



STATUTORY INSTRUMENTS.

**S.I. No. 90 of 2015**

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CÓRAS IOMPAIR ÉIREANN PENSION SCHEME FOR REGULAR  
WAGES STAFF (AMENDMENT) SCHEME (CONFIRMATION) ORDER  
2015

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I, PASCHAL DONOHOE, Minister for Transport, Tourism and Sport 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 Córás Iompair Éireann (Additional Powers) Order 1988 (S.I. No. 381 of 1988), the Communications (Transfer of Departmental Administration and Ministerial Functions) (No. 2) Order 1987 (S.I. No. 92 of 1987) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)) after consultation with the Minister for Public Expenditure and Reform, hereby order as follows:

1. This Order may be cited as the Córás Iompair Éireann Pension Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) Order 2015.

2. In this Order “amending Scheme” means the Scheme amending the Córás Iompair Éireann Pension Scheme for Regular Wages Staff (confirmed by the Córás Iompair Éireann Superannuation Scheme for Regular Wages Staff (Confirmation) Order 1945 (S.R. & O., No. 242 of 1945)), prepared by Córás Iompair Éireann and submitted to the Minister for Transport, Tourism and Sport under section 44(5) of the Transport Act 1950 (No. 12 of 1950), and set out in the Schedule to this Order.

3. The amending Scheme is confirmed and is deemed to have come into operation on 1 January 2015.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 13th March, 2015.*

## SCHEDULE

CÓRAS IOMPAIR ÉIREANN PENSION SCHEME FOR REGULAR  
WAGES STAFF (AMENDMENT) SCHEME 2015*Interpretation*

1. (1) In this amending Scheme—

“existing Scheme” means the Córas Iompair Éireann Pension Scheme for Regular Wages Staff confirmed by the Córas Iompair Éireann Superannuation Scheme for Regular Wages Staff (Confirmation) Order 1945 (S. R. & O., No. 242 of 1945) as last amended by the 2010 amending scheme;

“1957 amending scheme” means the amending scheme confirmed by the Córas Iompair Éireann Amending Superannuation Scheme for Regular Wages Staff (Confirmation) Order 1957 (S.I. No. 226 of 1957);

“2007 amending scheme” means the amending scheme confirmed by the Córas Iompair Éireann Pension Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) Order 2007 (S.I. No. 671 of 2007);

“2010 amending scheme” means the amending scheme confirmed by the Córas Iompair Éireann Pension Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) (No. 2) Order 2010 (S.I. No. 205 of 2010);

“operative date” means 1 January 2015 in respect of Articles 2 and 3 of this amending Scheme.

(2) In this amending Scheme, unless otherwise expressly stated, the words and expressions used shall have the meanings assigned to them by the existing Scheme.

*Continuance of existing Scheme*

2. (1) Subject as hereinafter specifically provided the benefits provided by the existing Scheme shall continue to be paid or be payable under and in accordance with the terms thereof and without alteration to every existing pensioner whose pension commenced prior to the operative date and to the personal representative of any deceased pensioner or member if the deceased’s pension commenced or death occurred prior to the operative date.

(2) Subject as hereinafter specifically provided nothing in this amending Scheme shall affect the rights of any of the persons mentioned in the preceding subarticle, nor shall this amending Scheme affect any subsisting right or liability accrued to or in respect of, or incurred under the existing Scheme by, any person who retired from or left the service of the Board or died prior to the operative date.

*Amendment of existing Scheme*

3. Subject to Article 2 of this amending Scheme, the existing Scheme shall be amended with effect on and from the operative date so as to conform to the provisions hereinafter contained and every provision of the existing Scheme

which is inconsistent with the provisions hereinafter contained shall cease to have effect.

