

SENIOR CITIZENS' PENSION ACT

CHAPTER 32:02

**Act
15 of 1939**

Amended by

19 of 1951	6 of 1991
37 of 1951	51/1992
4 of 1952	22 of 1993
5 of 1954	24 of 1996
10 of 1958	9 of 1997
32 of 1960	35 of 1998
40 of 1961	8 of 1999
11 of 1964	91 of 2000
55 of 1970	2 of 2003
18 of 1974	21 of 2005
4 of 1975	*17 of 2007
12 of 1976	*30 of 2007
18 of 1981	*1 of 2009
2 of 1982	*6 of 2010
15/1987	13 of 2010
9 of 1990	*2 of 2012
	*289/2014

*See Note on page 3

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1-4	..
5-8	..
9-10	..
11-22	..

Index of Subsidiary Legislation

	<i>Page</i>
Senior Citizens' Pension Regulations (GN 94/1954)	11

Note on Validation

Section 15 of Act No. 9 of 1990 provides as follows:

“Validation of payments of increases of old age pensions and Food Subsidy. 15. (1) Where before the passing of this Act (i.e., 26th April 1990) the Ministry with responsibility for social services purported to make payments of old age pensions in amounts not authorised by the Old Age Pensions Act and of Food Subsidy which were not authorised by any written law, such payments are deemed to have been lawfully made.

(2) No legal proceedings or other action of any kind shall be entertained in respect or in consequence of such payment as is referred to in subsection (1).”

Note on section 7

Act No. 24 of 1996 deleted section 7(2) and renumbered section 7(1) as section 7.

Section 5 of Act No. 8 of 1999 provided as follows:

“5. The Act is amended in section 7 by inserting after subsection (2) the following subsection:

(3) Notwithstanding subsection (2), the Minister may by Regulations prescribe the procedure for the preparation and payment of pensions, and nominate any department, statutory authority or any other entity in which the State has an interest for the performance of such functions on behalf of the Director.”

Since section 7(2) has been deleted by Act No. 24 of 1996, the latter part of the amendment to section 7 by Act No. 8 of 1999 has been incorporated in paragraph (a), and the former part has been inserted as paragraph (ee), of section 10.

Note on Old Age Pensions (Amendment) Regulations, 1997

Paragraph (i) was added to section 10 in order to give effect to regulation 17 of the Old Age Pensions (Amendment) Regulations, 1997, which was published in the *Gazette* (as LN 184/1997) on 25th August 1997 of the Old Age Pensions (Amendment) Regulations, 1997.

Regulation 17 reads as follows:

“Forms: 17. Every form prescribed by the Minister or approved by the Board in accordance with the Act immediately before the coming into operation of these Regulations, shall remain in force or be used with such modifications as may be necessary until replaced in accordance with the Act.”

Note on Act No. 17 of 2007

See section 25 of Act No. 17 of 2007 with respect to the application of this Act.

Note on Act No. 30 of 2007

By section 2 of Act No. 30 of 2007 increases in the payment of grants under section 3 are to take effect from 1st October 2007.

Note on Act No. 1 of 2009

Amendments to section 3 made by Act No. 1 of 2009 took effect from 1st October 2008.

Note on Act No. 6 of 2010

(1) Validation of Payment

Section 3 of Act No. 6 of 2010 reads as follows:

“Validation of payment. 3. Any increase in the grant paid by the Board to any person eligible to have received the Senior Citizens' Grant from 1st May 2010 to 31st August 2010 is hereby validated.”.

(2) Adaptation

Under paragraph (*p*) of section 16 of the Law Revision Act (Ch. 3:03), the Commission amended all references to the word “grant” appearing in the Regulations so as to bring these provisions in conformity with the Act.

Note on Act No. 2 of 2012

Amendments made to section 3 by Act No. 2 of 2012 took effect from 1st February 2012.

Note on Legal Notice No. 289/2014

The amendments made to the Schedule of this Act by LN 289/2014 took effect from 1st October 2014.

