

**Reference No:** P18/25/75;    **Date:** 21/12/88

**21/12/1988 GL:- Grant of added years to professional, technical and specialist civil servants under the terms of Circular 11/85 - Delegation of authority to certain Departments to make awards**

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1. I am directed by the Minister for Finance to refer to Circular 11/85 and to the Letter to Personnel Officers of 19 April 1985 about the grant of added years for superannuation purposes to established officers recruited to professional, technical or specialist posts.

2. These arrangements have been operating in the civil service since March 1986 and to date the Department of Finance has sanctioned all added years awards. It has now been decided to delegate authority for the sanctioning of awards to individual Departments who already have delegated authority to make superannuation awards. This letter, and the accompanying enclosures, replaces the letter of 19 April 1985 and is intended as a guide for the Departments concerned in implementing the scheme.

General Principles

3. It is important that the scheme be implemented at minimum cost to the Exchequer. Accordingly, the specific provisions of the scheme and of the relevant competition regulations should be strictly adhered to in all cases. Awards which have already been dealt with by this Department should provide a useful reference point in considering future applications under the scheme. This Department will of course be willing to advise on any points of difficulty which may arise.

4. The underlying aim of the scheme is to provide for the grant of a limited number of "free added years" of notional service for superannuation purposes in cases where the minimum requirements for appointment to a post were of such a nature as to preclude an appointee from acquiring full superannuation entitlements by maximum retirement age. It follows that entitlements under the scheme must be assessed by reference to the requirements imposed by management for appointment to the post and not by reference to the qualifications/experience/circumstances of the individual appointee. The importance of distinguishing between qualifications/experience which were required for appointment and those which were classed as desirable should be noted in particular.

5. Guidelines for implementing the scheme are set out in Appendix 1 to this letter. A check list for dealing with applications is attached as Appendix 2. Examples of the treatment of cases under the scheme are set out in Appendix 3 and a sample letter of sanction is contained in Appendix 4.

6. Because of the nature of the scheme an award of added years can only be formally made at the time of retirement. However it is normally possible, at a time prior to retirement and on the basis of information then available, to give a fairly accurate indication of the likely final award.

Qualifying Conditions

7. The scheme applies only to staff serving in the civil service on or after 1 January 1983.

8. The scheme does not apply to staff serving in administrative grades unless they were at some time previously appointed to a professional, technical or specialist post.

9. The scheme will not apply in any case where an officer was actually appointed before age 25. Even where an officer was appointed after age 25 the scheme will apply only where the individual could not, by reason of the requirements for appointment to the post, have been appointed before age 25.

10. The scheme does not apply to staff who resign before age 60 (see however paragraph 14 of this letter and paragraph 18 of Appendix 1).

11. The onus is on the individual officer to apply for the grant of added years. Applications should be in writing and should be addressed to the Personnel Officer in the Department in which the officer is currently serving, or was last serving before the grant of special leave, the commencement of a career break or before retirement if the officer retired on or since 1 January 1983. (Officers on career breaks or on special leave without pay are eligible for the grant of added years provided they return to the civil service before maximum retiring age - see however paragraph 16 of Appendix 1).

#### Retained benefits:

12. As indicated in paragraph 14 of Appendix 1 it is necessary to reduce the gross award by an amount corresponding to the value of any retained benefits (including social welfare benefits, whether Irish or otherwise). Any such cases should be referred to this Department, along with all the necessary information, for a decision as to the amount of the reduction to be made.

#### Retirement before age 65:

13. As indicated in paragraph 17 of Appendix 1, awards under the scheme are conditional on an officer remaining in employment in the civil service until age 65 and no award is made where an officer resigns before age 60. The contents of this paragraph should be brought to the attention of any officers who are eligible for an award under the scheme and who are contemplating retiring prior to age 65. It should also be noted that where, for example, an officer resigns before age 60 and subsequently secures a further civil service appointment, an award under the scheme may only be determined by reference to the added years post (if any) held subsequent to return to civil service employment.

