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First Session Ninth Parliament Republic of  
Trinidad and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 20 of 2008**

[L.S.]

AN ACT to amend the Pensions Act, Chap. 23:52

*[Assented to 6th November, 2008]*

ENACTED by the Parliament of Trinidad and Tobago as Enactment  
follows:—

1. This Act may be cited as the Pensions Short title  
(Amendment) (No. 2) Act, 2008.

Interpretation  
Chap. 23:52

**2.** In this Act, “the Regulations” means the Pensions Regulations.

Section 16A, 16B  
and 16C inserted

**3.** The Pensions Act is amended by inserting after section 16, the following sections:

Computation  
of pension  
in acting  
capacity,  
prior to  
compulsory  
retirement

16A. (1) Where an officer who immediately prior to—

(a) the date of his compulsory retirement; or

(b) the date on which he proceeds on annual leave prior to the date of compulsory retirement,

has acted in a higher office for a period of three continuous years, that officer shall be eligible to have his pension, gratuity or other allowance calculated as if he were confirmed in that higher office and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom regulation 11(a) of the Regulations applies.

(2) Where an officer who immediately prior to—

(a) the date of his compulsory retirement; or

(b) the date on which he proceeds on annual leave prior to the date of compulsory retirement,

has acted in a higher office for a period of one continuous year but less than three continuous years, that officer shall be eligible to have his pension, gratuity or other allowance calculated as if he were confirmed in that higher office during that

period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom regulation 11(c) of the Regulations applies.

Computation  
of pension  
on promotion  
following  
acting, prior  
to compulsory  
retirement

16B. (1) Where an officer who is promoted to a higher office having acted in that higher office retires compulsorily, and the period of acting together with his service in the office to which he has been promoted amounts to a period of not less than—

- (a) three continuous years, he shall be eligible to have his pension, gratuity or other allowance calculated as if he had held that higher office during the entire period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom regulation 11(a) of the Regulations applies; or
- (b) one continuous year but less than three continuous years, he shall be eligible to have his pension, gratuity or other allowance calculated as if he had held that higher office during that period and for the purpose of computing such pension, gratuity or other allowance, he shall be deemed to be an officer to whom regulation 11(c) of the Regulations applies.

Commence-  
ment

16C. The provisions of sections 16A and 16B are deemed to have come into effect on January 1, 2004.”.

Passed in the House of Representatives this 23rd day of July, 2008.

*Clerk of the House*

Passed in the Senate this 21st day of October, 2008.

*Clerk of the Senate*