



## **BELIZE**

# **GOVERNOR-GENERAL (CONDITIONS OF SERVICE) ACT CHAPTER 7**

## **REVISED EDITION 2000 SHOWING THE LAW AS AT 31ST DECEMBER, 2000**

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Laws of Belize, Revised Edition 1980 - 1990.

This edition contains a consolidation of the following laws-	Page
<b>ARRANGEMENT OF SECTIONS</b>	<b>3</b>
<b>GOVERNOR-GENERAL (CONDITIONS OF SERVICE) ACT</b>	<b>4</b>
Amendments in force as at 31st December, 2000.	



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CHAPTER 7**

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**CHAPTER 7**

**GOVERNOR-GENERAL (CONDITIONS OF SERVICE)**

**ARRANGEMENT OF SECTIONS**

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### CHAPTER 7

#### GOVERNOR-GENERAL (CONDITIONS OF SERVICE)

CAP. 6,  
R.E. 1980-1990.  
7 of 1989.

[5th July, 1989]

Short title.

1. This Act may be cited as the Governor-General (Conditions of Service) Act.

PART I

*Preliminary*

2. In this Act, unless the context otherwise requires-
- Interpretation.
- (a) “Acting Governor-General” means any person who performs the functions of the office of Governor-General under section 31 of the Constitution; CAP. 4.
  - (b) “Deputy Governor-General” means any person who performs the functions of the office of Governor-General under section 33 of the Constitution; CAP. 4.
  - (c) “entitled child” means a person who has not attained the age of eighteen years;
  - (d) “Governor-General’s pension” means the pension payable under this Act to a person who has ceased to be Governor-General;
  - (e) “Minister” means the Minister responsible for finance;
  - (f) “official residence” means the residence which the National Assembly may, from time to time, by resolution, determine as the official residence of the Governor-General;
  - (g) “widow” includes a “widower” and words and expressions importing the feminine gender include the masculine.

PART II

*Salary and Allowance*

- 3.-(1) The Governor-General is entitled-
- Salary and allowance of Governor-General. Schedule.
- (a) to receive a salary at the rate per annum specified in paragraph 1 of the Schedule;

- Schedule. (b) to receive a duty allowance at the rate per annum specified in paragraph 2 of the Schedule; and
- (c) to occupy free of rent the official residence of the Governor-General.
- Schedule. (2) The House of Representatives may by resolution amend the Schedule by increasing the salary and duty allowance specified therein.
- (3) The official residence of the Governor-General shall be fully maintained by Government.
- Salary and allowance during absence, leave and incapacity. 4.-(1) The Governor-General shall-
- (a) in respect of any period during which he is absent from Belize for the purpose of performing any of the functions of his office receive the salary and duty allowance appertaining to 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, receive the salary appertaining to his office, but shall not receive the duty allowance.
- (2) The Governor-General shall not, for the purposes of this section, be regarded as unable to perform the functions of his office where he has appointed a Deputy to perform any of the functions of the office of Governor-General and such appointment is subsisting.
- Salary and allowance of Acting Governor-General and Deputy Governor-General. 5.-(1) Subject to subsection (2), an Acting Governor-General or a Deputy Governor-General shall, in respect of the period during which he discharges the functions of the office of Governor-General, receive salary and allowance at the rate specified in respect of the office of Governor-General.
- (2) Where an Acting Governor-General or a Deputy 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 Revenue Fund in respect of any other office, his salary and allowance for such period shall be abated to the extent of the salary so received.

6. Notwithstanding the provisions of any enactment, when the holder of the office of Governor-General is on leave of absence pending relinquishment of his office and another person is appointed to that office, then such person shall be entitled to all rights and privileges appertaining to the office of Governor-General, notwithstanding and without prejudice to any rights or privileges which such person on such leave of absence may have in respect of such salary and allowance.

Rights and privileges of person appointed to office of Governor-General pending relinquishment of office by substantive holder.

