



pu
Am. Ord. II 202

TRINIDAD AND TOBAGO

No. 37—1955

[L.S.]

I ASSENT,

E. B. BEETHAM

Governor.

21st November, 1955

AN ORDINANCE to amend further the Police Ordinance,
Ch. 11. No. 1.

[24th November, 1955.]

Commencement.

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

Enactment.

1. This Ordinance may be cited as the Police (Amendment No. 2) Ordinance, 1955, and shall be read as one with the Police Ordinance, as amended, hereinafter referred to as the Principal Ordinance.

Short title.
Ch. 11 No. 1.
Laws 1951-53
Vol. I, p. 345
Ord. No. 20-1953
Ord. No. 10-1954
Ord. No. 44-1954
Ord. No. 3-1955
Ord. No. 6-1955

Section 2
of Principal
Ordinance
amended.

2. Section 2 of the Principal Ordinance is hereby amended—

(a) in the definition of the expression "Gazetted Police Officer", by substituting the word "an" for the word "the" occurring immediately before the words "Assistant Commissioner", and by inserting the words and comma "Senior Superintendent," between the word "any" and the word "Superintendent"; and

(b) in the definition of the expression "Officer in charge of Police", by inserting the words and comma "Senior Superintendent," between the word "a" and the word "Superintendent".

Section 49
of Principal
Ordinance
amended.

3. Section 49 of the Principal Ordinance is hereby amended—

(a) by substituting for subsection (5) thereof the following:—

"(5) An Inspector, subordinate police officer or constable, may, if he has exercised his option as provided in subsection (5A) of this section, but not otherwise, be paid, in lieu of any pension for which he is eligible, a pension at the rate of three-fourths of such pension together with a gratuity equal to twelve and one-half times the amount of the annual reduction so made in the pension."; and

(b) by inserting, immediately after subsection (5) thereof, the following subsection:—

"(5A) (a) The option referred to in subsection (5) of this section shall be exercisable, and if it has been exercised may be revoked—

(i) not later than one month after the retirement of the police officer in the case of a pension awarded under subsection (1) or (2) of this section, and

(ii) not later than the day immediately preceding the date of the retirement of the police officer in the case of a pension awarded under subsection (3) of this section, or of his retirement from other public service in the case of a pension awarded under subsection (4) of this section:

Provided that the Governor may, if it appears to him equitable in all the circum-

stances so to do, allow any such police officer to exercise the option or revoke an option previously exercised 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 by a police officer shall be deemed to be the date of the receipt of his written notification addressed to the Commissioner.

(c) Subject to the provisions of paragraph (a) of this subsection, if a police officer has exercised the option his decision shall be irrevocable so far as concerns any pension to be granted to him under this section.

(d) If a police officer who has not exercised the option dies after he has finally retired but before a pension has been awarded under this Ordinance, it shall be lawful for the Governor in Council to grant a gratuity and a reduced pension as provided for in paragraph (a) of this subsection as if the police officer before his death had exercised the option.”

4. Section 53 of the Principal Ordinance is hereby amended by substituting for subsection (3) thereof the following—

Section 53
of Principal
Ordinance
amended.

“(3) (a) If an Inspector, subordinate police officer or constable dies while in the service of the Force, it shall be lawful for the Governor to grant to his widow or to his children or to any of his dependants a gratuity of an amount not exceeding one year’s salary of such police officer, or his commuted pension gratuity, if any, whichever is the greater.

(b) Where a police officer, to whom either an unreduced pension or a gratuity and reduced pension has been granted under this Ordinance, dies after retirement from the service of the Force, and the sums paid or payable to him at his death on account of such unreduced pension, or gratuity and reduced pension, as the case may be, are less than the amount of the annual salary enjoyed by him at the date of his retirement, it shall be lawful for the Governor to grant to his widow or to his children or to any of his dependants a gratuity equal to the deficiency.

(c) In this subsection—

“commuted pension gratuity” means the gratuity, if any, calculated in the manner prescribed in subsection (5) of section 49 of this Ordinance, which might have been granted to the police officer if he had retired immediately before his death in circumstances rendering him eligible to receive a gratuity and reduced pension instead of an unreduced pension;

“dependants” has the same meaning as in the Workmen’s Compensation Ordinance.”

Ch. 22. No. 14.

Consequential amendments.

5. The amendments specified in the second column of the Schedule to this Ordinance (which relate to consequential or minor matters) shall respectively be made in the sections of the Principal Ordinance specified in the first column of the said Schedule.

SCHEDULE			(Section 5)
<i>Section</i>			<i>Amendment</i>
5	...	...	The words “two Assistant Commissioners” shall be substituted for the words “An Assistant Commissioner”.
			The words and comma “Senior Superintendents,” shall be inserted between the word “of” and the word “Superintendents”.
8	...	...	The words “fit and proper persons” shall be substituted for the words “some fit and proper person”.
8, 10 (3) (marginal note), 10 (3)			The words “Assistant Commissioners” shall be substituted for the words “Assistant Commissioner”.
10 (1) and (3) (marginal note)			The words and comma “Senior Superintendents,” shall be inserted immediately before the word “Superintendents”.
10 (1)	...	...	The words and comma “Senior Superintendents,” shall be inserted between the word “be” and the words “Superintendents”.
10 (3)	...	...	The words and comma “Senior Superintendent,” shall be inserted between the word “every” and the word “Superintendent”.
30 (2)	...	...	The words and comma “an Assistant Commissioner, a Senior Superintendent” shall be substituted for the words “Assistant Commissioner”.

SCHEDULE—*Continued*

(Section 5)

<i>Section</i>	<i>Amendment</i>
39 (2), 65	<p>The word "an" shall be substituted for the word "the" occurring immediately before the words "Assistant Commissioner".</p> <p>The words and comma "Senior Superintendent," shall be inserted between the word "any" and the word "Superintendent".</p>

Passed in Council this 11th day of November in the year of Our Lord one thousand nine hundred and fifty-five.

T. F. FARRELL

Clerk of the Council