

Bill No. 24 of 1958.

TEACHERS PENSIONS (AMENDMENT) BILL, 1958.  
ARRANGEMENT OF SECTIONS.

Section

1. Short title.
2. Amendment of section 5 of Chapter 95.
3. Amendment of section 7 of Chapter 95.
4. Amendment of section 3B of Chapter 95.
5. Amendment of section 32 of Chapter 95.
6. Amendment of the schedule to Chapter 95.
7. Commencement.

A BILL

Intituled

AN ORDINANCE TO AMEND THE TEACHERS PENSIONS ORDINANCE.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Teachers Pensions (Amendment) Ordinance, 1958, and shall be construed and read as one with the Teachers Pensions Ordinance, hereinafter referred to as the Principal Ordinance, and any Ordinance amending the same. Short title.  
Cap. 95.

2. Section 5 of the Principal Ordinance is hereby renumbered as subsection (1), and the following inserted as subsection (2) — Amendment  
of section 5  
of Chapter  
95.

“(2) For the purpose of determining under subsection (1) of this section the average salary that an uncertificated teacher has received or would have received, as the case may be, he shall be deemed to have enjoyed the benefit of any increase due to a revision of salaries in the emoluments of any post held by him as if such increase had been payable throughout such period of five years.”

3. Section 7 of the Principal Ordinance is hereby amended by the addition of the following as subsection, (3) thereof — Amendment  
of section 7  
of Chapter  
95.

“(3) Notwithstanding anything contained in subsection (2) of this section, where with the approval of the Director of Education a teacher is seconded or temporarily transferred for duty to an office or employment which would not entitle him to pension under this Ordinance, the period during which he serves in such office or employment as aforesaid shall count for pension under this Ordinance as if the teacher had not been seconded or temporarily transferred, unless the Governor shall in any case otherwise decide.”

4. Section 3B of the Principal Ordinance as inserted by section 28 of the said Ordinance is hereby amended by — Amendment  
of section 3B  
of Chapter  
95.

- (i) the renumbering of subsections (4) and (5) as subsections (5) and (6) respectively, and by the insertion of the following as subsection (4) —

“(4) For the purpose of determining under subsection (1) of this section the average amount of salary that a teacher has received or would have received, as the case may be, he shall be deemed to have enjoyed the benefit of any increase due to a revision of salaries in the emoluments of any post held by him as if such increase had been payable throughout such period of three years.”;

- (ii) the substitution for the words “subsection (4)” and “31st May, 1953” in the renumbered subsection (6) of the words “subsection (5)” and “30th November, 1958”, respectively.

5. Paragraph (b) of section 32 of the Principal Ordinance is hereby repealed, and the following substituted therefor — Amendment  
of section 32  
of Chapter  
95.

“(b) to every teacher serving on the 15th December, 1951, whose name was entered in the Teachers Pension Register on or after the 1st January, 1944, and before the 15th December, 1951, unless he intimates in writing to the Director of Education on or before the 30th November, 1958, or within such further time as the Governor may allow, that he desires that the provisions of section 3, 3A, 5 or 5A of this Ordinance, as the case may be, shall continue to apply to him; and”.

6. The schedule to the Principal Ordinance is hereby amended as follows — Amendment  
of the  
schedule to  
Chapter 95.

- (i) paragraph (2) of regulation 2 is hereby amended by the deletion of the word “uncertificated” appearing therein;

- (ii) paragraphs (b) and (c) of regulation 3 are hereby renumbered as paragraphs (c) and (d) respectively, and the following is inserted as paragraph (b) —

“(b) the name of any teacher who has been awarded a pension under the provisions of the Teachers Pensions Ordinance, or any other Ordinance;”;

- (iii) regulation 4 is hereby amended by the substitution for the words "regulation 3(c)" appearing therein of the words "regulation 3(d)".

Commence-  
ment.

7. (1) Sections 2 and 4 of this Ordinance shall be deemed to have come into operation on the 1st January, 1954.

(2) Section 3 of this Ordinance shall be deemed to have come into operation on the 15th April, 1952.

#### OBJECTS AND REASONS

Clause 2 of the Bill seeks to avail to uncertificated teachers to whom a pension is payable under section 5 of the Principal Ordinance the benefit of any increase due to a revision of salaries. Clause 4 seeks to achieve this object with respect to teachers whose names are entered in the Teachers Pension Register. Similar provisions with respect to members of the public service exist in the Pensions (Consolidation) Ordinance, 1957 (No. 38). Clause 7 seeks to bring the provisions referred to above into operation as from the 1st January, 1954.

2. Clause 3 seeks to introduce a provision corresponding to section 6 of the Pensions (Consolidation) Ordinance, 1957, relating to public officers, whereby the service of a teacher during the period of any approved secondment or temporary transfer to a non-teaching post may count for pension.

3. Clause 5, which is based on a model supplied by the Secretary of State, seeks to remedy a defect which appeared in paragraph (b) of section 32 of the Principal Ordinance. It would appear that that paragraph relates only to persons who were still serving as teachers on 15th of December, 1951 when the Teachers Pensions (Amendment) Ordinance, 1951 (No. 42) came into operation, whereas the intention was that that paragraph should relate only to teachers whose names were entered in the register between the 1st January, 1944 and the 14th December, 1951.

4. Clause 6 seeks to effect a number of amendments to the regulations contained in the schedule to the Principal Ordinance among which is the provision to remove from the Teachers Pension Register the name of any teacher who has been awarded a pension under the provisions of the Principal Ordinance or any other Ordinance.

W. P. D'ANDRADE,  
Acting Financial Secretary.

(Leg. Bill 24/58).