B. 29/15

BILL

FOR

AN ACT to amend the Pensions (Widows and Orphans) Act.

ENACTED by the Legislature of Gibraltar.

Short title and commencement.

1. This Act may be cited as the Pensions (Widows and Orphans) (Amendment) Act 2015 and shall be deemed to have come into operation on the 9 December 2011.

Amendment to the Pensions (Widows and Orphans) Act.

2. (1) The Pensions (Widows and Orphans) Act is amended in accordance with this section.

(2) Insert the following section after section 18—

    "Contributions by former contributors.

    18A. (1) A person may resume contributions if-

        (a) he was formerly a contributor as defined in section 2;

        (b) the Government agrees that he may resume contributions;

        (c) at any time during the period from 9 December 2011 to 30 September 2016 he has communicated in writing his intention to resume contributions; and

(d) he contributes either in a lump sum or in instalments such sum as the Government shall determine in order to bring his contributions up to date.

(2)   The resumption of contributions in subsection (1) may be made in the contributor's stead by his widow, who shall thereby be awarded a widow's pension, if the contributor had, before his death, communicated in writing his intention to resume his contributions and the contributor, but for his death, would have been approved by the Government to resume contributions.".

EXPLANATORY MEMORANDUM

This Bill allows former contributors to apply to resume contributions; however, the contributor must notify the Government of his intention to resume contributions and the Government must approve such resumption. The Bill also allows a contributor's widow to make the necessary contributions in the contributor's stead and to receive a widow's pension if the criteria in subsection (2) are met.