



BELIZE

**PENSIONS ACT
CHAPTER 30**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



BELIZE

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CHAPTER 30

93 of 1981.

A PROCLAMATION*(Section 2 (1))**[7th November, 1981.]*

WHEREAS certain persons who were members of the public service were granted leave to transfer to the Belize Defence Force to assist in its formation;

AND WHEREAS some of the persons who so transferred have chosen to revert to the public service and may, under the Pensions Act, do so without any break in their service but their service in the Belize Defence Force will not count as pensionable service under the said Act;

AND WHEREAS by subsection (1) of section 2 of the Pensions Act, it is enacted that the Governor-General acting in accordance with the Public Services Commission may, determine any service to be public service for the purposes of that Act;

AND WHEREAS by subsection (1) of section 134 of the Belize Constitution it is provided that subject to the provisions of Chapter XI of the said Belize Constitution the existing laws shall be construed with such modifications adaptations qualifications and exceptions as may be necessary to bring them into conformity with the Belize Constitution.

NOW THEREFORE I, Minita Elmira Gordon, Governor-General in the exercise of the powers vested in me by the Pensions Act read with the Belize Constitution do hereby determine and proclaim that the period served in the Belize Defence Force, by those public officers who were granted leave to transfer to the Belize Defence Force on or before 31st December, 1978, and

who subsequently and during the continuation of the said leave reverted to the public service, shall be public service for the purposes of the Pensions Act.

CHAPTER 30**PENSIONABLE SERVICE**
(BELIZE DEFENCE FORCE) ORDER**ARRANGEMENT OF PARAGRAPHS**

1. Short title.
 2. Services in BDF to count for pension under Pensions Act.
-

CHAPTER 30

PENSIONABLE SERVICE
(BELIZE DEFENCE FORCE) ORDER
(Section 2)

96 of 1990.

[8th September, 1990.]

1. This Order may be cited as the

Short title.

**PENSIONABLE SERVICE (BELIZE DEFENCE FORCE)
ORDER.**

2. In exercise of the powers vested in me by Sections 2 and 18 of the Pensions Act, Chapter 30, and acting in accordance with the advice of the Public Services Commission, I hereby determine that the service in the Belize Defence Force shall be “public service” for the purpose of the Pensions Act provided that-

Service in BDF
to count for
pension under
Pensions Act.
CAP. 30.

- (a) this Order shall be limited in its application to members of the Belize Defence Force who do not qualify for pension or gratuity under the Defence Act and the Regulations made thereunder;
- (b) a period not exceeding three months shall have elapsed between leaving the Belize Defence Force and joining the Public Service.

MADE by the Governor-General this 27th day of August, 1990.

(MINITA ELMIRA GORDON)
Governor-General

CHAPTER 30**PENSIONABLE OFFICES (DECLARATION) ORDER****ARRANGEMENT OF PARAGRAPHS**

1. Short title.
2. Pensionable offices.
3. Gazette dated June 3, 1972.

SCHEDULE

CHAPTER 30

PENSIONABLE OFFICES (DECLARATION) ORDER

(Section 2)

22 of 1992.

Ch. 22.

[29th February, 1992.]

1. This Order may be cited as the

Short title.

PENSIONABLE OFFICES (DECLARATION) ORDER.

2. The posts set out in the Schedule hereto are hereby declared to be pensionable offices for the purposes of the Pensions Act, with effect from the date shown against each.

Pensionable
offices.
CAP. 30.

3. Order shall be read and construed as one with the 'Declaration of Pensionable Posts' Notice published in the *Gazette* dated June 3, 1972.

Gazette dated
June 3, 1972.

MADE this 18th day of February, 1992.

