12/02/1990 GL:- Revised Scheme for the purchase of notional service for superannuation purposes by established civil servants

A chara

I am directed by the Minister for Finance to refer to Circular 1/90 (advance copy herewith) concerning a revised Scheme for the purchase of notional service for superannuation purposes by established civil servants.

2. Full details of the revised Scheme are set out in the Appendices to General Council Report 1136, a copy of which is enclosed for information - further copies will be issued shortly. It will be noted that the revised Scheme is broadly similar to the Scheme introduced recently for non-established State employees (Circular 24/88 and the accompanying Letter to Personnel Officers dated 30 December 1988 refer). It provides for payment of periodic contributions up to compulsory retirement age, allows greater flexibility in the matter of lump sum purchase and provides for actuarial reduction of benefits which come into payment before compulsory retirement age.

4. The revised Scheme will apply in the case of all options to purchase notional service where payment of contributions commences on or after 1 February 1990. The existing Scheme will continue to apply to any cases where lump sum payments have been made, or periodic contributions have commenced, before that date. Officers who have opted to purchase notional service prior to 1 February 1990 but whose periodic contributions have not commenced by that date (or who have not made a lump sum payment by that date) will accordingly be subject to the provisions of the revised Scheme. Such officers should be advised accordingly and requested to confirm, in writing, that they wish to proceed with purchase options in accordance with the revised provisions.

5. Any enquiries about this Scheme should be referred in writing to the Pensions Section of this Department.

6. I am also to say that the yearly returns which Departments were requested to make in paragraph 9 of the Letter to Personnel Officers dated 27 April 1979 are no longer required.

Mise le meas,
W. Power
Principal Pensions Section

Revised Scheme for Purchase of Service for Superannuation purposes by Established Civil Servants

1. Commencement

1.1 This Scheme will be deemed to have come into force on 1 February 1990.

2. Scope

2.1 This Scheme applies only to civil servants serving in an established capacity on or after 1 February 1990 who

(a) would have at least nine years’ reckonable service (excluding purchased service) by the time they reach maximum retirement age,
(b) are not on sick leave or special leave without pay or suspended from duty (with or without pay), and

(c) exercise a valid option at the appropriate time (see paragraph 3).

3. Conditions

3.1 The service which may be purchased under this Scheme may not exceed the limits described in Appendix 2.

3.2 An option to purchase service by periodic contributions may only be exercised where at least two years will elapse between the date of the officer's next birthday and the date on which s/he will reach maximum retirement age.

3.3 An option to purchase service by lump sum contribution must be exercised

(a) within two years of an officer's appointment in an established capacity, or

(b) on the date of an officer's retirement or prior to and within two years of that date, or

(c) within 6 months of an officer's return to duty following a period of special leave without pay (the amount of service purchased in such a case may not exceed the duration of the period of special leave).

3.4 Where the amount of service being purchased is less than one year it must be paid for by lump sum contribution.

3.5 An option to purchase service by either method must be exercised in writing while the officer is still serving.

3.6 Subject to subparagraph 3.7 following, officers will not be allowed to revoke options under this Scheme unless they give notice in writing to that effect before the lump sum contributions are made or the periodic contributions commence.

3.7 In the case of options to purchase by way of periodic contributions, officers may, if they so wish, choose to cease paying the contributions with effect from the date of their next birthday following receipt of their notification of cesser; in such cases their credit in respect of purchased service will be calculated in accordance with subparagraph 5.5.

3.8 If an officer exercises more than one option to purchase service each such option will be treated separately for the purposes of this Scheme.

4. Procedure

4.1 Service may be purchased by (a) periodic contributions or (b) lump sum contribution.

4.2 For the purposes of this Scheme the term "salary" means;

(a) the pensionable remuneration by reference to which the officer's lump sum and pension are calculated, where the purchase option is made at retirement; or

(b) the actual rate from time to time of an officer's pay where the purchase option is made before retirement.
4.3 Where, however, the purchase option is made before retirement and an officer's superannuation benefits are calculated by reference to an amount which includes an element other than salary, an extra contribution will be payable, by way of deduction from the lump sum or death gratuity or preserved lump sum or preserved death gratuity, in respect of such non-salary element. The extra contribution will be the equivalent of the contribution, additional to that based on the officer's salary, which would be payable if

(a) at the date of retirement, resignation or death, the officer had exercised an option to purchase by lump sum an equivalent amount of purchased service, and

(b) the salary by reference to which the contribution fell to be calculated was equal to the non-salary element in the pensionable remuneration by reference to which the officer's superannuation benefits were calculated.

