

Supplied - Court - Workers Savings and Loan Bank - Del and Pensions Act - clarification of judgment.
[See Judgment October 5, 1995]

IN THE SUPREME COURT OF JUDICATURE OF JAMAICA

IN COMMON LAW

SUIT NO. C.L. G147 OF 1995

IN THE MATTER OF MAISIE GORE, THE
ATTORNEY-GENERAL AND THE WORKERS
SAVINGS & LOAN BANK

AND

IN THE MATTER OF THE WORKERS SAVINGS
AND LOAN BANK ACT. SECTION 21 (2)

AND

IN THE MATTER OF THE PENSIONS ACT

BETWEEN	MAISIE GORE	PLAINTIFF
AND	THE ATTORNEY-GENERAL	FIRST DEFENDANT
AND	WORKERS SAVINGS & LOAN BANK	SECOND DEFENDANT

Dr. R.B. Manderson-Jones for plaintiff

Lennox Campbell and Audley Foster instructed by Director of State Proceedings
for first defendant

Mrs. Valerie Alexander for second defendant

HEARD: November 3, 1995.

WALKER J.

On October 5, 1995 I handed down a written judgment in these proceedings. I am now asked to clarify the declaration of the Court as recorded in the penultimate paragraph of that judgment. Having myself re-read the paragraph in question I do readily appreciate the cause of the confusion that has arisen and I now attempt to put the matter right.

The term "benefits" as used in lines 15 and 24 of the penultimate paragraph of my judgment was intended to mean "pension benefits" as distinct from benefits flowing from the superannuation scheme operated by the Workers Savings and Loan Bank.

Accordingly, the declaration of the Court is to be understood, and must be read, as meaning that neither the Workers Savings and Loan Bank Act nor the Pensions Act contains any provision prohibiting the plaintiff or any officer from obtaining full pension benefits under the Pension Act (so long as the total sum of such pension benefits does

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not exceed two thirds of the highest pensionable emoluments drawn by such public officer at any time in the course of the service of such officer in Jamaica) as well as full benefits under the Workers Savings and Loan Bank Act superannuation scheme for the same period of service.