Changes to Legislation: as of 3 November 2026, there are changes to this Act which have not been implemented by the Revised Acts editorial team, see highlighted entries **here**. Note that some amendments may not be in force until commenced by a commencement order or other provision.



S.I. No. 637 *of* 2025

AUTOMATIC ENROLMENT RETIREMENT SAVINGS SYSTEM REGULATIONS 2025

REVISED

Updated to 1 January 2026

This Revised Statutory Instrument is an administrative consolidation of the *Automatic Enrolment Retirement Savings System Regulations 2025*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *National Training Fund (Amendment) Act 2025* (21/2025), enacted 23 December 2025, and all statutory instruments up to and including *European Union (Restrictive Measures Concerning Iraq) Regulations 2026* (S.I. No. 1 of 2026), made 6 January 2026, were considered in the preparation of this Revised Statutory Instrument.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

S.I. No. 637 *of* 2025

AUTOMATIC ENROLMENT RETIREMENT SAVINGS SYSTEM REGULATIONS 2025

REVISED

Updated to 1 January 2026

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S.I. No. 637 *of* 2025

AUTOMATIC ENROLMENT RETIREMENT SAVINGS SYSTEM REGULATIONS 2025

REVISED

Updated to 1 January 2026

I, DARA CALLEARY, Minister for Social Protection, in exercise of the powers conferred on me by sections 3 , 64 , 66 , 104 (1), 108 (4), 124 and 131 of the Automatic Enrolment Retirement Savings System Act 2024 (No. 20 of 2024) HEREBY MAKE the following Regulations:

Part 1

PRELIMINARY

Citation

1. These Regulations may be cited as the Automatic Enrolment Retirement Savings System Regulations 2025.

Definitions

2. In these Regulations—

"the Authority" means An tÚdarás Náisiúnta um Uathrollú Coigiltis Scoir, established under section 8(1);

"the Authority's Medical Assessor" means a registered medical practitioner engaged by the Authority under a contract for services or otherwise to provide medical services to the Authority;

"MyFutureFund" means the automatic enrolment retirement savings system established and maintained pursuant to the Act of 2024;

"registered medical practitioner" means a person who is a registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007;

"relevant emoluments" means emoluments in consequence of which an employer contribution is payable to the Authority pursuant to section 58(1)(b);

"the 1996 Regulations" means the Social Welfare (Consolidated Contributions and Insurability) Regulations 1996, S.I. No. 312 of 1996;

"the 1997 Act" means the Taxes Consolidation Act 1997 (No. 39 of 1997);

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 30*th December,* 2025.

"the 2005 Act" means the Social Welfare Consolidation Act 2005 (No. 26 of 2005);

"the 2018 Regulations" means the Income Tax (Employments) Regulations 2018, S.I. No. 345 of 2018;

"the 2024 Act" means the Automatic Enrolment Retirement Savings System Act 2024 (No. 20 of 2024).

Commencement

3. These Regulations shall come into operation on 1 January 2026.

Interpretation

4. In these Regulations, save where the context otherwise requires—

(a) a reference to a section is to a section of the 2024 Act;

(b) a reference to a Part or an article is to a Part or article of these Regulations;

(c) a reference to a Schedule is to a Schedule to these Regulations;

(d) a reference to a sub-article is to a sub-article of the article in which the reference occurs,

(e) a reference to a paragraph is to a paragraph of the sub-article or article in which the reference occurs; and

(f) a reference to a sub-paragraph is to a sub-paragraph of paragraph in which the reference occurs.

F1[Part 1A

Standards for Purposes Relating to Exempt Employment]

Annotations

Amendments:

F1 Inserted (1.01.2026) by *Automatic Enrolment Retirement Savings System Regulations (Amendment) (Section 52) Regulations 2025* (S.I. No. 668 of 2025), art. 4, in effect as per art. 3.

F2[**Standards for purposes of section 51**

4A. The standards set out in *Schedule 1A* (drawn up by the Authority, following consultation with the Pensions Authority) shall apply for the purposes of section 51 with effect from 1 January 2026.]

Annotations

Amendments:

F2 Inserted (1.01.2026) by *Automatic Enrolment Retirement Savings System Regulations (Amendment) (Section 52) Regulations 2025* (S.I. No. 668 of 2025), art. 4, in effect as per art. 3.

