

First Session Fifth Parliament Republic of Trinidad  
and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 24 of 1996**

[L.S.]

AN ACT to amend the Old Age Pensions Act, Chap. 32:02

*[Assented to 2nd August, 1996]*

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

1. This Act may be cited as the Old Age Pensions Short title  
(Amendment) Act, 1996.

2. In this Act, "the Act" means the Old Age Pensions Act. Interpretation  
Chap. 32:02

Section 2 amended

**3. Section 2 of the Act is amended—**

(a) by inserting in the appropriate alphabetical positions, the following definitions:

“Local Public Assistance District” means a Local Public Assistance District referred to in section 7 of the Public Assistance Act;

Chap. 32:03

“Supervisor of Social Welfare” means a Supervisor of Social Welfare referred to in section 8 of the Public Assistance Act;”;

(b) by deleting the definition of “Director (Social Welfare)” and substituting the following definition:

“Director (Social Welfare)” means the Director (Social Welfare) referred to in section 4 of the Public Assistance Act;”.

Section 4 repealed and a section substituted

**4. The Act is amended by repealing section 4 and substituting the following section:**

“Eligibility for pension

4. (1) The conditions for the receipt of pension by any person are:

(a) the person must have attained the age of sixty-five years;

(b) the person must have been ordinarily resident in Trinidad and Tobago—

(i) for a period of twenty years immediately preceding the claim for pension; or

(ii) for a period of sixty years in the aggregate;

(c) the person must satisfy the Local Board that his total income does not exceed the amount referred to in section 3(1).

(2) For the purpose of computing residence in Trinidad and Tobago under subsection (1)(b)(i), any periods of temporary absence not exceeding five years in the aggregate, shall not be counted as periods of absence from Trinidad and Tobago.

(3) Notwithstanding any written law to the contrary, any person who immediately before the commencement of the Old Age Pensions (Amendment) Act, 1996—

(a) was in the opinion of a Local Board possessed of eyesight so defective that he was incapable of performing any work for which eyesight is essential;

(b) had attained the age of forty years but had not attained the age of sixty-five years; and

(c) was being paid a pension,

may continue to receive such pension but that person shall be ineligible to receive any benefit under the Public Assistance Act.”.

5. Section 7 of the Act is amended by—

Section 7 amended

(a) deleting subsection (2);

(b) renumbering subsection (1) as section 7.

6. The Act is amended by inserting after section 8, Section 8A inserted the following section:

“Recovery of  
overpayment

8A. (1) Where a pensioner knowingly causes himself to be paid pension to which he is not entitled in accordance with the provisions of this Act, the Director (Social

Welfare) or any person appointed by the President for the purpose may, whenever the President so directs, sue and recover from that pensioner or his personal representative after his death, the amount paid to such person.

(2) In any suit under this section, a certificate under the hand of the Comptroller of Accounts showing the amount paid shall be evidence that the amount stated in the certificate was expended as described in the certificate.

(3) The amount adjudged to be repaid by the defendant in any such suit shall rank as prior to all other claims and charges on the defendant, or on the estate of the deceased, as the case may be, accruing subsequent to the payment of the relief.”

Section 10 repealed  
and a section  
substituted

7. The Act is amended by repealing section 10 and substituting the following section:

- “Regulations
10. The Minister may make Regulations for carrying the purposes and provisions of this Act into effect, and, without limiting the generality of the foregoing, may make Regulations:
- (a) prescribing the duties of the Board, the Local Board and the Director (Social Welfare);
  - (b) causing the circumstances of every applicant for or recipient of pension to be enquired into;
  - (c) providing for the maintenance of adequate records of claims for pension, reports and decisions thereof and amounts of pension paid;
  - (d) prescribing the procedure to be followed on claims for pension;

- (e) providing for the suspension of pension;
- (f) prescribing the method and places of payment of pension;
- (g) providing for the payment of pension in the event of mutilation, destruction or loss of the instrument of payment;
- (h) prescribing the procedure for verifying that a pensioner is alive.”.

Passed in the House of Representatives this 12th day of July, 1996.

J. SAMPSON  
*Clerk of the House*

Passed in the Senate this 18th day of July, 1996.

N. COX  
*Clerk of the Senate*

Senate amendments agreed to by the House of Representatives this 19th day of July, 1996.

J. SAMPSON  
*Clerk of the House*