**Changes to Legislation:** as of 13 October 2026, this Act is up to date with all changes known to be in force.



*Number* 46 *of* 1956

# CIVIL SERVICE REGULATION ACT 1956

**REVISED**

**Updated to 15 July 2026**

This Revised Act is an administrative consolidation of the *Civil Service Regulation Act 1956*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Criminal Justice (International Cooperation on Electronic Evidence and Other Matters) Act 2026* (21/2026), enacted 15 July 2026, and all statutory instruments up to and including the *Food Safety Authority of Ireland Act 1998 (Amendment of First Schedule) Order 2026* (S.I. No. 337 of 2026), made 15 July 2026, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

*Number* 46 *of* 1956

# CIVIL SERVICE REGULATION ACT 1956

**REVISED**

**Updated to 15 July 2026**

ARRANGEMENT OF SECTIONS


Section

1. Interpretation.
1A. Appointment of Head of Scheduled Office.
2. "Appropriate authority."
3. "Suspending authority."
4. Exercise of powers under *sections 6* and *7* in relation to members of the staff of the National Library of Ireland.
5. Tenure of office of established civil servants.
5A. Appointment of civil servants on probationary contract.
6. Tenure of office of civil servants who are not established civil servants.
7. Persons appointed on probation to established positions.
8. Retiring age for civil servants.
8A. Appointment of civil servants beyond normal retirement age.
9. Retirement on the ground of ill-health.
10. Retirement of women civil servants on marriage. *(Repealed)*
11. Re-admission to the Civil Service of certain widows. *(Repealed)*
12. Re-call of person under section 11 of the Act of 1859.
13. Suspension of civil servants from duty.
14. Remuneration of civil servant suspended from duty.
15. Disciplinary measures.
16. Unauthorised absences from duty.
17. Miscellaneous powers of the Minister in relation to the Civil Service.
18. Payment of remuneration of civil servants.
19. Appointment of officers of the Attorney General.
20. Operation of the Act.
21. Administrative expenses.
22. Repeals and saving.
23. Short title and commencement.

## SCHEDULE.

## SCHEDULE 2.

### Scheduled Offices

ACTS REFERRED TO

| | |
|---|---|
| Civil Service (Transferred Officers) Compensation Act, 1929 | No. 36 of 1929 |
| Superannuation Act, 1936 | No. 39 of 1936 |
| Registration of Title Act, 1942 | No. 26 of 1942 |
| Court Officers Act, 1926 | No. 27 of 1926 |
| Defence Act, 1954 | No. 18 of 1954 |

*Number* 46 *of* 1956.

# CIVIL SERVICE REGULATION ACT 1956

**REVISED**

**Updated to 15 July 2026**

AN ACT TO MAKE PROVISION IN RELATION TO THE REGULATION, CONTROL AND MANAGEMENT OF THE CIVIL SERVICE. [19*th December,* 1956.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

**Annotations**

**Modifications (not altering text):**

**C1** Partially prospective affecting provision: application of Act restricted by *Personal Injuries Assessment Board Act 2003* (46/2003), s. 18D(7), as inserted (14.12.2023, 8.05.2024) by *Personal Injuries Resolution Board Act 2022* (42/2022), s. 9, S.I. No. 626 of 2023, S.I. No. 187 of 2024, commenced in respect of certain classes of civil action ONLY.

**[Appointment of mediators**

**18D.** (1) The Board may from time to time appoint such and so many persons, not being members of staff of the Board, as it considers appropriate to carry out the mediation functions assigned to them by the Board.

...

(7) Neither the Public Service Management (Recruitment and Appointments) Act 2004 nor the Civil Service Regulation Acts 1956 to 2005 shall apply to a person appointed under this section.**]**

**C2** Application of Act extended (15.07.2026) by *Criminal Justice (International Cooperation on Electronic Evidence and Other Matters) Act 2026* (21/2026), s. 13(3), commenced on enactment.

**Members of staff of Director**

**13.** ...

(3) A member of staff of the Director shall be a civil servant in the Civil Service of the State and the Civil Service Regulation Act 1956 shall apply to a member of staff of the Director.

...

**C3** Application of Act restricted (6.01.2025) by *Screening of Third Country Transactions Act 2023* (28/2023), s. 22(11), S.I. No. 714 of 2024.

**Appointment of adjudicators**

**22.** (1) The Minister—

(*a*) may, in accordance with this section, appoint such and so many persons (in this Act referred to as "adjudicators") to carry out the functions assigned to them by this Act, and

...

(11) The Civil Service Regulation Acts 1956 to 2005 shall not apply to an adjudicator.

**C4** Application of Act restricted (22.08.2024) by *Control of Exports Act 2023* (27/2023), s. 39(12), S.I. No. 412 of 2024.

**Appointment of adjudicators**

**39.** (1) The Minister—

(*a*) may, in accordance with this section, appoint such and so many persons (in this Act referred to as "adjudicators") to carry out the functions assigned to them by this Act, and

...

(12) The Civil Service Regulation Acts 1956 to 2005 shall not apply to an adjudicator.

**C5** Application of collective cited *Civil Service Regulation Acts* restricted (27.09.2023) by *Competition Act 2002 (Adjudication Officers) Regulations 2023* (S.I. No. 476 of 2023), art. 33(5).

**Assessors**

**29.** (1) Where an assessment is required under Regulation 7, 11 or 24, the relevant Minister shall, in writing, appoint a person (in this Regulation referred to as an "assessor") to carry out such an assessment–

...

**Terms of appointment of assessor**

**33.** …

(5) Neither the Public Service Management (Recruitment and Appointments) Act 2004 (No. 33 of 2004) nor the Civil Service Regulation Acts 1956 to 2005 shall apply to a person appointed as an assessor, save to the extent that such enactments apply to the person independently to their appointment as an assessor.

**C6** Application of Act extended (30.07.2021) by *Parole Act 2019* (28/2019), s. 17(5), S.I. No. 405 of 2021.

**Staff of Board**

**17.** (1) The Minister may appoint such and so many of his or her officers as he or she may determine to be members of staff of the Board.

...

(5) Appointments under this section shall be subject to the Public Service Management (Recruitment and Appointments) Act 2004 and the Civil Service Regulation Acts 1956 to 2005.

**C7** Application of Act extended (1.01.2018) by *Financial Services and Pensions Ombudsman Act 2017* (22/2017), s. 15(2)(*b*), S.I. No. 524 of 2017.

**Staff of Ombudsman**

**15.** (1) Subject to subsection (4), the Ombudsman may appoint persons to be the staff of his or her office and may determine their duties.

(2) Appointments under subsection (1) shall be subject to—

...

(*b*) the Civil Service Regulation Acts 1956 to 2005.

**C8** Application of Act restricted (1.06.2017) by *Road Traffic Act 2010* (25/2010), s. 42(1)(*c*), S.I. No. 241 of 2017.

**Traffic wardens.**

**42.—** (1) (*a*) The Minister may authorise in writing such and so many persons as he or she may determine to perform the functions conferred on traffic wardens by this Part

...

(*c*) Neither the Civil Service Commissioners Act 1956 nor the Civil Service Regulation Act 1956 apply to the position of traffic warden.

**C9** Application of Act extended (1.10.2015) by *Workplace Relations Act 2015* (16/2015), s. 24(5), S.I. No. 410 of 2015.

**Staff of Commission**

**24.** (1) The Minister shall appoint such and so many of his or her officers as he or she may determine to be members of staff of the Commission.

...

(5) Appointments under this section shall be subject to the Act of 2004 and the Civil Service Regulation Acts 1956 to 2005.

**C10** Application of Act restricted by *Industrial Relations Act 1969* (14/1969), s. 4(7), as substituted (1.08.2015) by *Workplace Relations Act 2015* (16/2015), s. 79(*e*), S.I. No. 338 of 2015.

**Deputy chairman of the Court.**

**4.**— ...

**[**(7) The Civil Service Regulation Acts 1956 to 2005 shall not apply to the office of deputy chairman of the Court.**]**

**C11** Application of Act extended (16.07.2014) by *Industrial Development (Forfás Dissolution) Act 2014* (13/2014), s. 24(9), S.I. No. 304 of 2014.

**Transfer of certain members of staff of Forfás**

**24.** (1)(*a*) Subject to paragraph (*b*), every person who immediately before the dissolution day is a member of staff of Forfás shall on such day hold an unestablished position in the Civil Service.

...

(9) A person referred to in subsection (1) shall be subject to and employed in accordance with the Civil Service Regulation Acts 1956 to 2005 and the Ethics in Public Office Acts 1995 and 2001.

...

**C12** Application of Act extended by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 57C(8), as inserted (24.12.2013) by *Public Service Management (Recruitment and Appointments) (Amendment) Act 2013* (47/2013), s. 6, commenced on enactment.

**[Terms and conditions of redeployment.**

**57C.**— ...

(8) If such is not the case immediately before the redeployment day, a person redeployed under section 57B to a position in the civil service shall, from that day, be subject to and employed in accordance with the Civil Service Regulation Acts 1956 to 2005 and the Ethics in Public Office Acts 1995 and 2001.**]**

**C13** Application of Act extended (8.09.2011) by *Child Care (Amendment) Act 2011* (19/2011), s. 44(7), S.I. No. 453 of 2011.

**Definition.**

**37.**— In this Part "Board" means the Children Acts Advisory Board.

...

**Transfer of staff of Board.**

**44.**—(1) (*a*) Subject to *paragraph (b)*, every person who, immediately before the commencement of this Part is an employee of the Board shall, on such commencement, hold an unestablished position in the Civil Service.

...

(7) A person referred to in *subsection (1)* shall be subject to and employed in accordance with the Civil Service Regulation Acts 1956 to 2005 and the Ethics in Public Office Acts 1995 to 2001.

**C14** Application of Act extended (22.09.2011) by *Social Welfare and Pensions Act 2010* (37/2010), s. 38(12), S.I. No. 471 of 2011.

**Transfer of certain employees of Executive.**

**38.**— (1) The Minister may, with the consent of the Executive and the Minister for Health and Children, designate a person who, immediately before the designation, is an employee of the

Executive (other than a fixed-term employee) for appointment to an unestablished position in the Civil Service.

...

(12) A person appointed under this section shall be subject to and employed in accordance with the Civil Service Regulation Acts 1956 to 2005 and the Ethics in Public Office Acts 1995 and 2001.

**C15** Application of Act extended (11.11.2011) by *Social Welfare and Pensions Act 2010* (37/2010), ss. 33(12), 37(12), S.I. No. 572 of 2011.

**Interpretation.**

**28.**—In this Part—

...

"An Foras" means An Foras Áiseanna Saothair.

**Transfer of certain members of staff of An Foras.**

**33.**— (1) The Minister may, with the consent of the Minister for Education and Skills, designate a person who, immediately before the designation, is a member of the staff of An Foras (other than a fixed-term employee) for appointment to an unestablished position in the Civil Service.

...

(12) A person appointed under this section shall be subject to and employed in accordance with the Civil Service Regulation Acts 1956 to 2005 and the Ethics in Public Office Acts 1995 and 2001.

...

**C16** Application of collectively cited *Civil Service Regulation Acts* restricted (1.07.2010) by *Inland Fisheries Act 2010* (10/2010), s. 82(3), S.I. No. 262 of 2010.

**Powers of Minister in operating a fishery.**

**82.**—(1) The Minister may, for the purpose of operating a fishery owned by him or her, do all such things as he or she may consider necessary for carrying on such fishery as a commercial undertaking and which he or she could do if he or she were a private individual and the owner of such fishery, and without prejudice to the generality of the foregoing provision may do all or any of the following— ...

(*e*) employ such and so many persons as he or she thinks fit, and

...

(3) The Public Service Management (Recruitment and Appointments) Act 2004 and the Civil Service Regulation Acts 1956 and 1958 do not apply to any person employed or appointed by the Minister under this section.

**C17** Application of collectively cited *Civil Service Regulation Acts* extended (1.10.2009) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 23(7), S.I. No. 401 of 2009.

**Definition.**

**15.**— In this Part " Council " means the Women's Health Council.

...

**Transfer of officers.**

**23.**— (1) (a) Subject to *paragraph (b)*, every person who, immediately before the commencement of this Part, is an officer of the Council shall, on such commencement, hold an unestablished position in the Civil Service.

...

(7) A person referred to in *subsection (1)* shall be subject to and employed in accordance with the Civil Service Regulation Acts 1956 to 2005.

**C18** Application of collectively cited *Civil Service Regulation Acts* extended (1.09.2009) by *Health (Miscellaneous Provisions) Act 2009* (25/2009), s. 12(7), S.I. No. 288 of 2009.

**Definition.**

**4.**— In this Part " Council " means the National Council on Ageing and Older People.

...

**Transfer of employees.**

**12.**—(1) Every person who, immediately before the commencement of this Part, is an employee of the Council shall, on such commencement, hold an unestablished position in the Civil Service.

...

(7) A person referred to in *subsection (1)* shall be subject to and employed in accordance with the Civil Service Regulation Acts 1956 to 2005.

**C19** Application of collectively cited *Civil Service Regulation Acts* extended (1.07.2009) by *Social Welfare (Miscellaneous Provisions) Act 2008* (22/2008), s. 36(7), S.I. No. 241 of 2009.

**Definition.**

**30.**— In this Part " Agency" means the Combat Poverty Agency.

...

**Transfer of employees.**

**36.**— (1) (*a*) Subject to *paragraph (b)*, every person who, immediately before the commencement of this Part is an employee of the Agency shall, on such commencement, hold an unestablished position in the Civil Service.

...

(7) A person referred to in *subsection (1)*, shall be subject to and employed in accordance with the Civil Service Regulation Acts 1956 to 2005 and the Ethics in Public Office Acts 1995 to 2001.

**C20** Application of collectively cited *Civil Service Regulation Acts* extended (14.07.2005) by *Education for Persons with Special Educational Needs Act 2004* (30/2004), s. 25(5), S.I. No. 507 of 2005.

**Employees.**

**25.**—(1) Subject to the consent of the Minister and the Minister for Finance, the Council may, from time to time, appoint such and so many persons to be employees of the Council as the Council may determine.

...

(5) The Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 1996 shall apply to the Chief Executive Officer and to employees of the Council.

**C21** Application of collectively cited *Civil Service Regulation Acts* extended (28.10.2004) by *Private Security Services Act 2004* (12/2004), ss. 10(3)(a), 11(3), S.I. No. 685 of 2004.

**Chief Executive.**

**10.**—(1) There shall be a chief executive officer of the Authority (in this Act referred to as the "Chief Executive").

…

(3) The appointment shall either—

(*a*) be on such terms as the Minister may, with the consent of the Minister for Finance, determine and be subject to the Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 1996, or

(*b*) be on such other terms and conditions as may be determined by the Authority and approved by the Minister with the consent of the Minister for Finance.

...

**Staff.**

**11.**—(1) The Authority may appoint such and so many persons to be members of its staff as may be approved from time to time by the Minister with the consent of the Minister for Finance.

...

(3) Section 10 (3) shall apply, with the necessary modifications, to an appointment under this section.

**C22** Application of collectively cited *Civil Service Regulation Acts* restricted (1.09.2004) by *Residential Tenancies Act 2004* (27/2004), s. 164(8), S.I. No. 505 of 2004.

**Mediators and adjudicators.**

**164.**—(1) The Board may from time to time appoint such and so many persons who shall be known and are in this Act referred to as "mediators" to carry out the functions assigned to them by the Board in accordance with Part 6.

...

(8) Neither the Civil Service Commissioners Act 1956 (or any enactment that replaces in whole or in part that Act) nor the Civil Service Regulation Acts 1956 to 1996 shall apply to a mediator or an adjudicator.

