



STATUTORY INSTRUMENTS.

S.I. No. 42 of 2023



THE ORDNANCE SURVEY IRELAND SUPERANNUATION SCHEME
2023

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2023

1. Ordnance Survey Ireland, in exercise of the powers conferred on it by Section 17 of the Ordnance Survey Ireland Act, 2001 (No. 43 of 2001) as amended by Section 25 of the Markets in Financial Instruments and Miscellaneous Provisions Act 2007 (No. 37 of 2007), and with the approval of the Minister for Housing, Local Government and Heritage and the approval of the Minister for Public Expenditure, National Development Plan Delivery and Reform, hereby adopt the Rules For Pre-Existing Public Service Pension Scheme Members set out in S.I. No. 582 of 2014 for the purposes of the making of a Superannuation Scheme for the staff of Ordnance Survey Ireland, subject to the modifications set out in Article 4.

2. These Rules may be cited as The Ordnance Survey Ireland Superannuation Scheme 2023.

3. This Scheme shall be deemed to have commenced with effect from the 24 February 2023, which shall be known as the date of commencement.

4. The modifications referred to in Article 1 are as follows:

Membership

(a) In Article 5 (2) (b), -

“who is not a new entrant and whose actual pensionable service on attaining age 65 would be less than the vesting period, or”

is deleted and the following is inserted in its place—

“who is not a new entrant and whose actual pensionable service on attaining age 70 would be less than the vesting period, or”

(b) In Article 5 (5), -

“A member who is not a new entrant may not continue in membership after having reached the age of 65.”

is deleted and the following is inserted in its place—

“A member who is not a new entrant may not continue in membership after having reached the age of 70.”

Contributions for Personal Scheme Benefits

(c) In Article 7(3), -

“5% of pensionable remuneration or,” is deleted.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 14th February, 2023.*

Survivor's Pension - Calculation

- (d) In Article 29 (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,”

is deleted and the following is inserted in its place –

“In the case where the former member dies while in receipt of a pension, other than a pension based on Article 17 (Cost Neutral Early Retirement), a preserved pension or a pension awarded on medical grounds,”

Appeals

- (e) In Article 52 of the Regulations –

“The appeals provisions of the Pensions Act, as amended, and any enactment which amends or extends that Act and any Regulation, Warrant or Order made under that Act shall apply, including the Pensions Ombudsman Regulations.”

is deleted and the following is inserted in its place—

"If any dispute arises as to the claim of any person to, or the amount of, any superannuation benefit payable in pursuance of this scheme, such dispute shall be submitted to the Minister for Housing, Local Government and Heritage, who shall refer it to the Minister for Public Expenditure, National Development Plan Delivery and Reform, whose decision shall be final."

Entitlements of transferred persons

- (f) Article 54 is inserted as follows –

“54. In accordance with section 17(7) of the Ordnance Survey Ireland Act, 2001, the benefits granted by Ordnance Survey Ireland under this Scheme to or in respect of a transferred person shall be subject to terms and conditions that are not less favourable than the terms and conditions in relation to the grant of superannuation benefits which applied to the person immediately before the day on which the person was transferred to the employment of Ordnance Survey Ireland. In this Article a transferred person means a member of the staff of the former Ordnance Survey who was transferred to the employment of Ordnance Survey Ireland in accordance with section 15(1) of the Ordnance Survey Ireland Act, 2001 (No. 43 of 2001).”

The Minister for Housing, Local Government and Heritage hereby approves of the making of the foregoing Scheme.



GIVEN under my Official Seal,
9 February, 2023.

DARRAGH O'BRIEN,
Minister for Housing, Local Government and Heritage.

The Minister for Public Expenditure, National Development Plan Delivery and Reform hereby approves of the making of the foregoing Scheme.



GIVEN under my Official Seal,
9 February, 2023.

PASCHAL DONOHOE,
Minister for Public Expenditure, National Development
Plan Delivery and Reform..



GIVEN under the Official Seal of Ordnance Survey Ireland,
9 February, 2023.

COLIN BRAY,
Chief Executive 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 of Ordnance Survey Ireland who are not members of the Single Public Service Pension Scheme.

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