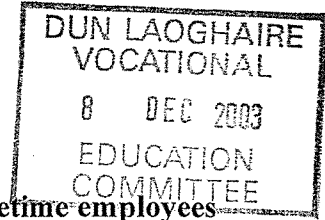




*To: The Chief Executive Officer of each
Vocational Education Committee*

CIRCULAR LETTER PEN 19/03



Superannuation of part-time employees and certain whole-time employees

1. In the context of the introduction of the PRSA arrangements, VECs were notified in Circular PEN 12/03 of the different categories of employees which would not be pensionable, even taking into consideration the terms of the Protection of Employees (Part-time Work) Act 2001 and the Protection of Employees (Fixed-term Work) Act 2003.
2. VECs were also advised that the precise details governing pensionability of the additional categories of employees had still to be determined and that, in the meantime, pending further clarification, any employees who were not pensionable or whose pensionable status was in doubt should be advised of their right to contribute to a PRSA.
3. In response to a number of enquiries which have been received, it is confirmed that, pending the outcome of the discussions regarding the precise implementation of the part-time work and fixed-term work Acts, a VEC may admit employees to pensionability where the VEC is satisfied that they are not excluded employees, having regard to paragraph 6 of Circular PEN 12/03. (The VEC should of course be satisfied that such employees are of satisfactory health and, in the case of academic staff, are fully qualified.)
4. As already stated, in any case of doubt the employee should be advised of his or her right to contribute to a PRSA.
5. Enquiries by VECs regarding the provisions of this Circular should be addressed to the Department at the address given below.

PENSIONS SECTION (VECs)
DEPARTMENT OF EDUCATION & SCIENCE
CORNAMADDY, ATHLONE
CO. WESTMEATH

Enquiries by phone should be made to 09064-83657, 09064-83658 or 09064-84004 or 01-8374700, extensions 3657, 3658 or 4004.

John Feeney
Principal Officer
Pensions Unit

3 December 2003

CF/EZ.