

**MUNICIPAL CORPORATIONS (PENSIONS) ACT**

**CHAPTER 25:05**

**Act**

**29 of 1936**

Amended by

3 of 1944

12 of 1954

27 of 1956

12 of 1957

\*18 of 1960

13 of 1965

15 of 1984

5 of 1985

\*9 of 1987

\*19 of 1989

20 of 1997

†17 of 2007

†30 of 2007

†1 of 2009

†13 of 2010

†2 of 2012

†2 of 2015

\*By implication

†See Note on page 2

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#### **Note on Date of Commencement**

The amendments made to sections 5(1)(b), and (4) and 19(2) by Act No. 5 of 1985 are deemed to have come into operation on 1st January 1977.

#### **Note on Section 2**

Section 274 of the Municipal Corporations Act, 1990 (Act No. 21 of 1990) provides as follows:

**274.** The following written laws are repealed:

- (a) Port-of-Spain Corporation Ordinance, Ch. 39. No. 1 (1950 Ed.);
- (b) San Fernando Corporation Ordinance, Ch. 39. No. 7 (1950 Ed.);
- (c) Arima Corporation Ordinance, Ch. 39. No. 11 (1950 Ed.);
- (d) Point Fortin Corporation Act, No. 12 of 1980;
- (e) County Councils Act, Ch. 25:04;
- (f) the electoral Candidates (Municipal Corporations) Qualification Act, 1987.

The Corporations mentioned in section 2 should now be read in accordance with Act No. 21 of 1990.

#### **Note on Adaptation**

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

#### **Note on Act No. 17 of 2007**

Section 25 of Act No. 17 of 2007 provides that the amendments to sections 10 and 17 shall come into effect from 1st October 2006.

#### **Note on Act No. 30 of 2007**

Section 2 of Act No. 30 of 2007 provides that the amendments to sections 10 and 17 shall come into effect from 1st October 2007.

#### **Note on Act No. 1 of 2009**

Section 16 of Act No. 1 of 2009 provides that the amendments to sections 10 and 17 shall come into effect from 1st October 2008.

#### **Note on Act No. 13 of 2010**

Section 26 of Act No. 13 of 2010 provides that amendments to sections 10 and 17 shall come into effect from 1st September 2010.

#### **Note on Act No. 2 of 2012**

By Act No. 2 of 2012 Sections 14A and 14B took effect from 1st January 2004.

#### **Note on Act No. 2 of 2015**

Amendments made to sections 10 and 17 by Act No. 2 of 2015 took effect from 1st October 2014.

**CHAPTER 25:05**

**MUNICIPAL CORPORATIONS (PENSIONS) ACT**

ARRANGEMENT OF SECTIONS

**SECTION**

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**LAWS OF TRINIDAD AND TOBAGO**

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**Chap. 25:05** *Municipal Corporations (Pensions)*

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ARRANGEMENT OF SECTIONS—*Continued*

**SECTION**

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UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

CHAPTER 25:05

MUNICIPAL CORPORATIONS (PENSIONS) ACT

**An Act to regulate Pensions, Gratuities and other allowances to be granted in respect of the service of persons employed by Municipal Corporations in Trinidad and Tobago.**

1950 Ed.  
Ch. 39. No. 11.  
29 of 1936.

\*[31ST DECEMBER 1936]

Commencement.

1. This Act may be cited as the Municipal Corporations (Pensions) Act.

Short title.

†2. (1) This Act applies to the following Corporations:

Application.  
[5 of 1985].  
Ch. 39. No. 1.  
(1950 Ed.).

(a) the City of Port-of-Spain, established under the Port-of-Spain Corporation Ordinance;

(b) the City of San Fernando, established under the San Fernando Corporation Ordinance;

Ch. 39. No. 7.  
(1950 Ed.).

(c) the Borough of Arima, established under the Arima Corporation Ordinance;

Ch. 39. No. 11.  
(1950 Ed.).

(d) the Borough of Point Fortin established under the Point Fortin Corporation Act 1980.

Act No. 12 of  
1980.

(2) The President may by Order extend the application of this Act to any municipality established hereafter.

3. (1) In this Act—

Interpretation.  
[20 of 1997].

“Corporation” means the Corporation and Boroughs respectively referred to in section 2;

“Council” means the Council of any such Corporation or Borough;

“officer” means a person substantively appointed by resolution of the Council to a permanent office in the service of the Corporation for which separate provision is made in the annual estimates, provided that such office has been declared to be a pensionable office by resolution of the Council approved by resolution of Parliament and published in the *Gazette*;

\*See Note on Date of Commencement on page 2 with respect to sections 5 and 19.

†See Note on section 2 on page 2.