Part 2

REPAYMENT OF CONTRIBUTIONS

Circumstances in which contributions shall be repaid

5. For the purposes of section 64 the following are the circumstances in which contributions paid by or in respect of a person shall be repaid by the Authority:

(a) in the case of any overpayment of contributions for which adjustment is not made in accordance with Part 3 of the 2024 Act or regulations made thereunder;

(b) in any case where, otherwise than on foot of a request for review under section 114, the Authority has concluded (including on the basis of information newly received, or a reconsideration of information previously available) that it was erroneous for it to have determined that the person satisfied the conditions for enrolment in any pay reference period.

Participant contributions repayments: manner and procedure

6. Subject to *articles 7* and *8* the portion of any repayment due under section 64 which is attributable to prior payments of participant contributions shall be made by electronic transfer to an account of the participant specified by him or her.

Participant contributions repayments to employer with consent of participant

7. A participant may notify the Authority that he or she wishes that any repayment due to him or her under section 64 should be made, on his or her behalf, by electronic transfer to an account of the employer specified by the employer.

Participant contributions repayments to employer where participant fails to notify Authority of his/her bank details

8. (1) Subject to *sub-article (3)* it shall be permissible for a repayment due to a participant under section 64 to be made to an account of the participant's employer specified by the employer where the circumstances specified in *sub-article (2)* apply.

(2) The circumstances in which it shall be permissible for a repayment to be dealt with under *sub-article (1)* are where after not less than 1 month from the date on which the repayment became payable, the participant has failed or refused to specify the account of himself/herself to which he/she wishes the payment to be made.

(3) Any such sum which arises in respect of participant contributions shall be paid onwards by the employer to the participant no later than—

(a) except where *paragraph (b)* applies, the next date, after receipt of the funds, on which the employer is required to pay, or does pay, any emoluments to the participant, or

(b) in a case where the funds are received less than 72 hours before the date mentioned in *paragraph (a)*, on the second-next date, after receipt of the funds, on which the employer is required to pay, or does pay, any emoluments to the participant, or

(c) two months after receipt of the funds,

whichever is the earliest.

Repayments of employer contributions: manner and procedure

9. The portion of any repayment due under section 64 which is attributable to prior payments of employer participant contributions shall be made by electronic transfer to an account of the employer specified by the employer.

Repayments of State contributions: manner and procedure

10. The portion of any repayment due under section 64 which is attributable to prior payments of State contributions shall be dealt with in such manner as may be agreed from time to time between the Minister for Social Protection and the Authority.

Where participant or employer has died

11. Where any repayment due under section 64 has arisen in respect of a participant or an employer who has died the following provisions shall apply:

(a) where there is a legal personal representative of the deceased participant or employer, the repayment shall be made to that legal personal representative (by electronic transfer to an account specified by him or her); or in a case where there are two or more legal personal representatives to an account specified by them. Or, if so authorised by that legal personal representative(s), to a firm of solicitors acting on behalf of the legal personal representative(s) (by electronic transfer to an account specified by that firm of solicitors).

(b) where there is no legal personal representative of the deceased participant or employer—

(i) if the deceased participant or employer died leaving a will or other testamentary writing, the repayment may be made to or among such of the persons appearing to be beneficially entitled thereto under the said will or testamentary writing as the Authority thinks proper and that to the exclusion of all others, without prejudice to any remedy which such others may have for recovery of the sum so paid or distributed as aforesaid against the persons receiving that sum,

(ii) where the deceased participant or employer died intestate, the repayment may be made to or among such persons as appear to the Authority to be beneficially entitled thereto, whether as next-of-kin or otherwise according to law or to or among such of the said persons as the Authority thinks fit and that to the exclusion of all others.

(iii) the Authority shall not be obliged to deal with the matter pursuant to *paragraphs (i)* or *(ii)*, and shall do so only if satisfied that there are no material risks associated with doing so, or that sufficient safeguards are in place to mitigate against such risks whether by way of indemnity or otherwise;

(iv) the Authority upon making any payment in accordance with *paragraph (b)* shall be discharged from all liability in respect of any sum so paid.

Part 3

PROVISION OF INFORMATION BY EMPLOYERS

Information regarding employers

12. The information specified in *Schedule 1* is prescribed, for the purpose of section 66(1)(a), as other information which shall be provided to the Authority by an employer, on or before making any payment of relevant emoluments.

When such information shall be provided

13. Subject to *article 14*, such information shall be provided not later than the day on which the relevant emoluments are paid.

Information need not be provided if unchanged from that previously furnished

14. It shall not be necessary for such information to be provided by an employer, consequent upon the payment of any relevant emoluments, where the same information has previously been provided to the Authority by the employer, and where it remains unchanged in any material respect.

Employer information portal

15. The electronic system referred to in section 101(1) shall include a facility whereby—

(a) an employer may furnish the information specified in *Schedule 1* to the Authority;

(b) an employer who has previously furnished such information may update, correct or supplement that information.

