THE ASSISTED SECONDARY SCHOOL TEACHERS’ PENSIONS (AMENDMENT) BILL, 2008

EXPLANATORY NOTE

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

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

Clause 2 of the Bill would provide for the interpretation of “the regulations”.

Clause 3 of the Bill would amend the Assisted Secondary School Teachers’ Pensions Act, Chap. 39:03 by inserting three sections – 11A, 11B and 11C. Section 11A would provide for the computation of pension in an acting capacity, prior to compulsory retirement. Section 11B would provide for the computation of pension on promotion following acting, prior to compulsory retirement. Section 11C would provide for the commencement date of the Act, for which this is the Bill.
A BILL

AN ACT to amend the Assisted Secondary School Teachers’ Pensions Act, Chap. 39:03

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

Short title 1. This Act may be cited as the Assisted Secondary School Teachers’ Pensions (Amendment) Act, 2008.

Interpretation 2. In this Act, “the regulations” means the Assisted Secondary School Teachers’ Pensions Regulations.

Act amended 3. The Assisted Secondary School Teachers’ Pensions Act is amended by inserting after section 11, the following sections:

11A. (1) Where a teacher 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 teacher 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 a teacher to whom regulation 11(1)(a) of the regulations applies.

(2) Where a teacher 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 teacher 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 a teacher to whom regulation 11(1)(c) and (2) of the regulations applies.
11B. (1) Where a teacher 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 a teacher to whom regulation 11(1)(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(1)(c) and (2) of the regulations applies.

11C. The provisions of sections 11A and 11B are deemed to have come into effect on January 1, 2005.”.

Passed in the House of Representatives this day of 2008.

Clerk of the House

I confirm the above.

Speaker
Passed in the Senate this day of , 2008.

Clerk of the Senate

I confirm the above.

President of the Senate