“pensionable emoluments” includes salary, personal allowance, house allowance or the estimated value of free quarters but the amount to be allowed for house rent or for estimated value of free quarters shall not exceed one-sixth of the actual salary of the office;

“personal allowance” means a special addition to salary granted personally to the holder for the time being of the office;

“salary” means the actual salary attached to an office;

“service” means employment by and service in a Corporation; and in respect of the Port-of-Spain Corporation includes any unbroken period of the service of an officer appointed by resolution of any of the preceding Port-of-Spain Corporations who continued without interruption in the service of the present Corporation;

“temporary employee” means a servant or employee of the Corporation other than an “officer” as hereinbefore defined, and includes labourers and others paid out of a block vote whether employed by the day, week or month.

(2) For the purposes of this Act, service is not broken where it is interrupted by one or a combination of the following:

- (a) one day;
- (b) weekends;
- (c) public holidays.

Pension, etc.,  
not of right.

**4.** (1) No officer shall have an absolute right to compensation for past services or to pension, gratuity or other allowance under this Act, nor shall anything herein contained limit the right of the Council to dismiss any officer without compensation.

(2) Where it is established to the satisfaction of the Council that an officer has been guilty of negligence, irregularity or misconduct, the pension, gratuity or other allowance may be reduced or altogether withheld.

Service for  
pension.  
[13 of 1965  
5 of 1985].

**5.** (1) No pension, gratuity or other allowance shall be granted to any officer in respect of any service—

- (a) while on probation or agreement unless without break of service he is confirmed in a pensionable office; or

(b) while under the age of seventeen years, or after having attained the age of sixty years.

(2) Only service in a pensionable office shall be taken into account in computing pensions except, that where an unbroken period of service under the Corporation otherwise than in a pensionable office is immediately followed by service in a pensionable office, that period of service may, with the approval of the Council be taken into account.

(3) In determining for the purposes of subsection (2) whether any period of service is unbroken or whether one period of service is immediately followed by another period of service, any break of service which may be disregarded for the purposes of section 11 shall similarly be disregarded.

(4) *(Repealed by Act No. 20 of 1997).*

6. An officer may retire from the service of the Corporation—

Retirement.  
[13 of 1965].

(a) at any time after he attains the age of fifty-five years; or

(b) with the approval of the Council at any time after he attains the age of fifty years,

and shall retire from the service on attaining the age of sixty years.

7. (1) Except in the cases mentioned below no pension, gratuity, or other allowance shall be granted to any officer who on leaving the service has not attained the age of fifty-five years unless—

Circumstances  
in which  
pensions, etc.,  
may be granted.  
[27 of 1956  
13 of 1965].

(a) having attained the age of fifty years he retires with the permission of the Council; or

(b) the cause of his leaving is that he is incapable, by reason of some infirmity of mind or body, of discharging the duties of his office and the infirmity—

(i) is likely to be permanent; and

(ii) is established by medical evidence to the satisfaction of the Council.

(2) Where an officer is removed from his office on the ground of his inability to discharge efficiently the duties thereof,

and a pension, gratuity, or other allowance cannot otherwise be granted to him under the provisions of this Act, the Council may if they consider it justifiable, having regard to all the circumstances of the case, grant such a pension, gratuity, or other allowance as they think just and proper, but in no case exceeding in amount that for which the officer would be eligible if he were suffering from some infirmity of mind or body likely to be permanent.

(3) If any officer holding a pensionable office retires or is removed from the service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organisation of the department to which he belongs, by which greater efficiency and economy can be effected, he may be granted a temporary pension, subject to the condition that he holds himself ready to be recalled to service. However, if the officer is not qualified for other employment or if there is no reason, in the opinion of the Council, to expect that he can be re-employed, a pension may be granted to him free from the above-mentioned condition.

Liability of pensioners to be called upon to take further employment. [27 of 1956].

**8.** Every pension granted to an officer shall be subject to the following condition:

- (a) unless or until he has attained the age of fifty-five years, he may, if physically fit for service, be called upon by the Council to accept, in lieu of his pension, an office in the service of the Corporation not less in value than the office which he held at the date of the grant of his pension;
- (b) if a pensioner so called upon declines to accept the office for which he may have been selected the payment of his pension may be suspended, until he has attained the age of fifty-five years.

Maximum pension.

**9.** No pension granted to an officer under this Act shall exceed two-thirds of the highest pensionable emoluments drawn by the officer at any time in the course of his service.

**10.** Subject to the provisions of this Act every officer holding a pensionable office in the service of the Corporation who has been in such service for ten years or upwards may be granted on his retirement the sum of three thousand, five hundred dollars per month or a pension at the rate of  $\frac{1}{600}$ ths of his pensionable emoluments in respect of each complete month of service until the maximum of two-thirds ( $\frac{400}{600}$ ths) is reached whichever is the greater.

Pensions to whom and at what rate to be granted.  
[17 of 2007  
30 of 2007  
1 of 2009  
13 of 2010  
\*2 of 2015].

**11.** (1) Subject to the provisions of this Act service qualifying for pension, gratuity or allowance, as the case may be, shall be the inclusive period between the date on which an officer begins to draw salary or half salary from the funds of the Corporation and the date of his leaving the service of the Corporation.

