

# THE PENSIONS (AMENDMENT) BILL

(No. XXVII of 2003)

## Explanatory Memorandum

The object of this Bill is to amend the Pensions Act to give effect to those recommendations in the 2003 Report of the Pay Research Bureau which relate to the retiring benefits of public officers.

18 July 2003

**P. R. BERENGER**  
*Deputy Prime Minister  
and Minister of Finance*

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## ARRANGEMENT OF CLAUSES

### *Clause*

1. Short title
2. Interpretation
3. Section 2 of principal Act amended
4. Section 6 of principal Act amended
5. Section 8 of principal Act amended
6. Section 9 of principal Act amended
7. Commencement

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## **A Bill**

### **To amend the Pensions Act**

ENACTED by the Parliament of Mauritius, as follows -

#### **1. Short title**

This Act may be cited as the Pensions (Amendment) Act 2003.

#### **2. Interpretation**

In this Act -

“principal Act” means the Pensions Act.

### 3. Section 2 of principal Act amended

Section 2 of the principal Act is amended in subsection (1) -

- (a) in the definition of -
  - (i) “car benefit” by adding immediately after the words “chauffeur-driven official car”, the words “or a self-driven government car”;
  - (ii) “pensionable office” by adding immediately after the words “school teacher” the words “or of any person recruited in the public service under a traineeship, studentship or cadetship scheme in the public service”;
- (b) by inserting in their appropriate alphabetical order, the following new definitions -
  - "disciplined force" has the same meaning as in the Constitution;
  - "Rehabilitation Youth Centre" has the same meaning as in the Reform Institutions Act;
  - “responsible officer” has the same meaning as in the Public Service Commission Regulations;
- (c) by deleting the definition of "member of the medical profession".

### 4. Section 6 of principal Act amended

Section 6 of the principal Act is amended in subsection (1) -

- (a) by deleting paragraph (a) and replacing it by the following paragraph -
  - (a) on or after attaining -
    - (i) the age of 55;
    - (ii) the age of 50, in special cases, with approval of the President;
    - (iii) the age of 50, at the request of his responsible officer and with his consent;
- (b) by deleting paragraph (b) and replacing it by the following paragraph -
  - (b) in the case of any member of a disciplined force or any officer of the Rehabilitation Youth Centre, on or after completing, in the aggregate, 25 years of pensionable service in the disciplined force or in the Rehabilitation Youth Centre, as the case may be;

**5. Section 8 of principal Act amended**

Section 8 of the principal Act is amended -

- (a) in subsection (1), by deleting the words "Subject to subsection (2)" and replacing them by the words "Subject to subsections (2) and (3)";
- (b) in subsection (2) by deleting paragraph (d) and replacing it by the following -
  - (d) in the case of a member of a disciplined force or any officer of the Rehabilitation Youth Centre, on or after completing, in the aggregate, 25 years of pensionable service in the disciplined force or in the Rehabilitation Youth Centre, as the case may be.
- (c) by adding the following new subsection -
  - (3) An officer who has attained the age of 60 may, with the approval of the relevant Service Commission, be allowed to remain in service beyond the age of 60, but not beyond the age of 65, where Government considers that the continuation of his services would be in the interest of the public service.

**6. Section 9 of principal Act amended**

Section 9 of the principal Act is amended in subsection (4), by inserting immediately after words "1 July 1993," the words "or the office of Solicitor-General on 1 July 2003."

**7. Commencement**

This Act shall be deemed to have come into operation on 1 July 2003.