

Reference No: E105/3/82; **Date:** 07/03/89

Circular 6/1989:- Removal Expenses

A Dhuine Uasail

I am directed by the Minister for Finance to say that following an agreed recommendation made by the General Council under the scheme of conciliation and arbitration for the civil service he has approved new instructions governing the payment of removal expenses to officers of all grades.

2. A copy of the new instructions is attached. These instructions replace those appended to Department of the Public Service Circular 53/74, as amended by Department of the Public Service Circular 1/83.

3. The new instructions should be applied with effect from 1 March 1989.

4. The allowances for incidental expenses incurred in the search for accommodation at the new station (paragraph 15) and for miscellaneous expenses (paragraph 16) and the limits to lodging allowance will continue to be reviewed annually and the revised amounts will be set out in circulars issued by this Department. The current amounts are set out in Circular 7/89.

5. Any telephone enquiries about this circular from Departments/Offices should be made to Tel No: 779601, Ext 506. Personal enquiries from individual officers should be addressed to the Personnel Unit of the employing Department/Office.

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Appendix to Circular 6/89 - Removal Expenses

1. Where an established officer or unestablished officer is permanently transferred on duty from one station to another within the State, or is permanently transferred on appointment to a higher post as a result of success at a confined competition, removal expenses will be allowed in accordance with the following instructions. The instructions will be applied to temporary officers only in cases of clear necessity (e.g. where it is essential to transfer an experienced temporary officer whose services are likely to be required for a considerable time).

2. It is not intended that these instructions should preclude treatment on their merits of very exceptional cases. Any point of doubt or difficulty arising in the application of these instructions should be referred to the Department of Finance.

General

3. Removal expenses will not be allowed in the following circumstances:

(a) Where the officer's Department/Office is satisfied that a transfer from one station to another was not such as would justify a change of residence by reason of such factors as difficulties in travelling to and from work

(b) On an officer's first appointment (including, in the case of an officer already serving, appointment by open competition to another position)

(c) Where the transfer takes place at the officer's own request. If however, the post to which s/he was transferred would, if the officer had not sought transfer, have to be filled by the unrequested transfer of some other officer or would be otherwise filled by an officer to whom removal expenses would be allowable, then the removal expenses of the officer who requested the transfer will be allowed in the ordinary course

(d) Normally, where the transfer has been made on disciplinary grounds

(e) On resignation or retirement, except in the exceptional circumstances of an officer occupying official accommodation at the time of retirement or of the spouse of an officer who dies in the post while occupying such accommodation.

4. Removal expenses will be allowed at the time of transfer only, unless the officer (when officially informed of the transfer) obtains permission to defer removal for a limited period or to arrange the removal of her/his household and furniture in advance of the transfer. Removals should be conducted as economically as possible. Officers who incur unreasonable or unnecessary expense will be required to bear the needless expense themselves. Each item in a removal expenses account, apart from travelling expenses or items or expenses claimed under paragraph 15 and paragraph 16 (i) and (ii), must be supported by a voucher.

5. (i) Travelling expenses allowable under paragraphs 6, 7, 8 and 21 should be recouped on the following basis

(a) Where public transport is available, the cost by public transport or the appropriate reduced mileage rate, whichever is the lesser;

(b) Where public transport is not available, the appropriate reduced mileage rate

Notwithstanding the above, in the case of an officer transferred to duties which are estimated to involve official mileage of at least 2,500 miles in a mileage year, the appropriate normal rates of motor mileage may be paid under paragraph 8. (Estimated mileage will be determined by reference to the average official mileage undertaken by the officer's predecessor on the same duties over the preceding three-year period).

(ii) Subsistence expenses allowable under paragraphs 6, 7, 8 and 9 should be based on the class of subsistence to which the officer is entitled at the date of transfer (not the date of removal of household). If the transfer is consequent on promotion the officer's class of subsistence prior to promotion should be taken.

(iii) For the purposes of paragraphs 6 and 8, a dependent normally resident with the officer may be regarded as a member of the officers family.

