



**Circular Number:** Circular 24/2022

**Circular Title:** Guidance on the application of Abatement of Public Service Occupational Pensions under Section 52 (1) to (5) of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012

**To:** HR Managers/Personnel Officers/Pension Paying Authorities in each Department and Office

A Dhuine Uasail

I am directed by the Minister for Public Expenditure and Reform to refer to arrangements for the abatement of public service pensions. This Circular applies to all persons in receipt of public service pensions from civil and public service bodies.

**This Circular should be circulated to all Offices and Bodies under your aegis.**

**Date:** 21 December 2022

**File Reference:** P018-029-2016

**Purpose:** This Circular provides guidelines on the application of Abatement of Public Service Occupational Pensions, in accordance with subsections (1) to (5) of Section 52 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 ('the 2012 Act').

**Relevant Legislation:** Public Service Pensions (Single Scheme and Other Provisions) Act 2012

**Effective From:** 1 November 2012, as per commencement date of subsections (1) to (5) of Section 52 of the 2012 Act (S.I. 393/2012).

***This Circular supersedes all previous civil and public service circulars and guidelines in relation to abatement of civil and public service pensions.***

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Jasmina Behan  
Assistant Secretary  
Work and Pensions Division

## 1. Definitions

*“Abatement”* – For the purpose of this Circular, this is a reduction in the public service pension(s) of a public servant in circumstances where the public service pension(s) is in payment and the pensioner is re-employed in the public service.

*“Current Remuneration”* – The gross total of all salary, emoluments and allowances (whether pensionable or not) that the member receives in their new/current public service position(s). Where an individual is employed in two or more public service positions, the aggregate Current Remuneration in both/all public service positions is included.

*“Family Law Acts”* – This means the Family Law Act, 1995; the Family Law (Divorce) Act, 1996; and the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010.

*“Member”* – For the purpose of this Circular, this means the former member or retired member of a public service pension scheme.

*“Non-Member”* – For the purpose of this Circular, this means the spouse, civil partner, qualified cohabitant or dependant who is the beneficiary of a specified portion of the member’s pension benefit under a Pension Adjustment Order, in accordance with the Family Law Acts, or who is a beneficiary under a pension allocation agreement.

*“Pension Paying Authority”* – The Department, Office or Body with responsibility for administering the member’s pension.

*“Pensionable Remuneration”* – Includes pensionable salary, pensionable emoluments and pensionable allowances payable in respect of a pensionable position.

*“Relevant Employer”* – The public service body who is employing the member in the new/current public service position.

*“Relevant Former Pensionable Remuneration”* – This is the present day value of the Pensionable Remuneration which was used in the calculation of the Relevant Pension as follows:

- (i) The Pensionable Remuneration should be adjusted to reflect changes in such remuneration e.g. a pay increase or a pay decrease. In most cases, the current rate of a pensionable emolument or a pensionable allowance is available. However, where the current rate cannot be ascertained, then the emolument/allowance should be uprated/down rated on the same percentage basis as the salary for the Relevant Former Pensionable Position.
- (ii) Where a member was promoted within 3 years of retirement and their Pensionable Remuneration was averaged at retirement, the final Pensionable Remuneration (i.e. the salary point) in the promoted grade immediately before retirement should be used to determine the Relevant Former Pensionable Remuneration, subject to (i) above.
- (iii) Where an individual’s final Pensionable Remuneration included allowances calculated in accordance with the Department of Finance Circular 10 of 2008 (“Best 3-in-10 Circular”), and/or fixed allowances, the final Pensionable Remuneration used in the calculation of the

Relevant Pension should be used to determine the Relevant Former Pensionable Remuneration, subject to (i) above.<sup>1</sup>

- (iv) Where a member is in receipt of pensions from two or more pensionable public service positions, both/all pensions in payment are subject to abatement. Each pension should be treated separately. The Relevant Former Pensionable Remuneration which was used in the calculation of a Relevant Pension shall be used to determine the level of abatement.
- (v) Remuneration in a non-pensionable position shall not be used to determine the Relevant Former Pensionable Remuneration.