CHAPTER 32:02

SENIOR CITIZENS' PENSION ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Provisions for payment of pension.
- 3A. Payment of pension in certain circumstances.
4. Eligibility for pension.
5. Calculation of means.
6. Determination of claims.
7. Date on which pension commences to accrue and method of payment.
8. Pension not assignable.
- 8A. Recovery of overpayment.
9. Penalty for furnishing false information.
10. Regulations.

SCHEDULE.

CHAPTER 32:02

SENIOR CITIZENS' PENSION ACT

An Act to provide for the Senior Citizens' Pension.

1950 Ed.
Ch. 13. No. 2.

15 of 1939.
17 of 2007.
6 of 2010.

Commencement.

[1ST JULY 1939]

1. This Act may be cited as the Senior Citizens' Pension Act.

Short title.
[17 of 2007
6 of 2010
13 of 2010].

2. (1) In this Act—

“citizen” has the meaning assigned to it in the Immigration Act;

“Director (Social Welfare)” means the Director (Social Welfare) referred to in section 4 of the Public Assistance Act;

“Local Public Assistance District” means a Local Public Assistance District referred to in section 7 of the Public Assistance Act;

“Minister” means the Minister to whom responsibility for the subject of Senior Citizens' Pension is assigned;

“pension” means the Senior Citizens' Pension payable under this Act;

“resident” has the meaning assigned to it in the Immigration Act;

“Supervisor of Social Welfare” means a Supervisor of Social Welfare referred to in section 8 of the Public Assistance Act.

Interpretation.
[19 of 1951
40 of 1961
12 of 1976
24 of 1996
17 of 2007
6 of 2010
13 of 2010].
Ch. 18:01.
Ch. 32:03.

(2) For the purposes of this Act, “Board” and “Local Board” mean respectively the Central Public Assistance Board and any Local Public Assistance Board established under the Public Assistance Act, and in the exercise of their powers under this Act the Board and any such Local Board and the Director (Social Welfare) shall have all the rights, powers and immunities conferred upon them respectively by the Public Assistance Act.

3. (1) With effect from 1st September 2010 a person who satisfies the conditions specified in section 4 and receives a monthly income in the sum specified in the first column is entitled to a monthly Senior Citizens' Pension in the sum specified in the second column of the Schedule to this Act.

Provisions for payment of pension.
[17 of 2007
30 of 2007
1 of 2009
6 of 2010
13 of 2010].

(2) The Minister may by Order, subject to negative resolution of Parliament, amend the Schedule to this Act.

(3) In the calculation of Senior Citizens' Pension there shall not be taken into account any lump sum payments received or interest from savings accrued by a senior citizen.

Payment of pension in certain circumstances. [2 of 2012].

Ch. 32:01.

3A. Notwithstanding any written law to the contrary, any person who immediately before 1st February 2012 was in receipt of—

- (a) a retirement pension of two thousand dollars monthly under the National Insurance Act;
- (b) a pension under this Act; and
- (c) any other income,

shall be paid so much of his pension under this Act as would ensure that his total income will be not less than the total income he was in receipt of prior to 1st February 2012.

Eligibility for pension. [24 of 1996, 8 of 1999, 17 of 2007, 6 of 2010, 13 of 2010].

4. (1) The conditions for the receipt of a pension by any person are—

- (a) the person must have attained the age of sixty-five years;
- (b) the person must have been ordinarily resident in Trinidad and Tobago—
 - (i) for a period of twenty years immediately preceding the claim for a pension; or
 - (ii) for a period of fifty years in the aggregate.