#### Early retirement scheme:

14. It should be noted that the provisions of paragraph 17 of Appendix 1 have been waived in the context of the current early retirement programme. However, the aggregate of added years awarded under this scheme ("professional" added years) and added years awarded under the early retirement scheme ("redundancy" added years), may not exceed 10 years. Also, the award of either "professional" or "redundancy" added years to an officer will automatically make him/her ineligible for a severance payment under the early retirement scheme.

#### Deferred Establishment Cases:

15. Officers who enter the civil service in an unestablished capacity through a Civil Service Commission Competition and are later made established via certification (i.e. without competing at a further establishment competition) may have their added years entitlement determined by reference to the competition regulations for the initial unestablished post.

#### Purchase Scheme:

16. In cases where an officer has opted to purchase additional added years for superannuation purposes under Circular 16/79 in ignorance of entitlement to added years under Circular 11/85 and the total service purchased or being purchased together with all other reckonable service would be greater than 40 years at the date of retirement, a refund may be made of the excess contributions under the Purchase Scheme.

17. Any queries arising from this letter should be addressed to the Superannuation Section of this Department (Tel. 779601 Ext. 565 or 539).

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W. Power  
Superannuation Section.

## Appendix 1 - Guidelines for implementation of the Scheme

### Scope

1. Circular 11/85 applies to any established officer holding a professional, technical or specialist post on or after 1 January 1983, where:

(i) the appointment was made as a result of a competition held by the Civil Service Commissioners:

(ii) (a) minimum professional, technical or specialist qualifications and/or a minimum number of years essential experience were required for entry

or

(b) the minimum entry age specified in the competition was over 25;

and

(iii) by reason of such entry requirement it is not possible for the officer to secure 40 years' service by the maximum retiring age of 65 years.

2. An award of added Years under the scheme can only be formally made at retirement.

3. Professional and technical posts are those for which third level degrees and/or diplomas are required for appointment. The "specialist" category includes officers who, while they do not need third level degrees or diplomas are required nevertheless to be of a certain age and/or have certain relevant experience before being eligible for appointment. Administrative grades are not "specialists" for the purposes of the scheme.

4. The Scheme applies to any officer who is originally appointed in a professional, technical or specialist capacity, but is subsequently promoted to an administrative post and retires therefrom.

5. Applications for added years will be dealt with by reference to the particular competition from which an officer is recruited and not by reference to the officer's individual circumstances.

### Calculation of awards

6. The gross added years entitlement, before appropriate adjustments, will be as follows:

(a) in any case where the required minimum qualifications and/or experience would have precluded appointment by age 25, the aggregate of the minimum number of years in which the qualifications can be obtained and the minimum number of years essential experience required, such aggregate to be calculated as if the commencement date was the officer's eighteenth birthday.

(b) in any case where a minimum age of 25 is specified for entry to the competition, the period between the date specified in the competition by which candidates had to have attained age 25 and the individual's actual date of appointment, provided that any delay in taking up appointment was outside the individual's control.

(c) in any case where a minimum age in excess of 25 is specified for entry to the competition, the sum of

(i) the minimum age limit reduced by 25 and

(ii) the period between the individual's date of appointment and the date by which candidates at the competition had to have attained the specified minimum age (provided that any delay in taking up appointment was outside the individual's control).

(d) in any case where the required minimum qualifications and/or experience would have precluded appointment by age 25 and a minimum entry age in excess of 25 was specified, the greater of the awards calculated under subparagraphs (a) and (c) above.

7. The "minimum number of years in which the qualifications can be obtained" does not necessarily relate to the actual qualifications of the appointee; it means the minimum number of years required to obtain the qualification specified in the competition regulations - where alternative qualifications are specified the qualification which can be obtained in the least number of years should be used.

8. Where competition regulations state that "at least X years' experience", or "a minimum of X years' experience", are required, the lowest figure so indicated should be used in the calculation of the added years award.

9. References in job advertisements to "requisite knowledge and ability", "a high degree of professional expertise in \_\_\_\_\_", "a knowledge of \_\_\_\_\_", etc. cannot be construed as experience requirements for the purposes of the scheme.

