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CONTENTS

PARLIAMENTARY NOTICE

Statutory Instruments

3-6

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That is the preferred method of communication for **all** correspondence (especially when sending Notices/information which must be sent in Microsoft Word format) to be published in the Gazette.

Letter headings should be addressed to:

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P.O. Box 118
Antigua

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Deadlines

The deadline for submitting notices for publication in the principal edition is midday Monday on every week for all commercial and Government notices, in the week of publication.

*Late notices may be accepted at the discretion of the Editor.

The deadline for cancelling notices in the principal edition is 12.00 midday Wednesday. Please call the Gazette Office immediately to cancel a notice, and confirm by email.

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NOTICES

No. 40

The following STATUTORY INSTRUMENTS are circulated with this Gazette and form part thereof:

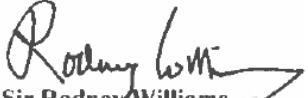
STATUTORY INSTRUMENTS

ANTIGUA AND BARBUDA



**PROCLAMATION DATED THE 16th DAY OF DECEMBER, 2022
DISSOLVING PARLIAMENT**

**BY THE GOVERNOR GENERAL
A PROCLAMATION**


Sir Rodney Williams
Governor General

WHEREAS it is provided by Section 60 subsection (1) of the Constitution that the Governor General, acting in accordance with the advice of the Prime Minister may, at any time, dissolve Parliament.

NOW THEREFORE, I SIR RODNEY WILLIAMS, GCMG, Governor General of Antigua and Barbuda, acting in accordance with the advice of the Prime Minister, do hereby dissolve Parliament on **Friday the 16th day of December 2022**.

AND THE PRESIDENT of the Senate, the **SPEAKER** of the House of Representatives, the Members of the Senate and the Members of the House of Representatives, and all others whom it may concern are hereby required to take due notice hereof.

GIVEN at the Governor General’s Office, St. John’s, Antigua
This 16th day of December, 2022
and in the First Year of His Majesty’s Reign

GOD SAVE THE KING!

ANTIGUA AND BARBUDA



**RESOLUTION OF THE HOUSES OF PARLIAMENT PURSUANT TO SECTION 3(3) OF THE PENSIONS ACT,
CAP. 311**

STATUTORY INSTRUMENT 2022

2022, NO. 46

WHEREAS the Pensions Act, Cap. 311 provides that the Cabinet of Antigua and Barbuda may from time to time amend, add to or revoke any of the Regulations contained in the first Schedule to the Pensions Act, Cap. 311 which First Schedule contains the Regulations for the granting of pensions, gratuities and other allowances to officers;

AND WHEREAS by Regulation 4 of the said Regulations, a pension is only payable where an officer who reaches the age of retirement retires having served in a pensionable office under the Government in a civil capacity for ten years or more;

AND WHEREAS this provision has resulted in hardship to officers who would have served diligently in the public service under the Government for a period in excess of 9 years and 6 months but less than 10 years;

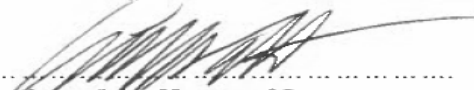
AND WHEREAS the Cabinet is satisfied that it is equitable to grant a pension to officers who at the time of their retirement would have served in the Government in a civil capacity for a period of 9 years and 6 months, but less than 10 years;


AND WHEREAS Cabinet is satisfied that the Pensions Regulations are to be amended in terms of the draft that is attached hereto as a Schedule and which shall have retrospective effect from 1st January 2004;

AND WHEREAS section 3(3) of the Pensions Act, Cap. 311 provides that before any regulation or amended regulation shall have retrospective effect it shall first receive the approval of Parliament signified by Resolution


NOW THEREFORE BE IT RESOLVED THAT this Parliament in accordance with Section 3(3) of the Pensions Act, Cap. 311 **HEREBY APPROVES** the amendment to the Pensions Regulations as provided in the draft that is attached hereto as a Schedule and further approves that the amendment shall have retrospective effect from 1st January, 2004.

