

“YEAR OF PURPOSEFUL ECONOMIC ADJUSTMENT”

PUBLIC SERVICE MINISTRY

CIRCULAR NO. 10/1987

REFERENCE NO. PS: 16/0/32

FROM: Permanent Secretary,
Public Service Ministry

TO: All Permanent Secretaries,
Heads of Departments and
Regional Executive Officers

SUBJECT:

Continuity of Service in terms of the Miscellaneous
Enactments, (Amendment) Act No. 6 of 1981.

DATE: 1987/03/02

The Miscellaneous Enactments (Amendment) Act No. 6/1981 which amends Section 12 of the Pensions Act, Chapter 27:02, makes provision for permanent pensionable officers to continue in service after attaining the age of 55 years and to be superannuated for their entire service, provided that the Minister responsible for the Public Service certifies in writing that their retention was at the request of Government. The relevant Section of Act No. 6 of 1981 which came into operation with effect from 21st July, 1981, is reproduced hereunder for ease of reference:-

SECTION 2

“Where an officer continues in the Public Service after attaining the age of fifty-five years and where the Ministry responsible for the Public Service certifies in writing that such continued service was at the request of the Government, that officer –

- (a) Notwithstanding anything in the foregoing provisions of this section, may be granted a pension computed after taking into account the entire period of service rendered by him whether or not the pension so payable exceeds the limit described in those provisions. Provided that the pension granted to him under this subsection shall not exceed the highest annual rate of salary payable to him at any time in a pensionable office in Guyana.
- (b) Although still in the service may, at his option exercisable in accordance with section 14 (without the right of revocation granted thereby) be paid an amount not exceeding the amount which would have been payable as gratuity to him under that section if he had retired on attaining the age of fifty-five years, and any amount so paid shall be set off against the superannuation benefits granted to him on his death or his legal personal representatives.”

2. Experience over the years has however shown that many Agencies are unaware of the correct procedures which should be followed in seeking to apply the provisions of Section 2 of Act No. 6 of 1981. The purpose of this Circular therefore is to set out the procedures which ought to be adopted viz:-

- (a) At least two (2) months prior to the expected date of the officer’s retirement, the concurrence of the relevant Minister should be obtained where it is the intention to retain the officer’s service beyond the normal age of retirement, and the request submitted to this Ministry with the following particulars:-
 - (i) the name and designation of the officer;
 - (ii) the reason(s) for his / her retention;
 - (iii) a certified up-to-date copy of the officer’s Record of Service; and

(iv) the Cde. Vice-President's / Minister's concurrence.

(b) The request should be copied to the Secretary, Public Service Commission, Accountant General and Auditor General for Information.

3. This Circular takes effect immediately and must be drawn to the attention of all officers dealing with personnel matters in your Ministry / Department / Region.

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J.E. Sinclair,
Permanent Secretary,
PUBLIC SERVICE MINISTRY.