ANGUILLA

REVISED REGULATIONS OF ANGUILLA

under

POLICE PENSIONS ACT
R.S.A. c. P52

Showing the Law as at 15 December 2008

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

Regulation	Citation	Page
POLICE PENSIONS REGULATIONS *Revises R.A. 11/2008, in force 20 June 2008*	R.R.A. P52-1 *(15/12/2008)*	3

Published by Authority

Printed in
The Attorney General's Chambers
ANGUILLA

ANGUILLA

REVISED REGULATIONS OF ANGUILLA

under

POLICE PENSIONS ACT
R.S.A. c. P52

Showing the Law as at 15 December 2008

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

Regulation	Citation	Page
POLICE PENSIONS REGULATIONS *Revises R.A. 11/2008, in force 20 June 2008*	R.R.A. P52-1 *(15/12/2008)*	3

Published by Authority

Printed in
The Attorney General's Chambers
ANGUILLA

© Government of Anguilla

All rights reserved. No part of this publication may be reproduced in any form or by any means (including photocopying) without the written permission of the Government of Anguilla except as permitted by the Copyright Act or under the terms of a licence from the Government of Anguilla.

Revised Regulations of Anguilla: P52-1

POLICE PENSIONS ACT (R.S.A. c. P52)

POLICE PENSIONS REGULATIONS

Note: These Regulations are enabled under section 66 of the Police Pensions Act.

TABLE OF CONTENTS

SECTION

1. Interpretation
2. Rate of contribution
3. Interest on unpaid contributions
4. Interest on refunded contributions
5. Interest on amounts repaid into Pension Fund
6. Rate of contribution to reinstate pension
7. Interest on payments under an agreement
8. Notice of permission to rejoin service when disability ceased
9. Notice of question of surviving child's incapacity
10. Interest on amount repaid to Pension Fund in consequence of committing an offence
11. Notification of certain particulars to the Pension Board
12. Citation

_____

Interpretation

1. In these Regulations—

"Act" means the Police Pensions Act;

"senior personnel officer" means the police officer or other person who has responsibility for personnel matters within the Force.

Rate of contribution

2. For the purposes of section 8(1) of the Act, the other prescribed percentage of the salary of the contributor that shall be deducted is 4%.

Interest on unpaid contributions

3. For the purposes of section 9(5) of the Act, the interest rate on unpaid contributions is 4% per annum.

Interest on refunded contributions

4. For the purposes of section 24(1) of the Act, the prescribed interest rate on contributions to be refunded to a contributor is 4% per annum.

Interest on amounts repaid into Pension Fund

5. For the purposes of section 26(2)(a) of the Act, the prescribed interest rate on the amount repaid into the Pension Fund by a contributor who elects to reinstate his or her pension on reappointment to the Force is 4% per annum.

Rate of contribution to reinstate pension

6. For the purposes of section 26(2)(b) of the Act, the other prescribed percentage of the salary of the contributor used to calculate the contributions for the intervening period that shall be paid by the contributor who elects to reinstate his or her pension on re-appointment to the Force is 12%.

Interest on payments under an agreement

7. For the purposes of section 26(10) of the Act, the interest rate on the balance outstanding under an agreement made under section 26(8) is 4% per annum.

Notice of permission to rejoin service when disability ceased

8. (1) In addition to the means of giving notice specified in section 48(6) of the Act, a notice may be given to a person under that section—

(a) by registered mail, postage pre-paid and addressed to the address of the pensioner that is last known to the Pension Board; or

(b) if the notice cannot be given in accordance with section 48(6) of the Act or paragraph (a), by any means permitted for service of a document other than a claim form under the Eastern Caribbean Supreme Court Civil Procedure Rules.

(2) A notice given by registered mail is deemed to be delivered—

(a) in the case of an address within Anguilla, 10 days after the notice is posted; or

(b) in the case of an address outside Anguilla, 30 days after the notice is posted.

Notice of question of surviving child's incapacity

9. (1) In addition to the means of giving notice specified in section 54(9) of the Act, a notice may be given to a person under that section—

(a) by registered mail, postage pre-paid and addressed to the address of the person that is last known to the Pension Board; or

(b) if the notice cannot be given in accordance with section 54(9) of the Act or paragraph (a), by any means permitted for service of a document other than a claim form under the Eastern Caribbean Supreme Court Civil Procedure Rules.