*“Relevant Former Pensionable Position”* – The position in respect of which the pension is payable.

*“Relevant Pension”* – The gross public service pension payable to a member which is the subject of abatement.

*“Relevant Period”* – The duration of the re-employment.

## **Part 1: Scope and Application of Abatement**

### **Introduction**

2. Section 52(1) of the 2012 Act provides that abatement shall apply where a public service pensioner is re-appointed to the public service. Abatement ensures that the pension(s) which the public service pensioner receives, when combined with the new/current remuneration (including pensionable and non-pensionable emoluments and allowances), does not exceed the Relevant Former Pensionable Remuneration they would have received had they continued to serve in their Relevant Former Pensionable Position. **Abatement applies to the public service pension and not the salary (in the new employment).**
3. The key change introduced by Section 52 (1) to (5) of the 2012 Act was that it extended the principle of abatement to retired public servants in receipt of public service pension(s) who secure another public service appointment in any public service body. Prior to the commencement of Section 52, pension abatement only applied where such an individual was re-employed in the same sector. The 2012 Act does not amend/revoke the abatement provisions for individuals previously subject to abatement where such individuals were re-employed in the same sector prior to 1 November 2012.
4. Under the 2012 Act, the principle of abatement applies in cases where a public service pensioner is appointed to a public service position on or after 1 November 2012. It also applies where a public service pension comes into payment during such an appointment. **The Relevant Employer is required to notify the relevant Pension Paying Authority immediately where a public service pensioner has been re-employed.**
5. Where the rules of a particular public service pension scheme provide for cessation of a pension where a public service pensioner is re-employed in the public service, nothing in this Circular or the 2012 Act alters such provisions. Similarly, where a Voluntary Early Retirement/Voluntary

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<sup>1</sup> Note: Where a person is promoted three or more years before retirement, allowances held in the former grade do not fall to be included in one's final pensionable remuneration under the "Best 3-in-10 Rule".

Redundancy Scheme has provisions with regard to cessation of pension upon re-employment to the public service, nothing in this Circular or the 2012 Act alters such provisions.

### **Promotion/Changes to the Appointment**

6. Any change in status of appointment (e.g. promotion, taking up a position in a different public service body such, as the Civil Service to a Local Authority, or from one hospital to a different hospital) constitutes a new appointment. Persons who are not subject to abatement in respect of their current position (i.e. because they were appointed before the commencement date of 1 November 2012) will be subject to abatement in the event they secure a new appointment in their employment (e.g. on promotion, whether through an internal or external process or move to a different position or Department, Office or Body) where such a change occurs on or after 1 November 2012.

The above does not apply to the following appointments:

- i. Persons appointed to a position before 1 November 2012 who were not subject to abatement on appointment to that position and who are subsequently appointed/transferred, at the same grade/level, as a result of compulsory redeployment as governed by the Public Service Management (Recruitment and Appointments) (Amendment) Act 2013.
  - ii. Persons appointed to a position before 1 November 2012 who were not subject to abatement on appointment to that position and who are subsequently appointed to a temporary “acting-up” position. Departments/Bodies should be aware that acting-up appointments should, by their nature, be temporary and for a short period of time. Individuals should not be appointed in an acting-up capacity to avoid abatement, e.g. where the appointment is to a permanent position or to a fixed term position in a post which is permanent in nature.
  - iii. Persons appointed to a position before 1 November 2012 who were not subject to abatement on appointment to that position and who are appointed on secondment to another position.<sup>2</sup>
7. The 2012 Act does not provide for abatement of pensions in cases where a public service pensioner is engaged on a contract for services (non-employment) basis by a public service body. This arises where the individual is re-engaged on a fee-paid basis. In this regard, the per diem rates set for retired civil and public servants take account of the fact that such persons are in receipt of a public service pension. This per diem rate is sometimes referred to as an ‘abated fee’ – this is not the same as abatement of pensions as provided for in the 2012 Act, but rather involves the setting of fee rates at a particular moderated level to take account of the fact that the person engaged has a public service pension in payment. Departments, as well as Offices and Bodies under their aegis, should contact the Public Service Resourcing Division in the Department of Public Expenditure and Reform with regard to the per diem rates payable to a public service pensioner. Queries in relation to the per diem rates should be directed to the following email address – [support@Paytravelovertime.cloud.gov.ie](mailto:support@Paytravelovertime.cloud.gov.ie).

