

Assented to in Her Majesty's name this 1st day of November, 1966.



*Haskard*  
Governor.

No. 6

1966.



Colony of the Falkland Islands.

IN THE FIFTEENTH YEAR OF THE REIGN OF

Her Majesty Queen Elizabeth II.

SIR COSMO HASKARD, K.C.M.G., M.B.E.

Governor.

### An Ordinance

## To amend the Pensions Ordinance, 1965.

Title.

*(1st November, 1966)*

Date of commencement.

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

Enacting clause.

Short title.

1. This Ordinance may be cited as the Pensions (Amendment) Ordinance, 1966, and shall be read as one with the Pensions Ordinance, 1965, hereinafter referred to as the principal Ordinance.

Amendment of section 2.

2. The definition "Public Service" in subsection (1) of section 2 of the principal Ordinance is amended—

- (a) by the deletion of the words "has determined" in paragraph (e) and the substitution therefor of the words "may determine";
- (b) by the deletion of the full stop at the end of paragraph (g) and the substitution therefor of a colon; and
- (c) by the addition after paragraph (g) of the following new paragraph—
  - (h) any service which was "public service" within the meaning of that expression in the Pensions Ordinance, 1949."

Cap. 49.

Amendment of section 6.

3. Section 6 of the principal Ordinance is amended —
- (a) by the deletion of the full stop at the end of subsection (3) and the substitution therefor of a colon; and
  - (b) by the addition after subsection (3) of the following proviso —

“Provided that this subsection shall not apply to any officer serving on pensionable terms in the public service at the termination of his service.”

Amendment of section 16.

4. Section 16 of the principal Ordinance is amended —
- (a) by the insertion in subsection (2), immediately after the words and figures “regulation 24 of the Pensions Regulations” and the words and figures “regulation 23 of the Pensions Regulations” of the comma and figures “, 1965”;
  - (b) by the deletion of the full stop at the end of subsection (3) and the substitution therefor of the following —  
“or in the case of the death of an officer to whom section 16A applies.”; and
  - (c) by the deletion in subsection (4) of the figures “1964” where those figures twice occur and the substitution therefor of the figures “1965”.

Addition of new section 16A.

5. The principal Ordinance is amended by the addition after section 16, of the following new section —

“Gratuity where non-pensionable officer dies in the service or as a result of injuries received whilst in the service.”

16A. (1) Where an officer to whom this section applies dies while in public service under the Government of the Colony after serving in that public service for not less than five years, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity at the rate herein specified for each complete year of that public service, that is to say:

- (a) for each of the first five years, one week's pay;
- (b) for each of the next five years, two weeks' pay; and
- (c) for each additional year, four weeks' pay;

Provided that the total amount of the gratuity shall not exceed the amount of one year's pay.


(2) Where an officer to whom this section applies dies as a result of injuries received in public service under the Government of the Colony in the circumstances specified in paragraphs (a) and (b) of subsection (1) of section 17 of this Ordinance before completing five years public service under that Government, it shall be lawful for the Governor in Council to grant to his legal personal representative a gratuity not exceeding five weeks' pay.

- (3) This section applies to an officer who holds —
  - (a) a non-pensionable office; or
  - (b) a pensionable office in which he is not serving on probation and (if his appointment to that office is subject to confirmation) in which he has not been confirmed, and who is not eligible for the grant of a pension, gratuity or other allowance under this Ordinance (other than a pension under regulation 23 (4) of the Pensions Regulations 1965) or for the grant, under his terms of service, of a gratuity or a benefit under any other scheme of superannuation.”

(4) For the purposes of this section —

- (a) "pay" means pay at the date of the officer's death and includes any other allowance that the Governor in Council may see fit to include;
- (b) an officer who, having held a non-pensionable office, holds a pensionable office in which he is serving on probation shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pay last received by him in respect of the non-pensionable office he previously held or the pensionable emoluments of the pensionable office held by him, whichever is the greater;
- (c) in calculating the period in which any officer has served in public service under the Government of the Colony —
- (i) subject to any general or special directions to the contrary that may be given by the Governor in Council only continuous service terminating at his retirement or death shall be taken into account;
  - (ii) no regard shall be had to any period of service for which he is eligible for the grant of or has been granted a pension, gratuity or other allowance under this Ordinance (other than a pension under regulation 23 (4) of the Pensions Regulations 1965) or, as provided under his terms of service, a gratuity or benefit under any other scheme of superannuation.

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.

  
Clerk of the Legislative Council.

Ref. 0829/IV.