Period of service qualifying for pension or gratuity defined.  
[5 of 1985  
20 of 1997].

(2) No pension, gratuity or other allowance shall be granted in respect of a period of service that is broken by suspension, dismissal or removal in consequence of disciplinary proceedings.

**12.** (1) For the purpose of computing the amount of an officer's pension, gratuity or allowance, the following periods shall be taken into account as pensionable service:

Computation of pensions and gratuities.  
Periods of service and absence.

- (a) any periods during which he has been on duty;
- (b) any periods during which he has been absent from duty on leave with full pay.

(2) The periods during which an officer has been absent on leave on half-pay shall, for the purposes of this Act, be counted at the rate of one month for every two months of such period.

Absence on half-pay leave.

(3) Any period during which an officer absent on leave from Trinidad and Tobago has, with the consent of the Minister served with the armed forces of the United Kingdom during the war which began on 4th August 1914, or in any other capacity connected with the state of war, may be counted as service on full pay.

War service.

(4) Any period during which he has been absent on leave, other than those specified above, shall be deducted from the officer's total service in order to arrive at his period of pensionable service.

Periods not taken into account.

\*See Note on page 2.

Service in a temporary capacity. [20 of 1997].

**13.** Where an officer has performed service in a temporary capacity in a pensionable office, the period of such service may be taken into account as pensionable service provided that—

- (a) *(Deleted by Act No. 20 of 1997)*;
- (b) this period of service is immediately preceded or followed by service in Trinidad and Tobago in a substantive capacity in a pensionable office.

Computation of pensions, etc., on what emoluments to be based. [12 of 1954].

**14.** (1) For the purpose of computing the amount of an officer's pension, or gratuity, or allowance—

- (a) in the case of an officer who has held one office for a period of three years immediately preceding the date of his retirement, the full pensionable emoluments payable to him at that date in respect of that office shall be taken;
- (b) in the case of an officer who at any time during such period of three years has been transferred from one office to another, but whose pensionable emoluments have not been changed by reason of the transfer or transfers, the full pensionable emoluments payable to him at the date of his retirement in respect of the office held by him shall be taken;
- (c) in other cases one-third of the aggregate pensionable emoluments payable to the officer in respect of his service during the three years shall be taken but—
  - (i) if such one-third is less than the full pensionable emoluments which were payable to him at the date of his transfer within such period of three years the Council may grant him a pension calculated on the full pensionable emoluments payable to him at that date;
  - (ii) if such one-third is less than the full pensionable emoluments which would have been enjoyed by him at the date of

his retirement, if he had continued to hold any office from which he had been transferred at any time during such period of three years, and had received all increments which in the opinion of the Council, would have been granted to him, the full pensionable emoluments which would have been so payable to him shall be taken.

For the purposes of calculating pensionable emoluments under this paragraph the officer shall be deemed to have been on duty on full pensionable emoluments throughout the three years.

(2) This section shall be deemed to have come into operation on 1st January 1952.

- 14A.** (1) Where an officer who immediately prior to—
- (a) the date of his compulsory retirement; or
  - (b) the date on which he proceeds on annual leave prior to the date of compulsory retirement,

Computation of pension in acting capacity prior to compulsory retirement. [\*2 of 2012].

has acted in a higher office for a period of three continuous years, that officer shall be eligible to have his pension, gratuity or other allowance calculated as if he were confirmed in that higher office and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom section 14(1)(a) of the Act applies.

- (2) Where an officer who immediately prior to—
- (a) the date of his compulsory retirement; or
  - (b) the date on which he proceeds on annual leave prior to the date of compulsory retirement,

has acted in a higher office for a period of twelve continuous months but less than three continuous years, that officer shall be eligible to have his pension, gratuity or other allowance calculated as if he were confirmed in that higher office during

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\*See note on page 2.

that period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom section 14(1)(c) of the Act applies.

Computation of pension on promotion following acting, prior to compulsory retirement. [\*2 of 2012].

**14B.** Where an officer who is promoted to a higher office having acted in that higher office, retires compulsorily, and the period of acting together with his service in the office to which he has been promoted amounts to a period of not less than—

- (a) three continuous years, he shall be eligible to have his pension, gratuity or other allowance calculated as if he had held that higher office during the entire period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom section 14(1)(a) of the Act applies; and
- (b) twelve continuous months but less than three continuous years, he shall be eligible to have his pension, gratuity or other allowance calculated as if he had held that higher office during that period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom section 14(1)(c) of the Act applies.

Rates of pension or gratuity when office abolished.

**15.** (1) In the case of an officer who retires, or is removed from office, in circumstances contemplated by section 7(3) and who is otherwise eligible for pension, his pension may be increased at the rate of the number of 720ths of his pensionable emoluments exceeding the pension allowed under section 10 by the numbers following, that is to say:

In the case of an officer who has served—

- (a) 20 years and upwards: 60;
- (b) less than 20 years, but not less than 17 years: 48;
- (c) less than 17 years, but not less than 15 years: 36;
- (d) less than 15 years, but not less than 12 years: 24;
- (e) less than 12 years, but not less than 10 years: 12.

