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**CHAPTER 44****GOVERNOR-GENERAL'S PENSION****ARRANGEMENT OF SECTIONS**

## SECTION

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**CHAPTER 44**
**GOVERNOR-GENERAL'S PENSION**
**An Act to provide for superannuation benefits for the Governor-General and for matters incidental thereto.** *3 of 1988*

*[Assent 23rd March, 1988]  
[Commencement 10th July, 1973]*

**1.** (1) This Act may be cited as the Governor-General's Pension Act, 1988. Short title and commencement.

(2) This Act shall be deemed to have come into operation on 10th July, 1973.

**2.** (1) Every person who, having held the office of Governor-General on or after the coming into operation of this Act, ceases at any time thereafter to be Governor-General shall on his retirement from that office be granted — Gratuity and pension payable to Governor-General.

(a) a gratuity equivalent to the annual basic salary; and

(b) an annual pension equivalent to the annual basic salary then payable to him at the date of his retirement in respect of that office.

(2) For the purposes of this Act, "annual basic salary" means the emoluments provided in the respective Approved Estimates, exclusive of housing allowance, entertainment allowance or any other allowance of whatever kind.

**3.** Where after the coming into operation of this Act a Governor-General dies while holding office, a gratuity calculated in accordance with paragraph (a) of section 2(1) shall be payable to his legal personal representative. Gratuity payable to legal personal representatives.

**4.** (1) There shall be granted to the widow of a Governor-General who dies while holding office a gratuity of an amount equal to the annual basic salary of the deceased Governor-General together with an annual pension equivalent to three-fourths of that salary and which pension shall also be payable to the widow where the Governor-General dies after retirement. Pension payable to surviving widow of a Governor-General.

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(2) Notwithstanding anything to the contrary in subsection (1) the pension payable under that subsection to the widow shall —

- (a) during any period after her remarriage be equivalent to one-half of the annual basic salary which the Governor-General was receiving immediately before his death or his retirement;
- (b) not be payable in respect of any period during which she holds office as Governor-General.

(3) Every reference in this Act to a “widow” includes a “widower” as the case may be and for this purpose all necessary adaptations shall be made.

Children's allowance.

**5.** (1) Where a person dies while he is Governor-General or while he is entitled to receive the Governor-General's pension leaving one or more entitled children a children's allowance shall be payable in respect of such child or children.

(2) Only one children's allowance is payable in respect of the service of a deceased Governor-General but —

- (a) the rate thereof may vary according to the number of children entitled thereto, so however, that the aggregate rate of allowance payable shall not exceed the rate specified in subsection (3)(a) or subsection (4)(a) as the case may be;
- (b) it shall be paid to such person or persons as the Prime Minister may from time to time direct and different parts thereof may be directed to be paid to different persons;
- (c) the person to whom all or any part thereof is paid shall apply the sum paid to him, without distinction, for the benefit of all the children for the time being entitled thereto or for the benefit of such of them as the Prime Minister may from time to time direct.

(3) Where the deceased Governor-General leaves a widow the annual rate of the children's allowance during her lifetime shall be —

- (a) one-third of the rate of the pension, mentioned in section 2(1)(b) where there are two or more children entitled to the children's allowance;

(b) one sixth of the rate of such pension, where there is only one child entitled to the children's allowance.

(4) Where the deceased Governor-General leaves no widow, or where he leaves a widow, then, after her death, or after any pension payable to her ceases to be paid before the death, the annual rate of the children's allowance shall be —

(a) one-half of the rate of the pension, mentioned in subsection (2)(1)(b) where there are two or more children entitled to the children's allowance;

(b) one-quarter of the rate of such pension where there is only one child entitled to the children's allowance.

(5) In this section "entitled children" means persons who have not attained the age of eighteen years and who are unmarried.

6. Any pension or gratuity payable under this Act shall not be assigned or transferable except for the purpose of satisfying —

Awards not assignable.

(a) a debt due to the Government; or

(b) any sum of money ordered by any court to be paid (whether periodically or not) towards the maintenance of the spouse, former spouse or child (being a minor) of the Governor-General in respect of whom the award is payable.

and shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt or sum of money mentioned in paragraph (a) or (b).

7. (1) Every payment of the pensions, gratuities and allowances to be made in pursuance of this Act is hereby charged on the Consolidated Fund and such pensions and allowances shall for any period ensuing after the enactment of this Act be paid monthly in arrears in equal instalments as far as possible.

Payments to be charged on the Consolidated Fund.

(2) Any payments made from the Consolidated Fund in the nature of a gratuity or allowance in respect of the service of a Governor-General who died while holding office prior to the enactment of this Act shall be credited against any like payment arising under this Act.