

THE 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 Teachers' Pensions Act, Chap. 39:02 by inserting three sections –12A, 12B and 12C. Section 12A would provide for the computation of pension in an acting capacity, prior to compulsory retirement. Section 12B would provide for the computation of pension on promotion following acting, prior to compulsory retirement. Section 12C would provide for the commencement date of the Act, for which this is the Bill.

A BILL

AN ACT to amend the Teachers' Pensions Act, Chap. 39:02

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

Short title 1. This Act may be cited as the Teachers' Pensions (Amendment) Act, 2008.

Interpretation
Chap. 39:02 2. In this Act, "the regulations" means the Teachers' Pensions Regulations.

Act amended 3. The Teachers' Pensions Act is amended by inserting after section 12, the following sections:

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

12A. (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 19(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 19(c) of the regulations applies.

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

12B. 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 19(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 19(c) of the regulations applies.

Commencement

12C. The provisions of sections 12A and 12B 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