

**CHAPTER 314****THE PENSIONS (INCREASE) (1953) ACT**

## Arrangement of Sections

## Section

1. Short title.
  2. Interpretation.
  3. Increase of pensions payable on retirement from service in Antigua and Barbuda.
  4. Increase in the case of mixed pensions.
  5. Supplementary provisions.
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**PENSIONS (INCREASE) (1953)***(12th August, 1953.)*

20/1953.  
9/1955.  
S.R.O. (L.I.)  
23/1956.  
8/1957.  
17/1959.

**1.** This Act may be cited as the Pensions (Increase) (1953) Act. **Short title.**

**2.** In this Act—

**Interpretation.**

“pension” means any pension payable under the provisions of any law mentioned in the First Schedule:

Provided that the said expression does not include any gratuity and does not include any sum payable otherwise than by way of periodical payments, and accordingly the provisions of this Act shall not have effect with respect to any pension which has been commuted, and, where a part of any pension has been commuted,

those provisions shall not have effect with respect to that part thereof.

**Increase of pensions payable on retirement from service in Antigua and Barbuda.**

**3.** (1) Subject to the provisions of this Act, any pension specified in the First Schedule may, in respect of any period after the 31st day of December, 1951, be increased by the Governor-General to the extent prescribed by the Second Schedule.

(2) No increase shall be made under this section in respect of any pension calculated on pensionable emoluments received after the 31st day of December, 1951.

**Increase in the case of mixed pensions.**

**4.** (1) Where a pension is determined by reference to a rate of emoluments paid by a Government or authority other than the Government of Antigua and Barbuda, the Governor-General may, in his discretion, but subject to the provisions of subsection (2) and subsection (3), authorize the payment of an increase of such pension.

(2) In exercising the discretion mentioned in subsection (1) the Governor-General shall have regard to the emoluments by reference to which the pension was computed and to any increase of such emoluments in consequence of any general revision of salaries.

(3) Where payment of an increase of pension is authorized by virtue of the provisions of subsection (1) such increase shall be to the like extent as is authorized by subsection (1) of section 3 in the case of a pension to which that section applies.

**Supplementary provisions  
Cap. 313.**

**5.** The provisions of the Pensions (Increase) (1947) Act, (hereinafter called the Act of 1947) specified in the first column of the Third Schedule (which relate to the matters respectively set out in the second column of that Schedule) shall apply for the purposes of this Act and accordingly shall have effect—

(a) as if any reference to section 3 of the Act of 1947 or to the Second Schedule thereto included a reference to section 3 of this Act or to the Second Schedule of this Act; and

(b) as if any other reference to the Act of 1947 included a reference to this Act.

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FIRST SCHEDULE

PENSIONS WHICH MAY BE INCREASED UNDER SECTION 3  
OR SECTION 4 OF THIS ACT

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|----|---|---|
| 1. | A pension payable under the Pensions Act, and any amendments thereto.                     | *Cap. 130.  |
| 2. | A pension payable under the Police Pensions Act, 1929.                                    | 111929.   |
| 3. | A pension payable under the Pensions Act, 1947.   | Cap. 311. 1211947.                                    |
| 4. | A pension payable under the Police Pensions (Preservation of Rights) Act, 1951.           | Cap. 331. 1011951.                                    |
| 5. | A pension payable under the Police Act, 1951.   | Cap. 330. 1211951.                                    |
| 6. | A pension payable under the Denominational School Teachers Pension Act, 1931, as amended. | 7/1931.<br>411934.<br>1711947.<br>1111949.<br>311954. |

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\*See Federal Acts of the Leeward Islands, Revised Edition 1927.

SECOND SCHEDULE

RATE OF INCREASE OF PENSIONS

1. Subject to the provisions of this Schedule, the increase which may be made under section 3 of this Act (in this Schedule referred to as the "authorized increase") in the case of a pension liable to increase as set out in the first column of the following Table shall be at the annual rate specified in relation thereto in the second column of that Table.

TABLE

Pension liable to increase	Annual Rate
Pension calculated in respect of emoluments received prior to 1st January 1945.	\$124.80 (in addition to any increase authorized by the provisions of the Act of 1947).
Pension calculated in respect of emoluments received after the 31st day of December, 1944 and before the 1st January, 1952.	\$124.80

**2.** The authorized increase shall not in any case exceed one-third of the annual rate of the pension, calculated by taking into account any increase granted under the Act of 1947.

**3.** (1) Where the pensioner is in receipt of more than one pension specified in the First Schedule to this Act, the authorized increases in respect of more than one such pension shall not in the aggregate exceed the amount which would represent the authorized increase if he were in receipt of a single pension.

(2) Where the said increases, as ascertained apart from this paragraph, would exceed the amount which would represent the authorized increase if he were in receipt of a single pension, the authorized increase in the case of each of the pensions shall be calculated by dividing that amount between them in proportion to the said increase as ascertained as aforesaid.

**4.** For the purposes of this Schedule a person for whose benefit a pension is payable shall be deemed to be in receipt of the pension notwithstanding that it is payable to some other person.

## THIRD SCHEDULE

PROVISIONS OF PENSIONS (INCREASE) (1947) ACT  
APPLIED TO THIS ACT

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Provisions	Subject Matter
Subsection (2) of section 3.	Restrictions upon the circumstances in which a pension may be increased under section 3.
Subsection (4) of section 3.	Interpretation of section 3.
Section 5.	Regulations prescribing procedure for making claims for increases under section 3 and other supplementary matters.
Section 6.	Penalty for false statements for the purpose of obtaining sums payable under the Act.

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