

Assented to in Her Majesty's name this 1st day of November, 1954.

R.A.T.
Governor.



No. 12



1954.

Colony of the Falkland Islands.

IN THE THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II.

OSWALD RAYNOR ARTHUR, C.M.G., C.V.O.,
Governor.

**An Ordinance
To Amend the Pensions Ordinance.**

[1st November, 1954.]

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows :—

1. This Ordinance may be cited as the Pensions (Amendment) Ordinance, 1954, and shall be read as one with the Pensions Ordinance, hereinafter referred to as the principal Ordinance.

2. Section 16 of the principal Ordinance is hereby repealed and replaced as follows :—

“Gratuity where an officer dies in the service after retirement.

16. (1) (a) Where an officer holding a pensionable office who is not on probation or agreement, or an officer holding a non-pensionable office to which he has been transferred from a pensionable office in which he has been confirmed, dies while in the service of the Colony, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity of an amount not exceeding either his annual pensionable emoluments, or his commuted pension gratuity if any, whichever is the greater.

(b) For the purposes of this sub-section —

(i) “annual pensionable emoluments” means the emoluments which would be taken for the purpose of computing any pension or gratuity granted to the officer if he had retired at the date of his death in the circumstances described in paragraph (v) of section 6 of this Ordinance;

Title.

Date of commencement.

Enacting clause.

Short title.
Cap. 49.

Replacement of section 16 of the principal Ordinance.

(ii) "commuted pension gratuity" means the gratuity, if any, which might have been granted to the officer under Regulation 22 of the Pensions Regulations if his public service had been wholly in the Colony and if he had retired at the date of his death in the circumstances described in paragraph (v) of section 6 of this Ordinance and had elected to receive a gratuity and reduced pension.

(2) Where any such officer to whom a pension, gratuity or other allowance has been granted under this Ordinance dies after retirement from the service of the Colony, and the sums paid or payable to him at his death on account of any pension, gratuity or other allowance in respect of any public service are less than the amount of the annual pensionable emoluments enjoyed by him at the date of his retirement, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity equal to the deficiency.

(3) The provisions of this section shall not apply in the case of the death of any officer where benefits corresponding to the benefits which may be granted under this section are payable under the Colonial Superannuation Scheme in respect of such death."

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.



Acting Clerk of the Legislative Council.