

THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5130 GIBRALTAR Wednesday 21st February 2024

B. 07/24

BILL

FOR

AN ACT to amend the Gibraltar Regiment Act 1998 to make further provision for the establishment, application and variation of arrangements for the payment of pensions and other benefits in respect of a person's service in the Gibraltar Regiment.

ENACTED by the Legislature of Gibraltar.

PART 1 PRELIMINARY

Short title.

1. This Act may be cited as the Gibraltar Regiment (Amendment) Act 2024.

Commencement.

2. This Act comes into operation on the day appointed by the Chief Minister by Notice in the Gazette.

PART 2 AMENDMENT OF GIBRALTAR REGIMENT ACT 1998

Amendment of the Gibraltar Regiment Act 1998.

3. The Gibraltar Regiment Act 1998 is amended in accordance with this Part.

Amendment to section 15.

4. In section 15, before the words "The Pay" insert "Subject to section 15A,".

Section 15A.

5. After section 15 insert the following-

“Pension arrangements.

- 15A.(1) The Chief Minister, with the consent of the Governor and the Secretary of State, may make regulations-
- (a) establishing a scheme or arrangement for the purpose specified in subsection (4);
 - (b) varying all or any part of the arrangements set or promulgated by the Secretary of State pursuant to section 15, where those arrangements relate to the purpose specified in subsection (4).
- (2) Regulations made under subsection (1) may be given retrospective effect, and provisos (a) and (b) to section 24 of the Interpretation and General Clauses Act shall not apply to those regulations.
- (3) Regulations made under subsection (1) may-
- (a) make supplementary, incidental, consequential or transitional provisions;
 - (b) amend any provision of, or made under, this Act.
- (4) The purpose referred to in subsection (1) is the payment of pensions or other benefits in respect of or connected to a person’s service in the Regiment.
- (5) This section is without prejudice to the generality of section 23.
- (6) Nothing in this Act or in any enactment made under it is to derogate from the responsibility of the Governor under the Constitution for external affairs, defence, internal security or any other matter for which the Governor may have responsibility under the Constitution.”.

EXPLANATORY MEMORANDUM

This Act introduces new provisions into the Gibraltar Regiment Act 1998 which confer on the Chief Minister, acting with the consent of the Governor and the Secretary of State, the power to make regulations to establish a scheme or arrangement for the payment of pensions or other benefits to members of the Gibraltar Regiment, or to vary any pension arrangements promulgated by the Secretary of State pursuant to section 15. Regulations made under these powers can be given retrospective effect.

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