

**Appointment and Conditions of Service of Officers and Servants  
under Health Boards**

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**1. Introduction**

I am directed by the Minister for Health to convey the following directions in respect of the appointment of officers and servants under the health board. Certain aspects of these directions will be reviewed when programme budgeting procedures are in operation and when essential controls can be exercised through these procedures. Reference throughout the directions to the transfer of staff are to the transfer directed under the provisions of Sections 34, 35 and 37 of the Health Act 1970, and reference to transferred staff are to staff so transferred.

**Section 14**

**2. Determination of the number and type of appointments**

Where a health board makes a determination in respect of the number and type of appointments to be made it shall be on the basis that no appointments of officers will be made in respect of such determination until the Minister consents except -

- (a) insofar as the appointments may be required to maintain the staffing of institutions and outdoor services at the levels which obtained under the health authorities involved in the transfer of staff immediately prior to such transfer;
- (b) insofar as the determination relates to additional appointments of a temporary nature which the chief executive officer considers urgently necessary and which are made for a period not exceeding four weeks and;
- (c) in such other cases as the Minister may direct.

**3. Selection procedure other than through the Local Appointments Commission**

The chief executive officer shall comply with the following provisions when making an appointment as an officer to which the Local Authorities (Officers and Employees) Acts 1926 and 1940 do not apply.

- (a) As soon as possible after the occurrence of a vacancy an advertisement shall be published in the public press inviting applications from qualified persons and specifying a closing date which allows a reasonable period for potential candidates to inform themselves of the particulars of the appointment and to apply in such form as may be required. If it is intended to make more than one appointment, the advertisement should so indicate. If a panel is to be formed from which further appointments may be made if required during a period ahead, it should be stated so in the advertisement.
- (b) The selection of a candidate or candidates to be appointed or of the candidates to be placed in order of merit on a panel shall be by means of a selection procedure appropriate to the appointment having regard to the nature of the duties, the knowledge and experience necessary for the efficient performance of the duties and the qualifications for the appointment. Where the selection is not made on the results of a competitive examination, whether a general examination conducted by the Department of Education or an examination held specially on behalf of the health board, a suitably constituted interview board should be set up to assess the relative merits of candidates. A short list of candidates to attend before the interview board may be prepared by the latter from an examination of statements of qualifications furnished by candidates, at the request of the chief executive officer if he is satisfied that this course is justified, provided that the remaining candidates who possess the essential qualifications are notified accordingly.

- (c) Subject to paragraphs 4, 8(c) and 18 appointments should be made by the chief executive officer in accordance with the results of the competitive examination or the recommendations of the interview board, except where it is necessary for him on the grounds of character, health, or previous employment record, to decide that a particular candidate is not suitable for employment. The chief executive officer should satisfy himself on these points by having a medical examination carried out and by making appropriate enquiries.

#### 4. Preferences for knowledge of Irish Language

- (a) In making appointments a chief executive officer shall have regard to the provisions of the Local Officers (Irish Language) Regulations, 1966 relating to the grant of preference for a knowledge of the Irish Language as if health boards were local authorities.
- (b) It is recommended that in the selection of candidates for appointments other than appointments in which preferences are granted as at sub-paragraph (c) and (d), extra marks be granted to candidates in respect of their knowledge of Irish on the basis of a percentage of the marks allotted by the interview board in the assessment of their relative merits, at the rate of 6% to candidates adjudged to possess a competent knowledge of Irish and at the rate of 5% in the case of candidates adjudged to possess a good knowledge of Irish.
- (c) For appointments as assistant county medical officer or equivalent grades, dental surgeon and public health nurses, the preferences recommended, in view of their duties in relation to school-children, are that:
  - (i) the best qualified candidate from amongst those who possess a competent knowledge of Irish will be selected provided he or she is otherwise suitable;
  - (ii) if no qualified and suitable candidate possessing a competent knowledge of Irish is available, additional marks will be given for a good knowledge of Irish and subject to this the best qualified candidate will be selected provided he or she is otherwise suitable.
- (d) For the appointments mentioned at sub-paragraph (c) and any other appointment, if the duties are to be performed in a Gaeltacht district, the performance set out at sub-paragraph (c) should extend as follows:
  - (i) the best qualified candidate from amongst those who possess a competent knowledge of Irish will be selected provided he or she is otherwise suitable;
  - (ii) if no qualified and suitable candidate possessing a competent knowledge of Irish is available, the best qualified candidate from amongst those who possess a good knowledge of Irish will be selected, provided he or she is otherwise suitable;
  - (iii) if no qualified and suitable candidate with a good knowledge of Irish is available, the best qualified candidate will be selected, provided he or she is otherwise suitable.