Part 4

CONTRIBUTIONS

Priority to be given to the deduction of contributions

16. Participant contributions under Part 3 of the 2024 Act shall be given priority over any other amounts that the employer is required to deduct, or entitled to deduct, other than deductions in accordance with—

(*a*) the 2018 Regulations, of income tax,

(*b*) the 1996 Regulations, of a contribution within the meaning of those Regulations,

(*c*) Part 18D of the Taxes Consolidation Act 1997 , of universal social charge.

Application of articles 19 to 21 (insufficiency of emoluments actually made)

17. *Articles 19* to *21* apply in circumstances where, by reason of an insufficiency of payments actually made to a participant (after any deductions which, by virtue of *article 16*, enjoy priority over participant contributions), an employer is unable, on or before making any payment of emoluments to the participant, to deduct the amount any or all of the participant contribution calculated in accordance with section 59(1)(a).

Definition for purposes of articles 19 to 21

18. In *articles 19* to *21* the term "participant contribution shortfall" means—

(a) where the employer has been unable to deduct any of the participant contribution calculated in accordance with section 59(1)(a), the full amount of that participant contribution;

(b) where the employer has been able to deduct only part of the participant contribution calculated in accordance with section 59(1)(a), such amount of the participant contribution as the employer has been unable to deduct.

Employer's liability to pay participant contribution shortfall

19. In the circumstances outlined in *article 17* the employer shall be liable to pay the participant contribution shortfall to the Authority, on behalf of the participant, at the same time as payment of the associated employer contribution payable under section 59(2)(b).

Participant's liability to make good to employer any participant contribution shortfall

20. A participant on whose behalf an employer has paid a participant contribution shortfall in compliance with *article 19* shall be required to make good to the employer the amount or amounts paid on his/her behalf.

Employer's entitlement to recoup participant contribution shortfall by deduction from future emoluments

21. An employer who has paid a participant contribution shortfall in compliance with *article 19* shall be permitted to recoup such amount or amounts from future emoluments due to the participant.

Deductions and payment of contributions where emoluments paid after the end of an employment

22. (1) This Regulation applies to payments of emoluments made to or on behalf of an employee within the 12 months after he or she has ceased to be employed by the person making the payments.

(2) On making any payment referred to in *sub-article (1)*, an employer shall deduct participant contributions by reference to the contribution rates that were applicable to employee emoluments immediately prior to the cessation of employment.

Part 5

OPERATION OF PART 3 OF ACT WHERE TECHNOLOGY SYSTEMS FAIL ETC

Applicable circumstances

23. Part 3 shall operate as specified in *articles 24* to *26* in circumstances in which—

(a) the electronic system put in place by the Authority for the efficient operation of Part 3 is not functioning or is not functioning properly at any particular time such that a person is unable to comply with an obligation under that Part, or

(b) a person is unable to use that electronic system at any particular time because of a general or partial systems failure of an internet service provider or of an electricity service provider, occurring in the general locality of or affecting the person's place of business,

or in the circumstances of a technology systems failure within the meaning given by section 983 of the Taxes Consolidation Act 1997 .

Employer's obligations

24. Where—

(a) owing to any of the circumstances specified in *article 23*, an employer of a participant has not received a payroll notification relating to the participant, on or before making any payment of emoluments to the participant;

(b) the employer is under a legal obligation to pay emoluments, notwithstanding that the employer has not received that payroll notification,

the employer shall, by reference to the latest payroll notification available to the employer relating to the participant,

(i) calculate the participant contribution payable in respect of the payment of emoluments;

(ii) calculate the employer contribution payable in respect of the payment of emoluments;

(iii) deduct the amounts of the participant contribution and the employer contribution from the emoluments;

(iv) pay those contributions to the Authority;

(v) provide any notification required under *article 12* immediately upon rectification of the technology systems failure.

Employer's deemed compliance

25. Where an employer complies with the requirements of *article 24*, the employer shall be deemed to have deducted a participant contribution and an employer contribution from the emoluments concerned in accordance with the terms of a valid payroll notification.

Information which may be sought by Authority

26. An employer shall, on request, provide the Authority with information in relation to the circumstances specified in *article 23* that gave rise to the consequences referred to in *paragraphs (a)* and/or *(b)* of *article 24*.

