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Retirement under the Pensions (Public Service) Act, 2017

The attention of Permanent Secretaries, Heads of Department and Chief Executive Officers is invited to the Pensions (Public Service) Act, 2017, which became operational on the 1st April, 2018. Permanently appointed officers may be granted **normal retirement** from the Public Service pursuant to Section 14(2) of the Pensions (Public Service) Act, 2017, upon attaining their respective retirement age, corresponding with the transition period, as set out in the First Schedule of the Act.

Consequently, the dates of retirement for Officers who will attain the age of sixty (60) years in 2019 will be as follows:-

TABLE		
ATTAIN AGE 60 IN 2019	RETIREMENT AGE	DATE OF RETIREMENT
January 2019	60 years 10 months	November 2019
February 2019	60 years 11 months	January 2020
March 2019	61 years	March 2020
April 2019	61 years 1 month	May 2020
May 2019	61 years 2 months	July 2020
June 2019	61 years 3 months	September 2020
July 2019	61 years 4 months	November 2020
August 2019	61 years 5 months	January 2021
September 2019	61 years 6 months	March 2021
October 2019	61 years 7 months	May 2021
November 2019	61 years 8 months	July 2021
December 2019	61 years 9 months	September 2021

The approval for retirement should be processed one (1) year in advance of the retirement date. The retirement for officers who will attain the age of sixty (60) years from August, 2019 to December, 2019 should, therefore, be processed in the year 2020.

Departments that have **not** yet been granted Delegation of Functions should take the necessary steps to ensure that the returns are submitted to this Office by **February 11, 2019**, together with certified copies of the Birth Certificates and Statutory Declarations in support of the Birth Certificate, where necessary, for the Officers/Employees concerned. Where the documents are not readily available, they should be submitted as early as possible thereafter. It should also be made clear to the officers concerned that the non-submission of these documents will result in delays in the approval for retirement and subsequently, the processing of their retiring benefits.

It is to be noted that a Statutory Declaration is not a substitute for the Birth Certificate.

Steps should be taken to ensure that the returns are accurate and in addition, that all the officers concerned are granted the pre-retirement leave for which they are eligible so that the expiration of the leave will coincide with their dates of retirement as outlined above.

2. Temporary, Casual, Daily-Paid and Part-Time Employees/Officers

The Government Employees' (Compassionate Gratuities) Resolution, 1947 shall continue to be applicable to Temporary, Casual, Daily-Paid and Part-Time Employees/Officers.

Notwithstanding, the above categories of employees should also be granted **normal retirement** from the Public Service during the transition period, as indicated in the First Schedule (**that is Column 1 and Column 2**) of the Pensions (Public Service) Act, 2017. In this regard, the Table on Page 1, outlining the retirement age and the corresponding date of retirement, is applicable to all such employees who will attain the age of sixty (60) years in 2019.

Request for Early Retirement from the Public Service is not applicable to Temporary, Casual, Daily-Paid and Part-Time Employees.

Any retirement prior to the normal retirement age, in respect of those employees, may ONLY be granted on the production of medical evidence to the satisfaction of the Governor-General, that he/she is incapable of discharging his duties efficiently by reason of any infirmity of body or mind that is likely to be permanent. Staff Order Nos. 7.13.10 and 14.7.5 of the Staff Orders for the Public Service (2004), are relevant.

3. Ministries and Departments with Delegation of Functions should:-

- Ensure that the appropriate action is taken to retire officers in keeping with the requirements of the Pensions (Public Service) Act, 2017/ Government Employees' (Compassionate Gratuities) Resolution, 1947;
- Submit to this Office copies of the letters approving the retirement of these officers; and
- Forward recommendations to this Office for officers to be retired from the Public Service where the expiration of their pre-retirement leave does not coincide with their normal retirement age.

4. Executive Agencies

Officers in Executive Agencies who opted to remain on the Government Pension Scheme are also required to retire pursuant to Section 14(2) of the Pensions (Public Service) Act, 2017. The Executive Agencies Pension Scheme, 2002 provides guidance in this regard. Executive Agencies should, therefore, submit the names and particulars to the Office of the Services Commissions for the necessary approval. The officers' Election Forms, as well as their current appointment letters, should be attached to the submission.

5. Early Retirement

In light of the Pensions (Public Service) Act, 2017, officers can no longer request to retire from the Public Service upon attaining the age of 50 – 54 years. Regulation 24 (3) of the Public Service Regulations, 1961 has been deleted and the following substitution made, as stated in the Third Schedule of the Pensions (Public Service) Act, dealing with the Amendments under "*The Constitution of Jamaica The Public Service Regulations*":

“(3) An officer may at any time after he attains-

- (a) the corresponding age during the transition period, pursuant to section 15(a) of the Pensions (Public Service) Act, or**
- (b) the age of sixty years, pursuant to section 15 (b) of the Pensions (Public Service) Act,**

apply to the Governor General for permission for early retirement, and shall in his application state the grounds on which it is based.”

Section 15 of the Pensions (Public Service) Act, 2017 states:-

“Subject to section 21, a pensionable officer may be granted early retirement from the public service by the Governor-General and be eligible to receive pension, gratuity or other allowance if-

- (a) being an existing public officer, he has, during any of the months during the transition period, specified in Column I of the First Schedule, attained the corresponding age specified in Column III thereof;**
- (b) he is a new public officer and has attained the age of sixty years; or**

(c) on medical evidence to the satisfaction of the Governor-General, he is incapable by reason of any infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent.”

Section 21 states:-

“The Governor-General may require a pensionable officer to compulsorily retire from the public service at any time after he attains the age of sixty years.”

6. Retention Beyond the Normal Retirement Age

Recommendations for retention in the Service beyond the normal age of retirement should be substantive and have merit. To assist the Public Service Commission in giving reasonable consideration to the requests, Ministries/Departments and Executive Agencies (where applicable) should:-

- i. Develop a Succession Plan in the respective areas;
- ii. Develop Standard Operational Procedures for each Unit and the respective positions;
- iii. Take the necessary steps to ensure that there is transfer/documentation of institutional knowledge;
- iv. Ensure individuals are being prepared for retirement and exposed to beneficial seminars etc.;
- v. Ensure that individuals 55 years and over are specifically targeted in respect of retirement planning.

7. Officers Over 60 Years and for Whom No Approval Was Given for Retention

Whilst the retirement age will be gradually moved to 65 years as stated earlier, this is not applicable to officers who are already 60 and should have already retired. The necessary steps should be taken to address any officer who falls in this category and for whom no permission was previously given for retention.

Please ensure that a copy of this Circular is placed at a strategic position on the Notice Board of the Ministry/Department/Agency and brought to the attention of all officers.



Jacqueline Mendez (Mrs.), JP
Chief Personnel Officer