

**TERMS & CONDITIONS GOVERNING THE  
RE-ENLISTMENT OF FORMER PERSONNEL OF THE PERMANENT DEFENCE  
FORCE**

These terms and conditions are to establish a generic framework to be applied on the occasion where former enlisted personnel of the Permanent Defence Force (PDF), with particular skillsets that are not available in the PDF at that time, make an application for re-enlistment in the PDF.

The re-enlistment shall only be considered in circumstances where there is a requirement, identified by the Chief of Staff, arising in terms of a deficiency in personnel, military capability or expertise in the PDF that cannot be resolved in a sustainable or timely manner from within existing personnel resources within the relevant Service or Corps. The Chief of Staff will make a recommendation to the Minister on the merits of any application, in serving to address such a deficiency in the PDF.

Approval for the re-enlistment of former PDF personnel rests solely with the Minister, on the advice of the Chief of Staff. The Minister's decision in such cases shall be final.

Any former enlisted member of the PDF applying for re-enlistment under these arrangements, must satisfy the following requirements:

- i) meet the medical classification and grading as set out in the provisions of Defence Force Regulations A12;
- ii) meet such educational, certification, and professional requirements for the relevant appointment to which they are to be re-enlisted;
- iii) have a minimum military conduct rating of 'good' upon previous discharge from PDF
- iv) pass such security clearance requirements as may be determined by the Chief of Staff from time to time.

Persons who are not eligible to apply include those who:

- have already retired from the public service on medical grounds, or
- were otherwise compulsorily retired from the PDF, or

- are in receipt of a disability pension/allowance from any source, or
- have a minimum potential service of not less than 6 months to serve to normal retiring age for the rank (as set out in Defence Force Regulations A10).

Where the Minister approves the re-enlistment of a former enlisted member of the PDF, the following shall apply:

- He/she shall be re-enlisted at the substantive rank at which he/she had retired.
- Starting pay on re-enlistment will be at the corresponding point on the pay scale that was applicable immediately prior to his/her retirement<sup>1</sup>.
- He/she will be required to undertake an Induction Programme, to be determined by the Chief of Staff.
- The specific terms and conditions applicable under these arrangements, including rates of pay, allowances, occupational pension scheme terms and conditions, employee pension contributions, Social Insurance class, etc., will be determined on the basis of the applicant's public service employment history to date.
- The individual will be re-enlisted for an initial period of up to three years' service (but not less than six months). Decisions regarding the period of re-enlistment to be offered rests with the Minister.
- During the three year period, the individual shall not be eligible to apply for or be considered for promotion to any higher rank but, without prejudice to the entitlement of others, may have access to career courses (with the exception of PNCO course) and overseas deployment (subject to selection criteria published from time to time and dependent on the duration of the enlistment). During this initial three year period of appointment, the individual will be posted to a temporary appointment.
- Personnel who re-enlist under these terms and conditions will not be required to pay discharge by purchase rates if they leave of their own volition at any during their initial period of re-enlistment up to 3 years. They may, however, be subject to incur an additional specific undertaking for training provided during that period, should they undertake such training.
- Two months prior to the completion of the period of enlistment and on foot of an application from the individual concerned, an extension to the period of enlistment may

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<sup>1</sup> Whether the individual is on the Pre 2013 or post 2013 pay-scale will depend on their public service work history at the point of re-enlistment.

be offered to the individual concerned, subject to the recommendation of Chief of Staff to the Minister as to the suitability of the applicant for such appointment in terms of continuing to address a deficiency in military capability or expertise in the PDF and a suitable vacancy existing in the establishment. In reaching this decision, the Minister may take into account any other matters as he considers appropriate and reasonable in the case and his decision in such cases shall be final.