4.4 Where an extra contribution under subparagraph 4.3 falls to be deducted from a preserved lump sum or preserved death gratuity, and the preserved lump sum or preserved death gratuity in question falls to be increased by reference to any pension increases granted under regulations made under the Pensions (Increase) Act, 1964 during the period between resignation and the date on which the preserved lump sum or preserved death gratuity becomes payable, the extra contribution shall be calculated by reference to an amount equivalent to the non-salary element at date of resignation as increased by reference to the aforesaid pensions increases.

4.5 In the case of an option to purchase service by periodic contributions, the contributions will be levied on salary payable from the date of the officer's next birthday until the date s/he reaches maximum retirement age. The rate of contribution will be calculated in accordance with Table I of Appendix 1.

4.6 In the case of an option to purchase service by lump sum contribution, the contribution will be levied on the officer's salary at the date the option is exercised. The rate of contribution will be calculated in accordance with Table II of Appendix 1 by reference to the officer's age next birthday. The contribution must be paid within six months of the actual date of exercising the option; otherwise the option will be invalidated.

4.7 Where an officer is in receipt of a reduced rate of salary because of absence from employment, the contributions in respect of that period will be calculated by reference to the rate of salary which would be payable if the officer were not so absent. No contributions may be made during periods of unpaid absence from employment and the service credit will be proportionately reduced in any such case.

5 Crediting of Purchased Service

5.1 Subject to sub-paragraphs 5.2 and 5.3 following, purchased service will be taken into account for the purpose of calculating all superannuation benefits. The officer concerned must, however, have the requisite minimum reckonable service (excluding purchased service) to qualify for the benefit in question.

5.2 Purchased service will not reckon in the calculation of marriage gratuities.

5.3 Where an award of notional added service falls to be calculated by reference to an officers reckonable service (e.g. in the case of retirement on grounds of ill-health), purchased service will not be taken into account for the purposes of the calculation.

5.4 If an officer continues to serve up to maximum retirement age and, in case s/he is purchasing by way of periodic contributions, continues to pay such contributions up to maximum retirement age, the full amount of any service s/he has purchased will count as reckonable service.
5.5 If an officer who is purchasing service under this Scheme by way of periodic contributions ceases to pay such contributions before maximum retirement age, the amount of purchased service to be granted to the officer will be determined by the formula

\[ A \times \frac{B}{C} \]

where:-

- A is the number of years' service which the officer opted to purchase;
- B is the period during which periodic contributions have actually been paid; and
- C is the period during which periodic contributions would have been paid if the officer had continued to pay such contributions up to maximum retirement age.

5.6 If an officer who has purchased service under this Scheme qualifies for a superannuation benefit (other than a death gratuity or a benefit under the Spouses' and Children's Pension Scheme) which is payable before maximum retirement age (e.g. in the case of ill-health retirement), the service so purchased i.e. the full service purchased by way of lump sum contribution or the proportionate service (calculated in accordance with subparagraph 5.5) purchased by way of periodic contributions will be actuarially reduced at a rate calculated in accordance with the Tables in Appendix 3.

5.7 Subject to subparagraph 5.6 above, where an officer to whom the Superannuation (Prison Officers) Act 1919 exercises a purchase option under this Scheme, the exercise of the option shall only have the effect of increasing

- (a) the officer's pension or preserved pension by 1/80th of the pensionable remuneration by reference to which that pension or preserved pension was calculated,

- and

- (b) the officer's retirement lump, death gratuity, preserved lump sum or preserved death gratuity by 3/80ths of that pensionable remuneration in respect of each year of purchased service.

6. Refunds

6.1 If an officer who has purchased service

- (a) is awarded a marriage gratuity, or

- (b) does not qualify for a superannuation benefit and does not transfer service to another organisation for superannuation purposes

all contributions paid under this Scheme will be refunded.

