Members’ Public Service Superannuation Scheme

Guide to member leaving or resigning before pension age 60 or 65*

Members should consult the relevant superannuation scheme for definitive rules.

1 Options available on leaving service before normal pension age – 60 or 65*

The minimum service threshold for preservation of benefit is currently 2 years. (For those who left prior to 2002 the minimum service was 5 years).

If you have not accrued the minimum service for preservation of benefit you have 3 options available to you:

(i) If you intend returning to employment within the same superannuation scheme, do nothing. All service will be taken into account in calculating benefit at retirement in accordance with the terms and conditions in place at that time.

(ii) If you move to employment in another public service body that participates in the Public Service Transfer Network or the Local Government Transfer Network, you may transfer the service to that body. Your new employer will provide information.

(iii) If you do not wish to avail of Option (i) or (ii) you may apply for a refund of the contributions you paid to the scheme. It is important to note that where you obtain a refund and you subsequently take up employment in the public sector and wish to repay the contributions, the future reckoning of that service will be in accordance with the terms and conditions in place at that time including the payment of appropriate contributions.

The refund payable is the total contributions paid by the member less tax, currently 20%, charged on those contributions. To make application for refund, please complete application form R001 and Bank Form 2 and return it to the address on the application forms.

For information: Tax relief at source is granted in respect of pension contributions paid by deduction from salary. However under Revenue rules, tax at the appropriate rate is charged on refund of pension contributions.

If you have accrued the minimum service for preservation of benefit a refund of contributions is not an option. The following options are available to you:

(i) If you intend returning to employment within the same superannuation scheme, further service will accrue and the total service will be taken into account in calculating benefit at retirement.

(ii) If you move to employment in another public service body that participates in the Public Service Transfer Network or the Local Government Transfer Network, you may transfer the service to that body. Your new employer will provide information.

(iii) If you do not take up employment within the public service, you will have a preserved benefit based on the accrued pensionable service, which you may claim when you reach age 60 or 65*. To claim this preserved pension please complete the application form (teacher / non-teacher) and also Bank Form 2 available on www.education.ie and return to the address on the application form.

or

If you are age 50 or 55*, and a serving member of the scheme, you may be eligible to apply for Cost Neutral Early Retirement benefits. Please see Circular 07/05 Application form CNER 1 is available on www.education.ie.

(iv) A teacher, who is not a new entrant*, may apply for immediate payment of pension from age 55 provided s/he has completed 35 years of actual teaching service. Please see Info PCW 55/35 for details regarding eligibility. To apply for pension and lump sum please complete the application form P1 and Bank Form 1 having read information leaflet PI available on www.education.ie and return to the address on the application form.
2. *“New entrant” and retirement age*

*“New entrant” as defined in the Public Service Superannuation (Miscellaneous Provisions) Act 2004 has a minimum pension age of 65*. In the case of a person whose employment commenced before 1 April 2004 and who is not a *“new entrant” as defined in the Public Service Superannuation (Miscellaneous Provisions), Act 2004* the minimum retirement age is 60 (see (iv) above for exception) and the maximum retirement age is 65.

In respect of teaching and non teaching school staff in Public Service Superannuation Schemes there is an arrangement to facilitate the smooth running of the school which allows the date of retirement to be the end of the school year in which the maximum retirement age is reached.

Preserved Pension age is, in general, age 60 in the case of a person whose employment commenced before 1 April 2004 and who is not a *“new entrant”* as defined in the Public Service Superannuation (Miscellaneous Provisions), Act 2004. In the case of a person who is a *“new entrants”* under that Act the age is 65.

Cost Neutral Early Retirement is only an option if you are still a serving member of the scheme. A member who is not a *“new entrant”* as defined in the Public Service Superannuation (Miscellaneous Provisions), Act 2004 may apply for Cost Neutral Early Retirement benefit from age 50. In the case of a person who is a *“new entrants”* under the Public Service Superannuation (Miscellaneous Provisions), Act 2004 the age is 55 years.

3. **Death before preserved benefits become payable**

Where a member, who has left the service with eligibility for preserved superannuation benefits, dies before reaching pension age, certain benefits may be payable in accordance with the terms of the pension scheme. A preserved death gratuity based on actual service accrued, may be payable to the former member’s legal next of kin, on production of Grant of Probate or Letters of Administration. A Spouse’s Pension may also be payable to a surviving spouse. The next of kin or legal representative may contact Pension Section, Department of Education and Skills, Cornamaddy, Athlone by post or email pensions@education.gov.ie providing information in relation to the deceased member’s Personal Public Service Number (PPSN) and/or reference number, the sector in which s/he work (i.e. Primary, Secondary, Community or Comprehensive school etc) and the post which s/he held in that sector, to establish if there is an entitlement to a superannuation benefit.

4. **Pension Adjustment Order and preserved benefits**

Preserved pension benefits of a member and spouse may be subject to a Pension Adjustment Order obtained in the course of divorce or judicial separation proceedings. If a Pension Adjustment Order has been granted by the Court in relation to benefits and presented and accepted by Pension Section, Department of Education and Skills the terms of the Pension Adjustment Order must be applied.

5. **Important: Contact Details**

Members who leave service before normal pension age and have a preserved pension entitlement are advised to provide Pension Section, Department of Education and Skills, Cornamaddy, Athlone, by post or email pensions@education.gov.ie, with a contact address and update this address as appropriate. Please quote your Personal Public Service Number (PPSN) and/or your reference number on all correspondence, the sector in which you work/ed (i.e. Primary, Secondary, Community or Comprehensive school etc) and the post which you held.