



STATUTORY INSTRUMENTS.

S.I. No. 695 of 2025



CHILD AND FAMILY AGENCY SUPERANNUATION SCHEME 2025

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The Child and Family Agency, in exercise of the powers conferred on it by section 54 of the Child and Family Agency Act 2013 (No. 40 of 2013), with the approval of the Minister for Children, Disability and Equality and the consent of the Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, hereby makes the following scheme:

1. This Scheme may be cited as the Child and Family Agency Superannuation Scheme 2025.

2. The Rules set out in the Schedule to the Rules for Pre-existing Public Service Pension Scheme Members Regulations 2014 (S.I. No. 582 of 2014) are adopted as a Scheme for the granting of superannuation benefits to or in respect of members of the staff, including the Chief Executive Officer, of the Child and Family Agency, subject to the modifications set out in Article 3.

3. The modifications referred to in Article 2 are as follows:

(a) the addition of the following definitions to Article 4:

““Relevant Benefit” has the meaning given to it in the Department of Public Expenditure, NOP Delivery and Reform Circular 12/2024 “Arrangements for Occupational Supplementary Pensions (OSP)” ”

““transferred person” means a person who transferred to the Child and Family Agency from the Health Service Executive pursuant to section 83 of the Child and Family Agency Act 2013 and to whom, immediately prior to such transfer, the provisions of Chapter 2 or Chapter 6 of Part III of the Local Government (Superannuation) (Consolidation) Scheme, 1998 (S.I. No. 455 of 1998) applied.”

(b) In Article 5 (2) (b), -

“who is not a new entrant and whose actual pensionable service on attaining age 65 would be less than the vesting period, or”

is deleted and the following is inserted in its place-

“who is not a new entrant and whose actual pensionable service on attaining age 70 would be less than the vesting period, or”

(c) In Article 5 (5), -

“A member who is not a new entrant may not continue in membership after having reached the age of 65.”

is deleted and the following is inserted in its place-

"A member who is not a new entrant may not continue in membership after having reached the age of 70."

- (d) Article 19 is deleted and the following is inserted in its place -
"19. Occupational Supplementary Pension

(1) This Article refers to a member who is fully insured as a member of this Scheme, is in receipt of a pension or preserved pension and has attained the minimum pension age or who is in receipt of a pension awarded under Article 18.

(2) So long as the relevant body is satisfied that the eligibility conditions for receipt of an Occupational Supplementary Pension (OSP) are met; the former member may, at the discretion of the relevant body, be paid an occupational supplementary pension.

(3) The amount of occupational supplementary pension payable shall be the amount, if any, arrived at by the formula:

A - $(8 + C)$ where

A is the amount of pension or preserved pension which would have been payable to the former member if he or she had his or her pension calculated in accordance with Article 11(1) instead of Article 11(2);

B is the amount of pension actually payable to the former member, and

C is the amount of Relevant Benefits in payment to the former member.

(4) A member who is in receipt of an occupational supplementary pension under this Article, is obliged to inform the relevant body if circumstances change which would affect his or her eligibility for an occupational supplementary pension, or which would impact on the amount of occupational supplementary pension for which he or she is eligible.

(5) The relevant body shall review occupational supplementary pensions in payment annually, if the member is below the age at which State Pension (Contributory) is payable, or at their discretion thereafter, and shall confirm whether or not an occupational supplementary pension should continue in payment and the rate of such payment (if any).

(6) For the avoidance of doubt the Department of Public Expenditure, NOP Delivery and Reform Circular 12/2024 "Arrangements for Occupational Supplementary Pensions (OSP)" or as may be amended, shall apply to the eligibility criteria and calculation of Occupational Supplementary Pensions."

- (e) In Article 29(3), -

"(3) In the case where the former member dies while in receipt of a pension, other than a pension based on Article 18 (Cost Neutral Early Retirement), a preserved pension or a pension awarded on medical grounds, the reference pension is-

- (a) where the deceased member was not fully insured, the amount of such pension, or
- (b) where the deceased member was fully insured, the pension which would have been granted to him or her if calculated by reference to net pensionable remuneration (survivor's benefits) at the date of his or her retirement, as adjusted by reference to Article 47."

is deleted and the following is inserted in its place-

"(3) In the case where the former member dies while in receipt of a pension, other than a pension based on Article 17 (Cost Neutral Early Retirement), a preserved pension or a pension awarded on medical grounds, the reference pension is-

- (a) where the deceased member was not fully insured, or was a transferred person, the amount of such pension, or
- (b) in relation to a person who was fully insured, other than a transferred person, the pension which would have been granted to him or her if it had been calculated by reference to net pensionable remuneration (survivor's benefits) at the date of his or her retirement, as adjusted by reference to Article 47."

