

THE GOVERNOR-GENERAL (EXPENDITURE,
PERSONAL STAFF, TAX EXEMPTIONS AND
PENSIONS) ACT

ARRANGEMENT OF SECTIONS

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SCHEDULE

THE GOVERNOR-GENERAL (EXPENDITURE,
PERSONAL STAFF, TAX EXEMPTIONS AND
PENSIONS) ACT

Acts
23 of 1965,
36 of 1966,
44 of 1973,
54 of 1975
S. 6,
20 of 1980,
16 of 1987,
16 of 1991
S. 64,
27 of 1996,
24 of 2017
3rd. Sch.

[28th June, 1965.]

PART I. *Emoluments, personal staff and tax exemptions*

1. This Act may be cited as the Governor-General (Expenditure, Personal Staff, Tax Exemptions and Pensions) Act. Short title.

2. In this Part, "Acting Governor-General" means any person who performs the functions of the office of Governor-General under section 29 of the Constitution of Jamaica. Interpretation.

3.—(1) The emoluments appertaining to the office of Governor-General shall be the emoluments specified in the First Schedule. Emoluments of Governor-General, First Schedule, 16/1987

(2) The House of Representatives may from time to time by resolution vary the First Schedule by increasing the emoluments specified therein. S. 2.

4. The Governor-General shall not be entitled to any of the emoluments appertaining to his office in respect of any period prior to the day on which he enters upon the duties of such office. No emoluments before entry upon duties.

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Emoluments
during
absence,
leave and
incapacity.
16/1987
S. 3.

5. Subject to the provisions of section 4, the Governor-General shall receive the emoluments appertaining to his office—

- (a) in respect of any period during which he is absent from Jamaica for the purpose of performing any of the functions of his office;
- (b) in respect of any period during which he is absent on leave or is unable to perform the functions of his office.

Emoluments
of Acting
Governor-
General.

6.—(1) Subject to the provisions of subsection (2), an Acting Governor-General shall, in respect of the period during which he discharges the functions of the office of Governor-General, receive emoluments at the rate specified in respect of the office of Governor-General.

(2) Where an Acting Governor-General, in reference to any period during which he discharges the functions of the office of Governor-General, receives salary defrayed from the Consolidated Fund in respect of any other office, his emoluments under subsection (1) in respect of such period shall be abated to the extent of the salary so received.

Assumption
of duty.

7. A person who has assumed duty as Governor-General or Acting Governor-General shall, for the purposes of this Act, be deemed to have done so at the commencement of the day on which he assumed duty as aforesaid, and no other person shall be entitled in respect of that day to any emoluments hereinbefore prescribed, other than emoluments under section 5.

8. All goods imported into Jamaica by the Governor-General for the use of his household or for himself as Governor-General are hereby declared to be exempt from, and shall be admitted free of, customs duty and general consumption tax.

Imports by Governor-General when free from duty and tax.
16/1991
S. 64.

9. Any amount payable to a Collector of Taxes for, upon or in respect of any taxable animals or articles in the possession or use of the Governor-General shall be certified by the Governor-General and paid by the Accountant-General to such Collector.

Payment of taxes on animals and articles.

10.—(1) The offices that are to constitute the personal staff of the Governor-General shall be such offices, and the salaries that are to be paid to members of that staff shall be such salaries, as may be prescribed from time to time pursuant to the Civil Service Establishment Act.

Personal staff and general expenditure attaching to Governor-General's office.
54/1975
S. 6.
20/1980
S. 2.

(2) The sums to be paid in respect of expenditure attaching to the office of Governor-General, other than amounts payable pursuant to any provisions hereinbefore contained, shall be such sums as appear in that respect in the estimates of expenditure as approved from time to time by the House of Representatives.

11. All payments required by virtue of any provisions of this Part shall be charged on and defrayed out of the Consolidated Fund.

Payments hereunder charged on Consolidated Fund.

PART II. *Pensions*

12. In this Part—

“entitled child” means a person who—

Interpretation.
20/1980
S. 3.

