

*Legal Supplement Part C to the "Trinidad and Tobago Gazette", Vol. 50,  
No. 16, 24th February, 2011*

No. 2 of 2011

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First Session Tenth Parliament Republic of  
Trinidad and Tobago

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SENATE

**BILL**

AN ACT to amend the Municipal Corporations  
(Pensions) Act, Chap. 25:05

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THE MUNICIPAL CORPORATIONS (PENSIONS)  
(AMENDMENT) BILL, 2011

**Explanatory Note**

(These notes form no part of the Bill but are intended only to indicate its general purport)

The purpose of the Bill is to amend the Municipal Corporations (Pensions) Act, Chap. 25:05 to provide for the computation of superannuation benefits in respect of service in an acting capacity prior to compulsory retirement.

Clause 1 of the Bill would provide the short title of the Bill.

Clause 2 of the Bill would amend the Municipal Corporations (Pensions) Act, Chap. 25:05 by inserting three new sections—14A, 14B and 14C. Section 14A would provide for the computation of pension in respect of service in an acting capacity, prior to compulsory retirement. Section 14B would provide for the computation of pension in respect of service on promotion following an acting appointment, prior to compulsory retirement. Section 14C would provide for the commencement date of the Act, for which this is the Bill.

## **BILL**

AN ACT to amend the Municipal Corporations  
(Pensions) Act, Chap. 25:05

[ , 2011]

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

1. This Act may be cited as the Short title  
Municipal Corporations (Pensions) (Amendment) Act, 2011.

Interpretation  
Chap. 25:05

**2.** In this Act, “the Act” means the Municipal Corporations (Pensions) Act.

Act amended

**3.** The Municipal Corporations (Pensions) Act is amended by inserting after section 14, the following sections:

“Computation  
of pension in  
acting capacity  
prior to  
compulsory  
retirement

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,

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 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 section 14(1)(c) of the Act applies.

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

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) 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 section 14(1)(c) of the Act applies.

Commencement 14C. The provisions of sections 14A and 14B are deemed to have come into effect on 1st January, 2004.”.

Passed in the Senate this            day of            ,  
2011.

*Clerk of the Senate*

I confirm the above.

*President of the Senate*

Passed in the House of Representatives this  
day of            , 2011.

*Clerk of the House*

I confirm the above.

*Speaker*

No. 2 of 2011

FIRST SESSION  
TENTH PARLIAMENT  
REPUBLIC OF  
TRINIDAD AND TOBAGO

**BILL**

AN ACT to amend the Municipal  
Corporations (Pensions) Act,  
Chap. 25:05

Received and read the

First time .....

Second time .....

Third time .....