**C23** Application of collectively cited *Civil Service Regulation Acts* extended (6.03.2003, establishment day) by *State Examinations Commission (Establishment) Order 2003* (S.I. No. 373 of 2003), art. 25(1), in operation as per art. 4.

...

3. There shall stand established on the establishment day a body to be known as the State Examinations Commission, which shall perform the functions conferred on it by or under this Order.

...

25. (1) The Civil Service Commissioners Act, 1956, and the Civil Service Regulation Acts, 1956 to 1996, shall apply to—

(*a*) persons transferred into the employment of the Commission from the Civil Service of the State on the establishment day and

(*b*) such other employees of the Commission as the Minister, with the consent of the Minister for Finance, may, from time to time determine.

...

**C24** Application of collectively cited *Civil Service Regulation Acts* extended (23.12.1999) by *Education Act 1998* (51/1998), s. 44(4), S.I. No. 470 of 1999.

**Establishment of National Council for Curriculum and Assessment.**

**39.**—(1) There shall stand established on the establishment day a body to be known as the National Council for Curriculum and Assessment, or in the Irish language An Chomhairle Náisiúnta Curaclaim agus Measúnachta (in this Act referred to as "the Council") to perform the functions assigned to it by or under this Act.

...

**Staff.**

**44.**—(1) The Minister, with the consent of the Minister for Finance, may appoint such and so many persons to assist the Council in the performance of its functions as the Minister considers appropriate.

...

(4) The Civil Service Commissioners Act, 1956, and the Civil Service Regulation Acts, 1956 to 1996, shall apply to full-time, permanent employees of the Council.

**C25** Application of collectively cited *Civil Service Regulation Acts* extended (5.02.1999) by *Education Act 1998* (51/1998), s. 13(11), S.I. No. 29 of 1999.

**The Inspectorate.**

**13.**—(1) The Minister shall appoint a Chief Inspector and such and so many Inspectors as the Minister considers appropriate and the Chief Inspector and Inspectors collectively shall be known and are referred to in this Act as the "Inspectorate".

...

(11) The Civil Service Commissioners Act, 1956, and the Civil Service Regulation Acts, 1956 to 1996, shall apply to Inspectors.

...

**C26** Application of Act restricted (10.04.1995) by *Heritage Act 1995* (4/1995), s. 18(6), commenced on enactment.

**Establishment of Council.**

**5.**— ...

(2) There shall stand established on the establishment day a body to be known as An Chomhairle Oidhreachta or, in the English language, The Heritage Council to perform the functions conferred on it by this Act.

...

**Staff of Council.**

**18.**— ...

(6) The Civil Service Regulation Act, 1956, shall not apply in relation to an appointment or engagement under this section.

**C27** Application of collectively cited *Civil Service Regulation Acts* extended (1.06.1988) by *National Archives Act 1986* (11/1986), s. 6(3), S.I. No. 228 of 1998.

**Staff of National Archives.**

**6.**—(1) The Taoiseach may appoint such and, with the concurrence from time to time of the Minister for the Public Service, so many persons to be the officers (in addition to the Director) and servants of the National Archives as the Taoiseach thinks proper.

...

(3) The Civil Service Commissioners Act, 1956, the Civil Service Regulation Acts, 1956 and 1958, and the Superannuation Acts, 1834 to 1963, and any Act for the time being in force and replacing or amending any of those Acts shall apply to the Director and to officers and servants of the National Archives appointed under this section.

**C28** Application of collectively cited *Civil Service Regulation Acts* restricted (5.06.1968) by *Imposition of Duties (Dumping and Subsidies) Act 1968* (11/1968), s. 4(12), commenced on enactment.

**An Coimisiún Dumpála.**

**4.**—(1) There shall be a commission to be known, and in this Act referred to, as An Coimisiún Dumpála.

...

(12) The Civil Service Regulation Acts, 1956 and 1958, shall not apply to the office of member of the Commission.

**C29** Application of Act extended (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 16, commenced on enactment; construed (1.01.2004) as per *Houses of the Oireachtas Commission Act 2003* (28/2003), s. 12(4)(a), commenced as per s. 1(2) and 3(1)(*a*).

**Interpretation.**

**2.**—In this Act—

"the amending Regulation Act" means the Civil Service Regulation (Amendment) Act, 1958;

...

"the Regulation Act" means the Civil Service Regulation Act, 1956.

...

**Application of Regulation Act to members of the staff of the Houses of the Oireachtas.**

**16.**—(1) The provisions of the Regulation Act and the amending Regulation Act shall, as amended by this Act, apply to members of the staff of the Houses of the Oireachtas.

(2) The provisions of the Regulation Act and the amending Regulation Act, as applied by subsection (1) of this section, shall apply to persons who are members of the staff of the Houses of the Oireachtas on the date of the passing of this Act as well as to persons who become members of the staff of the Houses of the Oireachtas after that date.

**Editorial Notes:**

**E1** Previous affecting provision: application of Act extended (24.12.2003) by *National Council for Special Education (Establishment) Order 2003* (S.I. No. 270 of 2004), art. 25, in operation as per art. 5; council dissolved (1.10.2005) by *Education for Persons with Special Educational Needs Act 2004* (30/2004) s. 45(1), S.I. No. 636 of 2005.

**E2** Previous affecting provision: application of Act restricted by *Road Traffic Act 1961* (24/1961), s. 103(19)(*d*), as substituted (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 11, S.I. No. 491 of 2002; repealed (1.06.2017) by *Road Traffic Act 2010* (25/2010), s. 49(*a*), S.I. No. 241 of 2017.

**E3** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* restricted (1.07.2002) by *Competition Act 2002* (14/2002), s. 35(10), S.I. No. 199 of 2002; repealed (31.10.2014) by *Competition and Consumer Protection Act 2014* (29/2014), s. 7(1)(*c*), S.I. No. 366 of 2014.

**E4** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* extended (18.10.1999) by *Employment Equality Act 1998* (21/1998), s. 51(3)(*a*), S.I. No. 320 of 1999; Equality Authority dissolved (1.11.2014) with staff transferred to the Irish Human Rights Commission by *Irish Human Rights and Equality Commission Act 2014* (25/2014), ss. 43(1)(*b*), 45, S.I. Nos. 449, 450 of 2014.

**E5** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* extended (18.10.1999) by *Employment Equality Act 1998* (21/1998), s. 75(2), S.I. No. 320 of 1999; office of the Director of Equality Investigations renamed as the Equality Tribunal (18.07.2004) by *Equality Act 2004* (24/2004), s. 30(*b*)(i), commenced on enactment; repealed (1.10.2015) by *Workplace Relations Act 2015* (16/2015) , s. 83(1)(*d*)(i), S.I. No. 410 of 2015.

**E6** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* restricted (1.10.1991) by *Competition Act 1991* (24/1991), s. 10(4) and sch. para. 2(5), S.I. No. 249 of 1991; repealed (1.07.2002) by *Competition Act 2002* (14/2002) s. 48(*d*), S.I. No. 199 of 2002.

**E7** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* extended (18.07.1990) by *Industrial Relations Act 1990* (19/1990), s. 32(2), commenced on enactment; rendered obsolete (1.10.2015) by *Workplace Relations Act 2015* (16/2015), s. 56(1), S.I. Nos. 410, 413 of 2015, under which the Labour Relations Commission was dissolved.

**E8** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* extended (25.07.1985) by *Farm Tax Act 1985* (17/1985), s. 14(8), commenced on enactment; rendered obsolete (25.07.1990) on the expiry of the term provided for in s. 14(1).

**E9** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* restricted (16.11.1984) by *Motor Insurance Advisory Board (Establishment) Order 1984* (S.I. No. 299 of 1984), art. 4(4); rendered obsolete (1.05.2007) by *Consumer Protection Act 2007* (19/2007) s. 4(1) and sch. 2, S.I. No. 178 of 2007, which repealed *Prices Act 1958* (4/1958), s. 22B (power to establish an advisory body).

**E10** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* restricted (18.03.1980) by *Fisheries Act 1980* (1/1980), s. 60(3), commenced on enactment; repealed (1.06.2010) by *Inland Fisheries Act 2010* (10/2010), s. 4 and sch 1, commenced on enactment.

**E11** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* restricted (24.12.1973) by *Arts Act 1973* (33/1973), s. 8(2), commenced on enactment; repealed (14.08.2003) by *Arts Act 2003* (24/2003), s. 4, S.I. No. 364 of 2003.

**E12** Previous affecting provision: functions of Minister for Finance transferred to Minister for the Public Service and references construed (1.11.1973) by *Public Service (Transfer of Departmental Administration and Ministerial Functions) Order 1973* (S.I. No. 294 of 1973), arts. 4(1)(p), (6), in operation as per art. 1(2), subject to transitional provisions in arts. 5-8; superseded (19.03.1987) by *Public Service (Transfer of Departmental Administration and Ministerial Functions) Order 1987* (S.I. No. 81 of 1987), arts. 3, 4(1)(b), (2), subject to transitional provisions in arts. 5-9.

**E13** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* restricted (20.06.1972) by *Restrictive Practices Act 1972* (11/1972), ss. 2(2), 13(2) and sch. 1 par. 2(5), sch. 2 par. 1(5), commenced on enactment; repealed (1.10.1991) by *Competition Act 1991* (24/1991), s. 22, S.I. No. 249 of 1991, in respect of certain purposes.

**E14** Previous affecting provision: application of collectively cited *Civil Service Regulation Acts* restricted (3.06.1969) by *Industrial Relations Act 1969* (14/1969), s. 4(7), commenced on enactment; substituted (1.08.2015) as per C-Note above.

**E15** Previous affecting provision: application of Act restricted (3.06.1969) by *Industrial Relations Act 1969* (14/1969), s. 13(5)(b), commenced on enactment; repealed (1.08.2015) by *Workplace Relations Act 2015* (16/2015), s. 8(1) and sch. 2 part 1 ref. 2, S.I. No. 410 of 2015, subject to transitional arrangements in s. 8(2).

**E16** Previous affecting provision: application of Act restricted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 64(4), S.I. No. 169 of 1968; repealed (9.01.2013) by *Road Traffic Act 2002* (12/2002), s. 25(2), S.I. No. 12 of 2013.

**E17** Previous affecting provision: application of Act restricted (31.12.1960) by *Rent Restrictions Act 1960* (42/1960), s. 27(5), commenced as per s. 1(2); repealed (26.07.1982) by *Housing (Private Rented Dwellings) Act 1982* (6/1982), s. 6, S.I. No. 216 of 1982.

**E18** Previous affecting provision: application of Act restricted by *Fisheries (Consolidation) Act 1959* (14/1959), s. 203(3), not commenced; repealed (29.10.1980) by *Fisheries Act 1980* (1/1980), s. 6(1) and sch. 1, S.I. No. 323 of 1980.

Interpretation.

**1.**—(1) In this Act

"the Act of 1859" means the Superannuation Act, 1859;

"the Act of 1919" means the Superannuation (Prison Officers) Act, 1919;

"appropriate authority" has the meaning assigned to it by *section 2*;

F1**[**...**]**

F2**[**"civil servant" means a person holding a position in the Civil Service and includes a member of the staff of the Houses of the Oireachtas;**]**

"the Civil Service" means the Civil Service of the Government and the Civil Service of the State;

"established civil servant" means a civil servant who is rendering established service;

"established position" means a position in which established service is rendered;

"established service" means service in a capacity in respect of which a superannuation allowance may be granted under the Superannuation Acts, 1834 to 1954;

F3**[**"Head" in relation to a Scheduled Office, means the person appointed as the principal officer of the Scheduled Office, or where no such person has been appointed, the person designated by order of the Government to be Head of the Scheduled Office for the purposes of this Act;**]**

F1**[**...**]**

"the Minister" means the Minister for Finance;

F3**[**"Minister of the Government" includes—

(*a*) in relation to a Scheduled Office within the meaning of the Public Service Management Act 1997 which is specified in column (1) of Part 1 of the Schedule to that Act, the person who holds the office specified in column (2) of that Schedule at that reference number, whether or not such person has consented to the application of that Act to such Scheduled Office, and

(*b*) in relation to a Scheduled Office which is specified in *column (1)* of *Schedule 2* to this Act, the person specified in *column (2)* of that Schedule at that reference number.**]**

F1**[**...**]**

F2**[**"member of the joint staff of the Houses of the Oireachtas" does not include an officer of the Houses of the Oireachtas;

"member of the staff of the Houses of the Oireachtas" includes an officer of the Houses of the Oireachtas;**]**

F3**[**"Ministerial Private Office appointment" has the same meaning as the meaning assigned to "special adviser" in section 19 of the Ethics in Public Office Act 1995;**]**

F1**[**...**]**

F2**[**"officer of the Houses of the Oireachtas" means a person being—

(*a*) the Clerk or Clerk-Assistant of Dáil Éireann or Seanad Éireann, or

(*b*) the Superintendent, Houses of the Oireachtas, or

(*c*) the Captain of the Guard, Houses of the Oireachtas;**]**

"officer to whom the Act of 1919 applies" means a civil servant to whom subsection (1) of section 1 of the Act of 1919 applies;

F3**[**"Scheduled Office" means an office or branch of the public service specified in—

(*a*) column (1) of Part I of the Schedule to the Public Service Management Act 1997 (whether or not that Act applies to the Scheduled Office concerned),

(*b*) Part II of the Schedule to the Public Service Management Act 1997, and

(*c*) *column (1)* of *Schedule 2* to this Act;

"Secretary General" has the meaning assigned to it by the Public Service Management Act 1997;**]**

"suspend" means, in relation to a civil servant, suspend from duty, and cognate words shall be construed accordingly;

"suspending authority" has the meaning assigned to it by *section 3*;

"transferred officer" has the meaning assigned to it by section 1 of the Civil Service (Transferred Officers) Compensation Act, 1929 (No. 36 of 1929).

(2) A person, who is serving, on leave of absence without pay from the Civil Service, in a position not in the Civil Service, shall, notwithstanding his absence from the Civil Service, be, for the purposes of this Act, a civil servant and, if his position in the Civil Service was, immediately before his leave of absence commenced, an established position, he shall be, for the purposes of this Act, an established civil servant, notwithstanding that his service during leave of absence is not reckonable as service for the purposes of the Superannuation Acts, 1834 to 1954.

(3) References in this Act to any enactment shall be construed as references to that enactment as amended or adapted by any subsequent enactment.

(4) In this Act a reference by number to a section is to the section of this Act bearing that number unless it is indicated that a reference to another Act is intended.

**Annotations**

**Amendments:**

**F1** Deleted (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 17(1), commenced on enactment.

**F2** Inserted (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 17(2), commenced on enactment.

**F3** Inserted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 4(a)-(d), S.I. No. 363 of 2006.

**Modifications (not altering text):**

**C30** Prospective affecting provision: application of definition of "civil servant" in subs. (1) extended by *National Disability Authority Act 1999* (14/1999), s. 27(1A), as inserted by *Assisted Decision-Making (Capacity) (Amendment) Act 2022* (46/2022), s. 100(1)(*b*)(i), not commenced as of date of revision.

**Staff of Authority.**

**27.**—(1) Subject to any transfer of officers or servants from the Board to the Authority by virtue of Part III of this Act, the Authority may, subject to the approval of the Minister with the consent of the Minister for Finance, appoint such and so many persons to be staff of the Authority as it may from time to time think necessary to assist the Authority in the performance of its functions.

**[**(1A) A member of staff appointed to the Authority on or after the date of commencement of section 100(1)(*b*)(i) of the Assisted Decision-Making (Capacity) (Amendment) Act 2022 shall be a civil servant in the Civil Service of the State.**]**

...

**C31** Application of definition of "civil servant" in subs. (1) extended (31.12.2025) by *Planning and Development Act 2024* (34/2024), s. 558(3), S.I. Nol. 633 of 2025, art. 3(1)(a) and sch. part 1 ref. no. 5.

