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2nd Session Third Parliament Trinidad and Tobago  
22 Elizabeth II

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TRINIDAD AND TOBAGO

**Act No. 4 of 1973**

[L.S.]

AN ACT to provide for the payment of superannuation benefits and compensation for loss of office, to officers of the former Wireless Division, in the Ministry of Public Utilities.

*[Assented to 19th April, 1973]*

BE IT ENACTED by the Queen's Most Excellent Majesty, <sup>Enactment</sup> by and with the advice and consent of the Senate and House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows:

1. This Act may be cited as the Wireless Division (Super- <sup>Short title</sup>annuation Benefits and Compensation for Loss of Office) Act, 1973.

Interpreta-  
tion  
Ch. 9 No. 6.  
Ch. 9 No. 9.

2. In this Act—

“appropriate law” means the Pensions Ordinance or the Provident Fund Ordinance, as the case may be;

“officer” or “public officer” means the substantive holder of an office in the Public Service and includes—

(a) a person in the service of the Government who is the holder of a non-pensionable office and who under the Provident Fund Ordinance is required to become a depositor; and

(b) a person other than a person described in paragraph (a) who is employed by the Government as a permanent daily paid worker;

“pensionable emoluments” means emoluments that may be taken into account in computing the pension of an officer under the appropriate law;

“pensionable service” means the aggregate amount of service that may be taken into account for the purpose of computing the pension of an officer under the appropriate law;

“substantive holder” in relation to any officer includes a person serving in that office on probation but does not include a person (other than a person serving under a probationary agreement) serving in that office for a specified term under a contract or on temporary transfer or secondment from other public service.

Application  
of Act.  
First  
Schedule

3. This Act applies to those public officers specified in the First Schedule who have not elected to accept employment in the proposed Regulatory Service to be established by Government or have not been re-employed in the service of the Government before the commencement of this Act.

PUBLIC OFFICERS

*General*

4. (1) Notwithstanding that a public officer to whom this Act applies may, in consequence of the abolition of his office by the take over of the services of the Wireless Division of the Ministry of Public Utilities by Trinidad and Tobago External Telecommunications Company Limited—

Pensions  
and gratui-  
ties for  
Scheduled  
Officers

- (a) have retired before attaining the age specified in the appropriate law as qualifying him for the grant of pension or gratuity or bonus, as the case may be; and
- (b) not have completed at the date of his retirement a period of qualifying service, if any, required by the appropriate law to render him eligible for the grant of a pension or gratuity or bonus, as the case may be,

the public officer shall be deemed to be eligible for the grant of a pension or gratuity or bonus, as the case may be, under the appropriate law.

(2) The grant of a pension, or gratuity or bonus for which an officer is deemed to be eligible under this section shall be computed as if the public officer had retired on the date of the abolition of his office.

5. Where any option is exercisable by an officer for the purposes of this Act—

Exercise  
of option

- (a) the Governor-General may, if he thinks fit, and subject or not to conditions, extend the period for the exercise of the option;
- (b) the option shall be irrevocable after the end of the period within which it must be exercised;
- (c) the option shall be exercised by notice in writing to the Governor-General; and
- (d) the option shall be deemed to have been exercised on the date on which such notice is received.

6. The provisions of the appropriate law, except section 12(4) of the Pensions Ordinance shall, subject to this Act apply in relation to the grant of any pension, gratuity or bonus under this Act and to any pension, gratuity or bonus granted under the appropriate law.

Application  
of appro-  
priate law

Exemption  
from tax

7. Any sum granted by way of compensation under this Act shall be exempt from tax under any law in force in Trinidad and Tobago relating to the taxation of income or imposing any other form of taxation.

#### SCHEDULED OFFICERS—BEING MONTHLY PAID OFFICERS

Compensa-  
tion for  
monthly  
paid  
officers

8. In addition to any pension or gratuity that may be granted to him by virtue of this Act, a public officer to whom this Act applies, being a monthly paid officer, shall be granted compensation to be calculated in accordance with section 9.

Calculation  
of compen-  
sation for  
monthly  
paid  
officers

9. (1) Every assessment shall be calculated by multiplying the amount of the officer's annual pensionable emoluments on the date of the abolition of his office by the appropriate factor and the resulting amount or twenty-five thousand dollars, whichever is the less, shall be the amount to which he is entitled.