(2) For the purpose of computing ordinary residence in Trinidad and Tobago under subsection (1)(b)(i), the period of temporary absence from Trinidad and Tobago—

- (a) by a senior citizen, not exceeding five years in the aggregate;
- (b) by a senior citizen for the purpose of employment abroad in the service of—
 - (i) the Government of Trinidad and Tobago;
 - (ii) a firm registered in Trinidad and Tobago; or
 - (iii) a company incorporated in Trinidad and Tobago; and

- (c) by a dependent of a person in the service of the Government of Trinidad and Tobago outside of Trinidad and Tobago, for the period of that service,

shall not be counted as a period of absence from Trinidad and Tobago.

(3) Notwithstanding any written law to the contrary, any person who immediately before the commencement of the Old Age Pensions (Amendment) Act, 1996—

- (a) was in the opinion of a Local Board possessed of eyesight so defective that he was incapable of performing any work for which eyesight is essential;
- (b) had attained the age of forty years but had not attained the age of sixty-five years; and
- (c) was being paid a pension,

may continue to receive such pension but that person shall be ineligible to receive any benefit under the Public Assistance Act. Ch. 32:03.

5. (1) Where a person is living away from his spouse, any sum paid to him or her by way of maintenance shall be deducted in calculating his or her means. Calculation of means. [12 of 1976 17 of 2007 6 of 2010].

(2) Where it appears to the Local Board that any person has directly or indirectly deprived himself of any income in order to qualify for the receipt of a pension, that income shall be taken to be part of the total income of that person.

6. (1) All claims for a pension and all questions whether the statutory conditions are fulfilled in the case of any person claiming such pension, or whether these conditions continue to be fulfilled in the case of a person in receipt of such pension, or whether a person is disqualified for receiving or continuing to receive a pension, shall be considered and determined as follows: Determination of claims. [12 of 1976 17 of 2007 6 of 2010].

- (a) every such claim or question shall be submitted in writing by or on behalf of the claimant or the Director (Social Welfare) and shall contain such particulars as may from time to time be required in

- accordance with a form approved by the Board and shall be addressed to the Chairman of the Local Board of the district in which the claimant resides;
- (b) every such Chairman shall place before the Local Board without delay all such claims or questions together with all such information as may be available, but it shall be incumbent on the claimant to substantiate his claim to the satisfaction of the Local Board;
- (c) the Local Board shall consider as soon as possible all such claims or questions and are for that purpose empowered to take into account all such information as may come to their knowledge concerning the means of any person and shall notify the claimant as to their decision; but if they shall refuse the claim of any person for a pension they shall notify him in writing as to the grounds upon which such claim has been refused, and they shall, if the person so requests, submit the claim for the decision of the Board.

(2) A claimant who is aggrieved by the decision of the Board to refuse his claim for a pension shall, within sixty days of the date on which he was notified of the refusal, appeal to the Minister against the decision.

Date on which pension commences to accrue and method of payment.
[19 of 1951
12 of 1976
24 of 1996
17 of 2007
6 of 2010].

7. Where a pension is first allowed under this Act, it shall commence to accrue at the end of the month after the date on which the claim for a pension is received by the Local Board or at the end of the month after the date on which the claimant first becomes entitled to the pension whichever is the later date.

Pension not assignable.
[17 of 2007
6 of 2010].

8. Every assignment of or charge on and every agreement to assign or charge a pension shall be void and in any such case the Local Board may suspend payment of the pension for any period they deem advisable.

Recovery of overpayment.
[24 of 1996
17 of 2007
6 of 2010].

8A. (1) Where a pensioner knowingly causes himself to be paid a pension to which he is not entitled in accordance with the provisions of this Act, the Director (Social Welfare) or any person appointed by

the President for the purpose may, whenever the President so directs, sue and recover from that pensioner or his personal representative after his death, the amount paid to such person.

(2) In any suit under this section, a certificate under the hand of the Comptroller of Accounts showing the amount paid shall be evidence that the amount stated in the certificate was expended as described in the certificate.

(3) The amount adjudged to be repaid by the defendant in any such suit shall rank as prior to all other claims and charges on the defendant, or on the estate of the deceased, as the case may be, accruing subsequent to the payment of the relief.

