

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTERS P25-P33

PENSIONS (INCREASE) ACTS, 1975-91

Showing the Law as at 15 December 2000

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PENSIONS (INCREASE) ACT, 1975

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SCHEDULE: Pensions Acts

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PENSIONS (INCREASE) ACT, 1975

Interpretation

1. In this Act—

"adjusted rate", in relation to any pension, means the aggregate annual rate of that pension after any increase thereof by virtue of any of the following Laws, that is to say, the Pensions (Increase) Act, 1957 and the Pensions (Increase) Act, 1964;

"pension" means a pension or annual allowance payable under any of the Acts specified in the Schedule to this Act but does not include any gratuity or any sum payable other than by way of periodical payments, and, accordingly the provisions of this Act shall not apply to any pension which has been commuted, and where a part of a pension has been commuted these provisions shall not apply to that part;

"Scheduled Government" shall have the meaning assigned to that expression in Part 3 of the Pensions Regulations under the Pensions Act.

Pension increase when retirement was before 1 April, 1960

2. Subject to the provisions of this Act, where a person has retired from the public service of Anguilla before the 1st day of April, 1960, his pension may, in respect of any period beginning on or after the 1st day of January, 1974, be increased by 70% of the adjusted rate of that pension, but, if the pension so increased amounts to less than $720 per annum, the amount payable shall be at the annual rate of $720.

Pension increase when retirement was after 31 March, 1960 and before 1 January, 1965

3. Subject to the provisions of this Act, where a person has retired from the public service of Anguilla after the 31st day of March, 1960 and before the 1st day of January, 1965, his pension may, in respect of any period beginning on or after the 1st day of January, 1974, be increased by 59% of the adjusted rate of that pension, but, if the pension so increased amounts to less than $720 per annum, the amount payable shall be at the annual rate of $720.

Pension increase when retirement was after 31 December, 1964 and before 1 January, 1970

4. Subject to the provisions of this Act, where a person has retired from the public service of Anguilla after the 31st day of December, 1964 and before the 1st day of January, 1970, his pension may, in respect of any period beginning on or after the 1st day of January, 1974, be increased by 47% of the adjusted rate of that pension, but, if the pension so increased amounts to less than $720 per annum, the amount payable shall be at the annual rate of $720.

Pension increase when retirement was after 31 December, 1969 and before 1 May, 1972

5. Subject to the provisions of this Act, where a person has retired from the public service of Anguilla after the 31st day of December, 1969 and before the 1st day of May, 1972, his pension may, in respect of any period beginning on or after the 1st day of January, 1974, be increased by 24% of the adjusted rate of that pension, but, if the pension so increased amounts to less than $720 per annum, the amount payable shall be at the annual rate of $720.

Pension increase when retirement was after 30 April, 1972 and before 1 May, 1975

6. Subject to the provisions of this Act, where a person has retired from the public service of Anguilla after the 30th day of April, 1972 and before the 1st day of May, 1975, his pension may, in respect of any period beginning on or after the 1st day of January, 1974, be increased by 17% of the adjusted rate of that pension, but, if the pension so increased amounts to less than $720 per annum, the amount payable shall be the annual rate of $720.

Additional pension increase for those over 70

7. (1) In addition to the increases provided for in sections 2 to 6, a person who has reached the age of 70 years may have his pension increased by the additional amount of 25% of the adjusted rate of that pension in respect of the period beginning on his seventieth birthday.

(2) For the purpose of computing the date of commencement of any increase under this section, the person's date of birth is deemed to be the 1st day of the month if his birthday is on a day between the 1st and the 15th day of the month inclusively and is deemed to be the 1st day of the following month if his birthday is on a day after the 15th of the month.

Retirement on or after 1 May, 1975

8. No increase of pension under this Act shall be paid to any person who has retired from the public service of Anguilla on or after the 1st day of May, 1975.