Visits to the New Station in Search of Accommodation

6. Where a visit to the new station in advance of the date of transfer for the purpose of finding a house is necessary and is duly authorised by the officer's Department/Office, claims may be allowed for the expenses of three such visits by the officer and a family member who accompanies her/him or by not more than two family members in the officers place. Where no visit has been made before the date of transfer, the expenses of one visit by a member of the officer's family to the new station after the date of

transfer for the same purpose may be allowed. Travelling expenses, and vouched subsistence expenses within the rates appropriate to the officer may be paid in the case of either the officer or a member of the officer's family. The subsistence payments which may be claimed under this paragraph may not exceed a total of ten nights subsistence allowance.

Journey to Superintend Removal

7. An officer who necessarily makes a return journey to the old station to superintend the removal of household and furniture to the new station may be allowed travelling expenses, and vouched subsistence expenses within the appropriate rates, for the time spent in travelling. Alternatively, travelling and subsistence expenses may be allowed on the same basis for a similar journey to a place to which the officer had temporarily moved the family from the old station.

Travelling, etc Expenses on Removal

8. (a) The actual expenses of travelling from the old to the new station may be allowed for the officer and family members who are wholly dependent upon and normally residing with her/him. Children may be included up to 16 years of age or, if they are receiving full-time instruction at a recognised educational establishment, up to 21 years of age, but not above those limits unless they are incapacitated by mental or physical infirmity from earning their own living. The relationship to the officer of each person for whom a claim for travelling expenses is made in the account should be stated, and also the age of each child.

(b) Travelling expenses at the same rate as other members of the family may be allowed in respect of permanent household staff, not exceeding two in number in any case. A nurse necessarily employed may reckon for the purposes of this paragraph.

(c) Vouched subsistence expenses, within the rates ordinarily applicable to the officer, may be allowed in respect of the period occupied by the removal for the officer herself/himself and for each member of the household whose travelling expenses are payable under paragraphs (a) and (b).

(d) Where the family vacate the house at the old station and move to furnished quarters elsewhere and later move to the new station, the total amount allowable by way of travelling and subsistence expenses may not exceed what would be payable for a direct move from the old to the new station. However, if it is shown that an indirect move is unavoidable then this limit will not apply.

Temporary Accommodation During Removal

9. When temporary accommodation is necessarily occupied at the time of removal (e.g. where the old house is vacated and the journey to the new headquarters cannot be made that day, or where the furniture is delayed in transit, or where the house at the new station is not ready for occupation) subsistence expenses may be paid for a period of up to seven nights in total for the officer and the household members whose travelling expenses are payable under paragraph 8. Vouched subsistence expenses within the appropriate normal rate may be allowed for the officer and household members other than children under ten years of age - for these vouched subsistence expenses within the corresponding reduced rate may be allowed. Expenses under this paragraph may not be paid in respect of any period in respect of which the officer is eligible to claim an allowance under paragraph 22.

Subsistence Allowance at New Station

10. An officer with dependents who has not moved the family to the new station or who had not obtained suitable family accommodation in advance of the transfer, or an officer with no dependents, who is obliged to occupy hotel or bed and breakfast accommodation while searching for lodgings, may be paid vouched subsistence expenses within the appropriate normal rate for an initial period of not more than

seven nights at the new station. It is not envisaged that expenses will usually arise under both paragraphs 6 and 10.

Costs of Removing Furniture etc.

11. (a) (i) The cost of removing the officer's ordinary household furniture and effects (including normal gardening equipment) at the time of transfer will be allowed. Claims must be limited to the cost of removal from the old house to permanent accommodation at the new station, or where the household is moved in the first instance to temporary furnished accommodation at the new station, from the old house to store at the old or new station and thence to permanent accommodation at the new station.

(ii) Where the furniture, etc., is moved from the old house to temporary unfurnished accommodation at the new station pending the occupation of permanent unfurnished accommodation there and where a Department/Office is satisfied that such an arrangement is necessary, the cost of the removals to the temporary accommodation and later to the permanent accommodation shall be allowed but the two removals will count as one for the purpose of payment of miscellaneous expenses under paragraph 16.

(b) Three competitive tenders for removal of furniture and effects (including insurance of the goods in transit, but not insurance against fire or other risks) should be obtained wherever possible and submitted for instructions before any tender is accepted. Unless there are good reasons to the contrary, payment will be limited to the amount of the lowest tender. The tenders should state the number and cubic content of van loads to be removed.

(c) No charges will be allowed in respect of animals or poultry save the reasonable expenses of removing domestic pets.