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\*See note on page 2.

(2) No additional pension shall be granted under subsection (1) so as to entitle an officer to a higher total pension than the maximum of two-thirds of his pensionable emoluments at the date he ceased to be in the service of the Corporation or than the pension for which he would have qualified by length of service on reaching the age of sixty years whichever shall be the lower amount.

(3) If the officer has been in the service of the Corporation for less than the qualifying period of ten years, he may be granted a pension calculated in accordance with section 10 as if there had been no qualifying period.

- 16.** (1) Where an officer has been permanently injured—
- (a) in the actual discharge of his duty;
  - (b) without his own default; and
  - (c) by some injury specifically attributable to the nature of his duty,

Officers retiring on account of injuries.

and his retirement is thereby necessitated or materially accelerated, he may be granted in respect of the injury in addition to his pension, if any, granted to him under this Act an annual allowance in proportion to the extent of his injury as follows:

When his capacity to contribute to his support is—

slightly impaired	$\frac{60}{720}$ ths.
impaired	$\frac{120}{720}$ ths.
materially impaired	$\frac{180}{720}$ ths.
totally destroyed	$\frac{240}{720}$ ths.

However, no such allowance shall, together with the pension, exceed  $\frac{600}{720}$ ths of his pensionable emoluments at the date of the injury.

(2) The allowance shall be less than the above-mentioned maximum by such amount as the Council think reasonable in the following cases:

- (a) where the injured officer has continued to serve for not less than one year after the injury in respect of which he retires;

- (b) where the injured officer is fifty years of age or upwards at the date of the injury; or
- (c) where the injury is not the sole cause of retirement, for instance if the retirement is caused partly by age or infirmity not due to the injury.

(3) When the officer so injured is a pensionable officer but has less than ten years' service, and he is not eligible for an ordinary pension, he may be granted in lieu of a gratuity an annual allowance of so many 720ths as the number of months he has actually served, in addition to the number of 720ths that may be awarded to him under subsections (1) and (2).

(4) An officer so injured who is not qualified for either a pension under section 10 or a gratuity under section 19(1) may nevertheless be granted a pension of the same amount as the additional pension which he might have been granted if he had been so qualified.

Gratuity and reduced pension.  
[27 of 1956  
17 of 2007  
30 of 2007  
1 of 2009  
13 of 2010  
\*2 of 2015].

**17.** (1) An officer to whom a pension is granted under this Act shall, if he has exercised his option as hereinafter provided, but not otherwise, be paid in lieu of the pension a pension at the rate of three-fourths of the pension or the sum of three thousand, five hundred dollars per month, whichever is the greater, together with a gratuity equal to twelve and one-half times the amount of the annual reduction so made in the pension.

(2) The option referred to in subsection (1) shall be exercisable, and if it has been exercised may be revoked, not later than the day immediately preceding the date of the officer's retirement.

(3) Subject to subsection (2) if an officer has exercised the option, his decision shall be irrevocable so far as concerns any pension to be granted to him under this Act.

(4) The date of the exercise of the option by an officer shall be deemed to be the date of the receipt of his written notification addressed to the Town Clerk.

(5) An officer who is permitted to continue in the service of the Corporation after he attains the age of sixty years,

\*See Note on page 2.

at his own request and not for the convenience of the said service, shall, subject to the provisions of this Act, be granted on his retirement an unreduced pension notwithstanding that he may have opted for a reduced pension and gratuity.

**18. (*Deleted by Act No. 5 of 1985*).**

**19. (1)** An officer, otherwise qualified for a pension, who has not completed ten years' service may be granted on retirement a gratuity not exceeding five times the annual amount of the pension which if there had been no qualifying period might have been granted to him under section 10.

Gratuities.  
[5 of 1985  
20 of 1997].

(2) Subject to subsection (3), where a female officer, having completed not less than five years' service in the Corporation, resigns from the service on or with a view to marriage, or is required to retire from the service on account of her marriage, she may be granted on production within six months after her resignation or retirement, or such longer period as the Council may in any particular case allow, of satisfactory evidence of her marriage, a gratuity 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.

However, the gratuity shall not, in the case where the officer resigns on or with a view to marriage, exceed one year's pensionable emoluments.

(3) This section only applies to a person who was a female officer immediately before the commencement of the Law Reform (Pensions) Act.

Ch. 23:59.

**20. (*Deleted by Act No. 5 of 1985*).**

**21. (1)** When an officer who is not serving on probation or agreement, dies while in the service of the Corporation, the Council may grant to the legal personal representative of the officer, a gratuity of an amount not exceeding one year's pensionable emoluments of such officer or his commuted pension gratuity, if any, whichever is the greater.

Gratuity where  
officer dies in  
service of  
Corporation.  
[27 of 1956  
12 of 1957].

