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No. 10 of 2008

First Session Ninth Parliament Republic of
Trinidad and Tobago

HOUSE OF REPRESENTATIVES

BILL

AN ACT to amend the Pensions Act, Chap. 23:52

THE PENSIONS (AMENDMENT) (No. 2) BILL, 2008

Explanatory Note

(These notes form no part of the Bill but are intended only to indicate its general purport)

Clause 1 of the Bill would provide the short title of the Bill.

Clause 2 of the Bill would provide for the interpretation of “the regulations”.

Clause 3 of the Bill would amend the Pensions Act, Chap. 23:52 by inserting three sections—16A, 16B and 16C. Section 16A would provide for the computation of pension in an acting capacity, prior to compulsory retirement. Section 16B would provide for the computation of pension on promotion following acting, prior to compulsory retirement. Section 16C would provide for the commencement date of the Act, for which this is the Bill.

BILL

AN ACT to amend the Pensions Act, Chap. 23:52

[, 2008]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Pensions Short title
(Amendment) (No. 2) Act, 2008.

Interpretation
Chap. 23:52

2. In this Act, “the regulations” means the Pensions Regulations.

Act amended

3. The Pensions Act is amended by inserting after section 16, the following sections:

Computation
of pension
in acting
capacity,
prior to
compulsory
retirement

16A. (1) Where an officer who immediately prior to—

(a) the date of his compulsory retirement; or

(b) the date on which he proceeds on annual leave prior to the date of compulsory retirement,

has acted in a higher office for a period of three continuous years, that officer shall be eligible to have his pension, gratuity or other allowance calculated as if he were confirmed in that higher office and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom regulation 11(a) of the regulations applies.

(2) Where an officer who immediately prior to—

(a) the date of his compulsory retirement; or

(b) the date on which he proceeds on annual leave prior to the date of compulsory retirement,

has acted in a higher office for a period of one continuous year but less than three continuous years, that officer shall be eligible to have his pension, gratuity or other allowance calculated as if he were confirmed in that higher office during that period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom regulation 11(c) of the regulations applies.

Computation
of pension
on promotion
following
acting, prior
to compulsory
retirement

16B. (1) Where an officer who is promoted to a higher office having acted in that higher office retires compulsorily, and the period of acting together with his service in the office to which he has been promoted amounts to a period of not less than—

(a) three continuous years, he shall be eligible to have his pension, gratuity or other allowance calculated as if he had held that higher office during the entire period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom regulation 11(a) of the regulations applies; or

(b) one continuous year but less than three continuous years, he shall be eligible to have his pension, gratuity or other allowance calculated as if he had held that higher office during that period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom regulation 11(c) of the regulations applies.

Commence-
ment

16C. The provisions of sections 16A and 16B are deemed to have come into effect on January 1, 2004.”.

Passed in the House of Representatives this
day of _____, 2008.

Acting Clerk of the House

I confirm the above.

Speaker

Passed in the Senate this _____ day of _____,
2008.

Acting Clerk of the Senate

I confirm the above.

President of the Senate

No. 10 of 2008

FIRST SESSION
NINTH PARLIAMENT
REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to amend the Pensions Act,
Chap. 23:52

Received and read the

First time

Second time

Third time
