



## ST. CHRISTOPHER AND NEVIS

### CHAPTER 22.07

## PREMIER'S AND PRIME MINISTER'S PENSION ACT

### Revised Edition

showing the law as at 31 December 2002

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This edition contains a consolidation of the following laws—

### PREMIER'S AND PRIME MINISTER'S PENSION ACT

**Act 23 of 1971** ... in force 2nd December 1971

Amended by: Act 7 of 1994

Act 13 of 1997

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## **CHAPTER 22.07**

### **PREMIER'S AND PRIME MINISTER'S PENSION ACT**

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**CHAPTER 22.07****PREMIER'S AND PRIME MINISTER'S PENSION ACT**

AN ACT TO PROVIDE FOR THE PAYMENT OF PENSION TO PERSONS WHO HAVE SERVED AS PREMIERS AND PRIME MINISTERS, AND FOR THEIR WIDOWS AND CHILDREN; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

**Short title.**

1. This Act may be cited as the Premier's and Prime Minister's Pension Act.

**Interpretation.**

2. In this Act—

“Premier's pension” means the pension payable under this Act to a person who has ceased to be Premier under the Constitution;

*(Amended by Act 7 of 1994)*

“entitled child” means a person who, being a male, not attained the age of eighteen years or being a female, has neither married nor attained the age of twenty-one.

**Premier's and Prime Minister's right to pension.**

3. (1) Every person who, having been appointed Premier on or after the 27th day of February 1967, ceases at any time after such appointment to be Premier shall be paid a pension under this Act with effect from the date on which he or she ceases to be Premier and subject to the provisions of subsection (3) such pension shall continue to be paid during the lifetime of that person.

(2) Every person who, having been appointed Prime Minister on or after the 19th day of September, 1983, ceases at any time after such appointment to be Prime Minister shall be paid a pension under this Act with effect from the date on which he or she ceases to be Prime Minister and, subject to the provisions of subsection (3), such pension shall continue to be paid during the lifetime of that person.

*(Inserted by Act 7 of 1994)*

(3) The Premier's or Prime Minister's pension shall, if the person to whom it is payable becomes a legislator or is again appointed Premier or Prime Minister, cease to be payable during the period in respect of which that person is a legislator or holds the office of Premier or Prime Minister as the case may be.

(4) In subsection (3), “legislator” has the meaning assigned to the term “legislator” by section 2 of the Legislators' Pension Act, Cap. 22.05.

*(Amended by Act 7 of 1994)*

**Rate of Premier's and Prime Minister's pension.**

4. (1) The Premier's pension payable under this Act to any person shall be at an annual rate of seventeen thousand two hundred and eighty dollars.

*(Amended by Act 7 of 1994)*

(2) The Minister's pension payable under this Act to any person who has served as Prime Minister shall be at an annual rate of three quarters of his or her annual basic salary.

*(Subsection inserted by Act 7 of 1994. Substituted by Act 13 of 1997)*

**Widow's pension.**

5. (1) Where a person dies while he or she is Premier or Prime Minister or while he or she is entitled to receive a Premier's or Prime Minister's pension—

(a) if he or she leaves—

(i) a widow or widower but no entitled child; or

(ii) a widow or widower and entitled children by such widow or widower only,

the widow or widower shall, subject to the provisions of subsection (2), be paid a pension at an annual rate of one half of the pension payable;

*(Amended by Act 7 of 1994)*

(b) if he or she leaves a widow or widower and any entitled child by a previous marriage the widow or widower shall, subject to the provisions of subsection (2), be paid a pension at one-half the annual rate specified in paragraph (a) until there is no such entitled child and thereafter a pension at the full rate so specified.

(2) A widow mentioned in subsection (1) shall not be entitled to receive and shall not be paid pension under this section—

(a) if her deceased husband did not at any time during their marriage hold the office of Premier or Prime Minister; or

(b) in respect of any period after her re-marriage.

*(Amended by Act 7 of 1994)*

(3) Any variations under this Act shall apply to any widow or widower in receipt of a pension under this Act.

*(Inserted by Act 7 of 1994)*

**Children's pensions.**

6. Where a person dies while he or she is Premier or Prime Minister or while he or she is entitled to receive Premier's or Prime Minister's pension, leaving entitled children, each of such children (except those referred to in sub-paragraph (ii) of paragraph (a) of subsection (1) of section 5, if a pension is being paid under that section to their mother) shall be paid, until he or she dies or ceases to be an entitled child, (whichever shall be the earlier) such pension at such rate as the Minister of Finance shall determine; so, however, that the aggregate rate of pension payable to such children shall not exceed—

(a) subject to paragraph (b) of this section, the annual rate specified in paragraph (a) of subsection (1) of section 5 in respect of a widow or widower;

(b) if and so long as, the Premier's or Prime Minister's widow or widower is entitled to a pension under that section, one half of the rate so specified.

*(Amended by Act 7 of 1994)*

**Gratuity.**

7. (1) Where a person ceases to hold the office of Prime Minister and ceases also to be a legislator, he or she shall be paid a gratuity equal to twenty per centum of the

total emoluments received by him or her during his or her holding office as Prime Minister or service as a legislator.

(2) Where a person dies while he or she holds office as Prime Minister, any gratuity for which he or she may be eligible under subsection (1) shall be paid to his or her legal personal representative.

*(Inserted by Act 7 of 1994)*

**Source and method of payment of pension.**

8. Any pension payable under this Act shall be—
- (a) charged on and paid out of the Consolidated Fund;
  - (b) paid monthly in arrears in equal instalments.

**Protection of pensions.**

9. Any pension payable under this Act shall not—
- (a) be assignable or transferable except for the purpose of satisfying a debt due to the Government or an order of any court for the payment of periodical sums of money towards the maintenance of the wife, former wife or child being a minor child of the person to whom the pension is payable; or
  - (b) 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 Government or any sum recoverable pursuant to such order of any court as is mentioned in paragraph (a).

**Other pensions.**

10. No pension may be paid under this Act to any person who is in receipt of a pension under the Governor and Governor-General (Emoluments and Pensions) Act, Cap. 22.04 or under the Speaker's Pension Act, Cap. 22.11 or the Legislators' Pension Act, Cap. 22.05.

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