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<sup>2</sup> A secondment is a temporary arrangement which facilitates the release and movement of staff members for a specified period of time in a way which does not affect their employment status. Such staff remain employees of their parent organisation.

## **Part 2: Guidance on Implementation of Abatement**

8. The information required in order to calculate the level of abatement of a Relevant Pension includes:
  - a. Relevant Former Pensionable Remuneration,
  - b. Relevant Pension(s) payable to a member,
  - c. Current Remuneration,
  - d. The work-sharing pattern in the new position(s),
  - e. The length of the contract/period of employment in the new position(s).
9. The Relevant Employer(s) in which the public service pensioner secures employment should liaise with the Pension Paying Authority of the relevant pension scheme(s) to determine the correct amount of abatement, if any, to apply to the pension. Where Current Remuneration in the new/current employment, combined with the Relevant Pension, exceeds the Relevant Former Pensionable Remuneration, the Relevant Pension will be abated. The Current Remuneration in respect of the new/current position will not be reduced, **i.e. abatement applies to the public service pension, not the salary (in the new employment).**
10. A range of calculation examples are shown in the Appendix to this document. Further examples can be found in “Circular 24/2022 - Explanatory Document” available on <https://www.gov.ie/en/circulars/>

### **Periodic and Pro-Rata Application of Abatement**

11. Abatement is applied on a **periodic basis**. This means that the public service pension of an individual is abated where their Current Remuneration in a relevant period, for example, on a given day/week, combined with the Relevant Pension payable on that day/week, exceeds their Relevant Former Pensionable Remuneration for that day/week.
12. Abatement is calculated on a **pro-rata basis**. Where a public service pensioner returns to work, on a part-time or work-sharing basis (e.g. 50% of the full-time equivalent (FTE)), a pro-rated adjustment will apply to the Relevant Pension for the purposes of the abatement calculation. In the case of a 50% FTE, this means that the Relevant Pension is abated where the Current Remuneration (at the work-sharing rate of 50% of the FTE), plus 50% of the Relevant Pension in payment, exceeds 50% of the FTE of the Relevant Former Pensionable Remuneration.
13. There should be no deferral of abatement when a pensioner is re-employed. Abatement should happen on an “as and when paid” basis or as soon as possible after the new/current employment commences. **Failure to apply abatement in a timely fashion will result in overpayments of pension, which will fall to be recouped.**

## **Adjustment to the Level of Abatement**

14. The level of abatement may change where:

- a. There are changes to the Current Remuneration in the new position(s) e.g. the individual receives an increment or additional allowances, works overtime or is promoted.
- b. There is a change to the work pattern, or the individual opts for a shorter working year, special leave without pay or any other unpaid leave.
- c. The individual benefits from a pay rise that changes either the Relevant Former Pensionable Remuneration or the Current Remuneration in their new employment.
- d. The Relevant Pension is revised (e.g. due to a pension increase/decrease).

Abatement must be kept under review and should reflect any changes in the rate of a Relevant Pension, Current Remuneration and/or work pattern.

## **Multiple Pensions**

15. All public service pensions in payment to an individual are subject to abatement. Each pension is assessed separately against the Relevant Former Pensionable Remuneration on which the Relevant Pension has been calculated.

## **Re-employment in More Than One Public Service Body**

16. Abatement takes into account the aggregate of all Current Remuneration from all current public service employments, along with each public service pension payable and the aggregate is assessed against the Relevant Former Pensionable Remuneration on which the Relevant Pension has been calculated in order to determine the level of abatement.