**Staff of Office**

**558.** ...

(3) A member of the staff of the Office of the Planning Regulator shall be a civil servant (within the meaning of the Civil Service Regulation Act 1956) in the Civil Service of the State.

**C32** Application of definition of "civil servant" in subs. (1) extended (2.04.2025) by *Policing, Security and Community Safety Act 2024* (1/2024), ss. 131(3), 176(3), S.I. No. 107 of 2025.

**Staff of Authority**

...

(3) A member of the staff of the Authority shall be a civil servant in the Civil Service of the State.

...

**Officers of Police Ombudsman**

...

(3) An officer of the Police Ombudsman shall be a civil servant in the Civil Service of the State.

...

**C33** Application of definition of "civil servant" in subs. (1) extended (31.03.2025) by *Automatic Enrolment Retirement Savings System Act 2024* (20/2024), s. 30(4), S.I. No. 500 of 2024, art. 2(b).

**Staff of Authority**

...

(4) A member of the staff of the Authority shall be a civil servant in the Civil Service of the State.

...

**C34** Application of definition of "civil servant" in subs. (1) extended by *Judicial Appointments Commission Act 2023* (33/2023), s. 36(1A), as inserted (23.07.2024) by *Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024* (30/2024), s. 23(*a*), commenced on enactment.

**Director of Judicial Appointments Commission Office**

**36.** ...

(1A) The Director shall be a civil servant in the Civil Service of the State.

**C35** Application of definition of "civil servant" in subs. (1) extended (27.03.2024) by *Judicial Appointments Commission Act 2023* (33/2023), s. 35(4), S. I. No. 114 of 2024.

**Judicial Appointments Commission Office**

**35.** (1) There shall be attached to the Commission an office to be known as the Judicial Appointments Commission Office (in this Act referred to as the "Office") which shall assist the Commission in the performance of its functions.

...

(4) A member of staff of the Office shall be a civil servant in the Civil Service of the State.

**C36** Application of definition of "civil servant" in subs. (1) extended by *Coroners Act 1962* (9/1962), s. 6A(6B), as substituted (16.02.2024) by *Coroners (Amendment) Act 2024* (4/2024), s. 2(*c*), commenced on enactment.

**[Coroner's district of Dublin.**

**6A.** ...

**[**(6B) A person appointed under *subsection (6A)* to be a coroner for the coroner's district of Dublin shall be a civil servant in the Civil Service of the State.**]**

...**]**

**C37** Application of definition of "civil servant" in subs. (1) extended (31.12.2023) by *Domestic, Sexual and Gender-Based Violence Agency Act 2023* (31/2023), ss. 16(2), 21(4) and 22(3), S. I. No. 667 of 2023.

**Chief executive**

**16.** (1) The Minister shall appoint a person recruited in accordance with the Public Service Management (Recruitment and Appointments) Act 2004 and the Civil Service Regulation Acts 1956 to 2005 to be the chief executive of the Agency (in this Act referred to as the "chief executive").

(2) The chief executive shall be a civil servant of the Government.

...

**Staff of Agency**

**21.** (1) The Minister may appoint such and so many of his or her officers as he or she may determine to be members of staff of the Agency.

...

(4) A member of staff of the Agency shall be a civil servant of the Government.

...

**Transfer of certain employees of Child and Family Agency**

**22.** (1) Such persons as the Minister for Children, Equality, Disability, Integration and Youth may (having consulted with the Minister) designate in writing for the purposes of this section and who are employees of the Child and Family Agency, shall, on such day or days as the Minister for Children, Equality, Disability, Integration and Youth may (having consulted with the Minister) specify, be transferred to and become members of staff of the Agency.

...

(3) Subject to *subsection (4)*, a person who is transferred under subsection (1) and who is designated in writing by the Minister for the purposes of this section shall, on being so transferred, become a civil servant of the Government.

...

**C38** Application of definition of "civil servant" in subs. (1) extended (13.12.2023) by *Agricultural and Food Supply Chain Act 2023* (19/2023), ss. 33(3) and 37(2), S. I. No. 623 of 2023.

**Appointment**

**33.** (1) The regulator shall, with the approval of the Minister, appoint a chief executive officer of the regulator (the "chief executive") who shall be responsible to the regulator for the performance of the chief executive's functions and the implementation of the regulator's policies.

...

(3) The chief executive shall upon appointment be a civil servant (within the meaning of the Civil Service Regulation Acts 1956 to 2005) in the Civil Service of the State (subject to *subsections (1)* and *(2)*).

...

**Appointment of staff**

**37.** (1) The regulator may appoint staff.

(2) A member of staff shall upon appointment be a civil servant (within the meaning of the Civil Service Regulation Acts 1956 to 2005) in the Civil Service of the State.

...

**C39** Application of definition of "civil servant" in subs. (1) extended (17.07.2023) by *Maritime Area Planning Act 2021* (50/2021), s. 64(3), S. I. No. 369 of 2023.

**Staff of MARA, etc.**

**64.** (1) The MARA may, with the consent of the Minister given with the approval of the Minister for Public Expenditure and Reform, appoint such and so many persons to be members of the staff of the MARA as it may determine.

...

(3) A member of staff of the MARA appointed under subsection (1) shall be a civil servant (within the meaning of the Civil Service Regulation Acts 1956 to 2005) in the Civil Service of the State.

**C40** Application of definition of "civil servant" in subs. (1) extended (1.03.2023) by *Tailte Éireann Act 2022* (50/2022), ss. 19(2) and 35(1), S. I. No. 58 of 2023.

**Staff of Tailte Éireann**

**19.** ...

(2) A member of the staff of Tailte Éireann shall be a civil servant (within the meaning of the Civil Service Regulation Act 1956) in the Civil Service of the State.

...

**Transfer of staff to Tailte Éireann**

**35.** (1) The following persons shall, on the establishment day, become and be a member of the staff of Tailte Éireann and shall hold or continue to hold, as the case may be, a position in the Civil Service of the State:

(*a*) the chief executive, immediately before the establishment day, of a dissolved body;

(*b*) the person holding office as the Commissioner of Valuation immediately before the establishment day;

(*c*) the person appointed to be the Boundary Surveyor immediately before the establishment day;

(*d*) every person who, immediately before the establishment day, was—

(i) a member of the staff of a dissolved body, or

(ii) an officer of the Commissioner, other than an empowered person.

...

**C41** Application of definition of "civil servant" in subs. (1) extended (9.02.2023) by *Electoral Reform Act 2022* (30/2022), s. 17(3), S. I. No. 32 of 2023.

**Staffing**

...

(3) Members of staff of the Commission are civil servants within the meaning of the Civil Service Regulation Act 1956.

...

**C42** Application of definition of "civil servant" in subs. (1) extended by *Companies Act 2014* (38/2014), s. 944K(6), as inserted (6.07.2022) by *Companies (Corporate Enforcement Authority) Act 2021* (48/2021), s. 10, S.I. No. 335 of 2022.

**[Staff of Authority, etc.**

**944K.** (1) Subject to subsection (3) and section 944F, the Authority may appoint such number of persons to be members of its staff as it may determine.

...

(6) Members of the staff of the Authority are civil servants.

...**]**

**C43** Application of definition of "civil servant" in subs. (1) extended (16.12.2019) by *Judicial Council Act 2019* (33/2019), s. 35(2), S.I. No. 640 of 2019.

**Staff of Council**

**35.** (1) The Board shall, with the approval of the Minister and the consent of the Minister for Public Expenditure and Reform, appoint such and so many persons to be members of the staff of the Council as it may determine.

(2) A member of staff of the Council shall be a civil servant in the Civil Service of the State.

...

**C44** Application of definition of "civil servant" in subs. (1) extendedby *Planning and Development Act 2000* (30/2000), s. 31AC, as inserted (3.04.2019) by *Planning and Development (Amendment) Act 2018* (16/2018), s. 4, S.I. No. 133 of 2019.

**[Members of staff of Office to be civil servants**

**31AC.**—A member of the staff of the Office of the Planning Regulator shall be a civil servant (within the meaning of the Civil Service Regulation Act 1956) in the Civil Service of the State.**]**

**C45** Application of definition of "civil servant" in subs. (1) extended (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 21(3), S.I. No. 174 of 2018.

**Staff of Commission**

**21.** (1) The Commission may, subject to the approval of the Minister given with the consent of the Minister for Public Expenditure and Reform, appoint such number of persons to be members of its staff as it may determine.

...

(3) Members of staff of the Commission shall be civil servants.

**C46** Application of definition of "civil servant" in subs. (1) extended (31.12.2016) by *International Protection Act 2015* (66/2015), s. 61(5), S.I. No. 663 of 2016.

**International Protection Appeals Tribunal**

**61.** (1) On the establishment day, there shall stand established a Tribunal to be known as An Binse um Achomhairc i dtaobh Cosaint Idirnáisiúnta or, in the English language, the International Protection Appeals Tribunal, which shall determine appeals and perform such other functions as may be conferred on it by or under this Act and the Dublin System Regulations.

...

(5) Members of the staff of the Tribunal shall be civil servants within the meaning of the Civil Service Regulation Acts 1956 to 2005.

...

**C47** Application of definition of "civil servant" in subs. (1) extended (21.03.2016) by *Finance (Tax Appeals) Act 2015* (59/2015), s. 20(2), S.I. No. 110 of 2016.

**Staff of Commission**

**20.** (1) There shall be employed in the office of the Commission so many officers and servants as the Minister shall from time to time determine after consultation with the Minister for Public Expenditure and Reform.

(2) Members of the staff of the Commission shall be civil servants within the meaning of the Civil Service Regulation Act 1956.

**C48** Application of definition of "civil servant" in subs. (1) extended by *Garda Síochána Act 2005* (20/2005), s. 62Q(3), as inserted (23.12.2015) by *Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015* (49/2015), s. 44, S.I. No. 612 of 2015.

**[Staff of Authority**

**62Q.** (1) The Authority may, with the consent of the Minister and the Minister for Public Expenditure and Reform, appoint such and so many persons to be members of the staff of the Authority as it may determine.

...

(3) Members of staff of the Authority are civil servants in the Civil Service of the State.

...**]**

**C49** Application of definition of "civil servant" in subs. (1) restricted (1.09.2015) by *Regulation of Lobbying Act 2015* (5/2015), s. 23(4)(*f*), S.I. No. 152 of 2015.

**Appeals**

**23.** ...

(3) The Minister shall appoint a panel of suitable persons to consider appeals under subsection (1) (in this section referred to as "appeal officers").(

4) Appeal officers— ...

(*f*) are not civil servants of the Government or civil servants of the State.

...

**C50** Application of definition of "civil servant" in subs. (1) restricted by *National Treasury Management Agency Act 1990* (18/1990), s. 6(8), as substituted (22.12.2014) by *National Treasury Management Agency (Amendment) Act 2014* (23/2014), s. 11(*g*), S.I. No. 586 of 2014.

**Chief Executive.**

**6.**—(1) There shall be a chief executive officer of the Agency who shall be known, and is referred to in this Act, as the Chief Executive.

...

(8) **[**The Chief Executive shall not**]** be a civil servant within the meaning of the Civil Service Regulation Act, 1956.

**C51** Application of definition of "civil servant" in subs. (1) extended (1.11.2014) by *Irish Human Rights and Equality Commission Act 2014* (25/2014), s. 24(3), S.I. No. 449 of 2014.

**Staff of Commission**

**24.** (1) The Commission may, with the consent of the Minister given with the approval of the Minister for Public Expenditure and Reform, appoint such and so many persons to be members of the staff of the Commission as it may determine.

...

(3) A member of staff of the Commission shall be a civil servant in the Civil Service of the State.

...

**C52** Application of definition of "civil servant" in subs. (1) extended (14.10.2014) by *Freedom of Information Act 2014* (30/2014), s. 43(5)(*a*) and sch. 2 para. 7(2), commenced on enactment.

SCHEDULE 2

The Information Commissioner

….

7. (1) The Minister may appoint to be members of the staff of the Commissioner such number of persons as the Minister may determine from time to time.

(2) Members of the staff of the Commissioner shall be civil servants in the Civil Service of the State (within the meaning of the Civil Service Regulation Act 1956).

...

**C53** Application of definition of "civil servant" in subs. (1) extended (1.06.2014) by *Civil Legal Aid Act 1995 (Section 11) Order 2014* (S.I. No. 237 of 2014), art. 2, in operation as per art. 1(2).

**2.** Solicitors of the Board are designated as civil servants in the Civil Service of the State.

**C54** Application of definition of "civil servant" in subs. (1) extended by *Houses of the Oireachtas Commission Act 2003* (28/2003), s. 12(3A), as inserted (1.01.2010) by *Houses of the Oireachtas Commission (Amendment) Act 2009* (44/2009), s. 8, commenced as per s. 15(3).

**Staff of Commission.**

**12.**— ...

**[**(3A) A person who is a civil servant and is—

(*a*) transferred under subsection (1), or

(*b*) appointed under subsection (3)(*a*),

is a civil servant of the State.**]**

**C55** Application of definition of "civil servant" in subs. (1) restricted (21.12.2009) by *National Asset Management Agency Act 2009* (34/2009), s. 37(4), S.I. No. 545 of 2009.

**Appointment of first Chief Executive Officer.**

**37.**— (1) The Minister, after consultation with the Chief Executive of the NTMA and the Chairperson of NAMA, shall appoint as the first Chief Executive Officer of NAMA a person who is, in the Minister's opinion, suitably qualified.

...

(4) The Chief Executive Officer is not a civil servant within the meaning of the Civil Service Regulation Act 1956.

**C56** Application of definition of "civil servant" in subs. (1) restricted (16.07.2008) by *Dublin Transport Authority Act 2008* (15/2008), s. 20(5), commenced on enactment.

**Staff of Authority.**

**20.**— (1) The Authority may appoint such, and such number of, persons to be members of the staff of the Authority as it may determine with the approval of the Minister and the Minister for Finance.

...

(5) A member of the staff of the Authority shall not be a civil servant within the meaning of the Civil Service Regulation Acts 1956 to 2005.

...

**C57** Application of definition of "civil servant" in subs. (1) extended (1.06.2007) by *Disability Act 2005* (14/2005), s. 16(3) and sch. para. 10, S.I. No. 234 of 2007.

**Appeals Officer**

**16.**— ...

(3) The provisions of the Schedule shall have effect in relation to the appeals officer.

...

SCHEDULE

Appeals Officer

Section 16.

...

6. Positions on the staff of the appeals officer shall be positions in the Civil Service (within the meaning of the Civil Service Regulation Act 1956).

...

**C58** Application of definition of "civil servant" in subs. (1) extended (4.11.2006) by *Registration of Deeds and Title Act 2006* (12/2006), s. 26(6), S.I. No. 511 of 2006; references therein to "the Authority" construed (1.03.2023) as reference to Tailte Éireann by *Tailte Éireann Act 2022* (50/2022), s. 29, S.I. No. 58 of 2023.

**Staff of Authority.**

**26.**— (1) Subject to subsection (3) and section 22(2), the Authority may appoint such number of persons to be members of its staff as it may determine.

...

(6) Members of the staff of the Authority are civil servants in the Civil Service of the Government.

**C59** Application of definition of "civil servant" in subs. (1) extended (1.06.2006) by *Criminal Law (Insanity) Act 2006* (11/2006), s. 11(3) and sch. 1, para. 10, S.I. No. 273 of 2006.

**Mental Health (Criminal Law) Review Board.**

**11.**— ...

(3) The provisions of Schedule 1 shall have effect in relation to the Review Board.

...

SCHEDULE 1

Mental Health (Criminal Law) Review Board

Section 11.

...

10. Members of the staff of the Review Board shall be civil servants within the meaning of the Civil Service Regulation Act 1956.