Increase of pension where service was not wholly in Anguilla

9. Where a person, in addition to a pension to which this Act applies, is in receipt of a pension from one or more Scheduled Governments, other than the Government of the United Kingdom or the Overseas Audit Department (Home Establishment) or the Crown Agents for Overseas Governments and Administrations, then for the purpose of computing an increase under section 7 all those pensions

shall be aggregated and the amount which would have been the authorised increase under section 7 of a single pension equal to that aggregate shall be apportioned between all the pensions in the proportions which they bear to one another, and the amount so apportioned to any pension to which this Act applies shall be the authorised increase of that pension under section 7.

Retirement from service under a Scheduled Government

10. Where a person has retired from service under a Scheduled Government, his pension may be increased to the same extent as if he had retired from service in the public service of Anguilla on the day immediately following the effective date of the latest general revision of salaries authorised by the Scheduled Government from whose service he retired which was taken into account in determining the amount of his pension.

Persons eligible for increase

11. No increase shall be payable under this Act unless the pensioner—

(a) has attained the age of 55 years;

(b) has retired on account of physical or mental infirmity;

(c) is to the satisfaction of the Governor in Council permanently incapacitated from engaging in full-time employment; or

(d) is a woman whose pension is payable in respect of her deceased husband and has attained the age of 40 years.

Ascertainment of retirement date

12. For the purposes of this Act, a person shall be deemed to have retired from the public service on the day hereinafter specified, whether or not his pension accrues from that day, that is to say—

(a) where the amount of pension is computed by reference to emoluments received during any period of service under a Scheduled Government, or would be so computed apart from any provision specifying a fixed sum as the maximum rate of pension, from service under that Government on the last day of that service; and

(b) in any other case, on the last day of service in respect of which the pension is payable.

Increase not to be taken into account where pension is limited by certain laws

13. The amount of any increase awarded in accordance with this Act shall not be taken into account for the purpose of any provision contained in any Act specified in the Schedule which limits the amount of pension which may be drawn by an officer.

Citation

14. This Act may be cited as the Pensions (Increase) Act, 1975, Revised Statutes of Anguilla, Chapter P25.

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SCHEDULE

(Section 1)

PENSIONS ACTS

Cap. 194	1.	A pension payable under the Overseas Nurses Pensions Act, 1927, and any amendments thereto.
Cap. 130 of the 1928 Edition of the Laws of the Leeward Islands	2.	A pension payable under the Pensions Act, 1914, and any amendments thereto.
Leeward Islands Act No. 1 of 1929	3.	A pension payable under the Police Pensions Act, 1929.
Cap. 195	4.	A pension payable under the Pensions Act, 1947 and any amendments thereto.
Cap. 200	5.	A pension payable under the Police Pensions (Preservation of Rights) Act, 1951.
Leeward Islands Act No. 12 of 1951	6.	A pension payable under the Police Act, 1951, and any amendments thereto.
Cap. 181	7.	A pension payable under the Police Ordinance, 1959, and any amendments thereto.
Anguilla Ordinance No 3 of 1972	8.	A pension payable under the Anguilla Police Ordinance, 1972.

PENSIONS (INCREASE) ACT, 1978

Act to be read with 1975 Act

1. This Act shall be read as one with the Pensions (Increase) Act, 1975.

Pension increase

2. The pensions of all persons who have retired from the public service of Anguilla before the 1st day of June, 1978 shall in every case be increased by $25 per month with effect from that date.

Citation

3. This Act may be cited as the Pensions (Increase) Act, 1978, Revised Statutes of Anguilla, Chapters P26.

PENSIONS (INCREASE) ACT, 1980

Act to be read with 1975 and 1978 Acts

1. This Act shall be read as one with the Pensions (Increase) Act, 1975 and the Pensions (Increase) Act, 1978.

Pension increase

2. The pensions of all persons who have retired from the public service of Anguilla before the 1st day of January, 1980 shall in every case be increased by 25% or $900 per annum, whichever is the greater, with effect from that date.

