



STATUTORY INSTRUMENTS.

**S.I. No. 416 of 2009**

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SHANNON FREE AIRPORT DEVELOPMENT COMPANY LTD.  
SPOUSES' AND CHILDREN'S CONTRIBUTORY PENSION  
(AMENDMENT) SCHEME 2009

**(Prn. A9/1453)**

SHANNON FREE AIRPORT DEVELOPMENT COMPANY LTD.  
SPOUSES' AND CHILDREN'S CONTRIBUTORY PENSION  
(AMENDMENT) SCHEME 2009

I, MARY COUGHLAN, Minister for Enterprise, Trade and Employment, in exercise of the powers given to me by Section 10 of the Shannon Free Airport Development Company Limited Act 1959 and with the concurrence of the Minister for Finance, hereby approve of the Shannon Free Airport Development Company Ltd. Spouses' and Children's Contributory Pension (Amendment) Scheme 2009, as set out herewith.

1. **TITLE**

- (1) This Scheme may be cited as the Shannon Free Airport Development Company Ltd. Spouses' and Children's Contributory Pension (Amendment) Scheme 2009.
- (2) The Shannon Free Airport Development Company Ltd. Spouses' and Children's Contributory Pension Scheme, 1987, and this Scheme may be cited together as the Shannon Free Airport Development Company Ltd. Spouses' and Children's Contributory Pension Schemes, 1987 and 2009.

2. **COMMENCEMENT**

This Scheme shall be deemed to have come into force on the 1st day of September 1984.

3. **DEFINITIONS**

“the Main Scheme” has the meaning assigned to it by paragraph 3 of the Shannon Free Airport Development Company Limited (General Employees) Superannuation Scheme 1966 (Fifth Amending) Scheme 2009;

“the Original Scheme” means the Shannon Free Airport Development Company Ltd. Spouses' and Children's Contributory Pension Scheme, 1987.

4. **MEMBERSHIP**

- (1) The Original Scheme subject to the modifications set out in the Appendix to this Scheme will apply to:
  - (a) members of the Main Scheme appointed after the 1st day of September 1984

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 23rd October, 2009.*

and

- (b) members of the Main Scheme appointed on or prior to the 1st day of September 1984 who between the 1st day of September 1984 and the 10th day of October 1985 exercise an option.
- (2) In this Article “option” means an option whereby the person by whom it is exercised opts to have the scheme as modified apply in his or her case.

## APPENDIX

In the case of members to whom Article 4 of this Scheme applies, the Original Scheme will apply to such members with the following qualifications:

### Article 3(1)

- (1) Delete “legitimate” in the definition of “child”. (line 2)
- (2) Delete “being then married” in the definition of “former member”. (line 1).

### Article 3(3)

Delete “before the termination of his contributing membership” in sub-paragraph (b). (lines 1 and 2).

### Article 5

- (1) Delete “or a person whose spouse died while he was a contributing member”. (lines 2 and 3).
- (2) Substitute the following sub-paragraph for sub-paragraph (b):

“(b) where he leaves a child or children (whether or not a spouse’s pension is, or may be granted), a pension for such child or children (hereinafter in this Scheme referred to as a “children’s pension”);”

### Article 7

Delete paragraph (1).

### Article 8

- (1) In lines 2 and 3 of paragraph (1), the words “the relevant member’s spouse” shall be deleted and substituted by the words, “a parent or step parent” and in line 3 “her” shall be replaced by “that person’s”.
- (2) In line 3 of paragraph (4)(a), the words “his spouse” shall be deleted and substituted by the words, “a parent or step parent”.
- (3) In line 4 of paragraph (4)(b), the words “his spouse” shall be deleted and substituted by the words, “a parent or step parent”.

### Article 11

- (1) Substitute the following paragraph for paragraph (1):

“(1) If a member ceases to be a contributing member other than on death and on so ceasing is not eligible for the grant of a pension and lump-sum, or preserved pension and preserved lump-sum, then if his reckonable service is not transferred for pension purposes to another

organisation or service, the whole of his periodic contributions shall be returned to him.”

(2) Substitute the following for paragraph (2):

“(2) A member who on ceasing to be a contributing member, has paid periodic contributions for a period in excess of forty years may have returned to him or, if his membership ceases due to death, to his legal personal representative, such of the contributions, beginning with his initial contribution and working forward, as is necessary to secure that the period in respect of which such contributions are paid by him without being returned does not exceed forty years.”

(3) Delete paragraph (3).



GIVEN under the Common Seal of Shannon Free Airport Development Company Limited, this 25th day of September 2009.

The Common Seal of Shannon Free Airport Development Company Limited was affixed in the presence of

J BRASSIL,  
Director.

THERESE ROSS,  
Director/Secretary.

The Minister for Enterprise, Trade and Employment, approves the making of the foregoing Scheme.



GIVEN under my Official Seal,  
14 October 2009.

MARY COUGHLAN T.D.,  
Minister for Enterprise, Trade and Employment.

The Minister for Finance concurs in the approval of the foregoing Scheme.

GIVEN under the hand of the Minister for Finance,  
14 October 2009.

BRIAN LENIHAN T.D.,  
Minister for Finance.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
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