Reference No: ; Date: 20/11/75

Circular 13/1975:- Retention of Civil Servants beyond the age limit

20 Samhain 1975

DPS Circular Letter 13/75

Retention of Civil Servants beyond the age limit

A Chara

Section 8 of the Civil Service Regulation Act, 1956, provides that 65 years is the retiring age for all civil servants (except certain legal officers and a small number to whom the Superannuation (Prison Officers) Act, 1919, applies and whose retiring age is 60). Provision is made in the section under which, in certain circumstances, an officer may be retained beyond his retiring age under conditions proscribed by the Minister for the Public Service. Those conditions have been set out from time to time in various instructions. This circular letter now, consolidates them; it includes, also, some new or significantly altered material which is indicated by a line in the margin.

- 2 An officer may be retired beyond the age of 65 years only
- for the purpose of increasing his pension, lump sum or gratuity (Part 1 page 1):
- on grounds of public interest (Part II page 2):
- on grounds of hardship (Part III page 2)
- on grounds of national service (Part IV page 4):
- The conditions applicable to retentions under Parts II, III and IV are given in part V. Part V also contains some miscellaneous provisions.

Part 1 Retention of officers in connection with Pension or Gratuity

- An officer may be retained for not more than three calendar months beyond the normal retiring age if such retention would increase the pension, lump sum or gratuity which could be awarded to him by.
- (i) enabling him to an additional year?s service reckonable for such an award:
- (ii) enabling him to qualify for an additional increment or to reach the maximum of his scale:
- (iii) avoiding the necessity of calculating such an award on average salary or
- (iv) enabling him to qualify for a general pay increase already determined,

The concession at (i) will not be available to established officers who reach the normal retiring age on or after 1 January. 1976.

- Officers under this Part should be retained in their existing capacity and subject to their existing conditions. The prior sanction of this Department need not be sought for such retention in a case coming under (i) or (iii) a complete form E. Gen 24 should be forwarded to this Department as early as possible in advance of the normal date of retirement so that the precise extension necessary may be agreed. Pay increases relevant to (iv) will be notified to the Department as they arise.
- In view of section 8(4) of the Civil Service Regulation Act, 1956, the Minster for the Public Service is not empowered to sanction retention for periods in excess of three months in an established capacity. Departments should themselves refuse any applications for such an extension.

Part II Retention in the Public Interest

- The prior sanction of the Minister for the Public Service is required for the retention of an officer solely in the public interest (e.g. special Difficulty in replacing a person with unusual qualifications; need to allow time to finish a particularly important piece of work which cannot otherwise be done without serious inconvenience).
- The conditions including; the position in relation to pension) to apply to each case of retention in the public interest will be notified to the Department/Office concerned when sanction for the particular retention is being conveyed.

Part III Retention on the Grounds of Hardship

9 Hardship may be deemed to exist where the officer, if retired, would, have an income from all sources of not more than

- (i) £20.00 a week (£1044 a year) for himself, and
- (ii) £11.50: a week (£600 a year) for each person resident with and wholly dependent on him.
- If an officer has persons partially dependent on him adjustment would be made to the figure quoted at paragraph 9 (ii). The allowance in paragraph 9 (ii) will also normally apply where a person is wholly dependent on the officer but living apart from him. Where, however, it is established that entirely exceptional circumstances exist in such a case, the Minister for the Public Service will be prepared to consider an adjustment of the dependency allowance to an amount not exceeding that allowable for the officer himself.
- f an officer or his dependants are entitled to any benefits from public funds, then, whether they wish to be paid them or not, such benefits must be taken into account in assessing income.

Entitlement to the following benefits in particular must be included in the assessment?

- (1) Social Welfare old age pensions
- (2) Social Welfare widow's pensions
- (3) Social Welfare retirement pensions
- (4) Social Welfare and civil service children?s allowance
- (5) Allowance under the Health Acts
- (6) Civil Service pensions, including pensions including pensions payable under the contributory and ex-gratia. pension schemes for the widows and the children of civil servants. Where, under the Superannuation Act, 1956, an officer surrenders Part of his pension to secure a pension for his wife or other dependants (see Finance Circular 6/57), then the amount so surrendered must be treated as an income.
- (7) Any other pensions relating to service outside the civil service where such service was rendered by the civil servant or by the civil servant's husband or wife.

