

CHAPTER 313

THE PENSIONS (INCREASE) (1947) ACT

Arrangement of Sections
Section

1. Short title.
2. Interpretation.
3. Increase of certain pensions payable in respect of public service.
4. Power to make Regulations.
5. Penalty for false statements, etc.
6. Non-application of Act.
7. Cessation of payment of bonus.

FIRST SCHEDULE.

SECOND SCHEDULE.

PENSIONS (INCREASE) (1947)

(1st January, 1948.)

10/1947.
811955.
S.R.O. (L.I.)
2311956.
811957.

1. This Act may be cited as the Pensions (Increase) (1947) Act. Short title.

2. In this Act— Interpretation.

“pension” means any pension payable under the provisions of any law mentioned in the First Schedule.

3. (1) Subject to the provisions of this section, a pension specified in the First Schedule may, in respect of any period after the 31st day of December 1947, be increased by the Governor-General by an amount calculated in accordance with the provisions of the Second Schedule. Increase of certain pensions payable in respect of public service.

(2) A pension shall not be increased under the provisions of this section unless—

(a) the pensioner has attained the age of fifty-five years; or

(b) the pensioner has retired on account of physical or mental infirmity from the office or employment in respect of which, or on retirement from which, the pension is payable; or

(c) the Governor-General is satisfied that the pensioner is disabled by physical or mental infirmity; or

(d) the pensioner is a woman who has at least one dependant.

(3) For the purposes of this section, a pensioner shall be deemed to be disabled by physical or mental infirmity if he is permanently incapacitated by such infirmity from engaging in any regular full-time employment.

Power to make Regulations.

4. The Governor-General may by Regulations—

(a) prescribe the manner in which claims for an increase of a pension under the provisions of section 3 are to be made, and the procedure to be followed in considering and determining any such claim; and

(b) prescribe the evidence required for the purpose of determining whether a pension may be increased in accordance with the provisions of the said section.

Penalty for false statements, etc.

5. Any person who, for the purpose of obtaining, either for himself or any other person, any sum payable by virtue of this Act, knowingly makes any false statement or false representation, shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding three thousand dollars.

on-application of Act.

6. Except as provided in section 7, this Act shall not apply to any pensioner whose pension has been calculated on pensionable emoluments received by him after the 31st day of December, 1944.

7. Any temporary bonus payable to pensioners under any scheme in operation in Antigua and Barbuda shall cease to be payable on the coming into operation of this Act. Cessation of payment of bonus.

FIRST SCHEDULE

PENSIONS WHICH MAY BE INCREASED UNDER THIS ACT

- | | |
|---|--|
| <p>1. A pension payable under the Pensions Act, and any amendments thereto.</p> | <p>Cap. 130*</p> |
| <p>2. A pension payable under the Police Pensions Act, 1929, and any amendments thereto.</p> | <p>111929.</p> |
| <p>3. A pension payable under the Denominational School Teachers Pension Act, 1931, as amended.</p> | <p>711931.
411934.
1771947.
1111949.
311954.</p> |

*See Federal Acts of the Leeward Islands Revised Edition 1927.

SECOND SCHEDULE

AUTHORIZED INCREASE OF PENSIONS

1. In this Schedule the expression "authorized increase" means an increase of a pension authorized by the provisions of section 3.
2. Subject to the provisions of this Schedule—
 - (a) if the pension does not exceed \$480 a year, the authorized increase shall be 40% of the amount of the pension;
 - (b) if the pension exceeds \$480 a year but does not exceed \$640 a year the authorized increase shall be the amount of \$192 a year;
 - (c) if the pension exceeds \$640 a year but does not exceed \$960 a year, the authorized increase shall be 30% of the amount of the pension;
 - (d) if the pension exceeds \$960 a year, the authorized increase shall be the amount of \$288 a year.

3. Where a person in receipt of a pension specified in the First Schedule is also in receipt of another pension so specified, both of those pensions shall be aggregated and the amount which would have been the authorized increase of a single pension equal to that aggregate if that single pension had been a pension specified in the said First Schedule shall be apportioned between the pensions in the proportions which they bear to one another, and the amount so apportioned to any pension specified in the said First Schedule shall be the authorized increase of that pension.
