

Reference No: P18/61/74; **Date:** 11/04/90

11/04/1990 LP:- Revised Injury Warrant Provisions

A Chara,

I am directed by the Minister for Finance to refer to previous instructions issued by this Department in relation to the Superannuation Act, 1887 (Section 1) Warrant, 1946.

2. Arising out of recent discussions at the Joint Official Side/Staff Side Working Party on Superannuation (under the Civil Service Conciliation and Arbitration Scheme) it has been agreed to amend the existing Injury Warrant cover in a number of respects.
3. The agreed amendments are primarily designed to take account of developments which have occurred over the years in civil service superannuation schemes and in the Social Welfare code. In particular, they reflect -
 - the repeal of the Workman's Compensation Acts and the introduction of the Occupational Injuries scheme, which is administered by the Department of Social Welfare;
 - the introduction of pension schemes for unestablished civil servants; and
 - recent changes in the scope of the spouses' and children's contributory pension schemes for established and unestablished civil servants.
4. The principal changes in the current Injury Warrant provisions will be as follows:
 - (a) references to "workman" will be deleted and replaced by references to "persons designated under Section 17 of the Industrial Relations Act 1969";
 - (b) Article 6(4)(a) of the 1946 Warrant will be amended to provide that any Social Welfare benefits payable (under the Occupational Injuries scheme or otherwise) to officers to whom the Warrant applies will be taken into account in the calculation of benefits under the Warrant;
 - (c) the distinction in Article 5 of the 1946 Warrant between established officers who were eligible for superannuation benefits and all other officers will be abolished; the rate of benefit payable under the Warrant will in future depend on whether or not an officer (whether established or unestablished) is eligible for superannuation benefits;
 - (d) references to "widow" will be replaced by references to "spouse" and Article 9 of the 1946 Warrant will be deleted;
 - (e) the expression "is not cohabiting with another person as man and wife" will be substituted for the expression "of good character" in Article 7(1) (a) of the 1946 Warrant;
 - (f) the scope of the Warrant will be extended to cover the spouse and children of an officer who marries after retirement; and
 - (g) the scope of the Warrant will also be extended to cover a parent - mother or father - who was mainly dependent on a deceased officer.

5. In relation to (g) above, a parent will not qualify for Injury Warrant benefit unless he/she is in receipt of a dependent parent's pension under the Occupational Injuries scheme. The rates of benefit currently payable to a dependent mother (as set out in Article 7(1) of the 1946 Warrant) will continue to be used in the calculation of dependent parent's benefit under the revised provisions. However, in future, the actual benefit payable to a dependent parent will be the relevant proportion of salary and emoluments - as indicated in Article 7(1) - less the amount of pension payable to that parent under the Occupational Injuries Scheme. Where there are two dependent parents, the benefit which would have been payable under the Warrant to one such parent will be divided equally between them.

6. These amendments will be formally incorporated in a revised Warrant at a later date. Pending the making of that Warrant, the revised terms will, as appropriate, be applied administratively.

7. Any enquiries arising from this letter should be addressed to the Pensions Section of this Department.

Mise, le meas,

W. Power
Principal
Pensions Section.