Number 46 *of* 1956

CIVIL SERVICE REGULATION ACT 1956

REVISED

Updated to 1 December 2024

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 *Family Courts Act 2024* (48/2024), enacted 13 November 2024, and all statutory instruments up to and including the *European Union (Renewable Energy) Regulations 2024* (S.I. No. 665 of 2024), made 2 December 2024, were considered in the preparation of this Revised Act.

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SCHEDULE 2.

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Registration of Title Act, 1942	No. 26 of 1942
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Number 46 *of* 1956.

CIVIL SERVICE REGULATION ACT 1956

REVISED

Updated to 1 December 2024

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:—

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.

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.**]**

"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.**]**

"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.

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.**]**

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.**]**

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.

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.

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.**]**

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*.

Retirement of women civil servants on marriage.

10.—F25**[**...**]**

Re-admission to the Civil Service of certain widows.

11.—F26**[**...**]**

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*.**]**

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*.**]**

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.**]**

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.

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.**]**

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.

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.

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.

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]

Number 46 *of* 1956

CIVIL SERVICE REGULATION ACT 1956

REVISED

Updated to 1 December 2024

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 not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

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. 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.