



STATUTORY INSTRUMENTS

S.I. No. 7 of 2009

CÓRAS IOMPAIR ÉIREANN SPOUSES' AND CHILDREN'S
SUPERANNUATION SCHEME (AMENDMENT) SCHEME
(CONFIRMATION) ORDER 2009

(Prn. A9/0047)

CÓRAS IOMPAIR ÉIREANN SPOUSES' AND CHILDREN'S
SUPERANNUATION SCHEME (AMENDMENT) SCHEME
(CONFIRMATION) ORDER 2009

I, NOEL DEMPSEY, Minister for Transport, 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 oras 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 Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 305 of 2002)), after consultation with the Minister for Finance, hereby order as follows:

1. This Order may be cited as the C oras Iompair  ireann Spouses' and Children's Superannuation Scheme (Amendment) Scheme (Confirmation) Order 2009.

2. In this Order—

“amending Scheme” means the Scheme amending the existing Scheme and set out in the Schedule;

“existing Scheme” means the C oras Iompair  ireann Spouses' and Children's Superannuation Scheme as set out in the Schedule to the C oras Iompair  ireann Spouses' and Children's Superannuation Scheme (Confirmation) Order 1989 (S.I. No. 211 of 1989) (as amended by the C oras Iompair  ireann Spouses' and Children's Superannuation Scheme (Amendment) Scheme (Confirmation) Order 2004 (S.I. No. 12 of 2004)).

3. The amending Scheme is confirmed and is deemed to have come into operation on 6 April 1995.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigi uil” of 16th January, 2009.*

SCHEDULE

CÓRAS IOMPAIR ÉIREANN SPOUSES' AND CHILDREN'S
SUPERANNUATION (AMENDMENT) SCHEME 2009.

Article 2(2) of the existing Scheme is amended by substituting for the definition of “the deceased’s pension” (inserted by paragraph 6 of the Schedule to S.I. No. 12 of 2004) the following:

“ ‘deceased’s pension’ means, in relation to a deceased,

- (a) where he or she retires on account of his or her infirmity before reaching the normal age of retirement and is awarded a pension, the pension which would be granted to him or her if, at the time his or her retirement, he or she had the pensionable membership which he or she would have had if he or she had served to age 65 years, increased by reference to pension increases granted during the period between his or her retirement and his or her death,
- (b) where he or she dies while a contributing member having at least 5 years’ pensionable membership, the pension for which he or she would have qualified if, on the date of death, he or she had retired and then had the pensionable membership which he or she would have had if he or she had served to age 65 years, or
- (c) where otherwise than on retirement due to infirmity, he or she is awarded a pension, the amount of such pension, increased by reference to pension increases granted during the period between his or her retirement and his or her death; and

for the purposes of clause (4) of Article 6 and clause (3)(a) of Article 8, the pension or amount is calculated on the rate of his or her pensionable salary, as defined in the 1951 Scheme, regardless of whether or not the deceased was a co-ordinated member as defined in that Scheme:

Provided that the pension or amount does not exceed one eightieth of pensionable salary for each year of reckonable service subject to a maximum of 40/80ths.”.



GIVEN under my Official Seal,
12 January 2009

NOEL DEMPSEY.
Minister for Transport.

EXPLANATORY NOTE

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

The purpose of this Scheme is to clarify the coordination of the members' superannuation contributions and benefits with social insurance benefits with effect from 6 April 1995.

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.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)
or through any bookseller.

€2.54

