
GRA Garda Pensions Guide

Garda Representative Association



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Important Disclaimer

The information provided in this guide is designed to provide helpful information to GRA members on Garda pensions. This booklet is subject to change and update without notice. It is not meant to be used, nor should it be used, as a basis for making decisions, financial or otherwise.

Members are directed to the sources of information listed in section 1.3. Members must not rely on this document but must refer all queries to Garda HR before taking any action or basing any assumptions on the indicative information contained in this guide. Pensions are a complex subject and while the GRA have made every effort to ensure that the information in this guide is accurate, the GRA, its servants and agents, take no responsibility for any action taken by members on foot of this information.

Pension regulations and practice are subject to ongoing evolution and clarification. It is the intention of the GRA to update this document from time to time and to make these updates available to members in PDF format. Members should check the GRA website for the latest update.



Abbreviations

Throughout this document, the following abbreviations apply.

Abbreviations	Refers to
CPI	Consumer Price index
CSO	Central Statistics Office
DSP	Department of Social Protection
Justice or DoJ	Department of Justice & Equality
CSP	State Pension Contributory (SPC) or Contributory State Pension (Formerly.. Old Age Pension)
DPER or DPENDPR	Department of Public Expenditure NDP Delivery and Reform
Pensionable Pay	Basic + Roster Premium + Pensionable Allowances
Pre-95	Gardaí attested before 6 th April 1995.
Post-95	Gardaí attested on or after 6 th April 1995.
Post-04	Gardaí attested on or after 1 st April 2004.
Single Scheme	Single Public Service Pension Scheme or Career Average Scheme
Post-2012	Gardaí attested on or after 1 st January 2013 i.e., those in the Single Scheme
Pre-existing pension scheme	All public service pension schemes with the exception of the Single Scheme. i.e., All Pre-2013 pension schemes
PRSA	Personal Retirement Savings Account
WRC	Workplace Relations Commission



1 Introduction

1.1 Focus of this Guide

This guide sets out to provide information to GRA members on the range of pension entitlements that apply to Garda rank.

1.2 Future Updates

As noted throughout this guide, the GRA continue to engage with management, Justice and DPENDPR to highlight and resolve a range of pension issues, including supplementary pension deficiencies, pensionable allowances PRSI anomalies (see 3.8) and deficiencies in the Single Scheme. The PRSI anomalies are currently before WRC Conciliation and a major update to the post-95 supplementary pension process is due in early 2024. A GRA submission on the single scheme is currently with Justice / DPENDPR. This guide will be updated accordingly.

1.3 Garda Rank Pension Schemes

Gardaí are covered by 2 main pension schemes: -

- The Garda Síochána Superannuation Scheme and
- The Single Public Service Pension Scheme (also referred to as the Career Average Pension Scheme or Single Scheme)

The terms of the Garda Síochána Superannuation Scheme were modified significantly in 1995 and in 2004, creating 3 sub-schemes within the main scheme. There are now effectively 4 pension schemes covering Gardaí.

The 4 Garda Rank Pension Schemes		
Scheme Abbreviation	Garda Joining Date	PRSI Class & Description
Pre-95	Before 6 th April 1995.	Class B PRSI
Post-95	On or After 6 th April 1995.	Class A PRSI
Post-04	On or After 1 st April 2004.	Class A PRSI Minimum retirement age increased to 55.
Single Scheme	On or After 1 st January 2013	Class A PRSI The Single Public Service Pension Scheme



1.4 Sources of Further Information

- Each year, the **Department of Justice & Equality** produce a report on the Garda Síochána Superannuation scheme. The latest report is always an important source of information.
 - Pension queries may be addressed to the Pensions Administration Section, Financial Shared Services, Department of Justice and Equality, Deerpark Road, Killarney, Co. Kerry. EIRCODE V93 KH28
Tel. (064) 6670300, (01) 6028202 or Lo-call 1890 221227, Ext. 2422, 2535 or 2316.
 - The Pension Authority regulates the pre-2013 Garda Pension Scheme. The registration number of the Garda scheme is PB43833. Visitors to the Pensions Authority website are referred to www.cspensions.gov.ie for information on the Single Public Sector Pension Scheme.
 - The GRA website provides a summary of pension benefits.
 - Government circulars are available on various aspects of Garda pension schemes. These are available on the following websites: -
 1. www.circulars.gov.ie
 2. www.per.gov.ie/pensions.
 3. www.cspensions.gov.ie
 4. [Single Public Service Pension Scheme \(singlepensionscheme.gov.ie\)](http://singlepensionscheme.gov.ie)
 5. [Fast-Accrual-Scheme-Information-Booklet WEB-1.pdf \(singlepensionscheme.gov.ie\)](#)
 - At www.Garda.ie select Human Resource and People Development, Pay & Pensions Section (Garda and Staff), for a list of links to relevant legislation and circulars.
 - Google searches will identify further web sources.
 - Some of the most important circulars dealing with Garda pensions include the following: -
 - Circular 6/1995: Revised social insurance status and conditions of service of certain civil servants. Department of Finance
 - Circular 4/2006: Purchase of Notional Service for Superannuation Purposes by Established and Non-Established Civil Servants - June 06
 - Circular 19/2005 - Public Service Pension Reform: Revised method of calculation of pension entitlement for public servants whose pensions are integrated with social welfare benefits - July 05
 - Circular 10/2005 - Public Service Pension Reform: Introduction of cost neutral early retirement - April 05
- Others are listed at <http://www.cspensions.gov.ie/Circulars.asp> and are referenced in footnotes throughout this document.

1.5 Life Expectancy

The Irish Central Statistics Office (CSO) quote the following life expectancies for people who have reached 55 years of age.



Life Expectancy at 55 Years of Age¹		
	2005 - 2007	2015 - 2017
Male	24.8 years	26.8 years
Female	28.5 years	29.8 years

The figures indicate the ongoing increase in average life expectancy that CSO figures have revealed.

Although life expectancy is internationally increasing by approximately 1 year every 4 years, these figures may overstate the life expectancy of Gardaí who are generally understood to have lower than average life expectancy due to factors such as shift working and the stressful nature of the job.

¹ Source: www.cso.ie Life Expectancy Tables.



2 Pre-95 Pensions

This chapter outlines the benefits and features of pensions for Gardaí who attested before the 6th of April 1995 (hereafter referred to as Pre-95). See chapter 4 for further details.

2.1 Pension Contribution Rates for Pre-95 Gardaí

A deduction of **1.75%** of basic pay and pensionable Unsocial Hours Allowances is made from the weekly salary of serving members.

A deduction of **1.5%** is also made in respect of the spouses and children's pension scheme.

These deductions are tax allowable at source.

Membership of the pension scheme and the spouses and children's scheme are both compulsory.

In January 2019, an Additional Superannuation Contribution was introduced – see section 4.16 for details.

2.2 PRSI Benefits for Class B Contributors

Members who joined An Garda Síochána before 6th April 1995 pay PRSI at the Class B rate as follows: -

Class B PRSI Contributions where income is over €500 / week.		
Pay Band	Employee PRSI	Employer PRSI
First €1,443 of weekly pay	0.9%	2.01%
Balance of	4.0%	2.01%

Budget 2024 : All the above PRSI contribution rates (i.e. both employee and employer contribution rates) will increase by 0.1% from 1st October 2024.

PRSI benefits for Class B Contributors

- Widow/Widower's or Surviving Civil Partner's (Contributory) Pension
- Guardian's Payment (Contributory)
- Limited Occupational Injuries Benefit
- Carer's Benefit

No entitlement to a contributory state pension (CSP) pension arises from class B contributions.

2.3 Main Benefits under the Scheme

The main benefits under An Garda Síochána Superannuation Scheme are as follows: -

- Annual Pension
- Retirement gratuity lump sum or Death (in service) gratuity lump sum.
- Preserved benefits where the member leaves before normal retirement age.
- Spouses & children's pensions – separate scheme.



2.4 Retirement Age, Gratuity & Pension Calculation : Pre-95

Gardaí who attested before 6th April 1995 are entitled to retire at or after **50** years of age, provided they have achieved 30 years' service.

With 30 years' service, they receive the maximum pension which is 50% of final pensionable pay (Basic + Roster premium + Pensionable Allowances²) + a tax-free lump sum of 1½ times final pensionable pay.

All Gardaí must retire by age 60 at the latest.

Cost Neutral early retirement is also an option – see chapter 7.

On retirement, Pre-95 Gardaí may have the option of taking another job, earning additional income and building up contributions towards the normal contributory state pension (CSP) which he or she could then receive at the normal State Pension age (currently 66³) in addition to their full Garda pension.

The following table sets out how to calculate both lump sum on retirement and annual pension.

Calculation of Full Pension & Lump Sum Gratuity for Garda Attested Before 6 th April 1995		
Formula		Example based on Pensionable Pay of €60,000 and 30 years' service
Lump Sum Gratuity	Pensionable Pay \times 1½	€60,000 \times 1½ = €90,000
Pension	Pensionable Pay / 2	€60,000 / 2 = €30,000 per Year

This is a simplified formula which works where the Garda has completed 30 years' service. A more complex formula is used where less than 30 years' service has been achieved. This could occur, for example, where a Garda who joined before 6th April 1995, took unpaid leave and cannot achieve 30 years' actual service by the mandatory retirement age of 60.

In this case, the following formula applies: -

Calculation of Pension & Lump Sum Gratuity for Garda Attested Before 6 th April 1995		
Calculation		Example based on Pensionable Pay of €60,000 and 26 years' actual service
Lump Sum Gratuity	Pensionable Pay \times Years' service (double after 20) \times 3/80 ^{ths}	€60,000 \times 32 \times 3/80 ^{ths} = €72,000

² Roster Premium & Pensionable allowances are calculated as the average of the best 3 consecutive years in the last 10 years.

³ There is currently (Nov 2023) no provision to increase the State pension qualification age.



Pension	Pensionable Pay x Years' service (double after 20) x 1/80 th	60,000 x 32 x 1/80 th = € 24,000
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Pension and retirement gratuity payments are determined by: -

- Total reckonable service (maximum = 40 years) and
- Pensionable remuneration on last day of reckonable service.

Pension and gratuity are payable for each year (and portion of a year) of reckonable service at the following rates: -

- Pension = 1/80th of reckonable remuneration,
- Gratuity = 3/80^{ths} of reckonable remuneration.

The maximum pension payable (other than a Special Pension) is 40/80^{ths} (i.e., 50%) of pensionable remuneration.

The maximum gratuity is 120/80^{ths} of pensionable remuneration (i.e., 1½ times).

Actual Service & Reckonable Service

Service after the 20th year is doubled for pension purposes. Accordingly, a member with 30 years' service receives maximum pension and gratuity.

30 years actual service = 20 + 20 (10 years doubled) = 40 years reckonable service. In the example above, 26 years' actual service translates to 32 years' reckonable service.

Reckonable service includes all full-time service as well as paid sick leave including half-pay sick leave. In the case of job-sharing, each year counts as 6 months service and doubling applies after 20 actual years' service (i.e. 6 months actual service x 2 = 12 months reckonable service). Periods on suspension, periods on pension rate of pay or unpaid (including unpaid maternity leave) do not count as reckonable service.

2.5 PRSI & Qualifying for the Contributory State Pension (CSP)

A pre-95 retired Garda who takes up a new employment will be reclassified as class A PRSI and will accrue credits towards a contributory state pension. The retired Garda should ensure that he or she is qualifying for Class A PRSI credits thereafter to maximise his or her entitlement to a contributory state pension at the normal retirement age (currently 66).

PRSI contribution history determines eligibility for the contributory state pension. The Department of Social Protection provide an explanatory guide at www.gov.ie - State Pension (Contributory) (www.gov.ie). This guide can also be found by googling "State Pension Contributory."

2.6 Frequently Asked Questions

2.6.1 Pre-95 Retired Garda takes up another Employment

Question: On retirement, do Pre-95 Gardaí have the option of taking another job, earning additional monies and building up Class A PRSI contributions towards the normal contributory state pension which he or she could then receive at the normal retirement age (currently 66) **in addition to** their full Garda pension.⁴

Answer: YES. This is one of the major differences between pre-95 and post-95 pensions.

⁴ Note : A minimum of 520 full-rate paid contributions are required (i.e. 10 years).



2.6.2 Pre-95 Garda wishes to work as a Garda to age 60

Question: Does a Gardaí who joined pre-95 and who has reached 30 years' service have the option to continue to maximum retirement age.

Answer: YES. The Garda may decide to continue to age 60 even though he or she will exceed 30 years' service.

Although the Garda will continue to pay pension contributions in these extra years, no additional pension benefits currently accrue.



3. Post-95 Pensions

This chapter outlines the benefits and features of the Garda Superannuation Scheme that applies to all Gardaí attested on or after the 6th of April 1995 and before 1st January 2013.
See chapter 4 for further details.

