

# Civil Service Conciliation and Arbitration Scheme

## General Council Report 1274

(Meeting/s of 29 June 1994)

### Extensions after age 65.

#### **Retention of civil servants beyond the normal retiring age**

1. The Staff Side requested that the criteria for retention beyond the normal retiring age be clarified.

2. The Official Side pointed out that the Civil Service Regulation Act, 1956, provides for the retention of civil servants beyond the normal retiring age with the consent of the Minister for Finance. It also provides that the Minister for Finance may, from time to time, prescribe such conditions as he thinks fit for governing such retentions. The current conditions provide for retention on (i) grounds of hardship (ii) on grounds of public interest and (iii) for the purpose of increasing the officer's pension, lump sum or gratuity.

##### *(i) Retention on grounds of Hardship*

In order to qualify for retention on grounds of hardship, an officer's total income on retirement must be below specific limits. These limits are reviewed on an annual basis. The income limits are applied in a fair and consistent manner and account is taken of family circumstances. The officer is required to complete an application for extension of service outlining his income on retirement from all sources and that of his dependants. Departments have delegated sanction to approve retention on hardship grounds for grades at HEO level and below.

##### *(ii) Retention in the Public Interest*

The prior sanction of the Minister for Finance is required for the retention of an officer in the public interest. Public interest retention might arise, for example, where there is special difficulty in replacing a person with unusual qualifications or where it is necessary to allow time to finish a particularly important piece of work which cannot otherwise be done without serious inconvenience.

##### *(iii) Retention for the purpose of increasing the officer's pension, lump sum or gratuity*

There is provision for the retention of an officer for a maximum period of three

months beyond the normal retiring age if such retention would have the effect of increasing her\his superannuation benefits by (a) allowing her\him to qualify for an additional increment or to reach the maximum of her\his scale or (b) to avoid averaging.

All retentions under (i) and (ii) above are subject to annual review.

3. The Staff Side said that the basis on which officers were being retained (whether on grounds of hardship or in the public interest) should be made clear. The Official Side said that it would not be appropriate to divulge details of individual cases. The Staff Side expressed the view that public interest appointments should not arise in the lower grades. The Official Side noted that it was up to the Minister for Finance to decide whether a retention beyond the normal retiring age was in the public interest.

4. The report was adopted on 2 August 1994.

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