(DR. DAME MINITA E. GORDON)

Governor-General

SCHEDULE
[Paragraph 2]

<i>Post</i>	<i>Effective Date</i>
<hr/>	
1. Airport Guard	October 1, 1994
2. Janitor, Civil Aviation Department	July 1, 1971
3. Toll Collector	March 15, 1966

CHAPTER 30

PENSIONABLE OFFICES (DECLARATION) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Declaration of pensionable offices.
3. Gazettes and S.I. to be read and construed as one with Order.

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SCHEDULE
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CHAPTER 30

91 of 1993.
Ch. 22.

PENSIONABLE OFFICES (DECLARATION) ORDER

(Section 2)

[7th August, 1993.]

Short title.

1. This Order may be cited as the

PENSIONABLE OFFICES (DECLARATION) ORDER.

Declaration of
pensionable
offices.
CAP. 30.

2. The posts set out in the Schedule hereto are hereby declared to be pensionable offices for the purposes of the Pensions Act, with effect from the date shown against each.

Gazettes and S.I.
to be read and
construed as
one with Order.

3. This Order shall be read and construed as one with the “Declaration of Pensionable Posts” Gazette notices numbers 171 of 1964, 221 of 1966, 293 of 1969, 241 of 1972, and Statutory Instrument No. 22 of 1992.

MADE this 26th day of July, 1993.

(DR. DAME MINITA E. GORDON)

Governor-General

SCHEDULE
[Paragraph 2]

POST	EFFECTIVE DATE
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NATIONAL LIBRARY SERVICE

1. Librarian	01 April, 1993
2. Library Assistant	01 April, 1993
3. Children Librarian	01 April, 1993
4. Principal Librarian	01 April, 1993
5. Book Binder	01 April, 1993

MINISTRY OF WORKS

6. Electrician	01 April, 1993
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CHAPTER 30**PENSIONABLE OFFICES (DECLARATION) ORDER****ARRANGEMENT OF PARAGRAPHS**

1. Short title.
2. Declaration of pensionable offices.
3. Gazette Notices and S.I.s to be read and construed as one with this Order.

SCHEDULE

CHAPTER 30

PENSIONABLE OFFICES (DECLARATION) ORDER

(Section 2)

35 of 1999.
Ch. 22.

[27th March, 1999.]

1. This Order may be cited as the

Short title.

PENSIONABLE OFFICES (DECLARATION) ORDER.

2. The posts set out in the Schedule hereto are hereby declared to be pensionable offices for the purposes of the Pensions Act, with effect from the date shown against each.

Declaration of
pensionable
offices.
CAP. 30.
Schedule.

3. This Order shall be read and construed as one with the “Declaration of Pensionable Posts”, *Gazette Notices* numbers 71 of 1964, 221 of 1966, 293 of 1969, 241 of 1972, Statutory Instruments No. 22 of 1992 and No. 91 of 1993.

Gazette Notices
and S.I.s to be
read and
construed as
one with this
Order.

MADE this 19th day of March, 1999.

(ROBERT LESLIE)
Deputy Governor-General

SCHEDULE
[Paragraph 2]***POST******EFFECTIVE DATE***

Deputy Clerk, National Assembly

1st January, 1980

Clerk, National Assembly

1st December, 1990

CHAPTER 30

PENSIONS (INCREASE IN PENSIONS) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Increase in pensions.
3. Commencement.

CHAPTER 30

32 of 1998.
Ch. 30.

PENSIONS (INCREASE IN PENSIONS) ORDER

(Section 10)

[18th April, 1998.]

Short title.

1. This Order may be cited as the

PENSIONS (INCREASE IN PENSIONS) ORDER.

Increase in
pensions.
CAP. 30.

2. It is hereby ordered that the pensions paid to pensioners pursuant to section 10 of the Pensions Act shall be and are hereby ordered to be increased by two **per centum (2%)**, and from the commencement of this Order, a full pension as provided in section 10 (1) of the said Act shall not be less than three thousand two hundred and sixty four dollars (\$3,264.00) per annum.

Commencement.

3. This Order shall take effect from 1st April, 1998.

MADE by the Governor-General this 17th day of April, 1998.