- (f) In Article 29(4), -

"(4) In the case where the former member dies following retirement on medical grounds, the reference pension is the pension which would have been granted to him or her if it fell to be calculated by reference to-

- (a) where the deceased member was not fully insured, his or her pensionable remuneration at date of retirement as adjusted by reference to Article 47, and the pensionable service which the deceased member would have had if he or she had served to age 65, or, if earlier, to the date on which his or her contract of employment would expire, or
- (b) where the deceased member was fully insured, his or her net pensionable remuneration (survivor's benefits) at the date of retirement as adjusted by reference to Article 47 during the period between retirement and death and the pensionable service which the deceased member would have had if he or she had served to age 65 or, if earlier, to the date on which his or her employment contract would expire;

provided that in the case of a former member who was work-sharing or part-time, service to age 65 is calculated as set out in

the Department of Public Expenditure and Reform Circular 11/2012."

is deleted and the following is inserted in its place-

"(4) In the case where the former member dies following retirement on medical grounds, the reference pension is the pension which would have been granted to him or her if it fell to be calculated by reference to -

- (a) where the deceased member was not fully insured, his or her pensionable remuneration at date of retirement as adjusted by reference to Article 47, and the pensionable service which the deceased member would have had if he or she had served to age 65, or, if earlier, to the date on which his or her contract of employment would expire,
- (b) where the deceased member was fully insured and was not a transferred person, his or her net pensionable remuneration (survivor's benefits) at the date of retirement as adjusted by reference to Article 47 during the period between retirement and death and the pensionable service which the deceased member would have had if he or she had served to age 65 or, if earlier, to the date on which his or her employment contract would expire, or
- (c) where the deceased member was a transferred person, the formula contained in Article I I(2), save that C is the pensionable service which the deceased member would have had if he or she had served to age 65 or, if earlier, to the date on which his or her employment contract would expire, and subject to the adjustment of such reference pension by reference to Article 47 during the period between retirement and death,

provided that in the case of a former member who was work-sharing or part-time, service to age 65 is calculated as set out in the Department of Public Expenditure and Reform Circular 11/2012."

- (g) In Article 29(5), -

"(5) In the case of a preserved pension being in payment to the deceased member or where the deceased member had an entitlement to a preserved pension, having attained the minimum pension age, the reference pension is-

- (a) where the deceased member was not fully insured, the amount of such pension, or
- (b) where the deceased member was fully insured, the preserved pension which would have been payable to him or her if it had been calculated by reference to net pensionable remuneration (survivor's benefits) at the date of resignation as adjusted by reference to Article 47 during the period between resignation and death."

is deleted and the following is inserted in its place-

"(5) In the case of a preserved pension being in payment to the deceased member or where the deceased member had an entitlement to a preserved pension, having attained the minimum pension age, the reference pension is -

- (a) where the deceased member was not fully insured, or was a transferred person, the amount of such pension, or
- (b) in relation to a person who was fully insured, other than a transferred person, the preserved pension which would have been payable to him or her if it had been calculated by reference to net pensionable remuneration (survivor's benefits) at the date of resignation as adjusted by reference to Article 47 during the period between resignation and death."

(h) In Article 29(6), -

"(6) In the case where the deceased member had entitlement to a preserved pension but at date of death had not attained the minimum pension age, the reference pension is an amount equal to:

$D \times E / 80$ where

D is the number of years of reckonable service at the date of resignation and E is-

- (a) where the deceased member is not fully insured, his or her pensionable remuneration at date of resignation as adjusted by reference to Article 47 during the period between resignation and death, or
- (b) where the deceased member is fully insured, his or her net pensionable remuneration (survivor's pension) at the date of resignation as adjusted by reference to Article 47 during the period between resignation and death."

is deleted and the following is inserted in its place-

"(6) In the case where the deceased member had entitlement to a preserved pension but at date of death had not attained the minimum pension age, the reference pension -

- (a) in relation to a person other than a transferred person, is an amount equal to:

$D \times E / 80$ where

D is the number of years of reckonable service at the date of resignation and E is-

- (i) where the deceased is not fully insured, his or her pensionable remuneration at date of resignation as adjusted by reference to Article 47 during the period between resignation and death,

