

TRINIDAD AND TOBAGO.

No. 22.—1910.

19th December.

AN ORDINANCE to amend the Public Officers' Guarantee Fund Ordinance 1906 (9-1906).

[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

27th December, 1910.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows :—

Short title.

1. This Ordinance may be cited as the Public Officers' Guarantee Fund Ordinance 1910. It shall be read as one with the Public Officers' Guarantee Fund Ordinance 190, hereinafter referred to as the principal Ordinance.

"Officer."

2. In lieu of the definition of the term "officer" in Section 2 of the principal Ordinance shall be read the following :—

The term "officer" means any person holding an office in the Government Service of the Colony, whether paid from a vote in the Annual Estimates or from any particular fund, who is required to give security for the faithful performance of his duties.

3. Section 22 of the principal Ordinance is hereby Repeal. repealed, and in lieu thereof shall be read the following:—

22. When an officer holding a permanent appointment has contributed to the Fund an amount equal to five years contribution on the amount of security then required of him, he shall not be called on to contribute more than one-tenth of one per centum per annum of the security required of him, unless the Directors consider the charges against the Fund require him to contribute the full amount of one per centum per annum, and with the approval of the Governor require the full contributions to be resumed. Reduced contributions after 5 years.

4. Section 24 of the principal Ordinance is hereby Repeal. repealed, and in lieu thereof shall be read the following:—

24.—(1.) If a permanent officer is at any time appointed to another permanent office, in respect of which a higher amount of security is required, he shall only be called upon to contribute in respect of such other office such aggregate sum as will, with his previous contributions in respect of his permanent office, not exceed the amount equivalent to his full contributions for five years computed on the highest amount of security required of him. Provided that such previous contributions shall only be deducted from the last payment or payments to be made. Adjustment of contribution on promotion.

(2.) If a permanent officer is or has been at any time appointed to another permanent office, in respect of which a less amount of security is required than that given by him in respect of his previous appointment, he shall be entitled to a refund of any surplus contributions at his credit over and above the amount which he is required to contribute in respect of such new appointment.

5. Section 25 of the principal Ordinance is hereby Repeal. repealed, and in lieu thereof shall be read the following:—

25. When an officer who is required to contribute to the Fund is absent on leave or is acting in another appointment, his contribution to the Fund in respect of his substantive appointment shall continue to be paid by such officer. Absence on leave or acting appointment.

Repeal. 6. Section 38 of the principal Ordinance is hereby repealed, and in lieu thereof shall be read the following :—

When fund
insufficient to
meet claims.

38.—(1.) If the moneys at the credit of the Income Account are not sufficient to pay the claims made on the Fund, the Directors shall appropriate from the Reserve Fund Account such amount as may be necessary for the payment of such claims.

(2.) If the amount of the Reserve Fund Account is not sufficient, then the Directors shall appropriate the amounts standing at the credit of the Officer's Personal Accounts to the payment of such claim, taking and writing off an equal percentage from each.

Repeal. 7. Section 41 of the principal Ordinance is hereby repealed, and in lieu thereof shall be read the following :—

Conditions of
refund.

41. (1.) No return of any money paid into the Fund shall be made to any officer or his representatives unless and until the Auditor-General certifies that the officer has duly accounted and is free from liability to the Colony. Provided that the Directors may at any time refund amounts that may have been received in error or in excess from any officer, to such officer or his representatives.

(2.) Any amount standing to the credit of an officer who may at any time have been dismissed from the Public Service of the Colony for misconduct involving dishonesty or defalcation as a public officer, shall after all claims thereon have been satisfied, be appropriated by the Directors and treated as part of the Fund and transferred to the credit of the Reserve Fund Account, but any officer dismissed for any cause other than the above shall be entitled to have returned to him such amount as he would have been entitled to had he not been dismissed.

Unclaimed
amounts to
credit of an
officer.

8. The amount standing to the credit of any officer unclaimed for five years after such officer ceased to hold an appointment in the Public Service of the Colony shall be appropriated by the Directors and treated as part of the Fund and transferred to the credit of the Reserve Fund Account. Provided that if the officer or his representatives at any time afterwards establish a claim to the amount so

transferred to the satisfaction of the Governor in Executive Council, the Governor in Executive Council may order that the amount be refunded from the Reserve Fund.

9. Section 17 of the principal Ordinance is hereby ^{Repeal.} repealed.

10. The repeals by this Ordinance enacted shall not affect ^{Saving.} the validity or invalidity of anything done or suffered or any right accrued or liability incurred before or any proceeding pending or uncompleted at the commencement of this Ordinance.

Passed in Council this nineteenth day of December, in the year of Our Lord one thousand nine hundred and ten.

HARRY L. KNAGGS,
Clerk of the Council.