3.1 Gardaí attested post-2004

The retirement age for Gardaí who attested on or after 1st April 2004 was increased to 55.⁵ They “may retire at a later date up to 60 years of age subject to the Garda Commissioner being satisfied as to health and capability requirements”.⁶

These Gardaí also have the option of retiring at age 50 or later under the cost neutral early retirement scheme (see chapter 7).

The 2004 Act⁷ allows members admitted to the Garda College before 1st April 2004 to retire at age 50 having 30 years’ service. The same provision also applies to members who were temporarily seconded from the public service or absent on leave with or without pay before that date.

3.2 Pension Contribution Rates : Post-95

Deductions from pay are at the rate of: -

- 1.5% of pensionable pay +
- 3.5% of pensionable pay, reduced by twice the rate of Social Welfare Old Age Pension.

A deduction of 1.5% is also made in respect of the spouses and children’s scheme.

These deductions are tax allowable at source.

Pensionable pay = basic pay + pensionable Unsocial Hours Allowances.

Pension benefits are deemed to include Social Welfare entitlements.

3.3 PRSI Contribution Rates

Members who joined An Garda Síochána post 6th April 1995 pay PRSI at the Class A Rate. The following contribution rules apply⁸: -

- Class A employee PRSI is calculated at 4% of gross weekly earnings.
- A weekly tapered PRSI credit of €12 is available for employees insured at Class A whose earnings are between €352.01 and €424 in a week.
- The maximum PRSI credit of €12 per week applies to gross weekly earnings of €352.01. A person earning €352.01 pays €14.08 PRSI (4%). After the €12 credit is deducted, they will pay PRSI of €2.08.
- For people earning between €352.01 and €424, the credit of €12 is reduced by one-sixth of earnings over €352.01.
- There is no PRSI credit once earnings exceed €424 per week.

Budget 2024 : All the above PRSI contribution rates will increase by 0.1% from 1st October 2024.

⁵ See The Public Service Superannuation (Miscellaneous Provisions) Act 2004.

⁶ Source : Garda Síochána Superannuation Schemes – Annual Report 2020, page 8.

⁷ Public service Superannuation (Miscellaneous Provisions) Act 2004 – Sections 2, 3 and 4.

⁸ Source : Citizens Information Jan 2024. Note these rates will increase by 0.1% from 1st October 2024.



3.4 PRSI Benefits

The following social welfare benefits and pensions apply under Class A PRSI: -

- Contributory State Pension
- Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension
- Guardian's Payment (Contributory)
- Invalidity Pension
- Occupational Injuries Benefits
- Treatment Benefit (Dental and Optical)
- Jobseeker's Benefit > Illness Benefit
- Carer's Benefit > Maternity Benefit
- Adoptive Benefit > Health and Safety Benefit

3.5 Calculation of Garda Pension

For Gardaí who joined An Garda Síochána on or after 6th April 1995, part of the Garda pension is considered to be in lieu of a social welfare payment (i.e., a supplementary pension). This amount is equivalent to the full contributory state pension (currently €14,470 per year⁹).

The impact of this is that should a retired Garda take up another employment after retirement, this part of his or her Garda pension will cease. The retired Garda will lose up to €14,470 per year.

The main impact of the April 1995 change will not be seen until late 2024 when Gardaí recruited on or after 6th April 1995 will begin to retire (after 30 years' service). This could be seen as a disincentive to taking up new employment after retirement from An Garda Síochána.

Lump sum on retirement and annual pension are calculated as follows: -

Calculation of Full-Service Pension & Lump Sum Garda attested April 1995 to December 2012		
Calculation		Example based on Pensionable Pay of €60,000 and 30 years' service
Lump Sum	Salary & Pensionable Allowances x 1½	€60,000 x 1½ = €90,000
Pension	Pension = (Salary & Pensionable Allowances - Twice CSP*) / 2	(€60,000 - (CSP x 2)) / 2 = (€60,000 - (€14,470 x 2)) / 2 = €15,530/Yr.
	+ Supplementary Pension or Contributory State Pension	= € 14,470/Yr.
	Total Pension	€ 15,530 + € 14,470 = € 30,000/Yr.

* CSP = Contributory State Pension (Old Age Pension)

⁹ Calculated as. €277.30 x 52.18 weeks = €14,470 per year. Budget 2024 increased the contributory state pension to €277.30 from 1st January 2024.



A more complex formula exists for calculating post-95 pension entitlements (see 7.7). In practice, the full-service pension is calculated using the above simpler formula which gives the same answer in the case of Garda salaries.

3.6 Supplementary Pension: Post-95

Gardaí who joined on or after 6th April 1995 pay class A PRSI. Public sector employees who pay PRSI at the full (Class A) rate are eligible to receive social welfare benefits and pensions. Because of this, the occupational pensions of such employees are “co-ordinated” with the social welfare Contributory State Pension.

The purpose of co-ordination is to ensure that the aggregate of the co-ordinated pension and Social Welfare benefit approximates to the occupational pension payable to a person who is not on full-rate PRSI (i.e. the pre-95 pension). Because gardai retire before the minimum age for the Contributory State Pension (CSP) which is 66, there is provision for payment by Justice of a Supplementary Pension in certain circumstances.

In 2014, SI 582¹⁰ updated the rules for the payment of a supplementary pension as follows: -

“Where a member

(a) for reasons outside of his or her control, fails to qualify for a Social Welfare Benefit or qualifies for a Social Welfare benefit at a reduced rate, and

(b) is unemployed

then, so long as the relevant body is satisfied that the pre-conditions set out in this Article are met, the former member may, at the discretion of the relevant body, be paid a supplementary pension.

The amount of supplementary pension payable shall be the amount, if any, arrived at by the formula:

$A - (B + C)$ where

A is the amount of pension or preserved pension which would have been payable to the former member if he or she had not been fully insured;

B is the amount of pension actually payable to the former member, and

C is the amount of personal Social Welfare Benefit payable to the former member.”

The Social Welfare benefits in question are: -

- Jobseekers Benefit
- Disability Benefit
- Invalidity Pension
- Contributory State Pension.

Gardaí become eligible for a Contributory State Pension at age 66.

The Claims Process

Based on recent fast-accrual experience (2022 and 2023), the current claims process is as follows: -

¹⁰ Statutory Instrument 582, 2014 issued by DPENDPR : Rules for Pre-existing Public Service Pension Scheme Members Regulations 2014



1. Apply for a public services card in advance of retirement. This card is required in order to claim jobseekers' benefit.
2. On retirement, sign on for jobseekers benefit in your local DSP office. Based on your class 'A' PRSI contributions, you will qualify for 9 months of jobseeker's benefit payments. Jobseeker's benefit is not means tested. You will also be required to sign a declaration that you are capable of work, available for full-time work and actively seeking work. Other social welfare benefits may apply in individual circumstances.
3. Collect your weekly entitlement through your selected Post Office on an agreed day. Failure to collect on the agreed day will result in the payment being returned to the DSP.
4. If you, the retiree, intend to leave the country for any reason, (e.g. holidays) you must inform the DSP in advance of the dates. You are allowed a maximum of 14 days abroad for the duration of your claim.
5. You will receive an invitation to attend your local Intreo office for a meeting to discuss your future work prospects. This is a group meeting where your details are recorded, and a personal officer is assigned to you to assist you gain employment. If you fail to attend without good reason, your entitlement may be reduced and possibly stopped.
6. You will receive further correspondence inviting you to a meeting with your assigned personal officer with a view to gaining employment. Again, failure to engage with the process will result in your jobseekers' benefit being reduced or stopped altogether.
7. During the meeting, you may be advised to sign up to Jobsireland.ie and other agencies and register for employment. Refusal or failure to engage may have consequences regarding the payment of entitlements.
8. On exhaustion of your jobseekers' benefit entitlements (after 9 months), you may then apply to Garda Pensions for a Supplementary Pension. You will need to provide a statement from the Department of Social Protection stating any benefits in payment and proving that you are no longer entitled to claim state benefits. Justice will pay a "Supplementary Pension" (if required) to ensure that total superannuation benefits, when co-ordinated with Social Welfare entitlements, are comparable to the pensions of pre-95 members.
9. On an annual basis, you must then furnish Garda Pensions with documentation proving that you are still not entitled to any state payments.
10. In order to remain eligible for the contributory state pension, you must sign on with the DSP for PRSI credits on an annual basis and must sign a declaration that you are still available for and actively looking for work.
11. The Supplementary Pension is paid Pro-rata. If you have full service, you will receive a full payment equal to the contributory state pension on top of your occupational pension. If you, the retiree, do not have full service, the payment is reduced accordingly.
12. If you do find alternative employment, your Supplementary Pension will be reduced in proportion to the number of days actually worked each week out of five. All such income is fully taxable.
13. At the contributory state pension eligibility age (currently 66), you will need to apply to the Dept. of Social Protection for the Contributory State Pension. Justice will then adjust the supplementary pension accordingly. Where the full



contributory state pension is payable, the supplementary pension will no longer be required.¹¹

The supplementary pension is paid directly from Justice. The Contributory State Pension is paid by the Department of Social Protection and is payable to retirees whether living in Ireland or living abroad.

It should be noted that the failure to establish eligibility for a social insurance benefit must be outside of the retired member's control (see above), and not as a result of their own actions. Therefore, a person who does not apply to DSP, or who (e.g., in the case of Job Seekers Benefit) informs DSP that they are not available for work, or refuses work if it is offered, will thereby not be eligible for a supplementary pension.¹²

Post-Retirement Employment¹³

A retired member may take up other paid employment (i.e., any activity for which a payment that is reckonable for PRSI is received). No supplementary pension is payable while a retired individual is in full-time employment, even if the amount received is less than the supplementary pension would have been. However, a pro-rata approach may be followed in cases where an individual is in less than full-time employment, whereby they may qualify for partial payment of the supplementary pension.

Should a retired member be rehired into the public service, their main occupational pension would then be subject to pension abatement rules for this period of employment.¹⁴

Retired Garda members will be required to inform the Garda Pensions of changes to their employment status post-retirement – i.e., if they take up any employment,

- while in receipt of a supplementary pension, which might result in an overpayment of supplementary pension, and/or
- in the public service, which might also result in an overpayment of the base pension where that pension should have been abated.

Where a Garda member takes up post-retirement employment and then ceases this employment before reaching the age at which the CSP is payable (currently 66), they must again contact the DSP before seeking to claim supplementary pension to determine whether the period of employment, or their previous PRSI record, has entitled them to receive Job Seekers or any other benefit. This applies even where the retired member had previously received Job Seekers Benefit immediately following retirement.

3.7 Shortfall in PRSI Contributions & the State Pension¹⁵

When a retired member reaches the age of 66, the rate at which the CSP is payable to them will depend on the number of PRSI contributions that they have made over their working lives. In general terms, to qualify for the full

¹¹ We are awaiting clarification/confirmation that a partial supplementary pension will be paid after age 66 to make up any shortfall in the contributory state pension (Sept 2023).

¹² Source : DoJ Note to Conciliation Nov 2022

¹³ Source : DoJ Note to Conciliation Nov 2022

¹⁴ See Chapter 10.

¹⁵ Source : DoJ Note to Conciliation Nov 2022.



rate of the CSP a person requires a number of PRSI contributions equivalent to 40 years employment.

Garda members who retire with less than 40 years' service, unless they have other years of non-Garda employment, may find they have a shortfall in the number of PRSI contributions necessary to qualify for the full rate of the State Pension at the age of 66. Insufficient contributions will generally mean that a retired member will qualify for a reduced rate of the CSP, rather than have no entitlement at all.

3.8 The GRA Agenda

Supplementary Pensions

Clarification, upgrading and streamlining of supplementary pension rules and protocols is a key focus of the GRA agenda.

The GRA are currently (February 2024) seeking responses from DoJ and DPENDPR to our latest 5-page submission which seeks clarifications on a range of supplementary pension issues. We will update this guide when these responses are received.

Pensionable Allowances PRSI Anomalies

A series of anomalies have been identified regarding the misclassification of 'Class A' Pensionable Allowances and the ASC contributions payable. Substantial work has been carried out on this anomaly and it is currently (January 2024) before WRC¹⁶ Conciliation.

There is a pressing need to resolve these issues as post-95 gardai will begin to retire in significant numbers in 2025.

3.9 Frequently Asked Questions

The following answers are in some cases an oversimplification. Members should refer to the above sections for further detail.

3.9.1 Post-95 Gardaí : What Department pays the Supplementary Pension?

Question: Will Post-95 entrants receive a portion of their pension from the Department of Justice and receive the balance from the Department of Social Protection by means of a Supplementary Pension?

Answer: No. The Department of Justice will pay the Garda pension including the Supplementary Pension where appropriate.

3.9.2 Post-95 Gardaí : Which Dept. will pay the Contributory State Pension?

Question: After reaching state retirement age (currently 66) will the pension be paid as two separate amounts (one from Justice and one from Social Protection) or in one amount from the Department of Justice?

Answer: It will be paid in two separate amounts, one pension from Justice and the contributory state pension from the DSP.