**C60** Application of definition of "civil servant" in subs. (1) extended (31.03.2006) by *Garda Síochána Act 2005* (20/2005), s. 19(3) S.I. No. 129 of 2006; repealed by *Policing, Security and Community Safety Act 2024* (1/2024), s. 5 and sch. 1 ref. no. 2, not commenced as of date of revision.

**Civilian staff.**

**19.**— ...

(3) A member of civilian staff of the Garda Síochána is a civil servant of the Government.

...

**C61** Application of definition of "civil servant" in subs. (1) extended (9.12.2005) by *Garda Síochána Act 2005* (20/2005), s. 71(3) S.I. No. 801 of 2005; repealed by *Policing, Security and Community Safety Act 2024* (1/2024), s. 5 and sch. 1 ref. no. 2, not commenced as of date of revision.

**Establishment of Ombudsman Commission.**

**64.**— (1) On the establishment day, a body corporate to be known as Coimisiún Ombudsman an Gharda Síochána or, in the English language, the Garda Síochána Ombudsman Commission stands established to perform the functions assigned to it by this Act.

...

**Officers of Ombudsman Commission.**

**71.**— (1) The Ombudsman Commission may appoint such numbers of persons as its officers as may be approved by the Minister with the consent of the Minister for Finance.

...

(3) Officers of the Ombudsman Commission are civil servants in the Civil Service of the State.

**C62** Application of definition of "civil servant" in subs. (1) extended (5.12.2005) by *Civil Registration Act 2004* (3/2004), ss. 7(3), 9(3), 10, S.I. No. 764 of 2005.

**Ard-Chláraitheoir.**

**7.**—(1) The office of an tArd-Chláraitheoir provided for by section 4 of the Act of 1863 shall continue in existence after the commencement of this section notwithstanding the repeals effected by this Act, but the office shall be known as an tArd-Chláraitheoir an tSeirbhís um Chlárú Sibhialta and the person holding the office shall be known as an tArd-Chláraitheoir and is referred to in this Act as an tArd-Chláraitheoir.

...

(3) An tArd-Chláraitheoir shall be a civil servant.

...

**Ard-Chláraitheoir Cúnta.**

**9.**—(1) There shall stand established the office of an tArd-Chláraitheoir Cúnta an tSeirbhís um Chlárú Sibhialta and the person holding the office is referred to in this Act as an tArd-Chláraitheoir Cúnta.

...

(3) An tArd-Chláraitheoir Cúnta shall be a civil servant.

...

**Staff of Ard-Chláraitheoir.**

**10.**—(1) The Minister, after consultation with an tArd-Chláraitheoir and with the consent of the Minister for Finance, may appoint, upon and subject to such terms and conditions as the Minister may determine, after the consultation and with the consent aforesaid, at the time of the appointment, such and so many officers of the Minister to be members of the staff of an tArd-Chláraitheoir as he or she considers necessary, and persons so appointed shall continue to be civil servants.

(2) Persons who were members of the staff of an tArd-Chláraitheoir who is referred to in section 52 of the Act of 1844 or section 4 of the Act of 1863 immediately before the commencement of this section shall, upon such commencement, become and be members of the staff of an tArd-Chláraitheoir upon terms and conditions equivalent to those that applied to their employment immediately before such commencement and shall continue to be civil servants.

**C63** Application of definition of "civil servant" in subs. (1) partly restricted and partly extended (31.08.2005) by *Ombudsman (Defence Forces) Act 2004* (36/2004), ss. 2(9), 14(2), S.I. No. 568 of 2005.

**Appointment of Ombudsman.**

**2.**—(1) There is established the office of Ombudsman for the Defence Forces and the holder of the office shall be known as the Ombudsman for the Defence Forces.

...

(9) A person who holds the office of Ombudsman shall not be a member of the Defence Forces or a civil servant.

…

**Staff**

**14.**—(1) The Minister may, with the consent of the Minister for Finance, appoint such and so many persons to be members of the staff of the Ombudsman as he or she may from time to time determine.

(2) A member of the staff of the Ombudsman shall be a civil servant in the Civil Service of the State.

(3) The appropriate authority, within the meaning of the Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 1996 in relation to the staff of the Ombudsman shall be the Ombudsman.

...

**C64** Application of definition of "civil servant" in subs. (1) extended (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), ss. 32(3), 42(3), commenced on enactment.

**Office of the Commission.**

**27.**—The Commission shall be assisted in carrying out its functions by an office, to be known as the Office of the Commission for Public Service Appointments and in this Act referred to as the "Office of the Commission".

…

**Staff of Office of Commission.**

**32.**—(1) The Minister shall appoint such and so many persons to be members of the staff of the Office of the Commission as the Minister from time to time thinks proper.

...

(3) The members of the staff of the Office of the Commission, including the Director, are civil servants of the State.

…

**Staff of Public Appointments Service.**

**42.**—(1) The Minister shall appoint such and so many persons to be members of the staff of the Public Appointments Service as the Minister from time to time thinks proper.

...

(3) The members of the staff of the Public Appointments Service, including the Chief Executive of the Service, are civil servants of the State.

**C65** Application of definition of "civil servant" in subs. (1) extended (25.04.2004) by *Ombudsman For Children Act 2002* (22/2002) s. 21(2), S.I. No. 925 of 2004.

**Staff.**

**21.**— …

(2) A member of the staff of the Ombudsman for Children shall be a civil servant in the Civil Service of the State.

…

**C66** Application of definition of "civil servant" in subs. (1) extended (19.01.2004) by *Official Languages Act 2003* (32/2003), s. 20(4) and sch. 2 para. 7(2), S.I. No. 32 of 2004.

**Establishment of Oifig Choimisinéir na dTeangacha Oifigiúla.**

**20.**—(1) There is established an office to be known as Oifig Choimisinéir na dTeangacha Oifigiúla and the holder of the office shall be known as An Coimisinéir Teanga and is referred to in this Act as the Commissioner.

…

(4) The provisions of the Second Schedule shall have effect in relation to the Commissioner.

…

SECOND SCHEDULE

An Coimisinéir Teanga

Section 20.

...

7. (1) The Minister may appoint to be members of the staff of the Commissioner such number of persons as the Minister may, with the consent of the Minister for Finance, determine from time to time.

(2) Members of the staff of the Commissioner shall be civil servants in the Civil Service of the State (within the meaning of the Civil Service Regulation Act 1956).

**C67** Application of definition of "civil servant" in subs. (1) extended (1.07.2003) by *Fisheries (Amendment) Act 2003* (21/2003), s. 6(7) and sch. 1 para. 8(b), commenced on enactment.

**Appeals Officer**

**6.**— ...

(7) The provisions of Schedule 1 shall have effect in relation to an Appeals Officer.

…

SCHEDULE 1

Appeals Officer

…

*Secretarial assistance*

**8.** (*a*) The Minister may appoint such and so many persons as he or she considers necessary to assist an Appeals Officer in the performance of his or her functions and such persons shall receive such remuneration and be subject to such other terms and conditions of service as the Minister may, with the consent of the Minister for Finance, determine.

(*b*) Any person appointed under *paragraph (a)* shall be a civil servant within the meaning of the Civil Service Regulation Act 1956.

**C68** Application of definition of "civil servant" in subs. (1) extended (9.11.1999) by *Courts Service Act 1998* (8/1998), s. 23(3), S.I. No. 336 of 1999.

**Staff of Service.**

**23.**—(1) The Board may appoint such number of persons to be members of the staff of the Service as may be approved by the Minister with the consent of the Minister for Finance.

...

(3) A member of the staff of the Service shall be a civil servant in the Civil Service of the State.

...

**C69** Application of definition of "civil servant" in subs. (1) extended by *Patents Act 1992* (1/1992), s. 97(3), as substituted (17.08.1998) by *Intellectual Property (Miscellaneous Provisions) Act 1998* (28/1998), s. 5(b), S.I. No. 285 of 1998.

**Appointment of Controller.**

**97.**—**[**(1) (*a*) The Government shall appoint as occasion arises a person to the office of Controller for a term of 5 years on such terms and conditions as shall be specified by the Government when making the appointment.

...

(3) Subject to the Controller being in good health at the time of appointment and notwithstanding that the Controller is appointed without a certificate from the Civil Service Commissioners, the Controller shall, during his term of office, be deemed to be employed in the Civil Service of the State.**]**

...

**C70** Application of definition of "civil servant" in subs. (1) restricted (1.01.1996) by *Irish Medicines Board Act 1995* (29/1995), s. 10(6), S.I. No. 345 of 1995.

**Chief Executive.**

**10.**—(1) There shall be a chief executive officer of the Board who shall be known, and is referred to in this Act, as the Chief Executive.

...

(6) The Chief Executive shall not be a civil servant within the meaning of the Civil Service Regulation Act, 1956.

...

**C71** Application of definition of "civil servant" in subs. (1) extended (16.12.1995) by *Civil Legal Aid Act 1995* (32/1995), ss. 10(1), 11(3), commenced on enactment.

**Chief Executive of Board.**

**10.**—(1) There shall be a chief executive officer of the Board (in this Act referred to as "the Chief Executive") who shall be appointed as such by the Minister on the recommendation of the Civil Service Commissioners and who shall, upon such appointment, be a civil servant in the Civil Service of the State.

...

**Staff of Board.**

**11.**—(1) Subject to section 10, the Board may appoint such number of persons to the staff of the Board as may be approved of by the Minister with the consent of the Minister for Finance.

…

(3) An officer of the Board shall, upon his or her appointment as such, be a civil servant in the Civil Service of the State.

…

**C72** Section applied with modifications (1.11.1994) by *Statistics Act 1993* (21/1993), s. 9(2), S.I. No. 323 of 1994.

**Staff of the Central Statistics Office.**

**9.**—(1) …

(2) The members of the staff of the Office shall be civil servants of the State.

…

**C73** Application of definition of "civil servant" in subs. (1) restricted (17.07.1990) by *National Treasury Management Agency Act 1990* (18/1990), s. 7(4), commenced on enactment.

**Staff of Agency.**

**7.**—(1) The Agency may appoint such, and such number of, persons to be members of the staff of the Agency as it may determine.

...

(4) A member of the staff of the Agency shall not be a civil servant within the meaning of the Civil Service Regulation Act, 1956, but, notwithstanding the foregoing, officers of the Minister may be seconded to the Agency for a period not exceeding 3 months from the establishment day.

**C74** Application of definition of "civil servant" in subs. (1) extended (7.07.1983) by *Ombudsman Act 1980* (26/1980), s. 10(2), S.I. No. 424 of 1983.

**Staff of the Ombudsman.**

**10.**— ...

(2) Officers and servants of the Ombudsman shall be civil servants in the Civil Service of the State.

**C75** Application of definition of "civil servant" in subs. (1) extended (18.09.1974) by *Prosecution of Offences Act 1974* (22/1974), s. 2(4), S.I. No. 272 of 1974.

**Director of Public Prosecutions.**

**2.**—(1) There is hereby established the office of Director of Public Prosecutions and the holder of the office shall be known as the Director of Public Prosecutions and is referred to subsequently in this Act as the Director.

...

(4) The Director shall be a civil servant in the Civil Service of the State.

...

**C76** Application of definition of "civil servant" in subs. (1) extended (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 3, commenced on enactment.

**Members of staff of the Houses of the Oireachtas to be civil servants of the State.**

**3.**—Members of the staff of the Houses of the Oireachtas are civil servants of the State.

**Editorial Notes:**

**E19** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (1.06.2015) by *Companies Act 2014* (38/2014), s. 946(4), S.I. No. 169 of 2015;
repealed (6.07.2022) by *Companies (Corporate Enforcement Authority) Act 2021* (48/2021), s. 3. S.I. No. 335 of 2022.

**E20** Previous affecting provision: application of definition of "civil servant" in subs. (1) restricted by *Legal Services Ombudsman Act 2009* (8/2009), s. 11(8), not commenced; repealed (7.10.2019) by *Legal Services Regulation Act 2015* (65/2015), s. 5 and sch. 2, S.I. No. 502 of 2019.

**E21** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (4.11.2006) by *Registration of Deeds and Title Act 2006* (12/2006), s. 22(3), S.I. No. 511 of 2006; repealed (1.03.2023) by *Tailte Éireann Act 2022* (50/2022), s. 5 and sch. 2, S.I. No. 58 of 2023.

**E22** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (24.04.2002, 7.05.2003) by *Civil Defence Act 2002* (16/2002), ss. 14(2), (3), 36(2), S.I. No. 186 of 2003; repealed (31.12.2012) by *Civil Defence Act 2012* (51/2012), s. 17, S.I. No. 570 of 2012.

**E23** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended by *Pensions Act 1990* (25/1990), s. 146(2) as inserted (28.04.2003) by *Pensions (Amendment) Act 2002* (18/2002), s. 5, S.I. No. 119 of 2003; repealed (1.01.2018) by *Financial Services and Pensions Ombudsman Act 2017* (22/2017), s. 5(1) and sch. 1 part 1 ref. 2, S.I. No. 524 of 2017.

**E24** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (28.11.2001) by *Company Law Enforcement Act 2001* (28/2001), s. 8(2), S.I. No. 523 of 2001; repealed (1.06.2015) by *Companies Act 2014* (38/2014), s. 4(1) and sch. 2. part 1, S.I. No. 169 of 2015.

**E25** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (4.10.2000) by *Refugee Act 1996* (17/1996), s. 15(3) and sch. 2 para. 10, as substituted (11.01.2000) by *Immigration Act 1999* (22/1999), s. 11(*j*), (*t*), S.I. No. 9 of 2000; repealed (31.12.2016) by *International Protection Act 2015* (66/2015), s. 6(1), S.I. No. 663 of 2016.

**E26** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (20.01.2000) by *Refugee Act 1996* (17/1996), s. 6(3) and sch. 1 para. 6, the latter as substituted (20.01.2000) by *Immigration Act 1999* (22/1999), s. 11(1)(*s*), S.I. Nos. 8, 9 of 2000; repealed (31.12.2014) by *International Protection Act 2015* (66/2015), s. 6(1), S.I. No. 663 of 2016.

**E27** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (21.04.1998) by *Freedom of Information Act 1997* (13/1997), s. 33(4) and sch. 2 para. 7(2), commenced as per s. 1(2); repealed (14.10.2014) by *Freedom of Information Act 2014* (30/2014), s. 5 and sch. 4, commenced as per s. 1(2).

**E28** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (10.03.1997) by *Telecommunications (Miscellaneous Provisions) Act 1996* (34/1996), ss. 2 and sch. 1 para. 1, S.I. No. 109 of 1997; repealed (1.12.2002, establishment day) by *Communications Regulation Act 2002* (20/2002), s. 38, S.I. No. 510 of 2002.

**E29** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (1.08.1992) by *Patents Act 1992* (1/1992), s. 97(3), S.I. No. 181 of 1992; substituted (17.08.1998) as per C-Note above.

**E30** Previous affecting provision: application of definition of "civil servant" in subs. (1) restricted (17.07.1990) by *National Treasury Management Agency Act 1990* (18/1990), s. 6(8), commenced on enactment; substituted (22.12.2014) by *National Treasury Management Agency (Amendment) Act 2014* (23/2014), s. 11(*g*), S.I. No. 586 of 2014.

**E31** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (9.01.1989) by *Data Protection Act 1988* (25/1988), s. 9(2) and sch. 2 para. 8(2), S.I. No. 349 of 1988; repealed (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 7(1)(*e*), S.I. No. 174 of 2018.

**E32** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (15.07.1986) by *Garda Síochána (Complaints) Act 1986* (29/1986), s. 3 and sch. para. 4(3)(*a*), commenced on enactment; repealed (30.06.2015) by *Garda Síochána Act 2005* (20/2005). s. 4 and sch. 1, subject to transitional provisions in ss. 111, 128, S.I. No. 271 of 2015.

