



STATUTORY INSTRUMENTS.

S.I. No. 632 of 2020

PUBLIC SERVICE PAY AND PENSIONS ACT 2017 (SECTION 27(3))
ORDER 2020

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I, MICHAEL MCGRATH, Minister for Public Expenditure and Reform, in exercise of the powers conferred on me by section 27(3) of the Public Service Pay and Pensions Act 2017 (No.34 of 2017), hereby order as follows:

Citation

1. This Order may be cited as the Public Service Pay and Pensions Act 2017 (Section 27(3)) Order 2020.

Interpretation

2. (1) In this Order -

“Act of 2010” means the Financial Emergency Measures in the Public Interest Act 2010 (No. 38 of 2010);

“Act of 2013” means the Financial Emergency Measures in the Public Interest Act 2013 (No. 18 of 2013);

“Act of 2017” means the Public Service Pay and Pensions Act 2017 (No. 34 of 2017).

(2) In this Order a word or expression that is used in this Order and is also used in the Act of 2010 shall have the meaning in this Order that it has in the Act of 2010.

Cases to which this Order applies

3. This Order shall apply to any case in which the operation of sections 25 and 26 of the Act of 2017 has not had the effect, by 31 December 2020, that the annualised amount of the public service pension of a person, payable in accordance with his or her entitlement, stands -

- (a) subject to paragraph (b), at the amount at which it would have stood, on the date of its award, if the Act of 2010 had not been enacted, or
- (b) where the person is a person to whom section 2A of the Act of 2010 applies, at the amount at which it would have stood, on the date of its award, if the Act of 2013 had not been enacted,

and the reference in Article 4 to the relevant original amount is a reference to the amount referred to in paragraph (a) or (b), as the case may be.

Full restoration of public service pension

4. In any case to which this Order applies, on and from 1 July 2021, the annualised amount of the public service pension of the person referred to in Article 3, payable in accordance with his or her entitlement, shall not be less than the relevant original amount.

Construction of certain reference

5. (1) Subsection (4) of section 27 of the Act of 2017 shall apply to the construction of the reference in Article 3(a) to the amount at which the public service pension of a person, payable in accordance with his or her entitlement, would have stood, on the date of its award, if the Act of 2010 had not been enacted as that subsection applies to the construction of the like reference set out in that subsection.

(2) Article 2(2) and paragraph (1) are without prejudice to the application of section 19 of the Interpretation Act 2005 (No. 23 of 2005) to this Order.

GIVEN under my Official Seal,
15 December, 2020.

MICHAEL MCGRATH,
Minister for Public Expenditure and Reform.

L.S.

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