
Second Session First Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 11 of 1978

[L.S.]

AN ACT to provide for the payment of superannuation benefits and compensation for loss of office to the personal staff of the Governor-General.

[Assented to 29th March, 1978]

ENACTED by the Parliament of Trinidad and Tobago as Enactment follows:—

1. This Act may be cited as the Governor-General's Short title Personal Staff (Superannuation Benefits and Compensation for Loss of Office) Act, 1978,

Interpretation

Ch. 9. No. 6

Ch. 9. No. 9

No. 4 of 1976

2. In this Act—

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

“Constitution” means the Constitution set out in the Constitution of the Republic of Trinidad and Tobago Act, 1976;

“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.

Application of Act

3. This Act applies to the officers specified in the First Schedule.

Pensions and gratuities for Scheduled Officers

4. Notwithstanding that an officer to whom this Act applies may, as a result of the abolition of his office under or by virtue of the provisions of the Constitution—

(a) have retired before attaining the age specified in the appropriate law as qualifying him for the grant of a pension or gratuity; or

(b) not have completed at the date of his retirement the period of qualifying service, if any, required by the appropriate law to render him eligible for the grant of a pension or gratuity,

or both, such officer shall be deemed to be eligible for the grant of a pension or gratuity under the appropriate law.

Exercise of option

5. (1) Where an option is exercisable by an officer for the purposes of this Act, the option shall be—

(a) exercised by notice in writing addressed to the President;

(b) irrevocable after the end of the period within which it is to be exercised; and

(c) deemed to have been exercised on the date of the receipt of the notice.

(2) The President may, if he thinks fit, and subject or not to conditions, extend the period within which the option is to be exercised.

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 or gratuity under this Act and to any pension or gratuity granted under the appropriate law. Application of appropriate law

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 relative to the taxation of income or the imposition of any other form of taxation. Exemption from taxes

8. In addition to any pension or gratuity that may be granted to him under, or by virtue of this Act, an officer to whom this Act applies, shall be granted compensation to be calculated in accordance with section 9. Compensation

9. (1) The amount of compensation payable 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 thirty thousand dollars whichever is less, shall be the amount to which the officer is entitled. Calculation of compensation

(2) In this section "appropriate factor" means the factor obtained from Table I of the Second Schedule that is appropriate to the age and pensionable service of the officer on the date of his retirement, reckoned in completed years and months.

10. Notwithstanding anything in this Act to the contrary, where an officer referred to in section 3 so elects within one month of the promulgation of this Act, he shall be granted in lieu of the compensation payable under section 9 a compensatory pension arrived at by multiplying one hundredth of the compensation so payable, by the factor that is appropriate to his age at the date of the abolition of his office, derived from Table II of the Second Schedule. Option for compensatory pension

FIRST SCHEDULE

<i>Designation</i>	<i>Name of Employee</i>
Private Secretary to His Excellency	Mrs. N. V. McNEIL
House Keeper II (Trinidad)	Mrs. V. WALCOTT
House Keeper II (Tobago)	Miss L. HISLOP
Cook II	Miss I. JOHNSON
Linen Maid	Mrs. D. JACK
Chauffeur II	Mr. V. PARRIS

SECOND SCHEDULE

TABLE I

Age of Officer	Factor where length of service is							
	3 years	4 years	5 years	6 years	7 years	8 years	9 years	10 years
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	1.36
29 ...	.46	.62	.77	.92	1.08	1.23	1.39	1.54
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
50 ...	.76	1.01	1.26	1.52	1.77	2.02	2.28	2.53

SECOND SCHEDULE—CONTINUED

TABLE I—Continued

Age of Officer	Factor where length of service is							
	3 years	4 years	5 years	6 years	7 years	8 years	9 years	10 years
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.

TABLE II
COMPENSATORY PENSION

Where the age of an officer at the date of his retirement is more than an exact number of years, each completed month in excess of his age shall be taken into account for the purpose of calculating his annual compensatory pension, and a factor that is proportionally increased shall be applied in calculating the pension.

<i>Age of Officer</i>	<i>Factor</i>	<i>Age of Officer</i>	<i>Factor</i>
21	34 ...	5.099
22	35 ...	5.153
23	36 ...	5.209
24	37 ...	5.269
25	38 ...	5.332
26	39 ...	5.399
27	40 ...	5.470
28	41 ...	5.545
29	42 ...	5.624
30	43 ...	5.707
31	44 ...	5.795
32	45 ...	5.888
33	46 ...	5.987

SECOND SCHEDULE—CONTINUED

TABLE II—*Continued*

<i>Age of Officer</i>			<i>Factor</i>	<i>Age of Officer</i>			<i>Factor</i>
47	...	...	6.092	54	...	...	7.031
48	...	...	6.204	55	...	...	7.202
49	...	...	6.322	56	...	...	7.385
50	...	...	6.447	57	...	...	7.580
51	...	...	6.580	58	...	...	7.788
52	...	...	6.721	59	...	...	8.010
53	...	...	6.871	60	...	...	8.247

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

Instructions for obtaining the appropriate factor from Table I—

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 10th day of February, 1978.

J. E. CARTER
Clerk of the House

Passed in the Senate this 14th day of March, 1978.

R. GRIFFITH
Clerk of the Senate