

TRINIDAD AND TOBAGO.

[Published as a Supplement to the "Royal Gazette" issued on
the 27th day of June, 1935.]

No. 19—1935.

I ASSENT,

[L.S.]

A. C. HOLLIS,
Governor.

25th June, 1935.

27th June, 1935.

AN ORDINANCE to amend the School Teachers' Pensions
Ordinance, 1929.

BE it enacted by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof as follows :—

1. This Ordinance may be cited as the School Teachers' Pensions (Amendment) Ordinance, 1935, and shall be construed as one with the School Teachers' Pensions Ordinance, 1929, hereinafter referred to as the Principal Ordinance.

Short title.
Construction.
Ord. 21-1929.

2. Section 2 of the Principal Ordinance is hereby repealed and replaced by the following :—

Repeal and
replacement of
s. 2 of
Principal
Ordinance.

2. In this Ordinance—

“Salary” means annual salary paid from public funds in accordance with the scale of salary prescribed by the Education Ordinances and the Regulations made thereunder.

“ School ” means any Intermediate School, Primary School, Training College, Industrial School, Orphanage School or Institute for the Blind recognized as such under the Education Ordinances or the Regulations made thereunder.

“ Service ” means service in the capacity of a teacher in full time service in a school : Provided that where a teacher has had other service under the Government of the Colony, the whole of such service, if continuous with his service as a teacher, shall be taken into account ; Provided further that of the period of such other service paid for from public funds not provided for a specific appointment, only two-thirds shall be counted for the purposes of this Ordinance.

“ Teacher ” means a person who is registered as such in the Register to be kept for the purpose by the Director of Education under the provisions of the Education Ordinances, and who is employed in full time service as a teacher in a school.

Repeal and replacement of s. 7 of Principal Ordinance. Amount of pension.

3. Section 7 of the Principal Ordinance is hereby repealed and replaced by the following :—

7. Where a teacher has served ten years or upwards he may be granted on his retirement a pension at the rate of one hundred and thirty five-seven hundred and twentieths ($\frac{135}{720}$) of his salary with an additional one-seven hundred and twentieth ($\frac{1}{720}$) in respect of each complete month of such service in excess of ten years until the maximum of four hundred and thirty-five-seven hundred and twentieths ($\frac{435}{720}$) is reached.

Repeal and re-enactment of s. 14 of Principal Ordinance. Gratuity and reduced pension.

4. Section 14 of the Principal Ordinance is hereby repealed and replaced by the following section :—

14.—(1) Every teacher who subsequent to the 1st day of January, 1924, has become or shall hereafter become eligible for a pension under the provisions of this Ordinance and to whom a pension is granted hereunder 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 annual value of the reduction so made in the pension. Such option shall be exercisable as follows :—

- (a) In the case of a teacher who has become or becomes eligible for a pension prior to the 31st day of December, 1935, not later than the 31st day of January, 1936.
- (b) In the case of a teacher who becomes eligible for a pension subsequent to the 31st day of December, 1935, not later than one month from the date on which he shall so become eligible.
- (c) The date of the exercise of the option shall be deemed to be the date of the receipt of a teacher's written notification to such effect addressed to the Director of Education.
- (d) If a teacher has exercised such option, his decision shall be irrevocable so far as concerns any pension ultimately to be granted to him under this Ordinance.
- (e) A teacher who shall have exercised such option shall, subject to the provisions of this Ordinance, if he continues in the service of the Colony as a teacher after he attains the age of 60 years be granted in lieu of a reduced pension and gratuity, a pension as if he had not exercised such option, unless he shall have notified the Director of Education in writing at the time of exercising his option that he does not desire the provisions of this paragraph to apply to him.

(2) Any teacher appointed as such after the commencement of this Ordinance who does not continue in the service of the Colony as a Teacher after he is over 60 years of age and who is otherwise eligible for pension shall, subject to the provisions of this Ordinance, be granted a reduced pension and gratuity calculated in the manner prescribed in sub-section (1) hereof.

Repeal and re-enactment of s. 18 of Principal Ordinance.

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

Certain provisions of Ord. 16 of 1934 applicable to Teachers.

15. The following provisions of the Pensions Ordinance, 1934, namely, section 19 (which protects pensions), section 20 (which enables a pension to be applied towards maintenance of dependents), sections 21 and 22 (which provide for cessation of pension on bankruptcy and on conviction) and section 24 (which empowers the Governor in Executive Council to decide questions arising under the Ordinance) shall apply to pensions granted under this Ordinance in like manner as they apply to pensions granted under that Ordinance.

Repeal and re-enactment of s. 15 of Principal Ordinance.

6. Section 18 of the Principal Ordinance is hereby repealed and replaced by the following :—

Gratuity to Estate when teacher dies in service.

18. (1) When a teacher who served as such for not less than five years, dies while in service as a teacher, it shall be lawful for the Governor in Executive Council to grant to the dependents (if any) of such teacher, a gratuity of an amount not exceeding nine months salary of such teacher, the amount to be divided among the dependents in such proportion as the Governor in Executive Council shall think fit.

Cap. 85 to apply to teachers.

(2) When a teacher who served as such for less than five years dies while in the service as a teacher, the provisions of the Deceased Public Officers' Salary Ordinance shall apply in like manner as if the teacher had been a Public Officer.

Amendment of s. 19 of the Principal Ordinance.

7. The proviso to sub-section (1) of section 19 of the Principal Ordinance is hereby repealed and replaced by the following :—

Provided that a gratuity granted under this section shall not exceed an amount equal to three-eighths ($\frac{3}{8}$) of a month's salary for each complete six months of service.

8. Any pension or gratuity paid prior to the commencement of this Ordinance under the provisions of the Principal Ordinance, and any reduced pension and gratuity so paid consequent upon an election to receive a reduced pension and a gratuity, shall be deemed to have been validly paid and such election to have been validly and properly exercised. Validation of pension and gratuity paid under the Principal Ordinance.

9. The School Teachers' Pensions (Amendment) Ordinance, 1930, is hereby repealed. Repeal of Ord. 32-1930.

Passed in Council this thirty-first day of May, in the year of Our Lord one thousand nine hundred and thirty-five.

J. O'CONNOR,
Clerk of the Council.