## **Pensions Subject to a Pension Adjustment Order (PAO)**

17. Where a member's pension is subject to abatement and there is a PAO in payment, in general, such payments to the non-member will not fall to be revised as a result of the application of abatement. The Pensions Policy Section of the Department of Public Expenditure and Reform should be consulted about cases in the public service which fall within the scope of this Circular and include a PAO on retirement benefits. Queries of this nature should be submitted to [pensions@per.gov.ie](mailto:pensions@per.gov.ie) and shall have the following in the subject line "Abatement of Pension – PAO in place".

## **Pensions Subject to Allocation**

18. Where a member has surrendered, or allocated a portion of their pension to a dependent, the amount of the pension surrendered/allocated to the non-member is aggregated with the Relevant Pension payable to the member to calculate the level of abatement applicable. Abatement should be applied on a pro-rata basis to the member's and non-member's pensions. The Pensions Policy Section of the Department of Public Expenditure and Reform should be consulted about cases in the public service which fall within the scope of this Circular and include allocation of pension

benefits. Queries of this nature should be submitted to [pensions@per.gov.ie](mailto:pensions@per.gov.ie) and shall have the following in the subject line "Abatement of Pension – allocation in place".

### **Pensions Yet to Come into Payment (e.g. late claims for pensions)**

19. Where a pension is due to be paid to a public service pensioner (i.e. the member has retired and has reached minimum pension age) but the public service pensioner has not yet claimed their pension or, for some other reason, the pension is not yet in payment and the public service pensioner is re-employed in the public service, pension abatement continues to apply in respect of the pension which was payable from the date they are reemployed in the public service. In this regard pension abatement will be applied to any arrears of pension paid as if the Relevant Pension had been in payment at the time it was due to be paid.
20. The pension abatement calculations shall be carried out in accordance with this Circular as if the Relevant Pension had been paid at the time of re-employment. The retrospective pension, when claimed, shall be paid net of any pension abatement.

### **Part 3: Waiver of Abatement**

21. Section 52(4) of the 2012 Act provides for discretion by the Minister for Public Expenditure and Reform to grant a waiver in any particular case, including a case involving a class of person or persons, if the Minister is satisfied that –

- (a) *persons with particular training and experience are required for particular work in the public service body concerned,*
- (b) *the public service pensioner has that training and experience, is being employed for that work and is otherwise suitable for employment in all respects, and*
- (c) *it is not practicable to meet that requirement otherwise than by the employment of the pensioner.*

All applications require sanction by the Head of the Department/public service body before being considered by the Department of Public Expenditure and Reform for potential approval. Applications in respect of civil servants should be made by the civil service Department/Office, i.e. Relevant Employer, and be signed by the Secretary General of that Department/Office. All other applications should be made by the relevant public service body, i.e. Relevant Employer, with the formal support of the CEO or Head of Office, and the sanction of the Secretary General of the relevant parent Department, prior to submission to this Department for consideration. Only applications submitted in this manner will be considered for potential approval by this Department. Please note that the Pension Paying Authority has no role in seeking a waiver of abatement. **Note: Abatement waivers will only be granted in strictly exceptional circumstances and for a limited time-bound period only.** A checklist of documents required for a waiver of abatement application can be found in Circular 24/2022 - Explanatory Document" available on <https://www.gov.ie/en/circulars/>.