9. Any person who makes any statement or furnishes any information to the Board or to a Local Board which he knows or has reason to believe to be false in any material particular in any declaration, estimate, return or other document which he is required or authorised under this Act to make is liable on summary conviction to a fine of one thousand dollars, and if he is a claimant for or is in receipt of a Senior Citizens' Pension, he shall forfeit all claim to such pension.

Penalty for furnishing false information. [17 of 2007 6 of 2010].

10. The Minister may make Regulations for carrying the purposes and provisions of this Act into effect, and, without limiting the generality of the foregoing, may make Regulations—

Regulations. [24 of 1996 9 of 1997 8 of 1999 17 of 2007 6 of 2010].

- (a) prescribing the duties of the Board, the Local Board and the Director (Social Welfare), and nominating any department, statutory authority or any other entity in which the State has an interest for the performance of such functions on behalf of the Director;
- (b) causing the circumstances of every applicant for or recipient of a pension to be enquired into;
- (c) providing for the maintenance of adequate records of claims for a pension, reports and decisions thereof and amounts of pension paid;
- (d) prescribing the procedure to be followed on claims for a pension;
- (e) providing for the suspension or discontinuance of a pension;

- (*ee*) prescribing the procedure for the preparation and payment of pensions;
- (*f*) prescribing the method and places of payment of a pension;
- (*g*) providing for the payment of a pension in the event of mutilation, destruction or loss of the instrument of payment;
- (*h*) prescribing the procedure for verifying that a pensioner is alive;
- *(*i*) prescribing the forms to be used for the purposes of the Act.

Section 3.
†289/2014

SCHEDULE

First Column INCOME	Second Column PENSION
not exceeding \$500	... \$3,500
exceeding \$500 but not exceeding \$1,450	... \$3,050
exceeding \$1,450 but not exceeding \$1,650	... \$2,850
exceeding \$1,650 but not exceeding \$1,800	... \$2,700
exceeding \$1,800 but not exceeding \$2,000	... \$2,500
exceeding \$2,000 but not exceeding \$2,200	... \$2,300
exceeding \$2,200 but not exceeding \$2,400	... \$2,100
exceeding \$2,400 but not exceeding \$2,600	... \$1,900
exceeding \$2,600 but not exceeding \$2,800	... \$1,700
exceeding \$2,800 but not exceeding \$3,000	... \$1,500
exceeding \$3,000 but not exceeding \$3,500	... \$1,000

*See Note on section 7 and also Note on the Old Age Pensions (Amendment) Regulations, 1997, at page 2.

†See Note on page 3.

SUBSIDIARY LEGISLATION

SENIOR CITIZENS' PENSION REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
- 1A. Interpretation.
2. Forms of claim for a pension.
3. Claimant to answer every question on form.
4. Claimant to produce birth certificate.
5. Persons appointed to carry out Regulations.
6. Duties of Social Welfare Advisers.
7. Additional duties of Social Welfare Advisers.
8. Duties of Secretary.
9. Duties of Supervisors.
10. Monthly meetings.
11. Identification Card.
12. Pensioner to visit Social Welfare Adviser.
13. Payment of pension.
14. Where pension is payable.
15. Substituted cheque.
16. Pensioner to give notice of departure and return.
17. Suspension of pension.
18. Unsuccessful applicant may appeal to Board.
19. Board to consider all appeals against Local Board.
20. Pension payable in district of Local Board.
21. Director (Social Welfare) to keep General Register of all claims.
22. Director (Social Welfare) to keep record of amount paid to each pensioner.
23. Auditor General to be supplied with names, etc., of pensioners.
24. Registrar General to supply date of birth, death, etc., of pensioner.
25. Registrar to inform Secretary of death of certain persons.
26. Director to be informed of certain admissions.

94/1954.
[184/1997
17 of 2007
*6 of 2010].

SENIOR CITIZENS' PENSION REGULATIONS

made under section 10

Citation.