3.9.3 Post-95 Gardaí : Applications to Department of Social Protection.

Question: Will the retiring Garda have to make an application (for a supplementary pension) to the Department of Social Protection?

¹⁶ Workplace Relations Commission



Answer: Yes. Justice will require confirmation that the retiree is not receiving a social welfare payment or is only receiving a partial payment. In the event the retiree receives a partial social welfare payment, Justice will pay the balance as a partial supplementary pension.
At CSP age (currently 66), the retiree will again need to make an application to the DSP for the contributory state pension. The payment of the contributory state pension from DSP will commence and the payment of the supplementary pension from Justice will cease.

3.9.4 Post-95 Gardaí : Supplementary pension after CSP age

Question: Are there any circumstances where Justice will continue to pay a supplementary pension after CSP age?

Answer: Yes. Payment of the supplementary pension will cease when the retiree reaches CSP age (currently 66). Justice may re-instate it in full or in part if the retiree fails to qualify or qualifies for a reduced state pension. Justice will need DSP evidence of this.

3.9.5 Post-95 Gardaí : Application to DSP for State Pension

Question: Will the retired Garda have to make an application to the Department of Social Protection for the contributory state pension (at age 66)?

Answer: Yes. He or she should do so 3 months in advance of their 66th birthday.

3.9.6 Post-95 Gardaí : Losing Supplementary Pension

Question: I have retired from An Garda Síochána after serving 30 years. Do I have to be resident in the State to claim my full pension? Will I still be able to receive my Supplementary Pension if I move abroad?

Answer: Justice continues to pay pensions to retirees moving and living abroad. Retirees do not have to live in the State to be entitled to DoJ pensions.

As regards supplementary pensions, there is no circular or legislation stating that they are or are not payable to retirees living abroad.

The contributory state pension is payable abroad, whether within the EU or outside the EU.

3.9.7 Post-95 Gardaí : Supplementary Pension Means Test

Question: Is the Supplementary Pension Means tested?

Answer: No, neither the supplementary pension nor the contributory state pension are means tested.

3.9.8 Post-95 Gardaí : Supplementary Pension & My Partners Salary

Question: Is my partner's salary included in any means test used to qualify for the Supplementary Pension?

Answer: No

3.9.9 Post-95 Gardaí : Contact / Sign On with Dept. of Social Protection

Question: Do I have to contact / sign on with the Dept. of Social Protection in order to receive Supplementary Pension?

Answer: Yes. Justice will require confirmation that the retiree is not receiving a social welfare payment or is only receiving a partial payment.

Question: How often must I contact / sign on?



Answer: Justice do not have any signing-on requirements. Depending on any social welfare benefits being received, this will be determined by DSP.

3.9.10 Post-95 Gardaí : Supplementary Pension & Not Available for Work

Question: I have retired from An Garda Síochána. Do I have to make myself available for work in order to receive a Supplementary Pension?

Answer: No. You do require a letter from DSP stating that you are not entitled to social welfare benefits. Justice will then pay you a supplementary pension.

Question: What happens if I declare that I am not available for work? Do I lose my Supplementary Pension?

Answer: No. You do require a letter from DSP stating that you are not entitled to social welfare benefits. Justice will then pay you a supplementary pension.

3.9.11 April 1995 Cut Off Date

Question: What rules apply to members who on 6th April 1995 were in Templemore but not attested, **or** had applied and were in a competition to be a member of An Garda Síochána?

Answer: Statutory Instrument 77/1995 states that any person having been a Garda trainee on the 5th April 1995, subsequently ceases to be a Garda trainee but immediately on such cessation becomes a member of An Garda Síochána is classed as pre-95.

3.9.12 Post-95 Gardaí : Supplementary Pension & AVC

Question: Does an AVC affect a Supplementary Pension payment?

Answer: No. Supplementary pension entitlements are not affected by receipt of AVC benefits.

3.9.13 Post-95 Gardaí : Supplementary Pension & Not Available for Work

Question: If after retirement and I am in receipt of supplementary pension, I then take up employment and subsequently relinquish the supplementary pension. Am I entitled to claim supplementary pension if I leave that other employment prior to the State Retirement age?

Answer: You will require a letter from DSP stating that you are not in receipt of social welfare or only in receipt of a social welfare benefit at a rate less than the Contributory State Pension. Justice will then recommence payment of supplementary pension. If you are in receipt of a reduced social welfare payment, Justice will pay a balance as a supplementary pension.

3.9.14 Post-95 Gardaí : DSP Evidence required by Justice

Question: What evidence is required by Justice to determine supplementary pension entitlements?

Answer: The type of evidence that you will be required to produce to Justice from the Department of Social Protection is as follows: -

- That you are not entitled to any social welfare payment or only entitled to a payment at a reduced rate.



- That you are not entitled to disability benefit, disablement benefit or invalidity pension if retiring on the grounds of ill-health.
 - That you are not entitled to jobseeker's benefit.
- The supplementary pension will be reduced by any such payments received.

3.9.15 Post-95 Garda wishes to work as a Garda to age 60

Question : Does a Gardaí who joined post-95 and who has reached 30 years' service have the option to continue to maximum retirement age.

Answer: YES. This applies to all Gardaí who joined before 1st April 2004.

3.9.16 Post-2004 Garda wishes to work as a Garda to age 60

Question: Is the following correct?

From 1st April 2004 persons joining An Garda Síochána are now obliged to serve to a minimum age of 55 years of age (increased from age 50).

The Public Service Superannuation (Miscellaneous Provisions Act) 2004 introduced a provision whereby unlike pre-2004 entrants who could serve to age 60, post 1st April 2004 entrants shall cease to be a member,

- at age 55, or
- at a later age, up to the age of 60 years "subject to the Commissioner of the Garda Síochána being satisfied that the member is fully competent and available to undertake, and fully capable of undertaking, the duties of his or her position as a member of the Garda Síochána".
- "The Commissioner of the Garda Síochána shall require, at such intervals as the Commissioner considers appropriate, certification as to the health and fitness of the member concerned by a medical practitioner nominated by the Commissioner."

Answer: Yes, this is correct. These are direct quotes from the Act. Justice / Garda management have not as yet produced guidance as to how this annual vetting will work in practice.

3.9.17 Post-95 Garda wishes to work on a CE scheme

Question : If a post 1995 garda retiree receiving a supplementary pension signs up to work on a CE scheme, will this affect his/her eligibility for a supplementary pension? The CE (community employment) scheme allows people in receipt of social welfare payments to work certain periods without it affecting their social welfare entitlements.

Answer: If "a post-1995 Garda retiree receiving a supplementary pension signs up to work on a CE scheme, this will not affect his/her eligibility for a supplementary pension."¹⁷

¹⁷ Source: Justice / DPENDPR Dec 2023.



4 Common Pension Features (Pre-2013)

This chapter focuses on elements of An Garda Síochána Superannuation Scheme which apply to all Gardaí attested before 1st January 2013 (i.e., both Pre-95 and Post-95).

Many of the sections in this chapter also apply to those attested on or after 1st January 2013 (i.e., members of the Single Pension Scheme) unless otherwise indicated.

4.1 Death Gratuity (Pre-2013)

Death gratuity is payable only where death occurs prior to retirement. There is no minimum service requirement for death gratuity. Depending on service, the member's legal personal representative receives a minimum of 1 year's pensionable remuneration or up to a maximum of 1.5 years' pensionable remuneration.

4.2 Pensionable Remuneration

Pensionable remuneration is basic pay on the date of retirement plus the yearly average of Pensionable allowances paid in the best three consecutive years in the last ten years of service (pre-2013).

Pensionable allowances are reckonable for pension and gratuity purposes.

Pensionable Allowances		
Air Support Unit	Analysts	Collators
Change Management	Designated Post	Gaeltacht
Immigration Officer	Instructors	Interpol
Island	Minister(s) Driver	Ministerial Pool
PSV	Radio Technicians	Rent
Scenes of Crime	Motor Technicians	Substitution
Technical Bureau	Transport	Unsocial Hours*
Water Unit	Welfare Officer	Dog Handlers

*Unsocial hours allowances include Saturday, Sunday, Public Holiday and Night Duty allowances. Unrostered unsocial hours allowances are not pensionable but premium payments are reckonable for pension purposes. Travel and subsistence expenses and overtime are not pensionable.

4.3 Joining Date

Membership commences from date of attestation and is compulsory.

4.4 Annual Increases in Pensions in Payment

Garda pensions have traditionally been linked to Garda pay. Increases in Garda pay have resulted in corresponding increases in Garda pensions in payment.



Each year, the Department of Justice and Equality produce a report on the Garda Síochána Superannuation Scheme for members attested before 1st January 2013. The 2015 to 2021 reports state that “In future, the Minister for Public Expenditure and Reform will have regard to the Consumer Price Index...when considering any increase to the rate of pensions in payment.” This clause has not been implemented. The most recent national pay increases have been applied to pensions in payment.

DPENDPR circular 10/2021¹⁸ confirmed that this practice will continue, at least up to the end of 2022. In national pay negotiations, the parties have to date agreed to continue this practice.

See chapter 5 and section 5.4 in particular, in relation to the approach to be adopted within the Single Pension Scheme.

4.5 Contributions Outstanding on Retirement

The retirement gratuity is subject to deductions in respect of unpaid contributions towards the Garda Contributory Spouses and Children’s Pension Scheme and unpaid contributions in respect of Pensionable allowances for the member’s own pension.

Contributions outstanding in respect of pensionable allowances at retirement/death are deducted from gratuities to cover service during which periodic contributions were not made. The rate of deduction is 1.1667% of pensionable allowances in respect of service prior to 1st March 1985 (1 January 1994 in the case of Unsocial Hours Allowances). In the case of allowances where no periodic deductions were made, deductions must be made for service since 1 March 1985 also, at the rate of 1.75% (for pre-95) and 5% (for post-95. i.e., 1.5% + 3.5%).

4.6 Statutory Deductions Outstanding on Retirement

Any arrears of statutory deductions such as PAYE, PRSI or USC must be collected and paid over to Revenue. There is no time limit on such arrears (under for example, the Payment of Wages Act 1991). It may be argued that this ensures that any associated benefits are available to the member.

4.7 Resignation with less than 2 Years’ Service

A member who resigns with less than 2 years’ reckonable service has no entitlement to a pension or lump sum. However, the member may: -

1. Transfer service (no minimum service requirement) to another public-sector organisation under the "Transfer of Service Scheme".
or
2. Apply for a refund of superannuation contributions.

4.8 Resignation before Minimum Age or Transfer Out : Pre-2013

The minimum age for retirement on pension is 50 years provided that the member has 30 years approved service. Gardaí attested after 1st April 2004 cannot retire on pension until attaining 55 years of age.

On resignation before the minimum retirement age, a member may benefit as follows: -

¹⁸ Circular 10/2021: “Instruction on the pension increase policy in the public service until end 2022”. This circular continues the existing pension increase policy to end 2022 and provides guidance on implementing this policy.



1) Preservation of Benefits

A member who voluntarily resigns with at least 2 years' reckonable service is entitled to preserved benefits, payable on application, at age 60 years. The lump sum and pension are based on reckonable service and pensionable remuneration at the date of resignation up-rated by the appropriate increases between that date and age 60 years.

Spouses Pension

A spouse's pension is payable from date of death of the member, provided the member opted to join the Spouses' and Children's Contributory Pension Scheme.¹⁹

A death gratuity is also payable to the member's estate if a retirement lump sum has not already been paid. In such cases, the benefits are based on the service outlined above and the remuneration is up-rated to date of death.

2) Cost Neutral Early Retirement Scheme,

In April 2005, the Minister for Finance announced the introduction of cost neutral early retirement for the public service²⁰. The scheme allows staff to retire early with immediate payment of superannuation benefits, subject to an actuarial reduction to take account of the early payment of a lump sum and the longer period over which a pension would be paid.

To be eligible to apply for cost neutral early retirement, a member must have an entitlement to a preserved superannuation benefit at age 60 and be aged at least 50 at the time of resignation. Members who meet the above criteria have the option of: -

- a. Waiting until age 60 and receive a preserved pension and lump sum in the normal way, (with no actuarial reduction) or
- b. Applying for immediate payment of preserved pension and lump sum, both of which will be actuarially reduced.

See chapter 7 for further details.

3) Transfer Out of Service

The ex-member may be permitted to transfer service (no minimum service requirement) to another public-sector organisation under the "Transfer of Service Scheme".

4.9 Transfer of Pension Rights : pre-2013

Service of members transferring from other Public Service positions to the Garda Síochána or vice versa is reckonable for pension purposes. In the case of such transfers, three quarters of previous service is reckonable for pension purposes except in the case of transfers between An Garda Síochána and the Prison Service where special provisions apply because of the thirty-year service required for pension purposes.