#### 5. Panels

- (a) Where appointments in a particular grade are made frequently and a panel is formed for such appointments in accordance with the provisions of paragraphs 3(a) and (b), either the number of names entered on the panel should be limited to the number of appointments which can be expected with reasonable certainty to be made within a year from the setting up of the panel, or if it is expedient to place a greater number of names on the panel to allow for wastage or for other reasons, the duration of the panel when it is being formed should be expressly limited to a specified period. Normally this period would be one year but it should not exceed two years.
- (b) The chief executive officer may continue to draw on panels formed by local authorities involved in the transfer of staff to the board which were still in existence immediately prior to the transfer on the conditions which applied to the panels when formed by local authorities.

- (c) Where a panel for the appointment of clerical officer or clerk-typists has been created and has expired and now a panel has not yet been created, the chief executive officer may appoint a vacant office of clerical officer or clerk-typist a permanent officer of equivalent rank who is in the employment of another health board or local authority, subject to the consent of the health board or local authority concerned.

**6. Appointments to which normal selection procedure need not be applied**

Apart from the chief executive officer's responsibility to decide the suitability for appointment of every person appointed, the provisions of paragraph 3 need not be applied to appointments referred to at (a) to (c) and in the circumstances referred to at (d) to the extent shown;

- (a) additional temporary appointments of the type referred to at paragraph 2(b).
- (b)
  - (i) Additional appointments of a temporary nature which are being made in compliance with paragraph 2, other than those referred to at 2(b), and;
  - (ii) temporary appointments as substitutes for permanent officers or in place of permanent appointments pending the making of the latter, if they are urgently necessary or, if the chief executive officer is satisfied that advertisement would not be warranted because of the short duration of the temporary appointment or that advertisement would be unlikely to attract any other applicants. (As a normal rule, temporary appointments pending the making of permanent appointments on the recommendation of Local Appointments Commissioners should be made following advertisement).
- (c) The appointment as an officer in a hospital of a person who is a member of a religious order which is associated with the administration of that hospital in replacement of another member of that order who had been appointed without advertisement or competition.
- (d) Where the Minister consents that a particular appointment or appointments of a particular class may be made from among permanent officers of the health board or of health boards generally through a special selection procedure such appointments may be made without reference to paragraph 4(a) and (b).

**7. Informing Appointees of the Conditions of Appointment**

- (a) When making an appointment the chief executive officer should ensure that the person to be appointed is made aware of the conditions on which the appointment is being made, including the conditions relating to the determination of duties, the relevant qualifications for continuing as an officer, and the provisions relating to tenure of office in paragraph 8 and that he signs a form of acceptance of the appointment on such conditions.
- (b) In the case of a temporary appointment the nature of it should be clearly specified in the conditions on which it is made. Apart from the special case of appointments of the type referred to at paragraph 2(b), a maximum period, which should in no case exceed twelve months, should be specified for each temporary appointment but an alternative period, if shorter, should also be specified in each case according to the circumstances e.g. (i) until a specified work or duty is completed in the case of an additional temporary appointment, (ii) until a permanent appointment is made where the temporary appointment is made in place of a permanent appointment pending the making of the latter or (iii) where the temporary appointment is that of substitute for an absent officer until the return of the officer to duty.

