

I assent.

(L.S.)

GUIDO DE MARCO
President

18th May, 1999

ACT No. VIII of 1999

AN ACT to amend the Pensions Ordinance, Cap. 93

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title and
commencement.
Cap. 93.

1. (1) This Act may be cited as the Pensions (Amendment) Act, 1999, and shall be read and construed as one with the Pensions Ordinance, hereinafter referred to as “the principal law”.

(2) The provisions of this Act shall come into force on such date as the Minister responsible for finance may by notice in the Gazette appoint, and different dates may be so appointed for different provisions and different purposes of this Act.

Amendment of
section 2 of the
principal law.

2. Section 2 of the principal law shall be amended as follows:

(a) immediately before the definition of “month” there shall be added the following new definition:—

“ “correctional services officer” means any officer appointed to the public service before the 15th January, 1979 and who occupies any post listed in the Schedule to the Prisons Pensions Regulations, 1998;” and

(b) immediately after the definition of “personal allowance” and before the definition of “public service” there shall be added the following new definition:—

“ “prisons officer” shall have the same meaning assigned to it by section 2 of the Prisons Act;”.

Cap. 260.

3. In subparagraph (iii) of paragraph (a) of subsection (1) of section 7 of the principal law, for the words “in the case of” there shall be substituted the words “in the case of a correctional services officer or” and for the words “in the Police force” there shall be substituted the words “as a correctional services officer or in the Police force”.

Amendment of section 7 of the principal law.

4. For paragraph (ii) of the proviso to section 9 of the principal law there shall be substituted the following:

Amendment of section 9 of the principal law.

“(ii) a correctional services officer or a member appointed to the Police force, not being an officer holding the office of Commissioner of Police, Deputy Commissioner of Police, Director of Correctional Services or Correctional Manager, may be required by the President of Malta on the recommendation of the Commissioner of Police or of the Director of Correctional Services, as the case may be, to retire at any time after he attains the age of fifty-five years or, if he has completed twenty-five years’ service in the Police force or as a correctional services officer after he attains the age of fifty years.”.

5. In subsection (3) of section 11 of the principal law for the words “as a member of the Police force” there shall be substituted the words “as a correctional services officer or as a member of the Police force”.

Amendment of section 11 of the principal law.

6. Section 18 of the principal law shall be amended as follows:

Amendment of section 18 of the principal law.

(a) in subsection (1) thereof for the words “as a member of the Police force” wherever they appear there shall be substituted the words “as a correctional services officer or as a member of the Police force”; and

(b) immediately after the proviso to subsection (1) thereof there shall be added the following new proviso:—

“Provided further that where a correctional services officer was in service as a prisons officer previous to his being appointed a correctional services officer, then the date he commenced service as a prisons officer shall be deemed the date of his first appointment as a correctional services officer for the purposes of this subsection.”.

Addition of new section 20A to the principal law.

7. Immediately after section 20 of the principal law there shall be added the following new section:

"Saving as to correctional services officers.

20A. Subject to the provisions of section 10 of this Ordinance, where a person has been appointed a correctional services officer, any period previous to that appointment during which that person has served as a prisons officer or as a member of a disciplined force as defined in subsection (1) of section 47 of the Constitution shall be deemed as service as a correctional services officer for the purposes of this Ordinance."

Amendment of Schedule to the principal law.

8. The Schedule to the principal law shall be amended as follows:

(a) in the proviso to regulation 2 thereof, for the words "in the case of " there shall be substituted the words "in the case of a correctional services officer or of ";

(b) in subparagraph (b) of paragraph (5) of regulation 9 thereof, for the words "when a member" there shall be substituted the words "when that officer was a correctional services officer or a member";

(c) in item (ii) of subparagraph (e) of paragraph (1) of regulation 10 thereof, for the words "when a member" there shall be substituted the words "when that officer was a correctional services officer or a member"; and

(d) in paragraph (2) of regulation 14 thereof, for the words "from the Police force" there shall be substituted the words "as a correctional services officer or from the Police force".

Passed by the House of Representatives at Sitting No. 89 of the 4th May, 1999.

ANTON TABONE
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives