



STATUTORY INSTRUMENTS.

S.I. No. 97 of 2010

UNIVERSITY COLLEGE CORK — NATIONAL UNIVERSITY OF
IRELAND, CORK (CLOSED) PENSION SCHEME 2010

(Prn. A10/0351)

UNIVERSITY COLLEGE CORK — NATIONAL UNIVERSITY OF IRELAND, CORK (CLOSED) PENSION SCHEME 2010

University College Cork — National University of Ireland, Cork, 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) as adapted by the National University of Ireland, Cork (Change of Name of University) Order 1998 (S.I. No. 446 of 1998), hereby make the following Scheme:

1. (1) This Scheme may be cited as the University College Cork — National University of Ireland, Cork (Closed) Pension Scheme 2010.

(2) This Scheme and Statute J of University College Cork — National University of Ireland, Cork (S.I. No. 281 of 2005) may be cited together as the University College Cork — National University of Ireland, Cork (Closed) Pension Schemes 2005 and 2010 and shall be construed together as one.

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);

“statute” means a statute made by the governing authority of University College Cork — National University of Ireland, Cork under the Irish Universities Act 1908 (8 Edw. 7. c. 38.); and

“University College Cork — National University of Ireland, Cork” means the National University of Ireland, Cork Ollscoil na hÉireann, Corcaigh established by section 7 of the Universities Act 1997 (No. 24 of 1997) and adapted by the National University of Ireland, Cork (Change of Name of University) Order 1998 (S.I. No. 446 of 1998).

3. The instruments or provisions contained in the Schedule comprise the University College Cork — National University of Ireland, Cork (Closed) Pension Scheme 2010.

4. This Scheme is closed to new members appointed to University College Cork — National University of Ireland, Cork on or after 1 January 2005.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 12th March, 2010.

SCHEDULE

- (1) Statute I dated 15 April 1911 whereby, amongst other things, a pension fund was established.
- (2) Statute XI dated 3 May 1918 whereby Chapter XXV of Statute I was revoked, the provisions governing the pension scheme and fund established under that Statute were amended, and an additional pension fund and pension scheme were established.
- (3) Statute XVI dated 31 January 1922 whereby Chapter II of Statute XI and annexed scheme were revoked, Statute XI was amended, and an additional pension scheme and fund were established.
- (4) Statute XX dated 4 June 1927 whereby provision was made for payment out of the endowment for the Faculty of Dairy Science of pensions for retirees from certain pensionable offices.
- (5) Statute XXIV dated 21 December 1929 whereby Chapter I of Statute XI was revoked, pension funds were established and provisions of, and the pension scheme annexed to, Statute XVI were amended.
- (6) Statute XXVI dated 19 May 1931 whereby provision was made for the pensionability of the Librarian, and for payments and pensions to the non-statutory full-time members of the staff and to the wages staff.
- (7) Statute XXXV dated 3 July 1937 whereby the fund established under Statute I and known as "Pension Fund No. 1" and the fund established under Statute XI and known as "Pension Fund No. 2" were amended, the provisions governing the fund established under Statute XXIV and known as "Pension Fund No. 3" and the fund established under Statute XXVI and known as "Pension Fund No. 4" were revoked and substituted with provisions of this Statute, and a pension fund known as "Pension Fund No. 5" was established.
- (8) Statute XXXIX dated 1 June 1940 whereby provisions governing Pension Fund No. 1, Pension Fund No. 3, Pension Fund No. 4 and Pension Fund No. 5 were revoked and substituted with provisions of this Statute, and provisions governing Pension Fund No. 2 were amended.
- (9) Statute XLIV dated 31 October 1945 whereby provisions in Statute XXXIX governing Pension Fund No. 1 were amended.
- (10) Statute XLVII dated 28 January 1949 whereby provisions governing Pension Fund No. 2 and Pension Fund No. 4 were amended, provision was made for payments to widows and increased pensions were granted to certain former office holders.

