

CAYMAN ISLANDS



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**THE PUBLIC SERVICE PENSIONS LAW
(2004 REVISION)**

**THE PUBLIC SERVICE PENSIONS (EX-GRATIA PENSIONS)
(AMENDMENT) REGULATIONS, 2009**

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(AMENDMENT) REGULATIONS, 2009**

ARRANGEMENT OF REGULATIONS

1. Citation
2. Amendment of regulation 2 of the Public Service Pensions (Ex-Gratia Pensions) Regulations, 2004 – eligibility for ex-gratia pensions
3. Amendment of regulation 3 – application for ex-gratia pension and grant
4. Savings

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**THE PUBLIC SERVICE PENSIONS LAW
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**THE PUBLIC SERVICE PENSIONS (EX-GRATIA PENSIONS)
(AMENDMENT) REGULATIONS, 2009**

The Governor in Cabinet, in exercise of the powers conferred by section 15 of the Public Service Pensions Law (2004 Revision), makes the following regulations -

1. These regulations may be cited as the Public Service Pensions (Ex-Gratia Pensions) (Amendment) Regulations, 2009. Citation
2. The Public Service Pensions (Ex-Gratia Pensions) Regulations, 2004, in these regulations referred to as the “principal Regulations”, are amended in regulation 2 as follows - Amendment of regulation 2 of the Public Service Pensions (Ex-Gratia Pensions) Regulations, 2004 – eligibility for ex-gratia pensions
 - (a) by deleting the words “(1) Any Caymanian (as defined in the Immigration Law, 2003” and substituting the words “Any Caymanian (as defined in the Immigration Law (2007 Revision)”;
 - (b) by inserting above paragraph (a) the following paragraph -

“(aa) resides in the Islands;”.
3. The principal Regulations are amended in regulation 3 by repealing subregulation (6) and substituting the following subregulation - Amendment of regulation 3 – application for ex-gratia pension and grant

“ (6) Where -

 - (a) the office in the service of the Islands in respect of which an ex-gratia pension has been granted was held for a period in the aggregate of four or more years but less than ten years, the ex-gratia pension shall be the sum of three hundred dollars each month; and
 - (b) the office in the service of the Islands in respect of which an ex-gratia pension has been granted was held for a period in the aggregate of ten or more years, the ex-gratia pension shall be calculated as if the applicant had been eligible to

participate in the defined benefits part of the Plan for the period of service but shall not be a sum of less than four hundred and fifty dollars each month.”.

Savings

4. (1) Every ex-gratia pension granted under the former Regulations shall continue to be paid by the Board with the same effect as if these regulations had not come into force.

(2) Every application for an ex-gratia pension made under the former Regulations and which has not yet been dealt with on the date of commencement of these regulations or has been partly dealt with by the Board on the date of commencement of these regulations shall be dealt with or continued, as the case may be, in all respects under these regulations.

(3) Every appeal relating to an ex-gratia pension made under the former Regulations and which has not yet been dealt with on the date of commencement of these regulations or has been partly dealt with on the date of commencement of these regulations shall be dealt with or continued, as the case may be, in all respects under these regulations.

(4) In this regulation -

“Board” has the meaning assigned to that expression in the Law; and

“former Regulations” means the principal Regulations in force immediately before the date of commencement of these regulations.

Made in Cabinet the 12th day of May, 2009.

Carmena Watler

Clerk of the Cabinet.