## **Part 4: Responsibilities - Relevant Employer, the Pension Paying Authority and the Public Service Pensioner**

### **Responsibility of the Relevant Employer**

22. As required by Section 51 of the 2012 Act, all new public service employees are required to declare details of any public service pension entitlements (whether in payment or due to come into payment at a later date). In this regard, immediately on commencement of employment, the Relevant Employer shall require all new appointees to complete such a declaration.
23. A public service pensioner who takes up public service employment and who has accrued an entitlement to a public service pension(s) (in payment or payable at a future date) shall have an abatement clause inserted in their contract of employment, see paragraph 39 for sample text. The Relevant Employer is required to notify the public service pensioner that their public service pension(s) is subject to abatement in accordance with Section 52 (1) to (5) of the 2012 Act.
24. The Relevant Employer is required to notify the relevant Pension Paying Authority immediately where a public service pensioner has been re-employed; and as soon as possible thereafter, but no later than two (2) weeks, provide the Current Remuneration figures, work-pattern, duration of the re-employment and any other relevant information to enable the Pension Paying Authority to calculate and apply abatement appropriately. This will avoid possible overpayments of pension and the consequential complications of recouping such overpayments. A sample template is available in “Circular 24/2022 - Explanatory Document” available on <https://www.gov.ie/en/circulars/>.
25. In cases where the employee has indicated they have a preserved pension entitlement that has not yet come into payment, pension abatement will not immediately apply. However, the Relevant Employer must ask the Pension Paying Authority to notify them of the date on which the pension will fall due for payment. When the pension is due to come into payment, the Relevant Employer will notify the Pension Paying Authority of the Current Remuneration and any other pertinent information in order to ensure that pension abatement is correctly applied in a timely fashion.
26. Where there are subsequent changes in the Current Remuneration paid to the employee and/or changes to the employee’s work pattern, the Relevant Employer shall notify the Pension Paying Authority so any necessary modification to pension abatement can be applied.

### **Responsibility of the Pension Paying Authority**

27. When a pension first comes into payment, the Pension Paying Authority shall inform the public service pensioner of the implications of Section 52(1) to (5) of the 2012 Act and of the obligations on the part of the public service pensioner to provide information and details to the Pension Paying Authority in the event of public service pensioner’s re-employment in any capacity in the public service.
28. Having received all appropriate information, the Pension Paying Authority is responsible for ensuring abatement is correctly calculated, applied and modified (where changes occur), as soon as possible but no later than four (4) weeks after the information is received.



29. The Pension Paying Authority shall provide a detailed copy of the abatement calculation to the public service pensioner, both at the time of initial application of pension abatement and at the time of any subsequent revision and address any queries raised by the pensioner relating to the calculation of such abatement.
30. The Pension Paying Authority shall record details of each public service pensioner whose pension is abated, including details of the level of abatement, the start date of such abatement, the end date, where applicable, and any changes to the level of abatement.
31. Failure to provide full details of pensions in payment (or which come into payment during re-employment) and/or failure to provide full details of re-employment in a civil or public service body may lead to an overpayment of pension. The responsibility for recouping such overpayments rests with the Pension Paying Authority.

### **Responsibility of the Public Service Pensioner**

32. Section 51 of the 2012 Act requires all persons taking up public service employment to declare all public service pension entitlements (whether in payment or due to come into payment at a later date). Immediately on taking up new employment in the public service, an individual shall be required to complete a Section 51 declaration detailing all such entitlements.
33. The public service pensioner shall inform their Pension Paying Authority (Authorities) immediately when they have been employed in a public service body.
34. Following receipt of a detailed breakdown of the abatement calculation from the Pension Paying Authority, the public service pensioner is advised to check the application of abatement to their pension, particularly at commencement and subsequent to any later changes in Current Remuneration, Relevant Pension and/or work pattern that might have the effect of modifying the abatement calculation, and where there is any doubt in relation to the level of abatement notify their Pension Paying Authority of such concerns.
35. The public service pensioner shall also notify their Pension Paying Authority immediately of any changes in Current Remuneration and/or work pattern which may impact on the abatement calculation.
36. Where a public service pensioner fails to meet their obligations in relation to the application of pension abatement under the 2012 Act and the duty to provide information, as a result of which an overpayment of pension occurs, such overpayments will be recouped through their pension in accordance with normal procedures.
37. In circumstances where an overpayment of pension occurs, such overpayments will fall to be recouped as soon as possible. Such recoupment will commence once the pension is fully/partially restored and shall not cease until the full overpayment has been recouped. Nothing in this paragraph shall prevent the public service pensioner reaching an agreement with the Pension Paying Authority to commence repayment of the gross overpayment by way of lump sum and/or salary deductions from the salary of the new employment.