**8. Tenure of Office**

- (a) Any permanent officer who ceases to be qualified to continue as an officer by reference to any of the qualifications approved of or directed by the Minister for continuing as an officer shall on so ceasing to qualify, cease to hold office.
- (b) Any permanent officer who is required by the terms of his appointment to comply with specified requirements or conditions (including a requirement or conditions that he shall

acquire a specified qualification) before the expiration of a specified period shall cease to hold office at the end of such period unless within that period he has complied with such requirements or conditions.

- (c) No persons who already holds a permanent appointment under a health board or local authority shall be given another permanent appointment unless he ceases to hold his earlier appointment or unless the Minister's consent is given to his holding both appointments, and any permanent officer who obtains another permanent appointment under a health board or local authority shall cease to hold his existing appointment, unless the Minister has consented to his holding both appointments.
- (d) Every permanent appointment of a person who is not already a permanent officer of a health board or of a local authority shall be made subject to the conditions that:
  - (i) the person appointed shall hold office for a probationary period of twelve months which the chief executive officer may at his discretion extend and:
  - (ii) the person appointed shall cease to hold office at the end of his probationary period unless during such period the chief executive officer has certified that the service of such person is satisfactory.
- (c) Every permanent appointment of a person who is already a permanent officer of a health board or of a local authority and who is already serving a probationary period shall be made subject to the conditions that:
  - (i) the person appointed shall hold office for a probationary period of such duration as with the probationary period served by the officer under the other health board or local authority shall be not less than twelve months which the chief executive officer may at his discretion extend and;
  - (ii) the person appointed shall cease to hold office at the end of his probationary period unless during such period the chief executive officer has certified that the service of such person is satisfactory.

## 9. Granting of Sick Leave

- (i) A chief executive officer may grant sick leave to an officer who is incapable of performing his duties owing to illness or physical injury if, and only if, the chief executive officer is satisfied that there is a reasonable expectation that such officer will be able to resume the performance of his duties and, in the case of a temporary officer, will be able to resume during his period of office.
- (ii) The chief executive officer may require an officer to submit himself to independent medical examination before he is granted sick leave and at any time during the continuance of sick leave granted to him.
- (iii) The chief executive officer may pay salary during sick leave to permanent officers in accordance with the following provisions:
  - (a) except in the case mentioned in sub-paragraph (d) no salary shall be paid to an officer when the sick leave granted to such an officer during any continuous period of four years exceeds in the aggregate 365 days.
  - (b) Subject to limitation mentioned in sub-paragraph (a), salary may be paid to an officer at the full rate in respect of any days sick leave unless, by reason of such payment the period of sick leave during which such officer has been paid full salary would exceed 183 days **during the twelve months ending on such day.**
  - (c) Subject to the limitation mentioned in sub-paragraph (a) salary may be paid at half the full rate after salary has ceased by reason of the provision in sub-paragraph (b) to be paid at the full rate.

- (d) If before the payment of salary ceases by reason of the provision in sub-paragraph (a) the Minister so consents, salary may be paid to a pensionable officer with not less than ten years service notwithstanding the said sub-paragraph (a) at either half the full rate or at a rate estimated to be the rate of pension to which such officer would be entitled on retirement, whichever of such rates shall be the lesser.
- (e) For the purposes of these provisions, every day occurring within a continuous period of sick leave shall be reckoned as part of such period.
- (iv) From the salary paid during sick leave to an officer who is an insured person within the meaning of the Social Welfare Acts, 1952 to 1968, there shall be deducted the amount of any payments to which such officer has become entitled under those Acts during the period of such sick leave.
- (v) The chief executive officer may make appropriate salary payments during sick leave to a temporary officer if he considers that having regard to all the circumstances of the case, such payment is reasonable.
- (vi) Where a permanent officer is suffering from tuberculosis and is undergoing treatment, the chief executive officer may, extend the foregoing provisions to allow the payment of salary at three quarters the full rate to the officer for the second six months of his illness and at half the full rate during the third six months of his illness.

