



**AN BILLE LEICTREACHAIS (SOLATHAR) (LEASU), 1951.
ELECTRICITY (SUPPLY) (AMENDMENT) BILL, 1951.**

*Mar a ritheadh ag Dáil Éireann.
As passed by Dáil Éireann.*

ARRANGEMENT OF SECTIONS.

Section.

1. Definitions.
2. Increase of advances under section 38 of the Electricity (Supply) (Amendment) Act, 1945.
3. Increase of advances under section 41 of the Electricity (Supply) (Amendment) Act, 1945.
4. Increase of certain pensions in respect of service ended before relevant date.
5. Increase of certain pensions in respect of service ended after relevant date.
6. Supplementary allowance in addition to certain pensions.
7. Reference of disputes to Tribunal.
8. Commencement of increase under section 16 of Pensions (Increase) Act, 1950.
9. Age limit for certain offices.
10. Amendments of section 7 of Superannuation Act, 1942.
11. Validity of superannuation schemes under Superannuation Act of 1942.
12. Power to withdraw election to benefit under superannuation schemes.
13. Expenses.
14. Short title, collective citation and construction.



AN BILLE LEICTREACHAIS (SOLATHAR) (LEASU), 1951.
ELECTRICITY (SUPPLY) (AMENDMENT) BILL, 1951.

BILL

entitled

AN ACT TO AUTHORISE INCREASES IN THE TOTAL 5
AMOUNTS WHICH MAY BE ADVANCED FOR THE
GENERAL PURPOSES OF THE ELECTRICITY SUPPLY
BOARD AND FOR THE ELECTRIFICATION OF RURAL
AREAS, TO PROVIDE FOR THE INCREASE OF
CERTAIN PENSIONS PAYABLE UNDER THE ELEC- 10
TRICITY (SUPPLY) ACTS, 1927 TO 1949, TO AMEND
THE SAID ACTS IN CERTAIN RESPECTS, TO PRO-
VIDE FOR AGE LIMITS FOR OFFICES HELD BY
CERTAIN PERSONS TRANSFERRED TO THE SERVICE 15
OF THE BOARD, AND TO PROVIDE FOR OTHER
MATTERS CONNECTED WITH THE MATTERS
AFORESAID.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

Definitions.

1.—In this Act—

Act of 1949.

the expression “the Act of 1949” means the Electricity (Supply) 20
(Amendment) Act, 1949 (No. 12 of 1949);

appropriate sum.

the expression “the appropriate sum” in relation to a pension
means—

(a) where the amount of the pension does not exceed £100 a
year, 50 per cent. of the amount of the pension, 25

(b) where the amount of the pension exceeds £100 a year but
does not exceed £125 a year, £50 a year,

(c) where the amount of the pension exceeds £125 a year but
does not exceed £150 a year, 40 per cent. of the amount
of the pension, 30

(d) where the amount of the pension exceeds £150 a year but
does not exceed £200 a year, £60 a year,

(e) where the amount of the pension exceeds £200 a year but
does not exceed £346 3s. 1d. a year, 30 per cent. of the
amount of the pension, 35

(f) where the amount of the pension exceeds £346 3s. 1d. a
year, sufficient to make the amount of the pension £450
a year;

authorised
undertaker and
undertaking.

the expression “authorised undertaker” and the word “under-
taking” have the same meanings respectively as they have in the 40
Principal Act;

Board;

the expression “the Board” means the Electricity Supply Board;

the expression "the manual workers superannuation scheme" means the scheme set out in the Schedule to the Electricity Supply Board (Confirmation of Manual Workers Superannuation Scheme) Order, 1943 (S.R. & O., No 183 of 1943); manual workers
superannuation
scheme.

- 5 the word "pension" means a pension, payable to a person who is not in the service of the Board, under the Electricity (Supply) Acts, 1927 to 1949, or under a scheme made in pursuance of the Superannuation Act of 1942, or both; pension.

the expression "the Principal Act" means the Electricity (Supply) Act, 1927 (No. 27 of 1927); Principal Act.

the expression "the relevant date" means— relevant date.

- (a) in the case of a person to whom the manual workers superannuation scheme applies or who would be or would have been classified as a manual worker for the purposes of that scheme if that scheme applied to him, the 23rd day of September, 1946;

(b) in any other case, the 1st day of April, 1946;

the expression "the Superannuation Act of 1942" means the Electricity Supply Board (Superannuation) Act, 1942 (No. 17 of 1942). Superannuation
Act of 1942.

- 2.—(1) The total amount of the sums advanced to the Board under section 38 of the Electricity (Supply) (Amendment) Act, 1945 (No. 12 of 1945), (which relates to advances for general purposes) shall not exceed forty-five million, five hundred thousand pounds and, accordingly, subsection (2) of that section shall be construed as if that sum were substituted for the sum mentioned therein. Increase of
advances under
section 38 of the
Electricity
(Supply)
(Amendment)
Act, 1945.

(2) Section 16 of the Act of 1949 is hereby repealed.

