the substitution of the following for Article 31(1)(c):

“(c) in the case where a former member dies after being granted a pension, where the rate of the pension payable to the deceased on the date of his or her death is greater than the rate of survivor’s pension payable, one twelfth of the rate of pension payable to the deceased,

provided that the increased rate shall be reduced by the rate of any children’s pension payable.”;

(f) the substitution of the following for Article 38(2):

“(2) In the case of an active member who is fully insured, periodic contributions shall be payable at the rate of $1\frac{1}{2}\%$ of net pensionable remuneration or, where he or she is in receipt of reduced remuneration because of absence from employment during a period of sick leave, of the amount of net pensionable remuneration that would be payable to him or her if he or she was not so absent.”;

(g) the substitution of the following for Article 41(3):

“(3) Subject to Paragraph (4) a contribution under this Article shall—

(a) in the case of a member who is not fully insured, be at the rate of 1% of the member’s pensionable remuneration multiplied by the number of relevant years, or

(b) in the case of a member who is fully insured, be at the rate of 1% of the member’s net pensionable remuneration multiplied by the number of relevant years,

and shall be called in this Scheme a “non-periodic contribution.”


4. The Central and Regional Fisheries Boards’ Staff Superannuation Scheme 1983 and the Central and Regional Fisheries Boards’ Spouses’ and Children’s Contributory Pension Scheme, 1983 are hereby revoked.

The Minister of State at the Department of Communications, Climate Action and Environment approves the foregoing Scheme.


GIVEN under my hand,
8 March 2018.

SEAN KYNE,
Minister of State at the Department of Communications,
Climate Action and Environment.

The Minister for Public Expenditure and Reform consents to the making of the foregoing Scheme.

 L.S. GIVEN under my Official Seal,
8 March 2018.

PASCHAL DONOHOE,
Minister for Public Expenditure and Reform.

 L.S. GIVEN under the Official Seal of Inland Fisheries Ireland,
29 March 2018.

CIARÁN BYRNE,
Authorised Officer.

EXPLANATORY NOTE

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

The purpose of these Regulations is to adopt the Rules set out in the Schedule to the Rules for Pre-existing Public Service Pension Scheme Members Regulations 2014 (S.I. No. 582 of 2014) as a scheme for the granting of superannuation benefits to or in respect of members of the staff, including the Chief Executive, of Inland Fisheries Ireland who are not members of the Single Public Service Pension Scheme.

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