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**THE PENSIONS
(AMENDMENT) LAW, 1980
(Law 13 of 1980)**

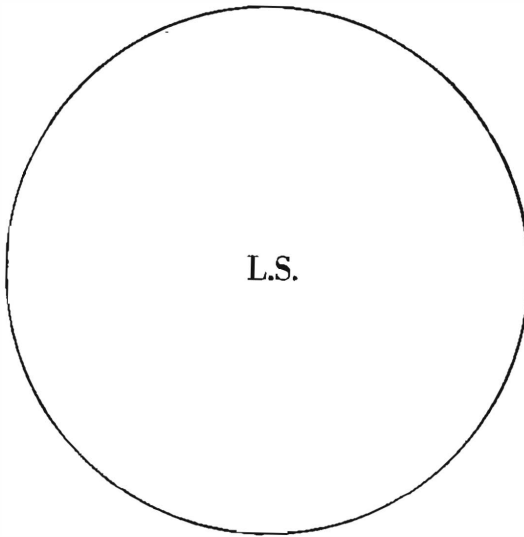
Date of operation:

Notice of non-disallowance published in Gazette. . . of 198. .

CAYMAN ISLANDS

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Law 13 of 1980



I assent

T. RUSSELL

Governor

10th July, 1980

A LAW to amend the Pensions Law (Cap. 121)

ENACTED by the Legislature of the Cayman Islands.

Short title.

1. This Law may be cited as the Pensions (Amendment) Law, 1980.

Addition of new sections 17A, 17B, 17C and 17D to the Pensions Law. Cap. 121.

2. The following new sections 17A, 17B, 17C and 17D are hereby added to the Pensions Law immediately following section 17 thereof –

“Pensions payable to widow and children of male pensioner or male pensionable officer.

17A. (1) On the death of a male pensioner or of a male pensionable officer who has completed ten years' pensionable service there shall be paid to his widow (if any) and children (if any) a pension as set out in the following provisions of this section based on the amount of the pension he was drawing at the date of his death, or, as the case may be, that he would have been entitled to at the date of his death had he then retired in circumstances in which he would have been entitled to retire with a pension.

(2) No gratuity or pension shall be payable under section 16 or section 17 to the personal representatives, widow or children of any officer to whom this section applies.

(3) If the pensioner or pensionable officer leaves a widow but no children, the widow shall be entitled to one-half of his pension or, as the case may

be, the pension to which he would have been entitled, until her re-marriage or death.

(4) If the pensioner or pensionable officer leaves a widow and children by such widow or by a previous wife, the widow shall be entitled until her remarriage or death to one-half of the amount of his pension or, as the case may be, the pension to which he would have been entitled, and the children shall be entitled to pensions in the following proportions, that is to say —

- (a) if three in number, or less, then each shall receive one-sixth of his pension, or as the case may be, of the pension to which he would have been entitled; or
- (b) if more than three, then one-half of such pension shall be divided equally among the children:

Provided that where a pensioner or pensionable officer dies leaving a widow and children by the widow or by a previous wife, it shall be lawful for the Governor either in the first instance or at any time while pensions are payable to the children, to direct the payment to the widow of part only of such pensions and to direct the payment of the balance of such pensions for or towards the maintenance or education of the children in such manner as the Governor thinks fit.

(5) If the pensioner or pensionable officer leaves children and no widow such children shall be entitled to pensions in the following proportions, that is to say, —

- (a) if three in number, or less, then each shall receive one-third of his pension, or as the case may be, of the pension to which he would have been entitled; or
- (b) if more than three, then such pension shall be divided equally among the children.

(6) In this section, —

“child” includes —

- (a) a posthumous child;
- (b) a step-child or illegitimate child wholly or mainly dependent upon the deceased pensioner or officer for support;
- (c) an adopted child, adopted in a manner recognised by law and wholly or mainly

dependent upon the deceased pensioner or officer for support; and

“pensionable officer” includes any officer who has been transferred to or from the service of these Islands from or to other public service and is still so serving at the time of his death.

Pensions payable to children of certain female pensioners or female pensionable officers.

17B. (1) On the death of a female pensioner or of a pensionable officer who has completed ten years' pensionable service and who dies without leaving a husband her surviving there shall be paid to her children (if any) a pension as set out in subsection (2) based on the amount of pension she was drawing at the date of her death, or, as the case may be, that she would have been entitled to at the date of her death had she then retired in circumstances in which she would have been entitled to retire with a pension.

(2) If a female pensioner or female pensionable officer leaves children such children shall be entitled to pensions in the following proportions, that is to say, —

(a) if three in number, or less, then each shall receive one-third of her pension or, as the case may be, of the pension to which she would have been entitled; or

(b) if more than three, then such pension shall be divided equally among them.

(3) No gratuity or pension shall be payable under section 16 or section 17 to the personal representatives or children of any officer to whom this section applies.

(4) The provisions of subsection (6) of section 17A apply to this section as they apply to that section.

Payment and administration of children's pensions.

17C. In all cases of children's pension under this Law, the whole or any part of such pension may be paid either to the mother, or to the legal guardian of such children, or to the children, or to such person or persons as the Governor may in his discretion consider to be fit and proper persons, to apply the same for the benefit of such children, and after such payment the Government of these Islands shall be free

of all responsibility in respect of such payment.

Cessation of
payment of
children's
pensions.

17D. Any pension to a child shall cease on his attaining the age of eighteen years:

Provided however that the Governor may direct that any such pension shall continue to be paid where and during such time as the recipient is, in the opinion of the Governor, disabled, either partially or totally by reason of mental or physical incapacity existing at the age of eighteen years, from providing adequately for himself.

Passed the Legislative Assembly this 20th day of June, 1980.

T. RUSSELL
President

SYBIL McLAUGHLIN
Clerk of the Legislative Assembly

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