4.10 Retirement on Grounds of Incapacity / Ill Health : Pre-2013

Where the member does not satisfy the minimum service and age requirements, benefits are only payable in certain circumstances and are

¹⁹ Membership of the spouses and children's pension scheme is compulsory. 40 years contributions are required. Any arrears or shortfall outstanding is deducted from the retirement lump sum. Tax relief is available on this final contribution.

²⁰ See HQ Directive 130 / 2005 for full details.



subject to the relevant certification by the Garda Chief Medical Officer and in consultation with the Commissioner. The approval of the Minister for Public Expenditure and Reform is required in such cases.

A Pension and Gratuity are payable to a person who is compulsory retired from An Garda Síochána on the grounds of ill health provided such person has at least 5 years approved service.

The reckonable service for pension purposes of a member who retires, or is discharged on the grounds of ill health, will be the aggregate of A and B as follows:

- A. Approved Service
- B. Added service calculated on the following basis:
 - (i) Members between 5 and 10 years actual reckonable service will be credited with an equivalent amount of added service subject to such credited service not exceeding the additional reckonable service which would have accrued if the member had remained in service up to the age at which he would be required to retire under Garda Retirement Regulations.
 - (ii) Members with more than 10 years actual reckonable service will be credited with the more favourable of:
 - a. An amount of service equal to the difference between actual reckonable service and 20 years, subject to such credited service not exceeding the additional reckonable service which would have accrued if the member had remained in the service up to the age at which he/she would require to retire under the Garda Retirement Regulations.
 - b. 6 years and 243 days subject to such credited service not exceeding the additional reckonable service which would have accrued if the member had remained in service until the earliest age at which he/she could retire on pension.

Where a member is entitled to added service, such service shall not count for “double reckoning”. The pension shall not exceed one half of annual pay.

4.11 Special Pension – Injured on Duty : Pre-2013

If the member is discharged from An Garda Síochána on grounds of incapacitation due to injury received in the execution of his/her duty without fault the member shall be entitled to receive a special pension for life. This pension is based on the member’s service and the degree of incapacitation. The table on which these pensions are calculated is to be found as part of the First Schedule to the Garda Síochána Pensions Order 1925, as amended. Where a member is retired on such a special pension and has more than two years’ service at the time of such retirement, a gratuity is also payable. This is paid at the rate of 3/80ths of annual pay for each completed year of such member's reckonable service up to 20 years and 6/80ths of salary for each year over twenty years up to a maximum of 30 years or 120/80ths.

4.12 Dismissal & Pension Entitlements

Following agreement at Conciliation, members of Garda rank who are being dismissed or resign in order to pre-empt dismissal are now automatically entitled to have their superannuation arrangements preserved. In essence



this means that pension and gratuity arrangements are paid on a pro rata basis on the member reaching 60 years on foot of an application being made by the member.

4.13 Option to Purchase 6 months in-Training Service : Pre-2013

The Labour Court in their Ad-Hoc Recommendation²¹ dated 3rd November 2016, recommended that Gardaí who joined between 1989 and 2013 be allowed to buy back 6 months in-training service as reckonable service for pension purposes at the contribution rates that would have applied at the time, had the service then been pensionable. This option is available to Gardaí after 19½ years' service. It is a low-cost buy-back option which could allow a Garda to retire 6 months earlier than would otherwise be the case.

4.14 Pension Authority Registration & Annual Benefits Statement

The Pre-2013 Garda Síochána Superannuation Schemes and the Career Average Scheme have been registered with The Pensions Authority. This means that the Pensions Authority has a role in the supervision of the scheme.

Members are entitled to annual benefits statements and can refer the matter to the Pensions Authority if these are not provided.

4.15 Additional Superannuation Contribution (ASC)

ASC²² was introduced as a permanent additional pension deduction from pay in January 2019. It replaced the Pension Related Deduction (PRD or Pension Levy) which was a temporary deduction introduced under FEMPI²³ in 2009.

ASC is a deduction that is chargeable on pensionable income only. Non-pensionable allowances and non-pensionable overtime are not subject to ASC.

The ASC deduction thresholds and rates since 2022 are as follows..

ASC Thresholds & Rates since 2022 ²⁴	
Pre-2013 Gardai	Member of the Single Scheme
Up to €28,750 @ 0%	Up to €34,500 @ 0%
€28,750 to €60,000 @ 10%	€34,500 to €60,000 @ 3.33%
Greater than €60,000 @ 10.5%	Greater than €60,000 @ 3.5%

4.16 Pension Decisions & Appeals

The process for making and appealing decisions in relation to individual Garda pensions is as follows: -

- Following referral of an issue, a decision is made by Garda Pensions, Killarney. They may refer to DPENDPR before making this decision.

²¹ Labour Court Ad Hoc Recommendation CD/16/321

²² DPENDPR Circular 21/2018: Transition to Additional Superannuation Contribution (ASC) from Pension Related Deduction (PRD) in the Public Service on 1 January 2019.

²³ Financial Emergency Measures in the Public Interest Act 2010

²⁴ DPENDPR Circular 19 / 2022, Applications of pay adjustments due on 2 February and 1 October 2022.



- If the Garda is unhappy with this decision, he or she may appeal it to the Appeals Officer.
- If still unhappy, the Garda may refer the matter to the Pensions Ombudsman.

4.17 Post Retirement Employment & Pension Abatement

Public sector employees who retire on pension and subsequently return to work in the public sector will be subject to pension abatement. Your pension will be reduced to make sure you do not earn more between the pension and the income from employment, than you would otherwise earn if you had stayed in your original employment.

See chapter 10 for more detail.

4.18 Spouses / Partners Securing a Contributory State Pension

It is not unusual for spouses / partners to discover at age 66 that they are not entitled to the contributory state pension to the extent that they thought they would be. This may occur, for example, where a spouse / partner ceased work in earlier years in order to work in the home but did not then register with their local INTREO office nor sign on for credits. It is important to build up PRSI credits over the years in order to qualify for the full contributory state pension. Class A PRSI is payable on part-time income of €38²⁵ per week or more. A spouse might consider signing on for credits (note that paid credits are also required) or taking up part-time employment in order to qualify for the contributory state pension. In general, you pay a PRSI contribution in respect of each PRSI contribution week in which you work. You must be working on at least 1 day in each PRSI contribution week in order to pay a contribution.

Voluntary PRSI contributions are another way of maintaining your social insurance record.

To identify the best approach in your individual circumstances, seek professional advice, search online, consult your local Intreo centre or social welfare local office or contact the Dept of Social Protection, Buncrana (phone (01) 471 5898 or 0818 690690).

²⁵ Rate correct in Nov. 2023.



5 The Single Scheme (Post-2012)

This chapter focuses on the Single Pension Scheme which is the only pension scheme available to Gardaí who attested on or after 1st January 2013. Membership is compulsory.

See chapter 11 for purchase and transfer of retirement benefits under the Single Scheme.

5.1 Career Average Scheme

The Single Public Service Pension Scheme (also referred to as the Single Scheme or Career Average Scheme) was introduced for public servants (including Gardaí) recruited on or after 1st January 2013. Under this scheme, Garda pensions are not based on final salary. Gardaí accrue benefits for each year of service and pensions are based on ‘career average’ earnings.

A proportion of annual pensionable pay is notionally accumulated and inflated each year in line with the consumer price index. Final pension and lump sum on retirement are based on the accumulated ‘career average’ amounts.

These accumulated amounts are called the ‘Referable Amounts’. One is notionally accumulated for pension purposes and a second to provide a lump sum on retirement.

The single scheme is an unfunded pay-as-you-go scheme. No actual funds are accumulated. Pensions and lump sums are paid out of current state income including the pension contributions of current members.

Minimum retirement age is 55 and maximum retirement age is 60.

Membership of the single scheme is compulsory.

For further information follow the following links..

- [Single Public Service Pension Scheme \(singlepensionscheme.gov.ie\)](http://singlepensionscheme.gov.ie)
- [Fast-Accrual-Scheme-Information-Booklet WEB-1.pdf \(singlepensionscheme.gov.ie\)](#)
- Search government circulars ([Circulars](#)) for update circulars on such issues as the latest consumer price index uprating of your pension and gratuity ‘referable amounts’.

5.2 Contribution & Accrual Rates

Members make contributions from pensionable pay. Pension and lump sum “referable amounts” are accrued each year on the basis of the percentages in the following table.

Both the contribution rates and the accrual rates are higher than for most public servants reflecting the fact that Gardaí may retire at 55.

Garda Contribution & Accrual Rates			
Contribution Rates		Referable Amounts Accrual Rates	
Pensionable Remuneration	Net Pensionable Remuneration	Pension	Lump Sum
3.3%	4.2%	0.58% up to 3.74 x CSP & 1.43% above that.	4.29%

CSP = Contributory State Pension

Net Pensionable Remuneration = Pensionable Pay - Twice CSP.



The referable amounts reflect the monies notionally accrued each year on an ongoing cumulative basis throughout the Garda's career. There are two referable amounts accumulated, one towards pension and the other towards lump sum on retirement.

5.3 Growing the Pension Pot

Both the accumulated pension and lump sum referable amounts are inflated each year in line with the CPI (consumer price index). The Act states that the Minister "will have regard" to the CPI when deciding on the percentage he or she will inflate the referral amounts each year.

A benefits statement is issued to members each year stating the cumulative referable amounts.

5.4 Pension & Lump Sum on Retirement

- The minimum normal retirement age is 55.
- For Gardaí retiring after age 55 the lump sum paid is the Lump Sum Referable Amount accumulated by the individual Garda over his or her working life (increased each year in line with the consumer price index (CPI)).
- Similarly, the annual pension is the actual Pension Referable Amount accumulated. This will be increased by the Minister with reference to the Consumer Price Index on an annual basis.

Online Single Scheme Estimator Tool

Government have provided an online fast-accrual single scheme estimator tool (see singlepensionscheme.gov.ie) which members may use to generate a personal pension estimate at today's money values.

The tool has certain known deficiencies and is currently being updated (Nov. 2023). The estimates in the following table have been produced by the current online tool. It is expected that the updated online tool, when available, will produce pension estimates that are somewhat higher than these.

Sample of Online Single Scheme Estimator Tool Estimates							
Age & Year of Entry	Retirement Age	Years of Service	Salary + 20% Allowances at Retirement	Gratuity at Retirement	Gratuity as % of Final Salary & 20% Allowances	Annual Pension	Pension as % of Final Salary + 20% Allowances
25 in 2020	55	30	€66,676	€54,345	82%	€7,347	11%
20 in 2020	55	35	€66,676	€64,241	96%	€8,685	13%
25 in 2017	55	30	€66,676	€62,786	94%	€9,694	15%
20 in 2017	55	35	€66,676	€74,434	112%	€11,528	17%

Note : These calculations are based on the post-2013 garda pay scale in mid-2022 + 20% additional pensionable earnings. **All figures are at mid-2022 money values.**

At age 66, the above annual pensions will be supplemented by the Contributory State Pension. In the years from retirement to age 66, no supplementary pension will be paid.



5.5 Minimum Service

A Garda is eligible for retirement benefits after 2 years' service.

5.6 Retirement on Medical Grounds

"Single Scheme Guidance Note 01/2017²⁶" sets out the enhancement of benefits payable in cases of retirement on medical grounds for members of the Single Scheme.

Single Scheme members will ordinarily qualify for retirement or discharge on medical grounds under section 29 of the 2012 Act²⁷ provided that the following medical criteria have been met:

- the Scheme member has a current ongoing medically recognised physical or mental health condition that is likely to be permanent and enduring;
- that such condition permanently renders the member medically incapable of regular and effective service in their current occupation or grade; and
- reasonable medical treatment options and practicable changes to working arrangements (including, in exceptional cases, outside the Scheme member's current occupation or grade) which would enable or facilitate continued service by the member have been examined and are not considered practical.

The rules for enhancement with several worked examples are set out in the Single Scheme Guidance Note 01/2017 which runs to 12 pages.

5.7 Supplementary Pension & Contributory State Pension (CSP)

No supplementary pension is paid under the single scheme.

The contributory state pension is payable at normal state pension age (currently 66). This is paid in addition to the career average pension.

Neither the single scheme pension nor the contributory state pension is means tested. Both are payable whether the retiree is living in Ireland or abroad.

Retirees should consult DSP and "sign on" as required from retirement age to contributory state pension age (currently age 66) to ensure they maintain PRSI credits towards the full contributory state pension.

5.8 Cost Neutral Early Retirement

In 2005 Government introduced a cost neutral early retirement scheme. This scheme is still in force and allows all Gardaí attested pre-2013 with an entitlement to a preserved pension at age 60, to retire at age 50 or later, on a cost neutral basis.

The 2012 Act²⁸ mentions cost neutral early retirement for Single Pension Scheme members²⁹ but refers to a minimum age of 55. As this is the normal retirement age

²⁶ Issued by the Dept of Public Expenditure and Reform (DPENDPR) on 3rd February 2017 – 12 pages including examples – based on "Single Public Service Pension Scheme (Retirement on Medical Grounds) Regulations 2017 (S.I. No. 15 of 2017)"

²⁷ The Public Service Pensions (Single Scheme and Other Provisions) Act 2012 ("the 2012 Act").