Storage Charges

12. Where an officer takes temporary furnished quarters for herself/himself and the family at the new station and stores furniture, etc, the cost of storage will be allowed for the period during which lodging allowance is payable under paragraphs 22, 23 and 24, or would be payable if the actual cost of board and lodgings or rent of temporary accommodation were sufficiently high. The cost of storage of furniture may be allowed for a further period of up to 3 months, where the officer's Department/Office is satisfied that these costs are necessarily incurred.

Insurance Charges

13. The extra cost of insurance of furniture and effects in transit or in store will be allowed up to the value for which they are ordinarily insured provided the risk is not covered by the tender for removal, or included in the storage charge.

Cleaning Stored Furniture

14. The cost of unpacking, cleaning and repacking furniture, etc, which had been in store for at least two years will be allowed where the cost of removal to store and storage charges were allowed under paragraphs 11 (a) (i) and 12.

Search for Accommodation

15. An allowance for incidental expenses incurred in the search for accommodation at the new station may be paid where no claim in respect of a preliminary visit to the new station has been made

under paragraph 6. The amount of the allowance is set out in the relevant Department of Finance circular authorising increases in certain removal expenses.

Miscellaneous Expenses

16. (i) When an officer who is an owner-occupier of a house, or a householder who occupies an unfurnished rented house, moves into permanent unfurnished accommodation at the new station on transfer, an appropriate unvouched allowance may be paid to her/him to cover items for which provision is not otherwise made, such as adaptation of fittings and cleaning - the amount of the allowance is set out in the relevant Department of Finance circular authorising increases in certain removal expenses

(ii) Flat dwellers may be paid an unvouched allowance as set out in the relevant Department of Finance circular authorising increases in certain removal expenses.

In addition to the unvouched amounts allowed under (i) and (ii) above, the vouched cost of the transfer of a telephone or television aerial will be recouped where these had been installed at the officer's expense at the old station. Where an officer had a cable television facility, which had been connected at the officer's own expense, at the old station, the vouched cost of connection (but not any element of rental) may be recouped in respect of cable television facilities at the new station. Where such is not available, the cost of erection of an aerial, but not any part of the cost of the aerial itself, may be recouped. Similarly, where an officer who had an aerial installed at the old station is transferred to an area where cable facilities are available, the cost of connection to the cable facility at the new station may be allowed.

Tenancy Agreement

17. An officer who was a householder immediately before transfer and who rents permanent unfurnished accommodation in the new district, or who takes temporary accommodation there and later moves into permanent accommodation, may be allowed the costs, where payable, of the tenancy agreement i.e. legal costs and stamp duties, and of house agents' fees for such accommodation. Claims relating to temporary unfurnished accommodation may be admitted only where removal expenses have been allowed under paragraph 11 (a)(ii).

Education Fees Forfeited

18. The proportional share of educational fees (first, second or third level) which the officer has paid in advance and is unable to recover, or which s/he is required to pay in lieu of notice, will be allowed provided a change of school etc. is necessitated by the removal. Claims must be confined to children whose travelling expenses are payable under paragraph 8 and be in respect of full-time attendance at a recognised educational establishment.

Expenses of House Purchase and Sale

19. An officer who was an owner-occupier of a house at the station from which s/he has been transferred or at a station at which s/he served previously and who purchases and occupies a house at the new station may be recouped the following expenses on production of vouchers, provided they are not otherwise recoverable (e.g. where a sale has fallen through and another party to the sale may be liable)

(i) stamp duty paid in connection with purchase of the new house

(ii) auctioneers' or house agents' fees (including reasonable advertising expenses) in accordance with the normal scales of charges in respect of the sale of the old house

(iii) where an auctioneer or house agent is not employed, the officer shall be reimbursed her/his reasonable expenses subject to satisfactory evidence of cost and the provisions at (ii) above

(iv) solicitors' fees and incidental legal expenses, expenses connected with loan or mortgage (including guarantee and survey fees and administrative charges levied by the building society, bank, insurance company etc.) and the cost of a private survey and drains test in accordance with the normal scales of charges.

The term "owner-occupier" shall include the owner of a recently purchased or newly built house who has not yet been able to occupy it, although the owner purchased the house or had it built with the intention of occupying it. However, in such case there will be no entitlement to payment under paragraph 16 (Miscellaneous Expenses) unless there are exceptional circumstances, which should be referred to the Department of Finance for decision.