**E33** Previous affecting provision: application of definition of "civil servant" in subs. (1) extended (1.07.1966) by *Patents Act 1964* (12/1964), s. 78(4), S.I. No. 91 of 1966; repealed (1.08.1992) by *Patents Act 1992* (1/1992), s. 5, S.I. No. 181 of 1992.

F4[Appointment of Head of Scheduled Office.

**1A.**—Where for the time being no person stands appointed as the principal officer of a Scheduled Office the Government may by order designate a person to be Head of the Scheduled Office concerned for the purposes of this Act.**]**

**Annotations**

**Amendments:**

**F4** Inserted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 5, S.I. No. 363 of 2006.

**Editorial Notes:**

**E34** Power pursuant to section exercised (26.07.2006) by *Civil Service Regulation Act 1956 (Section 1A) (Office of the Comptroller and Auditor General) Order 2006* (S.I. No. 449 of 2006), art. 2.

**E35** Power pursuant to section exercised (26.07.2006) by *Civil Service Regulation Act 1956 (Section 1A) (Office of the Director of Public Prosecutions) Order 2006* (S.I. No. 448 of 2006), art. 2.

**E36** Power pursuant to section exercised (26.07.2006) by *Civil Service Regulation Act 1956 (Section 1A) (Office of the Ombudsman) Order 2006* (S.I. No. 447 of 2006), art. 2.

**E37** Power pursuant to section exercised (4.07.2006) by *Civil Service Regulation Act 1956 (Section 1A) (Revenue Commissioners) Order 2006* (S.I. No. 365 of 2006), art. 2.

"Appropriate authority."

F5**[2.**—(1) Subject to *subsection (2)* and *section 5*, in this Act "appropriate authority" means—

(*a*) in relation to a civil servant—

(i) holding a position to which that civil servant was appointed by the Government, or

(ii) holding a position as a Commissioner of the Revenue Commissioners pursuant to Article 7 of the Revenue Commissioners Order 1923,

the Government,

(*b*) in relation to a civil servant who is of the grade of Principal or of an equivalent or superior grade to whom *paragraph (a)* does not apply, the Minister of the Government by whom the power of appointing a successor to that civil servant would for the time being be exercisable,

(*c*) in relation to a civil servant below the grade or rank of Principal or an equivalent grade, the Secretary General of the Department or the Head of the Scheduled Office in which the civil servant is serving,

(*d*) in relation to a civil servant holding a Ministerial Private Office appointment and who provides a service to a Minister of the Government, the Minister of the Government to whom that service is provided, and

(*e*) in relation to a civil servant holding a Ministerial Private Office appointment and who provides a service to a Minister of State, the Minister of State to whom that service is provided.

(2) Notwithstanding *subsection (1)*, in this Act "appropriate authority" means—

(*a*) in relation to a civil servant who is the Secretary General of the F6[Houses of the Oireachtas Service**]** or the Clerk-Assistant of Dáil Éireann, in respect of matters directly related to the business of Dáil Éireann, the Chairman of Dáil Éireann, in all other respects, the Houses of the Oireachtas Commission,

(*b*) in relation to a civil servant who is the Clerk or Clerk-Assistant of Seanad Éireann, in respect of matters directly related to the business of Seanad

Éireann, the Chairman of Seanad Éireann, in all other respects, the Houses of the Oireachtas Commission,

(*c*) in relation to a civil servant who is the Superintendent, Houses of the Oireachtas or the Captain of the Guard, Houses of the Oireachtas—

(i) in respect of matters directly related to the business of Dáil Éireann, the Chairman of Dáil Éireann,

(ii) in respect of matters directly related to the business of Seanad Éireann, the Chairman of Seanad Éireann,

(iii) in all other respects, the Houses of the Oireachtas Commission,

(*d*) in relation to a member of the staff of the Houses of the Oireachtas Commission who is of the grade of Principal or of an equivalent or superior grade, the Houses of the Oireachtas Commission,

(*e*) in relation to a member of the staff of the Houses of the Oireachtas Commission below the grade or rank of Principal or an equivalent grade, the Secretary General of the F6**[**Houses of the Oireachtas Service**]**,

(*f*) in relation to a civil servant who is of the grade of Principal or of an equivalent or superior grade to whom *subsection (1)(a)(i)* does not apply, who is serving in the Office of the Secretary General to the President, the Taoiseach, F7**[**...**]**

(*g*) in relation to a civil servant below the grade or rank of Principal or an equivalent grade, who is serving in the Office of the Secretary General to the President, the Secretary General to the F8**[**President,**]**

F9**[**(*h*) in relation to a member of the civilian staff of the Garda Síochána who is of the grade or rank of Principal or of an equivalent or superior grade or rank to whom *subsection (1)(a)(i)* does not apply, the Minister for Justice, Equality and Law Reform, F10**[**...**]**

(*i*) in relation to a member of the civilian staff of the Garda Síochána below the grade or rank of Principal or of an equivalent grade or rank, the Commissioner of the Garda F11**[**Síochána, F12**[**...**]]]**

F13**[**(*j*) in relation to a member of staff of the Data Protection Commission, the Commissioner for Data Protection or, where more than one Commissioner for Data Protection stands appointed, the chairperson F14**[**(within the meaning of the Data Protection Act 2018), and**]]**

F15**[**(*k*) in relation to a member of staff of the Tax Appeals Commission, the chairperson (within the meaning of the Finance (Tax Appeals) Act 2015).**]**

(3) For the purposes of *paragraph (c)* of *subsection (1)* "Department" includes such bodies or organisations (whether established by or under statute, or otherwise) other than a Scheduled Office, for which the Minister having charge of the Department concerned is responsible.

(4) For the purposes of *paragraph (c)* of *subsection (1)* "Scheduled Office" includes such bodies or organisations (whether established by or under statute, or otherwise) for which the Minister of the Government having charge of the Scheduled Office concerned is responsible.

(5) In this section "Minister of State" means a person appointed under section 1(1) of the Ministers and Secretaries (Amendment) (No. 2) Act 1977 to be a Minister of State.

(6) A reference in this section to "the grade of Principal or of an equivalent or superior grade" shall be construed as a reference to the general service grade of principal or a position or office in respect of which the maximum salary is not less than the maximum salary of a general service grade principal.**]**

**Annotations**

**Amendments:**

**F5** Substituted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 6, S.I. No. 363 of 2006.

**F6** Substituted (1.01.2010) by *Houses of the Oireachtas Commission (Amendment) Act 2009* (44/2009), s. 14(1) and sch. part 1 ref. 1, commenced as per s. 15(3).

**F7** Deleted (20.07.2008) by *Civil Law (Miscellaneous Provisions) Act 2008* (14/2008), s. 73(*a*), S.I. No. 274 of 2008.

**F8** Substituted (20.07.2008) by *Civil Law (Miscellaneous Provisions) Act 2008* (14/2008), s. 73(*b*), S.I. No. 274 of 2008.

**F9** Inserted (20.07.2008) by *Civil Law (Miscellaneous Provisions) Act 2008* (14/2008), s. 73(*c*), S.I. No. 274 of 2008.

**F10** Deleted (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 169(2)(*a*), S.I. No. 174 of 2018.

**F11** Substituted (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 169(2)(*b*), S.I. No. 174 of 2018.

**F12** Deleted (1.07.2020) by *Finance (Tax Appeals and Prospectus Regulation) Act 2019* (39/2019), s. 14(2)(*a*), S.I. No. 238 of 2020.

**F13** Inserted (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 169(2)(*c*), S.I. No. 174 of 2018.

**F14** Substituted (1.07.2020) by *Finance (Tax Appeals and Prospectus Regulation) Act 2019* (39/2019), s. 14(2)(*b*), S.I. No. 238 of 2020.

**F15** Inserted (1.07.2020) by *Finance (Tax Appeals and Prospectus Regulation) Act 2019* (39/2019), s. 14(2)(*c*), S.I. No. 238 of 2020.

**Modifications (not altering text):**

**C77** Prospective affecting provision: application of subs. (1) extended by *National Disability Authority Act 1999* (14/1999), s. 27(2A), as inserted by *Assisted Decision-Making (Capacity) (Amendment) Act 2022* (46/2022), s. 100(1)(*b*)(ii), not commenced as of date of revision.

**Staff of Authority.**

**27.**— ...

(2A) The Authority shall be the appropriate authority (within the meaning of the Public Service Management (Recruitment and Appointments) Act 2004 and the Civil Service Regulation Acts 1956 to 2005) in relation to the members of its staff (including the Director).

**C78** Application of subs. (1) extended (2.04.2025) by *Policing, Security and Community Safety Act 2024* (1/2024), ss. 131(4), 176(4), S.I. No. 107 of 2025.

**Staff of Authority**

...

(4) The Authority shall be the appropriate authority (within the meaning of the Act of 2004 and the Civil Service Regulation Acts 1956 to 2005) in relation to the members of the staff of the Authority.

...

**Officers of Police Ombudsman**

...

(4) The Police Ombudsman shall be the appropriate authority (within the meaning of the Act of 2004 and the Civil Service Regulation Acts 1956 to 2005) in relation to officers of the Police Ombudsman.

**C79** Application of subs. (1) extended (31.03.2025) by *Automatic Enrolment Retirement Savings System Act 2024* (20/2024), s. 30(5), S.I. No. 500 of 2024.

**Staff of Authority**

...

(5) The Authority is the appropriate authority (within the meaning of the Civil Service Regulation Acts 1956 to 2005) in relation to members of its staff.

**C80** Application of subs. (1) extended (17.07.2023) by *Maritime Area Planning Act 2021* (50/2021), s. 64(4), S. I. No. 369 of 2023.

**Staff of MARA, etc.**

**64.** ...

(4) The MARA shall be the appropriate authority (within the meaning of the Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 2005) in relation to its officers.

**C81** Application of subs. (1) extended (1.03.2023) by *Tailte Éireann Act 2022* (50/2022), s. 19(3), S. I. No. 58 of 2023.

**Staff of Tailte Éireann**

**19.** ...

(3) The chief executive is the appropriate authority (within the meaning of the Civil Service Regulation Act 1956) in relation to the members of the staff of Tailte Éireann.

**C82** Application of subs. (1) extended (9.02.2023) by *Electoral Reform Act 2022* (30/2022), s. 17(4), S. I. No. 32 of 2023.

**Staffing**

**17.** ...

(4) The Commission shall be the appropriate authority (within the meaning of the Public Service Management (Recruitment and Appointments) Act 2004 and the Civil Service Regulation Acts 1956 to 2005) in relation to members of its staff.

**C83** Application of subs. (1) extended by *Companies Act 2014* (38/2014), s. 944K(9), as inserted (6.07.2022) by *Companies (Corporate Enforcement Authority) Act 2021* (48/2021), s. 10, S.I. No. 335 of 2022.

**[Staff of Authority, etc.**

**944K.** (1) Subject to *subsection (3)* and *section 944F*, the Authority may appoint such number of persons to be members of its staff as it may determine.

...

(9) The Authority is the appropriate authority (within the meaning of the Act of 2004 and the Civil Service Regulation Acts 1956 to 2005) in relation to its staff.**]**

**C84** Application of subs. (1) extended (16.12.2019) by *Judicial Council Act 2019* (33/2019), s. 35(3), S.I. No. 640 of 2019.

**Staff of Council**

**35.** ...

(3) The Board shall be the appropriate authority (within the meaning of the Public Service Management (Recruitment and Appointments) Act 2004 and the Civil Service Regulation Acts 1956 to 2005) in relation to members of the staff of the Council.

...

**C85** Application of subs. (1) extended by *Garda Síochána Act 2005* (20/2005), s. 62Q(4), as inserted (23.12.2015) by *Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015* (49/2015), s. 44, S.I. No. 612 of 2015.

**[Staff of Authority**

**62Q.** (1) The Authority may, with the consent of the Minister and the Minister for Public Expenditure and Reform, appoint such and so many persons to be members of the staff of the Authority as it may determine.

...

(4) The Authority is the appropriate authority (within the meaning of the Public Service Management (Recruitment and Appointments) Act 2004 and the Civil Service Regulation Acts 1956 to 2005) in relation to the members of its staff.**]**

**C86** Application of subs. (1) extended (1.11.2014) by *Irish Human Rights and Equality Commission Act 2014* (25/2014), s. 24(4), S.I. No. 449 of 2014.

**Staff of Commission**

**24.** (1) The Commission may, with the consent of the Minister given with the approval of the Minister for Public Expenditure and Reform, appoint such and so many persons to be members of the staff of the Commission as it may determine.

...

(4) The Commission shall be the appropriate authority (within the meaning of the Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 2005) in relation to its officers.

...

**C87** Application of subs. (1) extended with modifications (14.10.2014) by *Freedom of Information Act 2014* (30/2014), s. 43(5)(*a*) and sch. 2 para. 7(3), commenced on enactment.

**Continuance of office of Information Commissioner**

**43.** ...

(5) (a) Subject to this section, Schedule 2 shall have effect in relation to the Commissioner.

...

SCHEDULE 2

The Information Commissioner

....

7. (1) The Minister may appoint to be members of the staff of the Commissioner such number of persons as the Minister may determine from time to time.

...

(3) The Minister may delegate to the Commissioner the powers exercisable by him or her under the Public Service Management (Recruitment and Appointments) Act 2004, and the Civil Service Regulation Acts 1956 to 2005, as the appropriate authority in relation to members of the staff of the Commissioner and, if the Minister does so, then, so long as the delegation remains in force—

(*a*) those powers shall, in lieu of being exercisable by the Minister, be exercisable by the Commissioner, and

(*b*) the Commissioner shall, in lieu of the Minister, be for the purposes of this Act the appropriate authority in relation to members of the staff of the Commissioner.

...

**C88** Application of subs. (1) extended (4.11.2006) by *Registration of Deeds and Title Act 2006* (12/2006), s. 26(7), S.I. No. 511 of 2006; references therein to "the Authority" construed (1.03.2023) as reference to Tailte Éireann by *Tailte Éireann Act 2022* (50/2022), s. 29, S.I. No. 58 of 2023.

**Staff of Authority.**

**26.**— (1) Subject to subsection (3) and section 22(2), the Authority may appoint such number of persons to be members of its staff as it may determine.

...

(7) The Authority is the appropriate authority (within the meaning of the Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 2005) in relation to its staff.

**C89** Application of subs. (1) extended (9.12.2005) by *Garda Síochána Act 2005* (20/2005), s. 71(3), S.I. No. 801 of 2005; *Garda Síochána Act 2005* repealed by *Policing, Security and Community Safety Act 2024* (1/2024), s. 5 and sch. 1, not commenced as of date of revision, subject to transitional provisions in ss. 33(4), 90(1), 93(4), 94(6), 95(4) 101(6), 228.

**Establishment of Ombudsman Commission.**

**64.**— (1) On the establishment day, a body corporate to be known as Coimisiún Ombudsman an Gharda Síochána or, in the English language, the Garda Síochána Ombudsman Commission stands established to perform the functions assigned to it by this Act.

...

**Officers of Ombudsman Commission.**

**71.**— (1) The Ombudsman Commission may appoint such numbers of persons as its officers as may be approved by the Minister with the consent of the Minister for Finance.

...

(4) The Ombudsman Commission is the appropriate authority (within the meaning of the Civil Service Commissioners Act 1956 and the Civil Service Regulation Acts 1956 to 1996) in relation to its officers.

**C90** Application of subs. (1) extended (9.11.1999) by *Courts Service Act 1998* (8/1998), s. 23(4), S.I. No. 336 of 1999.

**Staff of Service.**

**23.**—(1) The Board may appoint such number of persons to be members of the staff of the Service as may be approved by the Minister with the consent of the Minister for Finance.

...