- 3.—The total amount of the sums advanced under section 41 of the Electricity (Supply) (Amendment) Act, 1945 (No. 12 of 1945), for the electrification of rural areas shall not exceed eight million pounds and, accordingly, subsection (1) of that section shall be construed as if that sum were substituted for the sum mentioned therein. Increase of
advances under
section 41 of the
Electricity
(Supply)
(Amendment)
Act, 1945.

- 4.—(1) This section applies to a pension of less than £450 a year (not being a pension to which section 16 of the Pensions (Increase) Act, 1950 (No. 3 of 1950), applies) which was granted in respect of service which ended before the relevant date and which was determined as a proportion of the remuneration of the person concerned. Increase of
certain pensions
in respect of
service ended
before relevant
date.

(2) A pension to which this section applies shall, with effect from (and inclusive of) the 1st day of April, 1949, be increased by the lesser of the following:—

- (a) the appropriate sum, or
- (b) the amount which would make the pension equal to the pension which would be payable on retirement to the person concerned if, for the five years immediately preceding his retirement, he had been remunerated at the rate or scale of remuneration applicable to an employee of the Board of equivalent status and service on the relevant date.

Increase of certain pensions in respect of service ended after relevant date.

5.—(1) This section applies to a pension which—

(a) was granted in respect of service which ended on or after the relevant date, and

(b) was determined as a proportion of the remuneration of the person concerned, and

5

(c) was so determined by reference to a period which commenced before the relevant date.

(2) A pension to which this section applies shall, with effect from (and inclusive of) the date of the commencement of the pension or the 1st day of April, 1949, whichever is the later, be increased by the amount which would make such pension equal to the pension which would be payable on retirement to the person concerned if, for the five years immediately preceding the relevant date, he had been remunerated at the rate or scale of remuneration applicable to him on the relevant date.

15

Supplementary allowance in addition to certain pensions.

6.—(1) This section applies to a pension which was granted before the passing of this Act or is granted not more than three years after such passing and which is determined otherwise than as a proportion of the remuneration of the person concerned.

(2) The Board may, if it thinks fit, grant and pay, with effect from the date of the commencement of the pension or the 1st day of April, 1949, whichever is the later, by way of addition to a pension to which this section applies a supplementary allowance for life of such amount as the Board thinks proper having regard to all the circumstances, but subject to the limitations that such allowance shall not exceed the appropriate sum and that the total of the pension and supplementary allowance shall not exceed the maximum pension payable under the manual workers superannuation scheme.

25

Reference of disputes to Tribunal.

7.—Any dispute which may arise in regard to an increase under section 4 or section 5 of this Act shall, at the request of the Board or the pensioner concerned, be referred to and determined by the Tribunal established under the Superannuation Act of 1942 or that established under the Act of 1949, whichever is appropriate, and the decision of the Tribunal thereon shall be final and binding on all persons concerned.

35

Commencement of increase under section 16 of Pensions (Increase) Act, 1950.

8.—An increase under section 16 of the Pensions (Increase) Act, 1950 (No. 3 of 1950), (which provides for the increase of certain pensions payable by the Board) shall have effect from (and inclusive of) the date of the commencement of the pension or the 1st day of April, 1949, whichever is the later.

40

Age limit for certain offices.

9.—(1) The Board may declare any specified age to be the age limit for offices in the service of the Board held by persons who were transferred under subsection (9) or subsection (11) of section 39 of the Principal Act to the service of the Board from the service of an authorised undertaker and who had, by virtue of such transfer, a right to superannuation benefits payable by the Board, or for such of those offices as belong to a specified class, description or grade or for one or more specified such offices.

45

(2) Every declaration under this section shall come into force six months after the day on which it is made.

50

(3) Where a declaration under this section is for the time being in force in relation to any particular office, the following provisions shall have effect:—

- 5 (a) if on the day when such declaration comes into force there is a holder of such office and such holder, on that day, reaches or is older than the age specified in such declaration as the age limit for such office, such holder shall cease to hold such office on the said day when such declaration comes into force;
- 10 (b) if on a day after the day when such declaration comes into force any holder of such office reaches the age specified in such declaration as the age limit for such office, such holder shall cease to hold such office on the said day after the day on which such declaration comes
- 15 into force.

(4) The Board shall not declare as the age limit for any office an age which is less than the normal retiring age under the superannuation scheme applicable to persons holding similar office.

- 20 10.—(1) In this section, the expression “normal retiring date” means the date specified in the appropriate superannuation scheme as the normal retiring date for employees or a specified class of employees to whom the scheme applies.

Amendments of
section 7 of
Superannuation
Act of 1942.

- 25 (2) Subsection (2) of section 7 of the Superannuation Act of 1942 shall have effect, and shall be deemed always to have had effect, as if the words “ending on the date of retirement from that employment on account of age or ill-health shall qualify or be reckonable for superannuation benefits under that scheme” were deleted and there were substituted therefor the words “ending on the normal retiring date or on the date of retirement from that
- 30 employment on account of ill-health (whichever date shall first occur) shall qualify or be reckonable for superannuation benefits under that scheme and that in calculating the length of such service it shall be reckoned only up to the end of the last completed month thereof”.

