



ST. CHRISTOPHER AND NEVIS

CHAPTER 22.11

SPEAKER'S PENSION ACT

Revised Edition

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This edition contains a consolidation of the following laws—

SPEAKER'S PENSION ACT

Act 22 of 1952 ... in force 10th May 1971

Amended by: Act 7 of 1994

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CHAPTER 22.11
SPEAKER'S PENSION ACT

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CHAPTER 22.11**SPEAKER'S PENSION ACT**

AN ACT TO PROVIDE FOR THE PAYMENT OF PENSIONS TO PERSONS WHO HAVE SERVED AS SPEAKERS OF THE NATIONAL ASSEMBLY; AND TO PROVIDE FOR PENSIONS TO WIDOWS AND MINOR CHILDREN OF SUCH PERSONS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Speaker's Pension Act.

Interpretation.

2. In this Act—

“Speaker's pension” means the pension payable under this Act to a person who has ceased to be Speaker of the National Assembly;

“salary” means the emoluments provided in the estimates of expenditure of Saint Christopher and Nevis, exclusive of duty allowances, entertainment allowance or any other allowance.

Speaker's right to pension.

3. (1) Every person who, having been elected Speaker on or after the first day of January, 1960, ceases at any time after such election to be Speaker shall, subject to the provisions of section 5, be paid a pension under this Act with effect from the date on which he or she ceases to be a Speaker and, subject to the provisions of subsection (2), such pension shall continue to be paid during the lifetime of that person.

(2) The Speaker's pension shall, if the person to whom it is payable becomes an elected or a nominated member of the National Assembly or is again elected a Speaker of the National Assembly, or is appointed a Parliamentary Secretary, cease to be payable during the period in respect of which that person is a member of the National Assembly, or holds office as Speaker or as a Parliamentary Secretary, as the case may be.

Rate of Speaker's pension.

4. The Speaker's pension payable under this Act to any person shall be at the annual rate of three quarters of his or her highest annual salary.

Circumstances in which Speaker's pension shall be paid.

5. (1) Subject to the provisions of this Act, a Speaker's pension shall be paid to any person who—

- (a) has served as a Speaker for periods equal in the aggregate to not less than one year;
- (b) has ceased to be Speaker as provided in section 3;
- (c) has attained the fifty years.

(2) For the purposes of this section, a person does not cease to be Speaker by reason only of the dissolution of the National Assembly.

Gratuity.

6. (1) Where a person ceases to be a legislator, he or she shall be paid a gratuity equal to twenty per centum of the total salary received during his or her period of service as Speaker.

(2) Where a person dies while he or she is Speaker, 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)

Awards to widows and children and cessation of pensions to widows and children.

7. (1) Subject to the provisions of this Act, where a person who is in receipt of a pension dies leaving a widow, but no children, there shall be paid to the widow during her lifetime and until her re-marriage, a widow's allowance at an annual rate of one half of the pension formerly paid.

(2) A widow's allowance under this section—

- (a) shall be paid monthly in arrears in equal instalments;
- (b) shall, if the widow is in receipt of a pension by virtue of having been herself a contributor under this Act, cease to be payable;
- (c) shall, if the widow is in receipt of salary as a legislator, cease to be payable during the period in respect of which the widow is in receipt of such salary.

(3) Where a person in receipt of a pension dies leaving a widow and children then—

- (a) if the children are those of the widow, the whole of the pension payable under subsection (1) shall be paid to the widow until her death or re-marriage, and in either event the pension shall cease to be payable and thereupon one-half of the amount of such pension shall be payable to the children in equal shares;
- (b) if the children are not those of the widow, one-half of the amount of the pension payable as aforesaid shall be paid to the widow for her life unless she sooner re-marries and the other half shall be payable to the children in equal shares.

(4) The allowances to children shall cease at the age of eighteen or on marriage.

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

(Inserted by Act 7 of 1994)

Pension or gratuity to be paid out of Consolidated Fund.

8. A pension or gratuity payable under this Act shall be charged on and be payable out of the Consolidated Fund.

Other pensions.

9. 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 Premier's and Prime Minister's Pension Act, Cap. 22.07 or the Legislators' Pension Act, Cap. 22.05.

Protection of pensions.

10. 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).
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