²⁸ Public Service Pensions (Single Scheme and Other Provisions) Act 2012 : *Number 37 of 2012*

²⁹ See section 27 of the Act. Note that actuarial reduction factors are not included in the Act.



for Gardaí, the single scheme cost neutral early retirement option is currently not relevant to post-2012 Gardaí.

5.9 No Cap on Years of Service that Accrue for Pension

There is no maximum length of service within the single scheme. Every year worked counts for pension. The concepts of “full service” or “full pension” do not apply within the single scheme.

DPENDPR confirmed that this is the position and that it applies to Gardaí in November 2016³⁰ when they stated that “The Single Scheme does not cap the length of time over which members can accrue pension (unlike the 40-year service cap typically present in pre-existing schemes). Neither does the scheme cap the money value of pensions in most cases. This is true of .. Gardaí”.

5.10 Previous Public Sector Employment

If a pre-existing scheme member ceases to be employed in the public service and after a gap of more than 26 weeks, joins An Garda Síochána, he or she will then become a member of the Single Scheme.

A Garda cannot be a member of a pre-existing scheme and the Single Scheme at the same time.

A person who was previously a pre-2013 public service employee and who takes up employment as a trainee Garda within 26 weeks of leaving his or her previous pensionable public service position will qualify for exemption from Single Scheme membership if he or she successfully completes the training. He or she will become a member of the appropriate pre-existing Garda pension scheme.³¹

5.11 Post Retirement Employment & Pension Abatement

Where a career average retiree (i.e. post-2012 Garda) takes up private sector employment, his or her career average pension is not affected.

Public service pension abatement was introduced in the 2012 Act (section 52). Abatement applies to all public sector pensions. It is not confined to the single scheme.

Where a public sector pensioner takes up another public sector employment, his or her pension may be abated.

See chapter 10 for further detail.

5.12 Issues Emerging & the GRA Agenda

The following issues have emerged regarding the Single Scheme as it applies to Gardaí: -

- A retiring Garda will have to wait until age 66 to receive their PRSI-based, contributory state pension. The single scheme specifically excludes any provision for the payment of a supplementary pension from actual age of retirement to the PRSI contributory state pension entitlement age. A Garda retiring at age 55 may have up to 11 years to wait before receiving his/her PRSI

³⁰ DPENDPR Single Public Service Pension Scheme Frequently Asked Questions, last updated 9 November 2016, part D, section 18.

³¹ Section 10(5)(b) of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012.



contributory state pension entitlements. The lack of a supplementary pension will significantly reduce the pension income of retiring Gardai for those 11 years.

- A garda who is promoted at various stages during his or her career will receive a lump sum and pension which will not reflect his or her final salary. It will reflect their salary earnings over a working lifetime, much of which will be at the lower points on the Garda rank scale.
- Referable amounts (the pension and lump sum pots) are inflated in line with the consumer price index (CPI). Salaries may increase faster than the CPI. As a consequence, the career average pension may fall behind as salaries outpace the accumulated pension pots. Actuaries traditionally provide for pensions on the assumption that wage inflation will exceed CPI by 1% to 2% per year in the long term. This is their experience.
- Cost neutral early retirement rules have yet to be defined for post-2012 Gardaí. The 2012 Act mentions age 55 as being the earliest cost neutral retirement age under the Single Scheme. This is the normal Garda retirement age and hence would not constitute early retirement.
- Actuarial calculations have shown that the special accrual rates that apply in the case of post-2012 Gardaí may not ensure a 50% pension after the normal 30 years' service. The pension projections being generated by the Government's online single scheme estimator tool are of particular concern – see 5.4 above.

These effects will begin to impact significantly after 2042 when the Gardaí who joined after 1st January 2013 begin to retire in significant numbers. Gardaí who joined An Garda Síochána after age 25 may be retiring earlier than this date.

GRA Agenda

The above issues are on the current GRA Pensions Agenda in our ongoing negotiations with AGS and Justice. Of particular concern is the lack of a supplementary pension provision and the projected pension deficiency after 30 years' service.

5.13 Frequently Asked Questions³²

5.13.1 Membership

Question: Can active members of pre-existing public service pension schemes switch to the Single Scheme?

Answer: No, member-initiated migration from such schemes to the Single Scheme is not allowed.

However, if a pre-existing scheme member ceases to be employed in the public service, and later becomes employed again as a pensionable public servant after a gap of more than 26 weeks, then he or she will then become a Single Scheme member.

Question: Can someone be an active member of a pre-existing public service pension scheme and of the Single Scheme at the same time?

Answer: No, it's not possible to be an active member of a pre-existing public service pension scheme and of the Single Scheme at the same time. It is of course possible for an active Single Scheme member to have preserved benefits from a pre-existing scheme, accrued in an earlier career phase.

³² Source: DPENDPR: Single Public Service Pension Scheme Frequently Asked Questions Nov 2019 – reviewed and updated in Aug 2023.



5.13.2 Pensions to Surviving Dependents

Question: Are pensions paid to surviving dependants of deceased Single Scheme members?

Answer: Yes, **survivor's** and **children's pensions** may be paid in such cases, subject to eligibility.

If a vested member of the Single Scheme **dies in service** then

- a surviving spouse or civil partner may be granted a **survivor's pension** equal to half the pension which would have been payable to the deceased member if he or she had been retired or discharged on medical grounds on the date of death, and
- a **children's pension** or pensions may be paid in relation to an eligible child or eligible children at rates set out in section 39(2) of the 2012 Act.

If a vested **former member of the Single Scheme dies** with a Single Scheme pension in payment or in prospect (preserved pension) then

- a surviving spouse or civil partner may be granted a **survivor's pension** equal to half the pension or preserved pension of the deceased member, and
- a **children's pension** or pensions may be paid in relation to an eligible child or eligible children at rates set out in section 39(2) of the 2012 Act.

An eligible child is generally one who is under 16 years of age, or under 22 years of age if in full-time education.

5.13.3 Death Gratuity

Question: Is a death gratuity payable when a Single Scheme member dies?

Answer: If a member dies in service then his or her legal personal representative (estate) is entitled, subject to certain conditions, to be paid a "death gratuity".

Section 30 of the 2012 Act provides that the death gratuity is equal to:

"twice the Scheme member's pensionable remuneration in the 12 months prior to his or her death less—

- a) any superannuation lump sum payable or already paid either from the Scheme or from a pre-existing public service pension scheme, and
- b) any other death gratuity payable or already paid from a pre-existing public service pension scheme."

Relevant Authorities should consult with DPENDPR concerning death gratuity payment in death in service payments cases.

Under section 28(2) of the 2012 Act, a "preserved death gratuity" is payable in the case of vested former members who die before reaching minimum pension age.



5.13.4 Transfer & Purchase of Benefits

Question: Can members purchase additional Single Scheme pension benefit entitlements? Can they transfer pension entitlements from other pension schemes into the Single Scheme?

Answer: See Chapter 11 for a summary of Circular 15/2019 'Purchase and Transfer of Retirement Benefits under the Single Public Service Pension Scheme'

5.13.5 Retirement on Medical Grounds

Question: What happens if a member suffers a permanent and enduring medical condition that prevents him or her from continuing to work in the public service?

Answer: In such circumstances, Single Scheme members may be eligible to retire (or be discharged) on medical grounds. The final decision on whether to grant retirement / discharge lies with the Relevant Authority, who will have received the recommendation of an Occupational Health Physician (OHP) or Chief Medical Officer (CMO).

Under section 29(2) of the 2012 Act, vested benefits (pension and retirement lump sum) are payable immediately and without actuarial reduction after a retirement or discharge on medical grounds is approved or otherwise determined by a Relevant Authority.

The 2012 Act allows the Minister for Public Expenditure and Reform to enhance, by regulation, the retirement benefits in such cases, i.e., the Minister can provide for increases to pension and lump sum beyond their accrued levels for medical grounds retirees.³³

A member with less than 2 years' service, who retires or is discharged on medical grounds is eligible (subject to conditions) to receive a gratuity of 8.5% of "actual pensionable remuneration received during the period of service" (section 29(1) of the 2012 Act).

5.13.6 Return to the Public Service after Medical Grounds Retirement

Question: Can a Single Scheme member who has previously retired or been discharged on Medical Grounds from the public service take up re-appointment in the public service?

Answer: Where a Single Scheme member is granted retirement (or discharged) on medical grounds, he or she could subsequently secure re-appointment as a pensionable public servant if deemed medically fit.

In such circumstances:

- the pension payment ceases during the period of that subsequent appointment; and
- on repayment (with any due compound interest) of any retirement lump sum previously received, the person's referable amounts will be restored to the values accumulated prior to the retirement / discharge.

³³ SI 15 of 2017 Single public service pension scheme (retirement on medical grounds) regulations 2017; and DPENDPR Single Scheme Guidance Note 01/2017 set out the rules for pension enhancement.



6 Spouses & Children's Scheme

This scheme applies to all Gardaí.³⁴

6.1 Introduction

The Garda Síochána Spouses' & Children's Contributory Pension Scheme provides a pension for the spouse and/or dependent children of a member who dies in service.

The member must have qualified for a pension or preserved pension.

6.2 Deductions from Gratuities

A deduction of 1.5% of basic pay and pensionable Unsocial Hour Allowances is made from the salary of serving members.

A total of 40 years' contributions is required. Where a member has contributed less than 40 years contributions to the scheme, he or she is required to make good the difference from his or her retirement gratuity at the rate of 1% of his or her annual pay for each year's contributions that he or she has to make up.

A member who, on reaching retiring age, has only contributed to the scheme for, say, 30 years will have to make good the other 10 years contributions. These will be deducted from the retirement gratuity by way of a lump sum equal to 10% of one year's salary. On application, a member may arrange to pay additional contributions and thus reduce this deduction from their retirement gratuity.

It is understood from the Revenue Commissioners that income tax relief on these contributions is calculated in accordance with Section 17(2) (ii) of the Finance Act, 1972 and that five years is the period specified. In other words, tax relief on the amount of the lump sum deducted is spread over the five tax years before the year in which a member retires.

6.3 Benefit

A spouse's contributory pension is normally half the late member's pension entitlement. However, where a member dies in service, or after retirement on grounds of ill-health, the spouse's pension entitlement is half the pension which would have been payable to the late member had he or she served to compulsory retirement age. Allowances may also be payable in respect of dependent children.

Children's pensions are paid at the rate of one third of the rate of the spouses' pension per child to a maximum of three children under 16 years of age and up to 21 years of age if in full time education.

Orphaned children will be eligible for the pension which the spouse would have received had she/he lived, in the proportions of two thirds of that pension where there is only one child or the whole of that pension where there are two or more children.

In cases of permanent invalidity, a child's pension will continue as long as the child is incapable of maintaining himself or herself provided he/she was invalidated before reaching age 16, or if in full time education, age 22.

³⁴ Source : Garda Síochána Superannuation Schemes – Annual Report 2022.



6.4 Survivors Social Welfare Contributory Pension

From 28th October 1994, a Survivor's Contributory Pension, which for the first time, gave both widows and widowers the same Contributory Pension entitlements replaced the Widow's Contributory Pension.

The Survivor's Contributory Pension is a social insurance scheme, which is not means tested, and therefore entitlement is not affected by other income such as earnings, an occupational pension or a pension from your late spouse's employment.

A Survivor's Contributory Pension may be based on either your own or your late spouse's PRSI record.

Entitlement to Social Welfare pension is established through payment of pay related social insurance (PRSI) contributions.

In order to retain eligibility for widow/widower and/or dependent Children's Social Welfare pension or allowances, retired members should, up until they are 66 years of age, either:

- take up other insurable employment.
- become a voluntary contributor, or;
- register as unemployed at their local employment exchange, Intreo Centre or Social Welfare branch office – see Citizen's Information and DSP websites for further information.

6.5 Only One Pension is Payable by Dept. of Social Protection

Where a surviving spouse of the late member would qualify for the maximum rate of Survivor's Contributory Pension based on both his/her own and the ex-member's social insurance contribution record, only one pension is payable by the Department of Social Protection. In such cases, an equivalent pension may be paid by the Department of Justice and Equality³⁵. Such pension may be paid in addition to any award under the Garda Síochána Spouses' and Children's Contributory Pensions Scheme.

6.6 Special Widow's Pension : Killed in Action

The award of benefits, where the member dies in service, may be made other than under the terms of the Spouses & Children's Scheme. The spouses of members who are killed in the performance of their duty, through no fault or neglect of their own, qualify for a Special Widow's Pension equal to one third of the late member's pensionable income. Payments are also made in respect of dependent children. Where such a pension is awarded, no award will be made under the Garda Síochána Spouses' & Children's Contributory Pension Scheme. However, all Scheme contributions shall be refunded to the estate of the deceased. Any such case must be referred to the Minister for Public Expenditure and Reform for approval.