(a) has not attained the age of nineteen years; or

(b) having attained the age of nineteen years—

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- (i) is pursuing a course of full-time instructions at any educational establishment approved for the purpose by the Minister responsible for education or a course of instruction as an apprentice in any trade, profession or vocation under articles entered into for a period of not less than two years (hereinafter referred to as "higher education"); and
- (ii) has not attained the age of twenty-three years,

so, however, that person referred to in sub-paragraph (ii) who, before attaining the age of twenty-three years, ceases to receive higher education, shall cease to be an entitled child at the date on which he ceased to receive higher education;

"Governor-General's pension" means the pension payable under this Act to a person who has ceased to be Governor-General.

24/2017
3rd Sch.

- (c) a person with a disability within the meaning of the Disabilities Act and who has wholly or mainly depended on the Governor-General for support.

Governor-
General's
right to
pensions.

13.—(1) Every person who having held the office of Governor-General on or after the 28th June, 1965, ceases at any time after that date to be Governor-General shall be paid a pension under this Act with effect from the date on which he ceases to be Governor-General and subject to the provisions of subsection (2) such pension shall continue to be paid during the lifetime of that person.

(2) Governor-General's pension shall, if the person to whom it is payable is appointed Prime Minister or is again appointed Governor-General, cease to be payable during the period in respect of which that person holds the office of Prime Minister or again holds the office of Governor-General.

14.—(1) Subject to the provisions of subsections (2) and (3), Governor-General's pension payable to any person shall be an annual rate equivalent to the annual rate of salary appertaining to the office of Governor-General for the time being.

Rate of
Governor-
General's
pension.
44/1973
S. 2 (a).
20/1980
S. 4 (a).
16/1987
S. 4.
20/1980
S. 4 (b).

(2) Where a person, by virtue of having held office as Governor-General is entitled to Governor-General's pension under this Act, and, by virtue of having held office as Prime Minister is entitled to Prime Minister's pension under the Pensions (Prime Minister) Act, he shall, when he ceases to hold office as Governor-General or Prime Minister, whichever post is held last, be entitled to receive, at his election, either one of those pensions but not both; and the provisions of subsections (2) and (3) of section 4 of the Pensions (Prime Minister) Act (which permit an election under that Act) shall be deemed to permit him to elect, or to rescind an election, for the purposes of this Act in accordance with and on the terms set out in those provisions.

(3) If a person to whom Governor-General's pension is payable is in receipt of a retiring allowance payable to him under the Retiring Allowances (Legislative Service) Act, only so much of the Governor-General's pension shall be paid to him as will, when added to his retiring allowance not exceed the pension specified in subsection (1).

44/1973
S. 2 (b).

14A. A person in receipt of Governor-General's pension pursuant to this Act shall be provided with suitable Government owned housing and shall also be paid the allowances specified in the Second Schedule.

Allowances
payable to
person in
receipt of
Governor-
General's
pension.
Second
Schedule.
16/1987
S. 5.
27/1996
S. 2.

Widow's
pension.

15.—(1) Where a person dies while he is Governor-General or while he is entitled to receive Governor-General's pension—

(a) if he leaves—

(i) a widow but no entitled child; or

(ii) a widow and entitled children by such widow only,

44/1973
S. 3.

the widow shall, subject to the provisions of subsections (2) and (3), be paid a pension at an annual rate equivalent to two-thirds of the annual rate specified in subsection (1) of section 14 or, where that annual rate is reduced in accordance with subsection (3) of section 14, equivalent to two-thirds of the reduced rate;

20/1980
S. 4 (a).

(b) if he leaves a widow and any entitled child that is not a child of the widow only the widow shall, subject to the provisions of subsections (2) and (3), be paid a pension at one-half the annual rate specified in paragraph (a) until there is no such entitled child and thereafter a pension at the full rate so specified.

(2) A widow mentioned in subsection (1) shall not be entitled to receive and shall not be paid pension under this section—

(a) if her deceased husband did not, at any time during their marriage, hold the office of Governor-General; or

(b) in respect of any period after her re-marriage; or

(c) in respect of any period after she becomes Governor-General or Prime Minister.

