



Number 7 of 2004

PUBLIC SERVICE SUPERANNUATION (MISCELLANEOUS PROVISIONS) ACT 2004

ARRANGEMENT OF SECTIONS

Section

1. Interpretation.
2. New entrant.
3. Removal of compulsory retirement age for new entrants to public service.
4. Compulsory retirement age for new entrants to Garda Síochána.
5. Amendment of Superannuation (Prison Officers) Act 1919, etc.
6. Compulsory retirement age and new entrant fire brigade employees.
7. Compulsory retirement age and new entrants to Permanent Defence Force.
8. Pension schemes, etc., and new entrants to Permanent Defence Force, etc.
9. Non application to Chaplaincy Service.
10. Pensionable age generally.
11. Pensionable age for new entrants to Houses of Oireachtas, etc.
12. Accrual rate for pension purposes.
13. Reckoning for superannuation purposes of service after a specified age.
14. Application to existing pension provisions.
15. Removal of doubts.
16. Short title and collective citation.

[No. 7.] *Public Service Superannuation* [2004.]
(Miscellaneous Provisions) Act
2004

SCHEDULE 1

BODIES TO WHICH THE DEFINITION OF “PUBLIC SERVICE BODY” DOES
NOT APPLY

SCHEDULE 2

PART 1

CONSEQUENTIAL AMENDMENTS TO ACT RELATING TO *SECTIONS 2(7)*
AND *11(2)*

PART 2

CONSEQUENTIAL AMENDMENTS TO ACTS RELATING TO *SECTIONS 3*
AND *10*

[2004.] *Public Service Superannuation* [No. 7.]
(Miscellaneous Provisions) Act
2004

ACTS REFERRED TO

Civil Service Regulation Act 1956	1956, No. 46
Companies Act 1963	1963, No. 33
Companies Acts 1963 to 2003	
Comptroller and Auditor General (Amendment) Act 1993	1993, No. 8
Data Protection Act 1988	1988, No. 25
Defence Forces (Pensions) Acts 1932 to 1975	
Dentists Act 1985	1985, No. 9
Environmental Protection Agency Act 1992	1992, No. 7
Fire Services Act 1981	1981, No. 30
Freedom of Information Act 1997	1997, No. 13
Harbours Act 1946	1946, No. 9
Harbours Act 1996	1996, No. 11
Health Act 1970	1970, No. 1
Health (Eastern Regional Health Authority) Act 1999	1999, No. 13
Local Government Act 2001	2001, No. 37
Medical Practitioners Act 1978	1978, No. 4
Mental Treatment Act 1945	1945, No. 19
Ministerial and Parliamentary Offices Act 1938	1938, No. 38
Ministerial, Parliamentary and Judicial Offices and Oireachtas Members (Miscellaneous Provisions) Act 2001	2001, No. 33
National Disability Authority Act 1999	1999, No. 14
Nurses Act 1985	1985, No. 18
Official Languages Act 2003	2003, No. 32
Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices (Amendment) Act 1973	1973, No. 22
Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices (Amendment) Act 1992	1992, No. 3
Oireachtas (Allowances to Members) and Ministerial, Parliamentary and Judicial Offices (Amendment) Act 1977	1977, No. 29
Oireachtas (Allowances to Members) and Ministerial, Parliamentary and Judicial Offices (Amendment) Act 1983	1983, No. 32
Ombudsman Act 1980	1980, No. 26
Ombudsman for Children Act 2002	2002, No. 22
Pensions Act 1990	1990, No. 25
Pensions (Amendment) Act 2002	2002, No. 18
Planning and Development Act 2000	2000, No. 30
Registration of Title Act 1964	1964, No. 16
Superannuation Act 1859	22 Vict., c. 26
Superannuation Act 1887	50 & 51 Vict., c. 67
Superannuation Act 1909	9 Edw. 7, c. 10
Superannuation Act 1914	4 & 5 Geo. 5, c. 86
Superannuation Acts 1834 to 1963	
Superannuation (Prison Officers) Act 1919	9 & 10 Geo. 5, c. 67
Vocational Education Act 1930	1930, No. 29



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PUBLIC SERVICE SUPERANNUATION (MISCELLANEOUS PROVISIONS) ACT 2004

AN ACT TO REMOVE THE COMPULSORY RETIREMENT AGE FOR CERTAIN CATEGORIES OF NEW ENTRANTS INTO THE PUBLIC SERVICE ON OR AFTER 1 APRIL 2004, TO INCREASE THE PENSIONABLE AGE FOR CERTAIN CATEGORIES OF NEW ENTRANTS INTO THE PUBLIC SERVICE FROM THAT DATE, INCLUDING MEMBERS OF EITHER HOUSE OF THE OIREACHTAS AND CERTAIN OFFICE HOLDERS, AND TO MAKE CONSEQUENTIAL PROVISIONS, TO PROVIDE FOR CERTAIN OTHER CATEGORIES OF NEW ENTRANTS, FOR TRANSITIONAL MATTERS AND FOR THE MAKING OF A SCHEME OR SCHEMES FOR THE GRANTING OF SUPERANNUATION BENEFITS TO OR IN RESPECT OF NEW ENTRANTS INTO THE PERMANENT DEFENCE FORCE APPOINTED ON OR AFTER 1 APRIL 2004, AND TO PROVIDE FOR CONNECTED MATTERS. [25th March 2004]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) In this Act, except where the context otherwise requires: Interpretation.

“1980 Regulations” means the Civil Service Superannuation Regulations 1980 (S.I. No. 188 of 1980);

“Civil Service” means the Civil Service of the Government and the Civil Service of the State;

“death benefit” means a superannuation benefit payable under a public service pension scheme on the death of the member;

“European Parliament”, in relation to membership, means membership in respect of a constituency within the State and includes, in respect of former membership, a former member of the European Assembly in respect of such a constituency;

“health board” means—

(a) a health board established under the Health Act 1970,