

THE SUGAR INDUSTRY EFFICIENCY (AMENDMENT) BILL
(No. XXVIII of 2003)

Explanatory Memorandum

The object of this Bill is to provide for the extension of the contributory retirement pension to a male worker who has not reached the age of 55 or a female worker who has not reached the age of 50, as the case may be, at the time an offer of the VRS is accepted by him.

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ARRANGEMENT OF CLAUSES

Clause

1. Short title
 2. Interpretation
 3. Section 24 of principal Act amended
 4. Consequential amendment
 5. Commencement
-

A Bill

To amend the Sugar Industry Efficiency Act 2001

ENACTED by the Parliament of Mauritius as follows -

1. Short title

This Act may be cited as the Sugar Industry Efficiency (Amendment) Act 2003.

2. Interpretation

In this Act -

“principal Act” means the Sugar Industry Efficiency Act 2001.

3. Section 24 of principal Act amended

Section 24 of the principal Act is amended by inserting immediately after subsection (2), the following new subsections (2A) and (2B) -

(2A) Subject to subsection (2B), where at the time an offer of the VRS pursuant to section 23 is accepted -

- (a) a female agricultural worker has not reached the age of 50; or
- (b) a male agricultural worker, or a male non-agricultural worker, has not reached the age of 55,

the actuarially calculated contributory retirement pension shall be paid to -

- (i) the female agricultural worker as from the date she reaches the age of 50; or
- (ii) the male agricultural worker, or a male non-agricultural worker, as from the date he reaches the age of 55.

(2B) The actuarially calculated contributory retirement pension shall, for the purposes of subsection (2A), be calculated by reference to the contributions made up to the date the worker accepted the offer of the VRS.

4. Consequential amendment

The National Pensions Act is amended –

- (a) in section 20 -
- (i) in subsection (2), by deleting the words “of the age” and replacing them by the words “who first becomes entitled to the pension at the age”;
 - (ii) by inserting immediately after subsection (5), the following new subsections (6), (7) and (8), the existing subsection (6) being renumbered (9) -
 - (6) Every -
 - (a) female agricultural worker who has not reached the age of 50; or
 - (b) male agricultural worker, or a male non-agricultural worker, who has not reached the age of 55,

at the time an offer of a Voluntary Retirement Scheme pursuant to section 23 of the Sugar Industry Efficiency Act 2001 is accepted by the worker shall be entitled to an actuarially calculated contributory retirement pension.
 - (7) The actuarially calculated contributory retirement pension under subsection (6) shall be paid to -
 - (a) the female agricultural worker as from the date she reaches the age of 50; or
 - (b) the male agricultural worker, or a male non-agricultural worker, as from the date he reaches the age of 55.
 - (8) Notwithstanding the National Pensions (Claims and payments) Regulations 1977, where entitlement to an actuarially calculated contributory retirement pension under subsection (6) arises before 1 September 2003, any arrears for the period prior to 1 September 2003 shall be calculated in accordance with the Eighth Schedule.
 - (iii) in the new subsection (9), by deleting the words “subsection (3) or (4)” and replacing them by the words “subsection (3), (4) or (6)”;

- (b) The Eighth Schedule is amended in paragraphs (1) and (4), by deleting the words “section 20(3) and (4)” wherever they appear and replacing them by the words “section 20(3), (4) and (6)”.

5. Commencement

This Act shall be deemed to have into operation on 1 August 2001.