(2) A notice given by registered mail is deemed to be delivered—

(a) in the case of an address within Anguilla, 10 days after the notice is posted; or

(b) in the case of an address outside Anguilla, 30 days after the notice is posted.

Interest on amount repaid to Pension Fund in consequence of committing an offence

10. For the purposes of section 67(2), the prescribed interest rate on the amount to be repaid into the Pension Fund by a person in consequence of committing an offence under section 67(1) of the Act is 4% per annum.

Notification of certain particulars to the Pension Board

11. (1) Upon the appointment of a police officer, the senior personnel officer shall immediately notify the Pension Board in writing of—

(a) the particulars of the appointment;

(b) the date of the police officer's birth;

(c) if the police officer is married, the date of marriage and name of his or her spouse; and

(d) the names and dates of birth of the police officer's children who have not attained the age of 19 years and are unmarried.

(2) Every contributor or pensioner shall notify the Pension Board in writing, within 3 months after the occurrence of each or any of the following—

(a) his or her marriage, with the name of his or her spouse and the date of marriage;

(b) the birth of any child of the contributor or pensioner, with the child's name and date of birth;

(c) the adoption of any minor child by the contributor or pensioner or his or her spouse, with the child's name, date of birth and date of adoption;

(d) the marriage of any child of the contributor or pensioner who has not attained the age of 19 years, with the date of marriage;

(e) the death of any child of the contributor or pensioner who has not attained the age of 19 years and is unmarried, with the date of death;

(f) the dissolution or annulment of his or her marriage, with the date of dissolution or annulment;

(g) the death of his or her spouse, with the date of death;

(h) his or her being adjudicated bankrupt, with the effective date of bankruptcy and the court making the order of bankruptcy;

(i) his or her discharge from bankruptcy, with the date that he or she is discharged and the court making the order discharging the bankruptcy.

(3) A surviving spouse shall notify the Pension Board in writing, within 3 months after the occurrence of each or any of the following—

(a) the death of the contributor or pensioner;

(b) the birth of any posthumous child of the deceased, with the child's name and date of birth;

(c) the marriage of any child of the deceased, who has not attained the age of 19 years and was previously unmarried, with the child's name and date of marriage;

(d) the death of any child of the deceased, who has not attained the age of 19 years and is unmarried, with the child's name and date of death;

(e) his or her remarriage and the particulars thereof.

(4) When a surviving child is incapacitated at the time of the deceased's death, the surviving spouse shall without delay notify the Pension Board in writing of that fact and of the nature of the incapacity.

(5) When a surviving child becomes incapacitated after the death of the deceased, a surviving spouse shall, without delay after the incapacity is discovered, notify the Pension Board in writing of that fact and the nature of the incapacity.

(6) In the absence of, or instead of, the surviving spouse, a guardian or person having care and custody of a surviving child of the deceased may notify the Pension Board in writing of any of the matters referred to in subsections (3), (4) and (5).

(7) A surviving child of the deceased who has attained the age of 19 years and is registered in a full time program of instruction at a university, college, school or other educational institution shall notify the Pension Board—

(a) not later than 14 days prior to the date or within the period thereafter that the Pension Board allows, that he or she is registered or has taken all reasonable steps to register or reregister in a full time program of instruction at a university, college, school or other educational institution together with particulars of the university, college, school or other educational institution and the particulars of the program;

(b) within 1 month after he or she changes his or her program of instruction, together with the particulars of the new university, college, school or other educational institution and the particulars of the program; and

(c) without delay, and in no event more than 7 days, after the surviving child—

(i) completes the program,

(ii) withdraws from the program, or

(iii) ceases to attend the program.

(8) The Pension Board may require proof of any of the information referred to in subsections (1) to (7) by the production of a certificate of birth, death, marriage or decree absolute of divorce or annulment of marriage, as the case may be, or by affidavit, letter of confirmation or other form of proof satisfactory to the Pension Board.

(9) The Pension Board may refuse to certify a pension or gratuity or continue payment of a pension when the proof of the information or, where appropriate, periodic proof of information that in the Pension Board's opinion is relevant to certifying the pension or gratuity or continuing payment of a pension is not produced.

Citation

12. These Regulations may be cited as the Police Pensions Regulations, Revised Regulations of Anguilla P52-1.