

ANTIGUA AND BARBUDA



PENSIONS (AMENDMENT) BILL, 2019

NO. OF 2019

ANTIGUA AND BARBUDA

PENSIONS (AMENDMENT) BILL 2019

NO. OF 2019

ARRANGEMENT OF CLAUSES

CLAUSE

1. Short title
2. Interpretation
3. Amendment of section 6
4. Repeal of section 8
5. Commencement

ANTIGUA AND BARBUDA
PENSIONS (AMENDMENT) BILL, 2019
NO. OF 2019

An Act to amend the Pensions (Amendment) Act, Cap. 311 to increase the pensionable age of civil servants 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 Pensions (Amendment) Act, 2019.

2. Interpretation

In this Act—

“**principal Act**” means the Pensions Act, Cap. 311;

3. Amendment of section 6

The principal Act is amended by repealing section 6 and replacing it with the following new section 6—

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

No pension, gratuity or other allowance shall be granted under this Act to an officer unless that officer retires from the public service 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;
- (b) on the abolition of the office in which the officer serves;
- (c) on compulsory retirement for the purpose of facilitating improvement in the organization of the department to which he belongs, by which greater efficiency or economy may be effected;

- (d) on furnishing medical evidence to the satisfaction of the Cabinet that the employee is incapable, by reason of infirmity of mind or body, of continuing in such employment;
- (e) in the case of termination of the officer’s service in the public interest as provided in this Act; or
- (f) where the retirement age of the employee is in accordance with the corresponding pensionable age and pensionable year as set out in the Schedule to the Social Security (Benefits) (Age Pension and Grants) (Amendment) Regulations, 2016.”

4. Repeal of section 8

The principal Act is amended by repealing section 8 in its entirety.

5. Commencement

This Act shall take effect from the 31st day of October 2019.

Passed the House of Representatives
this the day of 2019.

Passed the Senate
this day of
2019

.....
Speaker

.....
President

.....
Clerk to the House of Representatives

.....
Clerk to the Senate

EXPLANATORY MEMORANDUM

This primary objective of this Bill is to increase the retirement age for civil servants. Just like the Pensions (Non-Established Government Employees) Act, It has also become necessary to amend the Pensions Act so as to increase the retirement age in order to allow civil servants 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.

Under clause 3, the main amendment of the principal Act is to section 6. Under that section, the existing provisions which stipulate whether a person is eligible to be paid a pension, gratuity or other allowance, have been repealed and replaced with new provisions. Under these new provisions, the age of retirement has been increased thus enabling civil servants to retire with their full benefits as outlined in the Schedule of the Social Security (Benefits) (Age Pensions and Grants) (Amendment) Regulations, 2016.

.....

Hon. Samantha Marshall

Minister responsible for the Public Service.