4. The 1957 amending scheme is amended by substituting for Article 8 the following:

*“Promotion*

8. (1) If a member of this Scheme is promoted in the service of the Board to a grade outside the Regular Wages Staff and he or she is, as so promoted, qualified and entitled to join the C oras Iompair  ireann Superannuation Scheme 1951 confirmed by (S.I. No. 353 of 1951) (hereinafter referred to as “the 1951 Scheme”), he or she shall on such promotion cease to be a member of this Scheme and—

- (a) if and when he or she becomes a member of the 1951 Scheme, for the purposes of calculating his or her weekly pension under Table A—
  - (i) his or her basic weekly wage shall be calculated on the date immediately before the date of his or her becoming a member of the 1951 Scheme at the rate applicable to him or her in columns 1 and 2 of Table A on the former date and his or her deferred pension shall be revalued in accordance with section 33 of the Pensions Act 1990 as if the deferred member was entitled to a preserved benefit under the Pensions Act 1990, and
  - (ii) during the period until the deferred member retires from the service of the Board in accordance with the rules of the 1951 Scheme, such part of the appropriate ordinary pension rate in column 3 of Table A as is proportionate to the ratio which the number of years of service prior to the date of his or her becoming a member of the 1951 Scheme bears to the number of years of possible service had the deferred member remained in the regular wages staff until his or her normal age of retirement,
- (b) if and when he or she becomes a member of the 1951 Scheme, for the purposes of calculating his or her retirement gratuity, service in the employment of the Board on and after the date of becoming a member of the 1951 Scheme shall not count as scheme membership,
- (c) if the deferred member dies in the service of the Board before retiring on pension, Article 11A of this Scheme (as substituted by Article 17 of the amending scheme confirmed by the C oras Iompair  ireann Pension Scheme for Regular Wages Staff (Amendment) Scheme (Confirmation) Order 1996 (S.I. No. 115 of 1996) (“the 1996 amending scheme”) shall apply to him or her,

- (d) if and when he or she becomes a member of the 1951 Scheme, the total amount of his or her contributions to the Fund shall, unless he or she requests that a transfer payment be made in accordance with Article 10 of the 1996 amending scheme, remain in the Fund of this Scheme subject to the rules of this Scheme,
- (e) if, after he or she has become a member of the 1951 Scheme, he or she is transferred back to the wages staff as a regular member thereof he or she shall, provided he or she pays, or there is paid on his or her behalf, an amount into the Fund equal to the total contributions he or she would have made to the Fund during the period he or she ceased to be a member on promotion, be readmitted as a member of this Scheme notwithstanding that he or she may then exceed the age limit herein prescribed, and
- (f) deferred pensions payable under this Article shall be deemed not to be reduced pensions within the meaning of the existing Scheme.

(2) A member who becomes a member of the 1951 Scheme shall become a deferred member of this Scheme.

(3) If a member of this Scheme is promoted in the service of the Board to a grade outside the regular wages staff (and does not become a member of the 1951 Scheme), he or she shall continue to be a member of this Scheme as if he or she were still a member of the regular wages staff.

(4) In this Article “deferred member” means a member of the existing Scheme who is entitled to a deferred pension on promotion pursuant to this Article.”.

5. Article 1(1) of the 2007 amending scheme is amended by substituting for the definition of “Scheme Membership” (inserted by Article 2 of the 2010 amending scheme) the following:

“ ‘Scheme Membership’ means—

- (a) the total periods of service in the employment of the Board during membership of the Scheme, including additional service purchased under Article 13, where service as a job sharing employee shall be treated as if the member was a full time employee, and
- (b) service which under the Superannuation and Pensions Act 1963 (No. 24 of 1963) has been given with an approved organisation and is to be treated as pensionable for the purposes of the Scheme,

but in none of the foregoing periods is included—

- (i) notional purchased service, and

- (ii) service in the employment of the Board on and after the date of becoming a member of the C oras Iompair  ireann Superannuation Scheme 1951 confirmed by (S.I. No. 353 of 1951) on promotion from the regular wages staff.”.



GIVEN under my Official Seal,  
11 March 2015.

PASCHAL DONOHOE T.D.,  
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

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

The purpose of this Order is to amend the entitlements of members of the Scheme who are employees of the Board and who are promoted to the Salaried Grades and are eligible to join the CIÉ Superannuation Scheme 1951.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
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