6.2 An officer who is a member of the Original Spouses' and Children's Pension Scheme and who, while unmarried,

- (a) dies in service, or
(b) retires or resigns and does not transfer service to another organisation for superannuation purposes will qualify for a refund of his/her contributions for purchased service in respect of the Spouses’ and Children's Scheme as follows:-

(i) if s/he was unmarried during the whole of the period of his/her membership of the Scheme, all contributions paid will be refunded,

(ii) in any other case:

(a) if s/he has paid by periodic contributions, all contributions paid since his/her last marriage ended will be refunded;

(b) if the payment was made by lump sum contribution, the proportion A/B of the contribution will be refunded, where A is the period (expressed to the nearest day) since the officer's last marriage ended and B is the period (expressed to the nearest day) since the officer opted to purchase service, subject to the refund not exceeding the total amount of the contribution.

6.3 The rate of contribution in respect of the Spouses' and Children's Pension Scheme is the rate obtained by subtracting the rate of contribution which would have been paid if the officer had not been a member of the Spouses’ and Children's Scheme from the rate of contribution actually paid.

6.4 A deduction in respect of tax will be made from all refunds of contributions in accordance with section 21 of the Finance Act, 1972.

6.5 If it becomes clear while an officer is purchasing service by periodic contributions that s/he would not qualify for a superannuation benefit in respect of all of the service which s/he contracted to purchase, a revised rate of periodic contribution will be calculated based on the officer's age next birthday on the date of the original option and the maximum period of purchased service which would be reckonable; contributions at the revised rate will commence as soon as possible but excess contributions paid under the former option will be offset against contributions due under the revised purchase option. The amount of the excess contributions paid to date under that option where B is the period of service which the officer contracted to purchase and A is the portion of such service in respect of which the officer would not qualify for a superannuation benefit.

General

7.1 The rates of contribution and the actuarial reduction factors (set out in Appendices 1 and 3 respectively) applicable from time to time under the Scheme will be such as to ensure that the Scheme is self-financing. Where necessary, revised rates and factors will be set following discussions between the Official and Staff Sides at General Council under the scheme of conciliation and arbitration for the civil service; staff who have commenced payment of contributions prior to such revision (if any) will not be affected.

7.2 The decision of the Minister for Finance in any exceptional case or on any question of interpretation will be final.

7.3 Enquiries concerning this Scheme, and applications to exercise purchase options, should be made to an officer's own Department.
Appendix 1 to the Scheme for the purchase of service for Superannuation purposes: Rates of Contributions

1. For an officer who opts to purchase service by periodic contributions, Tables I and IA (as appropriate) show the rates of contribution - for each year of service being purchased - which will be levied on salary payable between the date of the officer's next birthday and the date on which s/he attains maximum retirement age.

2. For an officer who opts to purchase service by a lump sum contribution, Tables II and IIA (as appropriate) show the rates of contribution - for each year of notional service being purchased - which will be levied on salary payable at the date the option is exercised.

3. Where purchased service is not an exact number of completed years, the contribution will be calculated by applying the appropriate fraction to the contribution rate in question.

Table I - Purchase Scheme: Periodic Contributions (for staff with a maximum retiring age of 65)

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<th>Age next birthday at exercise of option</th>
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Table IA - Purchase Scheme: Periodic Contributions (for staff with a maximum retiring age of 60)

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Table II - Purchase Scheme: Lump-sum Contributions (for staff with a maximum retiring age of 65)

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Table IIA - Purchase Scheme: Periodic Contributions (for staff with a maximum retiring age of 60)

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<td>18.22</td>
<td>21.84</td>
</tr>
</tbody>
</table>
Appendix 2 to the Scheme for the purchase of service for superannuation purposes: limits on the amount of service which may be purchased.

1. The maximum amount of service which may be purchased depends on the officer's prospective pensionable service at age 65 and any retained benefits received or receivable by virtue of earlier service under another occupational pension scheme. (Retained benefits mean benefits from a previous pension scheme and include pensions, commutation payments, lump sums, gratuities and refunds of superannuation contributions.)