Part 6

APPLICATION FOR EARLY PAYMENT ON GROUNDS OF INCAPACITY OR EXCEPTIONAL ILL-HEALTH

Retirement through incapacity

27. (1) For the purposes of section 85 a participant is to be regarded as—

(*a*) retiring, and

(*b*) doing so through incapacity

in circumstances where—

(i) the participant furnishes the Authority with a report from his/her registered medical practitioner in which—

(I) the registered medical practitioner confirms that he/she is, and for how long he/she has been, the participant's regular treating doctor;

(II) the registered medical practitioner certifies that it is his/her opinion that, by reason of infirmity of mind or body, the participant has become permanently restricted in his or her capacity to continue remaining engaged in employment, as and from such date as is specified by the registered medical practitioner, and that the limitation on the participant's capacity to engage in employment is expected to continue at least until the participant attains pensionable age;

(III) the registered medical practitioner includes such additional or supplementary information as, in his/her opinion should be sufficient to allow the Authority's Medical Assessor to be satisfied of the opinion referred to in *sub-paragraph (II)* above;

(ii) subject to the proviso below, the Authority's Medical Assessor is satisfied, on the basis of the report referred to in *paragraph (i)* above, that it is reasonable for the Authority to accept that, by reason of infirmity of mind or body, the participant has become permanently restricted in his or her capacity to continue remaining engaged in employment, as and from such date as was specified by the participant's medical practitioner, and that the limitation on the participant's capacity to engage in employment is expected to continue at least until the participant attains pensionable age

PROVIDED that it shall not be obligatory for the Authority to seek the opinion of the Authority's Medical Assessor in circumstances where it is already satisfied, on the basis of the report of the participant's registered medical practitioner, to make a favourable determination under section 85(2) without the benefit of input from the Authority's Medical Assessor.

(2) For the purposes of section 85 a participant is to be regarded as—

(a) having retired, and

(b) having done so through incapacity

in circumstances where—

(i) the participant furnishes the Authority with a report from his/her registered medical practitioner in which—

(I) the registered medical practitioner confirms that he/she is, and for how long he/she has been, the participant's regular treating doctor;

(II) the registered medical practitioner certifies that it is his/her opinion that, by reason of infirmity of mind or body, the participant had become permanently restricted in his or her capacity to remain engaged in employment, as and from such date as is specified by the registered medical practitioner, and that the limitation on the participant's capacity to engage in employment is expected to continue at least until the participant attains pensionable age;

(III) the registered medical practitioner includes such additional or supplementary information as, in his/her opinion should be sufficient to allow the Authority's Medical Assessor to be satisfied of the opinion referred to in *sub-paragraph (II)* above;

(ii) subject to the proviso below, the Authority's Medical Assessor is satisfied, on the basis of the report referred to in *paragraph (i)* above, that it is reasonable for the Authority to accept that, by reason of infirmity of mind or body, the participant had become permanently restricted in his or her capacity to remain engaged in employment, as and from such date as was specified by the participant's medical practitioner, and that the limitation on the participant's capacity to engage in employment is expected to continue at least until the participant attains pensionable age

PROVIDED that it shall not be obligatory for the Authority to seek the opinion of the Authority's Medical Assessor in circumstances where it is already satisfied, on the basis of the report of the participant's registered medical practitioner, to make a favourable determination under section 85(2) without the benefit of input from the Authority's Medical Assessor.

Retirement following a period of unemployment

28. For the purposes of *article 27* a participant may be regarded as retiring through incapacity even if not employed at the time of his retirement.

Exceptional circumstances of ill-health

29. For the purposes of section 85 a participant is to be regarded as being in exceptional circumstances of ill-health where—

(a) he or she has suspended paying contribution in accordance with section 62, and,

(b) he or she furnishes advices from a medical practitioner who is for the time being registered in the Specialist Division of the register of medical practitioners under the medical specialty of "Medical Oncology" or under the medical specialty of "Palliative Care" (or under such other medical speciality as is appropriate in all the circumstances) that certify that it is his/her opinion that the participant has a medical condition of such seriousness that, within reasonable medical judgment, the participant's remaining life expectancy is unlikely to extend more than 2 years.

Part 7

COMMUNICATIONS AND SERVICES

Information to employer following automatic enrolment, opt in or automatic re-enrolment

30. The categories of information specified in *paragraph 1* of *Schedule 2* are prescribed, pursuant to section 104(1)(b)(i), as information to be provided to an employer by the Authority when complying with—

(a) section 50(6), following a determination under section 50(1),

(b) section 53(7), following a determination under section 53(1), or

(c) section 55(3)(a), following a determination under section 55(1).

Information to employee following automatic enrolment or opt in

31. (1) The information in *sub-article (2)* is prescribed, pursuant to section 104(1)(b)(ii), as information to be provided by an employer, in compliance with section 50(7) or 53(8), to the employee concerned upon a determination under section 50(1) or 53(1) relating to that employee.