Account should not be taken

- (1) Eligibility for unemployment or disability benefit under the Social Welfare Acts
- (2) An amount of an allowance, dependant?s allowance, disability or wound pension, or any combination of such pensions and allowances, payable under the Army Pensions Acts, 1923 to 1968, except in so far as such amount exceeds £80 a year.
- (3) A military service pension paid, to the husband/wife of the civil servants seeking retention.
- (4) An allowance payable to the widow of a military service pensioner under the Army Pensions Act, 1971.
- Where a dependant who is suffering from a disease or illness is in receipt of a nominal income from employment which is basically in the nature of therapy, the question of ignoring such income in determining the officer's; claim for retention will be favourably considered. Any cases in these, categories should be specially referred to the Department of the Public Service if it is considered that the officer concerned should be retained.
- Where an officer can establish, that he is incurring medical expenses of an exceptional and unavoidable nature in the treatment of himself (where the ailment is not incompatible with the effective discharge of his duties) or of an invalid dependant, this expenditure may be taken into account in 1 determining the officer's claim to retention provided it is not recoverable from public funds or otherwise. Any such case should be specially submitted to this Department if it is considered that the officer should be retained.
- Apart from the provisions of paragraphs 9 to 13 inclusive, hardship may also be deemed to exist, where an officer's income, if: he were retired, would not exceed 25 % of. his total annual remuneration on the date of normal retirement. This alternative criterion is to be regarded as a maximum and will be applied only in relation to an officer with substantial commitments in respect of dependants. The prior sanction of this Department will be required for retention in any such case.
- Where the criterja of hardship in paragraphs 9, 10 and 11 and the, conditions in paragraph 22 are satisfied, Departments/Offices themselves may, subject to paragraphs 16 and 17, allow retention up to age 75 of an unestablished or established officer whose salary scale at age 65 was not higher than the Corresponding scale for Higher Executive Officer.
- In dealing with applications for retention on grounds of hardship, Departments should in each case consider, in this light of General Council Report No 542, whether the needs of a particular case could be met by retention of the officer in a lower grade.

Each case should be reviewed annually in the light of this circular letter and, in particular, by reference to the requirements as to hardship and continued efficiency. On the occasion of each review a copy of the appended form should be completed and filed. Further copies of this form may be obtained from this Department (extension 389).

If any question is likely to arise of retaining an officer of Higher Executive Officer or lower beyond the age of 70 on grounds of hardship, the case should be specially reviewed in good time. The officer should not be retained beyond his 70th birthday unless, apart from other considerations, his Department is completely satisfied with his health and efficiency. In that event, a certificate accordingly, signed by the Personnel Officer, should be filed with the officer's personal papers. See also paragraph 31.

- The prior sanction of this Department should be sought where it is desired:
- (a) to consider an adjustment of the dependency allowance under paragraph 10;
- (b) to ignore the nominal income of a dependant under paragraph 12;
- (c) to have regard to exceptional medical expenses under paragraph 13;
- (d) to apply the hardship criterion in paragraph 14;
- (d) to retain an officer whose grade at age 65 was above the level of Higher Executive Officer.

Part IV Retention on Grounds of National Service

- Applications for retention on grounds of national service from established or unestab1ished officers may be granted, subject to the provisions of the Civil Service Regulation Act, 1956, without reference to this Department, up to an age limit of 75 years, provided?
- (a) the officer holds a certificate of military service under the Military Service Pensions Act, 1924, or a service certificate under the Military Service Pensions Act, 1934, or
- (b) the officer was granted a .meda1 in respect of service rendered during any part of the week which commenced on the 23rd of April 1916, or was granted the Service (1917-21) Medal without bar, or
- (c) the officer served in the Civil Service of Dáil Éireann;

