

Seychelles

Pensions (Increase) Act

Act 26 of 1980

Legislation as at 30 June 2012

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Pensions (Increase) Act
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Seychelles

Pensions (Increase) Act

Act 26 of 1980

Commenced on 1 July 1980

[This is the version of this document at 30 June 2012 and includes any amendments published up to 30 June 2014.]

1. Short title

This Act may be cited as the Pensions (Increase) Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**authorised increase**" means the increase effectively authorised by this Act to raise a pension to an increased pension;

"**Grouped Government**" shall have the same meaning as in the Pensions Regulations;

"**increased pension**" means an increased pension authorised by this Act;

"**officer**" means an officer entitled to a pension and includes a teacher, as defined in the Teacher's Pensions Act, who is entitled to a pension;

"**pension**" means a pension or annual allowance payable under any Act specified in the Schedule to this Act, including any addition to such pension or annual allowance paid or payable to an officer under the Pensions (Increase) Act, 1965, the Pensions (Increase) Act, 1969, the Pensions (Increase) Act, 1970, the Pensions (Increase) Act, 1973, the Pensions (Increase) Act, 1974, the Pensions (Increase) Act, 1975, and the Pensions (Increase) Act, 1976, but does not include any gratuity or sum payable otherwise than by way of periodical payments, and accordingly the provisions of this Act shall not apply to any pension which has been commuted, and where a part of a pension has been commuted, these provisions shall not apply to that part.

3. Increase of pensions

Subject to the provisions of this Act, where an officer has retired or retires from, or attains the age of 55 in, service under the Government of Seychelles his pension may be increased in respect of any period beginning on or after 1st July, 1980, as follows:

Present rate of pension per month	Rate of increased pension per month
R.2.00 to R.99.99	R. 200.00
R. 100.00 to R. 199.99	R. 250.00
R. 200.00 to R. 299.99	R. 350.00
R. 300.00 to R. 399.00	R. 450.00
R. 400.00 to R. 499.99	R. 550.00
R. 500.00 and over	Present rate of pension per month plus a flat rate increase of R.50.00 per month.

4. Increase of pensions where service not wholly in Seychelles

Where an officer has retired from service under a Grouped Government his pension may be increased to the same extent as if he had retired from service under the Government of Seychelles on the day immediately following the effective date of the latest general revision of salaries by the Grouped Government from whose service he retired which was taken into account in determining the amount of his pension.

5. Aggregation of pension

Where any person has become, or becomes, eligible for the grant of two or more pensions under one or more of the Acts mentioned in the Schedule to this Act, the authorised increase in respect of both or all of these pensions shall not in the aggregate exceed the amount which would represent the authorised increase if he were in receipt of a single pension at a rate equal to the aggregate of the basic pensions in relation to his earliest retirement; and where the said increase, as ascertained apart from this section, would exceed that amount, the authorised increase in the case of each pension shall bear the same proportion to that amount as the pension bears to the aggregate of the pensions.

6. Date of retirement

For the purposes of this Act, an officer shall be deemed to have retired from the public service on the day as hereinafter specified, whether or not his pension accrues from that day, that is to say—

- (1) where the amount of pension is computed by reference to emoluments received during any period of service under a Grouped Government, or would be so computed apart from any provisions specifying a fixed sum as the maximum rate of pension, from service under that Government on the last day of that service;
- (2) in any other case, on the last day of service.*

*

Note to 1991 ed: In respect of officers retiring after 31st December, 1978 from service under the Government of Seychelles or service as teacher, this shall be a reference to 31st December, 1978. Pensions (Special Provisions) Decree (Cap. 161)

7. Exclusion of limitation of maximum amount of pension

The authorised increase shall not be taken into account for the purpose of any provision contained in any Act specified in the Schedule to this Act which limits the amount of pension which may be drawn by an officer.

8. Option to decline increase

Where it would be to his advantage a person may elect not to receive any increase payable under this Act, in which case he shall continue to be paid such amount by way of pension as he was receiving immediately prior to the commencement of this Act, and the conditions upon which such amount became payable shall continue to apply.

Schedule

The Pensions Consolidation Act, 1902

The Pensions (Amendment) Act, 1928

The Pensions Act, (Chapter 159)

The Teachers' Pensions Act, (Chapter 163, 1971 Ed)