1. These Regulations may be cited as the Senior Citizens' Pension Regulations.

Interpretation.
[184/1997].

1A. In these Regulations "anniversary date" means the date, in each year, corresponding with the date of pension appearing on the identification card issued pursuant to regulation 11.

Forms of claim
for a pension.
[17 of 2007].

2. Forms of claim for a pension shall be issued by the Director (Social Welfare) or by any officer of a Local Board on request.

Claimant to
answer every
question on
form.
[17 of 2007].

3. Every claimant for a pension shall submit to the Chairman of the Local Board of his district a claim on such form as may from time to time be approved by the Board, and shall answer every question, produce every document and give all information in his power which may be required of him by the investigating officer, or by the Local Board of the District or any member thereof.

Claimant to
produce birth
certificate.
[184/1997
17 of 2007].

4. A person claiming to be eligible for a pension shall produce a certificate of his birth, and in the absence of any such certificate the claimant shall, when required to do so, establish to the satisfaction of the Local Board that he has attained the age required by section 4(1)(a) or (2) of the Act.

Persons
appointed to
carry out
Regulations.

5. For the purpose of carrying out these Regulations there shall be appointed Supervisors, Secretaries and Public Assistance Officers.

Duties of Social
Welfare
Advisers.
[184/1997
17 of 2007].

6. It shall be the duty of a Social Welfare Adviser—

- (a) on receipt by the Local Board to which he has been assigned of a claim for a pension to interview as soon as possible the claimant and satisfy himself by every reasonable means as to the accuracy of the statements contained in the claim form and to obtain all such other information as he considers may be of assistance in determining the merits of each claim;

*See Note on Adaptation on page 3.

- (b) to furnish the Chairman of such Local Board with a written report on each claim entrusted to him for investigation on such form as may from time to time be approved by the Board and such other information as may at any time be required by the Local Board;
- (c) to report to the Chairman of such Local Board any fact within his knowledge, which may disqualify any claimant from obtaining or continuing to receive a pension, or which may affect the amount of the pension to which such person is entitled.

7. A Social Welfare Adviser shall—

- (a) attend all meetings of the Local Board to which he has been assigned;
- (b) deliver to each claimant whose claim has been investigated by him and allowed by the Local Board the pension voucher and identification card issued by the Local Board together with such other documents as the Local Board may direct in respect of such claim;
- (c) inform the Secretary of the Local Board immediately of the death of any pensioner becoming known to him;
- (d) visit the Registrar of Births and Deaths in the appropriate Local Public Assistance District within seven days of the end of each month for the purpose of obtaining information on the deaths of all persons over the age of sixty-five years;
- (e) forward the information referred to in paragraph (d) to the Secretary of the Local Board within seven days of the Social Welfare Adviser obtaining the information.

Additional
duties of Social
Welfare
Advisers.
[184/1997
17 of 2007].

Duties of
Secretary.
[184/1997
17 of 2007].

8. It shall be the duty of the Secretary of each Local Board—
- (a) to keep in a form approved by the Board—
 - (i) a register of claims for a pension submitted;
 - (ii) a register of claims allowed;
 - (iii) a register of claims rejected; and
 - (iv) any other register as the Board or the Director (Social Welfare) may from time to time direct;
 - (b) to forward to the Director (Social Welfare) after each meeting of the Local Board—
 - (i) a schedule in the prescribed form listing the names of all persons to whom pensions have been paid, the rates at which and the dates from which such pensions are payable;
 - (ii) a schedule in the prescribed form listing the names of persons whose claims for pensions have been rejected and the reasons for such rejection;
 - (iii) a schedule in the prescribed form listing the names of persons, the payments of whose pensions have been discontinued, the dates from which payments were discontinued and the reasons for discontinuance;
 - (c) to keep a record of the decision on each claim made or any question raised thereon and, in the case of refusal of any claim, of the grounds on which such claim has been refused;
 - (d) ***(Repealed by LN No. 184/1997);***
 - (e) to notify immediately every claimant for a pension as to the decision of the Local Board or of the Board, as the case may be, with respect to his claim or any appeal which he may lodge against any decision of the Local Board;