## **Part 5: Other matters**

### **Advertising of Employment Positions**

38. The following terms should be included in booklets advertising public service positions:

#### *Pension Abatement*

*If an appointee has previously been employed in the Civil or Public Service and that appointee is entitled to or in receipt of a pension from the Civil or Public Service or where a Civil/Public Service pension comes into payment during the appointee's re-employment that pension will be subject to abatement in accordance with Section 52 of the Public Service Pensions (Single Scheme and other Provisions) Act 2012.*

*Please note: In applying for this position you are acknowledging that you understand that the abatement provisions, where relevant, will apply. It is not envisaged that the employing Department/Office/Body will support an application for an abatement waiver in respect of appointments to this position.*

### **Contract Terms**

39. The following terms should be included in contracts for individuals who will be subject to the principle of abatement during the duration of their public service employment:

#### *Pension Abatement*

*If you are in receipt of a public service pension, or are due to receive a public service pension during the term of your employment, your pension may be subject to abatement for the duration of this employment in accordance with section 52 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012. Changes to your pay and/or public service pensions during your re-employment will cause the level of abatement to be reviewed. It is your responsibility to notify your pension paying authority of such changes. Any overpayments arising may be recouped through your pension in accordance with normal procedures.*

### **Duty to Give Information**

38. Section 51 of the 2012 Act provides that any person:

- I. Who is employed in the public service shall provide information in relation to any public service pension entitlement, whether in payment or yet to come into payment.
- II. Who applies for a public service pension benefit provides information in relation to any other public service pension entitlement, whether in payment or yet to come into payment.
- III. Who applies for a public service pension benefit provides information in relation to any remuneration they are in receipt of, or have been in receipt of, from a public service body.

39. Under Section 51 of the 2012 Act, individuals appointed to public service positions are required to make a declaration in respect of their public service pension(s) entitlements.

## Queries

40. Queries in relation to the calculation of abatement should, in the first instance, be sent to the public service pensioner's Pension Paying Authority. The Pension Paying Authority will liaise with the Relevant Employer to resolve such queries.
41. Bodies under the aegis of a Department should send their general queries in relation to pension abatement to the HR section of their parent Department. Where there are unresolved queries, parent Departments should contact the Department of Public Expenditure and Reform to the address [pensions@per.gov.ie](mailto:pensions@per.gov.ie) and should have the following in the subject line: 'Abatement of pensions'.
42. In accordance with Section 52(3) of the 2012 Act, any doubt, question or dispute arising from the operation of this Circular shall be submitted to the Minister, whose decision on the matter shall be final and conclusive.

## Circulation

43. This Circular is a public domain document which can be accessed from <https://www.gov.ie/en/circulars/>. It is intended mainly as a reference document for personnel involved in HR/Recruiting areas and payroll administrators in public service workplaces, Pension Paying Authorities whose responsibilities include public service pensions, and public service pensioners who return to work in public service employments. It may also be of interest to public servants and public service pensioners generally. HR managers in Government Departments/Offices receiving this Circular are asked to circulate it in the normal way to all public service bodies operating under the aegis of their Department/Office.

## Appendix – Abatement Examples

A small set of explanatory examples are provided in this Circular – Further examples can be found in “Circular 24/2022 - Explanatory Document” available on <https://www.gov.ie/en/circulars/>