- (11) Statute XLVIII dated 17 October 1949 whereby provisions in Statutes XXXV and XXXIX governing Pension Fund No. 2 were amended.
- (12) Statute LI dated 23 June 1951 whereby provisions in Statute XLVII governing Pension Fund No. 2 and Pension Fund No. 4 were amended, and increased pensions were granted to certain former office holders.
- (13) Statute LII dated 1 May 1952 whereby provisions governing Pension Fund No. 5 and provisions in Statute XLVII, as amended by Statute LI, governing payments to widows were amended.
- (14) Statute LIII dated 25 March 1953 whereby provisions in Statute XLVII governing payments to widows were amended.
- (15) Statute LIV dated 21 October 1953 whereby provisions in Statute XXXIX governing Pension Fund No. 2 were amended.
- (16) Statute LVI dated 22 December 1954 whereby provisions in Statute XXXIX governing Pension Fund No. 2, Pension Fund No. 4 and Pension Fund No. 5 and in Statute XLVII governing payments to widows were amended.
- (17) Statute LVIII dated 29 October 1956 whereby increased pensions were granted to certain former office holders and provisions in Statute XLVII governing Pension Fund No. 2 and Pension Fund No. 4 were amended.
- (18) Statute LIX dated 2 April 1957 whereby Statute XLVII governing payments to widows was amended.
- (19) Statute LXVII dated 20 June 1963 whereby increased pensions were granted to certain former office holders, provisions in Statute LI, LVI and XLVII governing payments to widows were amended.
- (20) Statute LXXIX dated 20 June 1968 whereby the provisions of all previous statutes dealing with Pension Fund No. 2, Pension Fund No. 3, Pension Fund No. 4 and Pension Fund No. 5 were revoked and a pension scheme annexed to this Statute was established.
- (21) Statute LXXX dated 2 April 1969 whereby the provisions of the pension scheme were amended as provided therein.
- (22) Statute LXXXV dated 1 December 1970 whereby Statute LXXIX was amended as provided therein in so far as section 2 of Chapter I has effect.
- (23) Statute XCI dated 22 June 1972 whereby increased pensions were granted to certain retired participants in the pension scheme and to the widows of former participants or retired participants and Statute LXXIX, as amended, was further amended as provided therein.
- (24) Statute XCIV dated 3 May 1973 whereby increased pensions were granted to certain retired participants in the pension scheme and to the widows of

former participants or retired participants and Statute LXXIX, as amended, was further amended as provided therein.

- (25) Statute XCVI dated 29 November 1973 whereby increased pensions were granted to certain retired participants in the pension scheme and to the widows of former participants or retired participants, and Statute LXXIX, as amended, was further amended as provided therein.
- (26) Statute XCVIII dated 21 February 1974 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (27) Statute CVIII dated 23 March 1976 whereby Statute LXXIX, as amended, was further amended as provided therein, the Contributory Widows' and Children's Pension Plan was deemed to be part of the Pension Scheme, and provision was made for preservation of pensions.
- (28) Statute CXII dated 22 February 1977 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (29) Statute CXIX dated 11 August 1978 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (30) Statute CXX dated 16 January 1979 whereby provision was made for payment of pension contributions by certain office holders.
- (31) Statute CXXI dated 20 February 1979 whereby provision was made for *ex-gratia* pensions for certain widows.
- (32) Statute CXXV dated 20 May 1980 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (33) Statute CXXIX dated 28 April 1981 whereby Statute LXXIX, as amended, was further amended, and Statutes CVIII and CXXI were amended as provided therein.
- (34) Statute CXXXII dated 23 February 1982 whereby Statute LXXIX, as amended, was further amended as provided therein and the Contributory Spouses' and Children's Pension Plan provided for under Statute CVIII was amended as provided therein.
- (35) Statute CXXXVI dated 24 April 1984 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (36) Statute CXXXVII dated 22 January 1985 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (37) Statute CXXXVIII dated 23 April 1985 whereby Statute LXXIX, as amended, was further amended as provided therein and supplementary provisions to the Contributory Spouses' and Children's Pension Plan were made.

- (38) Statute CXLI dated 18 July 1986 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (39) Statute CXLII dated 16 December 1986 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (40) Statute CXLIII dated 17 February 1987 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (41) Statute CXLV dated 16 February 1988 whereby Statute LXXIX, as amended, was further amended and Statutes CVIII and CXXXVIII were amended as provided therein.
- (42) Statute CXLVII dated 28 February 1989 whereby Statute LXXIX, as amended, was further amended and Statute CXLV was amended as provided therein.
- (43) Statute 160 dated 10 March 1992 whereby Statutes LXXIX and CVIII, as amended, were further amended as provided therein.
- (44) Statute 161 dated 30 June 1992 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (45) Statute 164 dated 13 April 1993 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (46) Statute 171 dated 19 December 1995 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (47) Statute 176 dated 28 January 1997 whereby Statute LXXIX, as amended, was further amended as provided therein.
- (48) Letter dated 26 February 2010 whereby the Department of Education and Science confirmed to University College Cork — National University of Ireland, Cork the application of certain existing administrative arrangements which conform to public service pension provisions.



PRESENT when the Common Seal of University College Cork — National
University of Ireland, Cork, was affixed hereto
4 March 2010.

DR MICHAEL MURPHY,
President,
University College Cork — National University of Ireland,
Cork.

4 March 2010

MR. MICHAEL FARRELL,
Corporate Secretary,
University College Cork — National University of Ireland,
Cork.

An tÚdarás um Ard-Oideachas approves of the making of this Scheme.



GIVEN under the Official Seal of An tÚdarás um Ard-Oideachas,
10 March 2010.

TOM BOLAND,
Chief Executive Officer,

An tÚdarás um Ard-Oideachas.

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



GIVEN under the Official Seal of the Minister for Education and
Science,
10 March 2010.

BATT O'KEEFFE,
Minister for Education and Science.

The Minister for Finance consents to the making of the foregoing Scheme.



GIVEN under the Official Seal of the Minister for Finance,
10 March 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 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 University College Cork — National University of Ireland, Cork'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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