



I assent.

*[Handwritten signature]*  
Officer Administering the  
Government.

*3rd* November, 1941.

# BRITISH GUIANA.

## ORDINANCE NO. 20 OF 1941.

AN ORDINANCE to amend the Pensions Ordinance, 1933, by making provision for the payment of pensions to the dependants of certain officers who lose their lives owing to enemy action while travelling to or from the Colony during war time ; by providing for the grant of increased pensions to officers permanently injured while so travelling and by making certain minor amendments. A.D. 1941.

BE it enacted by the Governor of British Guiana, with the advice and consent of the Legislative Council thereof, as follows :---

1. This Ordinance may be cited as the Pensions (Amendment) Ordinance, 1941, and shall be construed with the Pensions Ordinance, 1933, hereinafter referred to as the Principal Ordinance. Short title.  
No. 20 of  
1933.

Amendment of section 2 of the Principal Ordinance.

2. Section two of the Principal Ordinance is hereby amended by the repeal of the definition of the expression "Officer."

Substitution of new section 20 in the Principal Ordinance.

3. The Principal Ordinance is hereby amended—

(a) by the repeal of section twenty; and

(b) by the substitution of the following section therefor—

"Pensions to dependants when an officer is killed on duty.

20. (1) Where an officer dies as a result of injuries received—

(a) in the actual discharge of his duty; and

(b) without his own default; and

(c) on account of circumstances specifically attributable to the nature of his duty,

while in the service of the Colony, it shall be lawful for the Governor in Council to grant, in addition to the grant, if any, made to his legal personal representative under section nineteen of this Ordinance—

(i) if the deceased officer leaves a widow, a pension to her, while unmarried and of good character, at a rate not exceeding tenths of his annual pensionable emoluments at the date of the injury or seventy-two dollars a year, whichever is the greater;

(ii) if the deceased officer leaves a widow to whom a pension is granted under the preceding paragraph and a child or children, a pension in respect of each child until such child attains the age of eighteen years, of an amount not exceeding one-eighth of the pension prescribed by the preceding paragraph;

(iii) if the deceased officer leaves a child or children, but does not leave a widow or no pension is granted to the widow, a pension in respect of each child until such child attains the age of eighteen years, of double the amount prescribed by the preceding paragraph;

(iv) if the deceased officer leaves a child or children and a widow to whom a pension is granted under paragraph (i) of this subsection, and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of eighteen years, of double the amount prescribed by paragraph (ii) of this subsection;



(v) if the deceased officer does not leave a widow, or if no pension is granted to his widow, and if his mother was wholly or mainly dependent on him for her support, a pension to the mother, while of good character and without adequate means of support, of an amount not exceeding the pension which might have been granted to his widow :

Provided that—

(a) pension shall not be payable under this paragraph at any time in respect of more than six children ; and

(b) in the case of a pension granted under paragraph (v) of this subsection, if the mother is a widow at the time of the grant of the pension and subsequently remarries such pension shall cease as from the date of re-marriage : and if it appears to the Secretary of State at any time that the mother is adequately provided with other means of support, such pension shall cease as from such date as the Secretary of State may determine ; and

(c) a pension granted to a female child under this section shall cease upon the marriage of such child under the age of eighteen years.

(2) In the case of an officer not holding a pensionable office, the expression " pensionable emoluments " in the preceding subsection shall mean the emoluments enjoyed by him which would have been pensionable emoluments if the office held by him had been a pensionable office.

(3) For the purposes of this section the word " child " shall include—

(a) a posthumous child ,

(b) a step-child or illegitimate child born before the date of the injury and wholly or mainly dependent upon the deceased officer for support ; and

(c) an adopted child, adopted in a manner recognised by law, before the date of the injury and dependent as aforesaid.

(4) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his service therein, or of a period of leave there-

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from, dies as a result of damage to the vessel or vehicle in which he is travelling, or of any act of violence directed against such vessel or vehicle, and the Governor is satisfied that such damage or act is attributable to circumstances arising out of any war in which His Majesty may be engaged, such officer shall be deemed, for the purposes of this section, to have died in the circumstances described in subsection (1) of this section.

(5) This section shall not apply in the case of the death of any officer selected for appointment to the service of the Colony on or after the first of January, nineteen hundred and thirty-six, if his dependants, as defined in the Workmen's Compensation Ordinance, 1934, No. 7 of 1934, are entitled to compensation under that Ordinance."

Amendment of regulation 3 of the Schedule to the Principal Ordinance.

4. Regulation three of the Schedule to the Principal Ordinance is hereby amended by the insertion between the words "officer" and "who" of the following words—

" holding a pensionable office "

Amendment of regulation 12 of the Schedule to the Principal Ordinance.

5. Regulation twelve of the Schedule to the Principal Ordinance is hereby amended by the insertion between the words "officer" and "is" of the following words—

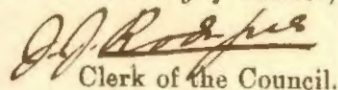
" holding a pensionable office "

Amendment of regulation 15 of the Schedule to the Principal Ordinance.

6. Regulation fifteen of the Schedule to the Principal Ordinance is hereby further amended by the addition thereto of the following sub-regulation—

(4) If an officer proceeding by a route approved by the Governor to or from the Colony at the commencement or termination of his service therein, or of a period of leave therefrom is permanently injured as the result of damage to the vessel or vehicle in which he is travelling, or of any act of violence directed against such vessel or vehicle, and the Governor is satisfied that such damage or act is attributable to circumstances arising out of any war in which His Majesty may be engaged, such officer shall be deemed, for the purposes of this regulation to have been injured in the circumstances described in sub-regulation (1) of this regulation."

Passed by the Legislative Council this 17th day of October, 1941.

  
Clerk of the Council.