(2) For the purposes of this section the expression “commuted pension gratuity” means the gratuity, if any, calculated in the manner prescribed in section 17 which might have been granted to the 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.

Gratuity to temporary employee. [3 of 1944, 27 of 1956, 12 of 1957, 20 of 1997].

**22.** (1) A temporary employee may, in the circumstances contemplated by this section as hereinafter set forth, be granted, unless the Council otherwise directs, a gratuity not exceeding twelve days’ pay for each year of effective service under the Corporation.

(2) The circumstances contemplated by this section are that the service of the temporary employee is terminated in consequence of the abolition of his office, or because his services through no default of his own are no longer required, or for the purpose of facilitating improvements in the organisation of the department to which he belongs by which economy can be effected, or on his being found to the satisfaction of the Council to be medically unfit for further service, or on or after his attaining the age of sixty years; and that in any such case he has been in the service of the Corporation for not less than seven years.

(3) No temporary employee shall be permitted to remain in the service of the Corporation after he attains the age of sixty-five years.

(4) In the case of a temporary employee who is permanently disabled by severe bodily injury sustained in the course of his employment under the Corporation through no default of his own, the Council may, if they consider the circumstances justify such a course, grant to such employee a pension in lieu of the gratuity provided by subsections (1) and (2).

However, in any such case, the pension granted shall not exceed three-quarters of what might have been granted had the employee been an officer holding a pensionable office and the number of months’ service in respect of which such pension shall be granted shall be twelve times the number of years of effective service for which the employee has worked for the Corporation without a break.

(5) When a temporary employee dies while in the service of the Corporation and a gratuity would have been payable under this section if he had been retired as medically unfit on the day on which he died, the Council may grant a gratuity not exceeding the amount of the gratuity which would have been so payable or the amount of nine months' pay of such temporary employee, whichever shall be the greater, and such gratuity shall be payable to his legal personal representative.

For the purposes of this section the pay of the employee shall be the rate at which he was last paid before death.

(6) For the purposes of this section, the expression "year of effective service" means a period of 250 days' work performed within one calendar year.

(7) In relation to persons who are temporary employees of the Corporation on 30th March 1944, the interpretation of the expression "year of effective service" given by this section shall apply to service before as well as after the above-mentioned date.

(8) Notwithstanding subsections (1) to (7), a temporary employee shall not be granted a gratuity or pension under this section if he is entitled to superannuation benefits by virtue of the provisions of the Law Reform (Pensions) Act.

Ch. 23:59.

**23.** No pension, gratuity or other allowance granted under this Act shall be assignable or transferable, or liable to be attached, sequestered, or levied upon, for or in respect of any debt or claim whatsoever other than a debt due to the Corporation and except as provided for in section 24.

Pensions not assignable or attachable.

**24.** (1) Where an order of maintenance has been made by a Court of competent jurisdiction against any person to whom a pension has been granted, the Council on its being proved to them that there is no reasonable probability of such order being satisfied, may from time to time deduct from the moneys payable to such person by way of pension such sum or sums as the Council may deem expedient, and apply the same to satisfy wholly or in part the order.

Council may apply part of a person's pension towards the maintenance of his wife or children.

(2) Where any person to whom a pension has been granted has left Trinidad and Tobago and deserted and left his wife or child within Trinidad and Tobago without sufficient means of support, the Council, on being satisfied that the wife or child is by reason of such person's absence from Trinidad and Tobago unable, and would but for the absence be able, to obtain an order of maintenance, may from time to time deduct from the moneys payable to such person by way of pension such sum or sums as the Council may deem expedient, and may apply the same for the maintenance and support of the wife or child.

(3) Where any person to whom a pension has been granted has been adjudicated a person of unsound mind and has a wife or a child or children living, the Council may deduct from the moneys payable to such person by way of pension such sum or sums as they may deem expedient and apply the same for the maintenance and support of the wife or any child or children of such person.

Pensions to  
cease on  
bankruptcy.

**25.** (1) If an officer to whom a pension or other allowance has been granted under this Act is adjudicated a bankrupt or is declared insolvent by judgment of the Court, then the pension or allowance shall forthwith cease.

(2) In any case where a pension or allowance ceases by reason of the bankruptcy or insolvency of the pensioner, the Council, may from time to time during the remainder of the pensioner's life, or during such shorter period or periods, either continuous or discontinuous, as the Council think fit, cause all or any part of the moneys to which the pensioner would have been entitled by way of pension or allowance, had he not become bankrupt or insolvent, to be paid to or applied for the maintenance and personal support or benefit of all or any, to the exclusion of the other or others, of the following persons, namely the pensioner and any wife, child or children of his, in such proportions and manner as the Council think proper, and such moneys shall be paid or applied accordingly.

Pensions, etc.,  
to cease on  
conviction.

**26.** (1) If any officer to whom a pension or other allowance has been granted under this Act is sentenced to a term of imprisonment by any competent Court whether within or without

Trinidad and Tobago for any crime or offence, then, in every such case, the Council may direct that the pension or allowance shall forthwith cease, provided that the pension or allowance shall be restored with retrospective effect in the case of a person who after conviction at any time receives a free pardon.

