



Legal Basis

Introduction

The Department administers several different pension schemes for several different categories of workers. Each pension scheme has its own rules and regulations that have to be adhered to by both the Department and you, the pension member.

As the pension scheme is individual to each worker, the Department requires your personal data in order to establish your entitlement to your pension benefits and in order to pay your pension benefits.

The legislation on Data Protection is available using:

<https://dataprotection.ie/en/who-we-are/data-protection-legislation>

The rules and regulations of each pension scheme outlines how the pension scheme is to be administered. In some cases, older pension schemes are operated by administrative circular issued by the Department and all pensions' schemes are also subject to rule changes which may be announced by the Government as part of the annual budget and included in the Finance Act(s). The principal legislation used by the Department is listed in Appendix A.

More information.

While the Department makes every effort to make available as much information as possible, due to the complexity of the pension schemes administered by the Department it may not always be possible to publish every circular or regulation that may apply to every aspect of your pension as a result of your specific individual career history. Should you require additional information or have a question in respect of your personal data, you can <https://cs.education.gov.ie/> and your query will be replied to as soon as possible.

Below is a list of principal legislation and administrative circulars used by pension unit to administer the pension's schemes operated by the Department:

Statutory Instruments:

- [SI 24/1963](#) – Superannuation and Pensions Act, 1963.
- [SI 22/1976](#) – Superannuation and Pensions Act, 1976.
- [SI 96/1976](#) – District Court [Family law (Maintenance of spouses and Children) Act, 1976] Rules, 1976.
- [SI 427/1981](#) – Widow's and Children's Contributory Pension Scheme, 1981.
- [SI 298/1984](#) – Local Government (Transfer of Service) Scheme, 1984.
- [SI 107/1997](#) – Pension Schemes (Family Law) Regulations 1997.
- [SI 14/2001](#) – Education Sector Superannuation Scheme (Transfer of departmental Administration and Ministerial Functions) Order, 2001.
- [SI 510/2001](#) – Circuit Court Rules, 2001.
- [SI 312/2007](#) – Circuit Court Rules (General), 2007.
- [SI 358/2008](#) – Circuit Court Rules (Case progression in Family Law proceedings) 2008.
- [SI 434/2009](#) – Primary School Teachers Pension Scheme 2009.
- [SI 434/2009](#) – Secondary, Community and Comprehensive School Teachers Pension Scheme 2009.



- [SI 290/2015](#) – Education Sector Superannuation Scheme 2015 or the ESSS 2015.
- [SI 292/2015](#) – Education and Training Board Teachers Superannuation Scheme 2015.

Primary Legislation:

- Pensions Act 1990:
<http://www.irishstatutebook.ie/eli/1990/act/25/enacted/en/html>
- The Family Law Act 1995:
<http://www.irishstatutebook.ie/eli/1995/act/26/enacted/en/html>
- The Family Law (Divorce) Act, 1996:
<http://www.irishstatutebook.ie/eli/1996/act/33/enacted/en/html>
- Pension schemes (Family Law) Regulations 1997:
<http://www.irishstatutebook.ie/eli/1997/si/107/made/en/print>
- Family Law (Miscellaneous Provisions) Act, 1997:
<http://www.irishstatutebook.ie/eli/1997/act/18/enacted/en/html>
- Protection of Employees (Part Time Work) Act 2001:
<http://www.irishstatutebook.ie/eli/2001/act/45/enacted/en/html>
- Data Protection Acts 1998 – 2018:
Occupational Pensions Schemes (Disclosure of information) Regulations 2006: <http://www.irishstatutebook.ie/eli/2006/si/301/made/en/print>
- Civil Partnership & Certain Rights and Obligations of Co-Habitants Act 2010:
<http://www.irishstatutebook.ie/eli/2010/act/24/enacted/en/html>
- Public Service Pensions (Single Scheme and Other Provisions) Act 2012:
<http://www.irishstatutebook.ie/eli/2012/act/37/enacted/en/html>
- Order 59
Rule 4 of the Circuit Court Rules: <https://www.courts.ie/content/court-rules>
Order 59A of the Circuit Court Rules: <https://www.courts.ie/content/court-rules>

Department Circulars:

The Pension Circulars are available at gov.ie – Circulars <https://www.gov.ie/en/circulars/>

Websites where additional information is available:

- Department of Education and Youth - [Department of Education and Youth](#)
- Single Public Service Pension Scheme - <https://singlepensionscheme.gov.ie/>
- Pensions Authority - <https://pensionsauthority.ie/enforcement/>
- The Financial Services and Pensions Ombudsman - <https://www.fspo.ie/>



Bunús Dlí

Réamhrá

Riarann an Roinn roinnt scéimeanna pinsin éagsúla do roinnt catagóirí éagsúla oibrithe. Tá a rialail agus a rialacháin féin ag gach scéim pinsin nach mór don Roinn agus tusa, an ball pinsin araon cloí leo.

Toisc go bhfuil an scéim pinsin aonair ag gach oibrí, tá do shonraí pearsanta ag teastáil ón Roinn

chun do theidlíocht do do shochair phinsin a shuíomh agus chun do shochair phinsin a íoc.

Tá an reachtaíocht um Chosaint Sonraí ar fáil trí úsáid a bhaint as:

<https://dataprotection.ie/en/who-we-are/data-protection-legislation>

Leagann rialacha agus rialacháin gach scéime pinsin amach conas a riarfar an scéim pinsin. I gcásanna áirithe, feidhmítear scéimeanna pinsin níos sine trí chiorclán riaracháin a eisíonn an Roinn agus tá gach scéim pinsean faoi réir athruithe rialacha a fhéadfaidh an Rialtas a fhógairt mar chuid den bhuiséad bliantúil agus a chuimsítear san Acht(anna) Airgeadais. Tá an phríomhreachtaíocht a úsáideann an Roinn liostaithe in Aguisín A.