6.7 Benefits

Membership is compulsory.

The scheme provides pension benefits for dependents excluded from a pre-1984 scheme. i.e.

- 1) The spouse and children of a member who marries after retirement,
- 2) Children of members born outside of marriage,
- 3) Children conceived after a member's retirement,
- 4) Children of a member whose spouse died before membership began.

³⁵ Consult DoJ for conditions.



6.8 Annual Increases to Pensions for Surviving Spouses

Pensions paid to surviving spouses are increased in line with increases to the Social Welfare Survivor's Contributory Pension.



7 Cost Neutral Early Retirement

7.1 Introduction

This section relates to the early retirement option open to all sections of the public service since 2005. It is seldom availed of by Gardaí.

This section does not deal with retirement on ill-health grounds. Retirement on grounds of ill-health or incapacity is covered in chapters 4 and 5.

Cost Neutral Early Retirement is currently not available to members of the Single Scheme – see below.

7.2 Minimum Retirement Age & Service for Full Pension

For Gardaí attested before the 1st January 2013, a full pension is immediately payable at minimum retirement age after 30 years' service.

Minimum Retirement Age & Service for Full Pension		
Attestation Date	Minimum Age	Service Required
Before 6 th April 2004	50	30 Years
On or after 6 th April 2004	55	30 Years
On or After 1 st Jan 2013	55	Single Scheme Pension is based on accumulated "referable amounts"

7.3 Resignation before the Minimum Retirement Age

Gardaí who resign³⁶ before reaching the minimum retirement age (age 50 for pre-2004 and age 55 for post-2004) will have their lump sum and pension preserved to age 60 (uprated in line with salary increases). This pension and lump sum will be based on years of service. At 60 years of age their lump sum will be paid, and their pension will commence³⁷.

Gardaí who qualify, may also choose the cost neutral early retirement option whereby an actuarially reduced lump sum and pension is payable immediately – see below.

7.4 Cost Neutral Early Retirement³⁸

In 2005, Government introduced cost neutral early retirement for the public service³⁹. This facility remains available.

Cost neutral early retirement essentially involves an age-related actuarial reduction of preserved pension and lump sum to achieve immediate payment of both.

³⁶ Must have a minimum of 2 years' service.

³⁷ Member must apply.

³⁸ Applicable at 50 years of age.

³⁹ Circular 10/2005: Public Service Pension Reform: Introduction of Cost Neutral Early Retirement.



Retiring at Age 50 to under 60 with less than 30 Years' Service

- A Garda with less than 30 years' service may retire at age 50 to under 60 under the cost neutral early retirement option.
- A Garda has three options: -
 1. A preserved pension and lump sum payable at age 60 (uprated in line with annual salary scale increases).
 2. An immediate pension and lump sum actuarially reduced under the cost neutral early retirement scheme. This immediate pension and lump sum are calculated as: -
 Preserved Pension & Lump Sum \times Actuarial Reduction Factors
 The Actuarial Reduction factors are age related – see table below.
 3. The ex-member may be permitted to transfer service (no minimum service requirement) to another public-sector organisation under the "Transfer of Service Scheme".

7.5 Minimum Service to Qualify for a Preserved Pension

The minimum post-attestation service a Garda requires to receive a preserved pension is 2 years for all Gardaí regardless of when they joined An Garda Síochána. The preserved pension and lump sum are paid at age 60.

7.6 Pre-95 Gardaí Retiring after age 50, with less than 30 Years' Service

1. Preserved Pension

- Where a Garda who joined An Garda Síochána before April 1995, resigns with less than 30 years' service, a preserved pension payable at age 60 may apply.
- The following example illustrates the calculation for a Garda with a pensionable salary of €60,000, and with 26 years' service.
 Pensionable service is 32 years (i.e., double for over 20 years).

Attested Pre-1995 & Retiring with less than 30 Years' Service Calculation of Preserved Pension & Lump Sum Payable at Age 60		
Formula		Example based on Salary of €60,000 and 26 years' service
Lump Sum	Salary \times Years' service (double after 20) \times $\frac{3}{80^{\text{ths}}}$	$\text{€}60,000 \times 32 \times 3 / 80 = \text{€}72,000$
Pension	Salary \times Years' service (double after 20) / 80	$\text{€}60,000 \times 32 / 80 = \text{€}24,000 / \text{Yr.}$

2. Cost Neutral Option

- Where the Garda is 50 years of age or more, he/she may apply for immediate payment of a pension and lump sum. The application must be made before retirement.
- To calculate the immediate pension and lump sum payable, actuarial reduction factors are applied to achieve cost neutrality. The factors depend on the age at retirement as in the following table: -

Cost Neutral Early Retirement : Actuarial Reduction Factors		
Age Last Birthday	Pension Factor	Lump Sum Factor
50	62.4%	82.2%



51	65.1%	83.9%
52	67.9%	85.5%
53	71.0%	87.2%
54	74.3%	88.9%
55	77.7%	90.7%
56	81.6%	92.4%
57	85.7%	94.3%
58	90.1%	96.1%
59	94.8%	98.0%
60	100%	100%

➤ **Example : Calculation of Immediate Pension & Lump Sum**

Where the Garda is exactly 53 years of age when retiring, their pension and lump sum will be actuarially reduced as follows.

Actuarial Reduction to Calculate Immediate Pension & Lump Sum			
	Preserved for payment at age 60	Actuarial Reduction Factor at Age 53	Actuarially Reduced for Immediate Payment
	A	B	A x B
Lump Sum	€72,000	87.2%	€62,784
Pension	€24,000	71%	€17,040

- Where retirement does not fall on a birthday, the actuarial reduction factors are adjusted to take account of this.
- Each year, the actuarially reduced pension will be increased by the Minister “having regard to movements in the consumer price index”⁴⁰.

7.7 Post-95 Garda Resigns with less than 30 Years’ Service

Preserved Pension

- Where a Garda who joined An Garda Síochána after 1995, resigns with less than 30 years’ service, a preserved pension payable at age 60 will apply.
- The following example illustrates the calculation for a Garda with a pensionable salary of €60,000, early retiring at 53 years of age with 26 years’ service.

Pensionable service is 32 years (i.e. double for over 20 years).

Attested Post-95 to Dec-12 & retiring with less than 30-Yrs Service Calculation of Preserved Pension & Lump Sum Payable at Age 60		
Calculation		Example based on Salary of €60,000 and 26 years’ service
Lump Sum	Salary x Years’ service (double after 20) x 3/80 ^{ths}	€60,000 x 32 x 3 / 80 = €72,000

⁴⁰ This is the wording in the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 Section 40 (4).



Pension	Years' service / 200 x (CSP* x 3.333) + Years' service** / 80 x (Salary – (CSP x 3.333))	$32/200^{\text{ths}} \times (\text{CSP}^* \times 3.333)$ = € 7,716 $+ 32/80^{\text{ths}} \times$ $(60,000 - (\text{CSP} \times 3.333))$ = € 4,709 Total = €12,425 per Year
	+ Supplementary Pension	Supplementary Pension (reduced ***) = € 11,575 per Year.
	Total Pension	€ 12,425 + € 11,575 = € 24,000 per Year.

* CSP = Contributory State Pension = €14,470 / Year (from 1st Jan 2024).

** Years of Service are doubled after 20 years.

*** The Supplementary Pension is reduced to ensure that the total pension is no greater than the Pre-95 un-coordinated⁴¹ pension.

- See chapter 3 for further details of supplementary pensions.
- Gardaí become eligible for the contributory state pension at age 66. The supplementary pension will then cease.

Cost Neutral Option

- Where the Garda is 50 years of age or more, he/she may apply for immediate payment of preserved pension and lump sum. The application must be made before retirement.
- To calculate the immediate pension and lump sum payable, age-related actuarial reduction factors are applied to achieve cost neutrality. These are set out in 7.6 above.
- The actuarial reduction factors are applied generally in line with the method shown in 7.6 above. The supplementary pension element introduces complexity. The supplementary pension element is paid from age 60, the preserved pension age.⁴²
- Members considering the cost neutral early retirement option are advised to contact Garda Pensions for a detailed review of how the calculation will apply in their circumstances.

7.8 Post-2004 Gardaí Retiring with less than 30 Years' Service

- The minimum normal retirement age for full pension is 55.
- For Gardaí retiring after age 55 with less than 30 years' service, a preserved pension and lump sum at age 60 is calculated on a reduced service basis as for post-95 Gardaí (see 7.7 above). No actuarial reduction is applied.

Cost Neutral Early Retirement

- Post 2004 Gardaí may retire on a cost neutral basis after age 50. Actuarial reductions will apply to both the lump sum and pension. The calculations are the same as in 7.6 above.

⁴¹ An un-coordinated pension does not include a social welfare element such as a supplementary pension.

⁴² Circular 10/2005: Public Service Pension Reform: Introduction of cost neutral early retirement, paragraph 17.



7.9 Post-2004 Gardaí Retiring at Age 50 to Under 55 with 30 Years' Service

A Post-2004 Garda may retire at age 50 to 55 under the cost neutral early retirement option. Even if he or she has full service, an immediate pension will be actuarially reduced. The age-related actuarial reduction factors (see 7.6 above) will be applied.

➤ **Example:**

A post-2004 Garda retiring at age 53 with full service and a final pensionable salary of €60,000 will be due a preserved pension of €30,000 payable at age 60.

He or she may opt for a cost neutral early retirement pension payable immediately and thereafter inflating by CPI (as decided by the Minister). The following calculations applies: -

Example : Actuarial Reduction to Calculate Immediate Pension		
Preserved Pension	Actuarial Reduction Factor at age 53	Immediate Pension
A	B	A x B
€30,000	71.0%	€21,300

If the Garda were to wait two more years and retire at age 55, he or she could retire on an immediate pension of €30,000. No actuarial reduction would apply.

Retiring at Age 55 to 60 with less than 30 years' service (post-2004)

Where a Garda retires at age 55 to 60 with less than 30 years' service, a preserved pension at age 60 applies. Alternatively, under the Cost Neutral Early Retirement scheme, an actuarially reduced pension and lump sum become immediately payable. The actuarial reduction factors and method of calculation are detailed in 7.6 above.

7.10 Single Scheme members Retiring before Age 55

The Cost Neutral Early Retirement scheme introduced in 2005, does not apply to Gardaí attested after 1st January 2013.

7.11 Issues Emerging & the GRA Cost Neutral Agenda

➤ **Single Scheme Members**

The 2012 Act which set up the Single Scheme Career Average Pension makes specific mention of actuarially reduced early retirement from the age of 55. As this is the normal garda retirement age, this would not constitute cost neutral early retirement for gardai. In any case, the Minister has yet to specify the actuarial reduction factors and other details of the scheme that will apply.

For the cost neutral early retirement option to apply to Single Scheme Gardai, the minimum age would need to be reduced to, for example, 50.

➤ **Pre-2013 Members Retiring at Age 55 with Less than 30 Years Service**

The GRA is aware of other fast accrual employments where no actuarial reduction applies on retirement at age 55 or more with less than 30 years' service.

➤ **Cost Neutral Actuarial Reductions factors** start back from 100% at age 60 (the preserved pension age), rather than from the normal retirement age of 55. The GRA is currently pursuing these issues.



8 The GRA AVC Plan

Cornmarket, the largest broker for the Civil and Public Service, are the official broker of the GRA AVC Plan.

8.1 What is an AVC?

An Additional Voluntary Contribution (AVC) is a tax-efficient way to fund for extra income when you retire. At retirement, you can use the money invested in an AVC to buy additional benefits, subject to Revenue rules. The GRA set up the GRA AVC plan in 1994 and as of August 2022, had €56 million invested with Irish Life.

8.2 How does the GRA AVC Plan work?

Members make contributions into the plan. As tax relief is available on each contribution, a €100 contribution has a net cost of €60, assuming the member is a top rate taxpayer (currently 40%).

Contributions may be made through salary or as a lump sum.

Members usually pay weekly through salary. Contributions are taken as a percentage of salary, automatically keeping in line with pay increases as members progress through their career.

Paying through salary also means that you get tax relief at source. You do not have to submit a tax return to claim back the tax relief.

You can also make a payment by lump sum as a once-off payments. You must submit a tax return to claim the tax relief. Most lump sum contributions are for “Last Minute AVC’s”.

8.3 What is a Last Minutes AVC?

A last minute AVC is a tax efficient AVC usually paid in one lump sum just before retirement, particularly for Gardai who are not already members of the GRA AVC Plan.

8.4 Why make a Last Minutes AVC?

When calculating tax free retirement gratuities, Garda Pensions do not include overtime or non-rostered earnings (generally called “Fluctuating Emoluments”) in the calculation. However, pension law allows all earnings paid under PAYE to be included when calculating the maximum tax-free retirement gratuity allowed.

A Garda may take advantage of this situation by making an AVC payment just before retirement, getting the tax relief on this payment, and then receive 100% of the AVC back as a tax-free lump sum on retirement, less charges and any increase or decrease in value due to fund performance.