Second  
Schedule

(2) In this section "the appropriate factor" means the factor obtained from Table II of the Second Schedule that is appropriate to the age and pensionable service of that officer on the date taken for calculation reckoned in completed years and months; but the factor in Table II in respect of ages 56, 57 and over 57 shall apply only in respect of an officer who on the date of his loss of office or employment had attained the age of 55 years and had not completed the period of qualifying service required by the Pensions Ordinance to render him eligible for the grant of a pension.

Ch. 9. No. 6

Option for  
compen-  
satory  
pension for  
monthly  
paid  
officers

10. Notwithstanding anything in this Act to the contrary where an officer referred to in section 8 so elects, within one month of the commencement of this Act, he shall be granted in lieu of the compensation then payable to him a compensatory pension arrived at by multiplying one hundredth of the said compensation by the factor appropriate to his age at the date of abolition of his office derived from Table I of the Second Schedule.

Refund of  
compensa-  
tion in  
certain  
cases

11. Where an officer referred to in section 8 receives compensation or compensatory pension and is re-employed in the Public Service or under the Government, there shall be refunded by such officer such portion of the compensation or compensatory pension paid to him as is equal to

compensation resulting from multiplying the amount of the officer's annual pensionable emoluments at the date of the abolition of his office by the appropriate factor less the number of years since the date of his loss of office or employment.

SCHEDULED OFFICERS—BEING PERMANENT DAILY PAID OFFICERS

12. In addition to any gratuity or bonus that may be granted to him by virtue of this Act, an officer to whom this Act applies being a permanent daily paid officer shall be granted compensation to be calculated in accordance with the provisions of section 13.

13. (1) The compensation to which an officer referred to in section 12 is entitled shall consist of a pension at the rate of 2 per cent of his total wages in respect of his service under the Government.

(2) In this section "total wages" means the aggregate amount of the basic pay received during the whole of an officer's employment under the Government, but not including the value of free quarters, any amounts of overtime paid to such officer and any other allowances received by such officer during the course of his employment so, however, that the basic pay of an officer prior to and up to the date of abolition of his office shall be calculated in accordance with the following table:

Wages received before 1940	— 180 per cent of basic pay
Wages received from 1940 to 1944	— 160 per cent of basic pay
Wages received from 1945 to 1949	— 130 per cent of basic pay
Wages received from 1950 to 1954	— 115 per cent of basic pay
Wages received from 1955 to 1959	— 105 per cent of basic pay
Wages received from 1960 to date of abolition of office	— actual basic wages received

## FIRST SCHEDULE

(Section 3)

## Permanent Monthly Paid Officers

<i>Name of Officer</i>	<i>Designation of Office</i>	<i>Date of Birth</i>
Theodore A. Wilson	...Director Radio Communication Service	28.12.21
George Camps-Roach	...Radio Communication Assistant Chief	27.9.25
Vincent Wight	...Radio Communication Mechanic III	31.10.17
Francis Thomas	... do.	23. 4.18
Donald Hutchinson	...Radio Communication Operator II	16. 7.25
Eric Lewis	... do.	12. 8.23
Ronald Drysdale	... do.	23. 4.27
Randolph J. Pascal	... do.	13. 5.34
Edgar Williams	... do.	13. 3.21
Cecil O'Brien	... do.	27. 1.24
John L. Henderson	... do.	30. 5.22
Marcus Pompey	... do.	3. 4.20
Fitzroy T. Small	... do.	22. 9.24
Wilfred Figuera	... do.	17. 8.31
Dinsley Lee Fook	... do.	1. 5.22
Dominique Lynch	... do.	10. 9.15
Reginald Mark	... do.	12. 2.23
Everton Smith	... do.	30. 9.21
Norman O. Bowen	... do.	30. 5.34
Patrick N. Pouchet	... do.	17. 3.33
Fitz Allan Bates	... do.	25. 3.36
Bert Collier	... do.	16. 8.37
Hugh Clarke	... do.	2. 2.26
Kahmaraj Maharaj	...Radio Communication Operator I	31.10.38
Patrick Skinner	... do.	17. 3.39
Hugh A. McShine	... do.	12. 3.40
Atril E. Stuart	... do.	9.11.23
Charles M. Bajnauth	... do.	9. 4.22
Irwin Clarke	... do.	31.10.25
Peter Bruce	... do.	31. 8.41
Stafford C. Alexander	... do.	1.10.37
Albert Salandy	...Plant Maintenance Attendant	1. 3.33
Lenny Patterson	...Telegraph Messenger I	8. 7.23
Winston Antoine	... do.	7.12.30
Vincent Samuel	...Radio Communication Mechanic I	20. 3.32
Gordon Thomas	...Radio Communication Operator II	2. 5.20
Felix W. Yeates	... do.	28.10.28
George Phillip	... do.	7. 5.35
Hilton Dove	...Radio Communication Operator I	16.12.40
Ignacius Trim	... do.	11.11.44
Charles Collier	...Telegraph Messenger I	3. 9.14
Norris O'Connor	... do.	23. 8.28
Boysie Supersad	...Motor Vehicle Operator	12. 7.24

