



## ST HELENA

### A BILL

### FOR

### AN ORDINANCE

**to amend the Pensions Ordinance, 2012, to further regulate the provisions relating to the grant of pensions, gratuities and other allowances in respect of offices held in the public service.**

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Enacted by the Governor of St Helena with the advice and consent of the Legislative Council of St Helena.

#### **Short title and commencement**

**1.** (1) This Ordinance may be cited as the Pensions (Amendment) Ordinance, 2020, and comes into force on ...

(2) This Ordinance also applies to any person who retired before the commencement date in subsection (1), but no pension is payable in respect of any period before that date.

#### **Early retirement**

**2.** Section 7 of the Pensions Ordinance, 2012, is amended by deleting subsection (4) and substituting the following:

“(4) (a) If an officer, who is employed in a department of the Government, is transferred by the Government to any other entity due to the divestment by the Government to such other entity of any service provided by such department, the officer is, notwithstanding anything to the contrary in section 6 and subject to paragraph (b), deemed to have retired from the public service at the age referred to in section 6(1)(a) or (b) and may be granted a benefit in respect of his or her service in the public service in accordance with the Schedule.

(b) If an officer referred to in paragraph (a) retires from that other entity in the circumstances referred to in section 6(1)(e) or subsection (3), he or she is deemed to have retired from the public service and may be granted a benefit in respect of his or her service in the public service in accordance with the Schedule as if he or she retired under section 6(1)(e) or subsection (3), as the case may be.”

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**EXPLANATORY NOTE**

*(This note is not part of the Ordinance)*

The purpose of the Bill is to amend the Pensions Ordinance, 2012, to ensure that officers who were transferred to other entities due to the divestment by the Government of certain services, retain the same entitlement to pensions with respect to early retirement for medical reasons as other employees in the public service.