

PRIME MINISTER'S PENSION ACT

CHAPTER 2:51

Act

23 of 1969

Amended by

41 of 1976

13 of 2019

16 of 2019

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

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CHAPTER 2:51

PRIME MINISTER'S PENSION ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 2:51

PRIME MINISTER'S PENSION ACT

23 of 1969.

An Act to provide for the payment of pensions to persons who have served as Prime Minister and to the widows and children of such persons, and for matters connected with or incidental thereto.

Commencement.

[23RD JULY 1969]

Short title.

1. This Act may be cited as the Prime Minister's Pension Act.

Interpretation.
[13 of 2019].

2. In this Act—

“child” includes—

(a) a posthumous child;

(b) an adopted child, adopted in a manner recognised by law, before the Prime Minister ceased to be Prime Minister;

“entitled child” means a person who, being a male has not attained the age of twenty-one years or being a female, has neither married while under the age of twenty-one years nor attained the age of twenty-one years;

“Prime Minister's pension” means the pension payable under this Act to a person who has ceased to be Prime Minister;

“salary” means the emoluments provided in the estimates of expenditure of Trinidad and Tobago, inclusive of housing allowance but exclusive of duty allowance, entertainment allowance or any other allowance whatever.

Prime Minister's right to pension.
[*41 of 1976].

3. (1) Every person who having been appointed Prime Minister on or after the 31st day of August 1962, ceases at any time after such appointment to be Prime Minister shall be paid a pension under this Act with effect from the date on which he ceases to be Prime Minister and subject to subsection (2) the pension shall continue to be paid during the lifetime of that person.

(2) The Prime Minister's pension shall, if the person to whom it is payable becomes a legislator or is again appointed Prime Minister, cease to be payable during the period in respect

*Deemed to have come into operation on 31st August 1962.

of which that person is a legislator or holds the office of Prime Minister, as the case may be, but where the rate of the Prime Minister's pension exceeds the rate of salary as a legislator, nothing in this subsection shall prevent the payment of the Prime Minister's pension to the extent of such excess.

(3) In subsection (2) "legislator" has the meaning assigned to it by section 2 of the Retiring Allowances (Legislative Service) Act. Ch. 2:03.

4. (1) The Prime Minister's pension payable under this Act to any person shall be the full amount of the highest annual rate of salary paid to such person at any time as Prime Minister. Gratuity and pension payable to Prime Minister. [*41 of 1976].

(2) A person to whom a pension is payable under this Act shall, where he has exercised his option as herein provided, but not otherwise, be paid in lieu of such pension, pension at the rate of three-fourths of such pension, together with a gratuity equal to twelve and a half times the amount of the annual reduction so made in the pension.

(3) The option referred to in subsection (2) shall be exercisable, and where it has been exercised, may be revoked, not later than the day immediately preceding the date of such person ceasing to be Prime Minister but the Cabinet may, where it appears equitable to do so, allow him to exercise the option or revoke an option previously exercised at any time between that date and the actual date of the first payment of any pension under this Act.

(4) Subject to subsection (3), where such person has exercised the option referred to in subsection (2), his decision shall be irrevocable so far as concerns any pension paid to him under this Act.

(5) Where a person who has not exercised the option dies after he has ceased to be Prime Minister but before a pension has been paid under this Act, there shall be granted to his legal personal representatives a gratuity and a reduced pension as provided for in subsection (2) as if such person before his death had exercised the option therein referred to, so however that such pension shall not be paid in respect of any period later than the date of the death of such person and shall not exceed in the aggregate the total amount due and payable to him on the said date.

*Deemed to have come into operation on 31st August 1962.

(6) The date of the exercise of the option by such person shall be deemed to be the date of the receipt of his written notification addressed to the Secretary of the Cabinet.

Review of
pension.
[13 of 2019
16 of 2019].

4A. (1) A person, including a retired Prime Minister, is eligible on every fifth anniversary of the date he ceased to be Prime Minister for a revised Prime Minister's pension equivalent to—

- (a) the salary payable to the incumbent on that date; or
- (b) three-fourths of the salary payable to the incumbent on that date, where he has exercised the option under section 4(2).

(2) For the avoidance of doubt, subsection (1) shall not be construed as authorising the payment of a revised pension with respect to a fifth anniversary which occurred before the coming into force of that subsection.

(3) Notwithstanding subsection (1), a person referred to in that subsection who ceased to hold office before 25th June 2019 is entitled to the revised pension referred to in that subsection as of 25th June 2019 and thereafter on every fifth anniversary referred to in that subsection.

Widow's
pension.
[*41 of 1976].

5. (1) Where a person dies while he is entitled to receive a Prime Minister's pension and he leaves a widow, the widow shall, subject to subsection (3), be paid a pension at an annual rate equivalent to two-thirds of the Prime Minister's pension that would have been payable to him had he otherwise ceased to hold office on the date of his death.

(2) Where a person dies while holding the office of Prime Minister and he leaves a widow, the widow shall be paid—

- (a) a gratuity of an amount equivalent to twelve and one-half times one-quarter of the highest annual rate of salary paid to such person at any time as Prime Minister; and

*Deemed to have come into operation on 31st August 1962.

(b) a pension equivalent to one-half of the highest annual rate of salary paid to such person at any time as Prime Minister.

(3) A widow is not entitled to receive and may not be paid a pension under this section in respect of any period after her remarriage.

(4) Without prejudice to section 16(1) of the Interpretation Act, a reference in this Act to “widow” includes a reference to “widower”. Ch. 3:01.

(5) Where a person dies while he is holding the office of Prime Minister and he does not leave a widow, a gratuity of an amount equivalent to twelve and one-half times one quarter of the highest annual salary paid to such person at any time as Prime Minister shall be paid to his legal personal representatives on account of the deceased person's estate.

6. Where a person dies while he is Prime Minister or while he is entitled to receive the Prime Minister's pension, leaving entitled children, each of such children shall be paid, until he dies or ceases to be an entitled child, such pension at such rate as the Prime Minister shall determine; so however that— Children's pension.

(a) where there is one entitled child, the annual rate of pension payable shall not exceed one-sixth of the annual rate specified in section 4; or

(b) where there is more than one entitled child, the aggregate rate of pension payable shall not exceed one-third of the annual rate specified in section 4.

7. Any pension payable under this Act—

(a) shall be charged on and paid out of the Consolidated Fund;

(b) shall be paid monthly in arrears in equal instalments.

Source and method of payment of pensions.

Protection of
pensions.

8. Any pension payable under this Act shall not—

- (a) be assignable or transferable except for the purpose of satisfying a debt due to the State or an order of any Court for the payment of periodical sums of money towards the maintenance of the wife, former wife, or child being a minor child of the person to whom the pension is payable; or
 - (b) be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt due to the State or any sum recoverable pursuant to such order of any Court as is mentioned in paragraph (a).
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