



Oifig an Stiúirthóra Náisiúnta, Acmhainní Daonna

Feidhmeannacht na Seirbhísí Sláinte
Ospidéal Dr. Steevens'
Baile Átha Cliath 8

Office of the National Director of Human Resources

Health Service Executive
Dr. Steevens' Hospital
Dublin 8

Tel: 01 635 2319 Email: nationalhr@hse.ie

To: Chief Executive Officer
Each National Director
Each Assistant National Director HR
Each Assistant Chief Finance Officer
Each Hospital Group CEO
Each Hospital Group Director of HR
Each Chief Officer CHOs
Each Head of HR CHOs
Head of HR, PCRS
Each CEO Section 38 Agencies
Each HR Manager Section 38 Agencies
Each Employee Relations Manager
Each Group Director of Nursing & Midwifery
Each Group Director of Midwifery
Each Clinical Director
Director National Ambulance Service

From: Anne Marie Hoey, National Director of Human Resources

Date: 13th October 2020

Re: HR Circular 061/2020-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*

Dear Colleagues

Please see attached ***Department of Health Circular 9/2020*** and ***Department of Public Expenditure and Reform (DPER) Circular 13/2020 (Appendix A)*** the purpose of which is to provide guidelines for the implementation of the Pension Benefit Cap under subsections (6) and (7) of section 52 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 ('the 2012 Act') in respect of the pension entitlements of individuals arising from their membership of more than one pre-existing public service pension scheme.

These Circulars supersede Department of Health Circular 6/2016 and DPER Circular 15/2016 respectively.

As a result of these Circulars, public health service employers are required to:

- take account of the new guidance for all current and future cases in respect of which the benefit cap potentially applies; and
- re-examine all past cases arising since 28 July 2012, including those to which earlier interim advice was applied, and to re-calculate pension entitlements, as appropriate, in accordance with the guidance.

A copy of DPER's guidance document ***Explanatory examples for application of the Pensions Benefit Cap under s.52 Single Pension Scheme Act*** is attached at *Appendix B* and is available [here](#).

Please bring these Circulars and the Explanatory Guidance to the attention of all relevant managers and employees within your area of responsibility.

Queries

Queries from individual employees or managers should be referred to local HR/Employee Relations Departments or local Superannuation Units.

Requests for clarification from Pensions and HR managers in the **HSE** should be directed to Gerry Mescall, HSE Pensions Standards & Quality Manager – HBS HR Services, Email: gerry.mescall@hse.ie

Requests for clarification from Pensions and HR managers in **Section 38 organisations** should be directed to: Bernie Neary, Pensions Manager VHSS/NHASS, National Pensions Management Unit – HBS HR Services, Email: bernie.neary@hse.ie

Technical queries may be emailed direct to pensions@per.gov.ie placing "S52 - Benefit Cap" in the subject line).

Yours sincerely



Anne Marie Hoey
National Director of Human Resources