- (ii) where the deceased is fully insured, his or her net pensionable remuneration (survivor's pension) at the date of resignation as adjusted by reference to Article 47 during the period between resignation and death, or
- (b) in relation to a transferred person, is an amount calculated in accordance with the formula contained in Article 11(2), save that C is the number of years of reckonable service at the date of resignation and subject to the adjustment of such reference pension by reference to Article 47 during the period between resignation and death."
- (i) In Article 31(I)(c)),
 - "(c) in the case where a former member dies after being granted a pension-
 - (i) in relation to a member who is not fully insured, where the rate of the pension payable to the deceased on the date of his or her death is greater than the rate of survivor's pension payable, one twelfth of the rate of pension payable to the deceased,
 - (ii) in relation to a member who is fully insured, where the rate of pension payable to him or her on the date of death, if it had been calculated on the basis of net pensionable remuneration (survivor's benefits), is greater than the rate of survivor's pension, one twelfth of the rate of the higher pension,provided that the increased rate shall be reduced by the rate of any children's pension payable."
 - is deleted and the following is inserted in its place-
 - "(i) in relation to a member who is not fully insured or is a transferred person, where the rate of the pension payable to the deceased on the date of his or her death is greater than the rate of survivor's pension payable, one twelfth of the rate of pension payable to the deceased,
 - (ii) in relation to a member who is fully insured, other than a transferred person, where the rate of pension payable to him or her on the date of death, if it had been calculated on the basis of net pensionable remuneration (survivor's benefits), is greater than the rate of survivor's pension, one twelfth of the rate of the higher pension,provided that the increased rate shall be reduced by the rate of any children's pension payable."
- (j) In Article 38(1), -

"(1) In the case of an active member who is not fully insured periodic contributions shall be payable at the rate of 1½% of the salary payable to the member, or where he or she is in receipt of reduced salary because of absence from employment during a period of sick leave, of the amount of salary that would have payable to him or her if he or she was not so absent, or where he or she is in receipt of reduced salary because of absence from employment during a period of sick leave, of the amount of salary that would be payable to him or her if he or she was not so absent."

is deleted and the following is inserted in its place-

"(1) In the case of an active member, other than a transferred person, periodic contributions shall be payable at the rate of 1½% of pensionable remuneration, or where he or she is in receipt of reduced remuneration because of absence from employment during a period of sick leave, of the amount of pensionable remuneration that would be payable to him or her if he or she was not so absent."

(k) In Article 38(2), -

"(2) In the case of an active member who is fully insured, periodic contributions shall be payable at the rate of 1½% of pensionable remuneration or, where he or she is in receipt of reduced remuneration because of absence from employment during a period of sick leave, of the amount of salary, or pensionable remuneration, as the case may be, that would be payable to him or her if he or she was not so absent."

is deleted and the following is inserted in its place-

"(2) In the case of a transferred person, periodic contributions shall be payable at the rate of 1½% of net pensionable remuneration or, where he or she is in receipt of reduced remuneration because of absence from employment during a period of sick leave, of the amount of net pensionable remuneration that would be payable to him or her if he or she was not so absent."

(l) In Article 41(3), -

"(3) Subject to Paragraph (4) a contribution under this Article shall be at the rate of 1% of the member's pensionable remuneration multiplied by the number of relevant years and shall be called in this Scheme a 'non-periodic contribution'."

is deleted and the following is inserted in its place-

"(3) Subject to Paragraph (4) a contribution under this Article shall -

(a) in the case of an active member other than a transferred person, be at the rate of 1% of the member's pensionable remuneration multiplied by the number of relevant years, or

(b) in the case of a transferred member, be at the rate of 1% of the member's net pensionable remuneration multiplied by the number of relevant years

and shall be called in this Scheme a ..non-periodic contribution".

(m) Article 41(8) shall not apply.

(n) In Article 52, -

"The appeals provisions of the Pensions Act, as amended, and any enactment which amends or extends that Act and any Regulation, Warrant or Order made under that Act shall apply, including the Pensions Ombudsman Regulations."

is deleted and the following is inserted in its place-

"If any dispute arises as to the claim of any person to, or the amount of, any superannuation benefit payable in pursuance of this scheme, such dispute shall be submitted to the Minister for Children, Disability and Equality who shall refer it to the Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, whose decision shall be final."

The Minister for Children, Disability and Equality hereby approves the making of the above Scheme.



GIVEN under my Official Seal,
26 November 2025.

NORMA FOLEY,
Minister for Children, Disability and Equality.

The Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation hereby consents to the making of the above Scheme.



GIVEN under my Official Seal,
26 November 2025.

JACK CHAMBERS,
Public Expenditure, Infrastructure, Public Service Reform
and Digitalisation.



GIVEN under the Official Seal of the Child and Family Agency,
26 November 2025.

PAT RABBITTE,
Chairperson.

KATE DUGGAN
Authorised Officer.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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FOILSEACHÁIN RIALTAIS,
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