(2) Where a pension or allowance ceases under subsection (1), the Council may cause all or any part of the moneys to which the pensioner would have been entitled by way of pension or allowance to be paid to or applied for the benefit of any wife, child or children of the pensioner, or, after the expiration of his sentence, also for the benefit of the pensioner himself, in the same manner precisely and subject to the same qualifications and restrictions as in the case of bankruptcy hereinbefore provided.

**27.** Every pension or gratuity granted to any officer or servant of the Corporation under this Act shall be charged to and paid out of the fund or funds on which the salary, wages, or emoluments of the officer or servant would have been charged or paid if he had continued in his office or service.

Pensions and gratuities to be charged to fund from which officer or employee was paid.

**28.** The provisions of this Act apply —

- (a) to all officers appointed to the service of the Corporation after the commencement of this Act; and
- (b) to all officers in the service of the Corporation at the commencement of this Act unless within three months of the commencement any such officer has given notice in writing to the Town Clerk of his desire that the enactments repealed by this Act shall continue to apply to him.

Application of the Act to officers.

**29.** Notwithstanding the repeal of the following enactments:

- (a) sections 38 to 45 (inclusive) of the Port-of-Spain Corporation Ordinance (Ch. 224 of the 1925 Revised Laws);
- (b) the Port-of-Spain Corporation (Amendment) Ordinance 1927;

Repeals. Saving.

Ch. 224 (1925 Ed.).

18 of 1927.

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Ch. 230  
(1925 Ed.).

(c) sections 60 to 66 (inclusive) of the Municipal Corporations Ordinance (Ch. 230 of the 1925 Revised Laws),

the provisions of the repealed enactments shall continue to apply to any officer who has given the notice specified in section 28(b), and nothing contained in this Act shall affect the pensions granted to any persons who have retired from the service of any of the Corporations before 31st December 1936.

Application.  
[27 of 1956].

**30.** (1) Sections 7(1), 8, 17 and 21 apply—

(a) to all officers appointed to the service of the Corporation after the commencement of the Municipal Corporations (Pensions) (Amendment) Ordinance 1956 (that is, 7th June 1956); and

(b) to all officers in the service of the Corporation at the commencement of the Municipal Corporations (Pensions) (Amendment) Ordinance 1956 (that is, 7th June 1956) unless within three months of the commencement any such officer has given notice in writing to the Town Clerk of his desire that the provisions of this Act before 7th June 1956 shall continue to apply to him.

(2) Section 22(1), (2), (3), (4) and (5) apply to all temporary employees but subsection (3) does not apply to any temporary employee who at the commencement of the Municipal Corporations (Pensions) (Amendment) Ordinance 1956 (that is, 7th June 1956) has attained the age of sixty-five years.

Saving.  
[13 of 1965].

**31.** At the date of commencement of the Municipal Corporations (Pensions) Ordinance (Amendment) Act 1965, (that is, 1st July 1965) every officer in the service of the Corporation who has attained the age of sixty years, shall retire from that service; but—

(a) nothing in section 5 affects any right of such a person to a pension in respect of service which counted for pension immediately before that date; and

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(b) nothing in this Act or in any other Act shall be taken as precluding the Council of a Corporation from appointing a person who has attained the age of sixty years to an office under the Corporation, either temporarily or at the pleasure of the Council, if the exigencies of the service so require.

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**SUBSIDIARY LEGISLATION**

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**PENSIONABLE OFFICES RESOLUTION**

*passed in accordance with section 3*

It has been resolved that the offices listed in the Schedule have been declared pensionable offices.

**SCHEDULE**

**ARIMA BOROUGH**

**PART I**

[194/1955  
184/1956  
126/1959  
45/1964  
32/1973  
145/1973  
67/1975  
93/1987].

Town Assessor and General Assistant  
Market Clerk  
Waterworks Foreman and Reservoir Keeper  
Borough Corporal  
General Foreman  
Stenographer  
Clerical Officer, Grade I  
Clerical Officer, Grade II  
Clerk/Storekeeper  
Borough Constable  
Messenger  
Janitor/Caretaker  
Building Inspector  
Charge Hand  
Market Porter  
Abattoir Keeper  
Chief Public Health Inspector  
Public Health Inspector  
Keeper of Parks and Recreation Grounds with effect from 1st January 1964.

*Present Title*

*Former Title*

Accountant I	Assistant Town Clerk
Town Assessor I	Town Assessor
Clerk II	Clerical Officer Grade I
Clerk Stenographer II	Stenographer
Clerk I	Clerical Officer Grade II

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*Present Title*

*Former Title*

Clerk I	Market Clerk
Storekeeper I	Clerk Storekeeper
Police Corporal	Borough Corporal
Police Constable	Borough Constable
Messenger I	Messenger
Building Inspector I	Building Inspector
Works Foreman II	Foreman (Works)
Works Foreman I	Chargehand
Public Health Inspector III	Chief Public Health Inspector III
Public Health Inspector I	Public Health Inspector I
Abattoir Attendant	Abattoir Keeper
Market Attendant	Market Porter
Auditing Assistant with effect from 24th May 1972.	