and provided

- (x) the officer's health, conduct and efficiency continue to be satisfactory;
- (y) appropriate employment is available; and
- (z) any pension or pensions which the officer would receive, from whatever source (exc1uding Mi1itary Service pensions, disability pensions and social welfare payments) would not exceed £2,000 in the aggregate if an officer has persons wholly or partially dependent on him, appropriate adjustments may be made in this figure in accordance with the provisions of Part III relating to dependents in cases of retention on grounds of hardship.
- In the case of an officer whose income for the purposes of this circular letter exceeds the limit laid down at (z) above, but who can estab1ish that he is incurring expenditure of an exceptional and unavoidable nature as a. result of which his immediate retirement would give rise to hardship, the

Minister for the Public Service will be prepared to consider a recommendation for an extension of service beyond the date of retirement. Any such case should be submitted to this Department in good time if it is considered that the officer should be retained.

A copy of the appended form should be completed and filed where an officer is retained under this Part.

Part V Provisions applicable to officers retained on grounds of public interest, hardship or national service

An Officer who wishes to be retained on grounds of hardship or national service must, in good time, apply for retention on the appended application form.

- The Head of the Department/Office must certify that
- (a) the officer would have to be replaced if he were retired, and
- (b) the officer's health, conduct and efficiency are satisfactory.

If during the year preceding the proposed period of retention the officer has been absent through illness for more than 28 days, the certificate in regard to health should be given only after consultation with the Chief Medical Officer.

- Applications for sanction, or for renewal of sanction, to this Department should be forwarded at least two months before the date on which the officer would otherwise retire, along with full information to establish that the appropriate conditions laid down in this circular letter are fulfilled. Applications, other than those on the grounds of public interest, should be accompanied by a completed copy of the appended form.
- An established officer should be retired in the ordinary course when he attains the age of 65 and should be re-employed in an unestablished capacity at his former salary and emoluments (subject to paragraph 25).
- An officer on a scale of pay who has not reached his maximum at the date of retirement and who is retained in his existing grade may continue on his incremental progression provided there has bean no break in service between the date of retirement and the date of re-employment. An officer retained in a lower grade will be placed on the scale for that grade and may not be paid more than the maximum of that scale.
- payment of Civil Service Pension is totally suspended in the case of each and every officer retained on grounds of hardship or of national service.

Officers so retained should be informed accordingly in writing. The pension position of Officers retained in the public interest will be determined in each case at the time of sanction in the light of the Pensions (Abatement) Act, 1965.

- 27 Either side may end the employment by giving the normal period of notice.
- Officers retained may be allowed annual leave at the rate applicable to officers of corresponding service in the grade in which they are retained. Re-employment in the leave year in which the officer reaches 65 may be treated as continuous service in reckoning the annual leave to be allowed in that year.
- Where an officer is re-employed in an unestablished capacity any arrangements should be made for the payment of any necessary contributions in respect of social welfare insurance.
- Subject to the provisions of paragraph 22 in relation to suitability for retention on health grounds, sick leave may be granted on the usual conditions and salary during sick absence may be paid under the conditions appropriate to unestablished officers. The qualifying period of service may, however, be waived. Where a former established officer exhausts the allowable amount of sick leave with pay the Paymaster-Generals Office should be informed so that pension may issue in respect of further absences from duty. The Paymaster-General's Office should also be informed, when the officer resumes duty.
- The Head of the Department/Office should satisfy himself by quarterly reports that any officer of 70 or over is performing his duties efficiently.
- Where an officer is retained on grounds of hardship or national service he will, even although his circumstances may have changed significantly, be allowed to serve until the current period of retention (which shall not be more than I year) expires, provided his health and service are satisfactory.

