ANGUILLA

PENSIONS (AMENDMENT) ACT, 2024

Published by Authority

PENSIONS (AMENDMENT) ACT, 2024

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I Assent

Perin A. Bradley
Governor (Acting)

27. June 2024
Date

ANGUILLA

NO. 16/2024

PENSIONS (AMENDMENT) ACT, 2024

[Gazette Date: 28th June, 2024] [Commencement: Assent under section 57 of the Constitution]

An Act to provide for miscellaneous amendments to the Pensions Act to improve on the administration of the pensions system.

ENACTED by the Legislature of Anguilla

Interpretation

1. In this Act, "principal Act" means the Pensions Act, R.S.A. c. P20.

Amendment of section 1(1)

2. The principal Act is amended in section 1(1) in the definition of "normal retirement"—

(a) by deleting subparagraphs (a)(i) and (ii); and

(b) at the end of paragraph (a) adding the following phrase "60 years; and".

Amendment of section 7

3. Section 7 is amended—

(a) by adding the subsection number "(1)" at the beginning of the section;

(b) in paragraph (a) by deleting the following phrase—

"or, in special cases with the approval of the Secretary of State, 5 years before the normal retirement age;";

(c) by adding the following paragraph—

"(ab) at any time within 5 years of the normal retirement age the contributor has been granted early retirement by the Governor;"; and

(d) by inserting the following subsections—

"(2) Where the contributor has made an application for early retirement, the Governor shall consult with and consider the views of the Minister of Finance before deciding whether to grant or refuse the application.

(3) Where an officer has been granted early retirement in accordance with subsection (1)(ab) the pension and gratuity amounts calculated as for normal retirement shall be reduced by 5% for each year (prorated for periods less than a year), that the age at his early retirement date precedes his normal retirement age.".

Amendment of section 62

4. Section 62 of the principal Act is amended by inserting the following subsection—

"(2a) For the purposes of this section, "pensionable officer" means an officer appointed to the public service on or before 1 January 2004.".

Repeal of sections

5. The principal Act is amended by repealing the sections as follows—

Section Number Repealed	**Corresponding Marginal Note of Repealed Section**
4.	Pensions, etc., to be charged and apportioned to Consolidated Fund
6.	Pensions, etc., not of right
8.	Permission to continue service after 55 years
9.	Pensions of certain persons in pensionable offices who resign within 12 months after 1 January 2004
11.	Termination of service
12.	Compulsory retirement
13.	Maximum pension
14.	Increase in pension of those retiring for ill health with not more than 10 but less than 20 years' service
16.	Suspension of pension on re-employment
18.	Pensions, etc., to cease on bankruptcy
19.	Pensions, etc., may cease on conviction
20.	Pensions, etc., may cease on accepting certain appointments

21.	Gratuity where officer dies in the service or after retirement
22.	Pensions to dependants when an officer dies in the discharge of his duties

Consequential amendments

6. The principal Act is amended—

(a) in section 1(1) in the definition of "public service" delete the phrase "and of section 12,";

(b) in section 36 by deleting the following phrase, "Notwithstanding the provisions of section 6 of the Act and";

(c) in section 40(1) by deleting the phrase "Subject to section 8,"; and

(d) by deleting section 40(3).

Citation

7. This Act may be cited as the Pensions (Amendment) Act, 2024.

Barbara Webster-Bourne
Speaker

Passed by the House of Assembly this 25th day of June, 2024

Lenox J. Proctor
Clerk of the House of Assembly