- (f) to make and keep a record of the Minutes of the Local Board, and forward a copy thereof after each meeting, for the information of the Director (Social Welfare);
- (g) to forward to the Director (Social Welfare) at the end of each month a list showing the names and addresses together with the registration numbers, of all pensioners whose deaths have been reported;
- (h) to keep the accounts and conduct the correspondence of the Local Board, and in addition perform all such other duties as may be assigned to him either by the Chairman or the Director (Social Welfare).

9. A Supervisor shall be appointed to and shall be responsible for the administration of the work of each Local Board and shall supervise the Social Welfare Advisers attached thereto and shall perform such other duties as may be assigned to him by either the Chairman or the Director (Social Welfare).

Duties of Supervisors. [184/1997].

10. Local Boards shall hold meetings monthly or more frequently as circumstances demand, at such time and place as the Chairman of each Local Board may determine.

Monthly meetings.

11. Whenever a pension is awarded, an identification card shall be prepared in triplicate in such form as may from time to time be approved by the Board and shall be signed by the Chairman of the Local Board. The identification card shall then also be signed by the pensioner and witnessed by an officer of the Local Board. One original shall be issued to the pensioner, another shall be filed in the office of the Chairman of the Local Board, and the third shall be forwarded to the Director (Social Welfare).

Identification Card. [17 of 2007].

12. (1) Every pensioner shall report to the Social Welfare Adviser in the appropriate Local Public Assistance District on his anniversary date and a record of that reporting shall be made in the form approved by the Board.

Pensioner to visit Social Welfare Adviser. [184/1997 17 of 2007].

(2) Where a pensioner is unable to comply with subregulation (1) by reason of illness or incapacity, he or his duly authorised representative shall notify the Local Board in the form approved by the Board.

(3) Where the Local Board, having been notified pursuant to subregulation (2)—

(a) is satisfied that the pensioner is alive and unable due to illness or incapacity to report to the Social Welfare Adviser in accordance with subregulation (1), it shall cause the pension to continue to be paid or for payments to be resumed as the case may be; or

(b) is not satisfied that the pensioner is alive, it shall cause a Social Welfare Adviser to interview the pensioner at his place of residence as soon as possible after the anniversary date.

(4) Where a pensioner—

(a) fails to make the visit referred to in subregulation (1); and

(b) fails to notify the Local Board in accordance with subregulation (2),

the Board may suspend payment of his pension until it is satisfied that the pensioner is alive and was unable to so visit.

Payment of pension.
[184/1997
17 of 2007].

13. (1) A pension shall be paid monthly by cheque to a pensioner or his nominee on—

(a) the presentation of—

(i) a valid pension cheque; and

(ii) the identification card referred to in regulation 11 and some other form of identification such as a valid passport, driver's permit or national identification card; and

(b) the endorsement referred to in subregulation (4).

(2) Where payment is to be made to a nominee, the nominee shall certify in such form as may be approved by the Board, that the pensioner is alive and that he will hand the pension to the pensioner in person.

(3) No person shall be a nominee of more than three pensioners.

(4) Payment of a pension cheque shall not be made unless the pensioner first endorses his pension cheque and payment shall not be made to a nominee, unless both the pensioner and nominee endorse the cheque.

(5) The endorsement on a pension cheque of a pensioner or, where required under the Act, of a pensioner and his nominee shall be regarded as an acquittance for the sum paid.

(6) Notwithstanding this regulation, payment of a pension cheque at a supermarket, grocery or shop shall not be made to any person other than the pensioner himself.

(7) No nominee shall encash a pension cheque at a supermarket, grocery or shop.

