



LEGAL BASIS

Introduction

The Department administers several different pension schemes for several different categories of workers. Each pension scheme has its own rule and regulations which 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://www.dataprotection.ie/docs/Law-On-Data-Protection/m/795.htm>

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 email pensions@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:

- 24/1963
- 22/1976
- [96/1976](#)
- [427/1981](#)
- [298/1984](#)
- [107/1997](#)
- [14/2001](#)
- [510/2001](#)



- [312/2007](#)
- [358/2008](#)
- [434/2009](#)
- [435/2009](#)
- [290/2015](#)
- [292/2015](#)

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 1988 – 2003:
<http://www.irishstatutebook.ie/eli/2003/act/6/enacted/en/html> -
<https://www.dataprotection.ie/docs/Data-Protection-Acts-1988-and-2003:-Informal-consolidation/796.htm>
- 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:
<http://www.courts.ie/rules.nsf/d7ed4ce54d2bd0c680256e5400502ec7/1cca506f57cc910480256d940064796c?OpenDocument>
- Order 59A of the Circuit Court Rules:
<http://www.courts.ie/rules.nsf/6cc6644045a5c09a80256db700399505/f636fb0899a4a9b5802578e80038329e?OpenDocument>

Department Circulars:

- Pen 04/02
- [Pen 02-2004](#)
- [1978 pension scheme for Clerical Officers](#)
- 1981 - Widow's & Children Scheme.
- [0035/2013](#)
- [PC 10/04](#)

Corr na Madadh, Baile Átha Luain, Co. na hIarmhí, N37 X659

Cornamaddy, Athlone, Co. Westmeath, N37 X659

T +353 9064-83600 | pensions@education.gov.ie



Websites where additional information is available:

- www.singlepensionscheme.gov.ie/
- www.education.ie
- <http://www.pensionsauthority.ie/en/>
- <https://www.fspo.ie/>.