

Seychelles

Pensions (Special Provisions) Decree

Decree 60 of 1978

Legislation as at 30 June 2012

FRBR URI: /akn/sc/act/decreed/1978/60/eng@2012-06-30

There may have been updates since this file was created.

PDF created on 21 February 2024 at 16:40.

Collection last checked for updates: 30 June 2014.

[Check for updates](#)



About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

www.laws.africa
info@laws.africa

There is no copyright on the legislative content of this document.
This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

Pensions (Special Provisions) Decree
Contents

1. Short title 1

2. Interpretation 1

3. Cessation of pensionable service 1

4. Pension rights on transfer to non-Government public service 1

Seychelles

Pensions (Special Provisions) Decree

Decree 60 of 1978

Commenced on 1 January 1979

[This is the version of this document at 30 June 2012 and includes any amendments published up to 30 June 2014.]

[Decree 60 of 1978; Act 5 of 1983; Act 10 of 1990]

1. Short title

This Decree may be cited as the Pensions (Special Provisions) Decree.

2. Interpretation

- (1) In this Decree, unless the context otherwise requires—
"Pensions Acts" means the Pensions Act and the Teachers' Pensions Act, and includes any regulations made thereunder.
- (2) In this Decree words and expressions used herein shall, unless the context otherwise requires, have the same meaning as that assigned to such words and expressions in the Pensions Acts.

3. Cessation of pensionable service

- (1) Notwithstanding the provisions of the Pensions Acts, no pension, gratuity or other payment under such Acts shall be paid in respect of service under Government or as a teacher after 31st December, 1978.
- (2) A pension, gratuity or other payment under the Pensions Act shall be payable in terms of those Acts in respect of service under the Government or as a teacher prior to 1st January, 1979.
- (3) In computing the amount of any pension or gratuity payable under the Pensions Acts to any person retiring from service under the Government or service as teacher, no account shall be taken of any pensionable emoluments received in respect of service after 31st December 1978, and, for the purposes of such computation, every person to whom such a pension or gratuity is to be paid shall be treated as if he had retired on 31st December 1978, notwithstanding that the actual date of his retirement is some other date, and any reference in the Pensions Acts to the date of a person's retirement or final retirement shall be treated as if it were a reference to 31st December 1978.
- (4) Subsection (3) shall apply to any person who has retired from any pensionable office and who has been re-employed in a pensionable office before 31st December 1978 as it applies to any person who had been continuously employed in a pensionable office before that date.

4. Pension rights on transfer to non-Government public service

Where any person to whom [section 3](#) applies has, on or rights on after 1st January 1979, been transferred by reason of any re-organisation of the public service, to service with a public body which is not a department or division of the Government, any pension which would, by virtue of that section, have been payable to him upon his retirement had he not been so transferred, shall be payable to him in accordance with section 6(2) of the Pensions Act; and such a person shall be treated as if he had not ceased to be a public servant for the purposes of any entitlement to payment or repayment of any benefit or contribution by virtue of any provision of the Pensions Acts or of any other enactment for the time being in force in

respect of the regulation of pensions or gratuities or any like benefits payable to public servants or their dependants.

[Note to 2010 ed: "The Pensions (Widows, Orphans and Children's) laws (Repeal) Act, 1985 (Act [11 of 1985](#)) repealed the Widows and Orphans Pensions Act (Cap 189) (1952 Edition) and the Widows' and Children's Pensions Act (Cap 27) (1971 Edition). Hence those 2 Acts are omitted from this Edition. Notwithstanding the repeal of those 2 Acts, they were made applicable by section 5 of Act [11 of 1985](#) to pensions due and payable under those Acts in respect of contributors, who had died before 15th July 1985, as if the Acts were not repealed."]