

ANTIGUA AND BARBUDA



**THE REPRESENTATION OF THE PEOPLE
(SCRUTINEER'S PENSION) ACT, 2022**

No. 28 of 2022

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[L.S.]



I Assent,

Clare Roberts,
Governor-General's Deputy.

29th December, 2022.

ANTIGUA AND BARBUDA
THE REPRESENTATION OF THE PEOPLE
(SCRUTINEER'S PENSION) ACT, 2022

No. 28 of 2022

AN ACT to provide for the payment of pensions and gratuities in respect of the service of Scrutineers and for other matters related thereto.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title and commencement

(1) This Act may be cited as the Representation of the People (Scrutineer's Pension) Act, 2022.

(2) This Act shall come into force on a date appointed by the Minister by Notice published in the *Gazette*.

2. Interpretation

In this Act—

“Scrutineer” means a person appointed as such in accordance with Regulation 9 of the Registration Regulations which is attached as the Second Schedule to the Representation of the People (Amendment) Act 2002;

“retirement age” in relation to a Scrutineer means 65 years old.

3. Pensions to be charged on the Consolidated Fund

There shall be charged on and paid out of the Consolidated Fund all such sums of money as may from time to time be payable by way of pension or gratuity in pursuance of this Act.

4. Circumstances in which pension may be granted

A pension may be granted under this Act to a Scrutineer who has served for at least ten continuous years or for periods amounting in the aggregate to ten or more years and is vacating the position in any of the following cases:

- (a) on reaching the age of retirement; or
- (b) on reaching the age of sixty years and his or her appointment was discontinued by the political party or independent member on whose behalf the Scrutineer was appointed.

5. Pension not as of right

(1) No Scrutineer shall have an absolute right to be compensated for past services or to a pension or gratuity under this Act.

(2) Where a Scrutineer has been found guilty of an election irregularity or misconduct, the pension may be reduced or altogether withheld.

6. Payment of pension

(1) A pension payable under this Act shall be paid from the date of retirement in pensionable circumstances and continue to be paid during the lifetime of the person entitled to the pension.

(2) A Scrutineer whose service was discontinued prior to reaching the age of retirement shall, if he or she had completed ten years as a Scrutineer, notwithstanding that his/her years of service were not continuous, be entitled to receive a reduced pension.

7. Rate of pension

(1) Every Scrutineer who qualifies for a pension under this Act may be paid at the annual rate of one-fiftieth of fifty-two times his weekly wage at the time of his retirement from the position of Scrutineer.

(2) In this section –

- (a) for the purpose of computing the continuous period of ten or more years, “year” means a calendar year;
- (b) for the purpose of computing the periods amounting in the aggregate to ten years or more, “year” means every fifty-two weeks whether continuous or not.

8. Age of retirement

The age of retirement for a Scrutineer shall be sixty-five (65) years.

9. Payment of gratuity to personal representative

The personal representative of a Scrutineer who dies –

- (a) while in the position, and who would have served for a period of no less than seven continuous years, shall be entitled to receive a gratuity payment equivalent to six months' salary calculated on the amount that the Scrutineer was receiving at the time of his/her death;
- (b) prior to retirement age, having served ten or more continuous years or for periods in the aggregate amounting to ten or more years shall be entitled to receive a gratuity equivalent to one year's salary.

10. Application of Non-Established Pension Rules

In computing the amount of pension due to a Scrutineer who qualifies for a pension under this Act, the rules of computation used in calculating pension payable to non-established government employees under the Pensions (Non-Established Government Employees) Act, Cap 310 and any rules made thereon, shall be applied with adjustments as necessary, to payment of pension under this Act.

11. Application of this Act

This Act shall also apply to a person who served as a Scrutineer appointed in accordance with the Representation of the People Act from the year 2002 and who satisfies the requirements to receive a pension under this Act.

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The Representation of the People (Scrutineer's Pension) Act, 2022.

Passed the House of Representatives on
the 1st day of December, 2022.

Passed the Senate on the 12th day of
December, 2022.

Gerald Watt Q.C.,
Speaker.

Alicia Williams-Grant,
President.

Rosemarie Weston,
Acting Clerk to the House of Representatives.

Rosemarie Weston,
Acting Clerk to the Senate.