## Permanent Daily Paid Officers

<i>Name of Officer</i>	<i>Designation of Office</i>	<i>Date of Birth</i>
Ivan Escallier	...Labourer	28. 5.43
Francis Peterkin	... do.	24.11.43
Carlyle Walters	... do.	10. 8.50
Ramdeo Ruben	... do.	22. 3.43
Augustus Fuller	... do.	29. 8.29
George Sealy	... do.	1. 3.46
Carlton Soodeen	...Watchman	15. 3.42
Luther Edwards	... do.	9. 7.18
Leo Thomas	... do.	20. 7.18
Sydney Carrington	... do.	5. 6.28
Clarence Ligoure	... do.	9.11.17
Nathaniel Richards	... do.	29.12.29
Rudolph Corbin	... do.	16. 4.34
Cyril Phillips	...Storeshand	12.12.16
Vivian Birdwood	... do.	12. 3.25
Harrison Atherton	...Labourer	16.10.31
Rawlins Durant	...Motor Vehicle Driver	31. 8.31

## SECOND SCHEDULE

(Section 10)

TABLE I

## Compensatory Pension

Where the age of an officer at the date of his retirement is more than an exact number of years his annual compensatory pension shall be calculated having regard to the completed months of age in excess of the figure appropriate to the officer in the table and there shall be applied a factor proportionally increased accordingly.

<i>Age of Officer</i>			<i>Factor</i>	<i>Age of Officer</i>			<i>Factor</i>
21	...	...	4.612	41	...	...	5.545
22	...	...	4.639	42	...	...	5.624
23	...	...	4.667	43	...	...	5.707
24	...	...	4.697	44	...	...	5.795
25	...	...	4.728	45	...	...	5.888
26	...	...	4.761	46	...	...	5.987
27	...	...	4.796	47	...	...	6.092
28	...	...	4.833	48	...	...	6.204
29	...	...	4.871	49	...	...	6.322
30	...	...	4.912	50	...	...	6.447
31	...	...	4.955	51	...	...	6.580
32	...	...	5.000	52	...	...	6.721
33	...	...	5.048	53	...	...	6.871
34	...	...	5.099	54	...	...	7.031
35	...	...	5.153	55	...	...	7.202
36	...	...	5.029	56	...	...	7.385
37	...	...	5.269	57	...	...	7.580
38	...	...	5.332	58	...	...	7.788
39	...	...	5.399	59	...	...	8.010
40	...	...	5.470	60	...	...	8.247

NOTE—The factor corresponding to the officer's age in years and completed months should be obtained by interpolation.

## SECOND SCHEDULE—CONTINUED

[Section 9(2)]