### Steps Involved in the Calculation of Abatement:

<b>Calculation of Abatement</b>
<b>STEP 1</b> – Ascertain Relevant Former Pensionable Remuneration
<b>STEP 2</b> – Ascertain Gross Current Remuneration for <b>ALL</b> public service employments
<b>STEP 3</b> – Ascertain details of <b>ALL</b> Relevant Pensions
For Each Pension:
<b>STEP 4</b> – Subtract Current Remuneration from the Relevant Former Pensionable Remuneration to arrive at total allowable pension: <ol style="list-style-type: none"> <li>1. A minus figure will result in full abatement of the Relevant Pension</li> <li>2. A positive figure which exceeds the Relevant Pension payable will result in no abatement</li> <li>3. A positive figure which is less than the Relevant Pension payable will result in partial abatement</li> </ol>
<b>STEP 5</b> – Ascertain current work pattern and apply the work pattern to the total pension abatement at step 4 above
<b>STEP 6</b> – Now you will have the level of abatement applicable
<b>STEP 7</b> – Outline the abatement calculations for information to the public service pensioner
Total of Relevant Pension in payment: FTE
LESS Total allowable pension
Total abatement: FTE
Apply work-sharing pattern to the abatement level
<b>Payable Amounts<sup>3</sup> – Total Income payable while re-employed</b>
Current Remuneration
PLUS, payable Relevant Pension (net of abatement)
= Gross public service income for individual after abatement (Current Remuneration + Relevant Pension)

<sup>3</sup> Note: Payable Amounts, in this and all subsequent examples, assumes that the individual has no other concurrent public service employment during the year/period of employment.

### **Example 1 - Pension is Fully Abated**

A public servant retired on Pensionable Remuneration of €60,000 with a public service pension of €30,000 and subsequently secures full-time public service employment on remuneration of €75,000 annually. There has been no change to the Relevant Former Pensionable Remuneration since retirement.

<b>Calculation of Abatement</b>	<b>Annual</b>
Relevant Former Pensionable Remuneration	€60,000.00
LESS Current Remuneration	€75,000.00
Equals total allowable pension	<b>€0.00</b>
Total of Relevant Pension in payment	€30,000.00
LESS total allowable pension	€0.00
Total pension abatement	<b>€30,000.00</b>
<b>Payable Amounts – Total Income payable while re-employed</b>	
Current Remuneration	€75,000.00
PLUS, Relevant Pension payable (net of abatement)	€0.00
<b>= Gross public service income for individual after abatement</b>	<b>€75,000.00</b>

**Outcome:** Current remuneration exceeds Relevant Former Pensionable Remuneration, therefore the total allowable pension in the above calculation is nil and the Relevant Pension is fully abated.

### **Example 2 - Pension is Partially Abated**

A public servant retired on Pensionable Remuneration of €60,000 with a public service pension of €30,000 and subsequently secures full-time public service employment on remuneration of €45,000 annually. There has been no change to the Relevant Former Pensionable Remuneration since retirement.

<b>Calculation of Abatement</b>	<b>Annual</b>
Relevant Former Pensionable Remuneration	€60,000.00
LESS Current Remuneration	€45,000.00
Equals total allowable pension	<b>€15,000.00</b>
Total of Relevant Pension in payment	€30,000.00
LESS total allowable pension	€15,000.00
Total pension abatement	<b>€15,000.00</b>
<b>Payable Amounts – Total Income payable while re-employed</b>	
Current Remuneration	€45,000.00
PLUS, Relevant Pension payable (net of abatement)	€15,000.00
<b>= Gross public service income for individual after abatement</b>	<b>€60,000.00</b>

**Outcome:** Current Remuneration is less than Relevant Former Pensionable Remuneration, however Current Remuneration combined with Relevant Pension exceeds Relevant Former Pensionable Remuneration, therefore the Relevant Pension is partially abated.

### **Example 3 - Salary Revised Downward Since Retirement**

A public servant retired on Pensionable Remuneration of €38,000 with a public service pension of €17,000 and subsequently secures full-time public service employment on remuneration of €24,000. There has been a change to the Relevant Former Pensionable Remuneration since retirement, this is now €37,000.