**10. Granting of leave other than sick leave**

- (1) The following provisions shall apply to the grant of leave other than sick leave to officers of health boards;
  - (a) in the local financial year during the whole of which an officer holds office, he shall be entitled to the number of days annual leave specified for his office;
  - (b) in a local financial year during part only of which he holds office he shall be entitled to a proportionately reduced number of days annual leave;
  - (c) if an officer transferred from a health authority to a health board was entitled as part of his conditions of service to a number of days annual leave greater than the number referred to in paragraph (a) or paragraph (b), as the case may be, he shall continue to be so entitled.
- (2) The granting of leave other than sick leave to a temporary officer shall be at the discretion of the chief executive officer subject to the provisions set out in this direction in relation to permanent officers.
- (3)
  - (a) Special leave with pay may be granted by chief executive officers in the circumstances and on the conditions set out in Appendix "A" of this Circular. Where it is proposed, however, to grant special leave with pay other than for the purposes set out in the appendix the prior consent of the Minister must be obtained.
  - (b) Special leave without pay may be granted by the chief executive officer without reference to the Department. Officers applying for special leave without pay should be informed that any period of such special leave cannot be reckoned as service for the purposes of the Local Government Superannuation Act 1956.
  - (c) Special leave without pay for a period exceeding twenty-eight days should not be reckoned for the purposes of annual leave or increment. Special leave without pay granted for the following purposes may, however, be reckoned as service for incremental purposes -
    - (i) to general trained nurses to obtain a midwifery qualification;
    - (ii) to psychiatric nurses to obtain a general nursing qualification;
    - (iii) to general trained nurses to obtain a psychiatric nursing qualification;
    - (iv) to general trained or psychiatric nurses to obtain a qualification in nursing the mentally handicapped.

The grant of incremental credit for such periods should be conditional on the chief executive officer being satisfied that the officer concerned has endeavoured to the best of his ability to acquire the additional qualification without any avoidable loss of time.

- (4) An officer shall not be granted leave other than sick leave save in accordance with these provisions.

#### 11. **Determination of Duties of Officers**

- (a) Where duties of transferred officers have not been determined in accordance with the directions of the Minister, the chief executive officer should determine that as an immediate and interim arrangement, subject to review of duties arising out of organisational changes or otherwise, each transferred officer should continue to perform for the health board (and where appropriate, other health boards under an arrangement as provided for in Section 26.2 of the Act), the duties whether they were expressly defined or not, of his office under a local authority immediately prior to his transfer (including, where appropriate, duties relating to the powers and functions of a local authority as provided for in Section 25 of the Act).
- (b) Where a transferred officer was performing, immediately prior to his transfer, either additional duties or the duties of another office in place of the duties of his substantive post which were assigned to him by a local authority on a temporary basis, the reference in sub-paragraph (a) above to the 'duties of his office under a local authority' shall be taken to mean his duties prior to the temporary assignment, subject to the continuation of the latter for the period provided for.

#### 12. **Performance of Duties by Deputy**

- (a) Where the chief executive officer gives his consent to any arrangement by a district medical officer, a medical officer of a district hospital or of a fever hospital or of a county home to perform his duties by a deputy, he should limit the period of the arrangement to two periods of two days each in any month and an additional half day weekly and no payment should be made by the health board to the deputy.
- (b) Apart from the arrangement by the officers mentioned in sub-paragraph (a), the chief executive officer should not give his consent to any arrangement by an officer to perform his duties by a deputy nominated by the officer without the prior approval of the Minister to that arrangement.