- Where the individual receives the extension to the period of enlistment, and the aggregate period of re-enlistment exceeds three years, previous service in respect of that individual but excluding the aggregate period of three years served on re-enlistment will thereafter be reckonable in respect of eligibility for future promotion competitions.
- The following pension(s) will be immediately be **subject to abatement**\* in accordance with the relevant Defence Forces pension scheme rules and / or Section 52 of the *Public Service Pensions (Single Scheme and Other Provisions) Act 2012* (the 2012 Act) :
  - any Defence Forces occupational pension that is currently in payment to the applicant, or that comes into payment to him/her during the period of re-employment, and
  - any other civil or public service occupational pension already in payment to the applicant, or that comes into payment to him/her during the period of re-employment.

\*Reduction, suspension or otherwise as the case may be. Further information in relation to Permanent Defence Force occupational pensions is attached at Annex A.

Members of the Permanent Defence Force (PDF) may qualify for occupational pension and retirement gratuity (i.e. superannuation benefits) subject to certain terms and conditions.

The main *defined benefits* under the PDF superannuation schemes are:

- occupational pension,
- retirement gratuity (lump sum) or death in service gratuity, and
- spouses'/civil partner's and children's contributory pensions.

On re-joining the PDF, a person's specific occupational pension terms will be determined under the relevant legislation based on their public service employment history to date, e.g.;

- whether they were employed in a pensionable job elsewhere in the public service immediately before re-joining the PDF; or
- how long they have been out of public service pensionable employment since retiring from the PDF.

**Note:**

- **Payment of a retired member's existing Defence Forces pension ceases immediately from the date of re-joining the PDF, for the duration of their re-enlistment. Payment will resume on the date immediately following final retirement/discharge date (see FAQ).**

All persons joining the public service as (post-1/1/2013) *new entrants* are required to pay appropriate personal pension contributions (PPC) from salary towards their superannuation benefits. As a result, PPC higher pay scales/allowances apply to enlisted personnel joining (or re-joining) the PDF on or after 1 January 2013 as members of the Single Public Service Pension Scheme.

Enlisted personnel in the PDF are also insurable for full PRSI and, on that basis, their occupational pensions are integrated with the Social Insurance code.

*Integration* means that entitlement to the range of Social Insurance benefits is taken into account when calculating the amount of occupational pension payable. Under standard public service arrangements, integration of occupational pension with the Social Insurance system begins from the time the occupational pension starts payment. The occupational pension is reduced from the start by a Social Insurance (State Pension Contributory) *offset*, regardless of whether the person has reached State Pension age. Integration applies to occupational pension benefits and employee pension contributions, but not to retirement lump sum. Modified integration arrangements apply to enlisted personnel under the pre-April 2004 Defence Forces pension schemes<sup>2</sup>.

All public servants must also pay an *Additional Superannuation Contribution* (ASC) at appropriate rates. (The ASC replaced the ‘Pension-Related Deduction’ with effect from 1 January 2019).

In general, all new entrants to the PDF and the public service who join on or after 1 January 2013 are required to be members of the Single Public Service Pension Scheme. For practical purposes, the main exception is where on re-joining the public service on or after 1 January 2013, a person has at some point worked in pensionable (non-Single Scheme) public service employment in the 26 weeks immediately prior to re-joining: they will resume membership of the relevant pre-2013 pension scheme – see below.

For PDF members, the key provisions of membership of the Single Scheme are as follows:

- It is a Public Service *defined benefit* scheme, based on *Career-Average Earnings*.
- Retirement benefits – pension and lump sum – are based primarily on % of *pensionable earnings* throughout a person’s public service career as a Single Pension Scheme member.

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<sup>2</sup> Under the pre-April 2004 Defence Forces pension schemes applicable to Enlisted Personnel, retirement pension is subject to a partial form of integration with the Social Insurance system. This relates to the pension component known as the ‘Additional Increment’ payable where qualifying service is between 22 and 31 years, and which ceases payment on reaching qualifying age for the social welfare Contributory State Pension. For further details, see the relevant ‘pre-2004’ pension booklet.