<b>Calculation of Abatement</b>	<b>Annual</b>
Relevant Former Pensionable Remuneration (revised to take account of pay scale changes, i.e. reduction in salary)	€37,000.00
LESS Current Remuneration	€24,000.00
Equals total allowable pension	<b>€13,000.00</b>
Total of Relevant Pension in payment	€17,000.00
LESS Total allowable pension	€13,000.00
Total pension abatement	<b>€4,000.00</b>
<b>Payable Amounts (annual) – Total Income payable while re-employed</b>	
Current Remuneration	€24,000.00
PLUS, Relevant Pension payable (net of abatement)	€13,000.00
<b>= Gross public service income for individual after abatement</b>	<b>€37,000.00</b>

**Outcome:** Current Remuneration is less than Relevant Former Pensionable Remuneration, however Current Remuneration combined with Relevant Pension exceeds Relevant Former Pensionable Remuneration, therefore the Relevant Pension is partially abated.

#### **Example 4 - Salary Revised Upwards Since Retirement**

A public servant retired on Pensionable Remuneration of €38,000 with a public service pension of €16,000 and subsequently secures full-time public service employment on remuneration of €24,000. There has been a change to Relevant Former Pensionable Remuneration since retirement. This is now €42,000 as per a recent round of general pay increases. The Relevant Pension has also increased to €17,700 per annum.

<b>Calculation of Abatement</b>	<b>Annual</b>
Relevant Former Pensionable Remuneration (revised to take account of pay scale changes, i.e. pay increase)	€42,000.00
LESS Current Remuneration	€24,000.00
<b>Equals total allowable pension</b>	<b>€18,000.00</b>
Total of Relevant Pension in payment	€17,700.00
LESS total allowable pension	€18,000.00
<b>Total pension abatement</b>	<b>€0.00</b>
<b>Payable Amounts (annual) – Total Income payable while re-employed</b>	
Current Remuneration	€24,000.00
PLUS, Relevant Pension payable (net of abatement)	€17,700.00
<b>= Gross public service income for individual after abatement</b>	<b>€41,700.00</b>

Outcome: Current Remuneration combined with Relevant Pension is less than Relevant Former Pensionable Remuneration, therefore the Relevant Pension is not abated.

### **Example 5 – Periodic & Pro-Rata**

A public servant retired on Pensionable Remuneration of €65,000 (Full-Time Equivalent (FTE) = 100%) in a position in which they worked on an 80% work pattern, working 32 of the FTE of 40 hours per week. The individual is in receipt of a public service pension of €16,250. Subsequently the individual secures public service employment on remuneration of €60,000 annually on a FTE basis of 35 hours per week. The individual works in this position on a 50% work pattern, working a 17.5-hour week. There has been no change to the Relevant Former Pensionable Remuneration since retirement.

<b>Calculation of Pro-Rata rate</b>	<b>Annual</b>	<b>Pro-Rata</b>
Work Pattern	<b>100%</b>	<b>50%</b>
Work Pattern Rate	<b>1</b>	<b>.5</b>
<b>Calculation of FTE Level of Abatement</b>		
Relevant Former Pensionable Remuneration (FTE)		€65,000.00
LESS Current Remuneration (FTE)		€60,000.00
Equals total allowable pension		<b>€5,000.00</b>
Total of Relevant Pension in payment		€16,250.00
LESS total allowable pension		€5,000.00
Total pension abatement (FTE)		<b>€11,250.00</b>
<b>Calculation of Actual Level of Abatement (Pro-Rata)</b>		
Pension abatement (FTE)		€11,250.00
Multiplied by pro-rata rate (50% or .5)		.5
Equals actual pension abatement		<b>€5,625.00</b>
<b>Payable Amounts (annual) – Total Income payable while re-employed</b>		
Current Remuneration (FTE - €60,000 * pro-rata rate .5)		€30,000.00
PLUS Relevant Pension payable (net of abatement - €16,250 Less pro rata actual abatement €5,625)		€10,625.00
<b>= Gross public service income for individual after abatement</b>		<b>€40,625.00</b>

**Outcome:** The work pattern the officer worked in Relevant Former Pensionable Position (i.e. the position they retired from) is not taken into account, only the work pattern of the new position is taken into consideration. The Relevant Pension is partially abated on a pro-rated basis. Note: Variations in the work pattern will cause the abatement calculation to be reviewed.