

# PSC CIRCULAR

Public Service Commission, Berkley Crescent, P. O. Box 2211  
Government Buildings, Suva. Telephone 3-314-588

## PSC Circular No. 26/2007

To: Permanent Secretaries and  
Heads of Departments

Date: 09/08/2007

Subject: RETIREMENT AGE POLICY  
[JUDICIAL REVIEW HBJ 03D OF 2007s]

File: 29/498/01-05

1. The High Court decision on Judicial Review HBJ 03D of 2007s was handed down by Mr. Justice Jitoko on 7<sup>th</sup> August 2007.
2. Mr. Justice Jitoko has granted leave for the substantive judicial review application to be heard on 30<sup>th</sup> October 2007.
3. Furthermore, Mr. Justice Jitoko also made a stay order to maintain the status quo. This means that the rule about retirement that existed before the decision this year to reduce it to 55 years will continue until the final determination of the Judicial Review. This is to ensure that the Applicants are not prejudiced should their challenge be successful.
4. The effect of the stay order will put on hold Legal Notice 36/2007 and the PSC Circular 08/2007.
5. In compliance with the order of the High Court, all preparatory arrangements pursuant to PSC Circular 08/2007 taken since 31<sup>st</sup> March 2007 are to be put on hold pending the conclusion of the Judicial review decision, earlier revocation of this circular or further circular memorandum.
6. All officers who have retired in accordance with PSC Circular No. 26/2007 [58yrs & 59 yrs] should be recalled immediately unless it is not practicable to do so, in which case the addresses should inform the PSC accordingly.
7. Any clarification required may be sought and obtained from Mr Peni Naqasima, Director Employee Relations on telephone number 3314588 extension 408 or email address : [pnaqasima@psc.gov.fj](mailto:pnaqasima@psc.gov.fj)



Taina Tagicakibau

for Permanent Secretary for the Public Service, Public Enterprises  
and Public Sector Reform