(2) The information referred to in *sub-article (1)* consists of such information (which includes the categories of information specified in *paragraphs 1* and *2* of *Schedule 2*) as is contained in a communication addressed to the employee, dealing with his/her automatic enrolment or opt in, as has been furnished to the employer by the Authority, for onward transmission to the employee.

Information to employee following automatic re-enrolment

32. The categories of information specified in *paragraphs 1* and *2* of *Schedule 2* are prescribed, pursuant to s. 104(1)(b)(i), as information to be provided by the Authority, in compliance with section 55(3)(a), to a person in respect of whom it has made a determination under section 55(1).

Part 8

INFORMATION SHARING

Information sharing: Revenue Commissioners

33. The information specified in *Part A* of *Schedule 3* is prescribed as specific information that may be shared under section 108(1), by the Revenue Commissioners with the Authority, for the purposes described in *Part B* of *Schedule 3*, subject to the conditions specified in *Part C* of *Schedule 3*.

Part 9

FIXED PAYMENT NOTICES

Prescribed form of notice

34. The form set out in *Schedule 4* is prescribed for the purposes of section 124(1) in relation to an offence alleged to have been committed under sections 128 or 131.

Prescribed amounts

35. The amounts prescribed for the purpose of Section 124(1)(b) are as follows:

(a) €2,500 in the case of the offence under section 128 (“hindering employee from participating in automatic enrolment”);

(b) €2,500 in the case of the offence under s. 131(2) that is committed where an employer, or a servant or agent acting on behalf of the employer, for the purpose of evading or reducing the amount of an employer’s liability in respect of a contribution which the employer is liable to pay under section 59 and which he or she has not paid—

(i) knowingly makes any statement or representation (whether written or verbal) which is to his or her knowledge false or misleading in any material respect, or knowingly conceals any material fact, or

(ii) produces or furnishes, or causes or knowingly allows to be produced or furnished, any document or information which he or she knows to be false in a material particular;

(c) in the case of the offence under section 131(1)—

(i) €250 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount less than €1,000;

(ii) €750 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount greater than €1,000 but less than €1,500;

(iii) €1,250 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount greater than €1,500 but less than €2,000;

(iv) €1,750 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount greater than €2,000 but less than €2,500;

(v) €2,250 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount greater than €2,500 but less than €3,000;

(vi) €2,750 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount greater than €3,00 but less than €3,500;

(vii) €3,250 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount greater than €3,500 but less than €4,000;

(viii) €4,250 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount greater than €4,000 but less than €4,500;

(ix) €4,750 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount greater than €4,500 but less than €5,000;

(x) €5,000 where, on the basis of the Authority's best estimate, the amount of the contribution which, being liable to pay under section 59, the employer has failed to pay at or within the prescribed time, is an amount greater than €5,000;

(d) in the case of the offence under section 131(3), committed by a person who has consented to or connived with commission of an offence under section 131(1) by an employer who pays emoluments on behalf of that person, the same amounts as are prescribed under *paragraph (d)* in respect of the corresponding offence on the part of the employer.

Part 10

PAYMENT OF CONTRIBUTIONS

Offences in relation to contributions: prescribed time

36. The prescribed time for the purposes of section 131(1) is, in relation to a contribution referable to any payments of emoluments to a participant, the period of time which ends at midnight on the fifth working day after the payment of those emoluments to that participant.

Article 12

SCHEDULE 1

Information To Be Provided to the Authority by an Employer

1. The name of the employer and, if relevant, the business name under which the employer trades.

2. The employer's address including its Eircode.

3. The business sector in which the employer operates.

4. The employer registration number assigned to the employer in the register maintained by the Revenue Commissioners under section 988(2) of the Taxes Consolidation Act 1997, as substituted by section 71 and schedule 1 paragraph 4(h) of the Finance Act 2017.

5. Whether the number of persons employed by the employer is:

(a) within the range 1 to 9;

(b) within the range 10 to 49;

(c) within the range 50 to 249;

(d) 250 or more.

6. The employer's preference to receive communications from the Authority in Irish, or in English.

7. The name, telephone number, email address and postal address of the individual to whom communications from the Authority to the employer should be directed.