10. Where an unspecified number of years experience is required, the lowest number of years of relevant experience of the candidates actually offered appointment on foot of the competition is deemed to be the minimum number of years essential experience required.

11. Where there is only one "successful candidate" in a competition for which an unspecified period of experience was required, that candidate's relevant experience is deemed to be the minimum number of years experience required.

#### Limits of entitlement and abatement

12. The gross award calculated under paragraph 6 above shall not exceed 10 years.

13. In order to avoid any benefit on the double, the gross added years entitlement (after applying the ten year limit at paragraph 12 if necessary) will be appropriately reduced

(a) where pensionable service was given in the civil service prior to appointment to the added years post

(b) where service is transferred or could have been transferred into the civil service

(c) where prior to becoming a civil servant an officer has been in pensionable employment and received or retains an entitlement to a pension, preserved pension or other superannuation benefit (including a refund of superannuation contributions) in respect of that employment

(d) where there are retirement or old age pension entitlements under the Social Welfare Acts or corresponding State benefits from any other country

14. A straightforward year for year (or proportion thereof) reduction is made in respect of service at 13 (a) and (b). In the case of entitlement to benefits at 13 (c) or (d) above the award is reduced by an amount corresponding to the value of the benefits in question. Any cases arising under (c) or (d) should be referred to the Department of Finance.

15. Special arrangements apply to officers with previous service in a local authority professional post which would have attracted added years under the provisions of the local government superannuation code if the officer had remained in local authority employment until retirement age: an award based on the initial local authority professional post may be made where this is greater than the net award due under this scheme (i.e. after the reductions at paragraph 13 have been made). In such cases the award would be equal to the number of years experience required for appointment to the initial local authority professional post, reduced by the number of years, if any, of previous reckonable service (eg service in the local authority area in a non-added years post or service which was or could have been transferred into the local authority area).

#### Career Breaks

16. Where an officer goes on a career break or on special leave without pay the net award calculated under the foregoing paragraphs will be reduced by an amount corresponding to the duration of the career break/unpaid leave.

#### Retirement or resignation before age 65

17. Subject to paragraph 18, where an officer retires before age 65, the net award calculated under the foregoing paragraphs will be reduced by an amount corresponding to the officer's potential service to age 65 at the date of retirement (e.g. a reduction of 5 years will apply in the case of retirements at age 60). Where an officer resigns before age 60 no award will be made.

18. The provisions of paragraph 17 will not apply in the case of retirement before age 65 (or before age 60) on grounds of ill-health. However the aggregate of added years awarded under this scheme and any notional ill-health service may not exceed 10. This limit of 10 years also applies in the calculation of notional years for death-in-service lump sums but does not apply for the purpose of calculating benefits due under the Spouses' and Children's Scheme in death-in-service cases i.e. a Spouse may be awarded potential service to age 65 plus the full number of added years which the deceased would have been awarded had s/he served to age 65.

#### Other Conditions

19. The aggregate of added years awarded under this scheme and service otherwise reckonable shall in no circumstances exceed 40 years.

20. Where an officer has held more than one added years post in the civil service only one award of added years may be made. It is necessary in such cases to establish which post would result in the greatest award (it is normally the initial added years post held) and to determine the award by reference to that particular post (see however the third sentence in paragraph 13 of the covering Letter to Personnel Officers). Where an individual is eligible for an award under this scheme and is also entitled to added years for professional experience under the Superannuation and Pensions Act, 1963, only the greater of the added years entitlements under this scheme and under the 1963 Act will be granted.

21. Added years are not transferable under the Public Sector Transfer Scheme.

22. Spouses' and Children's Scheme contributions will be payable in respect of any added years awarded under this scheme.

23. A statutory scheme incorporating the arrangements outlined in this document will be made under the Superannuation and Pensions Act 1976 in due course. Pending the making of that scheme, the decision of the Minister for Finance on any question of interpretation will be final.

