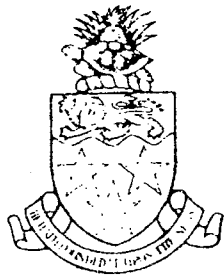


CAYMAN ISLANDS



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**THE PARLIAMENTARY PENSIONS LAW, 1984  
(LAW 9 OF 1984)**

LAW 9 of 1984.

I assent

**PETER LLOYD**  
GOVERNOR

**9th July, 1984**

**A LAW TO PROVIDE PENSIONS  
TO PERSONS WHO HAVE SERVED AS  
MEMBERS OF THE LEGISLATIVE ASSEMBLY AND THE  
EXECUTIVE COUNCIL, TO PROVIDE PENSIONS FOR  
THE WIDOWS AND CHILDREN OF SUCH PERSONS,  
AND TO PROVIDE FOR MATTERS CONNECTED  
WITH OR INCIDENTAL TO THOSE PURPOSES.**

ENACTED by the Legislature of the Cayman Islands.

Short title and commencement.

1. This Law may be cited as the Parliamentary Pensions Law, 1984 and shall come into operation on the first day of January, 1985.

Interpretation.

2. For the purposes of this Law, except where the context otherwise requires, the expression -

“award” means any amount payable to any persons pursuant to this Law;

“Executive Council salary” means the sum of twenty-one thousand, six hundred and ninety six dollars or such greater sum as the Governor, acting in his discretion, may by Notice published in the Gazette determine;

“full parliamentary term” means the period commencing on the date of the first sitting of the Legislative Assembly after a general election and expiring at the date of the next ensuing dissolution of the Legislative Assembly;

"member" means an elected member of the Legislative Assembly;

"parliamentary salary" means the sum of thirteen thousand, two hundred and sixty dollars or such greater sum as the Governor, acting in this discretion, may by Notice published in the Gazette determine;

"pension" means a pension payable pursuant to section 3.

When pensions  
payable.

3. (1) Subject to the provisions of this Law, a pension shall be paid to any person who —

(a) has since the 1st day of October, 1959 served as a member for two full parliamentary terms or for periods equal in the aggregate to not less than six years;

(b) has ceased to be such a member; and

(c) either —

(i) has attained the age of fifty-five years; or

(ii) not having attained the age of fifty-five years, has produced medical evidence to the satisfaction of the Financial Secretary that he is incapable by reason of infirmity of mind or body of discharging the duties of a member and that such infirmity is likely to be permanent.

(2) For the purposes of this section —

(a) a person does not cease to be a member by reason only of the dissolution of the Legislative Assembly;

(b) a person who immediately before the dissolution of the Legislative Assembly was a member shall be deemed to have ceased to be a member from the date of such dissolution if he is not elected as a member at the general election next following the dissolution.

(3) No computation of a pension under this Law shall be made after a general election until two months have elapsed after the general election.

(4) Where a person ceases to be a member but is not eligible for a pension under this Law because he has not attained the age of fifty-five

years, then, notwithstanding subsection (1), the pension for which he would have been eligible at the date when he ceased to be a member shall be paid to him with effect from the date on which he attains the age of fifty-five years, if at that date he is not otherwise disqualified for the payment of a pension under this Law.

Rate of pension.

4. (1) The pension payable shall —

- (a) in the case of a person who has served as a member for periods amounting in the aggregate to not less than six years, be at an annual rate equal to one-third of one year's parliamentary salary;
- (b) in the case of a person who has served as a member for periods amounting in the aggregate to not less than nine years, be at an annual rate equal to one half of one year's parliamentary salary;
- (c) in the case of a person who has served as a member for periods amounting in the aggregate to not less than twelve years, be at an annual rate equal to two-thirds of one year's parliamentary salary.

(2) The pension payable to any person under this section —

- (a) shall be paid with effect from the date on which that person becomes entitled thereto pursuant to section 3 and, subject to the provisions of this Law, shall continue to be paid during the lifetime of that person; and
- (b) shall be paid monthly in arrears and, as far as possible, in equal instalments.

Cessation of pension.

5. (1) A pension payable under this Law shall, if the person in receipt thereof again becomes a member, cease to be payable during the period in respect of which that person is such a member.

(2) At the expiration of the period referred to in subsection (1) the rate of pension shall be re-calculated in accordance with the provisions of section 4.

(3) A pension re-calculated in accordance with subsection (2) shall be paid at the re-calculated rate with effect from the date of cessation of the period of service as a member which gave rise to the re-calculation.

Gratuity and reduced pension.

6. (1) Any person who is entitled to a pension under this Law may, at his option exercisable in accordance with subsection (2), be paid, instead of a pension at the rate provided for in section 4, a pension at the rate of three-fourths of such amount together with a gratuity equal to twelve and one-half times the amount of the reduction so made in the pension.

(2) The option referred to in subsection (1) shall be exercised by notice in writing to the Financial Secretary within thirty days, or within such further period as the Financial Secretary may allow, of the date on

which the person concerned ceases to be a member.

