



An Roinn Gnóthaí Fostaíochta  
agus Coimirce Sóisialaí  
Department of Employment Affairs  
and Social Protection

## **Doherty Introduces Important Pension Reform to Benefit Same Sex Couples**

**Wednesday, 14<sup>th</sup> November, 2018:** The Minister for Employment Affairs and Social Protection, Regina Doherty T.D., this evening introduced an important amendment to the Pensions Act which will benefit same sex couples. This amendment provides that where a defined benefit pension scheme has set as a condition for entitlement to a spouse's pension that a scheme member must have been married or entered into a civil partnership prior to reaching a certain age or date of retirement, the scheme member will be deemed to satisfy the requirement where he or she satisfies specified conditions. The amendment is being introduced as part of the Social Welfare Pensions & Civil Registration Bill 2017 which entered its Second Reading this evening.

Minister Doherty explained:

***“I am very pleased to extend a right of entitlement to spousal pension benefits, in certain circumstances, to same sex couples who missed out on the benefits of subsequent legislative reforms. The spirit of equality which propelled the recent partnership reforms also compels us to retrospectively apply a similar just approach and I am delighted to progress that here.”***

This issue had been previously highlighted in a case brought by Dr. David Parris to the Labour Court which was then the subject of a reference to the Court of Justice of the European Union. Dr. Parris retired prior to same sex relationships being legally recognised within the State as the relevant legislation to provide for legal recognition of such relationships had not come into force.

Minister Doherty emphasised:

***“I would like to take this opportunity to thank Dr. Parris and the members of the Pensions Equality group for highlighting the position of same sex couples in this regard and I am very happy to be in a position to bring forward this amendment.”***

The pension amendment introduced provides a right of entitlement, in certain circumstances, to spousal pension benefits for same sex spouses and civil partners who are members of occupational pension schemes.

The specified conditions are:

- the scheme member must have been in a committed relationship with the beneficiary at the time he or she reached the age or the date of retirement set out in the scheme rules and
- the scheme member must have entered into a civil partnership with, or married, the beneficiary within the specified period.

Where a scheme member is deemed to satisfy those conditions any contributions required for the purpose of obtaining entitlement to such benefits must be paid into the scheme before payment of pension benefits can be made.

**ENDS**

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