- The ‘vesting period’ for the Single Scheme is 24 months i.e., the minimum period of time that a person must pay into the scheme before becoming eligible for retirement benefits.
- For PDF members of the Single Scheme, their compulsory retirement ages or (where applicable) upper service limits are as provided under DFRs pursuant to the Defence Acts 1954-2015.
- A minimum pension age of 50 applies. This means that occupational pension and gratuity (lump sum) will not normally be payable immediately on retirement/discharge unless the person serves to age 50 with at least 2 years’ pensionable service in the Single Scheme.
- Where leaving the PDF before age 50 with the vesting period, benefits are preserved (deferred) and generally payable in line with, and linked to, the social welfare State Pension age (currently 66 rising to age 67 from 2021 and 68 from 2028).
- PDF personnel in the Single Scheme pay a 7.5% personal pension contribution (PPC) as well as the ASC, by way of deduction from salary.
- Occupational pension (but not lump sum) is subject to integration with the Social Insurance system.

Where the applicant for re-enlistment:

- (i) has worked in a pensionable (non-Single Scheme) public service appointment/position in the 26 weeks immediately prior to re-enlistment to the PDF, or
- (ii) immediately before 1 January 2013 has been and is currently on a career break or absent on special leave with/without pay from the Public Service, different pension scheme terms may apply.

The specific (pre-2013) pension scheme terms and conditions will be determined, and offered to such applicants, on a case-by-case basis in accordance with their prior public service employment history and the relevant pension rules (including the ‘40-year cap’ – see below).

The provisions of the Single Scheme are fundamentally different to, and completely distinct from, pre-2013 public service pension schemes (i.e. they are mutually exclusive). If a person already holds retirement benefits from previous public service employment under pre-2013 public service pension scheme(s), they cannot transfer (aggregate) or import those benefits to/with the Single Scheme and vice versa. Where an applicant for re-enlistment already has an existing entitlement to pre-2013 public service retirement benefits, those retirement benefits remain to be administered under the provisions of those pre-2013 scheme(s). The aggregation of such previous pre-2013 pensionable service with any subsequent period of 'pre-2013' pensionable service following re-enlistment to the PDF, is subject to the overriding '40-year cap' applicable under all pre-2013 public service pension schemes.

**Declarations, pension-accrual, etc.:**

Under the Public Service Pensions (Single Scheme and Other Provisions) Act 2012, former PDF members who re-enlist will be required to declare:

- any prior public service, or
- any pre-existing entitlements to a Public Service retirement benefit (whether in payment or preserved), or
- existing remuneration from any other Public Service employment, or
- any such employment in which they received a payment-in-lieu of pension in respect of such service.

As indicated above, payment of a retired member's existing Defence Forces pension ceases immediately from the date of re-joining the PDF, for the duration of their re-enlistment. Payment will resume on the date immediately following final retirement/discharge date.

Any other civil or public service pension (a) currently in payment to the re-enlistee, or (b) that comes into payment during their period of re-employment in the PDF, will automatically be subject to abatement (reduction or suspension as appropriate) under the 2012 Act – see FAQ.

The 2012 Act also applies a 40-year limit on the total service that can be counted towards occupational pension where a person has been a member of more than one 'pre-2013' public service pension scheme (i.e. non-Single Scheme). This may have implications for any person who has already acquired occupational pension rights in a previous Public Service employment and, on re-joining the PDF, does not become a member of the Single Scheme.

**Further information:**

An information note for PDF members of the Single Pension Scheme is available on the Department of Defence website at <https://www.gov.ie/en/collection/2a3969-pension-schemes/>. More general information on the Single Pension Scheme is posted on the Department of Public Expenditure and Reform website at <https://singlepensionscheme.gov.ie/for-members/>. All Defence Forces pension booklets are available online from the Department of Defence at <https://www.gov.ie/en/collection/f65fb1-defence-forces-pension-information/>