

Pensions Act, 1990 (No. 25)

Part II Establishment of Pensions Board

26B. Pensions Council

26B.

- (1) On the commencement of section 29 of the Social Welfare and Pensions (Miscellaneous Provisions) Act 2013 there shall stand established a body to be known, in the English language, as the Pensions Council or, in the Irish language, as An Chomhairle Pinsean to perform the functions assigned to it by this section.
- (2) The functions of the Pensions Council shall be to advise the Minister, either on its own initiative or at the Minister's request, on matters relating to pensions generally.
- (3) The Pensions Council shall consist of the following members:
 - (a) A chairperson, and
 - (b) Not fewer than 8, and not more than 12, ordinary members.
- (4) The members of the Pensions Council shall be appointed by the Minister in accordance with this section.
- (5) The Minister shall designate one member of the Pensions Council as chairperson.
- (6) An ordinary member of the Pensions Council shall hold office for such period, not exceeding 5 years from the date of his or her appointment, as the Minister shall determine.
- (7) A member of the Pensions Council whose term of office expires by effluxion of time shall be eligible for reappointment to the Pensions Council.
- (8) The ordinary members of the Pensions Council shall include:
 - (a) The Pensions Regulator;
 - (b) One member nominated by the Minister as a representative of the Department of Social Protection;
 - (c) One member nominated by the Minister for Finance as a representative of the Central Bank;
 - (d) One member nominated by the Minister for Public Expenditure and Reform as a representative of the Department of Public Expenditure and Reform; and
 - (e) Not fewer than 4, and not more than 8, other members, each of whom the Minister considers to have the relevant skills, specialist knowledge, experience or expertise to enable him or her to carry out his or her functions under this Act.

- (9) A member of the Pensions Council may resign from the Pensions Council by letter addressed to the Minister, and the resignation shall take effect on the date specified in the letter, or the date on which the Minister receives the letter, whichever is the later.
- (10) A member of the Pensions Council may at any time be removed from membership of the Pensions Council by the Minister if, in the Minister's opinion, the member has become incapable through ill-health of performing his or her functions, or has committed stated misbehaviour, or his or her removal appears to the Minister to be necessary for the effective performance by the Pensions Council of its functions.
- (11) A member of the Pensions Council shall cease to be and shall be disqualified from being a member of the Pensions Council where such member:
 - (a) Is adjudicated bankrupt;
 - (b) Makes a composition or arrangement with creditors;
 - (c) On conviction on indictment by a court of competent jurisdiction is sentenced to a term of imprisonment; or
 - (d) Is disqualified or restricted from being a director of any company (within the meaning of the Companies Acts).
- (12) The Minister shall determine the procedures of the Pensions Council.