#### 13. **Remuneration**

- (a) The chief executive officer may assign remuneration according to their grades to officers and servants at the rates and on the conditions applicable to the respective grades under local authorities immediately prior to the transfer of staff to the service of health boards. The chief executive officer may also grant allowances to officers and servants in the same circumstances, at the rates and on the conditions which obtained under local authorities prior to the transfer of staff, but only insofar as such allowances were approved by the Minister, not for named officers, but for general application or for application to members in general of a particular grade e.g. allowances payable for acting as a substitute for an officer in a higher grade, allowances payable for possession of special qualifications or for special duties, including 'on call' or 'stand by' allowances. Transferred staff to whom allowances were payable immediately prior to the transfer on a personal basis may continue to be paid such allowances for the period for which and on the conditions on which they were granted.
- (b) Any variation in the rates of remuneration or allowances referred to at sub-paragraph (a), payable to an officer or servant or to officers or servants of a specified class, description or grade, and any new grant of an allowance to a named officer for a further period shall be subject to the approval of the Minister.
- (c) The chief executive officer may pay additional remuneration of officers in appropriate cases in accordance with the provisions of Article 5 of the Local Offices (Irish Language) Regulations 1966 as if the health board were a local authority.

#### 14. Starting Pay on Promotion

The chief executive officer shall apply the same procedure for dealing with the remuneration of officers on promotion to other offices as applied under local authorities immediately prior to the transfer of staff to the service of health boards.

The following are the provisions:

- (i) Where the same salary scale applies to the officer's existing office and the office to which he is being newly appointed, he shall remain on the same point of the scale and may retain his existing incremental date.
- (ii) Where minimum of the new salary scale is greater than existing pay by an amount greater than one increment on the new scale, the officer shall enter the new scale at the minimum - the date of promotion to be the new incremental date.
- (iii) Where the minimum of the new salary scale is greater than existing pay by an amount equal to one increment on the new scale, the officer shall enter the new scale at the minimum - he may retain his existing incremental date if any.
- (iv) Where the minimum of the new salary scale is greater than existing pay by an amount less than one increment on the new scale, the officer may enter the new scale at the minimum plus one increment - the date of promotion shall be the new incremental date.
- (v) Subject to sub-paragraph (i) above, where the minimum of the new salary scale is equal to existing pay, the officer may enter the new scale at the minimum plus one increment - he may retain his existing incremental date, if any.
- (vi) Subject to sub-paragraph (i) above, where the minimum of the new salary scale is less than existing pay, the officer may enter the new scale at the point nearest but not below existing pay plus one increment, and
  - (a) where the point of entry on the new scale is equal to existing pay, he may retain his existing incremental date, if any,
  - (b) in any other case, the date of promotion shall be the new incremental date.
- (vii) Where an officer to whom sub-paragraph (ii) (in cases only where the minimum of the new scale exceeds existing pay by an amount less than two increments on the new scale), (iii), (iv), (v) or (vi) above applies, has been on a fixed salary or on the maximum of his existing salary scale for at least three years at the date of his promotion or new appointment, he may enter the new scale in accordance with the appropriate provision and with a further additional increment, but in that case, the date of promotion or new appointment will be the officer's new incremental date.
- (viii) Where after a person has been promoted, and his salary has been determined in accordance with sub-paragraphs (i) to (vii) above, the salary or salary scale applicable to either the officer's former office or his new office, or both, is revised with effect from a date which is earlier than the date of the promotion, the commencing salary shall, subject to sub-paragraphs (ix) and (x) below, be re-determined in accordance with these rules and by reference to the revised salaries or salary scales.
- (ix) Where, in a case to which sub-paragraph (viii) applies, the salaries or salary scales of both the officer's former office and his new office are revised with effect from different dates not more than six months apart, but only one of the revisions is made effective from a date which is earlier than the date of the promotion or new appointment, the commencing salary shall, subject to sub-paragraph (x), be re-determined as if both revisions had been effective on the date of promotion.
- (x) Nothing in sub-paragraphs (i) to (ix) shall be applied so as to enable an officer to have a salary in excess of the maximum salary for the office to which he is promoted or newly appointed.