8. The reference number of any agent the employer uses for payroll purposes.

9. Except where the employer signifies that it intends to pay contributions due by debit or credit card on each instance when they are due (rather than by way of a direct debit mandate), the following information as regards the bank account from which the employer wishes to make electronic transfers of moneys due to the Authority, and to which the employer wishes the Authority to make electronic transfers of moneys which are being refunded to it, the following details:

(a) the IBAN and BIC Number associated with the Account;

(b) the full name in which the account is held by the bank;

(c) if the account is held with a bank located outside the European Economic Area, the address associated with the account in the bank's records.

10. Confirmation that the account holder and all signatories required to authorise debits from any bank account have agreed to do so.

———————

F3[**SCHEDULE 1A**

Standards for Purposes of Section 51

[1] The following standards shall apply for the purposes of section 51 in relation to occupational pension schemes

(a) where the scheme is a defined contribution scheme within the meaning of section 2(1) of the Pensions Act 1990 (as amended) that—

(i) the contributions made by the employer for the benefit of the employee, in respect of the employment of the employee in that employment, to the occupational pension scheme shall amount to not less than—

(I) 1.5% of the employee's gross pay within the meaning of section 47, or

(II) €1,200 in any year

whichever is lesser; and,

(ii) the contributions made (by deduction of amounts from the employee's emoluments) by the employee for the benefit of himself or herself to the occupational pension scheme in respect of employment at that time in that employment are of such an amount that, when aggregated with the contributions as per *sub-paragraph (i)*, represent not less than—

(I) 3.5% of the employee's gross pay within the meaning of section 47, or

(II) €2,800 in any year

whichever is lesser;

(b) where the scheme is a defined benefit scheme within the meaning of section 2(1) of the Pensions Act 1990 (as amended) that continuing service in that employment entitles the employee to accrue a long service benefit.

[2] The following standards shall apply for the purposes of section 51 in relation to PRSAs—

(a) the contributions made by the employer for the benefit of the employee, in respect of the employment of the employee in that employment, to the PRSA shall amount to not less than—

(i) 1.5% of the employee's gross pay within the meaning of section 47, or

(ii) €1,200 in any year

whichever is lesser; and

(b) the contributions made (by deduction of amounts from the employee's emoluments) by the employee for the benefit of himself or herself to the PRSA in respect of employment at that time in that employment are of such an amount that, when aggregated with the contributions as per *paragraph (a)*, represent not less—

(i) 3.5% of the employee's gross pay (determined retrospectively over the preceding months (or *pro rata* for shorter periods of service, within the meaning of section 47, or

(ii) €2,800 in any year

whichever is lesser.**]**

Annotations

Amendments:

F3 Inserted (1.01.2026) by *Automatic Enrolment Retirement Savings System Regulations (Amendment) (Section 52) Regulations 2025* (S.I. No. 668 of 2025), art. 5, in effect as per art. 3.

Articles 30 to 32

SCHEDULE 2

Communications Following Automatic Enrolment, Opt-In, or Automatic Re-Enrolment

1. As regards the individual who is the subject of the Authority's determination—

(a) the individual's name;

(b) the individual's PPS number;

(c) a statement that the individual concerned has, as the case may be—

(i) been automatically enrolled in MyFutureFund;

(ii) been enrolled in MyFutureFund following his/her application to opt-in;

(iii) been re-enrolled in MyFutureFund

(d) the individual's enrolment date or re-enrolment date, as the case may be.

2. Subject to *paragraph 3*, the following information regarding MyFutureFund—

(a) brief details about MyFutureFund;

(b) the benefits for an individual of having a MyFutureFund Account;

(c) the levels at which an enrolled individual's MuFutureFund Account is funded by contributions from—

(i) himself/herself;

(ii) his/her employer;

(iii) the State.

(d) any prospective changes in those contribution rates already provided for by law as at the date of enrolment;

(e) when and how it is possible to opt-out of MyFutureFund;

(f) weblinks by which the individual can seek to ascertain the level of their MyFutureFund Account by use of the MyFutureFund Portal;

(g) weblinks to further and more detailed information regarding MyFutureFund.

3. The information specified in *paragraph 2* shall be given at a high level, in plain language, and avoiding as much as possible the use of specialist or technical terms.

