

# TURKS & CAICOS JURISDICTION



BENJAMIN LAW

**Toronto's Premier Family-First Law Firm For**  
Personal Injury | Long-Term Disability | Real Estate  
Employment | Notary | Wills and Power of Attorney

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## Labour Overview

Chapter 17.08 Employment Ordinance (Ordinance 21 of 2004) sets out what must be included in a written contract of employment, if one is utilized. Among other features, the legislation provides that minors, being those under age 16, can only enter into an employment contract on the written consent of a parent or guardian or where neither are present, the Commissioner of Labour. The Ordinance provides for maternity leave of 14 weeks, provided the employee has been continuously employed for at least a year. It contains provisions concerning minimum wages and salary, holiday pay, severance and protection against discrimination in employment.

## Pension Overview

There is currently no legislation addressing private sector retirement arrangements.

Pensions for public servants are addressed in Chapter 21.11 Pensions Ordinance, Revised Edition, describing the law as at 31 August 2009.

## Social Security Benefits

Contributions of 3.4% on average weekly earnings are payable by the employee and 4.6% by the employer, up to a maximum amount, to the Turks & Caicos Islands National Insurance Board.

A Retirement Pension is payable to insured persons who have at least 500 paid or credited contributions. The amount of the pension will increase for each unit of 50 contributions in excess of 500 contributions. The minimum amount of pension is fixed at 30% of the insured person's average weekly earnings or \$50.00 per week, and the maximum amount is fixed at 60%.

An insured person who reaches age 65 and does not satisfy the contribution conditions for a Retirement Pension, but has at least 50 contributions (one year) will be entitled to a Retirement Grant, which is a one-time lump sum payable to the insured person.

A Non-Contributory Old Age Pension may be available for individuals who cannot satisfy the conditions for entitlement to a Retirement Pension but who have attained the age of 68 years and satisfy certain residency conditions.



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