8.5 What Overtime and non-rostered Earnings can I utilise?

To avoid a situation where a member works a sizeable amount of overtime in one year to benefit from an AVC the Revenue Commissioners insist that Fluctuating Emoluments be averaged over a 3-year period, normally the best 3 consecutive years in the last 10 years. The Revenue Commissioners also allow a CPI (consumer price index) factor to be applied to the earnings used in order to give a current day value.

8.6 What information is required?

Shortly before retirement (approximately 8 weeks), a member should contact Garda Pay and request a "Certificate of Earnings for AVC purposes". This will normally run to 4 pages, one giving the gross earnings for each year of the last 12 years and the other three detailing the make-up of Superannuation Earnings for each year of the last 10 years. The member should also contact Garda Pensions and request a Statement of Superannuation Benefits. This ensures that the AVC quoted is accurate and correct.

8.7 Getting a Quote.

Cornmarket can do the calculations and advise the member on the maximum Last Minute AVC payment they should make. They charge a fee of approximately 4% of the AVC for the full service.

The member should send the Certificate of Earnings, the Superannuation Benefits Statement, date of birth, date of retirement and contact details to their financial advisor.

8.8 Example of Last Minute AVC Calculation

The following is an example of the calculation.

Calculation of Last Minute AVC A Worked Example		
		€'s
Superannuation Earnings:		58,000
Tax free gratuity from Garda Superannuation Scheme (€58k x 1.5)	A	87,000
Gross Earnings allowed, including overtime & non-rostered Earnings:		66,000
Maximum Revenue Tax Free Gratuity Allowed (€66k x 1.5):	B	99,000
AVC required to bridge the Gap	B - A	12,000

8.9 Profit on Last Minute AVC

Members are entitled to a tax rebate on their AVC's at their marginal rate of tax (normally 40%).

The financial services provider will typically charge 4% of the AVC for administration. As the charge is taken from the AVC payment, it attracts tax relief. After charges, the member can expect to make a net profit of 36% on the AVC (40% tax rebate less the 4% charge).



Calculation of Profit on Last Minute AVC A Worked Example		
		€'s
AVC	100%	12,000
Less Administration Charge of 4%		-480
Amount paid out on retirement		11,520
Tax rebate received = €12,000 x 40%		4,800
Total amount received by Member		16,320
Less Amount paid in		12,000
Profit	36%	4,320

8.10 Claiming the Tax-Free Lump Sum

When the member retires, he/she should obtain a letter from their station confirming retirement. This is sent to Cornmarket who will then arrange for payment of the AVC fund to the retiree.

8.11 Revenue Rules

1. The Revenue Commissioners limit the amount of AVC a member can obtain tax relief on in any one year.

Max AVC for Tax Relief	
Age	Max % of Pay*
50 to 54	30%
55 to 59	35%

*This maximum percentage is inclusive of any other pension contributions on which tax relief is given such as contributions to the main Garda pension scheme.

2. If a member has a lot of overtime or non-rostered earnings, he/she may need to spread AVC payments and tax relief over a few years.
3. The Revenue Commissioners allow a member who makes an AVC before the 31st October in the current year to backdate such an AVC, subject to the limits above, to the previous year for tax rebate purposes.



9 Purchase of Added Years & Additional Voluntary Contributions (AVC's)

This chapter considers AVC's and the purchase of notional years for pension purposes. AVC's apply to all members while the purchase of notional years applies to pre-2013 members only. Post-2012 members should refer to Chapter 11 for guidance on the purchase of additional benefits under the Single Scheme.

A 10-page guide is available on the Irish Pensions Authority website titled "Purchase of Notional Service (PNS) and Additional Voluntary Contributions (AVC's)"⁴³ This guide is written for pre-2013 public servants.

9.1 Introduction

Members who wish to 'top up' their retirement savings have 3 options: -

- Purchase added years.
- Join the GRA AVC scheme.
- Take out a private AVC – a Personal Retirement Savings Account (PRSA) AVC.

In this chapter and in chapter 8, we consider the first two options as these are the primary ones of interest to members.

9.2 Purchase of Notional Service (PNS) i.e. Added Years

Pre-2013 Gardaí who join An Garda Síochána later in life and cannot achieve 30 years' service by age 60, may purchase notional years for pension purposes⁴⁴. PNS is not available to members of the Single Scheme.

The cost of these notional years can be significant. For a Garda on pensionable salary and allowances of €60,000, the cost of purchasing each additional notional years' service may be in the order of €18,000 (taking into account the fact that each year of service after 20 counts as two years for pension purposes). This figure is purely indicative of the significant level of the cost. Members must contact Garda Pensions for an accurate quote.

Notional service may be purchased through regular payments or through a lump sum payment. These payments are allowable against income tax. A loan utilised to make a lump sum purchase of notional service prior to retirement, could be repaid out of the lump sum gratuity received on retirement.

PNS is not open to members who will have less than 9 years total service at their normal retirement age.

9.3 Additional Voluntary Contributions (AVC's)

See chapter 8 for an explanation of Additional Voluntary Contributions.

⁴³ See [purchase of notional service pns and additional voluntary contributions avcs 1.pdf \(pensionsauthority.ie\)](#)

⁴⁴ See Circular 4/2006 titled "Purchase of Notional Service for Superannuation Purposes by Established and Non-Established Civil Servants".



9.4 Career Break & Buy Back of Service

Question: I took a career break for 2 years and did not contribute anything to superannuation for those 2 years. Can I “buy back” those years for pension purposes?

Answer : You have a number of options: -

- Buy notional service under the notional service scheme if eligible (see below). This will increase your reckonable years of service. The cost is significant. A quote may be requested from Garda Pensions.
- Buy ongoing tax efficient AVC's to increase earnings in retirement. This will not add any service for pension purposes. Instead, your AVC's will build up a fund of money out of which you can maximise your lump sum on retirement and invest any balance in an Approved Retirement Fund, among other options.
- Buy a last minute AVC to increase your lump sum on retirement. This is tax efficient but will not add any service for pension purposes.

9.5 Pension Shortfall due to Short Service

Gardaí may join An Garda Síochána at up to age 35 (on date of close of competition). Following selection and training, a Garda attesting at age 36, may only have a 24-year career before mandatory retirement at 60 years of age. This leaves a shortfall of 6 years to achieve full pension.

Such a Garda has a number of options to provide for the shortfall. These include: -

- Purchase of Notional Service to increase your pension.
- Additional Voluntary Contributions (AVC's) to increase savings in retirement in a tax efficient manner.
- Private savings and investment (e.g., property) to boost pension. No tax relief applies to this option.

9.6 Comparing AVC's to the Purchase of Notional Service

Members who are unable to achieve 30 years' service by age 60 are advised to request a quote for notional service and to compare this to the regular AVC option.

Last minute AVC's are also an attractive option – see chapter 8.

The purchase of notional service delivers a guaranteed increase in pension based on final salary that will increase in line with all pension payments in retirement. No fees or administration costs are charged, and the pension is guaranteed by the state.

Both AVC and Notional Service contributions are allowable against income tax.

AVC's are provided by private financial institutions and are subject to fees and charges. The individual bears the risk as benefits depend on investment returns. The fund at retirement can be taken as a tax-free gratuity (subject to Revenue limits) or can be used to fund the purchase of notional service (i.e. repay loans) among other options.

Members are advised to research the comparative benefits of both options.



Consult Garda Pensions in relation to the purchase of notional service.
Cornmarket are the GRA approved provider of AVC solutions to members.

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10 Pension Abatement & the Pensions Benefit Cap

Retired public sector employees who return to work in the public sector are subject to pension abatement rules.

Retired public sector employees entitled to more than one pre-existing⁴⁵ pension are subject to Pension Benefit Cap rules.

This chapter deals with these rules.

10.1 What does Pension Abatement mean ?

Public service pension abatement was introduced in the 2012 Act (section 52). Public sector employees who retire on pension and subsequently return to work in the public sector will be subject to pension abatement. Your pension will be reduced to make sure you do not earn more between your pension and your income from employment, than you would otherwise earn if you had stayed in your original employment.

Pension abatement only applies if you return to work in the public service. If you are getting a public service pension and you go to work in the private sector, pension abatement does not apply. Your pension is not affected.

10.2 Abatement Example

A Garda with a salary of €60,000 retires with a pension of €30,000. He or she subsequently takes up another public sector job at a salary of €50,000. Without abatement, total pension and salary would then be €80,000 (€30,000 + €50,000).

Abatement will reduce the pension by €20,000 to ensure that the pension and new salary does not exceed the current salary for the old public sector position. The retired Garda will earn €50,000 and receive a pension of €10,000, bringing the total to €60,000.

If the current salary for the Garda position increased over time to €70,000, the abatement would then reduce to €10,000 to keep the total below this figure.

When the retired Garda ceases his or her new job, his or her pension will be restored to the full €30,000 as adjusted by annual increases.

10.3 Setting up a Personal Pension in your new job

Retired gardai, like all public sector employees, may take up a new employment or become self-employed after retirement. A new employment in the private sector may offer an occupational pension scheme and subject to its rules, the retired garda may join that scheme, potentially accumulating a second pension on eventual retirement.

If becoming self-employed or taking up a job in a private sector entity that does not offer an occupational pension scheme, the retired garda may set up a new private pension and claim tax relief up to age 75.

⁴⁵ As defined in the 2012 Act, Pre-existing Pension Schemes are all public service occupational pension schemes with the exception of the Single Public Service Pension Scheme.



10.4 PRSI Contributions

A retired garda taking up a job must pay Class A PRSI up to age 66 or age 70⁴⁶ and may qualify for a pro-rata contributory state pension⁴⁷ if not already entitled to one. The retired garda will only pay PRSI on income from employment. You do not have to pay PRSI on your pension from a former employment.

10.5 Pensions Benefit Cap

The latest guidance is contained in DPENDPR Circular 13 / 2020 Guidance on the application of the Pensions Benefit Cap under section 52 (6) and (7) of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012.

The pensions benefit cap introduced under section 52 (6) and (7) provides that:

- where a public servant is entitled to receive pension benefits from one or more than one pre-existing (i.e., all schemes excluding the Single Scheme) public service pension scheme then no more than the 'equivalent of 40 years' service' can be used in calculating the benefits payable under that scheme or those schemes;
- anyone who has accrued more than the equivalent of 40 years' service before the passing of the 2012 Act may retain the benefit of service accrued up to 27 July 2012.

A garda with 26 years of actual service has 32 years of pensionable service when service in excess of 20 years is doubled under fast accrual rules. It is the 32 years of pensionable service which is taken into account when calculating the 'equivalent of 40 years' service' above.

The financial limits in relation to pension and lump sum can be established by calculating a maximum allowable pension and lump sum using:

- the total number of years' pensionable service allowable under the legislation, and
- the highest, or 'Best' rate of Final Pensionable Remuneration ('BFPR'), uprated, as appropriate, to a current value, from across the different schemes and pension/lump sum calculations.

An individual whose benefits are subject to the cap will have their final benefits calculated by:

- having their pension benefits calculated as if the limits didn't apply,
- assessing the financial total of those benefits against the financial limits, with the most recent pension/lump sum being reduced accordingly if the limits are breached.

DPENDPR Circular 13 / 2020 Explanatory Examples for the application of the Pensions Benefit Cap, runs to 22 pages and provides 14 detailed worked examples of the application of the pensions benefit cap.

⁴⁶ From 1 January 2024, the upper age limit for PRSI increased from age 66 to age 70. This change applies to all employees and self-employed except those already in receipt of the contributory state pension or those who reached 66 years of age by 1 January 2024 (i.e. born before 1 January 1958).

⁴⁷ Subject to certain criteria including a minimum number of 520 weekly contributions. – i.e. 10 years.



11 Purchase and Transfer of Retirement Benefits under the Single Scheme

This chapter summarises Circular 15/2019 'Purchase and Transfer of Retirement Benefits under the Single Public Service Pension Scheme' (a 40-page circular). It relates to post-2012 members only (i.e. Single Scheme members).

11.1 Summary

Circular 15/2019 (S.I. No 252/2019) enables eligible members of the Single Public Service Pension Scheme ("Single Scheme") to:

- Purchase additional referable amounts for the purpose of augmenting their pensions and/or lump sums and
- Make inward transfer to the Single Scheme of transfer values from certain other Revenue approved retirement schemes and PRSA's.⁴⁸

The main purpose of the Purchase Facility is to allow single scheme members who may not have a long career in the public service, to boost their retirement benefits under the single scheme.

The main purpose of the Transfer Facility is to allow Single Scheme members with transfer values arising from pension entitlements in other Revenue approved retirement schemes and PRSAs to transfer those entitlements into the Single Scheme.

The Purchase and Transfer Facility operates on the basis of the purchase of additional referable amounts for pension and/or lump-sum. It operates on a cost-neutral basis, with the pricing of purchased benefits being based on the actuarially calculated cost of paying out those benefits at retirement.