Miscellaneous

- 33 Sanction of this Department should be obtained before officer on pension is re-employed otherwise than by retention under the arrangements approved above.
- The intention to retain or re-employ an officer should be recorded in the reply to Question 10 on the E. Gen 24 form relevant to his superannuation. The Paymaster-Genera1s Office should be notified when re-employment terminates.
- Officers who have made an allocation of pension: Established officers whose retention beyond the age limit in an established capacity has been approved or is under consideration and who have taken steps to allocate part of their pensions under the Superannuation Act, 1956, sometimes propose to resign from their established posts with effect from dates earlier than their 65th birthday in order to obtain more favourable allocation terns based on a retiring age of 64. The Civil Service Regulation Act, 1956, does not, however envisage retention beyond the age limit unless the officer concerned serves in an established capacity up to age 65. It is, therefore, desirable that any officer proposing to make an allocation of pension whose retention beyond the age limit in an unestablished

capacity is authorised or being considered, should be advised that retirement before age 65 is not permitted in such circumstances and that his allocation arrangements should take account of this. In this connection, attention s

hould be drawn, to the fact that an allocation may not be altered after retirement except in very limited circumstances.

In each case where a Department approves the retention initially of an officer under this circular letter, it should ascertain whether such an officer has made an allocation of pension, and if so, it should advise this Department (Pensions Section.) accordingly. Where retention cases are submitted to this Department, it should be indicated whether the officer has given notice of allocation of pension.

- App1ication of this circular letter to officers who come under the Prison Officers (Superannuation) Act, 1919 will be determined in consultation with the Department of Justice.
- The provisions of this circu1ar letter are strictly confidential.

Mise le meas

John McGartoll

APPLICATION FOR EXTENSION OF SERVICE BEYOND THE NORMAL RETIRING AGE ON GROUNDS OF HARDSHIP PR OF NATIONAL SERVICE

	- to be completed by Personnel Branch before	the form is given to the officer who w	vishes to apply for
retention		One de	
1	Officers name	Grade	
2	Date of Birth		
3	Place of Residence	Dog and and	
4	Scale Particulars of any other emoluments, stating	Present pay	
5	Particulars of any other emoluments, stating	ir pensionable	
6	Branch/Office in which employed		
7	Length of normal retirement of		
a)	established service years		_ days
b)	unestablished service years		days
8	Amount of any award due under the Superan	nuation Acts or the Pensions Scheme	e for Non-Established
Employ			
a)	Pension a year / a week		
b)	Lump sum		
c)	Compassionate gratuity		
0:			
Signed			
Date _			
Part II	to be completed by the applicant.		
	Head of the Department		
10 1110	riedd of the Bepartment		
I hereb	y apply for an extension of service for the period	od to	-on arounds of
	ip/national service (delete whichever does not		
follows		, , , , , , , , , , , , , , , , , , ,	3 - 1-1-
9	Amount and source of any pension or allowar	nce other than those referred to at 8 a	above
	, ,		
amoun	t source		
*Noto	Question 10 to 15 need not be replied to whe	are retention on grounds of national se	onvico is sought
NOLE	Question to to 13 need not be replied to whe	re retention on grounds of national se	ervice is sought.
*10.	Particulars of any other means, e.g. income f	rom stocks, shares, deposits with bar	nks or building societies
or cred	it unions, house property or land, emoluments	or allowances in kind	

*11. *12. (b) If s	Married or single? (a) Is husband/wife alive? o, what is his/her age? s he/she any remunerative emplo		
(c) Ha		yment or income from a	
*13.	Particulars of children alive:		
Age	Married/Unmarried	In respect of each child	l
a) b) c) d)	The amount of contribution if ar If dependent, particulars if any if undergoing education, particulf unmarried and employed, am	income ılars of any scholarship o	or grant
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
*14	Do any other persons contribute If yes, the particulars are		Yes/No
*15	Other relevant information		
Signat	ure of applicant		
*	- to be completed by the Person	*	
*16 *17	Has the service of the applicant Applicants sick absence record		respects?
Year	Total No. of days abser	nces	Cause of Absence
19			

19

19	
19	
16 a. b.	Is the applicant now- In good health? Fully efficient?
	Period of extension proposed
Signatu Date	re if Head of Department

20 Samhain 1975

DPS Circular Letter 13/75

Retention of Civil Servants beyond the age limit

A Chara

Section 8 of the Civil Service Regulation Act, 1956, provides that 65 years is the retiring age for all civil servants (except certain legal officers and a small number to whom the Superannuation (Prison Officers) Act, 1919, applies and whose retiring age is 60). Provision is made in the section under which, in certain circumstances, an officer may be retained beyond his retiring age under conditions proscribed by the Minister for the Public Service. Those conditions have been set out from time to time in various instructions. This circular' letter now, consolidates them; it includes, also, some new or significantly altered material which is indicated by a line in the margin.

