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FLASH REPORT

Country:	Poland
Title:	Social security retirement benefits for mothers; the 'Mama 4 Plus' program
Date:	08 February 2019
Expert:	Eleonora Zielińska
<u>Context</u>	
Issue at stake:	The provision of the '4 Plus' retirement benefits only to mothers under the new Act on Parental Supplementary Benefit of 31 January 2019, discriminates men and strengthens the stereotypical division of social gender roles.
Ground of discrimination:	Sex
Source:	Legislation
Field:	Statutory social security
Applicable law:	Act on Parental Supplementary Benefit of 31 January 2019 JoL 2019. ¹

Content

Law development: On 31 January 2019, the lower chamber of the Parliament passed the Law on a parental supplementary benefit (Act on Parental Supplementary Benefit, hereafter: 'Mama 4 Plus'). The act drafted by the Ministry of the Family, Labour and Social Policy introduces a new benefit in the form of mother's retirement pension, paid from the general retirement fund organised by the Social Insurance Institution (ZUS) or from the special Agricultural Insurance, reserved for farmers and their family members (KRUS). Entitled to this pension will be all mothers, who gave birth to at least four children and raised them, instead of performing paid work.

Key points of analysis: The purpose of the benefit is to provide the necessary means of subsistence for those women, who have resigned from employment or other gainful activity, in order to provide care for their children. The 'Mama 4 Plus' benefit in the monthly amount of EUR 290 (PLN 1 100 gross) will be paid to mothers, after reaching the age of 60 years, who gave birth and raised their own children, children of their spouse, adopted children, or children in foster care (with the exception of professional foster families). The pension may be also granted to the father, after reaching the age of 65 years, who raised at least four children, but only in the case of death of the mother, or if the mother abandoned the children, or ceased to provide care for them for a prolonged period. The pension is not payable if a person is entitled to a regular retirement benefit or disability pension in the amount equal to at least the lowest pension. If the person concerned already receives a retirement benefit lower than the lowest pension, the 'Mama 4 Plus' benefit will supplement the collected pension up to EUR 255 (PLN 1 100 gross). The benefit may be granted to persons, who resided in the territory of the

¹ <http://www.sejm.gov.pl/sejm8.nsf/PrzebiegProc.xsp?nr=2864>. The finalisation of the legislation procedure is not yet completed but expected to be finalised soon (the date of entrance into force of this law is scheduled on 1 March 2019).

Republic of Poland for a period of at least 10 years (after the age of 16) and had there their centre of vital interests in the meaning of the act of 26 July 1991 on personal income tax.

It is estimated that 'Mama 4 Plus's' retirement pensions will cover over 80 000 people.

The provision of the '4 plus' retirement benefits only to mothers, discriminates men and strengthens the stereotypical division of social gender roles. The new law may also cause a feeling of unjust treatment amongst those parents of multi-children families, who reconcile family and professional lives, in order to secure their retirement benefits.

Internet link sources:

Parliamentary document 3157; http://orka.sejm.gov.pl/proc8.nsf/ustawy/3157_u.htm; <https://dziennikzachodni.pl/program-mama-4-plus-sejm-przyjal-ustawe-1-100-zl-dla-matki-z-czworka-dzieci-dzis-ustawa-trafi-do-senatu-emerytura-matczyna-1-2/ar/13465019>.

Impact assessment of the government draft Act on Parental Supplementary Benefit (Sejm Print No. 3157) of 28 January 2019, prepared by the Sejm Analysis Office), published on: <http://www.sejm.gov.pl/sejm8.nsf/opinieBAS.xsp?nr=3157>; <https://www.pulshr.pl/wynagrodzenia/emerytura-dla-matek-4-plus-dyskryminuje-ojcow-dzieci-rzecznik-ma-watpliwosci,60965.html> and <https://www.tvp.info/41131034/senat-przyjal-ustawe-mama-4-plus-o-tzw-matczynych-emeryturach>.