(3) If the Minister is satisfied that the widow of a former Governor-General has, while receiving a pension under this section, deserted or abandoned, or failed to

maintain or assist in maintaining so far as her means allow, an entitled child—

(a) of her marriage with that former Governor-General; and

(b) whom she is bound by law to maintain,

the Minister may cause to be paid to such child, until he dies or ceases to be an entitled child, such portion of the pension payable to the widow under this section as he may think fit, and the widow shall have no further claim in respect of the portion of pension so paid.

15A. A widow of a Governor-General who is in receipt of a pension pursuant to section 15 shall be paid the allowances specified in the Third Schedule.

Allowances payable to widow of Governor-General. Third Schedule. 27/1996 S. 3.

16. Where a person dies while he is Governor-General or while he is entitled to receive Governor-General's pension, leaving entitled children, each of such children (except those referred to in sub-paragraph (ii) of paragraph (a) of subsection (1) of section 15, if a pension is being paid under that section to their mother) shall be paid, until he dies or ceases to be an entitled child, such pension at such rate as the Minister shall determine; so, however, that the aggregate rate of pension payable to such children shall not exceed—

Children's pension.

(a) subject to paragraph (b) of this section, the annual rate specified in paragraph (a) of subsection (1) of section 15 in respect of a widow;

(b) if, and so long, as the Governor-General's widow is entitled to a pension under that section, one-half of the rate so specified.

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Source
and method
of pay-
ment of
pensions.
27/1996
S. 4.

17. Any pension or allowances payable under this Act—

- (a) shall be charged on and paid out of the Consolidated Fund;
- (b) shall be paid monthly in arrears in equal instalments.

Protec-
tion of
pensions.
27/1996
S. 4.

18. Any pension or allowances payable under this Act shall not—

- (a) be assignable or transferable except for the purpose of satisfying a debt due to the Government or an order of any court for the payment of periodical sums of money towards the maintenance of the wife, former wife, or child being a minor of the person to whom the pension or allowances is payable; 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 such order of any court as is mentioned in paragraph (a).

27/1996
S. 4.

16/1987
S. 6.

FIRST SCHEDULE

(Section 3)

Emoluments appertaining to the office of Governor-General

Salary at an annual rate equivalent to the sum of—

- (a) the annual rate of salary (exclusive of allowances) attached to the office of Chief Justice from time to time; and
- (b) \$25,000.

16/1987
S. 7.

SECOND SCHEDULE

(Section 14A)

*Allowances payable to person in receipt of
Governor-General's pension*

1. Chauffeur's allowance at an annual rate equivalent to the sum of—

- (a) the annual rate for chauffeur's allowance appertaining for the time being to the office of Minister; and
- (b) such rate for chauffeur's uniform as may be determined from time to time by the Minister responsible for the public service.

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SECOND SCHEDULE, *cont'd.*

2. If the person in receipt of Governor-General's pension is not provided with Government owned housing, he shall be paid housing allowance at an annual rate equivalent to the rate of house allowance for the time being payable in respect of the office of the Chief Justice if the holder of that office is not provided with an official residence.

3. Secretarial allowance at an annual rate equivalent to the minimum rate of salary for the time being appertaining to the post of Senior Secretary / Stenographer (ST IV) (inclusive of uniform allowance) in the Central Government Service.

4. Household helper's allowance at an annual rate equivalent to twice the minimum rate of salary for the time being appertaining to the post of Attendant I (LMO/TS1) (inclusive of laundry allowance and uniform allowance) in the Central Government Service.

27/1996
S. 5.
24/2017
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5. Gardener's allowance at an annual rate equivalent to the minimum rate of salary for the time being appertaining to the post of Gardener (LMO/TS1) (inclusive of laundry allowance and uniform allowance) in the Central Government Service.

27/1996
S. 5.
24/2017
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**GOVERNOR-GENERAL (EXPENDITURE, PERSONAL
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27/1996
S. 6.

THIRD SCHEDULE

(Section 15A)

*Allowances payable to Widow of Governor-General
in receipt of Pension*

1. Chauffeur's allowance as specified in paragraph 1 of the Second Schedule.
2. Household helper's allowance as specified in paragraph 4 of the Second Schedule.
3. Gardener's allowance as specified in paragraph 5 of the Second Schedule.
4. Social Secretary's allowance at such rate as may be determined from time to time by the Minister responsible for the Public Service.