

CHAPTER 312

THE PENSIONS (1959) ACT

Arrangement of Sections

Section

1. Short title.
2. Interpretation.
3. Applicability of pensions law.
4. Pensions, etc. charged on revenues of Antigua and Barbuda.
5. Grant and withholding of pensions, etc.

PENSIONS (1959)

(1st January, 1960.)

33/1959.

1. This Act may be cited as the Pensions (1959) Act. **Short title.**

2. In this Act— **Interpretation.**

"public office" means any office of emolument in the public service;

"public officer" means the holder of any public office and includes any person appointed to act in any such office;

"the public service" means the service of the Crown in a civil capacity in respect of the Government.

3. (1) Subject to the provisions of section 5, the law applicable to the grant and payment to any officer, or to **Applicability of pensions law.**

his widow, children, dependants or personal representatives, of any pension, gratuity or other like allowance (in this section and the two next following sections referred to as an "award") in respect of the service of that officer in a public office shall be that in force on the relevant day or any later law not less favourable to the person concerned.

(2) For the purposes of this section the relevant day is—

(a) in relation to an award granted before the date of commencement of this Act, the day on which the award was granted;

(b) in relation to an award granted or to be granted on or after the date of commencement of this Act to or in respect of a person who was a public officer before that date, the day immediately before that date;

(c) in relation to an award granted or to be granted to or in respect of a person who first becomes a public officer on or after the date of commencement of this Act, the day on which he becomes a public officer.

(3) For the purposes of this section, in so far as the law applicable to an award depends on the option of the person to or in respect of whom it is granted or to be granted, the law for which he opts shall be taken to be more favourable to him than any other law for which he might have opted.

**Pensions, etc.
charged on
revenues of
Antigua and
Barbuda.**

4. Awards granted under any law for the time being in force in Antigua and Barbuda shall be charged on and paid out of the revenues of Antigua and Barbuda.

**Grant and
withholding of
pensions, etc.**

5. (1) The power to grant any award under any pensions law enacted by the Legislature and, in accordance with any provisions in that behalf contained in any such law, to withhold, reduce in amount or suspend any award payable under any such law is hereby vested in the Governor-General acting in his discretion.

(2) In this section "pensions law" means any law relating to the grant to any person, or to the widow, children, dependants or personal representatives of that person, of an award in respect of the services of that person in a public office, and includes any instruments made under any such law.
