



TRINIDAD AND TOBAGO

No. 10—1952

[L.S.]

I ASSENT,

H. E. RANCE,
Governor.

4th April, 1952.

AN ORDINANCE to amend the Pensions Ordinance,
Ch. 9. No. 6.

[10th April, 1952.]

Commence-
ment

ENACTED by the Governor of Trinidad and Tobago with the Enactment
advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Pensions Short title
(Amendment) Ordinance, 1952, and shall be read as one with
the Pensions Ordinance as from time to time amended, which Ch. 9. No. 6.
Ordinance as so amended is hereinafter referred to as the
Principal Ordinance.

Section 6 (1) of
Principal
Ordinance
amended

2. Subsection (1) of section 6 of the Principal Ordinance is hereby amended by adding the following paragraph at the end thereof:—

“Subject to the provisions of this Ordinance or of any other law, any pension or gratuity granted under this Ordinance shall be computed in accordance with the provisions of the law in force at the actual date of an officer’s retirement.”

Section 11 (1)
of Principal
Ordinance
amended

3. Subsection (1) of section 11 of the Principal Ordinance is hereby amended by substituting the following paragraph for paragraph (c) thereof:—

“(c) an officer occupying any other post appointment to which requires the approval of the Secretary of State”.

Section 15 of
Principal
Ordinance
repealed and
replaced

4. Section 15 of the Principal Ordinance is hereby repealed and replaced by the following section:—

“15 (1) An officer who is eligible for a pension under this Ordinance may, at his option exercisable as hereinafter provided, be paid in lieu of such pension a pension at the rate of three-fourths of such pension together with a gratuity equal to ten times the amount of the reduction so made in the pension.

(2) The option referred to in subsection (1) of this section shall be exercisable, and if it has already been exercised may be revoked, not later than the day immediately preceding the date of the officer’s retirement: Provided that—

(a) if the officer does not exercise the option prior to the day preceding the date of his retirement the Governor may, if it appears to him in all the circumstances equitable so to do, allow him to exercise the option at any time between that date and the actual date of award of pension under this Ordinance;

(b) the date of the exercise of the option shall be deemed to be the date of the receipt of his written notification addressed either to the Colonial Secretary in the Colony or to the Crown Agents for the Colonies;

(c) subject to the provisions of this subsection, if an officer has exercised the option his decision shall be irrevocable so far as concerns any pension granted to him under this Ordinance; and

(d) an officer who does not exercise such option shall, subject to the provisions of this Ordinance, be granted a reduced pension and gratuity calculated in the manner prescribed in this section.

(3) Notwithstanding anything contained in the preceding subsections an officer who is permitted to continue in the public service after he attains the age of sixty years, at his own request and not for the convenience of the service, shall, subject to the provisions of this Ordinance, be granted an unreduced pension in lieu of reduced pension and gratuity”.

5. The First Schedule to the Principal Ordinance is hereby amended:—

First Schedule
to Principal
Ordinance
amended

(a) by adding thereto in their appropriate alphabetical places the following words:—

“East Africa High Commission
East African Railways and Harbours
Administration
Federation of Malaya
Malayan Union
Singapore
Sarawak
North Borneo”;

(b) by substituting the words “Great Britain and Northern Ireland” for the expression “Great Britain and Northern Ireland, including service which is pensionable under the Teachers (Superannuation) Act, 1925, being 15 and 16 Geo. 5, Cap. 59 of the Imperial Parliament.”

6. Paragraph (4) of regulation 12A of the Pensions Regulations, 1938 (which was enacted by paragraph 6 of the Schedule to the Pensions (Amendment) Ordinance, 1943) is hereby revoked.

Regulation 12A
(4) of Pensions
Regulations,
1938 revoked
No. 33 of 1943

7. Notwithstanding the provisions of paragraph (b) of section 5 of this Ordinance, the provisions of the First Schedule to the Principal Ordinance shall continue to apply to officers in the service of the Government at the date of the commencement of this Ordinance as though the said paragraph had not been enacted.

Saving

Passed in Council this twenty-first day of March, in the year of Our Lord one thousand nine hundred and fifty-two.

T. F. FARRELL

Clerk of the Council