

CHAPTER 11

PENSIONS (PRIME MINISTER)

1969-7

This Act came into operation on 27th March, 1969.

Amended by:

1973-15

1979-16

1985-11

1976-24

1984-19

Law Revision Orders

The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:

1985

Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument

CHAPTER 11

PENSIONS (PRIME MINISTER) 1969-7

Arrangement of Sections

1. Short title
2. Interpretation
3. Prime Minister's right to pension
4. Prime Minister's pension where person entitled is a legislator
5. Rate of Prime Minister's pension
6. Gratuity and reduced pension
7. Death of Prime Minister in office
8. Widow's pension
9. Children's pension
10. Source and method of payment of pensions
11. Protection of pensions

**BARBADOS****PENSIONS (PRIME MINISTER)**

1969-7

An Act to provide pensions for persons who have served as Prime Ministers and the widows and children of such persons and to provide for related matters.

[Commencement: 27th March, 1969]

Short title

1. This Act may be cited at the *Pensions (Prime Minister) Act*.

Interpretation

2. For the purposes of this Act

“entitled child” means a person who, being a male, has not attained the age of eighteen years or being a female, has neither married nor attained the age of eighteen years;

“legislator” has the meaning assigned to it by section 2 of the *Retiring Allowances (Legislative Service) Act*, Cap. 12A;

[1976-24]

“Minister” means the Minister responsible for Finance;

“Prime Minister’s pension” means the pension payable under this Act to a person who has ceased to be a Prime Minister;

“salary” means the salary paid as provided by the *Ministers and Parliamentary Secretaries (Remuneration and Allowances) Act*, Cap. 8, exclusive of any allowances or other emoluments or any amount provided as a contribution to office or any other expenses.

[1973-15; 1984-19]

Prime Minister’s right to pension

3.(1) Every person who having been appointed Prime Minister on or after the 30th November, 1966, ceases at any time after such appointment to be Prime Minister shall be paid a pension under this Act with effect from the date on which he ceases to be Prime Minister and, subject to subsection (2), such pension shall continue to be paid during the lifetime of that person.

(2) Prime Minister’s pension shall, if the person to whom it is payable is appointed Governor-General or is again appointed Prime Minister, cease to be payable during the period in respect of which that person holds the office of Governor-General or again holds the office of Prime Minister.

Prime Minister’s pension where person entitled is a legislator

4.(1) Subject to subsection (2), Prime Minister’s pension shall, if the person to whom it is payable continues to be or again becomes a legislator, cease to be payable during the period in respect of which that person is in receipt of a salary as such a legislator.

(2) Where the quantum of Prime Minister’s pension exceeds the quantum of the salary referred to in subsection (1), the pension is payable only to the extent of such excess.

[1976-24]

(3) Notwithstanding subsections (1) and (2), where the salary payable to a person to whom subsection (1) refers exceeds Prime Minister’s pension, he may, within thirty days after he continues to be or again becomes a legislator or such

longer period as the Minister allows, elect by notice in writing addressed to the Minister to be paid such salary.

Rate of Prime Minister's pension

5.(1) Subject to subsections (2) and (3), the rate of Prime Minister's pension payable under this Act to any person shall be two-thirds of the highest annual rate of salary of such person at any time as Prime Minister.

(2) Where the person to whom Prime Minister's pension is payable is appointed Governor-General, the pension payable to him when he ceases to be Governor-General shall be the pension specified in subsection (1) or, if any pension payable to him as Governor-General is higher, that pension shall be payable and he shall be entitled to no other pension in respect of service in the two offices.

(3) Where a person to whom Prime Minister's pension is payable is in receipt of a retiring allowance payable to him under the *Retiring Allowances (Legislative Service) Act*, Cap. 12A, only so much of the Prime Minister's pension shall be paid to him as will, when added to his retiring allowance amount to two-thirds of the highest annual rate of salary of such person at any time as Prime Minister.

[1973-15]

Gratuity and reduced pension

6.(1) A person who is entitled to a Prime Minister's pension may, at his option exercisable in accordance with subsection (2), be paid instead of pension at the rate provided for in section 5, a pension at the rate of three-fourths of such pension together with a gratuity equal to twelve and one-half times the amount of the reduction so made in the pension.

(2) The option referred to in subsection (1) is exercisable by notice in writing addressed to the Minister within thirty days of the date on which the person

concerned ceases to be Prime Minister or within such further period as the Minister may allow.

(3) Notwithstanding subsection (1), the Minister may, where a person referred to in that subsection fails to exercise his option in accordance with subsection (2), grant a gratuity and a reduced pension as provided in subsection (1) as if the person had exercised his option.

[1973-15; 1979-16; 1985-11]

Death of Prime Minister in office

7. Where a person dies while he is Prime Minister and would, but for his death, have been eligible for a gratuity and reduced pension under section 6, there shall be paid to his legal personal representative an amount equal to the Prime Minister's annual salary or the gratuity referred to in that section whichever is the greater.

[1985-11]

Widow's pension

8.(1) Where a person dies while he is Prime Minister or while he is entitled to receive Prime Minister's pension

- (a) if he leaves
 - (i) a widow but no entitled child; or
 - (ii) a widow and entitled children by such widow only, the widow shall, subject to subsections (2) and (3), be paid a pension at an annual rate of two-thirds of the highest rate of pension payable to such person under section 5;
- (b) if he leaves a widow and any entitled child by a previous marriage only the widow shall, subject to subsections (2) and (3), be paid a pension at one-half the annual rate specified in paragraph (a) until there is no such entitled child and thereafter a pension at the full rate so specified.

(2) A widow mentioned in subsection (1) shall not be entitled to receive and shall not be paid pension under this section

- (a) in respect of any period after her re-marriage; or
- (b) in respect of any period after she becomes Governor-General or Prime Minister.

(3) Where the Minister is satisfied that the widow of a former Prime Minister has, while receiving a pension under this section, deserted or abandoned, or failed to maintain or assist in maintaining so far as her means allow, an entitled child

- (a) of her marriage with that former Prime Minister; and
- (b) whom she is bound by law to maintain,

the Minister may cause to be paid to such child, until he dies or ceases to be an entitled child, such portion of the pension payable to the widow under this section as he may think fit, and the widow shall have no further claim in respect of the portion of pension so paid.

Children's pension

9. Where a person dies while he is Prime Minister or while he is entitled to receive Prime Minister's pension, leaving entitled children, each of such children (except those referred to in sub-paragraph (ii) of paragraph (a) of subsection (1) of section 8, if a pension is being paid under that section to their mother) shall be paid, until he dies or ceases to be an entitled child, such pension at such rate as the Minister shall determine; so, however, that the aggregate rate of pension payable to such children shall not exceed

- (a) subject to paragraph (b), the annual rate specified in paragraph (a) of subsection (1) of section 8 in respect of a widow;
- (b) if, and so long as, the Prime Minister's widow is entitled to a pension under that section, one-half of the rate so specified.

Source and method of payment of pensions

- 10.** Any pension payable under this Act
- (a) shall be charged on and paid out of the Consolidated Fund;
 - (b) shall be paid monthly in arrears in equal instalments.

Protection of pensions

- 11.** Any pension payable under this Act shall not
- (a) be assignable or transferable except for the purpose of satisfying a debt due to the Crown or an order of any court for the payment of periodical sums of money towards the maintenance of the wife, former wife or child being a minor of the person to whom the pension is payable; or
 - (b) be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt to the Crown or any sum recoverable pursuant to such order of any court as is mentioned in paragraph (a).