**Widow's pension.**

7. (1) Subject to this Law, where a person who —

- (a) is in receipt of a pension; or
- (b) 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, 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 —

- (i) in the case of a person mentioned in paragraph (a), was being paid to him; or
- (ii) in the case of a person mentioned in paragraph (b), would have been payable to him with effect from the date of his death if he had not died but had satisfied the requirements of section 3 for the award of a pension and had been awarded a pension computed in accordance with section 4.

(2) A widow's pension under this section —

- (a) shall be paid monthly in arrears and, as far as possible, in equal instalments;
- (b) shall, subject to subsection (3), not be payable if the widow is in receipt of a pension by virtue of having been herself a member; and
- (c) shall, if the widow is a member, cease to be payable during the period in respect of which she is a member.

(3) Where a person who is a member dies before he has served the required minimum period to permit his widow to qualify for a widow's pension under subsection (1), there shall be paid to the widow a gratuity equal in amount to one year's parliamentary salary at the time of his death.

**Children's pension.**

8. (1) Subject to this Law, where a person who comes within paragraph (a) or (b) of subsection (1) of section 7 dies leaving one or more children, a children's pension shall be payable in respect of such child or children while under the age of eighteen years.

(2) Only one children's pension is payable in respect of the service of any one person as a member, but —

- (a) the rate thereof may vary according to the number of children entitled thereto;
- (b) it shall be paid to such person or persons as the Financial Secretary may from time to time direct, and different parts thereof may be directed to be

- paid to different persons;
- (c) the person to whom all or any part thereof is paid shall apply the sum paid to him for the benefit of all the children for the time being entitled thereto or for the benefit of such of them as the Financial Secretary may from time to time direct; and
- (d) the allowance shall be paid monthly in arrears and, as far as possible, in equal instalments.

(3) Where the person dies leaving a widow, the annual rate of the children's pension during her lifetime shall be —

- (a) one-third of the rate of the widow's pension payable under section 7 where there are two or more children entitled to the children's pension; and
- (b) one-half of the rate payable under paragraph (a) where there is only one child entitled to the children's pension.

(4) Where the person dies leaving no widow, or where he leaves a widow, then, after her death or after any pension payable to her ceases to be paid before her death, the annual rate of the children's pension shall be —

- (a) the same as that which would have been payable to a widow under section 7 where there are two or more children entitled to the children's pension; and
- (b) one-half of the rate payable under paragraph (a) where there is only one child entitled to the children's pensions.

(5) Notwithstanding subsection (1), a female child who marries while under the age of eighteen years shall cease to be entitled to a children's pension.

(6) For the purposes of this section, the expression "child" includes —

- (a) a posthumous child;
- (b) a step-child;
- (c) an illegitimate child who immediately before the death of the person was wholly or mainly dependent on him for support; and
- (d) an adopted child in a manner, recognised by Law, and, in the case of a person referred to in paragraph (a) of subsection (1) of section 7, before the person last ceased to be a member.

Executive Council  
pension

9. (1) In addition to any other award payable under this Law, but otherwise subject to the provisions of this Law, an Executive Council

pension shall be paid to any person who —

- (a) has since the 1st day of October, 1959 served as an elected member of the Executive Council for a continuous period of at least twelve months;
- (b) has ceased to be a member of the Legislative Assembly; and
- (c) is entitled to a pension under section 3.

(2) The Executive Council pension shall be at an annual rate equal to one-sixth of the Executive Council salary for each year or part of a year 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.

(3) The provisions of this Law relating to pensions shall, mutatis mutandis, apply to Executive Council pensions.

Awards to be paid out  
of revenues.

10. All awards payable under this Law shall be charged upon and paid out of the revenues of the Islands.

Pensions not  
assignable.

11. Any pension payable under this Law shall not be assignable or transferable, except for the purpose of satisfying —

- (a) a debt to the Crown; or
- (b) an order of any court for the payment of periodical sums of money towards the maintenance of the wife, former wife or child (as defined in subsection (6) of section 8) of the person to whom the award is payable,

and shall not be liable to be attached, sequestered or levied upon, for or in respect of any debt or claim whatever except a debt due to the Crown or any sum recoverable pursuant to any such order of a court as aforesaid.

Renunciation.

12. Any person who is entitled to any award under this Law and any member may at any time in writing irrevocably renounce his right to any benefit or anticipated benefit under this Law, and thereupon, notwithstanding the other provisions of this Law, this Law shall have no application to him or, in the event of his death, to his widow or children.

Regulations.

13. The Governor in Council may make regulations —

- (a) prescribing, where a recipient of any award under this Law is incapable of managing his affairs, that it may be paid to another person on his behalf;
- (b) prescribing anything which may be required by this Law to be prescribed, including any forms he

considers necessary for the administration of this Law;

- (c) prescribing the manner in which, and the person by whom, accounts of awards under this Law shall be kept and recorded; and
- (d) for any other purposes, whether similar to the above or not, deemed necessary to give effect to this Law.

Passed the Legislative Assembly this 9th day of May, 1984.

**PETER LLOYD**  
President.

**WENDY LAUER**  
Acting Clerk of the Legislative Assembly.