Tuilleadh eolais.

Cé go ndéanann an Roinn gach iarracht an oiread eolais agus is féidir a chur ar fáil, mar gheall ar chastacht na scéimeanna pinsin a riarann an Roinn b'fhéidir nach mbeidh sé indéanta i gcónaí gach ciorclán nó rialachán a d'fhéadfadh a bheith i bhfeidhm ar gach gné de do phinsean mar thoradh ar do stair ghairm bheatha ar leith a fhoilsiú. Má theastaíonn faisnéis bhreise uait nó má tá ceist agat maidir le do shonraí pearsanta, is féidir leat <https://cs.education.gov.ie/> agus freagrófar do cheist chomh luath agus is féidir.

Anseo thíos tá liosta den phríomhreachtaíocht agus de na ciorcláin riaracháin a úsáideann aonad pinsin chun na scéimeanna pinsin a oibríonn an Roinn a riar:

Ionstraimí Reachtúla:

- [SI 24/1963](#)— An tAcht Aoisliúntais agus Pinsean, 1963 .
- [SI 22/1976](#)— An tAcht Aoisliúntais agus Pinsean, 1976 .
- [SI 96/1976](#) — Na Rialacha Cúirte Dúiche [An tAcht um an Dlí Teaghlaigh (Cothabháil Céilí agus Leanaí), 1976], 1976.
- [SI 427/1981](#) – Scéim Phinsin Ranníocach Baintrí agus Leanaí, 1981.
- [SI 298/1984](#) – Scéim Rialtais Áitiúil (Aistriú Seirbhíse), 1984.
- [SI 107/1997](#) – Na Rialacháin um Scéimeanna Pinsin (Dlí Teaghlaigh) 1997.
- [SI 14/2001](#) – An tOrdú um Scéim Aoisliúntais na hEarnála Oideachais (Riarachán Roinne agus Feidhmeanna Aireachta a Aistriú), 2001.
- [SI 510/2001](#) – Na Rialacha Cúirte Cuarda, 2001.
- [SI 312/2007](#) – Na Rialacha Cúirte Cuarda (Ginearálta), 2007.
- [SI 358/2008](#) – Na Rialacha Cúirte Cuarda (Forchéimniú cáis in imeachtaí an Dlí Teaghlaigh) 2008.
- [SI 434/2009](#) – Scéim Pinsin Múinteoirí Bunscoile 2009.
- [SI 434/2009](#) – Scéim Pinsin Múinteoirí Meánscoile, Pobail agus Cuimsitheacha 2009.
- [SI 290/2015](#) – Scéim Aoisliúntais na hEarnála Oideachais 2015 nó CSE 2015.



- [SI 292/2015](#) – Scéim Aoisliúntais Múinteoirí an Bhoird Oideachais agus Oiliúna 2015.

Reachtaíocht Phríomhúil:

- Acht na bPinsean 1990:

<http://www.irishstatutebook.ie/eli/1990/act/25/enacted/en/html>

- An tAcht um an Dlí Teaghlaigh 1995:

<http://www.irishstatutebook.ie/eli/1995/act/26/enacted/en/html>

- An tAcht um an Dlí Teaghlaigh (Colscaradh), 1996:

<http://www.irishstatutebook.ie/eli/1996/act/33/enacted/en/html>

- Na Rialacháin um Scéimeanna Pinsin (Dlí Teaghlaigh) 1997:

<http://www.irishstatutebook.ie/eli/1997/si/107/made/en/print>

- An tAcht um an Dlí Teaghlaigh (Forálacha Ilghnéitheacha), 1997:

<http://www.irishstatutebook.ie/eli/1997/act/18/enacted/en/html>

- An tAcht um Chosaint Fostaithe (Obair Pháirtaimseartha) 2001:

<http://www.irishstatutebook.ie/eli/2001/act/45/enacted/en/html>

- Na hAchtanna um Chosaint Sonraí 1998 – 2018:

Na Rialacháin um Scéimeanna Pinsean Gairme (Nochtadh Faisnéise).

2006: <http://www.irishstatutebook.ie/eli/2006/si/301/made/en/print>

- An tAcht um Páirtnéireacht Shibhialta & Cearta agus Oibleagáidí Áirithe de chuid Comhchónaitheoirí

2010:

<http://www.irishstatutebook.ie/eli/2010/act/24/enacted/en/html>

- An tAcht um Pinsin na Seirbhíse Poiblí (Scéim Aonair agus Forálacha Eile), 2012:

<http://www.irishstatutebook.ie/eli/2012/act/37/enacted/en/html>

- Ordú 59

Rail 4 de na Rialacha Cúirte Cuarda: <https://www.courts.ie/content/court-rules>

Ordú 59A de na Rialacha Cúirte Cuarda: <https://www.courts.ie/content/court-rules>

Ciorcláin na Roinne:

Tá na Ciorcláin Pinsin ar fáil ag gov.ie – Ciorcláin <https://www.gov.ie/en/circulars/>

Láithreáin Ghréasáin ina bhfuil faisnéis bhreise ar fáil:

- An Roinn Oideachais agus Óige - [An Roinn Oideachais agus Óige](#)
- Scéim Pinsin Seirbhíse Poiblí Aonair - <https://singlepensionscheme.gov.ie/>
- Údarás Pinsean - <https://pensionsauthority.ie/enforcement/>
- An tOmbudsman um Sheirbhísí Airgeadais agus Pinsean - <https://www.fspo.ie/>