

MONTSERRAT
STATUTORY RULES AND ORDERS
S.R.O. 32 OF 2022

**EASTERN CARIBBEAN SUPREME COURT (JUDICIAL OFFICERS
PENSIONS) REGULATIONS 2022**

ARRANGEMENT OF REGULATIONS

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Eastern Caribbean Supreme Court (Judicial Officers Pensions)
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**EASTERN CARIBBEAN SUPREME COURT (JUDICIAL OFFICERS PENSIONS)
REGULATIONS 2022**

**EASTERN CARIBBEAN SUPREME COURT (JUDICIAL OFFICERS PENSIONS)
REGULATIONS 2022 MADE BY THE JUDICIAL AND LEGAL SERVICES
COMMISSION UNDER SECTION 16 OF THE EASTERN CARIBBEAN SUPREME
COURT (JUDICIAL OFFICERS PENSIONS) ACT (NO. 10 OF 2020).**

1. Citation

These Regulations may be cited as the Eastern Caribbean Supreme Court (Judicial Officers Pensions) Regulations, 2022.

2. Interpretation

In these Regulations—

“**qualifying service**” means service which may be taken into account in determining whether a judicial officer is eligible by length of service for pension or gratuity; and

“**pensionable service**” means service which may be taken into account in computing pension under these Regulations.

3. General rules as to qualifying service and pensionable service

- (1) Subject to these Regulations, qualifying service shall be the inclusive period between the date on which an officer begins to draw salary in respect of service as a judicial officer and the date of his leaving that service, without deduction of any period during which he has been absent on leave.
- (2) No period which is not qualifying service by virtue of subregulation (1) shall be taken into account as pensionable service.
- (3) No period during which a judicial officer was not in service as a judicial officer shall be taken into account as qualifying service or as pensionable service.

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4. Continuity of service

- (1) Except as otherwise provided in these Regulations, only continuous service shall be taken into account as qualifying service or as pensionable service.
- (2) Any break in service caused by temporary suspension of employment not arising from misconduct or voluntary resignation shall be disregarded for the purposes of subregulation (1).
- (3) Notwithstanding subregulations (1) and (2), where a judicial officer acts for a continuous period of at least one year immediately preceding his or her appointment, that period may be taken into account by the Commission as qualifying service or as pensionable service.

5. Leave without salary

No period during which a judicial officer has been absent from duty on leave without salary shall be taken into account as pensionable service unless such leave was granted on grounds of public policy, with the approval of the Commission.

6. Acting service

Any period during which a judicial officer has performed acting service in a higher position shall be taken into account as pensionable service.

7. Maximum amount for housing and utilities

For the purposes of the definition of “pensionable emoluments” in section 2 of the Eastern Caribbean Supreme Court (Judicial Officers Pensions) Act 2020 (No. 10 of 2020), the maximum amount for housing and utilities is as follows:

(1) Chief Justice

| | | |
|-------------------|-------------|---------|
| Housing Allowance | EC\$ 10,000 | Monthly |
| Utilities | EC\$ 2,000 | Monthly |

(2) Judges

| | | |
|-------------------|------------|---------|
| Housing Allowance | EC\$ 8,000 | Monthly |
|-------------------|------------|---------|

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| | | |
|--------------------|-----------|---------|
| Utilities | ECS 2,000 | Monthly |
| (3) Masters | | |
| Housing Allowance | ECS 2,000 | Monthly |
| Utilities | ECS 2,000 | Monthly |

Dated this 6th day of July, 2022.


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Chairperson
Judicial and Legal Services Commission

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CLERK OF CABINET