

S.I. No. 13/1992 - Córas Iompair Éireann Superannuation Scheme, 1951 (Amendment) (No. 2) Scheme (Confirmation) (No. 2) Order, 1992.

I, SÉAMUS BRENNAN, Minister for Tourism, Transport and Communications, in exercise of the powers conferred on me by [section 44](#) of the [Transport Act, 1950](#) (No. 12 of 1950), the Communications (Transfer of Departmental Administration and Ministerial Functions) (No. 2) Order, 1987 ([S.I. No. 92 of 1987](#)), and the Tourism and Transport (Alteration of name of Department and Title of Minister) Order, 1991 ([S.I. No. 25 of 1991](#)), hereby, after consultation with the Minister for Finance, order as follows:

1. This Order may be cited as the Córas Iompair Éireann, Superannuation Scheme, 1951 (Amendment) (No. 2) Scheme (Confirmation) (No. 2) Order, 1992.
2. In this Order, "the amending Scheme" means the Scheme amending the Córas Iompair Éireann, Superannuation Scheme, 1951 prepared by Córas Iompair Éireann, and submitted to the Minister for Tourism, Transport and Communications under [section 44](#) of the [Transport Act, 1950](#) (No. 12 of 1950), and set out in the Schedule to this Order.
3. The amending Scheme is hereby confirmed and shall be deemed to have come into operation on the 1st day of April, 1988.

SCHEDULE.

Córas Iompair Éireann Superannuation Scheme 1951 (Amendment) (No. 2) Scheme 1992.

Interpretation.

1. In this amending Scheme the following words and expressions shall have the meanings hereby assigned to them unless there is something inconsistent in the subject matter or the context repugnant to such construction:

"the existing Scheme" means the C.I.E. Superannuation Scheme, 1951 set out in the Schedule to the Córas Iompair Éireann Superannuation Scheme, 1951 (Confirmation) Order, 1951 ([S.I. No. 353 of 1951](#)), and subsequently amended by the amending Superannuation Schemes confirmed by Statutory Instruments numbered 221 of 1963, 80 of 1971, 254 of 1974, 47 of 1977, 126 of 1981, 245 of 1982, 345 of 1982, 287 of 1985, 339 of 1986, 58 of 1987, 29 of 1989, 212 of 1989, 234 of 1991 and 12 of 1992.

"the operative date" means the 1st day of April, 1988.

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 the Existing Scheme.

3. (1) 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 right to pension accrued prior to the operative date and to the personal representative of any deceased pensioner or member if the deceased's right to pension accrued or death occurred prior to the operative date.

(2) (a) Nothing in this amending Scheme shall affect the rights of any of the persons mentioned in the preceding sub-article, nor shall this amending Scheme affect any subsisting right or liability accrued to or incurred by any person under the existing Scheme prior to the operative date.

(b) Deferred annuities within the meaning of Rule 21A now payable or at any time to become payable shall not be affected by this amending Scheme.

Amendment of the Existing Scheme.

4. Subject of the provisions of Article 3 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.

Definitions.

5. Rule 2 (2) of the Schedule to S.I. No. 353 of 1951 shall be amended—

(1) By the deletion of the definition of "Employment" and the substitution therefor of the following new definition:—

" "Employment" by the Board includes employment by a company whose functions have been transferred to the Board and any employment which by virtue of section 15 of the Transport (Re-organisation of Córas Iompair Éireann) Act, 1986 (No. 31 of 1986) is to be treated, for all purposes of superannuation, as employment by the Board;"

(2) By the deletion of the definition of "Pensionable Membership" and the substitution therefor of the following new definition:—

" "Pensionable Membership" in relation to a member means, subject to a maximum of 40 years, the aggregate of—