**PART II**

The following offices have been declared pensionable offices with effect from 1st January 1977:

Deputy Town Clerk  
Public Health Inspector II  
Cashier I  
Clerk Stenographer III  
Police Sergeant  
Clerk III  
Cleaner I  
Clerk Typist I

**PART III**

The following offices have been declared pensionable offices with effect from 18th October 1979:

Medical Officer of Health  
Draughtsman I  
Police Inspector  
Engineering Assistant II  
Work Supervisor I  
Public Health Nurse  
Sanitation Foreman II  
Accountant II  
Clerk IV  
Stores Attendant  
Maid I

**ARIMA BOROUGH — (Continued)**

**PART III — (Continued)**

Duplicating Machine Operator  
Town Assessor II  
Auditor I  
Building Inspector II  
Works Supervisor II  
Workshop Foreman  
Sanitation Foreman III  
Administrative Assistant  
Accounting Assistant  
Personnel and Industrial Relations Officer II  
Messenger I  
Vault Attendant

**PART IV**

Storekeeper II (*declared a pensionable office with effect from 8th April 1982*).

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[162/1957  
161/1959  
60/1964  
277/1971  
39/1982  
169/1983  
178/1983  
66/1991].

**PORT-OF-SPAIN CORPORATION**

**IN ALL DEPARTMENTS AND INSTITUTIONS**

All Principal Assistants  
All Principal Officers  
All Senior Clerks  
All First Class Clerks  
All Second Class Clerks  
All Typists  
All Messengers  
Draughtsmen  
Assistant Draughtsmen  
All Departmental Clerks  
All Telephone Operators  
Administrative Assistant  
Receptionist  
Assistant Health Education Officer

**IN THE TOWN CLERK'S DEPARTMENT**

The Town Clerk (also Secretary, Local Health Authority)  
The Deputy Town Clerk  
The Shorthand Writer  
The Telephone Operator and Receptionist  
The Office Keeper and Caretaker

The Vault Keeper  
The Machine Operator  
All Vari-typists  
Proof Reader

**IN THE CITY TREASURER'S DEPARTMENT**

The City Treasurer  
The Accountant  
The Assistant Accountant  
The Cashier  
The Paymaster

**IN THE CITY ENGINEER'S DEPARTMENT**

The City Engineer  
The Assistant City Engineer  
The Additional Engineers  
The Building Inspectors  
All Assistant Building Inspectors  
The Draughtsman  
All Assistant Draughtsmen  
The Chief Overseer  
All Overseers  
All Sub-Overseers  
The Maintenance Mechanic  
The Storekeeper

**IN THE WATER AND SEWERAGE WORKS DEPARTMENT**

The Water and Sewerage Works Engineer  
Deputy Water and Sewerage Works Engineer  
The Foreman Water and Sewerage Works  
All District Waterworks Foremen  
The Engineering Assistants  
The Inspector of Maintenance and Works  
All Turncocks  
All Reservoir Keepers  
All Head Engine Drivers  
All Assistant Head Engine Drivers  
The Meter Shop Foreman  
All Meter Readers  
Waste Detection and Prevention Officers  
The Sewerage Works Sub-Foreman  
All Assistant Sewerage Works Sub-Foremen

**PORT-OF-SPAIN CORPORATION — (Continued)****IN THE CITY ASSESSOR'S DEPARTMENT**

The City Assessor  
 The Deputy City Assessor  
 All Valuation Assistants

<i>Present Title</i>	<i>Former Title</i>
Accountant II	Assistant Accountant
Accountant II	Principal Assistant
Accountant I	Principal Officer
Auditor I	Principal Officer
Auditing Assistant	Senior Clerical Officer
Accounting Assistant	Principal Officer
Accounting Assistant	Clerical Officer, Grade I
Works Supervisor III	Additional Engineer
Works Supervisor II	Chief Overseer
Works Supervisor I	Overseer
Engineering Assistant	Draughtsman
Assistant Works Supervisor	Sub-Overseer
Plant Maintenance Mechanic	Maintenance Mechanic
Storekeeper IV	Storekeeper
Storekeeper I	Stores Issuer
Works Foreman I	Foreman, Eastern Market
Assistant Works Foreman	Assistant Foreman, Eastern Market
Messenger I	Messenger, Grade B
Cemetery Keeper II	Keeper of Cemetery
Vari-Typist II	Vari-Typist
Telephone Operator II	Telephone Operator
Telephone Operator I	Telephone Operator
Messenger I	Messenger, Grade A
Cashier III	Cashier
Paymaster II	Paymaster
Valuation Assistant I	Valuation Assistant
Draughtsman I	Assistant Draughtsman
Building Inspector II	Building Inspector
Building Inspector I	Assistant Building Inspector
Police Inspector	Inspector
Police Sergeant	Sergeant
Police Corporal	Corporal
Police Constable	Constable

The undermentioned posts on the establishment of the Port-of-Spain [39/1982]. Corporation declared pensionable [in accordance with the provisions of the Municipal Corporation (Pensions) Act] by resolution of the Senate and House of Representatives—

Dog Catcher  
Pound Keeper  
Maintenance Repairman  
Motor Vehicle Driver  
Anti-Rabies Assistant II  
Verbatim Reporter  
Storekeeper III  
Administrative Officer III  
Engineering Assistant II  
Assistant Superintendent of Police  
Assistant Medical Officer of Health  
Personnel and Industrial Relations Officer III  
Personnel and Industrial Relations Officer I

Health Education Officer I } which offices were reclassified as such with [169/1983  
Health Education Officer II } effect from 1st January 1973. 178/1983].

Clerk Stenographer III  
Clerk Typist I  
Canine Control Worker  
Warehouse Attendant

<i>Office</i>	<i>Effective Date</i>	[66/1991].
Visual Aids Officer ... ..	23rd February 1979	
Motor Vehicle Driver/Operator ... ..	31st January 1985	
Public Health Medical Officer ... ..	18th October 1979	
Storekeeper II ... ..	4th September 1975	

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[Subsidiary]

*Pensionable Offices Resolution*

[60/1965  
144/1973  
84/1983].

**SAN FERNANDO CORPORATION**

By section 4 of Act No. 18 of 1960 (as amended by Act No.17 of 1971) the offices of the San Fernando Corporation in the departments respectively set out in the first column below are declared to be pensionable offices and any person substantively appointed to any of the offices shall be deemed to be an officer for the purposes of the Municipal Corporations (Pensions) Act.

<i>Department</i>	<i>Office</i>
Town Clerk	Town Clerk Assistant Town Clerk Telephone Operator I
Accounts	Borough Treasurer/Accountant Paymaster I Cashier II Bookkeeping Machine Operator I Accounting Assistant
Assessment	Town Assessor II Assistant Town Assessor Valuation Clerk
Borough Engineer	Borough Engineer Works Supervisor III Building Inspector I Draughtsman I
Stores	Storekeeper III
Parks and Playgrounds	Grounds Foreman
Cemetery	Cemetery Keeper I
Streets Maintenance	Works Supervisor II Works Supervisor I
Transport Train	Transport Supervisor

[For service taken into account as pensionable service—see section 3 and Part I of Schedule of Act No. 18 of 1960 (as amended by Act No. 17 of 1971)].

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*Municipal Corporations (Pensions)*      **Chap. 25:05**      29

*Pensionable Offices Resolution*

[Subsidiary]

<i>Department</i>	<i>Office</i>
Scavenging	Sanitation Foreman III Sanitation Foreman II
Cleaning of Cesspits	Sanitation Foreman I
Infectious Diseases Clinic	Public Health Nurse I
Watch	Police Inspector Police Sergeant Police Corporal Police Constable
All Departments	Clerk IV Clerk III Clerk II Clerk I Messenger I
Borough Engineer's Department	Town Superintendent
Borough Police Department	Inspector
Clerk Typist I and II	... .. 1.1.69
Clerk Stenographer II	... .. 1.1.69
Auditor I	... .. 1.1.71
Audit Assistant	... .. 1.1.71
Dog Catcher	... .. 1.1.71
Pound Keeper	... .. 1.1.71

Deputy Town Clerk— 1st January 1978; [184/1983].

Personnel and Industrial Relations Officer II— 1st January 1978;

Personnel and Industrial Relations Officer I— 1st January 1978.

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**Chap. 25:05** *Municipal Corporations (Pensions)*

[Subsidiary]

*Pensionable Offices Resolution*

[94/1987].

**POINT FORTIN BOROUGH**

The following offices have been declared pensionable offices with effect from 24th March 1980:

Town Clerk  
Deputy Town Clerk  
Medical Officer of Health  
Town Superintendent  
Town Assessor II  
Draughtsman I  
Auditor I  
Sergeant  
Corporal  
Constable  
Building Inspector II  
Works Supervisor II  
Engineering Assistant  
Works Supervisor I  
Workshop Foreman  
Works Foreman I  
Public Health Inspector III  
Public Health Inspector II  
Public Health Inspector I  
Sanitation Foreman III  
Sanitation Foreman II  
Administrative Assistant  
Personnel and Industrial Relations Officer I  
Accountant II  
Accountant I  
Accounting Assistant  
Clerk IV  
Clerk III  
Clerk II  
Clerk I  
Storekeeper I  
Stores Attendant  
Clerk Stenographer III  
Clerk Stenographer II  
Clerk Typist I  
Maid I  
Messenger  
Cleaner  
Duplicating Machine Operator  
Vault Attendant

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