**15. Travelling expenses and subsistence allowances**

- (a) The chief executive officer shall pay travelling expenses to an officer in respect of every journey necessarily made on official business other than journeys made by a district medical officer or midwife in connection with his or her attendance on a patient or at a dispensary. The travelling expenses payable shall include:
- (i) all reasonable expenses of conveyance properly and necessarily incurred and:
  - (ii) subsistence allowances where the conditions of sub-paragraph (d) are met.
- (b) No travelling expenses shall be paid in respect of journeys between an officer's home and his official headquarters i.e. the premises at which he normally performs his duties or such other premises as the chief executive officer may direct in cases of doubt. The chief executive officer may direct in this connection that an officer's home shall be regarded as his official headquarters.
- (c) Payment of travelling expenses where the officer is authorised to use his/her own car shall be at the mileage rates listed on Appendix 1
- (d) The following are the conditions for the payment of subsistence allowances -
- (i) where the journey obliges an officer to spend a night away from home 'night allowance' may be paid for such night. For a continuous period in one place, night allowance shall be paid at *normal* rate for the first seven nights, at *reduced* rate for the next 21 nights, and at *detention* rate thereafter, as set out in sub-paragraph (f);
  - (ii) where the journey obliges an officer to remain away from his home for a continuous period of not less than ten hours during the day time, a 'day allowance' may be paid. Reduced day allowance may be paid for seven hours but less than ten hours absence.
- (e) A day allowance may not be paid in addition to night allowance unless the period of absence is seven or ten hours, as the case may be, in excess of a full twenty-four hours absence for each night allowance paid.
- (f) The rates at which subsistence allowances (normal, reduced and detention) and day allowances may be paid are listed on Appendix 11.
- (g) The reference in sub-paragraph (a) to journeys on official business includes journeys undertaken in connection with attendances at courses, conferences, seminars, etc., in Ireland recognised and approved by the Minister for Health which the chief executive officer has directed the officer to attend or granted him special leave with pay in order that he may attend.
- (h) Where the duties of an officer involve a number of short journeys daily, the chief executive officer may, in lieu of paying travelling expenses, pay a fixed travelling allowance of such amount as in his opinion would not exceed the amount payable in travelling expenses if the latter were payable. Each such travelling allowance shall be fixed for a period not exceeding one year, renewable on review at the end of each period. Where an officer transferred from a local authority to a health board on 1st April, 1971, is already in receipt of a fixed travelling allowance he may opt to retain such allowance rather than be paid travelling expenses in accordance with the foregoing paragraphs and shall be entitled to retain such fixed allowance as long as he continues to hold the office in which he has been transferred to the health board.

**16. Application to the Minister by aggrieved officers**

- (a) Any officer of a health board who is aggrieved by a decision of his chief executive officer in relation to his terms and conditions of employment, duties, remuneration or allowances, may apply to the Minister to issue a direction to the chief executive officer in relation to such decision and the Minister may issue such direction as he considers appropriate to the chief executive officer in relation to such decision.
- (b) An officer who wishes to apply to the Minister to issue a direction to the chief executive officer under section 14 (6) of the Health Act 1970 shall proceed as follows:



- (i) he shall prepare a statement in writing setting out the decision of the chief executive officer by which he is aggrieved and the grounds on which he is so aggrieved;
- (ii) he shall send the said statement by registered post to the Minister together with a signed declaration that the facts contained in the said statement are true;
- (iii) before sending the said statement to the Minister, he shall give or send by post written notice of the application to the chief executive officer together with a copy of the said statement.