- 2 An officer may be retired beyond the age of 65 years only
 - for the purpose of increasing his pension, lump sum or gratuity (Part 1 page 1):

- on grounds of public interest (Part II page 2):
- on grounds of hardship (Part III page 2)
- on grounds of national service (Part IV page 4):
- The conditions applicable to retentions under Parts II, III and IV are given in part V. Part V also contains some miscellaneous provisions.

Part 1 Retention of officers in connection with Pension or Gratuity

- An officer may be retained for not more than three calendar months beyond the normal retiring age if such retention would increase the pension, lump sum or gratuity which could be awarded to him by.
 - (i) enabling him to an additional year's service reckonable for such an award:
 - (ii) enabling him to qualify for an additional increment or to reach the maximum of his scale:
 - (iii) avoiding the necessity of calculating such an award on average salary or
 - (iv) enabling him to qualify for a general pay increase already determined,

The concession at (i) will not be available to established officers who reach the normal retiring age on or after 1 January. 1976.

- Officers under this Part should be retained in their existing capacity and subject to their existing conditions. The prior sanction of this Department need not be sought for such retention in a case coming under (i) or (iii) a complete form E. Gen 24 should be forwarded to this Department as early as possible in advance of the normal date of retirement so that the precise extension necessary may be agreed. Pay increases relevant to (iv) will be notified to the Department as they arise.
- In view of section 8(4) of the Civil Service Regulation Act, 1956, the Minster for the Public Service is not empowered to sanction retention for periods in excess of three months in an established capacity. Departments should themselves refuse any applications for such an extension.

Part II Retention in the Public Interest

The prior sanction of the Minister for the Public Service is required for the retention of an officer solely in the public interest (e.g. special Difficulty in replacing a person with unusual qualifications; need to allow time to finish a particularly important piece of work which cannot otherwise be done without serious inconvenience).

The conditions including; the position in relation to pension) to apply to each case of retention in the public interest will be notified to the Department/Office concerned when sanction for the particular retention is being conveyed.

Part III Retention on the Grounds of Hardship

- 9 Hardship may be deemed to exist where the officer, if retired, would, have an income <u>from all sources</u> of not more than
- (i) £20.00 a week (£1044 a year) for himself, and
- (ii) £11.50: a week (£600 a year) for each person resident with and wholly dependent on him.
- If an officer has persons partially dependent on him adjustment would be made to the figure quoted at paragraph 9 (ii). The allowance in paragraph 9 (ii) will also normally apply where a person is wholly dependent on the officer but living apart from him. Where, however, it is established that entirely exceptional circumstances exist in such a case, the Minister for the Public Service will be prepared to consider an adjustment of the dependency allowance to an amount not exceeding that allowable for the officer himself
 - 11 f an officer or his dependants are entitled to any benefits from public funds, then, whether they wish to be paid them or not, such benefits must be taken into account in assessing income.

Entitlement to the following benefits in particular must be included in the assessment –

- (1) Social Welfare old age pensions
- (2) Social Welfare widow's pensions
- (3) Social Welfare retirement pensions
- (4) Social Welfare and civil service children's allowance
- (5) Allowance under the Health Acts
- (6) Civil Service pensions, including pensions including pensions payable under the contributory and exgratia. pension schemes for the widows and the children of civil servants. Where, under the

Superannuation Act, 1956, an officer surrenders Part of his pension to secure a pension for his wife or other dependants (see Finance Circular 6/57), then the amount so surrendered must be treated as an income.