(4) The appropriate authority (within the meaning of the Civil Service Commissioners Act, 1956, and the Civil Service Regulation Acts, 1956 to 1996) in relation to the staff of the Service shall be the Board.

...

**C91** Application of subs. (1) extended (16.12.1995) by *Civil Legal Aid Act 1995* (32/1995), s. 11(6)(*a*), commenced on enactment.

**Staff of Board.**

**11.**—(1) Subject to section 10, the Board may appoint such number of persons to the staff of the Board as may be approved of by the Minister with the consent of the Minister for Finance.

…

(6) (*a*) The appropriate authority (within the meaning of the Civil Service Commissioners Act, 1956, and the Civil Service Regulation Acts, 1956 and 1958) in relation to officers of the Board and solicitors of the Board who are civil servants in the Civil Service of the State shall, for the purposes of those Acts, be the Minister.

...

**C92** Section applied with modifications (1.11.1994) by *Statistics Act 1993* (21/1993), s. 9(3), S.I. No. 323 of 1994, as substituted (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61(1) and sch. 2 part 1, commenced on enactment.

**Staff of the Central Statistics Office.**

(1) …

**[**(3) In relation to members of the staff of the Office, the Taoiseach shall be the appropriate authority for the purpose of the Civil Service Regulation Acts 1956 to 1996.**]**

**Editorial Notes:**

**E38** Previous affecting provision: application of subs. (1) extended (31.03.2006) by *Garda Síochána Act 2005* (20/2005), s. 19(4), S.I. No. 129 of 2006; repealed (20.07.2008) by *Civil Law (Miscellaneous Provisions) Act 2008* (14/2008), s. 3(1) and sch. part 1, S.I. No. 274 of 2008.

**E39** Previous affecting provision: application of subs. (1) extended (25.04.2004) by *Ombudsman For Children Act 2002* (22/2002) s. 21(4), S.I. No. 925 of 2004; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15.

**E40** Previous affecting provision: application of subs. (1) extended (19.01.2004) by *Official Languages Act 2003* (32/2003), s. 20(4) and sch. 2 para. 7(3), S.I. No. 32 of 2004; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15.

**E41** Previous affecting provision: subs. (1)(*aa*), (*ab*) substituted (1.01.2004) by *Houses of the Oireachtas Commission Act 2003* (28/2003), s. 20(1)(*a*), commenced as per s. 1(2) and 3(1)(a); substituted (4.07.2006) as per F-Note above.

**E42** Previous affecting provision: subs. (1)(*ac*), (*ad*) inserted (1.01.2004) by *Houses of the Oireachtas Commission Act 2003* (28/2003), s. 20(1)(*b*), commenced as per s. 1(2) and 3(1)(a); section substituted (4.07.2006) as per F-Note above.

**E43** Previous affecting provision: application of subs. (1) extended (7.05.2003) by *Civil Defence Act 2002* (16/2002), s. 36(4), S.I. No. 186 of 2003; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15.

**E44** Previous affecting provision: application of subs. (1) extended by *Pensions Act 1990* (25/1990), s. 146(3) as inserted (28.04.2003) by *Pensions (Amendment) Act 2002* (18/2002), s. 5, S.I. No. 119 of 2003; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15; repealed (1.01.2018) by *Financial Services and Pensions Ombudsman Act 2017* (22/2017), s. 5(1) and sch. 1 part 1 ref. 2, S.I. No. 524 of 2017.

**E45** Previous affecting provision: application of subs. (1) extended (2.05.2002) by *Valuation Act 2001* (13/2001), s. 10(1), S.I. No. 131 of 2002; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15.

**E46** Previous affecting provision: application of subs. (1) extended by *Refugee Act 1996* (17/1996), s. 6 and sch. 1 para. 7, as substituted (20.01.2000) by *Immigration Act 1999* (22/1999), s. 11(s), S.I. No. 9 of 2000; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15.

**E47** Previous affecting provision: application of subs. (1) extended (21.04.1998) by *Freedom of Information Act 1997* (14/1997), s. 33(4) and sch. 2 para. 7(3), commenced as per s. 1(2); ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15; repealed (14.10.2014) by *Freedom of Information Act 2014* (30/2014), s. 5 and sch. 4, commenced as per s. 1(2).

**E48** Previous affecting provision: application of subs. (1) extended (10.03.1997) by *Telecommunications (Miscellaneous Provisions) Act 1996* (34/1996), ss. 2 and sch. 1 para. 11, S.I. No. 109 of 1997; repealed (1.12.2002, establishment day) by *Communications Regulation Act 2002* (20/2002), s. 38, S.I. No. 510 of 2002.

**E49** Previous affecting provision: application of subs. (1) extended (16.12.1995) by *Civil Legal Aid Act 1995* (32/1995), s. 11(6)(*b*), commenced on enactment; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15.

**E50** Previous affecting provision: section applied with modifications (1.11.1994) by *Statistics Act 1993* (21/1993), s. 9(4), S.I. No. 323 of 1994; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15.

**E51** Previous affecting provision: section applied with modifications (9.01.1989) by *Data Protection Act 1988* (25/1988), s. 9(2) and sch. 2 para. 8(4), S.I. No. 349 of 1988; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15; repealed (17.05.2018) by *Data Protection Act 2018* (7/2018), s. 7(1)(*e*), S.I. No. 174 of 2018.

**E52** Previous affecting provision: section applied with modifications (15.07.1986) by *Garda Síochána (Complaints) Act 1986* (29/1986), s. 3 and sch. para. 4(3)(*b*), commenced on enactment; repealed (30.06.2015) by *Garda Síochána Act 2005* (20/2005). s. 4 and sch. 1, subject to transitional provisions in ss. 111 and 128, S.I. No. 271 of 2015.

**E53** Previous affecting provision: section applied with modifications (15.07.1986) by *Garda Síochána (Complaints) Act 1986* (29/1986), s. 3 and sch. 1 para. 4(3)(*c*), (*d*), commenced on enactment; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15; repealed (30.06.2015) by *Garda Síochána Act 2005* (20/2005), s. 4 and sch. 1, S.I. No. 271 of 2015, subject to transitional provisions in ss. 111, 128.

**E54** Previous affecting provision: section applied with modifications (7.07.1983) by *Ombudsman Act 1980* (26/1980), s. 10(4), S.I. No. 424 of 1983; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15; repealed (31.10.2012) by *Ombudsman (Amendment) Act 2012* (38/2012), s. 14, commenced as per s. 1(3).

**E55** Previous affecting provision: section applied with modifications (16.04.1975) by *Law Reform Commission Act 1975* (3/1975), s. 10(6)(*c*)(i), commenced on enactment; rendered obsolete (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 6, S.I. No. 363 of 2006, which substituted a new provision which no longer contains any reference to "the Attorney General".

**E56** Previous affecting provision: section applied with modifications (16.04.1975) by *Law Reform Commission Act 1975* (3/1975), s. 10(6)(c)(ii), commenced on enactment; ceased (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 14, S.I. No. 363 of 2006, subject to transitional provisions in s. 15.

**E57** Previous affecting provision: subs. (1)(*b*) amended (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 18(1)(II), commenced on enactment; section substituted (4.07.2006) as per F-Note above.

**E58** Previous affecting provision: subs. (2)(*a*) and (*b*) repealed (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 18(2), commenced on enactment; section substituted (4.07.2006) as per F-Note above.

"Suspending authority."

**3.**—(1) In this Act "suspending authority" means, in relation to a civil servant, each of the following—

(*a*) the appropriate authority in relation to that civil servant,

(*b*) a person who, by virtue of *subsection (2)* of this section, is for the time being a suspending authority in relation to that civil servant.

(2) The appropriate authority in relation to civil servants of a particular class (defined by reference to such matters as that appropriate authority thinks fit) may from time to time nominate a person holding a position in the Civil Service to be a suspending authority in relation to civil servants of that class, and any person so nominated shall, so long as the nomination remains in force, be a suspending authority in relation to a civil servant of that class.

(3) A nomination under *subsection (2)* of this section of a person to be a suspending authority may be by his name or by reference to his official position or by reference to him as one of a class of persons holding official positions of the same description as that held by him.

(4) F16**[**...**]**

(5) The appropriate authority may, when making a nomination under *subsection (2)* of this section, attach to it such limitations and conditions as that appropriate authority thinks fit.

(6) The appropriate authority may at any time withdraw a nomination under *subsection (2)* of this section, but such withdrawal shall not affect any thing done, by virtue of the nomination, under this Act.

**Annotations**

**Amendments:**

**F16** Repealed (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 19, commenced on enactment.

Exercise of powers under *sections 6* and *7* in relation to members of the staff of the National Library of Ireland.

**4.**—The Minister for Education shall, before exercising, in relation to a member of the staff of the National Library of Ireland, the powers conferred by *section 6* or *7*, consult the Council of Trustees of the National Library of Ireland.

F17[Tenure of office of established civil servants.

**5.**—(1) Every established civil servant shall hold office at the will and pleasure of the Government.

(2) Where the Government so authorises, the powers and functions of the Government under *subsection (1)* of this section may as respects an established civil servant be exercised by the Minister of the Government by whom the power of appointing a successor to that civil servant would for the time being be exercisable.

(3) Where the Government so authorises, the powers and functions of the Government under *subsection (1)* may, as respects an established civil servant in relation to whom a person other than a Minister of the Government is the appropriate authority, be exercised on behalf of the Government by such appropriate authority.

(4) *Subsections (2)* and *(3)* shall not apply as respects the dismissal of—

(*a*) a civil servant who is the Head of a Scheduled Office, or

(*b*) a civil servant who holds a position as Commissioner of the Revenue Commissioners appointed pursuant to Article 7 of the Revenue Commissioners Order 1923.

(5) A Minister of the Government shall not exercise the powers and functions exercisable by him or her by virtue of *subsection (2)* unless the Secretary General of the Department concerned or the Head of the Scheduled Office concerned has made a recommendation in writing in that regard as respects the civil servant concerned.

(6) This section shall not apply to a person who is an established civil servant holding the office referred to in section 17(1) of the Courts Service Act 1998.**]**

**Annotations**

**Amendments:**

**F17** Substituted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 7, S.I. No. 363 of 2006.

**Modifications (not altering text):**

**C93** Application of section extended by *Prison (Disciplinary Code for Officers) Rules 1996* (S.I. No. 289 of 1996), art. 11, as substituted (1.11.2009) by *Prison (Disciplinary Code for Officers) (Amendment) Rules 2009* (S.I. No. 438 of 2009), art. 4, in operation as per art. 1(2).

**Recommendations for Dismissal**

**[11.** A decision to dismiss an officer from the Prison Service shall be made in accordance with the provisions of section 5 of the Civil Service Regulation Act, 1956 (No. 46 of 1956).**]**

**C94** Application of section restricted (9.12.1959 (by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 20, commenced on enactment, as substituted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 16, S.I. No. 363 of 2006.

**[Tenure of office of staff of the Houses of the Oireachtas Commission.**

**20.**—(1) Notwithstanding anything contained in *section 5(1)* of the Regulation Act, where the Government so authorises, the powers and functions of the Government under *section 5(1)* may as respects an established civil servant be exercised—

(*a*) in the case of a person who holds the office of Clerk or Clerk-Assistant of Dáil Éireann, by the Taoiseach on the recommendation of the Chairman of Dáil Éireann, [following consultation by that Chairman with the Houses of the Oireachtas Commission,]

(*b*) in the case of a person who holds the office of Clerk or Clerk-Assistant of Seanad Éireann by the Taoiseach on the recommendation of the Chairman of Seanad Éireann, [following consultation by that Chairman with the Houses of the Oireachtas Commission,]

(*c*) in the case of a person who holds the office of Superintendent, Houses of the Oireachtas, or Captain of the Guard, Houses of the Oireachtas, by the Taoiseach following consultation with the [Chairman of Dáil Éireann, the Chairman of Seanad Éireann and the Houses of the Oireachtas Commission];

(*d*) in the case of a person who is a member of the staff of the Houses of the Oireachtas Commission who is of the grade of Principal or of an equivalent or superior grade and to whom paragraphs (a) to (c) do not apply, by the Houses of the Oireachtas Commission following a recommendation to that effect given by the Secretary General of the [Houses of the Oireachtas Service];

and

(*e*) in the case of a person who is a member of the staff of the Houses of the Oireachtas Commission who is below the grade of Principal or of an equivalent grade and to whom paragraphs (a) to (c) do not apply, by the Secretary General of the **[**Houses of the Oireachtas Service**]**.

(2) A reference in this section to "the grade of principal or of an equivalent or superior grade" shall be construed as a reference to the general service grade of principal or a position or office in respect of which the maximum salary is not less than the maximum salary of a general service grade principal.**]**

**Editorial Notes:**

**E59** Previous affecting provision: application of section restricted (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 20, commenced on enactment; as amended (1.01.2004) by *Houses of the Oireachtas Commission Act 2003* (38/1959), s. 20(2)(*a*), commenced as per s. 1(2) and 3(1)(*a*); section substituted (4.07.2006) as per F-Note above.

F18**[**Appointment of civil servants on probationary contract.

**5A.**—(1) Notwithstanding any other provision of this Act, a person may initially be appointed to be an established civil servant on the basis of a probationary contract.

(2) Where a civil servant to whom *subsection (1)* refers completes the probationary period concerned to the satisfaction of the appropriate authority, that civil servant shall be appointed as an established civil servant and *subsection (1)* shall cease to apply to that appointment.

(3) Where a civil servant to whom *subsection (1)* refers does not complete the period of the probationary contract to the satisfaction of the appropriate authority, the provisions of *section 7* shall apply.

(4) Nothing in this section shall prevent the termination of an appointment under *subsection (1)* in accordance with the terms and conditions of the probationary contract prior to the expiry of the term of the contract.**]**

**Annotations**

**Amendments:**

**F18** Inserted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 7, S.I. No. 363 of 2006.

Tenure of office of civil servants who are not established civil servants.

**6.**—The appropriate authority may, subject to *section 4* (where applicable), terminate the services of a civil servant who is not an established civil servant.

Persons appointed on probation to established positions.

**7.**—F19**[**Where, in respect of a civil servant who has been appointed to an established position (in this section referred to as his probationary position) and who under his conditions of service is serving in a probationary capacity, the appropriate authority is, at any time during the civil servant's probationary period or such (if any) extension thereof as the appropriate authority may from time to time fix, satisfied that he has failed to fulfil the conditions of probation attaching to his probationary position**]**, then, subject to *section 4* (where applicable), the following provisions shall have effect—

(*a*) the appropriate authority shall, notwithstanding *section 5*, terminate the services of the civil servant, unless, immediately prior to his appointment to his probationary position, he held another position in the Civil Service;

(*b*) if the civil servant held, immediately prior to his appointment to his probationary position, an established position (in this paragraph referred to as his previous position), the appropriate authority shall terminate his appointment to his probationary position and, in that event, the civil servant may, if the Minister consents, forthwith be appointed to an established position (being a position which is, either, (i) in the same grade as that of his previous position, or (ii) in a grade or rank which, in the Minister's opinion, is equivalent to or lower than the grade of his previous position) to be designated by the Minister;

(*c*) where—

(i) the civil servant is appointed to an established position under paragraph (*b*) of this section, and

(ii) he held, immediately prior to his appointment to his probationary position, his previous position in a probationary capacity,

then, the established position to which he is appointed shall have attached thereto such conditions of probation and such other conditions as the Minister may fix;

(*d*) if the civil servant held, immediately prior to his appointment to his probationary position, a position which is not an established position (in this paragraph referred to as his previous position), the appropriate authority shall terminate his appointment to his probationary position and, in that event, the civil servant may, if the Minister consents, forthwith be appointed to a position which is not an established position (being a position which is, either (i) in the same grade as that of his previous position or (ii) in a grade or rank which in the Minister's opinion is equivalent to or lower than the grade of his previous position) to be designated by the Minister.

