
Fourth Session Second Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 5 of 1985

[L.S.]

AN ACT to amend various Laws relating to
Pensions

[Assented to 9th May, 1985]

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

1. This Act may be cited as the Scheduled Laws (Short title
(Pensions Provisions) Act, 1985.

Scheduled
Acts
Amended

2. The written laws set out in the First Column of the Schedule, are amended as shown in the Second Column of the Schedule.

Commencement

3. This Act is deemed to have come into operation on the 1st January, 1977, and in its application shall extend to persons who on that day were serving officers, or in receipt of pensions or eligible to receive pensions under the written laws set out in the Schedule.

SCHEDULE

FIRST COLUMN

SECOND COLUMN

The Police
Service Act,
Chap.15:01

The Sixth Schedule to the Police Service Act is amended—

(a) in rule 7, by inserting at the beginning of this rule the following words "Subject to rule 8";

(b) in rule 8—

(i) by deleting in subparagraph (1) the words "or voluntary withdrawal from the Police Service" occurring in lines six and seven;

(ii) by introducing sub-rule 3 as follows—
" 3. Where the service of an officer has been interrupted by the occasion of his voluntary withdrawal, the period of service prior to a break in service may be counted with service subsequent to the break but any pension, gratuity or other allowance already received by him shall be deducted from the amount which is required to be paid to him on the basis of his final computation."

The Municipal
Corporations
(Pensions)
Act, Chap.
25:05

The Municipal Corporations (Pensions) Act, is amended—

(a) in section 5(1)(b) by substituting the word "seventeen" for the word "twenty" occurring in line one;

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The Municipal
Corporations
(Pensions)
Act, Chap.
25:05
cont'd.

(b) by including immediately after subsection 5(3) the following new subsection—

“ (4) Notwithstanding subsection (1)(a), an officer who has served in the service of the Corporation in a temporary capacity **and who, had he been appointed substantively would have qualified for the grant of a pension, gratuity, or other allowance, is entitled to a pension, gratuity, or other allowance, as the case may be, computed in accordance with this Act.**”;

(c) (i) by renumbering section 11 as section 11(1);

(ii) by deleting all the words occurring after the word “or” in line seven, and by substituting for them the following words “by any other circumstance not arising from misconduct or gross negligence;”;

(iii) by adding immediately after section 11(1) the following new subsections—

“ (2) Subject to subsection (1) where an officer is re-employed in the service of the Corporation or is appointed to the service of a Corporation other than the Corporation in which he had previously served, he is entitled to have his previous service taken into account in the final computation of his pension, gratuity or other allowance save that any amount already received by him by way of pension, gratuity or other allowance shall be deducted from the amount required to be paid to him on the basis of the final computation.

(3) Where an officer to whom subsection (2) applies is in receipt of a pension under this Act, or in respect of public service, payment of that pension to him shall cease at the

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The Municipal
Corporations
(Pensions)
Act, Chap.
25:05
cont'd.

time of his re-employment or appointment and the final computation of his pension, gratuity or other allowance shall be based on the provisions of subsection (2).";

(iv) by deleting section 18;

(v) in section 19(2) by deleting the words occurring after the word "gratuity" occurring in line seven and by substituting for them the following words "computed either on the basis of one month's salary for each year of service to a maximum of twelve months, or a commuted pension gratuity whichever is greater.";

(vi) by deleting section 20.

The Fire
Service Act,
Chap. 35:50

The Fifth Schedule to the Fire Service Act is amended—

(a) in paragraph 6 by inserting at the beginning of this paragraph the following words "Subject to paragraph 7";

(b) in paragraph 7—

(i) by deleting from subparagraph (1), all the words occurring after the word "or" in line six, and by substituting for them the following words "by any other circumstances not arising from misconduct";

(ii) by introducing a new subparagraph (3) as follows—

"(3) Where the service of an officer has been interrupted by the occasion of his voluntary withdrawal, the period of service prior to a break in service may be counted with the service subsequent to the break, but any pension, gratuity or other allowance already received by him shall be deducted from the amount which is required to be paid to him on the basis of his final computation."

FIRST COLUMN

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The Teachers
Pensions Act,
Chap. 39:02

The Teachers Pensions Act is amended—

(a) in section 6 by substituting for the word “twenty” occurring in line three thereof the word “seventeen”;

(b) by repealing and replacing section 9 as follows

“ 9.(1) Where a teacher is re-employed in the Teaching Service he is entitled to have his previous service taken into account in the final computation of his pension, gratuity or other allowance save that any amount already received by him by way of pension, gratuity or other allowance shall be deducted from the amount which is required to be paid to him on the basis of the final computation.