## Appendix 2 - Check list for dealing with applications for added years

### Personal Details

1. Name:
2. Date of Birth:
3. Current Grade:
4. "Added Years Grade":
5. Date of Appointment to Added Years Grade:
6. Was Officer appointed as a result of a Civil Service Commission Competition?
7. Date of Commencement in Civil Service:
8. Age 65 on:
9. Date of Retirement:
10. Previous Work Experience:
11. Reckonable Service at Retirement:

(i)	Actual
(ii)	Transferable/Transferred
(iii)	Other
12. Social Welfare Benefits:
13. Retained Benefits:

### Competition Details

14. Qualifications Required:
15. Minimum number of years in which Qualification Requirements could be met:
16. The specified experience required was:
17. Relevant experience of the Qualified Candidate with the least number of years experience (Where 16 does not apply):

18. Minimum Age Limit:
19. Date specified for reaching minimum age limit:

#### Added Years Before Adjustments

20. Time needed to acquire qualifications + experience: (15+16 or 17)
21. Period from date at 19 to date of appointment at 5:
22. Minimum age limit minus 25:
23. Gross award: (a) as at 20:  
or (as appropriate)  
(b) the sum of 21 and 22:
24. Maximum award: 10 years

#### Adjustment

25. Difference between 5 and 7:
26. Service at 11 (ii):
27. Deduction in respect of 12 and/or 13 (as advised by the Department of Finance):
28. Difference between 8 and 9:
29. Net award:

#### Other Points to Check

30. Does net award plus other reckonable service exceed 40? If yes apply overall limit of 40 years
31. Is officer retiring before age 60 on grounds other than ill-health? If yes award is Nil.
32. Has officer been on a career break/unpaid leave? If yes see paragraph 16 of Appendix 1.
33. Has officer held more than one added years post? If yes see paragraph 20 of Appendix 1.
34. Is officer entitled to added years under the 1963 Act? If yes see paragraph 20 of Appendix 1.
35. Did officer have previous service in a post which would have attracted added years under the "old" local authority arrangements? If yes would the special arrangements at paragraph 15 of Appendix 1 be more favourable to the officer?
36. Is officer retiring on grounds of ill-health? If yes see paragraph 18 of Appendix I.
37. Is this a death in service case? If yes see paragraph 18 of Appendix 1.

Documentation etc. required

A copy of the Civil Service Commission competition regulations for the initial added years post in the civil service.

Confirmation of the minimum number of years required to achieve any one of the qualifications specified in the Civil Service Commission competition regulations (see 14 above).

Confirmation, where necessary, from the Civil Service Commission of the minimum number of years relevant experience of any of the "successful candidates" for the post i.e. those candidates actually offered appointment regardless of whether or not they accepted it (see 16 above).

Confirmation from the Department of Social Welfare of entitlements, if any, under the Social Welfare Acts (see 12 above).

Details of State pension benefits from any other country (see 12 above).

Details of any previous pensionable service which has been transferred or is transferable into the civil service (see 13 above).

Details of any periods of pensionable service in the local authority area in posts which would have attracted added years had the person remained in the local authority service. [In addition, copies of competition regulations for the initial local authority post should be obtained from the Local Appointments Commission and, where appropriate, details of the minimum number of years experience of any of the successful candidates for the initial local authority post.]

### Appendix 3 - Sample Added Years Cases.

(Except where otherwise stated it is assumed in all examples that the officer (i) was serving in an established post on or after 1/1/1983, (ii) does not retire before age 65 and (iii) has less than 40 years reckonable service in total (i.e. including the added years) at age 65.)

#### Example 1.

An officer appointed to a post for which the recruitment requirements were a degree in Engineering (minimum 4 years to acquire) and 6 years relevant experience. The gross award in this case is 10 years.

If only 3 years experience had been specified there would be no entitlement to added years as the aggregate of experience and qualifications would not have precluded appointment by age 25.

If the officer had previous transferable service of 6 years the gross award of 10 years would be reduced to a net award of 4 years.

If the amount of experience required had not been specified and the lowest number of years experience of any of the candidates offered appointment had been 8 years the award would be 12 years but this would first be reduced to 10 years - the maximum award allowed - and then to a net award of 4 years because of the previous transferable service of 6 years.