**Annotations**

**Amendments:**

**F19** Substituted (23.12.1958) by *Civil Service Regulation (Amendment) Act 1958* (34/1958), s. 3, commenced on enactment.

Retiring age for civil servants.

**8.**—(1) In this section, "the retiring age" means—

(*a*) in relation to a civil servant who is an officer to whom the Act of 1919 applies, sixty years F20**[**or, where a higher age is specified by regulations under *subsection (1A)*, that age**]**,

F21**[**(*b*) in relation to any other civil servant, 70 years or, where a higher age is prescribed by order under section 3A(2) of the Public Service Superannuation (Miscellaneous Provisions) Act 2004 for the purposes of that Act, that age.**]**

F20**[**(1A) The Minister for Justice may, with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform, make regulations relating to the retirement of officers to whom the Act of 1919 applies, including specifying a retirement age of such officers, being an age that is higher than 60 years and not exceeding the normal retirement age (within the meaning of section 13(1) of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012).

(1B) Every regulation made by the Minister for Justice under *subsection (1A)* shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House sits after the regulation is laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.**]**

(2) F22**[**...**]**

(3) Every civil servant shall retire on attaining the retiring age.

(4) F22**[**...**]**

(5) *Subsections (1)*, *(2)*, *(3)* and *(4)* of this section do not apply to—

(*a*) the Master of the High Court, or

(*b*) a Taxing Master, or

(*c*) a County Registrar, or

(*d*) the Registrar of Titles, or

(*e*) the Registrar of Deeds, if appointed to that Office by the Government under section 7 of the Registration of Title Act, 1942 (No. 26 of 1942), or

(*f*) a civil servant to whom subsection (5) of section 63 of the Court Officers Act, 1926 (No. 27 of 1926), applies.

F23**[**(5A) *Subsections (3)* and *(4)* of this section do not apply to a civil servant (other than an officer to whom the Act of 1919 applies) who is a new entrant (within the meaning of the Public Service Superannuation (Miscellaneous Provisions) Act 2004) appointed on or after 1 April 2004.**]**

(6) Nothing in this section shall be construed as affecting section 10 of the Act of 1859 or the said section 10 as applied by subsection (1) of section 1 of the Act of 1919.

**Annotations**

**Amendments:**

**F20** Inserted (8.08.2024) by *Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024* (30/2024), s. 28(*a*), (*b*), S.I. No. 400 of 2024.

**F21** Substituted by *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (39/2018), s. 3A(4) and sch. 2 part 3, as substituted (26.12.2018) by *Public Service Superannuation (Age of Retirement) Act 2018* (39/2018), ss. 3, 7 and sch., commenced on enactment.

**F22** Deleted by *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (39/2018), s. 3A(4) and sch. 2 part 3, as inserted (26.12.2018) by *Public Service Superannuation (Age of Retirement) Act 2018* (39/2018), ss. 3, 7 and sch., commenced on enactment.

**F23** Inserted (25.03.2004) by *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (7/2004), s. 3(2) and sch. 2 part 2, commenced on enactment.

**Editorial Notes:**

**E60** Power pursuant to subs. (1A) exercised (19.08.2024) by *Civil Service Regulation Act 1956 (Retirement of Prison Officers) Regulations 2024* (S.I. No. 405 of 2024), art. 3, in operation as per art. 2.

F24**[**Appointment of civil servants beyond normal retirement age.

**8A.**—(1) Subject to *subsections (2)* and *(3)*, nothing in *section 8* shall prevent the appointment of a person who has attained the age of 65 years to an established or unestablished position in the Civil Service.

(2) A person who has attained the age of 65 years shall not be appointed to either an established or unestablished position in the Civil Service unless that person is a new entrant.

(3) This section shall not apply as respects the appointment of a person to a position as an officer to whom the Act of 1919 applies.

(4) In this section "new entrant" has the same meaning as is assigned to it by section 2 of the Public Service Superannuation (Miscellaneous Provisions) Act 2004.**]**

**Annotations**

**Amendments:**

**F24** Inserted (6.10.2005) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 8, S.I. No. 763 of 2005.

Retirement on the ground of ill-health.

**9.**—(1) In this section "medical referee" means a registered medical practitioner appointed by the Minister to be a medical referee for the purposes of this section.

(2) Whenever—

(*a*) the appropriate authority is satisfied, on medical evidence, that an established civil servant has become, by reason of infirmity of mind or body, incapable of discharging the duties of his position and that such infirmity is likely to be permanent, and

(*b*) such civil servant has not tendered his resignation, and

(*c*) a notice has, at the instance of the appropriate authority, been served by registered post on such civil servant requesting him to resign from the Civil Service on or before a specified date, which said date (in this subsection hereinafter referred to as the appointed date) shall not be less than thirty days from the date on which the notice is posted, the following provisions shall, notwithstanding anything contained in *section 5*, have effect—

(i) if, before the appointed date, the appropriate authority receives such civil servant's resignation and the resignation is stated to have effect from a specified day, not later than the appointed date, his resignation shall take effect on the day so specified,

(ii) if, before the appointed date, the appropriate authority receives such civil servant's resignation and the resignation either specifies no effective day or a day which is later than the appointed date, his resignation shall take effect on the appointed date,

(iii) if the appropriate authority does not, before the appointed date, receive such civil servant's resignation or an application to have his case referred to a medical referee, he shall be deemed to have resigned from the Civil Service on the ground of ill-health on the appointed date,

(iv) if the appropriate authority, before the appointed date, receives from the civil servant an application to have his case referred to a medical referee and there is sent with the application such fee as may be fixed by the Minister—

(I) the appropriate authority shall refer his case to a medical referee for investigation,

(II) if it appears from the report of the medical referee that such infirmity is not likely to be permanent, the notice shall be deemed to be withdrawn and there shall be paid to the civil servant a sum equal to the said fee and also, if any expenses for travelling and maintenance were, in the opinion of the Minister, reasonably and properly incurred by such civil servant in connection with the reference, such sum in respect of those expenses as the Minister may determine,

(III) if it appears from the report of the medical referee that such infirmity is likely to be permanent the appropriate authority shall cause a notice (in this subsection referred to as the second notice) to be served by registered post on such civil servant stating the effect of the report and requiring him to tender his resignation within ten days after the date of posting of the second notice, and, in default of his so doing, such civil servant shall be deemed to have resigned from the Civil Service on the ground of ill-health on the appointed date or the tenth day after the posting of the second notice, whichever is the later.

(3) The preceding subsections of this section do not apply to (*a*) a civil servant serving on probation, unless immediately prior to his appointment to his probationary position he held an established position, or (*b*) a transferred officer who is an established civil servant.

(4) Nothing in this section shall be construed as affecting section 10 of the Act of 1859 or the said section 10 as applied by subsection (1) of section 1 of the Act of 1919, or *subsection (2)* of *section 8*.

**Annotations**

**Modifications (not altering text):**

**C95** Term "registered medical practitioner" construed (3.07.2008) by *Medical Practitioners Act 2007* (25/2007), s. 108(1), S.I. No. 231 of 2008.

**Construction of references to registered medical practitioner and Medical Council, etc.**

**108.**— (1) Every reference to a registered medical practitioner contained in any enactment or any statutory instrument shall be construed as a reference to a registered medical practitioner within the meaning of section 2.

...

Retirement of women civil servants on marriage.

**10.**—F25**[**...**]**

**Annotations**

**Amendments:**

**F25** Repealed (31.07.1973) by *Civil Service (Employment of Married Women) Act 1973* (17/1973), s. 3, commenced on enactment.

Re-admission to the Civil Service of certain widows.

**11.**—F26**[**...**]**

**Annotations**

**Amendments:**

**F26** Repealed (25.06.1996) by *Civil Service Regulation (Amendment) Act 1996* (13/1996), s. 1, S.I. No. 197 of 1996.

**Editorial Notes:**

**E61** Previous affecting provision: subs. (1) substituted and subs. (2) and (3) amended (31.07.1973) by *Civil Service (Employment of Married Women) Act 1973* (17/1973), s. 4(a), (b), commenced on enactment; section repealed (25.06.1996) as per F-Note above.

**E62** Previous affecting provision: application of section restricted (18.02.1957) by *Civil Service Commissioners Act 1956* (45/1956), s. 21, S.I. No. 17 of 1957; section repealed (25.06.1996) as per F-Note above.

Re-call of person under section 11 of the Act of 1859.

**12.**—Where it is proposed to call upon a superannuated person to fill an established position under section 11 of the Act of 1859, such person may, if the Minister so directs, be required, before any decision is taken on the proposal, to serve on trial in the Civil Service in such position (not being an established position) and on such conditions as the Minister may determine.

Suspension of civil servants from duty.

**13.**—(1) A suspending authority may suspend a civil servant if—

(*a*) it appears to that suspending authority that the civil servant has been guilty of grave misconduct or of grave irregularity warranting disciplinary action, or

(*b*) it appears to that suspending authority that the public interest might be prejudiced by allowing the civil servant to remain on duty, or

(*c*) a charge of grave misconduct or grave irregularity is made against the civil servant and it appears to that suspending authority that the charge warrants investigation.

(2) A suspending authority may terminate the suspension of a civil servant suspended under *subsection (1)* of this section.

F27**[**Remuneration of civil servant suspended from duty.

**14.**—(1) Where a civil servant stands suspended under *section 13*, subject to *subsections (2)* and *(3)*, the civil servant shall be paid ordinary remuneration.

(2) Nothing in *subsection (1)* shall entitle a civil servant standing suspended to be paid ordinary remuneration in circumstances where the civil servant would not, but for *subsection (1)*, be entitled to be paid ordinary remuneration.

(3) *Subsection (1)* does not apply to a person suspended under *section 15*.**]**

**Annotations**

**Amendments:**

**F27** Substituted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 9, S.I. No. 363 of 2006.

F28**[**Disciplinary measures.

**15.**—(1) (*a*) Where, in the opinion of the appropriate authority, a civil servant has, in relation to his official duties, been guilty of misconduct, irregularity, neglect, unsatisfactory behaviour or underperformance, the appropriate authority may, subject to *subsection (3)* of this section, either for a specified period or otherwise, do one or more of the following—

(i) place the civil servant on a lower rate of remuneration, (including the withholding of an increment),

(ii) reduce the civil servant to a specified lower grade or rank, or

(iii) suspend the civil servant without pay.

(*b*) Where the rate of remuneration of a civil servant (in this paragraph referred to as his original rate) has been reduced by reason of his being placed pursuant to *paragraph (a)* of this subsection, on a lower rate (in this paragraph referred to as his reduced rate)—

(i) the appropriate authority may subsequently either, as he thinks fit, place the civil servant on his original rate or on a rate of remuneration between his original rate and his reduced rate,

(ii) if the appropriate authority, pursuant to *subparagraph (i)*, places him, under *subparagraph (i)* of this paragraph, on a rate of remuneration between his original rate and his reduced rate, he may subsequently place the civil servant on his original rate.

(*c*) Where a civil servant is reduced to a lower grade or rank in pursuance of *paragraph (a)* of this subsection, the appropriate authority may subsequently re-appoint that civil servant to his original grade or rank.

(2) If any question arises in relation to a matter referred to in *subsection (1)* as to whether a particular grade or rank is a lower grade or rank, the question shall be determined by the Minister.

(3) Before any action is taken pursuant to *paragraph (a)* of *subsection (1)* of this section, the civil servant concerned shall be afforded an opportunity of making to the appropriate authority any representations that the civil servant may wish to offer.

(4) An appropriate authority shall not in relation to the matters referred to in this section commence the process leading to one of the actions specified at *subparagraphs (i)* to *(iii)* of *subsection (1)(a)* by reason of underperformance on the part of the civil servant unless the appropriate authority is satisfied that measures aimed at improving the performance of the civil servant through training or development—

(*a*) have in relation to that civil servant been introduced and applied, and have failed to result in specified improvement in performance on the part of the civil servant, or

(*b*) have in relation to that civil servant no reasonable prospect of resulting in an improvement in performance on the part of the civil servant.

(5) (*a*) Where an appropriate authority pursuant to *subsection (1)* causes the remuneration of a civil servant to be reduced, any benefits or entitlements under any superannuation scheme which had accrued to or in respect of the civil servant prior to the imposition of such disciplinary measures shall not be reduced by reason of the imposition of such measures.

(*b*) Where an appropriate authority pursuant to *subsection (1)* causes the grade or rank of a civil servant to be reduced, any benefits or entitlements under any superannuation scheme which had accrued to or in respect of the civil servant prior to the imposition of such disciplinary measures shall not be reduced by reason of the imposition of such measures.

(6) The preceding subsections of this section do not apply to a civil servant—

(*a*) holding a position to which he was appointed by the Government,

(*b*) holding a position as Commissioner of the Revenue Commissioners appointed pursuant to Article 7 of the Revenue Commissioners Order 1923,

(*c*) holding the position of Clerk of Dáil Éireann.

(7) The provisions of this section are without predjudice to any other provision of this Act or such other disciplinary measures as may be specified in the Civil Service Disciplinary Code.

(8) The provisions of this section are without prejudice to *sections 13* and *14*.**]**

**Annotations**

**Amendments:**

**F28** Substituted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 10, S.I. No. 363 of 2006.

**Modifications (not altering text):**

**C96** Application of subs. (3) restricted (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 22, commenced on enactment.

**Amendment of section 15 of the Regulation Act as respects members of the staff of the Houses of the Oireachtas.**

**22.**—Notwithstanding anything contained in paragraph (*a*) of subsection (3) of section 15 of the Regulation Act, the Minister shall not give a direction under that paragraph in relation to a member of the staff of the Houses of the Oireachtas except after consultation with the appropriate authority within the meaning of the Regulation Act, as amended by this Act.

**Editorial Notes:**

**E63** The word "predjudice" in subs. (7) above is as spelled in *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 10.

Unauthorised absences from duty.

**16.**—(1) A civil servant shall not be paid remuneration in respect of any period of unauthorised absence from duty.

F29**[**(2) A period when a civil servant refuses to carry out the duties of his grade shall as respects the civil servant concerned be considered to be a period of unauthorised absence from duty.

(3) If any question arises in relation to the application of *subsection (1)* or *(2)* as to whether—

(*a*) a particular period of absence from duty of a civil servant is a period of unauthorised absence from duty, or

(*b*) a particular action taken by a civil servant constitutes a refusal to carry out the duties of his grade, or

(*c*) a refusal by a civil servant to perform a particular duty constitutes a refusal to carry out the duties of his grade,

the question shall be determined by the appropriate authority.**]**

**Annotations**

**Amendments:**

**F29** Substituted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 11, S.I. No. 363 of 2006.

Miscellaneous powers of the Minister in relation to the Civil Service.

**17.**—(1) The Minister shall be responsible for the following matters—

(*a*) the regulation and control of the Civil Service,

(*b*) the classification, re-classification, numbers and remuneration of civil servants,

(*c*) the fixing of—

(i) the terms and conditions of service of civil servants, and

(ii) the conditions governing the promotion of civil servants.

(2) The Minister may, for the purpose of *subsection (1)* of this section, make such arrangements as he thinks fit and may cancel or vary those arrangements.

(3) Any arrangements made by the Minister before the commencement of this Act in relation to any of the matters mentioned in *subsection (1)* of this section and not cancelled before such commencement shall continue in force and be deemed to have been made under *subsection (2)* of this section.

**Annotations**

**Modifications (not altering text):**

**C97** Application of section restricted (30.07.1963) by *Superannuation and Pensions Act 1963* (24/1963), s. 6(12), commenced on enactment. Provision for the prospective repeal of this provision made by *Superannuation and Pensions Act 1976* (22/1976), s. 11 and sch. 2, not commenced as of date of revision.