## **Section 15**

17. **Appointments to which the Local Authorities (Officers and Employees) Acts, 1926 and 1940 will apply**  
 The Minister has determined, with the consent of the Local Appointments Commissioners, under Section 15 (1) of the Health Act, 1970 that the Local Authorities (Officers and Employees) Acts 1926 and 1940 apply, without any modifications to -

- (a) Permanent appointments under a health board corresponding to appointments to the offices under a local authority referred to at Section 2 (1) (b) of the Local Authorities (Officers and Employees) Act 1926 as amended. Notwithstanding this, the Acts will not apply to any grade of social worker.
- (b) Permanent appointments of health inspectors and promotional grades of health inspector,
- (c) Permanent appointments of chief nursing officers, matrons, deputy matrons, assistant matrons, head nurses, deputy head nurses in all hospitals and institutions other than:
  - (i) county homes and institutions providing accommodation for similar classes of persons, district hospitals and fever hospitals of less than one hundred beds and
  - (ii) hospitals, other than those mentioned at sub-paragraph (i), in which a religious order is associated with the administration of the hospital.
- (d) Permanent appointments of matrons and assistant matrons in hospitals referred to at sub-paragraph (c) (ii), if (i) the appointment is in replacement of an officer who was appointed on the recommendation of the Local Appointments Commissioners or (ii), in any other case, if the appointment is not the appointment of a member of the religious order associated with the administration of the hospital in replacement of another member of that order who had been appointed without advertisement or competition.
- (e) Permanent appointments of assistant chief nursing officers in mental hospitals other than an initial appointment following the creation of an office to which a serving permanent officer of the health board is appointed with the Minister's consent.
- (f) Permanent appointments of superintendent public health nurses and assistant superintendent public health nurses.

## **Section 18**

18. **Qualifications Generally**

- (a) Except for the appointment of a registered medical practitioner in an additional temporary appointment of the type referred to at paragraph 2(b), no person shall be appointed as an officer who does not possess the qualifications approved of or directed by the Minister for the appointment, subject to sub-paragraph (b).
- (b) Where the chief executive officer experiences difficulty in obtaining suitable persons possessing all the qualifications approved or directed by the Minister for appointments in a particular grade, he may make appointments on a temporary basis without reference to such qualifications insofar as they relate to age or marital status.

19. **Qualifications for Appointment as an Officer**

- (a) The qualifications for appointment as an officer in an existing grade in which officers were transferred from the service of local authorities shall be the qualifications which applied to officers in that grade under local authorities immediately prior to the transfer.
- (b) Where an appointment as an officer has to be made and no qualifications are applicable to such appointment in accordance with sub-paragraph (a) above, the qualifications proposed by the chief executive officer for the appointment shall be referred to the Minister for approval together with particulars of the nature and extent of the duties for which the appointment is required and other relevant information in regard to the appointment, and the qualifications for the appointment shall be as approved of or directed by the Minister.
- (c) The provisions of sub-paragraphs (a) and (b) which relate to appointment of officers, need not be applied to future appointments in grades in which officers have been transferred from the service of local authorities and which had been re-classified under local authorities as grades in which further appointments of officers need not be made. The officers transferred in these grades were appointed prior to the re-classification and should continue as officers. Their replacements and any additional appointments in the grades concerned should not be made as appointments of officers.