Officers will be entitled to recoupment of these expenses when there is evidence that the transactions have been completed within a reasonable period from the date of notification of transfer. Normally, this period should not exceed eighteen months. Where an officer is, exceptionally, not in a position to complete house sale and purchase within eighteen months the officer should seek permission from her/his Department or Office to defer a claim under this paragraph.

An officer who was an owner-occupier of a house at the station from which s/he has been transferred may be allowed expenses under (ii), (iii) and (iv) above, in connection with the sale of the house, without the requirement to purchase a house at the new station, provided that the officer concerned informs her/his Department/Office in writing, at the time of transfer, that it is not her/his intention to purchase a house at the new station. In such instances there will be no question of any house purchase expenses being recouped in respect of the transfer in question or subsequent transfers, and payment of lodging allowances under paragraph 22 will not be allowed beyond the date of sale of the house at the old station. The period allowed for sale/lodging shall not normally exceed six months, after which the officer's entitlement to claim lodging/sales expenses will lapse. An officer availing of this provision will not be entitled to claim expenses under paragraphs 6, 9, 10 and 15.

Overlapping Rent (or Analogous Charges)

20. An allowance may be paid for the periods indicated, within the limits and subject to the conditions specified below, to an officer who incurs a liability for rent or other necessary analogous charges, such as mortgage repayments, rent, ground rent and insurance, in respect of:

(a) the house vacated on removal:

(i) for a period normally not exceeding six months from the end of the quarter in which the transfer took place, or

(ii) where an allowance is payable under (b) below, for a period normally not extending beyond six months from the date on which the accommodation at the new station was secured

(b) permanent unfurnished accommodation obtained in advance at the new station for a period normally not exceeding three months prior to the date of transfer and commencing not earlier than the date on which the officer was officially notified of the transfer

(c) temporary accommodation at the new station for a period not exceeding one month from the date on which permanent unfurnished accommodation at the new station was secured.

The amount of the allowance payable under this paragraph shall not exceed one-seventh of the officer's salary for the period covered by the allowance. Payment of the allowance will be subject to the condition that in the case of (a) and (c) the officer has made every effort to dispose of the liability on the most economical terms possible, by inducing the landlord to cancel the engagement or by finding another tenant or otherwise. An allowance in respect of temporary unfurnished accommodation may be paid under (c) only where removal expenses have been allowed under paragraph 11 (a)(ii). No allowance will be payable in respect of mortgage repayments where a claim for the cost of bridging finance is allowed under paragraph 28.

Return Visits to Family etc.

21. An officer who is unable to find suitable unfurnished accommodation for the family at the new station may be allowed travelling expenses at the appropriate rate for one return journey once a week, to visit family members or dependents normally resident with the officer, at the old station, or the place to which the family has been moved (within the cost of travel between the new station and the old), for so long as lodging allowance is payable under paragraphs 22, 23 and 24.

An officer who is an owner-occupier of a house at the old station may, where the officer's family or other dependents (if any) have vacated the house at the old station, and where the house at the old station has not yet been sold, be allowed travelling expenses at the appropriate rate for one return journey once every six weeks to check on the house at the old station. Payment of travelling expenses in such instances is subject to the condition that the officer must be using her/his best endeavours to complete the sale of the house at the new station, and may be continued for so long as lodging allowance is payable under paragraphs 22, 23 and 24.

Lodging Allowances

22. An officer who was already a householder or owner-occupier at the time of transfer may be paid an allowance determined as follows, subject to the provisions of paragraphs 23 and 24, and provided the officer satisfies the Department concerned that suitable permanent unfurnished accommodation at the new station is not available even at somewhat greater expense

(a) where the family or other dependent of the officer is left in the old house at the old station

or

(b) where the old house is vacated and the family or other dependent of the officer moves to furnished quarters elsewhere than at the old or the new station

Reasonable vouched expenses covering the officer's board and lodging at the new station less a deduction for home saving at a rate of £1.05 a week where the officer is eligible for Class A or Class B rate of subsistence allowances and £0.70 a week in other cases.

(c) where the officer, together with her/his family or other dependents (if any), moves to temporary accommodation at the new station and where the house at the old station has not yet been disposed of

The vouched rent of the temporary furnished accommodation (exclusive of fuel, light, board etc) or, where removal expenses have been allowed under paragraph 11 (a)(ii), of the temporary unfurnished accommodation, less the rent received by the officer for the old house (if any). The period of payment of this allowance may not exceed three months, but where an officer produces satisfactory evidence that suitable permanent unfurnished accommodation is not available at the new station, even at somewhat greater expense to herself/himself, this period may be extended with the sanction of the Minister for Finance.