_____

Article 33

SCHEDULE 3

Information Sharing

Part A

Information That May Be Shared By Revenue Commissioners

1. With respect to relevant instances in which an employer sends information to the Revenue Commissioners, on or before the making of any payment of emoluments to an employee, pursuant to Regulation 10(1) of the 2018 Regulations:

(a) the related employer registration number (being the number assigned to that employer in the register maintained by the Revenue Commissioners under section 988, as amended, of the 1997 Act) and, where applicable, any previous employer registration number(s);

(b) where the information has been sent to the Revenue Commissioners by an agent or advisor acting on behalf of the employer, the identifier commonly known as the TAIN assigned by the Revenue Commissioners to the employer's authorised agent or advisor;

(c) the personal public service number (within the meaning of section 262 of the 2005 Act) of the employee; and, where applicable, any previous such number associated with the same individual;

(d) the employee's full name and address;

(e) the employee's date of birth;

(f) the related employer reference and employment identifier (within the meaning of Regulation 10(1)(j) and 10(1)(k) of the 2018 Regulations);

(g) the date of the payment of the emoluments;

(h) the tax year to which the payment of emoluments relates;

(i) the normal pay frequency of the employee;

(j) the date of commencement of the employment originally notified to the Revenue Commissioners pursuant to Regulation 17(2)(c) of the 2018 Regulations or its statutory precursors;

(k) the gross pay of the employee (within the meaning of Regulation 10(1)(l) of the 2018 Regulations);

(l) the amounts of any contributions made by the employer to—

(I) a retirement benefit scheme within the meaning of Chapter 1 of Part 30 of the 1997 Act,

(II) a personal retirement savings account within the meaning of Chapter 2A of Part 30 of the 1997 Act, and

(III) a PEPP within the meaning of Chapter 2D of Part 30 of the 1997 Act;

(m) the amounts of any contributions or deductions payable by an employee and deductible by an employer from emoluments of the employee and which are—

(I) ordinary annual contributions deducted under Regulation 31(1)(b) of the 2018 Regulations,

(II) other contributions deducted under Regulation 31(1)(b) of the 2018 Regulations,

(III) amounts deducted under Regulation 31(1)(c) of the 2018 Regulations,

(IV) amounts deducted under Regulation 31(1)(ca) of the 2018 Regulations,

(V) amounts to be deducted under Regulation 31(1)(d) of the 2018 Regulations, and

(VI) amounts of contributions deducted under Regulation 31(1)(e) of the 2018 Regulations;

(n) any date of cessation of employment of an employee notified to the Revenue Commissioners pursuant to Regulation 17(3) of the 2018 Regulations.

2. With respect to relevant instances in which an employer sends information to the Collector-General, on or before the making of any payment of emoluments to an employee, pursuant to Regulation 13 of the 1996 Regulations:

(a) any pension tracing number notified pursuant to Regulation 13(i) of the 1996 Regulations;

(b) where the employee is exempt from paying a contribution to the Collector-General, the reason for such exemption as notified pursuant to Regulation 13(d) of the 1996 Regulations;

(c) the PRSI class and subclass referable to the payment of emoluments to the employee;

3. The following data items submitted to, or created by, the Revenue Commissioners which enable the accurate processing of data referred to in *paragraphs 1* and *2*—

(a) file generation dates;

(b) submission identifiers;

(c) payroll run reference identifiers;

(d) payslip status identifiers;

(e) line item identifiers, current or previous.

4. In this schedule—

"contribution" has the same meaning as it has in the 2005 Act;

"relevant instance" means every instance in which—

(a) emoluments are, or are to be, paid to an employee in respect of any pay reference period on the last day of which:

(i) the employee is aged at least 23 years and under 60 years, or

(ii) the employee, not being a person within sub-paragraph (i), has—

(I) reached the age of 18 years and is under pensionable age

(II) applied under subsection (1) or (3) of section 53 to opt-in

and where the Authority has determined under the said subsections (1) or (3) that the employee is entitled to opt-in, and has given notice of the determination as provided for by subsection (7) of section 53.

(b) Employment contributions (within the meaning of the 2005 Act) are payable in accordance with any of the following—

(i) section 13 of the 2005 Act;

(ii) articles 81, 82, 83, 83A, 87 or 88 of the 1996 Regulations.

Part B

Purposes for Which Information May Be Shared By Revenue Commissioners

1. To enable the Authority to operate Part 3 of the 2024 Act, and discharge its functions thereunder, by re-using to the greatest possible extent information which employers are already required by law to furnish to the Revenue Commissioners or the Collector-General in connection with the payment of emoluments by employers to their employees.

2. To thereby—

(a) give effect, in so far as practicable, to the so-called 'once-only' principle that, subject to full compliance with relevant requirements of data protection law, information available to public authorities should be reused, in order that citizens and businesses can be spared the administrative burden of having to make that same information available to other public authorities;

(b) minimise the extent to which it will be necessary to make regulations under subsections (1) and (2) of Section 66 providing for a separate and distinct statutory obligation on employers to make available to the Authority information identical to that which it is already required by law to furnish to the Revenue Commissioners and the Collector-General.