(11) (*a*) The Minister may by regulations specify the professional positions which may be designated as professional positions to which this section applies.

...

(12) The Minister, in fixing under section 17 of the Civil Service Regulation Act, 1956, the conditions of service for an established position may designate it as a professional position to which this section applies if (but only if—

(*a*) it is specified by regulations under *subsection (11)* of this section,

(*b*) one of the qualifications required for appointment to it is that, before appointment, the appointee must have had a specified number of years of professional experience, and

(*c*) appointment to it is made otherwise than on promotion or transfer from another established position.

**C98** Application of section restricted (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 23(1), commenced on enactment.

(1) Section 17 of the Regulation Act shall not apply to the fixing of the hours of attendance on duty of members of the staff of the Houses of the Oireachtas.

...

**Editorial Notes:**

**E64** Previous affecting provision: application of section restricted by *Employment Equality Act 1977* (16/1977), s. 17B, as inserted (2.10.1985) by *European Communities (Employment Equality) Regulations 1985* (S.I. No. 331 of 1985), art. 5; Act repealed (18.10.1999) by *Employment Equality Act 1998* (21/1998), s. 5(1), S.I. No. 320 of 1999.

Payment of remuneration of civil servants.

**18.**—The remuneration of every civil servant, as determined by the Minister, shall, subject to the provisions of any other enactment providing for the payment of his remuneration, be paid out of moneys provided by the Oireachtas.

F30**[**Appointment of officers of the Attorney General.

**19.**—(1) Subject to *subsection (2)*, the power of appointing a person to be an officer or servant of the Attorney General shall be vested in the Attorney General.

(2) The power of appointing a person to be an officer of the Attorney General of the grade of Secretary General or of an equivalent grade shall be vested in the Taoiseach.

(3) The Minister for Finance shall from time to time determine the number of officers and servants appointed to the Office of the Attorney General and all such officers and servants shall hold office on such terms and conditions as the Minister for Finance shall determine.

(4) A reference in this section to "the grade of Secretary General or of an equivalent grade" shall be construed as a reference to the general service grade of Secretary General or a position or office in respect of which the salary is not less than the salary of a general service grade Secretary General.**]**

**Annotations**

**Amendments:**

**F30** Substituted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 12, S.I. No. 363 of 2006.

**Editorial Notes:**

**E65** Previous affecting provision: application of section restricted (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 24, commenced on enactment; section substituted (4.07.2006) as per F-Note above.

Operation of the Act.

**20.**—(1) F31**[**...**]**

(2) This Act applies to—

(*a*) persons who are civil servants at the commencement of this Act as well as to persons who become civil servants after the commencement of this Act,

but does not apply to—

(*b*) a Lay Commissioner of the Irish Land Commission, or

(*c*) F32**[**...**]**

(*d*) a civilian employed by the Minister for Defence under section 30 of the Defence Act, 1954 (No. 18 of 1954).

(3) Nothing in this Act shall be construed as affecting—

(*a*) section 13 of the British Statute (17 & 18 Vic. c. 99) passed in the year 1854 and entitled "An Act to provide for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum, in *Dublin*", or

(*b*) subsection (4) of section 3 of the Court Officers Act, 1926 (No. 27 of 1926).

(4) Nothing in *sections 13* to *16*shall be construed as affecting the Rules for the Government of Prisons, 1947 (S.R. & O. No. 320 of 1947).

(5) Nothing contained in any enactment passed before the commencement of this Act which is inconsistent with this Act shall be construed as affecting the operation of this Act.

(6) Where any question arises whether, for the purposes of this Act, any particular position is or was a position in the Civil Service or any particular person is or was a civil servant, the question shall be decided by the Minister, whose decision shall be final.

**Annotations**

**Amendments:**

**F31** Repealed (23.12.1958) by *Civil Service Regulation (Amendment) Act 1958* (34/1958), s. 4, commenced on enactment.

**F32** Repealed (9.12.1959) by *Staff of the Houses of the Oireachtas Act 1959* (38/1959), s. 25, commenced on enactment.

Administrative expenses.

**21.**—The expenses incurred in the administration of this Act shall, to such extent as may be sanctioned by the Minister, be paid out of moneys provided by the Oireachtas.

Repeals and saving.

**22.**—(1) The enactments mentioned in *column (2)* of the *Schedule* to this Act are hereby repealed to the extent mentioned in *column (3)* of that Schedule.

(2) Any regulations made under any enactment repealed by *subsection (1)* of this section and in force immediately before the commencement of this Act shall, notwithstanding the repeal of that enactment, continue in force, but may from time to time be amended or revoked by the Minister.

**Annotations**

**Editorial Notes:**

**E66** Power pursuant to section exercised (18.02.1957) by *Civil Service Regulations, 1924 (Revocation) Regulations 1957* (S.I. No. 27 of 1957).

Short title and commencement.

**23.**—(1) This Act may be cited as the Civil Service Regulation Act, 1956.

(2) This Act shall come into operation on such day as may be fixed therefor by order of the Government.

**Annotations**

**Editorial Notes:**

**E67** Power pursuant to section exercised (18.02.1957) by *Civil Service Regulation Act, 1956 (Commencement) Order 1957* (S.I. No. 18 of 1957).

2. The 18th day of February, 1957, is hereby fixed as the day on which the Civil Service Regulation Act, 1956 (No. 46 of 1956), shall come into operation.

*Section 22(1).*

SCHEDULE.

ENACTMENTS REPEALED.

| Number and Year. (1) | Short Title. (2) | Extent of Repeal. (3) |
|---|---|---|
| No. 5 of 1924 | Civil Service Regulation Act, 1924. | Section 9. |
| No. 16 of 1924 | Ministers and Secretaries Act, 1924. | Subsection (3) of section 2. |

F33[SCHEDULE 2

SCHEDULED OFFICES

| Reference Number | (1) | (2) |
|---|---|---|
| 1 | The Courts Service | The Board of the Courts Service |
| 2 | The F34[Houses of the Oireachtas Service] | The Houses of the Oireachtas Commission] |

**Annotations**

**Amendments:**

**F33** Inserted (4.07.2006) by *Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 13 and sch., S.I. No. 363 of 2006.

**F34** Substituted (1.01.2010) by *Houses of the Oireachtas Commission (Amendment) Act 2009* (44/2009), s. 14(1) and sch. pt. 1 ref. 9, commenced as per s. 15(3).

*Number* 46 *of* 1956

# CIVIL SERVICE REGULATION ACT 1956

**REVISED**

**Updated to 15 July 2026**

## About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

## Related legislation

***Civil Service Regulation Acts 1956 to 2005*** : this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Civil Service Regulation (Amendment) Act 2005* (18/2005), s. 1(2)). The Acts in this group are:

- *Civil Service Regulation Act 1956* (46/1956)
- *Civil Service Regulation (Amendment) Act 1958* (34/1958)
- *Civil Service Regulation (Amendment) Act 1996* (13/1996)
- *Civil Service Regulation (Amendment) Act 2005* (18/2005), Part 2 (ss. 3-15)

## Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at https://revisedacts.lawreform.ie/revacts/annotations.

## Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

## Acts which affect or previously affected this revision

- *Criminal Justice (International Cooperation on Electronic Evidence and Other Matters) Act 2026* (21/2026)
- *Planning and Development Act 2024* (34/2024)

- *Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024* (30/2024)
- *Automatic Enrolment Retirement Savings System Act 2024* (20/2024)
- *Coroners (Amendment) Act 2024* (4/2024)
- *Policing, Security and Community Safety Act 2024* (1/2024)
- *Judicial Appointments Commission Act 2023* (33/2023)
- *Domestic, Sexual and Gender-Based Violence Agency Act 2023* (31/2023)
- *Screening of Third Country Transactions Act 2023* (28/2023)
- *Control of Exports Act 2023* (27/2023)
- *Agricultural and Food Supply Chain Act 2023* (19/2023)
- *Tailte Éireann Act 2022* (50/2022)
- *Electoral Reform Act 2022* (30/2022)
- *Maritime Area Planning Act 2021* (50/2021)
- *Finance (Tax Appeals and Prospectus Regulation) Act 2019* (39/2019)
- *Judicial Council Act 2019* (33/2019)
- *Parole Act 2019* (28/2019)
- *Public Service Superannuation (Age of Retirement) Act 2018* (39/2018)
- *Planning and Development (Amendment) Act 2018* (16/2018)
- *Data Protection Act 2018* (7/2018)
- *Financial Services and Pensions Ombudsman Act 2017* (22/2017)
- *International Protection Act 2015* (66/2015)
- *Finance (Tax Appeals) Act 2015* (59/2015)
- *Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015* (49/2015)
- *Workplace Relations Act 2015* (16/2015)
- *Regulation of Lobbying Act 2015* (5/2015)
- *Companies Act 2014* (38/2014)
- *Freedom of Information Act 2014* (30/2014)
- *Irish Human Rights and Equality Commission Act 2014* (25/2014)
- *National Treasury Management Agency (Amendment) Act 2014* (23/2014)
- *Industrial Development (Forfás Dissolution) Act 2014* (13/2014)
- *Public Service Management (Recruitment and Appointments) (Amendment) Act 2013* (47/2013)
- *Child Care (Amendment) Act 2011* (19/2011)
- *Social Welfare and Pensions Act 2010* (37/2010)
- *Road Traffic Act 2010* (25/2010)
- *Inland Fisheries Act 2010* (10/2010)
- *Houses of the Oireachtas Commission (Amendment) Act 2009* (44/2009)
- *National Asset Management Agency Act 2009* (34/2009)
- *Health (Miscellaneous Provisions) Act 2009* (25/2009)
- *Legal Services Ombudsman Act 2009* (8/2009)
- *Social Welfare (Miscellaneous Provisions) Act 2008* (22/2008)
- *Dublin Transport Authority Act 2008* (15/2008)
- *Civil Law (Miscellaneous Provisions) Act 2008* (14/2008)
- *Medical Practitioners Act 2007* (25/2007)
- *Registration of Deeds and Title Act 2006* (12/2006)
- *Criminal Law (Insanity) Act 2006* (11/2006)
- *Garda Síochána Act 2005* (20/2005)
- *Civil Service Regulation (Amendment) Act 2005* (18/2005)
- *Disability Act 2005* (14/2005)
- *Ombudsman (Defence Forces) Act 2004* (36/2004)
- *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004)
- *Education for Persons with Special Educational Needs Act 2004* (30/2004)
- *Residential Tenancies Act 2004* (27/2004)
- *Private Security Services Act 2004* (12/2004)
- *Public Service Superannuation (Miscellaneous Provisions) Act 2004* (7/2004)
- *Civil Registration Act 2004* (3/2004)
- *Personal Injuries Assessment Board Act 2003* (46/2003)
- *Official Languages Act 2003* (32/2003)
- *Houses of the Oireachtas Commission Act 2003* (28/2003)
- *Fisheries (Amendment) Act 2003* (21/2003)
- *Ombudsman For Children Act 2002* (22/2002)
- *Pensions (Amendment) Act 2002* (18/2002)
- *Civil Defence Act 2002* (16/2002)
- *Competition Act 2002* (14/2002)
- *Road Traffic Act 2002* (12/2002)
- *Company Law Enforcement Act 2001* (28/2001)
- *Valuation Act 2001* (13/2001)
- *Planning and Development Act 2000* (30/2000)
- *Immigration Act 1999* (22/1999)
- *National Disability Authority Act 1999* (14/1999)
- *Education Act 1998* (51/1998)

- *Employment Equality Act 1998* (21/1998)
- *Courts Service Act 1998* (8/1998)
- *Public Service Management Act 1997* (27/1997)
- *Freedom of Information Act 1997* (13/1997)
- *Telecommunications (Miscellaneous Provisions) Act 1996* (34/1996)
- *Refugee Act 1996* (17/1996)
- *Civil Service Regulation (Amendment) Act 1996* (13/1996)
- *Civil Legal Aid Act 1995* (32/1995)
- *Irish Medicines Board Act 1995* (29/1995)
- *Heritage Act 1995* (4/1995)
- *Statistics Act 1993* (21/1993)
- *Patents Act 1992* (1/1992)
- *Competition Act 1991* (24/1991)
- *Industrial Relations Act 1990* (19/1990)
- *National Treasury Management Agency Act 1990* (18/1990)
- *Data Protection Act 1988* (25/1988)
- *Garda Síochána (Complaints) Act 1986* (29/1986)
- *National Archives Act 1986* (11/1986)
- *Farm Tax Act 1985* (17/1985)
- *Ombudsman Act 1980* (26/1980)
- *Fisheries Act 1980* (1/1980)
- *Superannuation and Pensions Act 1976* (22/1976)
- *Law Reform Commission Act 1975* (3/1975)
- *Prosecution of Offences Act 1974* (22/1974)
- *Arts Act 1973* (33/1973)
- *Civil Service (Employment of Married Women) Act 1973* (17/1973)
- *Restrictive Practices Act 1972* (11/1972)
- *Industrial Relations Act 1969* (14/1969)
- *Road Traffic Act 1968* (25/1968)
- *Imposition of Duties (Dumping and Subsidies) Act 1968* (11/1968)
- *Superannuation and Pensions Act 1963* (24/1963)
- *Road Traffic Act 1961* (24/1961)
- *Rent Restrictions Act 1960* (42/1960)
- *Staff of the Houses of the Oireachtas Act 1959* (38/1959)
- *Fisheries (Consolidation) Act 1959* (14/1959)
- *Civil Service Regulation (Amendment) Act 1958* (34/1958)
- *Civil Service Commissioners Act 1956* (45/1956)

All Acts up to and including *Criminal Justice (International Cooperation on Electronic Evidence and Other Matters) Act 2026* (21/2026), enacted 15 July 2026, were considered in the preparation of this revision.

**Statutory instruments which affect or previously affected this revision**

- *Civil Service Regulation Act 1956 (Retirement of Prison Officers) Regulations 2024* (S.I. No. 405 of 2024)
- *Competition Act 2002 (Adjudication Officers) Regulations 2023* (S.I. No. 476 of 2023)
- *Civil Legal Aid Act 1995 (Section 11) Order 2014* (S.I. No. 237 of 2014)
- *Civil Service Regulation Act 1956 (Section 1A) (Office of the Comptroller and Auditor General) Order 2006* (S.I. No. 449 of 2006)
- *Civil Service Regulation Act 1956 (Section 1A) (Office of the Director of Public Prosecutions) Order 2006* (S.I. No. 448 of 2006)
- *Civil Service Regulation Act 1956 (Section 1A) (Office of the Ombudsman) Order 2006* (S.I. No. 447 of 2006)
- *Civil Service Regulation Act 1956 (Section 1A) (Revenue Commissioners) Order 2006* (S.I. No. 365 of 2006)
- *National Council for Special Education (Establishment) Order 2003* (S.I. No. 270 of 2004)
- *State Examinations Commission (Establishment) Order 2003* (S.I. No. 373 of 2003)
- *Prison (Disciplinary Code for Officers) Rules 1996* (S.I. No. 289 of 1996)
- *European Communities (Employment Equality) Regulations 1985* (S.I. No. 331 of 1985)
- *Motor Insurance Advisory Board (Establishment) Order 1984* (S.I. No. 299 of 1984)
- *Public Service (Transfer of Departmental Administration and Ministerial Functions) Order 1973* (S.I. No. 294 of 1973)
- *Civil Service Regulations 1924 (Revocation) Regulations 1957* (S.I. No. 27 of 1957)
- *Civil Service Regulation Act, 1956 (Commencement) Order 1957* (S.I. No. 18 of 1957)

All statutory instruments up to and including *Food Safety Authority of Ireland Act 1998 (Amendment of First Schedule) Order 2026* (S.I. No. 337 of 2026), made 15 July 2026, were considered in the preparation of this revision.