List of Basic Information about the Single Scheme to be supplied in family law cases

The Pensions Act 1990 and the Disclosure of Information Regulations provide for the disclosure by the trustees of a pension scheme of certain basic information to the non-member spouse or civil partner of a pension scheme member, as set out in the numbered headings 1 to 21 below.

(There is no provision under the 1990 Act requiring trustees to disclose such information to a non-member cohabitant; however, it is recommended that the basic scheme information be furnished on request to a "qualified cohabitant" as defined in the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010.)

Under each of these 21 headings, DPER-written suggested text which may be useful for Relevant Authorities in responding to family law requests is provided below.

For clarity, DPER does not at all require verbatim use of the suggested response material, and in some cases that would not be appropriate (e.g. fast accrual members). More broadly, the material

- is aimed simply at assisting Relevant Authorities in dealing with such cases, and
- does not detract from the responsibilities of Relevant Authorities' in respect of such cases.

1. The categories of persons who are eligible to be members of the scheme.

All new-entrant pensionable public servants commencing employment from 1 January 2013 are eligible to be members of the Single Public Service Pension Scheme ("Single Scheme"), as provided for under sections 9 and 10 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 ("2012 Act").

2. Whether or not membership of the scheme is a condition of employment and the categories of persons (if any) to whom such a condition applies.

Membership of the Single Scheme is, in general, a condition of employment for new-entrant pensionable public servants from 1 January 2013.

3. The conditions of membership.

A Single Scheme member must be a pensionable public servant, having joined the public service as a "new entrant" on or after 1 January 2013. Members must be at least 16 years old and must, in most cases, retire on reaching age 70 years.

4. How members' contributions are calculated.

The employee contribution paid by most Single Scheme members is:
[3% of pensionable remuneration PLUS 3.5% of net pensionable remuneration]

reduced pro rata to the work pattern where the member works on a non-full-time basis (part-time, work-sharing).

Relevant definitions are as follows:

- **"Pensionable remuneration"** = pensionable pay expressed **on a full-time basis**.

- Pensionable pay in turn = wages/salary (excluding overtime) PLUS pensionable allowances

- **"Net pensionable remuneration"** = pensionable remuneration less twice the value of the Contributory State Pension.

5. How employers' contributions are calculated.

Explicit employer contributions are not required in respect of most Single Scheme members. However employer contributions may be applicable in certain cases where a post is financed wholly or mainly from sources other than the Central Fund. In such cases the required employer's contribution amount is equivalent to a maximum of 3 times the Scheme member's employee contribution.

6. Whether the scheme is approved under Chapter II of Part I of the Finance Act 1972 or Chapter 1 of Part 30 of the Taxes Consolidation Act 1997, and, if not, whether an application for such approval of the scheme is under consideration by the Revenue Commissioners.

The Single Scheme is a statutory scheme established under the Public Service Pensions (Single Scheme and Other Provisions) Act 2012.

7. Whether the scheme is a defined benefit or defined contribution scheme for the purposes of the Pensions Act 1990.

The Single Scheme is regarded as a defined benefit scheme.

8. What benefits, if any, are payable under the scheme, and how they are calculated?

Pension and retirement lump sum are payable.

For each active member, the Single Scheme generates

- money credits towards pension, and
- money credits towards retirement lump sum.

These money credits, known as "referable amounts", accrue as percentages of pay on an ongoing basis, and are revalued annually until retirement in line with Consumer Price Index (CPI) increases.

The pension awarded is the accumulated total of a member's pension referable amounts, and the retirement lump sum awarded is, likewise, the accumulated total of the lump sum referable amounts. Referable amounts accrue for a standard member (most public service grades) as follows:

Pension:

- 0.58% of pensionable remuneration up to a threshold of 3.74 times the value of the Contributory State Pension (this threshold currently equates to €46,504.99 [annual basis] with effect from 10 March 2017),

  PLUS

  1.25% for any portion of pensionable remuneration over this threshold.

Retirement lump sum:

- 3.75% of pensionable remuneration.

For non-full time work spells, the amounts calculated above are reduced pro rata to the work pattern.

9. The conditions on which benefits are paid and any options relating thereto.

- A vesting period of two years must be completed.

- Attaining minimum pension age and retiring. For most public service grades the minimum pension age is 66 years, rising to 67 years from 1 January 2021 and to 68 years from 1 January 2028 (in line with changes in the qualifying age for the Contributory State Pension).