- 35 (3) Subsection (3) of section 7 of the Superannuation Act of 1942 shall have effect, and shall be deemed always to have had effect, as if the words “ending on the date of retirement from that employment on account of age or ill-health shall qualify or be reckonable for superannuation benefits under the scheme” were
- 40 deleted and there were substituted therefor the words “ending on the normal retiring date or on the date of retirement from that employment on account of ill-health (whichever date shall first occur) shall qualify or be reckonable for superannuation benefits under that scheme and that in calculating the length of such
- 45 service it shall be reckoned only up to the end of the last completed month thereof”.

(4) Subsection (4) of section 7 of the Superannuation Act of 1942 shall have effect, and shall be deemed always to have had effect, as if—

- 50 (a) in paragraph (a), the words “on and subsequent to the date of his said election” were deleted and there were substituted therefor the words “from the date of his said election up to the end of the last completed month of his subsequent service immediately prior to his
- 55 normal retiring date or the date of his retirement from such employment on account of ill-health (whichever date shall first occur)”;
- (b) in paragraph (b), the words “in full” were deleted and there were substituted therefor the words “up to the
- 60 end of the last completed month thereof”;
- (c) in paragraph (c), the words “up to the end of the last completed month thereof” were inserted after the words “one-half and no more of his prior service”.

Validity of
Superannuation
schemes under
Superannuation
Act of 1942.

11.—For avoidance of doubt, it is hereby enacted that each of the following schemes :—

(a) the scheme set out in the Schedule to the Electricity Supply Board (Confirmation of General Employees Superannuation Scheme) Order, 1943 (S.R. & O., 182 of 1943), and 5

(b) the scheme set out in the Schedule to the Electricity Supply Board (Confirmation of Manual Workers Superannuation Scheme) Order, 1943 (S.R. & O., No. 183 of 1943), 10

has, and has always had, the force of law in the form in which such scheme is so set out.

Power to
withdraw election
to benefit under
superannuation
scheme.

12.—(1) Any person who—

(a) made an application under subsection (2) of section 13 of the Superannuation Act of 1942 or subsection (3) of section 5 of the Electricity (Supply) (Amendment) Act, 1942 (No. 27 of 1942), or under subsection (3) of section 9, or subsection (3) of section 10, of the Act of 1949 and 15

(b) is, at the passing of this Act, in the service of the Board, and 20

(c) if he received benefit under any of the said sections, repays the amount of such benefit,

may, by notice in writing made to the Board not later than one month after the passing of this Act, withdraw such application.

(2) A person who, in accordance with subsection (1) of this section, withdraws an application to the Board shall be treated for the purposes of the section under which his application was made as a person who did not make any such application. 25

Expenses.

13.—Increases in pensions under this Act shall be defrayed as part of the general expenses of the Board. 30

Short title,
collective citation
and construction.

14.—(1) This Act may be cited as the Electricity (Supply) (Amendment) Act, 1952.

(2) The Electricity (Supply) Acts, 1927 to 1949, and this Act may be cited together as the Electricity (Supply) Acts, 1927 to 1952. 35

(3) The Electricity (Supply) Acts, 1927 to 1949, and this Act, shall be construed together as one.

BILLE

dá ngairmtear

Acht dá údarú méadú a dhéanamh ar na suimeanna iomlána a féadfar d'airleacan chun críocha ginearálta Bhord Soláthair an Leictreachais agus chun tuath-líomataístí a leictriú, do dhéanamh socruithe chun pinsin áirithe is infíochta faoi na hAcht Leictreachais (Soláthar), 1927 go 1949, a mhéadú, do leasú na nAcht sin i slite áirithe, do dhéanamh socruithe i dtaobh teoranta aoise d'oifigí atá ag daoine áirithe a haistríodh chun seirbhíse an Bhoird, agus do dhéanamh socruithe i dtaobh nithe eile a bhaineas leis na nithe réamhráite.

An tAire Tionscail agus Tráchtála a thug isteach.

Rite ag Dáil Éireann, 21ú Feabhra, 1952.

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais An Stuara, Árd Oifig an Phoist, Baile Átha Cliath, nó trí aon díoltóir leabhar.

Cló-bhuailte ag CAHILL & Co., LTD.

[*Naoi bPingne Glan.*]

Wt. 4301—1810. 675. 2/52. C.&Co. (1130).

BILL

entitled

An Act to authorise increases in the total amounts which may be advanced for the general purposes of the Electricity Supply Board and for the electrification of rural areas, to provide for the increase of certain pensions payable under the Electricity (Supply) Acts, 1927 to 1949, to amend the said Acts in certain respects, to provide for age limits for offices held by certain persons transferred to the service of the Board, and to provide for other matters connected with the matters aforesaid.

Introduced by the Minister for Industry and Commerce.

Passed by Dáil Éireann, 21st February, 1952.

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE.

To be purchased through any bookseller, or directly from the Government Publications Sale Office, G.P.O. Arcade, Dublin.

Printed by CAHILL & Co., LTD.

[*Ninepence Net.*]