



BILLE AN GHARDA SHIOCHANA (PINSIN), 1947.
GARDA SIOCHANA (PENSIONS) BILL, 1947.

Mar do tugadh isteach.

As introduced.

ARRANGEMENT OF SECTIONS.

Section.

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ÉIRE.

BILLE AN GHARDA SHIOCHANA (PINSIN), 1947.

GARDA SHIOCHANA (PENSIONS) BILL, 1947.

BILL

entitled

AN ACT TO PROVIDE FOR THE ADJUSTMENT OF PENSIONS, ALLOWANCES AND GRATUITIES OF OR IN RESPECT OF CERTAIN MEMBERS OR FORMER MEMBERS OF THE GARDA SHIOCHANA.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

Definitions.

1.—In this Act—

annual pay.

the expression "annual pay" has the same meaning as it has in the Garda Síochána Pensions Order, 1930, but does not include emergency bonus payable under any of the Pay Orders;

Pay Orders.

the expression "the Pay Orders" means the Garda Síochána Pay Order, 1943 (S. R. & O., No. 111 of 1943), the Garda Síochána Pay Order, 1944 (S. R. & O., No. 90 of 1944), the Garda Síochána Pay Order, 1945 (S. R. & O., No. 25 of 1945), the Garda Síochána Pay Order, 1946 (S. R. & O., No. 9 of 1946);

Pensions Orders.

the expression "the Pensions Orders" means the Dublin Metropolitan Police Pensions Orders, 1922 and 1924, and the Garda Síochána Pensions Orders, 1925 to 1942.

Division of annual pay of former member of Garda Síochána who ceased to be a member of the Garda Síochána during period 1st July, 1940 to 31st December, 1944, into basic element and bonus element.

2.—Where a former member of the Garda Síochána ceased to be a member of the Garda Síochána during the period which commenced on the 1st day of July, 1940, and ended on the 31st day of December, 1944, his annual pay at the date of his ceasing to be such member shall be deemed to have consisted of a basic element (in this Act referred to as hypothetical basic pay) and a bonus element related to the cost-of-living index number of 185 and the proportions of such basic element and bonus element shall be those which applied at the time in the case of a civil servant the total of whose basic remuneration and cost of living bonus (exclusive of emergency bonus) was equal to the annual pay of the former member.

Division of annual pay of former member of Garda Síochána who ceased to be a member of the Garda Síochána during period 1st January, 1945, to 31st October, 1946, into basic element and bonus element.

3.—Where a former member of the Garda Síochána ceased to be a member of the Garda Síochána during the period which commenced on the 1st day of January, 1945, and ended on the 31st day of October, 1946, his annual pay at the date of his ceasing to be such member shall be deemed to have consisted of a basic element (in this Act referred to as hypothetical basic pay) and a bonus element related to the cost-of-living index number of 210 and the proportions of such basic element and bonus element shall be those which applied at the time in the case of a civil servant whose total basic remuneration and cost-of-living bonus (exclusive of emergency bonus) was equal to the annual pay of the former member.

Adjustment of certain Garda Síochána pensions, allowances and gratuities.

4.—(1) Where a pension or allowance granted, under any of the Pensions Orders, to or in respect of a former member of the Garda Síochána who ceased to be a member of the Garda Síochána during

the period which commenced on the 1st day of July, 1940, and ended on the 31st day of October, 1946, was in course of payment on the 1st day of November, 1946, the amount of any pension or allowance payable under any of the Pensions Orders, to or in respect of such former member may be so altered as to authorise the payment thereof in respect of any period commencing on or after 1st day of November, 1946, as if his annual pay were equal to whichever of the following sums is the lesser—

(a) the sum of—

- 10 (i) his hypothetical basic pay, and
(ii) bonus calculated by reference to the cost-of-living index number at the date of his ceasing to be such member,

(b) the sum of—

- 15 (i) his hypothetical basic pay, and
(ii) bonus calculated by reference to the cost-of-living index number of 270.

(2) Every grant under any of the Pensions Orders of a gratuity to or in respect of a former member of the Garda Síochána who
20 ceased to be a member of the Garda Síochána during the period which commenced on the 1st day of July, 1940, and ended on the 31st day of October, 1946, may be so altered as to authorise the payment of the grant which would have been made if, immediately before his ceasing to be such member, he was in receipt of annual
25 pay equal to the lesser of the sums mentioned in *paragraphs (a) and (b) of subsection (1) of this section.*

(3) In making payment under this section allowance shall be made for payments already made.