(COLVILLE YOUNG)

Governor-General

CHAPTER 30

PENSIONS (MINIMUM FULL PENSIONS) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
 2. Minimum annual full pensions.
 3. Commencement.
-

CHAPTER 30

34 of 2001.
81 of 2001.
Ch. 22.

PENSIONS (MINIMUM FULL PENSIONS) ORDER

(Section 10)

[10th March, 2001.]

Short title.

1. This Order may be cited as the

PENSIONS (MINIMUM FULL PENSIONS) ORDER.

Minimum
annual full
pensions.

2. The minimum full pensions shall be and are hereby declared to be four thousand eight hundred dollars per annum.

Commencement.

3. This Order shall come into force on the 1st day of January, 2001.

MADE by His Excellency the Governor-General this 5th day of February, 2001.

(COLVILLE N. YOUNG) (SIR)
Governor-General of Belize

CHAPTER 30

**PENSIONS (PAYMENT OF PENSION AND
GRATUITY ON RESIGNATION) REGULATIONS**

ARRANGEMENT OF REGULATIONS

1. Short title.
2. Definition.
3. Emoluments to be taken for computation of pension and gratuity.
4. Payment of pension and gratuity upon resignation from the public service.

CHAPTER 30

14 of 1989.
27 of 1992.

**PENSIONS (PAYMENT OF PENSION AND
GRATUITY ON RESIGNATION) REGULATIONS**
(Sections 3, 7, 10 and 22)

[28th January, 1989.]

Short title.

1. These Regulations may be cited as the

**PENSIONS (PAYMENT OF PENSION AND GRATUITY ON
RESIGNATION) REGULATIONS.**

Definition.

2. In these Regulations unless the context otherwise requires “previous office” means the office immediately preceding the office held by the officer at the date of resignation.

Emoluments to
be taken for
computation of
pension and
gratuity.

3. For the purpose of computing the amount of pension and gratuity for an officer who resigns from the public service in accordance with section 7 of the Pensions Act, the following rules shall have effect:

- (a) in the case of an officer who has held the same office for a period of 5 years or more immediately preceding the date of his resignation, the full annual pensionable emoluments enjoyed by him at that date in respect of that office shall be taken;
- (b) in the case of an officer who at any time during the period of 5 years immediately preceding his resignation has been transferred from one office to another, but whose pensionable emoluments have not been changed by reason of such transfer

or transfers otherwise than by the grant of any scale increment, the full annual pensionable emoluments enjoyed by him at the date of his resignation in respect of the office then held by him shall be taken;

- (c) in the case of an officer who has held the same office for a period of less than five years immediately preceding his resignation, his pensionable emoluments shall be based on his emoluments in his previous office, during the three year period immediately preceding the date of appointment or promotion to the office held by him at the time of resignation, as follows:
- (i) if during the said three year period he held the same previous office and his pensionable emoluments were not changed otherwise than by the grant of any scale increment, full annual pensionable emoluments enjoyed by him in respect of his previous office shall be taken;
 - (ii) if during the said three year period he was transferred from one office to another, but his pensionable emoluments were not changed otherwise than by the grant of any scale increment, full annual pensionable emoluments enjoyed by him in respect of his previous office shall be taken;
 - (iii) if during the said three year period he was transferred from one office to another, and his pensionable emoluments were changed

otherwise than by the grant of any scale increment, one third of the aggregate pensionable emoluments enjoyed by him during the said three year period shall be taken.

27 of 1992.
Payment of
pension and
gratuity upon
resignation
from the public
service.
CAP. 30.

4. An officer who resigns from the public service and is eligible for the grant of pension and gratuity under section 7 of the Pensions Act, shall, subject to the provisions of the Act, be paid pension and gratuity, provided that no gratuity shall be payable in an officer exercises his option in accordance with regulation 26 of the Pensions Regulations to be paid pension without gratuity.