(8) No pension cheque shall be encashed at a supermarket, grocery or shop unless the pensioner presents the identification required under subregulation (1)(a)(ii) and endorses the cheque in favour of the owner of the supermarket, grocery or shop in the presence of the owner or his employee.

(9) For the purposes of this regulation, “nominee” means a duly authorised representative of a pensioner whose authorisation in the form approved by the Board from time to time has been approved by a Social Welfare Adviser or any other officer of the Social Welfare Division as the Director (Social Welfare) may, from time to time, direct.

14. (1) Pension cheques may be encashed—

- (a) at any Bank in Trinidad and Tobago, the office of the Comptroller of Accounts, any District Revenue Office, post offices designated for such purpose by Notification by the Minister;

Where pension is payable. [184/1997 17 of 2007].

- (b) by paymasters employed by the Ministry; and
- (c) subject to this regulation, at any supermarket, grocery or shop.

(2) Where a pensioner decides to change his residence from the district in which his pension was last awarded, to the district of any other Local Board, he shall give notice in writing thereof to the Chairman of the Local Board by which his pension was so awarded.

(3) The Local Board of the district to which a pensioner has transferred his residence shall, as soon as possible after such transfer takes effect, cause an officer to investigate the circumstances of the pensioner and submit a report to the Local Board which shall consider the report.

Substituted
cheque.
[184/1997].

15. (1) Subject to this regulation, in the event that a cheque is mutilated, destroyed, stale-dated, lost or stolen, a substituted cheque may be issued in the discretion of the Comptroller of Accounts, no earlier than six months after the date of the cheque.

(2) Notwithstanding subregulation (1), a pensioner as payee of the mutilated, destroyed, stale-dated, lost or stolen cheque shall furnish a statutory declaration to that effect to the Comptroller of Accounts.

(3) Within twenty-one days of the mutilation, destruction, loss or theft of the cheque, the pensioner shall notify the Supervisor of the Local Public Assistance District in which the pensioner resides.

(4) The Supervisor shall, in such form as may be approved by the Board, notify the Director (Social Welfare) who, as soon as possible after receiving the notification, shall notify the Comptroller of Accounts of particulars of the mutilated, destroyed, stale-dated, lost or stolen cheque.

- (5) The pensioner shall—
- (a) return the cheque to the Supervisor in the event of the pensioner recovering possession of the lost or stolen cheque at any time;

(b) advise the Supervisor should it at any time come to the knowledge of the pensioner that another person has come into possession of the cheque.

(6) Nothing in this regulation shall be construed as preventing the Comptroller of Accounts from honouring a cheque referred to in subregulation (5), where the cheque is recovered before the expiry of the period referred to in subregulation (1).

(7) In this regulation, "Supervisor" means the Supervisor of Social Welfare of the Local Public Assistance District in which the pensioner resides.

16. (1) A pensioner—

- (a) who intends to leave Trinidad and Tobago for a period in excess of four months shall notify the appropriate Local Board of the date of his intended departure and length of stay abroad;
- (b) who returns to Trinidad and Tobago after the absence referred to in paragraph (a) shall, within one month of his return, notify the Local Board of his return,

Pensioner to give notice of departure and return. [184/1997 17 of 2007].

in such form as may be approved by the Board.

(2) Where a pensioner fails to notify the Local Board in accordance with subregulation (1)(a), the Board may suspend his pension for such period as it may determine.

17. (1) Where a pensioner—

- (a) becomes an inmate of a hospital, including a hospital for the insane or an infirmary or of any other State-operated institution where board and lodging is provided free of charge to inmates;
- (b) is imprisoned following upon his conviction for an offence;
- (c) is temporarily absent from Trinidad and Tobago and has made the notification required in regulation 16(1)(a),

Suspension of pension. [184/1997 17 of 2007].