5.—(1) Where a pension or allowance granted, under any of the
30 Pensions Orders, to or in respect of a former member of the Garda Síochána who ceased to be a member of the Garda Síochána during the period which commenced on the 1st day of July, 1940, and ended on the 31st day of December, 1944, was in course of payment on the 1st day of January, 1945, the amount of any pension or
35 allowance payable, under any of the Pensions Orders, to or in respect of such former member may be so altered as to authorise the payment thereof in respect of the period which commenced on the 1st day of January, 1945, and ended on the 31st day of October, 1946, as if his annual pay were equal to whichever of the following
40 sums is the lesser—

(a) the sum of—

- (i) his hypothetical basic pay, and
(ii) bonus calculated by reference to the cost-of-living index number at the date of his ceasing to be such member,

(b) the sum of—

- (i) his hypothetical basic pay, and
(ii) bonus calculated by reference to the cost-of-living index number of 210.

50 (2) In making payment under this section allowance shall be made for payments already made.

6.—For the purposes of *sections (4) and (5) of this Act,*

(a) the cost-of-living index number at the date of the ceasing of a former member of the Garda Síochána to be a member of the Garda Síochána shall be deemed to be the index number by reference to which cost-of-living bonus would have been paid to civil servants at that date if any of the Civil Service (Stabilisation of Bonus) Regulations, 1940 to 1945, had not been made;

Adjustment of certain Garda Síochána pensions and allowances in respect of the period from 1st July, 1940 to 31st December, 1944.

Cost of living index number and bonus for purposes of *sections 4 and 5 of this Act.*

(b) the bonus calculated by reference to any cost-of-living index number shall be calculated as if it were the cost-of-living bonus payable to a civil servant whose basic remuneration was equal to the hypothetical basic pay of such former member.

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Average annual rate of pay of certain members or former members of Garda Síochána.

7.—A member or a former member of the Garda Síochána who ceases to be a member of the Garda Síochána after the 31st day of October, 1946, shall, for the purpose of ascertaining his average annual amount of pay, be deemed to have been paid, during a period ending on that date which applies to him for that purpose, at an average annual rate of pay calculated by computing the actual amount of pay received by him for that period at an average annual rate and by dividing that latter rate into hypothetical basic pay and bonus element in the manner laid down in *section 3* of this Act and by adding, in the manner laid down in *paragraph (b)* of *section 6* of this Act, to the hypothetical basic pay so arrived at, bonus calculated by reference to the cost-of-living index number of 270.

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Interrupted service in Garda Síochána.

8.—If the Minister for Justice, on application made not later than two years after the passing of this Act, certifies in writing that a member or a former member of the Garda Síochána ceased to be a member of the Garda Síochána on a specified date solely for political reasons, a period, beginning on the commencement of his continuous service which terminated on such specified date and ending on the date when such member or former member was appointed and enrolled as a member of the Garda Síochána after such specified date, shall be deemed to be approved service for the purposes of the Garda Síochána Pensions Orders, 1925 to 1942.

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Expenses.

9.—The expenses incurred in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

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Short title.

10.—This Act may be cited as the Garda Síochána (Pensions) Act, 1947.

Éire.

BILLE AN GHARDA SHIOCHANA
(PINSIN), 1947.

BILLE

(*mar do tugadh isteach*)

dá ngairmtear

Acht do dhéanamh socruithe chun pinsin, líuntais agus aiseí de chuid nó i leith comhaltaí nó sean-chomhaltaí áirithe den Gharda Síochána a choigeartú.

An tAire Dlí agus Cirt do thug isteach.

Do hordáíodh, ag Dáil Éireann, do chlóbhuailadh, 20ú Samhain, 1947.

BAILE ATHA CLIATH:
FOILSITHE AG OIFIG AN tSOLATHAIR.

Le ceannach trí aon díoltóir leabhar, no díreach ó Oifig Díolta Foilseacháin Rialtais, 3-4 Sráid an Choláiste, Baile Atha Cliath.

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Éire.

GARDA SIOCHANA (PENSIONS) BILL,
1947.

BILL

(*as introduced*)

entitled

An Act to provide for the adjustment of pensions, allowances and gratuities of or in respect of certain members or former members of the Garda Síochána.

Introduced by the Minister for Justice.

Ordered by Dáil Éireann, to be printed, 20th November, 1947.

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