Citation

3. This Act may be cited as the Pensions (Increase) Act, 1980, Revised Statutes of Anguilla, Chapter P27.

PENSIONS (INCREASE) ACT, 1982

Act to be read with 1975-80 Acts

1. This Act shall be read as one with the Pensions (Increase) Act, 1975, the Pensions (Increase) Act, 1978 and the Pensions (Increase) Act, 1980.

Pension increase

2. The pensions of all persons who have retired from the public service of Anguilla before the 1st day of January, 1982, shall in every case be increased by $600 per annum with effect from 1st January, 1982.

Citation

3. This Act may be cited as the Pensions (Increase) Act, 1982, Revised Statutes of Anguilla, Chapter P28.

PENSIONS (INCREASE) ACT, 1985

Act to be read with 1975–82 Acts

1. This Act shall be read as one with the Pensions (Increase) Act, 1975, the Pensions (Increase) Act, 1978, the Pensions (Increase) Act ,1980 and the Pensions (Increase) Act, 1982.

Pension increase

2. The pensions of all persons who have retired from the public service of Anguilla before the 1st day of July, 1984 shall in every case be increased by 10% per annum with effect from that date.

Citation

3. This Act may be cited as the Pensions (Increase) Act, 1985, Revised Statutes of Anguilla, Chapter P29.

PENSIONS (INCREASE) ACT, 1986

Act to be read with 1975–1985 Acts

1. This Act shall be read as one with the Pensions (Increase) Act, 1975, the Pensions (Increase) Act, 1978, the Pensions (Increase) Act, 1980, the Pensions (Increase) Act, 1982 and the Pensions (Increase) Act, 1985.

Pension increase

2. The pensions of all persons who have retired from the public service of Anguilla before the 1st day of January, 1986 shall in every case be increased by 10% per annum with effect from that date.

Citation

3. This Act may be cited as the Pensions (Increase) Act, 1986, Revised Statutes of Anguilla, Chapter P30.

PENSIONS (INCREASE) ACT, 1988

Act to be read with 1975–86 Acts

1. This Act shall be read as one with the Pensions (Increase) Act, 1975, the Pensions (Increase) Act, 1978, the Pensions (Increase) Act, 1980, the Pensions (Increase) Act, 1982, the Pensions (Increase) Act, 1985, and the Pensions (Increase) Act, 1986.

Pension increase

2. The pensions of all persons who have retired from the public service of Anguilla before the 1st day of January, 1987 shall in every case be increased by 10% per annum with effect from that date.

Citation

3. This Act may be cited as the Pensions (Increase) Act, 1988, Revised Statutes of Anguilla, Chapter P31.

PENSIONS (INCREASE) ACT, 1989

Act to be read with 1975–88 Acts

1. This Act shall be read as one with the Pensions (Increase) Act, 1978, the Pensions (Increase) Act, 1980, the Pensions (Increase) Act, 1982, the Pensions (Increase) Act, 1985, the Pensions (Increase) Act, 1986 and the Pensions (Increase) Act, 1988.

Pension increase

2. The pensions of all persons who have retired from the public service of Anguilla before the 1st day of January, 1989 shall in every case be increased by 10% per annum with effect from that date.

Citation

3. This Act may be cited as the Pensions (Increase) Act, 1989, Revised Statutes of Anguilla, Chapter P32.

PENSIONS (INCREASE) ACT, 1991

Act to be read with 1975–89 Acts

1. This Act shall be read as one with the Pensions (Increase) Act, 1975, the Pensions (Increase) Act, 1978, the Pensions (Increase) Act, 1980, the Pensions (Increase) Act, 1982, the Pensions (Increase) Act, 1985, the Pensions (Increase) Act, 1986, the Pensions (Increase) Act, 1988 and the Pensions (Increase) Act, 1989.

Pension increase

2. The pensions of all persons who have retired from the public service of Anguilla before the 1st day of June, 1990 shall in every case be increased by 10% per annum with effect from that date.

Citation

3. This Act may be cited as the Pensions (Increase) Act, 1991, Revised Statutes of Anguilla, Chapter P33.

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