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF LEGAL AFFAIRS

www.legalaffairs.gov.tt

20

Chap. 32:02

Senior Citizens' Pension

[Subsidiary]

Senior Citizens' Pension Regulations

for a period in excess of four months, his pension shall be suspended but when he is discharged from the hospital, infirmary, institution or prison or returns to Trinidad and Tobago, as the case may be, payment of his pension shall, subject to the Act, be resumed and he shall be entitled to payment of a pension in respect of the period during which his pension was suspended but not, in any case, in respect of a period longer than four months.

(2) Where a pension in excess of that to which he is entitled under subregulation (1), is paid to a pensioner he shall be liable to repay the sum by which he was overpaid.

Unsuccessful applicant may appeal to Board.

18. A person whose claim has been rejected by a Local Board, may within thirty (30) days of the receipt by him of the notification of the grounds upon which his claim is rejected, request the Local Board in writing to submit his claim for the final decision of the Board.

Board to consider all appeals against Local Board.

19. The Board shall consider all such claims as are referred to it under the preceding regulation and all relevant documents and may require the attendance of the claimant and of such other persons as may assist the Board in arriving at a just decision. The Board shall communicate (through its Secretary) its findings to the Local Board whose Secretary shall in turn notify the claimant of the Board's decision.

Pension payable in district of Local Board. [17 of 2007].

20. (1) A pension shall normally be paid within the district of the Local Board by whom such pension has been awarded. The Director (Social Welfare) may, however, in his discretion authorise any paying officer to make payment of a pension to a person not resident within such district.

(2) When a pensioner desires to transfer his residence from the district in which a pension was last awarded to the district of any other Local Board, he shall give notice thereof to the Chairman of the Local Board by which such a pension was awarded and surrender all pension vouchers in his possession.

(3) Subject to the provisions of the Act, such vouchers shall be re-issued to the pensioner by the Local Board of the District to which the pensioner has transferred his residence after such transfer has been recorded in a manner approved by the Director (Social Welfare).

(4) The Local Board of the district to which the pensioner has transferred his residence shall as soon as possible after such transfer takes effect consider a report by an investigating officer regarding the circumstances of such pensioner.

21. The Director (Social Welfare) shall keep in such form as may from time to time be approved by the Board a General Register of all claims filed, and a register, subdivided into districts, of all rejected claims.

Director (Social Welfare) to keep General Register of all claims.

22. The Director (Social Welfare) shall keep a record, subdivided into districts, of the amount of pension paid to each pensioner as well as of the rate at which and the date from which such pension is payable.

Director (Social Welfare) to keep record of amount paid to each pensioner. [17 of 2007].

23. The Director (Social Welfare) shall furnish the Auditor General with a list of persons to whom a pension has been granted, together with the rate at which and the date from which such pension is payable; and from time to time shall notify him of the addition or deletion of any name to or from such list and the reasons therefor, and of any change in the rate at which a pension is payable to any person, together with the date from which addition or deletion or change of rate takes effect.

Auditor General to be supplied with names, etc., of pensioners. [17 of 2007].

24. The Registrar General, the Superintendent Registrar, or the Registrar of Births and Deaths of a district shall verify, free of charge, any information as regards the date of birth or death of a pensioner on request of the Director (Social Welfare), any Local Board or any investigating officer.

Registrar General to supply date of birth, death, etc., of pensioner.

25. (1) In respect of every person over the age of sixty-five years whose death has been registered by the Registrar of Births and Deaths, during the preceding month, the Registrar shall

Registrar to inform Secretary of death of certain persons. [184/1997].

report the following to the Secretary of the appropriate Local Board no later than seven days after the last day of each month:

- (a) the full name;
- (b) the place and date of death;
- (c) the last address;
- (d) the name and address of the informant.

Director to be informed of certain admissions. [184/1997].

26. The Superintendent of—

- (a) a hospital including a hospital for the insane, or of an infirmary or any other State-operated institution, where board and lodging is provided free of charge to patients or inmates; and
- (b) a prison,

shall notify the Director (Social Welfare) of the admission, within seven days of the admission of any person who has attained or appears to have attained the age of sixty-five years.