



STATUTORY INSTRUMENTS.

S.I. No. 281 of 2025

SECRETARY TO THE JUDICIAL COUNCIL SUPERANNUATION
SCHEME 2025

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The Board of The Judicial Council, in exercise of the powers conferred on it by section 32A of the Judicial Council Act 2019 (No. 33 of 2019), with the approval of the Minister for Justice, Home Affairs and Migration and the consent of the Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, hereby makes the following scheme:

1. This Scheme may be cited as the Secretary to the Judicial Council Superannuation Scheme 2025.

2. The Rules set out in the Schedule to the Rules for Pre-existing Public Service Pension Scheme Members Regulations 2014 (S.I. No. 582 of 2014) are adopted as the rules of this Scheme for the granting of superannuation benefits to or in respect of the Secretary to the Judicial Council, subject to the modifications set out in Article 3.

3. The modifications referred to in Article 2 are as follows:

Definitions

(a) In Article 4 -

After the definition of "reference pension", the following definition is inserted:

"Relevant Benefit" has the meaning given to it in the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation Circular 12/2024 "Arrangements for Occupational Supplementary Pensions (OSP)"

Reference to Age 65 in certain Articles

Membership

(b) In Article 5 (2) (b), -

"who is not a new entrant and whose actual pensionable service on attaining age 65 would be less than the vesting period"

is deleted and the following is inserted in its place-

"who is not a new entrant and whose actual pensionable service on attaining age 70 would be less than the vesting period"

(c) In Article 5 (5), -

"A member who is not a new entrant may not continue in membership after having reached the age of 65"

is deleted and the following is inserted in its place-

"A member who is not a new entrant may not continue in membership after having reached the age of 70."

Supplementary Pension

- (d) Article 19 is deleted and the following is inserted in its place-

"19. Occupational Supplementary Pension

(1) This Article refers to a member who is fully insured as a member of this Scheme, is in receipt of a pension or preserved pension and has attained the minimum pension age or who is in receipt of a pension awarded under Article 18.

(2) So long as the relevant body is satisfied that the eligibility conditions for receipt of an Occupational Supplementary Pension (OSP) are met; the former member may, at the discretion of the relevant body, be paid an occupational supplementary pension.

(3) The amount of occupational supplementary pension payable shall be the amount, if any, arrived at by the formula:

$$A - (B + C) \text{ where}$$

A is the amount of pension or preserved pension which would have been payable to the former member if he or she had his or her pension calculated in accordance with Article 11(1) instead of Article 11(2);

B is the amount of pension actually payable to the former member, and

C is the amount of Relevant Benefits in payment to the former member.

(4) A member who is in receipt of an occupational supplementary pension under this Article, is obliged to inform the relevant body if circumstances change which would affect his or her eligibility for an occupational supplementary pension, or which would impact on the amount of occupational supplementary pension for which he or she is eligible.

(5) The relevant body shall review occupational supplementary pensions in payment annually, if the member is below the age at which State Pension (Contributory) is payable, or at their discretion thereafter, and shall confirm whether or not an occupational supplementary pension should continue in payment and the rate of such payment (if any).

(6) For the avoidance of doubt the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation Circular 12/2024 "Arrangements for Occupational Supplementary Pensions (OSP)" or as may be amended, shall apply to the eligibility criteria and calculation of Occupational Supplementary Pensions."

Survivor's Pension- Calculation

- (e) In Article 29 (3), -

"In the case where the former member dies while in receipt of a pension, other than a pension based on Article 18 (Cost Neutral Early Retirement), a preserved pension or a pension awarded on medical grounds"

is deleted and the following is inserted in its place -

"In the case where the former member dies while in receipt of a pension, other than a pension based on Article 17 (Cost Neutral Early Retirement), a preserved pension or a pension awarded on medical grounds"

Appeals

- (f) In Article 52 -

"The appeals provisions of the Pensions Act, as amended, and any enactment which amends or extends that Act and any Regulation, Warrant or Order made under that Act shall apply, including the Pensions Ombudsman Regulations."

is deleted and the following is inserted in its place -

"If any dispute arises as to the claim of any person to, or the amount of, any superannuation benefit payable in pursuance of this scheme, such dispute shall be submitted to the Board who shall refer it to the Minister for Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, whose decision shall be final."



GIVEN under the Official Seal of the Judicial Council,
19 June, 2025.

DONAL O'DONNELL,
Chairperson of the Judicial Council.

KEVIN O'NEILL,
Secretary of the Judicial Council.

The Minister for Justice, Home Affairs and Migration hereby approves the making of the above Scheme.



GIVEN under my Official Seal,
19 June, 2025.

JIM O'CALLAGHAN,
Minister for Justice, Home Affairs and Migration.

The Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation hereby consents to the making of the above Scheme.

L.S.

GIVEN under my Official Seal,
23 June, 2025.

JACK CHAMBERS,
Minister for Public Expenditure, Infrastructure, Public
Service Reform and Digitalisation.

EXPLANATORY NOTE

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

The purpose of these Regulations is to adopt the Rules set out in the Schedule to the Rules for Pre-existing Public Service Pension Scheme Members Regulations 2014 (SJ. No. 582 of 2014) as a scheme for the granting of superannuation benefits to or in respect of the Secretary to the Judicial Council, who is not a member of the Single Public Service Pension Scheme.

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