

Reference No: P18/30/77; **Date:** 01/08/79

01/08/1979 GL:- Non-established State Employees Ex Gratia Widows' and Children's Pension Scheme

An Roinn

I am directed by the Minister for the Public Service to refer to Circular Letter 1/79 and to this Department's Letter to Personnel Officers dated 10 Eanáir 1979 about the Non-established State Employees Contributory Widows and Children's Pension Scheme (referred to as "the Contributory Scheme").

It has been decided to introduce a Non-established State Employees Ex Gratia Widows' and Children's Pension Scheme. The Ex Gratia Scheme will differ from the Contributory Scheme as follows:

- (1) It will apply in respect of any male employee
 - (a) who retired with a pension under the Main Scheme (i.e. the Non-Contributory Pension Scheme for non-established State Employees) on or before 30 November 1978,
 - (b) who had, or would have had if he had served to age 65, at least five years' reckonable service and in respect of whom a death gratuity under the Main Scheme was payable because of death in service on or before 30 November 1978.
- (2) The widows' and children's pensions will be at the rate of -
 - (a) during the period from 1 April 1979 to 30 June 1979, two-thirds of those applicable under the Contributory Scheme and
 - (b) with effect from 1 July 1979, five-sixths of those applicable under the Contributory Scheme, and will be subject to the conditions laid down in that Scheme.
- (3) Enhancement of pension in respect of the first month of widowhood (see paragraph 5(5) of the Contributory Scheme) will not apply.
- (4) Pension will be payable with effect from 1 April 1979 or, if later, the date of death of the pensioner.
- (5) In an ex gratia case the equivalent of the exclusion specified in the clauses 6(1)(a) and 6(1)(c)(i) of the Contributory Scheme will be where the deceased was unmarried throughout his reckonable service.
- (6) There will be no contributions (or refunds of contributions).

Awards under the Ex Gratia Scheme may be made by your Department. The information available to the Paymaster General's Office in relation to former employees of your Department who have already died while on pension is attached; the PMG is being instructed to notify you of any future deaths. The application form used in connection with the contributory and ex gratia schemes for established officers (copy attached) can be used.

This Department should be notified of any cases where a possible beneficiary cannot be traced.

The attached interpretation of the Contributory Scheme may be used, as appropriate, in connection with the Ex Gratia Scheme. Paragraph 4(4) of the Interpretation (which deals with calculation of potential service in the case of persons not employed on a regular year round basis) and paragraph 6 (which deals with persons who opted for Compassionate Gratuities instead of Main Scheme benefit) should, in particular, be noted.