(7) Any other pensions relating to service outside the civil service where such service was rendered by the civil servant or by the civil servant's husband or wife.

Account should not be taken -

- (1) Eligibility for unemployment or disability benefit under the Social Welfare Acts
- (2) An amount of an allowance, dependant's allowance, disability or wound pension, or any combination of such pensions and allowances, payable under the Army Pensions Acts, 1923 to 1968, except in so far as such amount exceeds £80 a year.
- (3) A military service pension paid, to the husband/wife of the civil servants seeking retention.
- (4) An allowance payable to the widow of a military service pensioner under the Army Pensions Act, 1971.
- Where a dependant who is suffering from a disease or illness is in receipt of a nominal income from employment which is basically in the nature of therapy, the question of ignoring such income in determining the officer's; claim for retention will be favourably considered. Any cases in these, categories should be specially referred to the Department of the Public Service if it is considered that the officer concerned should be retained.
- Where an officer can establish, that he is incurring medical expenses of an exceptional and unavoidable nature in the treatment of himself (where the ailment is not incompatible with the effective discharge of his duties) or of an invalid dependant, this expenditure may be taken into account in 1 determining the officer's claim to retention provided it is not recoverable from public funds or otherwise. Any such case should be specially submitted to this Department if it is considered that the officer should be retained.
- Apart from the provisions of paragraphs 9 to 13 inclusive, hardship may also be deemed to exist, where an officer's income, if: he were retired, would not exceed 25 % of. his total annual remuneration on the date of normal retirement. This alternative criterion is to be regarded as a maximum and will be applied only in relation to an officer with substantial commitments in respect of dependants. The prior sanction of this Department will be required for retention in any such case.

15	Where the criterja of hardship in paragraphs 9, 10 and 11 and the, conditions in paragraph 22 are
satisfie	d, Departments/Offices themselves may, subject to paragraphs 16 and 17, allow retention up to age
75 of an	n unestablished or established officer whose salary scale at age 65 was not higher than the
Corresp	oonding scale for Higher Executive Officer.

- In dealing with applications for retention on grounds of hardship, Departments should in each case consider, in this light of General Council Report No 542, whether the needs of a particular case could be met by retention of the officer in a lower grade.
- Each case should be reviewed annually in the light of this circular letter and, in particular, by reference to the requirements as to hardship and continued efficiency. On the occasion of each review a copy of the appended form should be completed and filed. Further copies of this form may be obtained from this Department (extension 389).

If any question is likely to arise of retaining an officer of Higher Executive Officer or lower beyond the age of 70 on grounds of hardship, the case should be specially reviewed in good time. The officer should not be retained beyond his 70th birthday unless, apart from other considerations, his Department is completely satisfied with his health and efficiency. In that event, a certificate accordingly, signed by the Personnel Officer, should be filed with the officer's personal papers. See also paragraph 31.

- 18 The prior sanction of this Department should be sought where it is desired:
 - (a.) to consider an adjustment of the dependency allowance under paragraph 10;
 - (b) to ignore the nominal income of a dependant under paragraph 12;
 - (c) to have regard to exceptional medical expenses under paragraph 13;
 - (d) to apply the hardship criterion in paragraph 14;
 - (d) to retain an officer whose grade at age 65 was above the level of Higher Executive Officer.

Part IV Retention on Grounds of National Service

- Applications for retention on grounds of national service from established or unestablished officers may be granted, subject to the provisions of the Civil Service Regulation Act, 1956, without reference to this Department, up to an age limit of 75 years, provided
 - (a.) the officer holds a certificate of military service under the Military Service Pensions Act, 1924, or a service certificate under the Military Service Pensions Act, 1934, or
 - (b) the officer was granted a .meda1 in respect of service rendered during any part of the week which commenced on the 23rd of April 1916, or was granted the Service (1917-21) Medal without bar, or
 - (c) the officer served in the Civil Service of Dáil Éireann;

and provided -

- (x) the officer's health, conduct and efficiency continue to be satisfactory;
- (y) appropriate employment is available; and
- (z) any pension or pensions which the officer would receive, from whatever source (excluding Military Service pensions, disability pensions and social welfare payments) would not exceed £2,000 in the aggregate if an officer has persons wholly or partially dependent on him, appropriate adjustments may be made in this figure in accordance with the provisions of Part III relating to dependents in cases of retention on grounds of hardship.
- In the case of an officer whose income for the purposes of this circular letter exceeds the limit laid down at (z) above, but who can establish that he is incurring expenditure of an exceptional and unavoidable nature as a result of which his immediate retirement would give rise to hardship, the

