

Chapter: 99	Title: PENSION BENEFITS ORDINANCE	Gazette Number: 63 of 1999
Section: 30	Heading: Pension may be suspended on certain post-retirement employment	Version Date: 01/07/1997

Remarks:

Adaptation amendments retroactively made - see 63 of 1999 s. 3

(1) The Chief Executive may direct that any pension granted to a person shall be suspended as from such date as the Chief Executive shall specify if such person has, within 2 years after his retirement and without the prior permission in writing of the Chief Executive-

- (a) entered business on his own account;
- (b) become a partner in a partnership;
- (c) become a director of a company; or
- (d) become an employee,

if the principal part of such business or the business of such partnership or company or of his employment is, in the opinion of the Chief Executive, carried on in Hong Kong, and such direction shall be forthwith notified in writing by the Secretary for the Civil Service to the person concerned.

(2) The Chief Executive may specify a period of more than 2 years for the purposes of subsection (1) where he thinks fit, and such specification shall be forthwith notified in writing by the Secretary for the Civil Service to the person concerned.

(3) A person who is aggrieved by any direction under subsection (1) or any specification under subsection (2) may, within 30 days of the notification to him of the direction or specification or such longer period as the Chief Executive may in any particular case permit, petition the Chief Executive against the direction or specification and the Chief Executive may confirm, vary or reverse the direction or specification as he thinks fit.

(4) Where a person whose pension has been suspended under subsection (1) ceases to be engaged in any of the capacities specified in that subsection, the Chief Executive may, if he is satisfied that the person has so ceased to be engaged, direct that the pension shall be restored to him with retrospective effect as from the date of cesser of the engagement or any later date as the Chief Executive shall specify, and the pension shall be restored accordingly.

(Enacted 1987. Amended 63 of 1999 s. 3)