

**ANTIGUA AND BARBUDA**



**PENSION (NON-ESTABLISHED GOVERNMENT EMPLOYEES)  
(AMENDMENT) BILL, 2019**

**NO.        OF 2019**

*The Pension (Non-Established Government  
Employees) (Amendment) Bill, 2019.*

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*The Pension (Non-Established Government Employees) (Amendment) Bill, 2019.*

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**ARRANGEMENT OF CLAUSES**

**Clauses**

1. Short title
2. Interpretation
3. Amendment of section 5
4. Commencement

**ANTIGUA AND BARBUDA**  
**PENSION (NON-ESTABLISHED GOVERNMENT EMPLOYEES)**  
**(AMENDMENT) BILL, 2019**

**NO. OF 2019**

**AN ACT** to amend the Pension (Non-Established Government Employees) Act, Cap. 310 to increase the pensionable age of Non-Established Government employees and for other connected matters.

**ENACTED** by the Parliament of Antigua and Barbuda as follows:

**1. Short title**

This Act may be cited as the Pension (Non-Established Government Employees) (Amendment) Act, 2019.

**2. Interpretation**

In this Act—

“principal Act” means the Pension (Non-Established Government Employees) Act, Cap. 310.

**3. Repeal and replacement of section 5**

The principal Act is amended by repealing section 5 and replacing it with the following new section 5—

**“ 5. Circumstances in which pension may be granted**

No pension or gratuity shall be granted under this Act to a non-established employee unless that employee retires from the employment of the Government in any of the following cases—

- (a) on attaining the age of sixty-five years, or on or after attaining the age of sixty years if the officer opts to retire at that age, or on or after attaining the age of fifty-five years, if the officer requests to retire at that age and the Governor General, acting on the advice of Cabinet, grants his request;



**EXPLANATORY MEMORANDUM**

This primary objective of this Bill is to increase the retirement age for non-established employees. It has become critical that the retirement age is increased in order to allow a non-established employee to retire with full benefits in accordance with the pensionable ages as outlined in the Schedule of the Social Security (Benefits) (Age Pensions and Grants) (Amendment) Regulations, 2016.

For the purpose of achieving the stated objective, Clause 3 of the Bill amended section 5 of the principal Act by repealing the existing provisions regarding the retirement age and substituting new provisions which clearly state that in order to receive a pension or gratuity, a non-established employee must retire from the Government service under several conditions, chief among them being that the employee must have attained the age of sixty-five (65) years. The amendment also clearly stipulates that a pension or gratuity shall be granted to an employee whose retirement age corresponds with the Schedule of the Social Security (Benefits) (Age Pensions and Grants) (Amendment) Regulations, 2016. In that Schedule, the retirement year and the corresponding pensionable age is clearly outlined so as to provide guidance relating to retirement for Government employees.

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**Honourable Samantha Marshall**  
*Minister responsible for the Public  
Service.*