Minister for the Public Service will be prepared to consider a recommendation for an extension of service beyond the date of retirement. Any such case should be submitted to this Department in good time if it is considered that the officer should be retained.

A copy of the appended form should be completed and filed where an officer is retained under this Part.

Part V Provisions applicable to officers retained on grounds of public interest, hardship or

national service

An Officer who wisJ1es to be retained on grounds of hardship or national service must, in good time, apply for retention on the appended application form.

- The Head of the Department/Office must certify that
 - (a) the officer would have to be replaced if he were retired, and
 - (b) the officer's health, conduct and efficiency are satisfactory.

If during the year preceding the proposed period of retention the officer has been absent through illness for more than 28 days, the certificate in regard to health should be given only after consultation with the Chief Medical Officer.

- Applications for sanction, or for renewal of sanction, to this Department should be forwarded at least two months before the date on which the officer would otherwise retire, along with full information to establish that the appropriate conditions laid down in this circular letter are fulfilled. Applications, other than those on the grounds of public interest, should be accompanied by a completed copy of the appended form.
- An established officer should be retired in the ordinary course when he attains the age of 65 and should be re-employed in an unestablished capacity at his former salary and emoluments (subject to paragraph 25).
- An officer on a scale of pay who has not reached his maximum at the date of retirement and who is retained in his existing grade may continue on his incremental progression provided there has bean no break in service between the date of retirement and the date of re-employment. An officer

retained in a lower grade will be placed on the scale for that grade and may not be paid more than the maximum of that scale.

26 payment of Civil Service Pension is totally suspended in the case of each and every officer retained on grounds of hardship or of national service.

Officers so retained should be informed accordingly in writing. The pension position of Officers retained in the public interest will be determined in each case at the time of sanction in the light of the Pensions (Abatement) Act, 1965.

- 27 Either side may end the employment by giving the normal period of notice.
- Officers retained may be allowed annual leave at the rate applicable to officers of corresponding service in the grade in which they are retained. Re-employment in the leave year in which the officer reaches 65 may be treated as continuous service in reckoning the annual leave to be allowed in that year.
- Where an officer is re-employed in an unestablished capacity any arrangements should be made for the payment of any necessary contributions in respect of social welfare insurance.
- Subject to the provisions of paragraph 22 in relation to suitability for retention on health grounds, sick leave may be granted on the usual conditions and salary during sick absence may be paid under the conditions appropriate to unestablished officers. The qualifying period of service may, however, be waived. Where a former established officer exhausts the allowable amount of sick leave with pay the Paymaster-General's Office should be informed so that pension may issue in respect of further absences from duty. The Paymaster-General's Office should also be informed, when the officer resumes duty.
- The Head of the Department/Office should satisfy himself by quarterly reports that any officer of 70 or over is performing his duties efficiently.
- Where en officer is retained on grounds of hardship or national service he will, even although his circumstances may have changed significantly, be allowed to serve until the current period of retention (which shall not be more than I year) expires, provided his health and service are satisfactory.

Miscellaneous

- 33 Sanction of this Department should be obtained before officer on pension is re-employed otherwise than by retention under the arrangements approved above.
- The intention to retain or re-employ an officer should be recorded in the reply to Question 10 on the E. Gen 24 form relevant to his superannuation. The Paymaster-General's Office should be notified when re-employment terminates.