PART III

*Pensions*

7.-(1) Every person, who, having been appointed Governor-General on or after the 21st September, 1981, ceases at any time after such appointment 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 such pension shall continue to be paid during the lifetime of that person.

Governor-General's right to pension.

(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.

8.-(1) Subject to subsection (3), the rate of the Governor-General's pension payable under this Act is two-thirds of the highest rate of salary paid to that person at any time as Governor-General.

Rate of Governor-General's pension.

(2) Where the person to whom the Governor-General's pension is payable is appointed Prime Minister, the pension payable to him when he ceases to be Prime Minister shall be the pension specified in subsection (1) or, if any pension payable to him as Prime Minister is higher, that pension shall be payable and he shall be entitled to no other pension in respect of service in the two offices.

(3) Where a person to whom Governor-General's pension is payable is in receipt of a pension payable under any Act for the time being in force in Belize, only so much of the Governor-General's pension shall be paid to him as will, when added to his other pension, amount to two-thirds of the highest annual rate of salary paid to him at any time as Governor-General.

Gratuity and reduced pension.

9.-(1) A person who is entitled to a Governor-General's pension may at his option exercisable in accordance with subsection (2) be paid *in lieu* thereof a pension at the rate of three-fourths of such pension together with a gratuity equal to twelve and one-half times the amount of the reduction so made in the pension.

(2) The option referred to in subsection (1) is exercisable by notice in writing addressed to the Minister within thirty days of the date on which the person concerned ceases to be Governor-General or within such further period as the Minister may allow.

(3) Notwithstanding subsection (1), the Minister may, where a person referred to in that subsection fails to exercise his option in accordance with subsection (2), grant a gratuity and a reduced pension as provided in subsection (1) as if the person had exercised his option.

Death of Governor-General in office.

10. Where a person dies while he is Governor-General and would, but for his death, have been eligible to opt for a gratuity and pension under section 9, his legal personal representatives shall be paid an amount equal to the Governor-General's annual salary or the gratuity referred to in that section, whichever is greater.

Widow's pension.

11.-(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,

the widow shall, subject to subsections (2) and (3), be paid a pension at an annual rate of two-thirds of the highest rate of pension paid to such person under section 8;

(b) if he leaves a widow and any entitled child by a previous marriage only, the widow shall, subject to 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 in respect of any period after she becomes Governor-General or Prime Minister.

(3) Where 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 as 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 thinks fit, and the widow shall have no further claim in respect of the portion of pension so paid.

12. 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 subparagraph (ii) of paragraph (a) of subsection (1) of section 11, 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 11 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.

13. Any pension payable under this Act shall not-

Protection of pensions.

- (a) be assignable or transferable except for the purpose of satisfying a debt due to the Crown 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 the minor of the

person to whom the pension 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 to the Crown or any sum recoverable pursuant to such order of any court as is mentioned in paragraph (a).

#### PART IV

##### *Miscellaneous*

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|--------------------------------|---|
| Vehicle for Governor- General. | 14. The Governor-General shall be provided with an official vehicle which shall be fully maintained by the Government.  |
| Exemption from income tax.     | 15. The emoluments and pension of a Governor-General shall be exempt from income tax.   |
| Duty-free goods. CAP. 49       | 16. Notwithstanding anything to the contrary contained in the Customs Regulation Act, all goods as defined in section 2 thereof imported for use in the official residence of the Governor-General shall be exempt from the payment of customs duties.                      |
| Source and method of payments. | 17. Any payments required to be made by virtue of the provisions of this Act- <ul style="list-style-type: none"> <li>(a) shall be charged on and paid out of the Consolidated Revenue Fund;</li> <li>(b) shall be paid monthly in arrears in equal installments.</li> </ul> |
| Repeal. 7 of 1960.             | 18. The Governor's Emoluments Act is hereby repealed.   |

SCHEDULE

[Section 3]

SALARY AND DUTY ALLOWANCE

1. Salary at the rate of \$52,848 per annum.
2. Duty allowance at the rate of \$2,400 per annum.