

**THIRD SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 4,307 of 3rd November, 2016

B. 22/16

BILL

FOR

AN ACT to amend the Pensions Act and Pensions Regulations.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Act may be cited as the Pensions (Amendment) Act 2016.

Commencement.

2. This Act comes into operation on the day of publication.

Amendment of the Pensions Act.

3.(1) The Pensions Act is amended in accordance with this section.

(2) In section 2(1)–

(a) after the definition of “fire officer” insert–

““Gibraltar Port Authority” means the Authority established under section 3 of the Gibraltar Port Authority Act 2005;”;

(b) after the definition of “police officer” insert–

““port officer” means an officer of the Gibraltar Port Authority of a marine grade, other than the Captain of the Port, to whom the provisions of section 6(1)(d) apply.

Provided that the Government may, from time to time, by notice in the Gazette declare that the term “port officer” shall or shall not apply to any officer of the Gibraltar Port Authority specified in such notice and such declaration may contain such provisions as may be considered equitable for the purpose of safeguarding existing rights;”.

(3) In section 8(2)–

- (a) in the first paragraph, for the words “or customs officer” substitute “, customs officer or port officer”;
- (b) in the second paragraph, for the words “or customs” substitute “, customs or port”.

(4) After section 8A insert–

“Port officers retiring from public service subject to an Early Exit Scheme Agreement.

- 8B.(1) The provisions of section 8(2) do not apply to a port officer until 1 January 2018.
- (2) Until 1 January 2018 a port officer who retires on or after 1 April 2016 is subject to the terms of the approved Early Exit Scheme Agreement published by notice in the Gazette.”.

Amendment of the Pensions Regulations.

4.(1) The Pensions Regulations are amended in accordance with this section.

(2) In regulation 4(1)–

- (a) for the words “or a customs officer” substitute “, a customs officer or a port officer”;
- (b) for the words “or customs officer” substitute “, customs officer or port officer”.

(3) After regulation 4(1A) insert–

“(1B) The provisions of regulation 4(1) do not apply to a port officer until 1 January 2018.”.

EXPLANATORY MEMORANDUM

This Bill amends the Pensions Act and the Pensions Regulations to include port officers as an essential service for the purposes of compulsory retirement and calculation of pension.

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