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No. 3 of 2011

Second Session Tenth Parliament Republic of
Trinidad and Tobago

SENATE

BILL

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

THE MUNICIPAL CORPORATIONS (PENSIONS)
(AMENDMENT) (NO. 2) 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.

Section 14A, 14B and
14C inserted

3. The 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. 3 of 2011

SECOND 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
