

Reference No: Circular 2/2008; **Date:** 14/01/2008

Circular 2/2008:- Retention of civil servants beyond the normal retiring age - maximum income limits allowable on grounds of hardship.

E109/124/81 Part 1

14 January, 2008

To all Personnel Officers

Circular: 2 /2008 Retention of civil servants beyond the normal retiring age - maximum income limits allowable on grounds of hardship.

A Dhuine Uasail,

1. I am directed by the Minister for Finance to refer to paragraph 1 of Circular 3/2007 regarding the maximum income limits allowable where the retention of a civil servant beyond the normal retiring age on grounds of hardship is sought.

The maximum income limits allowable have been reviewed and the following rates are applicable with effect from 5 January 2008:

€212.00 per week (€11,062.16 per year) for an officer

€140.10 per week (€7,310.42 per year) for a spouse

€24.00 per week (€1,252.32 per year) for each dependent (i.e. a person resident with and wholly dependent on the officer).

The maximum income limits specified at paragraph 1 of Circular 3/2007 are superseded accordingly.

2. The Head of Department may, without referral to this Department, approve the retention of an officer who, at retiring age, is on a salary scale the maximum point of which is not greater than that of Higher Executive Officer, provided

- (a) An officer's total income on retirement and that of his/her spouse and dependents would be less than the limits specified in Paragraph 1 above; particular attention should be paid to paragraphs 10 and 11 of DPS Circular Letter 13/75 in this regard. Departments should take into account all entitlements regardless of whether or not they are claimed.

Typical entitlements are Retirement Pension (available at age 65, depending on the level of Social Welfare contributions), Old Age Contributory and non-Contributory Pensions (available at age 66, depending on the level of Social Welfare contributions in the case of the former and means testing in the case of the latter). Departments should confirm the position with the Department of Social Welfare if necessary, unless the officer seeking retention has a written statement from that Department showing his/her entitlements (and those of his/her spouse and dependents where relevant);

and

- (b) that the Head of the Department/Office must certify that
- (a) the officer would have to be replaced if s/he 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.

and

- (c) the provisions of paragraph 16, 17, 22 and 31 of DPS Circular 13/75 have been met.

3. All other cases must continue to be referred, ***in writing***, to Career and Appointments Section, Room 1.15, Mount Street, Dublin 2.

4. This Circular is also available on the Department's web-site at <http://www.finance.gov.ie>.

Mise le meas,

Michael Errity
Assistant Secretary

Please note:

Circular 13/75, as with all relevant Circulars, is available on www.codpearsanra.gov.ie and www.personnelcode.gov.ie.