#### Example 2.



An officer appointed to a post for which the recruitment requirements were (i) to be a member of a recognised body of Accountants and (ii) have requisite knowledge and ability... No award would be made in this case. It takes a minimum of 4 years to become a member of a recognised body of Accountants and requisite knowledge and ability is not experience for the purpose of the scheme: the officer could therefore have been appointed by age 25.

#### Example 3

An officer appointed to a post for which the recruitment requirements were a degree in either Civil Engineering or Architecture and 4 years relevant experience. A degree in Architecture takes a minimum of 5 years to acquire; a degree in Civil Engineering takes 4 years. A gross award of 8 years would be applicable in this case.

If this officer retains an entitlement from his previous employment to a preserved pension payable from age 65 the award of 8 years would fall to be reduced by an amount corresponding to the value of this pension (the amount of the reduction would be determined by the Department of Finance).

#### Example 4.

An officer qualifies for a gross award of 8 added years under the terms of the scheme but has had 13 years service in a local authority post which would have attracted added years. The competition regulations for the local authority added years post required candidates to have an honours degree and 5 years experience. The net award under Circular 11/85 would be Nil (i.e. 8 - 13) but an award based on the experience required for the local authority added years post may be made (see para. 15 of Appendix 1). The award in this case would be 5 years.

If 3 of the 13 years local authority service had been given prior to appointment to the local authority added years post the award would only amount to 2 years i.e. the experience requirement (5 years) less the previous service (3 years).

#### Example 5.

An officer who is entitled to a net award of 10 years dies in service aged 58 with 23 years actual service. An award of 2 years notional service is due for death gratuity purposes (i.e. the officer's potential service to age 60). The net professional added years award for death gratuity purposes is 8 years: the sum of ill-health/death gratuity added years and professional added years may not exceed 10 (a death gratuity based on a total of 33 years service would exceed one years salary) The spouse's pension is, however, based on the service the officer would have had at age 65 viz. 23 years actual service plus 7 years in respect of the officer's potential service to age 65 plus a net award of 10 professional added years. Spouse's and Childrens' Scheme contributions would be due in respect of (i) the 10 professional added years (ii) any pre-scheme service and (iii) the 7 years potential service to age 65.

#### Example 6.

An officer was recruited in an unestablished capacity. The competition regulations specified a minimum entry age of 30. officer was subsequently successful at an establishment competition which had no minimum qualification/experience/age requirements but which was open only to unestablished members of the grade in question. The award in this case would be based on the initial unestablished post.

#### Example 7.

An officer was successful in a competition which had a minimum entry age of 27 and which also required candidates to have 5 years experience. The award in this case is based on the minimum entry age requirement because the required experience would not have precluded appointment by age 25.

Example 8.

An officer was successful in a competition which had a minimum entry age of 30 and which also required candidates to have an unspecified number of years experience. The lowest number of years relevant experience of any of those offered appointment was 8 years. This is deemed to be the minimum experience required and, as this would have precluded appointment by age 25, an award based on the experience requirement may be made in this case.

Appendix 4 - Sample letter of sanction.

I am directed by the Minister for \_\_\_\_\_ to refer to your application for added years under Circular 11/85.

In reply, I am to say that a gross award of years days would seem to be applicable in your case. This award falls to be reduced by years days in respect of your previous service in / your retained benefit from /your social welfare benefit entitlements. Your net award would accordingly be years days.

This award cannot formally be made until your retirement and is conditional on your remaining in employment in the civil service until the normal retirement age of 65.

Should you retire prior to age 60 on grounds other than ill health [or under the current voluntary redundancy/early retirement scheme] you would have no entitlement to added years. Should you retire between the ages of 60 and 65 on grounds other than ill health [or under the current voluntary redundancy/early retirement scheme] the award would be reduced by an amount equal to your potential service (at retirement) to age 65.

Spouses' and Children's Scheme employee contributions must be paid in respect of any award which is made under Circular 11/85.