



STATUTORY INSTRUMENTS.

S.I. No. 525 of 2009

FINANCIAL MEASURES (MISCELLANEOUS PROVISIONS) ACT 2009
(FÁILTE IRELAND CONTRIBUTORY PENSION AND DEATH
BENEFITS SCHEME FUND (FORMERLY KNOWN AS CERT))
TRANSFER ORDER 2009

(Prn. A9/1836)

FINANCIAL MEASURES (MISCELLANEOUS PROVISIONS) ACT 2009
(FÁILTE IRELAND CONTRIBUTORY PENSION AND DEATH
BENEFITS SCHEME FUND (FORMERLY KNOWN AS CERT))
TRANSFER ORDER 2009

I, MARTIN CULLEN T.D., Minister for Arts, Sport and Tourism, with the consent of the Minister for Finance, in exercise of the powers conferred on me by section 5 of the Financial Measures (Miscellaneous Provisions) Act 2009 (No. 14 of 2009), hereby make the following Order:

1. This Order may be cited as the Financial Measures (Miscellaneous Provisions) Act 2009 (Fáilte Ireland Contributory Pension and Death Benefits Scheme Fund (formerly known as CERT)) Transfer Order 2009.

2. In this Order—

“Act” means the Financial Measures (Miscellaneous Provisions) Act 2009 (No. 14 of 2009);

“Fund” means the Fáilte Ireland Contributory Pension and Death Benefits Scheme Fund (formerly known as CERT)

and

“Body” means Fáilte Ireland.

3. The date of effect of this Order is 31 December 2009.

4. The superannuation provisions in the instruments and other documents listed in the Schedule comprise the relevant pension scheme.

5. (1) Before the date of effect of this Order, the Body shall cause a bank account (in this Order referred to as the “Transfer Order Account”), to be established.

(2) After the establishment of the Transfer Order Account and before the date of effect, the trustee of the Scheme shall transfer to that account sufficient monies to meet the estimated liabilities of the Fund which fall due for payment after the date of effect, the reasonable cost of a valuation to be carried out under Section 10(3)(a) of the Act and any other costs, which have been approved by the Minister for Arts, Sport and Tourism with the consent of the Minister for Finance, incurred in effecting the transfer.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 22nd December, 2009.*

(3) The trustee shall ensure that sufficient monies are transferred to the Transfer Order Account to satisfy the liabilities and other costs referred to in paragraph (2).

(4) In calculating the amount required to be transferred under paragraph (2), the trustee shall take into account employer and employee contributions or other receivables payable but not yet paid to the Fund in respect of the period prior to the date of effect.

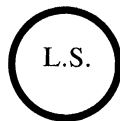
(5) The Body may authorise payments from the Transfer Order Account to meet the liabilities and other costs referred to in paragraph (2) and shall lodge contributions and other receivables referred to in paragraph (4) to the Transfer Order Account.

(6) When the Body is satisfied that all liabilities and other costs under paragraph (2) have been paid from the Transfer Order Account and all contributions and other receivables referred to in paragraph (4) have been lodged to that account, the Body shall prepare a final statement in respect of the Transfer Order Account, remit any balance to the Reserve Fund, close the account and submit a copy of the final statement to the Minister for Arts, Sport and Tourism, the Minister for Finance and the Commission.

6. As soon as may be after the date of effect, the Body shall cause final accounts of the Fund to be prepared and shall have those accounts audited.

SCHEDULE

1. Interim Deed dated the 1st October 1969.
2. Definitive Trust Deed & Rules dated the 9th October 1986.
3. Deed of Amendment dated the 27th June 1994.
4. Member Notification for Mr. Raymond O'Connor dated the 7th August 1998.
5. Deed of Amendment dated the 11th March 1999.
6. Deed of Amendment dated the 10th October 2002.
7. Deed of Amendment dated the 17th February 2006.
8. Member Notification for Mr. Shaun Quinn dated the 21st November 2008.
9. Deed of Amendment dated the 24th November 2008.



GIVEN under my Official Seal,
16 December 2009.

MARTIN CULLEN,
Minister for Arts, Sport and Tourism.

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



GIVEN under the Official Seal of the Minister for Finance,
16 December 2009.

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 Order is made under Section 5 of the Financial Measures (Miscellaneous Provisions) Act 2009. Under Section 6 of that Act, the assets of the Fáilte Ireland Contributory Pension and Death Benefits Scheme Fund (formerly known as CERT) are transferred to the National Pensions Reserve Fund on the date this Order takes effect — 31 December 2009.

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