Part C

Conditions Imposed As Regards the Shared Information

The Authority shall ensure that any information of the type specified in Part A of this Schedule, that has been shared with the Authority by the Revenue Commissioners, is—

(a) secured to high technological standards;

(b) used only for the lawful purposes of the Authority;

(c) protected by appropriate measures against unauthorised access.

_____

Article 34

SCHEDULE 4

Form of Fixed Payment Notice

AUTOMATIC ENROLMENT RETIREMENT SAVINGS SYSTEM ACT 2024

SECTION 124(1)FIXED PAYMENT NOTICE

To: _____ *[insert full name]*

of _____ *[insert address of alleged offender]*.

Fixed Payment Notice Reference: _____ *[insert the reference by which the Authority will uniquely identify this Notice]*

1. It is alleged that at _____ *[insert address of place where the offence is alleged to have been committed]* on _____ *[insert date of alleged offence]* you committed an offence under Section ____ *[insert, as appropriate, either '128' or '131']* of the Automatic Enrolment Retirement Savings System Act 2024, further particulars of which are as outlined in the Schedule below.

2. A prosecution in respect of the alleged offence will not be instituted during the period of 21 days beginning on the date of this Notice.

3. If, during that same period of 21 days, you pay to the Authority—

(a) at _____ *[insert address of Authority]*; or,

(b) by means of the electronic payment system available at *[insert appropriate description and/or URL and/or QR Code]* the sum of € ____ *[insert appropriate amount, as per article 35]* accompanied by—

(i) the original or a copy of this Notice, in the case of a payment made at or sent to the offices of the Authority; or

(ii) in the case of a payment made electronically, by the inclusion on the electronic payments system of the Fixed Payment Notice Reference cited above

a prosecution will not be instituted at any time in respect of the aforementioned alleged offence.

4. **You are not obliged to make the payment specified in this Notice. You are entitled to disregard it and to defend, in court, the prosecution of the alleged offence. However if you choose to disregard the Notice your option to avoid such a prosecution, by means of such a payment, will be lost at the expiry of the aforesaid period of 21 days. That period is a statutory one, which the Authority does not have power to extend or to revive.**

5. If you choose to pay the amount stipulated in paragraph 3 the Authority will issue a receipt for the payment. Any payment received by the Authority shall not be recoverable by the person who made it.

Schedule

Particulars of Alleged Offence

[Description of the acts or omissions giving rise to the alleged contravention]

_____

[To be signed by Authorised Officer]

_____

[Print the name of the Authorised Officer]

A Duly Authorised Officer of the Authority

Appointed under Section 121 of the Act.

[Date] _____

GIVEN under my Official Seal,

L.S.

18 December, 2025.

DARA CALLEARY,

Minister for Social Protection.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations are designed to exercise powers conferred on the Minister of Social Protection by the Automatic Enrolment Retirement Savings System Act 2024 (the Act) to give more detail to the operation of that system where it is warranted.

These relate to:

(i) The circumstances in which contributions are to be repaid.

(ii) The information that employers are to provide to the Authority.

(iii) Certain matters in relation to the collection of contributions.

(iv) The operation of Part 3 of the Act where technology systems failures arise.

(v) The arrangements for the early payment of a participant's funds on the grounds of incapacity or exceptional ill-health.

(vi) The details that the Authority and employers are to provide in relation to automatic enrolment, opt-in or automatic re-enrolment.

(vii) The detail with regards to how information sharing with the Revenue Commissioners will operate.

(viii) The arrangements in relation to the fixed payment notices provisions that the Authority may use in the event of non-compliance.

(ix) The prescribed time by which contributions must be paid.

S.I. No. 637 *of* 2025

AUTOMATIC ENROLMENT RETIREMENT SAVINGS SYSTEM REGULATIONS 2025

REVISED

Updated to 1 January 2026

About this Statutory Instrument

This Revised Statutory Instrument presents the text of the instrument as it has been amended, and preserves the format in which it was made.

Related legislation

This instrument is not collectively cited with any other instrument.

Annotations

This Revised Statutory Instrument is annotated and includes textual and non-textual amendments and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this statutory instrument, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1987, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

• None

All Acts up to and including *National Training Fund (Amendment) Act 2025* (21/2025), enacted 23 December 2025, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Automatic Enrolment Retirement Savings System Regulations (Amendment) (Section 52) Regulations 2025* (S.I. No. 668 of 2025)

All statutory instruments up to and including *European Union (Restrictive Measures Concerning Iraq) Regulations 2026* (S.I. No. 1 of 2026), made 6 January 2026, were considered in the preparation of this revision.