

CAYMAN ISLANDS



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**THE PARLIAMENTARY PENSIONS
(AMENDMENT) LAW, 1985
(LAW 27 OF 1985)**

I Assent

PETER LLOYD

Governor

30th September 1985

**A LAW TO AMEND THE PARLIAMENTARY
PENSIONS LAW, 1984**

ENACTED by the Legislature of the Cayman Islands.

Short title.

1. This Law may be cited as the Parliamentary Pensions (Amendment) Law, 1985.

Amendment of s.1 of
Law 9 of 1984.

2. Section 1 of the Parliamentary Pensions Law, 1984, in this Law referred to as the principal Law, is amended by substituting "be deemed to have come into operation on the 1st day of January, 1985" for "come into operation on such day as the Governor may, by Proclamation published in the Gazette, appoint".

Amendment of s.2

3. Section 2 of the principal Law is amended -

- (a) by deleting "or such greater sum as the Governor, acting in his discretion, may by Notice published in the Gazette determine" in the definition of "Executive Council salary";
- (b) by deleting "or such greater sum as the Governor, acting in this discretion, may by Notice published in the Gazette determine" in the definition of "parliamentary salary".

Amendment of s.3.

4. Section 3 of the principal Law is amended by inserting the following new subsection immediately after subsection (1) -

"(1A) Subject to the provisions of this Law, a pension shall be paid to any person -

- (a) who has on or prior to the 1st day of October, 1959, served as a member;

- (b) who has ceased to be such a member; and
- (c) who has attained the age of fifty-five years.”.

Amendment of s.4.

5. Section 4 of the principal Law is amended by substituting the following three new subsections for subsection (1) -

“(1) Subject to section 9A, the pension payable under subsection (1) of section 3 shall be at an annual rate of one-two hundred and sixteenth of the parliamentary salary for each completed month that has been served as a member.

(1A) Subject to section 9A, the pension payable under subsection (1A) of section 3 shall be at an annual rate of four thousand, four hundred and twenty-eight dollars.

(1B) In no case shall a pension or pensions payable under this section exceed in the aggregate two-thirds of the parliamentary salary.”.

Repeal of s.6.

6. Section 6 of the principal Law is repealed.

Amendment of s.7.

7. Section 7 of the principal Law is amended by the deletion of the first eight lines of subsection (1) and the subsection therefor of the following:

“(1) Subject to this Law, where a person who -

(a) (i) is in receipt of a pension; or

(ii) has served as a member for two full parliamentary terms or for periods equal in the aggregate to not less than six years,

dies leaving a widow; or

(b) has on or prior to the 1st day of October, 1959, served as a member and has died before the coming into force of this Law or dies after the coming into force of this Law, leaving a widow,

there shall be paid to her during her lifetime and while unmarried, a widow's pension at an annual rate equivalent to one half of the pension, which - ”.

Amendment of s.9.

8. Section 9 of the principal Law is amended by substituting -

(a) “22nd day of August, 1972” for “1st day of October, 1959” in the first line of paragraph (a) of subsection (1);

(b) “three years” for “twelve months” in the last line of paragraph (a) of subsection (1);

(c) the following for subsection (2) -

"(2) Subject to section 9A, the Executive Council pension shall be at an annual rate of one-two hundred and sixteenth of the Executive Council salary for each completed month that has been served as an elected member of the Executive Council:

PROVIDED that in no case shall an Executive Council pension exceed two-thirds of the Executive Council salary."

Insertion of new s.9A.

9. The principal Law is amended by inserting the following new section immediately after section 9 -

"Increase of pension and Executive Council pensions.

9A. Where -

- (a) the salary payable to a member exceeds thirteen thousand, two hundred and sixty dollars; or
- (b) the salary payable to an elected member of the Executive Council exceeds twenty-thousand, six hundred and ninety-six dollars,

a pension or an Executive Council pension (as the case may be) may be increased once in any calendar year by an order of the Executive Council with the prior approval of the Finance Committee of the Legislative Assembly."

Insertion of new s.10A.

10. The principal Law is amended by inserting the following new section immediately after section 10 -

"Awards to cease on conviction or bankruptcy.

10.A. Where any person to whom an award is payable under this Law -

- (a) is sentenced by a court in the Islands or in any part of the Commonwealth to death or to a term of imprisonment (by what ever name called) exceeding twelve months; or
- (b) is adjudicated bankrupt,

then such award shall forthwith cease and not become payable:

PROVIDED that where a person whose award has so ceased or not been so paid has completed his sentence of imprisonment or obtains his discharge from bank-

ruptcy (as the case may be) it shall be lawful for the Governor in Council to direct that the award be restored or paid as from the date of such completion or discharge or any later date, and the award shall be restored and paid accordingly."

Repeal of s.12.

11. Section 12 of the principal Law is repealed.

Passed the Legislative Assembly this 10th day of September, 1985.

PETER LLOYD

President.

E. GAY JACKSON

Clerk of the Legislative Assembly.