- Members can apply for early retirement from age 55 years on an actuarially adjusted basis.

10. Which benefits, if any, are payable only at some person's discretion.

In general Single Scheme benefits are not payable on a discretionary basis. However in certain very limited cases the payment of dependent pensions (spouse's pensions, children's pensions) may be subject to the discretion of the Minister for Public Expenditure and Reform: for further details see sections 34(2), 36(2) and 38(4) of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012.

11. Which of the benefits are, and which are not, funded.

The Single Scheme is an unfunded pay-as-you-go scheme.

12. Which of the benefits, if any, are such that fulfilment of the obligation to pay them to or in respect of particular members is guaranteed by means of one or more insurance policies which are specifically allocated to the provision of benefits payable to or in respect of those members. Where the payment of the benefit under any life assurance policy is subject to the satisfaction of any underwriting criteria, this should be stated.

No benefits are guaranteed by means of an insurance policy.

13. The short title of the Act or Acts of the Oireachtas (if any) which provides for both
(a) the setting up of the scheme, and
(b) the determination of the rate or amount of the benefits under the scheme.

Public Service Pensions (Single Scheme and Other Provisions) Act 2012.

14. If the employer of any person who is entitled to benefits under the scheme has entered into an obligation to pay the benefits if the scheme's resources are insufficient to do so the extent of that obligation.

Not applicable to the Single Scheme.

15. Other than in the case of a defined contribution scheme, if there is discretionary power under the scheme rules to increase pensions after they become payable, a statement that where discretionary increases to pensions already in payment have been granted, details of who exercised this discretionary power and information about the increase given will be set out in the annual report.

The Single Scheme rules provide for pensions in payment to be increased by reference to increases in the Consumer Price index (CPI). The Minister for Public Expenditure and Reform has discretion regarding the timing of application to pensions of any such CPI-indicated increase.

16. The name or title and address of the person to whom enquiries about the scheme generally or about an individual's entitlement to benefit should be sent.

Contact details for the pension administrator in the particular Relevant Authority (employer).

17. Whether there is power to amend the scheme terms detailing who may amend the scheme and whether there are any significant conditions on the exercise of that power.

The terms of the Single Scheme are set out in the Public Service Pensions (Single Scheme and Other Provisions) Act 2012. In general amendment of these terms would require amendment of the 2012 Act. The Minister for Public Expenditure and Reform can make regulations in respect of the Single Scheme under powers contained in the 2012 Act.

18. The arrangements (if any) which are made for the payment by members of additional voluntary contributions.

Purchase of additional pension benefit entitlements within the Single Scheme is not at present possible. However members may be able to make additional voluntary contributions to separate Revenue-approved pension arrangements (e.g. Personal Retirement Savings Accounts [PRSAs]).

19. A statement that the scheme has been registered with the Pensions Board and the registration number.

The Single Scheme is registered with the Pensions Authority. The registration number is:

PB275744 - Single Public Service Pension Scheme.

20. A statement that, in the event of judicial separation or divorce, a Court application for a Pension Adjustment Order in respect of the retirement or contingent benefits payable to or in respect of a married member may be made noting that further information about the operation and impact of Pension Adjustment Orders may be obtained from the Pensions Board.

In the event that you obtain a Divorce or a Judicial Separation or a decree of dissolution of Civil Partnership after joining the Scheme, a Court application for a Pension Adjustment Order in respect of your retirement benefits, or contingent benefits payable on your death, may be made. Further information about the operation and impact of Pension Adjustment Orders may be obtained from the Pensions Authority by writing to The Pensions Authority, Verschoyle House, 28-30 Lower Mount Street, Dublin 2, D02 KX27.

21. If the scheme provides an integrated pension (within the meaning of section 59C of the Act) the inclusion of a statement describing integration in the form set out below or in such other form as the trustees deem appropriate:

The Single Scheme is an integrated scheme, meaning it takes account of the Contributory State Pension in the design of the overall pension package. An integrated scheme views the Contributory State Pension as part of the total pension package. Both employers and employees make PRSI contributions, which in turn entitle scheme members to social welfare benefits. Integration is used as a means of taking into account the benefits payable under the social welfare system to calculate:

- the amount of occupational pension required so that the combined pension from both sources is at the level being aimed for in designing the scheme;
- the level of contributions payable by the employee towards the cost of his or her occupational pension.