20. **Qualifications for continuing as an officer**

- (a) Where the qualifications for appointment as an officer referred to in sub-paragraph 19(a) and (b) include in any case a requirement that the person to be appointed be registered or entitled to be registered in (i) the Register of Medical Practitioners for Ireland, (ii) the Register of Dentists for Ireland, or (iii) the Register of Nurses maintained by An Bord Altranais, the officer appointed in each case must be so registered while continuing as an officer.
- (b) A transferred officer who as the holder of an office under a local authority immediately prior to his transfer was required to be registered in the Register of Medical Practitioners for Ireland, or in the Register of Dentists for Ireland, or in the Register of Nurses maintained by An Bord Altranais, must be so registered while continuing as an officer.
- (c) Any woman who holds an appointment as an officer shall be unmarried or a widow while continuing as an officer provided in the case of a transferred officer that she was unmarried or a widow immediately prior to her transfer.
- (d) Every person appointed to an office in the psychiatric service of a health board as (i) trainee psychiatric nurse or (ii) general trained nurse or (iii) tutor, must be registered in the Psychiatric Nurses Division of the Register of Nurses kept by An Bord Altranais before the expiration of a period of four years after his appointment in the case of (i) and before the expiration of three years after his appointment in the case of (ii) or (iii) as a condition of his continuing as an officer after the termination of such period.
- (e) A transferred officer who as the holder of an office of (i) trainee psychiatric nurse, or (ii) general trained nurse in a district mental hospital, or (iii) tutor in a district mental hospital immediately prior to his transfer was required to be registered in the Psychiatric Nurses Division of the Register of Nurses kept by An Bord Altranais within a period of four years in the case of office (i) and three years in the case of office (ii) and office (iii) after his appointment to such office or within such extended period as the Minister may have authorised specially in his case, must comply with such registration requirement within such period or extended period as a condition of his continuing as an officer after the termination of such period or extended period.
- (f) A transferred officer who as the holder of an office of assistant medical officer in a district mental hospital immediately prior to his transfer was obliged to acquire a recognised degree or diploma in mental disease or psychological medicine within a period of three years after his appointment to such office or within such extended period as the Minister may have authorised specially in his case, must comply with this requirement within such period or extended period as a condition of his continuing as an officer after the termination of such period or such extended period.

## Section 19

### 21. Age Limits

The Minister has made an order fixing an age higher than 65 years for the purposes of Section 19 of the Health Act 1970 in respect of each:

- (a) permanent District Medical Officer;
- (b) permanent officer who is transferred to the service of a health board on 1 April 1971 and who immediately before such transfer was the holder of an amalgamated office where such office resulted from the amalgamation of an office of District Medical Officer of a Dispensary District and another office;
- (c) permanent officer who if he continues to hold office until he reaches a particular age higher than 65 will then and only then by law be entitled to or be capable of being granted a superannuation allowance on his resigning or otherwise ceasing to hold office, and
- (d) permanent officer who is not by law entitled to or capable of being granted a superannuation allowance on his resigning, or otherwise ceasing to hold office.

## Section 22

### 22. Suspensions of Officers and Servants

Suspensions of officers and servants will be carried out in accordance with the procedure set out in Section 22 of the Health Act 1970. Chief executive officers are requested to be especially careful to adhere to that procedure.

## Sections 23 and 24

### 23. Removal of Officers and Servants

Removals of officers and servants will be carried out in accordance with sections 23 and 24 of the Health Act 1970, and the regulations which are being made under these sections. Copies of the regulations, which will come into operation on 1 May 1971 will be sent to you separately.

Circumstances	Conditions
<b>A. ALL OFFICERS</b>	
1. When appointed by a Minister of State to be a member of any commission, committee or statutory board or a director of a company.	Special leave with pay to enable him to attend meetings of the body in question.
2. When invited by the Local Appointments Commission, Civil Service Commission, a government department, a health board or a local authority, to act on a selection board.	Special leave with pay to enable him to serve on the board.
3. For annual training with the Defence Forces /Reserves.	One week with pay; excess over one week, without pay.
4. Serious illness or death of a near relative.	Up to three days with pay.
5. When a candidate for a post advertised by the Local Appointments Commission, the Civil Service Commission, a government department, a health board or a local authority.	A maximum of six days with pay in any one year, to enable him to appear before selection boards.
6. For sitting examinations which in the opinion of the chief executive officer are relevant to the work on which the officer is engaged.	The leave necessary for the examination only, with pay.
7. For attendance at courses, conferences, etc., in Ireland recognised and approved by the Minister for Health and of which the chief executive officer is satisfied that they are relevant to the work on which the officer is engaged.	Leave with pay.
8. For World Health Organisation or Council of Europe Fellowships.	Leave with pay.
<b>B. Medical, Dental and Nursing Officers</b>	
1. For examinations for higher degrees or diplomas.	Fourteen days with pay for study prior to the examination.
2. To attend clinical meetings of societies appropriate to their specialties.	Not more than seven days in any one year, with pay.