These regulations also allow members who had previously been members of the Single Scheme and received a refund of contributions prior to vesting and subsequently re-joined the Single Scheme within two years of departure, to restore those refunded amounts.

11.2 Key Eligibility Conditions

Purchase or Transfer key eligibility conditions include..

- Scheme members must have completed the vesting period;
- Scheme members must have the potential to complete a period of 9 FTE (full time equivalent) years as a member of the Single Scheme by the time they reach their normal retirement age (including years of membership before purchase).

See circular 15/2019 for further eligibility conditions.

11.3 Key Features of Purchase Scheme

Key features include..

- Eligible members can choose to purchase additional pension only, additional lump sum only or a combination of additional pension and additional lump sum.

⁴⁸ Personal Retirement Savings Account



- A Scheme member can enter into one contract in any period of 12 months.
- Referable amounts may be purchased by way of one lump sum payment only.

See circular 15/2019 for further features.

11.4 Key Features of Transfer Scheme

Retirement benefits that can be transferred in include retirement benefits accrued..

- Under a retirement benefit scheme approved by the Revenue Commissioners in accordance with Chapter 1 of Part 30 of the Taxes Consolidation Act 1997, **other than a pre-existing public service pension scheme (i.e., other than pre-2013 public service pension schemes).**
- Under a Buy-out-Bond (BoB) / Personal Retirement Bond (PRB) approved by Revenue.
- In a Personal Retirement Savings Account (PRSA), including an Additional Voluntary Contribution (AVC) PRSA,
- Under an approved overseas pension scheme.
- Accrued in respect of service in the European Commission, European Council, European Parliament, European Court of Auditors, European Economic and Social Committee or Eurocon.

Transfer values are used in all cases and this transfer value can then be used to purchase referable amounts in the Single Scheme, in accordance with the cost tables appended to Circular 15/2019 – see below.

Eligible members can choose to purchase additional pension only, additional lump sum only or a combination of additional pension and additional lump sum.

See circular for other features.

11.5 Pre-2013 Pension Schemes

The transfer of retirement benefits accrued under **pre-existing public service pension schemes (i.e., attested pre-2013)** is **not permitted** under this transfer facility. Preserved benefits in pre-existing public service pension schemes will be available to former members of such schemes at preserved pension age in the normal course.

11.6 Cost of Purchase or Transfer

Tables 7 and 8 in Circular 15/2019 detail the cost of purchasing pension benefits. The following table is a summary extract from these tables.

In the case of transfers, transfer values are used in all cases. The transfer value can be used to purchase referable amounts in the Single Scheme.



Pension and Lump Sum Purchase Rates by reference to Normal Retirement Age 55		
Age Next Birthday	Cost of Purchasing €1 Pension Per Year from Age 55	Cost of Purchasing €1 Lump Sum from Age 55.
55	€ 33.68	€ 1.00
50	€ 33.93	€ 0.99
45	€ 34.19	€ 0.98
40	€ 34.44	€ 0.96
35	€ 34.70	€ 0.95
30	€ 34.96	€ 0.94
25	€ 35.22	€ 0.93

Note : This table is a summary extract from tables 7 and 8 in circular 15/2019.

At age 55, the cost of purchasing a €1 lump sum is €1. The benefit is the fact that the purchase cost is tax deductible, and the lump sum is subsequently paid out tax free on retirement. This is the basis of last minute AVC's which attempt to utilise the retiring members maximum tax-free lump sum limit.

11.7 Taxation

Transfer values from approved pension schemes are transferred into the Single Scheme tax free.

The cost of purchasing additional pension benefits is tax allowable. See chapter 12 for further details. Expert advice is advised.

11.8 Purchase and Transfer Limits

Circular 15/2019 sets out limits to the levels of purchase or transfer in of pension benefits that are allowed. In general, the more years that you will be a member of the single scheme to normal retirement age, the higher the limits.

See circular 15/2019 for examples of limit calculations.



12 Taxation

This chapter considers the taxation of pension contributions and benefits in Ireland in 2023. Members should seek professional advice on their particular circumstances.

12.1 Sources of Information

Citizens Information and Revenue.ie are sources of information. See “Revenue Pensions and Tax” at [Pensions and tax \(revenue.ie\)](https://www.revenue.ie/en/pensions-and-tax/)

12.2 Tax Relief on Contributions

Pension contributions are automatically deducted from payroll. Tax Relief on your pension contributions is given at source. Your gross pay is reduced by your contributions before PAYE (Pay-As-You-Earn) tax is applied. You do not need to make a separate claim to the Revenue for tax relief.

The maximum amount of pension contributions, including purchase payments⁴⁹, in any one year entitled to tax relief is related to age and is expressed as a percentage of gross income.

In this regard it should be noted that the Additional Superannuation Contribution (ASC) introduced with effect from 1 January 2019 is treated as an expense which means that it will attract tax relief and Employer PRSI relief. It is not, however, deemed to be a pension contribution and therefore does not impact on the age-related tax relief thresholds which are set out below:

Maximum Annual Tax Allowable Pension Contributions including Purchase Payments	
Highest Age in Year of Pension Contribution	% of Gross Income for which tax relief is available
Under 30	15%
30 to 39	20%
40 to 49	25%
50 to 54	30%
55 to 59	35%
60 and over	40%

There is also a maximum annual level of earnings in respect of which tax relief is given. That earnings limit is currently (2023) set at €115,000 and is adjusted by the Minister for Finance from time to time. Other than in the case of the ASC described above, the tax relief limit covers all superannuation contributions, including purchase payments.

⁴⁹ See Chapter 11, Circular 15/2019 ‘Purchase and Transfer of Retirement Benefits under the Single Public Service Pension Scheme’



PRSI & USC

There is NO relief from Universal Social Charge (USC) or Pay Related Social Insurance (PRSI) for employee pension contributions.

12.3 Taxation of Garda Pensions

All private pensions and occupational pensions are taxable sources of income. Garda pensions are treated as income and are taxed in the normal way. They are liable to Income Tax and Universal Social Charge (USC). They may also be liable to Pay Related Social Insurance (PRSI) in the same way as employment income. Garda pensions will deduct the tax from each payment it makes to you.

Different rules apply to social welfare pensions – see below.

Garda pensions are subject to a USC charge whereas the contributory state pension is not. In line with this, total income for USC purposes does not include payments from the Department of Social Protection

Reduced rates of USC apply to:

- People aged 70 or over whose total income for the year is €60,000 or less.
- Medical card holders aged under 70 whose total income for the year is €60,000 or less.

12.4 Taxation of the Contributory State Pension

Social welfare pensions, paid by the Department of Social Protection (DSP), including the Contributory State Pension, are liable to [Income Tax](#). They are not liable to [Universal Social Charge \(USC\)](#) or PRSI. The DSP automatically provides Revenue with information on the taxable amount of these pensions.

Revenue Form 11

Members should seek professional advice on completing an annual return of income on a Form 11 to report all income and ensure that the correct tax is paid or reclaimed.

12.5 AVC's

AVC contributions are tax allowable subject to the overall limits on tax allowable pension contributions – see 12.2 above.

You may pay a once-off or special pension contribution after the end of a tax year, but before the following 31st October. If you do so, you can choose, on or before 31st October, to have the tax relief for the contributions allowed in the earlier tax year. When you use the [Revenue Online Service \(ROS\)](#), the deadlines for paying contributions and making this choice are extended.

This facility is particularly useful in reducing tax liability and making an instant high return on savings. For a garda paying 40% income tax on some of his or her earnings, there is an instant return in the order of 60% (i.e., $40\%/60\% = 66\%$ less charges) on an investment in an AVC. Thereafter, the AVC investment, already boosted by 60% due to tax relief, continues to grow year after year in line with investment returns.

12.6 Tax Relief on Transfers & Purchases of Additional Pension Benefits

Transfer values from approved pension schemes may be transferred into the Single Scheme tax free.



The cost of purchasing additional pension benefits is tax allowable. The maximum amount of pension contributions, including purchase payments, entitled to tax relief in any one year, are set out in 12.2 above.

12.7 Tax Relief on Additional Superannuation Contributions (ASC's)

Additional Superannuation Contributions (ASC) are a percentage deduction from pay introduced in 2019. No corresponding additional pension benefits accrue.

Additional Superannuation Contributions (ASC) deductions are allowable against income tax and are automatically deducted from payroll.

12.8 Taxation of Pension Lump Sum

All Garda pension schemes are defined benefit in nature.

In a defined benefit occupational pension scheme, Revenue allows you to take up to 1.5 times your final remuneration as a tax-free lump sum, if you have completed 20 years' service and have no benefits from a previous scheme.

Currently (2023), Revenue allows a maximum of €200,000 to be taken as a tax-free pension lump sum. This is a total lifetime limit even if lump sums are taken at different times and from different pension arrangements. Lump sums between €200,001 and €500,000 are taxed at 20%, with any balance over this amount taxed at your marginal rate and subject to the Universal Social Charge.

12.9 PRSI Credits and the Contributory State Pension

In general terms, to qualify for the full rate of the contributory state pension a person requires a number of PRSI contributions equivalent to 40 years employment, depending on the calculation method applied. Insufficient contributions will generally mean that a retired member will qualify for a reduced rate of the CSP.⁵⁰

Those who have less than 40 years' of PRSI contributions may have the opportunity, post-retirement, to accumulate additional PRSI credits or contributions. The following options are available:

- If the retired member qualifies for a social insurance payment (e.g. Job Seeker's benefit), then signing up to the relevant scheme will generate PRSI credits which have the same value as paid contributions.
- Voluntary contributions may be paid by anyone who is no longer covered by PRSI as an employee and is under pensionable age. Voluntary contributions can only be made where the person is no longer in paid employment (or self-employed) and not in receipt of credited contributions relating to a social insurance payment.
- If a retired member takes up employment post-retirement, they will have the opportunity to either
 - Build up to a total of 40 years of contributions / Credits, or

⁵⁰ We are awaiting clarification/confirmation that a partial supplementary pension will be paid after age 66 to make up any shortfall in the contributory state pension (Sept 2023).



- Ensure the yearly average number of contributions is maintained up to pension age.
- DSP may also allow for additional credits to be calculated in respect of periods where a person was not employed because of time spent caring for qualifying children or adults.

See section 4.18 for further information.



13 Widow's Pension

This chapter considers the impact of retirement for a Garda in receipt of a Widow's, Widower's or Surviving Civil Partner's contributory pension.

13.1 Qualifying for a Widow's Pension

To qualify for a Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension (hereafter referred to as 'Widow's Pension'), either you or your late spouse or civil partner must have made a certain number of PRSI contributions before the death of the spouse or civil partner.

The Widow's pension is not means tested. It is payable regardless of other income and is taxable. A garda may receive a salary and widow's pension while working.

The widow's pension is paid by the Department of Social Protection.

13.2 Pre-95 Gardai

A pre-95 garda in receipt of a widow's pension, who receives a full garda pension on retirement at say, age 55 will continue to receive both a garda pension and a widow's pension to age 66 and beyond to his/her death – provided (s)he continues to satisfy the DSP conditions for payment of a widow's pension.

Should (s)he take up employment after retirement, pay class A PRSI, and qualify for a contributory state pension at age 66 on foot of this, (s)he will thereafter receive either a widow's pension or a contributory state pension, but not both. The retired member will also continue to receive a garda pension.

13.3 Post-95 Gardai

A post-95 garda in receipt of a widow's pension, who receives a garda pension on retirement, may also receive a widow's pension or jobseekers benefit for the first 9 months after retirement – but not both.

Thereafter, the retired member will receive a garda pension, a supplementary pension and a widow's pension to age 66. The supplementary pension is paid by Garda pensions to ensure that the post-95 Garda pension plus the supplementary pension equates to the pre-95 Garda pension (see chapter 3). From age 66, the retired member may continue to receive a widow's pension or contributory state pension, but not both. (S)he will also continue to receive a garda pension.

At age 66, maximum rate widow's pension increases to the maximum rate Contributory State Pension (€265.30 in Nov. 2023). The restrictions that apply to a widow's pension (e.g., not be cohabiting with another person) do not apply to persons in receipt of a Contributory State Pension.

13.4 Post-2012 Gardai

A Single Scheme Garda in receipt of a widow's pension, who receives a garda pension on retirement at say, age 55, will recontinue to receive a widow's pension to age 66.



From age 66, (s)he will receive a contributory state pension or a widow's pension, but not both. (S)he will also continue to receive a garda pension.

13.5 Taxation

When the Department of Social Protection inform Revenue of a widow's pension in payment, Revenue reduce the recipient's tax credit to effectively take the tax at source. The retired member should ideally complete a form 11 each October to report all sources of income and to ensure correct taxation. No PRSI or USC (universal social charge) is paid on a social welfare payment such as a widow's pension.

Useful Contact :

Department of Social Protection, Phone 071-9157100 : Email widows.con@welfare.ie : www.gov.ie/dsp

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