

ACT 69
PENSIONS (SPECIAL PROVISIONS) ACT, 1959¹⁽¹⁾

ARRANGEMENT OF SECTIONS

Amendment to Pensions Act

1. Service with United Nations Organisation to be public service.

Special Provisions

2. Pension to cease where deportation order made.
3. Pension suspended where preventive detention order made.
4. Pension rights of D.A. Chapman.

ACT 69
PENSIONS (SPECIAL PROVISIONS) ACT, 1959²⁽²⁾

AN ACT to amend the Pensions Act and to make special provision as to payment of pensions in certain cases.

Amendment to Pensions Act

1. Service with United Nations Organisation to be public service

*Spent.*³⁽³⁾

Special Provisions

2. Pension to cease where deportation order made

(1) Where before or after the coming into operation of this Act a person is the subject an order made under the Deportation Act, 1957,

- (a) contributions made by, or on behalf of, that person to a pension fund or scheme and an earned retiring award or allowance accruing due to that person or to a dependent of that person under the provisions of any other Act shall be forfeited and paid into the Consolidated Fund;
- (b) a pension or an allowance granted or awarded under the provisions of any other Act shall, on the publication of the order, cease to be paid to that person or the dependents;

- (c) nothing in an Act which confers a right to continue to rank for a benefit if an officer is dismissed from service with the Government shall apply to a person affected by this section, and that right if accrued due shall cease and determine, and the moneys shall be retained in or paid into the Consolidated Fund as the case may require.

3. Pension suspended where preventive detention order made

(1) Where a person is detained under the Preventive Detention Act, 1958, or where not detained is the subject of an order made under that Act, a pension or an allowance granted or awarded under the Pensions Act before the making of the order shall, during the currency of that order, cease to be payable to that person or the dependants.

(2) Where an order made under the Preventive Detention Act, 1958 ceases to have effect, a pension or an allowance suspended under this Act shall be restored; but a restoration shall not have retrospective effect, and the pension or allowance shall be payable as if it had been granted or made when the order ceased to have effect.

(3) This section shall be deemed to have come into operation on the 1st day of April, 1959 and shall apply in relation to an order made under the Preventive Detention Act, 1958 before the coming into operation of this Act as well as to any later order.

4. Pension right of D. A. Chapman

Whereas Daniel Ahmling Chapman is a person to whom the provisions of a pension scheme under the Pensions Act applied, duly resigned from service with the Achimota School Council in the Gold Coast, and for reasons connected with the appointment to service with the United Nations Organisation and it is expedient and necessary to make provision for the continuance of the entitlement of Daniel Ahmling Chapman as if the resignation never had effect, it is hereby provided that the purpose of determining the rights of the Daniel Ahmling Chapman to a superannuation benefit or any other pension on retirement from service with or on behalf of the Government of Ghana after the passing of this Act, the period during which Daniel Ahmling Chapman ceased to be a person to whom the provisions of a pension scheme applied shall, on the refund to the Government of Ghana of the total sum of seven hundred and fifty pounds, be treated for all the purposes of the Pensions Act as if those provisions had never ceased to apply, and the Pensions or Act shall have effect accordingly.

Endnotes

1 (Popup - Footnote)

1. This Act has to all intents and purposes ceased to be effective. Mr Chapman had died and the relevant amendments made by the Act do not apply. It is revised in view of its historical importance.

2 (Popup - Footnote)

2. This Act was enacted as the Pensions (Special Provisions) Act, 1959 (No 69 of 1959). It was assented to on the 27th November, 1959 and came into force on 2nd December, 1959.

3 (Popup - Footnote)

3. Incorporated in the Pensions Act, 1950 as section 1A.