(2) Where a teacher is in receipt of a pension under this Act, and is re-employed in the Teaching Service or is appointed to an office in the Government or in other public service the payment of that pension shall cease upon his re-employment or appointment, and the provisions of subsection (1) with respect to the final computation of his pension, gratuity or other allowance shall apply.”

The Teachers
Pensions
Regulations,
Chap. 39:02

The Teachers Pensions Regulations are amended—

(a) by renumbering regulation 12 as regulation 12(1) and by deleting all the words after the word “gratuity” occurring in line eight of regulation 12(1);

(b) by introducing a new subregulation (2) as follows—

“ (2) Where a female teacher having held an office in the Teaching Service for not less than five years, retires from that service for the reason that she has married or is about to marry, and is not eligible for the grant of any pension or otherwise eligible for a gratuity under this Act she may be granted upon production within six months after her retirement, or such longer period as

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The Teachers
Pensions
Regulations,
Chap. 39:02
cont'd.

SECOND COLUMN

the President may in any particular case allow, of satisfactory evidence of her marriage—

(a) a gratuity not exceeding one-twelfth of a month's pensionable emoluments for each complete month of pensionable service under the Government or twelve months pensionable emoluments, whichever is the less; or

(b) a commuted pension gratuity, within the meaning of section 14 of the Act, whichever is the greater.”;

(b) by substituting for sub regulation 15(1)(a) the following—

“ (a) where a break in service has been caused by abolition of office, or by other circumstances not arising from misconduct, a teacher is entitled to have both the period of service prior and subsequent to the break in service, counted for pension, gratuity or other allowance;”.

The Assisted
Secondary
School
Teachers
Pensions Act,
Chap. 39:03

The Assisted Secondary School Teachers Pensions Act is amended

(a) by repealing and replacing section 8 as follows:

“ 8(1) Where a teacher is re-employed in the Teaching Service he is entitled to have his previous service taken into account in the final computation of his pension, gratuity or other allowance save that any amount already received by him by way of pension, gratuity or other allowance shall be deducted from the amount which is required to be paid to the officer on the basis of the final computation.

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The Assisted
Secondary
School
Teachers
Pensions Act,
Chap. 39:03
cont'd.

(2) Where a teacher is in receipt of a pension under this Act, and is re-employed in the Teaching Service or is appointed to an office in the Public Service, the payment of that pension to him shall cease upon his re-employment or appointment and the provisions of subsection (1) with respect to the final computation of his pension, gratuity or other allowance shall apply.”;

(b) in section 9, by substituting the word “seventeen” for the word “twenty” occurring in line three thereof;

(c) in section 18(2) by substituting the word “seventeen” for the word “twenty” occurring in line two thereof.

The Assisted
Secondary
School
Teachers’
Pensions
Regulations,
Chap. 39:03

The Assisted Secondary School Teachers’ Pensions Regulations are amended—

(a) by renumbering regulation 5 as regulation 5(1) and by deleting all the words after the word “gratuity” occurring in line eight;

(b) by introducing a new subregulation (2) as follows—

“ (2) Where a female teacher having held an office in the Teaching Service for not less than five years, retires from that service for the reason that she has married or is about to marry, and is not eligible for the grant of any pension or otherwise eligible for a gratuity under these Regulations, she may be granted upon production within six months after her retirement, or such longer period as the President may in any particular case allow, of satisfactory evidence of her marriage—

(a) a gratuity not exceeding one-twelfth of a month’s pensionable emoluments for each complete month of

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The Assisted
Secondary
School
Teachers
Pensions Act,
Chap. 39:03
cont'd.

pensionable service, or
twelve months pensionable
emoluments, whichever is
the less; or
(b) a commuted pension
gratuity, within the mean-
ing of section 13 whichever
is the greater.”;

(c) by repealing and replacing subregulation
7(2) as follows—

“ (2) Where a break in service has been
caused by abolition of office, or by other
circumstances not arising from mis-
conduct, a teacher is entitled to have
both the period of service prior and
subsequent to the break in service,
counted for pension, gratuity or other
allowance.”.

Passed in the House of Representatives this 21st day
of December, 1984.

J. E. CARTER
Clerk of the House

Passed in the Senate this 6th day of February, 1985.

R. L. GRIFFITH
Clerk of the Senate