TABLE II

Age of Officer	Factor where length of service is								
	3 yrs.	4 yrs.	5 yrs.	6 yrs.	7 yrs.	8 yrs.	9 yrs.	10 yrs.	
21 ... ..	.18	—	—	—	—	—	—	—	
22 ... ..	.20	.26	—	—	—	—	—	—	
23 ... ..	.22	.29	.36	—	—	—	—	—	
24 ... ..	.25	.33	.41	.49	—	—	—	—	
25 ... ..	.28	.37	.46	.56	.65	—	—	—	
26 ... ..	.32	.42	.53	.64	.74	.85	—	—	
27 ... ..	.36	.48	.60	.72	.84	.96	1.03	—	
28 ... ..	.41	.54	.68	.82	.95	1.09	1.22	1.64	
29 ... ..	.46	.62	.77	.92	1.08	1.23	1.39	1.53	
30 ... ..	.52	.70	.88	1.05	1.22	1.40	1.58	1.75	
31 ... ..	.60	.80	1.00	1.20	1.40	1.60	1.80	2.00	
32 ... ..	.69	.92	1.15	1.38	1.61	1.84	2.07	2.30	
33 ... ..	.80	1.06	1.33	1.60	1.86	2.13	2.39	2.66	
34 ... ..	.92	1.22	1.52	1.83	2.14	2.44	2.74	3.05	
35 ... ..	1.04	1.38	1.72	2.07	2.42	2.76	3.10	3.45	
36 ... ..	1.15	1.53	1.91	2.29	2.67	3.06	3.44	3.82	
37 ... ..	1.23	1.64	2.06	2.47	2.88	3.29	3.70	4.11	
38 ... ..	1.30	1.73	2.16	2.59	3.02	3.46	3.89	4.32	
39 ... ..	1.33	1.78	2.22	2.66	3.11	3.55	4.00	4.44	
40 ... ..	1.35	1.80	2.26	2.71	3.16	3.61	4.06	4.51	
41 ... ..	1.36	1.81	2.26	2.72	3.17	3.62	4.08	4.53	
42 ... ..	1.34	1.79	2.24	2.69	3.14	3.58	4.03	4.48	
43 ... ..	1.31	1.74	2.18	2.62	3.05	3.49	3.92	4.36	
44 ... ..	1.25	1.67	2.09	2.51	2.93	3.34	3.76	4.18	
45 ... ..	1.19	1.59	1.98	2.38	2.78	3.18	3.57	3.97	
46 ... ..	1.12	1.49	1.86	2.24	2.61	2.98	3.36	3.73	
47 ... ..	1.04	1.38	1.73	2.08	2.42	2.77	3.11	3.46	
48 ... ..	.95	1.26	1.58	1.90	2.21	2.53	2.84	3.16	
49 ... ..	.85	1.14	1.42	1.70	1.99	2.27	2.56	2.84	

SECOND SCHEDULE—CONTINUED

Section 9(2)

TABLE II—Continued

Age of Officer	Factor where length of service is							
	3 yrs.	4 yrs.	5 yrs.	6 yrs.	7 yrs.	8 yrs.	9 yrs.	10 yrs.
50 ... ..	.76	1.01	1.26	1.52	1.77	2.02	2.28	2.53
51 ... ..	.67	.90	1.12	1.34	1.57	1.79	2.02	2.24
52 ... ..	.59	.79	.98	1.18	1.38	1.58	1.77	1.97
53 ... ..	.51	.68	.85	1.02	1.19	1.36	1.53	1.70
54 ... ..	.43	.58	.72	.86	1.01	1.15	1.20	1.44
55 ... ..	.35	.47	.59	.71	.83	.94	1.06	1.18
56 ... ..	.28	.38	.47	.56	.66	.75	.85	.94
57 ... ..	.21	.28	.35	.42	.49	.56	.63	.70
58 ... ..	.13	.18	.23	.28	.33	.38	.43	.47
59 ... ..	.06	.09	.11	.13	.16	.19	.20	.22

NOTE—The factor corresponding to the officer's age and service in years and completed months should be obtained by interpolation.

**Instructions for obtaining the appropriate factor from Table II**

- I. Read off from the table the factors for the officer's age at his last birthday and his:—
  - (a) completed years of service;
  - (b) completed years of service plus one year.
- II. Subtract I(a) from I(b), divide the difference by twelve and multiply the result by the number of completed months of service, if any, in excess of the completed years of service.
- III. Add I(a) and II.
- IV. Repeat steps I to III for the officer's age at his next birthday.
- V. Divide the difference between III and IV by twelve and multiply by the number of completed months of age, if any, since the officer's last birthday.
- VI. If IV is greater than III, add V to III.  
If IV is less than III, subtract V from III.  
VI is the appropriate factor.

Passed in the House of Representatives this 16th day of March, 1973.

G. R. LATOUR  
*Clerk of the House*

Passed in the Senate this 20th day of March, 1973.

J. E. CARTER  
*Clerk of the Senate*

