

Bill No. 22 of 1968

PUBLISHED 26TH OCTOBER, 1968

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PENSIONS (CONSOLIDATION) (AMENDMENT) BILL, 1968.

Arrangement of Sections

Section

1. Short title and commencement.
2. Insertion of section 6A in the Principal Ordinance.

A BILL

Intituled

AN ACT to amend the Pensions (Consolidation) Ordinance, 1957.

Enacted by the Parliament of Guyana:—

A.D. 1968

1. (1) This Act may be cited as the Pensions (Consolidation) (Amendment) Act, 1968, and shall be construed and read as one with the Pensions (Consolidation) Ordinance, hereinafter referred to as the Principal Ordinance, and all amendments thereto.

Short title and commencement.
No. 38 of 1957.

(2) This Act shall be deemed to have come into operation on 26th May, 1966.

2. The following section is hereby inserted in the Principal Ordinance as section 6A —

Insertion of section 6A in the Principal Ordinance.

Service as Ombudsman to be pensionable service.

6A(1) Where an officer serving in a pensionable office is appointed to the office of Ombudsman, his service pursuant to such appointment, shall be deemed to be service in a pensionable office for all intents and purposes, the generality of which shall not be prejudiced by anything in the following provisions of this section; and, upon his retirement in circumstances in which a pension may accordingly be granted to him under this Ordinance, or might be so granted but for any failure of the circumstances of his retirement mentioned in subsection (2) of this section to otherwise conform to the requirements of this Ordinance, he shall be granted the pension in accordance with the provisions of this Ordinance, which shall be construed with such adaptations and modifications as are necessary for the purpose.

(2) In subsection (1) of this section, "retirement" includes relinquishment of the office of Ombudsman in circumstances where the officer appointed as aforesaid —

- (a) is not, at the expiration of his term of office as Ombudsman, prior to his attainment of the age of 65 years, re-appointed to that office or appointed to any public or other office the conditions of which taken as a whole are no less favourable than those appertaining to the office of Ombudsman, although he is not disqualified by reason of infirmity of body or mind for either such appointment; or

- (b) has, on or before the expiration of his term of office as Ombudsman, attained an age at which he may by virtue of the provisions of this Ordinance, apart from this section, be permitted to retire from the public service and he intimates in writing to the Governor-General that on the expiration of his term of office as Ombudsman he wishes neither to be reappointed to the office of Ombudsman nor to be considered for appointment to any public or other office but to so retire,

in which circumstances he shall, for the purposes of subsection (1) of this section, be deemed to have retired immediately after the date on which he so relinquished the office of Ombudsman or on which any period of leave taken by him upon such relinquishment expired, whichever is later, and, in the case of circumstances mentioned in paragraph (a) of this subsection, after completing such length of service in pensionable office as is required for the granting to him of a maximum pension consistently with subsection (1) of section 11 of this Ordinance."

EXPLANATORY MEMORANDUM

This Bill seeks to provide that when an officer in the public service is appointed to the office of Ombudsman his period of service as Ombudsman will be treated as pensionable service for the purpose of the Pensions (Consolidation) Ordinance, 1957.

2. Under article 52 of the Constitution of Guyana, the term of office of the Ombudsman is four years. This Bill also contains provisions which will apply to a public officer so appointed when his term of office as Ombudsman expires.

P. A. REID
Minister of Finance.