- (d) where the officer can travel daily between the old and the new station

The cost of one return journey daily to and from the new headquarters by public transport (standard class on rail irrespective of officer's grade and at season ticket rates where available) or where suitable public transport is not available, mileage allowance at the appropriate reduced rates in respect of the use of the officer's own motor vehicle, less in each case an amount equivalent to the cost of the corresponding journey to and from the old headquarters.

Payment of an allowance under this paragraph and subsistence allowance under paragraph 10 may not be made concurrently. Payments under paragraph 20 should not be made in respect of periods for which an officer is eligible to claim under this paragraph.

Limits to Lodging Allowances

23. The allowances payable under paragraph 22 are limited as to the amount payable per week. For this purpose, one limit is fixed for officers eligible for Class A or B rates of subsistence and another limit for all other officers, unless the Department/Office is fully satisfied that the circumstances are so exceptional as to warrant special treatment, in which event an allowance may be paid within the higher limit.

The limits to these allowances are reviewed with effect from 1 January each year and are set out in the relevant Circular.

If it is necessary to continue an allowance under paragraph 22 beyond the first 15 months, the amount may not exceed after that period one half the appropriate maximum amount. Under no circumstances may an allowance be paid for a total period of more than 18 months in all without the authority of the Department of Finance, which will be given only in exceptional circumstances.

Review of Lodging Allowances

24. Payments under paragraph 22 should be reviewed every three months. These payments may be terminated on the occasion of the quarterly review, or at any time, if the officer concerned fails to satisfy the Department/Office concerned that suitable permanent unfurnished accommodation is not available at the new station and/or that s/he has endeavoured to complete the sale or the disposal of the house at the old station. For example, an officer would not be entitled to draw an allowance if there was an opportunity of securing unfurnished quarters at the new station which s/he might reasonably be expected to take, even at a figure in excess of that which the officer was previously paying.

Household Removed in Advance

25. An officer who vacates the house at the old station and moves her/his household and furniture to permanent accommodation at the new station in advance of the transfer (see paragraph 4) may be paid an allowance on the same basis and within the same monetary limits as allowances payable under (a) and (b) of paragraph 22. Payment of the allowance should be restricted to the period of three months immediately preceding the date of the officer's transfer. Subsistence allowance under paragraph 10 is not payable in such cases.

Special Leave

26. Special leave with pay for a period not exceeding three days may be allowed to householders who qualify for recoupment of removal expenses under these instructions.

Recoupment of Mortgage Redemption Penalty

27. An officer will be recouped the amount of any penalty (not otherwise recoverable) incurred in consequence of the early redemption of mortgage arising from the transfer, on production of satisfactory evidence that he incurred such penalty.

Bridging Finance

28. An officer who is already an owner-occupier may, subject to what follows, be recouped the cost (less any rebate for income tax to which s/he may be entitled in respect of such cost) of arranging and servicing a bridging loan in respect of the proposed purchase of a home at the new station. Claims will be allowed only in respect of interest, (qualifying for income tax relief) payable to a bank, credit union, building society or any other financial institution. Details of such bodies may be obtained from the Inspector of Taxes for Public Departments. Claims or proposed commitments in respect of interest payable to persons or bodies other than these must first be referred for consideration to the Department of Finance. The amount of the bridging loan on which interest will be recouped is limited to the likely selling price of the old house, and the period of recoupment may not exceed three months; but in exceptional circumstances this period may be extended with the sanction of the Department of Finance. The Department/Office should ascertain from the officer (e.g. by sight of the letter from a building society to the officer's solicitor transferring the loan to the officer), the actual date on which the proceeds from the sale of the old house became available and payment on foot of bridging finance should not be made beyond that date. Before entering into any commitment under this paragraph the officer concerned should seek the approval of her/his own Department/Office which should, if necessary, consult the Department of Finance.

29. When making a claim under paragraph 27 and/or 28 the officer should furnish a certificate from the Inspector of Taxes for Public Departments showing the relief due for income tax purposes in respect of the payments made under paragraph 27 and/or 28.

30. These instructions apply with effect from 1 March 1989.