Passed by the House of Representatives
this 1st day of December, 2022


.....
Speaker of the House of Representatives


.....
Clerk to the House of Representatives

Passed by the Senate this 12th day of
December, 2022


.....
President of the Senate


.....
Clerk to the Senate

SCHEDULE

**ANTIGUA AND BARBUDA PENSIONS ACT, CAP. 311
PENSIONS (AMENDMENT) REGULATIONS 2022**

REGULATIONS

1. Citation and commencement
2. Interpretation
3. Amendment of regulation 4 - Pension to whom and at what rates to be granted
4. Insertion of Part IIIA - Pension and gratuity to officers who completed nine years and six months but less than ten years in the service
5. Amendment to have retrospective effect

**ANTIGUA AND BARBUDA PENSIONS ACT, Cap. 311
PENSIONS (AMENDMENT) REGULATIONS 2021**

**PENSIONS (AMENDMENT) REGULATIONS 2021 MADE BY THE CABINET IN EXERCISE OF THE POWERS
CONFERRED BY SECTION 3 SUBSECTION (3) OF THE PENSIONS ACT, CAP. 311**

1. Citation and Commencement

(1) These Regulations may be cited as the Pensions (Amendment) Regulations 2021.

(2) These Regulations shall come into effect on the 30th day of December, 2022.

2. Interpretation

(1) In these regulations –

“principal Regulations” means the Regulations for the granting of pensions, gratuities and other allowances to officers as set out in the First Schedule to the Pensions Act, Cap. 311.

3. Amendment of Regulation 4 – Pension to whom and at what rates to be granted

The principal Regulations are amended by the repeal of Regulation 4 and the substitution therefor of the following –

“4. Pension to whom and at what rates to be granted

Subject to the provisions of the Act and of these Regulations, every officer

(a) holding pensionable office under the Government, who has been in service under the Government in a civil capacity for ten years or more; or

(b) who, from the period 1st January 2004 to 30th June, 2014 was, at the date of his retirement in service under the Government in a civil capacity for at least nine years and six months, but less than ten years,

may, on retirement from the service be granted a pension at the annual rate of one six-hundredth of his pensionable emoluments for each complete month of his pensionable service.

4. Insertion of Part IIIA – Pension and gratuity to officers who completed nine years and six months but less than ten years in the service

The principal Regulations are amended by inserting after the conclusion of Part III – Transferred Officers, the following new Part

“PART IIIA

Pension and Gratuity to officers who completed nine years and six months but less than ten years in the service

13A. Application of this Part

This Part shall apply to an officer who –

(a) retired from the service of the Government in a civil capacity between the period 1st January 2004 and 30th June 2014 in circumstances outlined in paragraph (a) of section 6, but who, at the time of retirement had been in the service of the Government for a minimum period of nine years and six months but less than 10 years; or

(b) was dismissed from the service between the period 1st January 2004 to 30th June 2014 as a result of victimization or discrimination but who, had it not been for the said victimization or discrimination, would have more likely than not, remained in the service of the Government in a civil capacity; and

(c) is not otherwise in receipt of a pension resulting from his years of service in the Government in a civil capacity; and

(d) had not been severed from the service of the Government by virtue of having received a separation package.

13B. Gratuity and reduced pension

(1) Subject to Regulation 13C, an officer to whom this Part applies shall be paid a reduced pension only.

(2) For the purpose of calculating the reduced pension entitlement to an officer, the officer shall be treated as having opted to receive a gratuity and reduced pension at the date of his retirement from the service.

13C. Treatment of previously received payment of gratuity under Regulation 5 or 12
Where a retired officer had received a gratuity under Regulation 5 or 12 of the principal Regulations –

- (a) the amount of the gratuity previously received by the officer shall be taken into consideration in calculating the payment of the gratuity and reduced pension to which the officer would be entitled; and
- (b) if the gratuity previously received by the officer is in excess of the gratuity that the officer would have received had he opted to receive a gratuity and reduced pension under regulation 25, the payment in excess shall be deducted from any pension payment to which the officer would have been entitled at the date of his retirement.

13D. Pension protected
The pension payable under this Part shall not –

- (a) be assignable or transferable except for the purpose of satisfying a debt due to the Government or an Order of a Court; 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 an order of any court as mentioned in sub-paragraph (a).

13E. Non applicability of regulation 25

The provisions of regulation 25 shall not apply to this Part, except as reference herein.

13F. Applicability of Part IV of these Regulations
Part IV (General) of these Regulations shall apply with the necessary modifications to give effect to this Part.”

5. Amendment to have retrospective effect

This amendment to the Pensions Regulations shall have retrospective effect.

Made this day of , 2022

.....

Passed by a Resolution of the House of Representatives this day of , 2022

.....

Speaker

.....

Clerk to the House of Representatives

Passed by the Senate this day of , 2022

.....

President

.....

Clerk to the Senate