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First Session Ninth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 20 of 2008

[L.S.]

AN ACT to amend the Pensions Act, Chap. 23:52

[Assented to 6th November, 2008]

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

1. This Act may be cited as the Pensions Short title
(Amendment) (No. 2) Act, 2008.

Interpretation
Chap. 23:52

2. In this Act, “the Regulations” means the Pensions Regulations.

Sections 16A, 16B
and 16C inserted

3. The Pensions Act is amended by inserting after section 16, the following sections:

“Computation
of pension
in acting
capacity,
prior to
compulsory
retirement

16A. (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,

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 regulation 11(a) of the Regulations 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 one continuous year 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 that

period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom regulation 11(c) of the Regulations applies.

Computation
of pension
on promotion
following
acting, prior
to compulsory
retirement

16B. (1) 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 regulation 11(a) of the Regulations applies; or
- (b) one continuous year 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 regulation 11(c) of the Regulations applies.

Commence-
ment

16C. The provisions of sections 16A and 16B are deemed to have come into effect on January 1, 2004.”.

Passed in the House of Representatives this 23rd day of July, 2008.

J. SAMPSON
Clerk of the House

Passed in the Senate this 21st day of October, 2008.

N. JAGGASSAR
Clerk of the Senate