Officers who have made an allocation of pension: Established officers whose retention beyond the age limit in an established capacity has been approved or is under consideration and who have taken steps to allocate part of their pensions under the Superannuation Act, 1956, sometimes propose to resign from their established posts with effect from dates earlier than their 65th birthday in order to obtain more favourable allocation terns based on a retiring age of 64. The Civil Service Regulation Act, 1956, does not, however envisage retention beyond the age limit unless the officer concerned serves in an established capacity up to age 65. It is, therefore, desirable that any officer proposing to make an allocation of pension whose retention beyond the age limit in an unestablished capacity is authorised or being considered, should be advised that retirement before age 65 is not permitted in such circumstances and that his allocation arrangements should take account of this. In this connection, attention should be drawn, to the fact that an allocation may not be altered after retirement except in very limited circumstances.

In each case where a Department approves the retention initially of an officer under this circular letter, it should ascertain whether such an officer has made an allocation of pension, and if so, it should advise this Department (Pensions Section.) accordingly. Where retention cases are submitted to this Department, it should be indicated whether the officer has given notice of allocation of pension.

36	Application of this circular letter to officers who come under the Prison O	fficers
(Supera	nnuation) Act, 1919 will be determined in consultation with the Departmen	nt of Justice.

The provisions of this circular letter are strictly confidential.

Mise le meas

John McGartoll

APPLICATION FOR EXTENSION OF SERVICE BEYOND THE NORMAL RETIRING AGE ON GROUNDS OF HARDSHIP PR OF NATIONAL SERVICE

<u>Part 1</u> - to be completed by Personnel Branch before the form is given to the officer who wishes to apply for retention.

1	Officer's name	-
	Grade	
2	Date of Birth	
3	Place of Residence	
4	Scale	Present pay
5	Particulars of any other emoluments, stating if	pensionable
6	Branch/Office in which employed	
7	Length of normal retirement of	
ä	a) established service days	years
	days	
1	o) unestablished service	years
	days	
8	Amount of any award due under the Superannu	nation Acts or the Pensions Scheme for Non-
	Established Employees.	
1	a) Pension a year / a week	
l	b) Lump sum	
(c) Compassionate gratuity	<u></u>
Si	gned	
טנ	nte	

 $\underline{\textbf{Part II}}$ - to be completed by the applicant.

To the Head of the Department

I hereby apply for an extension of service for the period to to on on grounds of hardship/national service (delete whichever does not apply). Additional information relevant to my application is as follows:-			
9	Amount and source of <u>any</u> pension or allowance other than those referred to at 8 above		
amo	<u>source</u>		
* <u>No</u> soug	te Question 10 to 15 need not be replied to where retention on grounds of national service is ght.		
*10. build	Particulars of any other means, e.g. income from stocks, shares, deposits with banks or ding societies or credit unions, house property or land, emoluments or allowances in kind		
_			
*11.	Married or single?		

*12.	(a) Is husband/wife alive?	
(b) If so, what is his/her age?	
	c) Has he/she any remunerative employment or income from any source? I particulars	f so give
-		
_		

*13. Particulars of children alive:

Age each child

Married/Unmarried

In respect of

- a) The amount of contrib ution if any, to officer's support
- b) If depend ent, particu lars if any income
- c) If underg oing educati on, particu lars of any scholar ship or

grant d) If

		i e e a	inmarr ed and employ ed, imount of income
	1.		
	2.		
	3.		
	4.		
	5.		
	6.		
	7.		
	8.		
	9.		
	10.		
·14	Do any other persons contribute to applicant's support? Yes/No If yes, the particulars are		
°15	Other relevant information		
	Signature of applicant Date		
	* *		

Part III – to be completed by the Personnel Branch and signed by the Head of the Department					
	Has the service of the applicant been satisfactory in all respects?				
*17	Applicant's sick absence rec	cora:			
	Year Absence	Total No. of days' absences	Cause of		
	19				
	19				
	19				
	19				
16	s the applicant now- a. In good health? b. Fully efficient?				
17	Period of extension proposed				
18	health, conduct and efficiency an	am satisfied that the conditions as regards refere fulfilled and that, by reference to the presed on grounds of hardship/national service.			

Signature if Head of Department Date