| Actual reckonable service (including transferred service but excluding purchased service and notional added service) which the officer would have if s/he remains in service until age 65 | Maximum service which can be purchased | Difference between 40 years and reckonable service by age 65 |
|-------------------------------------------------|---------------------------------|---------------------------------
| 20 years or more                                 |                                 |                                  |
| 19 years                                         | 17 years                        |                                  |
| 18 years                                         | 15 years                        |                                  |
| 17 years                                         | 13 years                        |                                  |
| 16 years                                         | 11 years                        |                                  |
| 15 years                                         | 9 years                         |                                  |
| 14 years                                         | 7 years                         |                                  |
| 13 years                                         | 5 years                         |                                  |
| 12 years                                         | 4 years                         |                                  |
| 11 years                                         | 3 years                         |                                  |
| 10 years                                         | 2 years                         |                                  |
| 9 years                                          | 1 year                          |                                  |

2. For an officer who would have at least nine years' reckonable service (excluding purchased service and notional added service) at age 65 and who is not entitled to retained benefits from a previous pension scheme, the maximum amount of notional service which may be purchased is as follows:

3. The limits outlined in the Table above are subject to the overriding restriction that the amount of service which may be purchased together with service which is otherwise reckonable, shall not in any case exceed 40 years. Thus, for example, an officer who would have 18 years actual reckonable service at age 65, and who is eligible for an award of 10 added years under DPS Circular 11/85, may not purchase more than 12 years service under this scheme.
4. Where the potential actual reckonable service at age 65 is less than 20 years but includes days of service in excess of a complete number of years, a number of days equal to 365 less the excess days in question may be purchased in addition to the appropriate number of years in the second column of the Table.

5. Where an officer is entitled to retained benefits for earlier service under another occupational pension scheme, and those benefits are identical to the benefits which would be payable under the Superannuation Acts for an equivalent period of service, the maximum number of years of notional service which may be purchased will be the smaller of

   (1) the maximum specified in paragraph 2; and
   (2) \(40 - A - B\),

where \(A\) is the reckonable service which the officer would have at age 65 and \(B\) is the length of the officer's pensionable service in the previous scheme.

6. Where the value of the retained benefits paid or payable is not identical to the value of the superannuation benefits which would be payable under the Superannuation Acts in respect of an equivalent period, the case should be referred to the Department of Finance for a decision as to the amount of service which may be purchased.

7. The foregoing provisions will be appropriately modified in their application to officers whose maximum retiring age is 60 (i.e. officers to whom the Superannuation (Prison Officers) Act, 1919 applies).

Appendix 3 to the Scheme for the purchase of notional service for superannuation purposes: Calculation of actuarially reduced equivalent of notional service purchased (see paragraph 5.6 of scheme)

Where payment of a superannuation benefit, other than a death gratuity or a benefit under the spouses and children's pension scheme, which takes account of purchased service commences before the date of the officer's maximum retiring age (e.g. where an officer who is purchasing service retires before age 65) the following tables show the factors to be used in calculating the actuarially reduced equivalent of the proportionate service purchased at that date:

Table 1 - (for staff with a maximum retiring age of 65)

<table>
<thead>
<tr>
<th>Age at which payment of benefit commences</th>
<th>Factor to use in calculating (a) Lump Sum</th>
<th>Factor to use in calculating (b) Pension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>Female</td>
<td></td>
</tr>
<tr>
<td>64</td>
<td>0.98</td>
<td>0.92</td>
</tr>
<tr>
<td>63</td>
<td>0.95</td>
<td>0.85</td>
</tr>
<tr>
<td>62</td>
<td>0.93</td>
<td>0.78</td>
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<tr>
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<td>0.91</td>
<td>0.73</td>
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<tr>
<td>60</td>
<td>0.89</td>
<td>0.68</td>
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<tr>
<td>59</td>
<td>0.87</td>
<td>0.63</td>
</tr>
<tr>
<td>Age</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>-----</td>
<td>------</td>
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</tr>
<tr>
<td>59</td>
<td>0.98</td>
<td>0.93</td>
</tr>
<tr>
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<tr>
<td>57</td>
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</tr>
<tr>
<td>56</td>
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<td>0.76</td>
</tr>
</tbody>
</table>

Table 2 - (for staff with a maximum retiring age of 60)

Age at which payment of benefit commences

(a) Lump Sum

Factor to be used in calculating

(b) Pension

<table>
<thead>
<tr>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>59</td>
<td>0.98</td>
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<tr>
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<td>0.95</td>
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</table>

(Note: In tables 1 and 2 above, the age referred to is the officer's age on the birthday preceding payment of benefit.)