

LAWS OF THE WEST INDIES

CHAPTER 512

PENSIONS

CHAPTER 512

THE PENSIONS ACT, 1958

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Act
16/1958.

AN ACT to provide pensions for members of the public service of the Federation.

s. 21.

<i>Date of assent</i>	..	..	..	..	..	31st December, 1958
<i>Commencement</i>	..	..	..	..	..	3rd January, 1958

Short title
and
application.

1. (1) This Act may be cited as the Pensions Act, 1958.

(2) This Act shall apply to the Turks and Caicos Islands and the Cayman Islands.

2. (1) In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—^{Interpre-}
^{tation.}

“pensionable office” means—

- (a) in relation to the public service of the Federation, an office which, by virtue of provision for the time being in force in a notification made by the Governor-General and published in the Gazette, is declared to be a pensionable office; and any such notification may from time to time be amended, added to, or revoked by a notification so made and published; but where by virtue of any such amendment or revocation any office ceases to be a pensionable office, then so long as any person holding that office at the time of the amendment or revocation continues therein, the office shall as respects that person, continue to be a pensionable office;
- (b) in relation to other public service, an office which is for the time being a pensionable office under the law in force in respect of such service;

“non-pensionable office” means—

- (a) in relation to the public service in respect of the government of the Federation, an office which by virtue of provision for the time being in force in a notification made by the Governor-General and published in the Gazette, is declared to be a non-pensionable office; and any such notification may from time to time be amended, added to, or revoked, by another notification so made and published; but where by virtue of any such amendment or revocation any office ceases to be a non-pensionable office but does not become a pensionable office then so long as any person holding that office at the time of

the amendment or revocation continues therein the office shall as respects that person continue to be a non-pensionable office;

- (b) in respect of other public service, an office which is not a pensionable office;

“pensionable emoluments”—

- (a) in relation to the public service of the Federation, includes salary, personal allowances and house allowance but does not include duty allowance, entertainment allowance or any other emoluments whatever;

- (b) in relation to other public service, means emoluments which count for pension in accordance with the law in force in respect of such service;

“salary” means the salary attached to a pensionable office or where provision is made for taking service in a non-pensionable office into account as pensionable service, the salary attached to that office;

“personal allowance” means a special addition to salary granted personally to the holder for the time being of the office, but does not include such an addition if it is granted subject to the condition that it shall not be pensionable;

“house allowance” means the estimated value of free quarters as defined in regulations under this Act or an allowance paid in lieu thereof to an officer eligible for free quarters and any other allowance in respect of the housing of an officer expressly granted as a pensionable allowance or declared by regulations under this Act to be pensionable;

“public service” means—

- (a) service of the Crown in a civil capacity in respect of the government of the Federation or any other country or territory in the Commonwealth;

- (b) service which is pensionable—

- (i) under the Oversea Superannuation Scheme;

[Amd.
Act
9/1959].

- (ii) under any Acts relating to the superannuation of teachers in the United Kingdom;
- (iii) in a Colonial University College;
- (iv) under a local authority in the United Kingdom;
- (v) under the National Health Service of the United Kingdom;
- (c) any other service that the Governor-General acting after consultation with the Secretary of State may determine to be public service for the purpose of any provision of this Act; and
- (d) except for the purposes of computation of a pension or gratuity and of section 9 of this Act, service as a Governor-General, Governor or High Commissioner in any country or territory in the Commonwealth.

“other public service” means public service other than the public service of the Federation.

(2) For the purpose of computing under this Act the amount of the pension or gratuity of an officer who—

- (a) had a period of service in the Pre-Federal Organisation set up to establish the Federation, and
- (b) was confirmed without break of service in a pensionable office in the public service of the Federation,

his period of service in the Pre-Federal Organisation shall, if the Governor-General so directs, be taken into account as if it were service in a pensionable office in the public service of the Federation; and the Governor-General may declare that an office held by the officer in the Pre-Federal Organisation shall be deemed to be the same as the pensionable office in the public service of the Federation in which the officer was confirmed.

(3) For the avoidance of doubts it is hereby declared that where an officer has been confirmed in a pensionable

office and is thereafter appointed to another pensionable office, then, unless the terms of such appointment otherwise require, such last-mentioned office is, for the purpose of this Act, an office in which he has been confirmed.

Pension
Regula-
tions.

Schedule.

3. (1) Pensions, gratuities and other allowances may be granted by the Governor-General in accordance with the regulations contained in the Schedule to this Act to officers who have been in the public service of the Federation.

(2) The Governor-General with the sanction of the Secretary of State may from time to time make regulations amending, adding to or revoking the regulations contained in the Schedule to this Act, and all regulations so made shall be laid before each chamber of the Federal Legislature and published in the Gazette.

(3) Whenever the Governor-General is satisfied that it is equitable that any regulation made under this section should have retrospective effect in order to confer a benefit upon or remove a disability attaching to any person, that regulation may be given retrospective effect for that purpose.

Provided that no such regulation shall have retrospective effect unless it has received, before being made, the approval of each chamber of the Federal Legislature signified by resolution.

(4) All regulations made under this Act shall have the same force and effect as if they were contained in the Schedule to this Act, and the expression "this Act", shall wherever it occurs in this Act, be construed as including a reference to the said Schedule.

(5) Any pension or gratuity granted under this Act shall be computed in accordance with the provisions in force at the actual date of an officer's retirement.

Pensions,
etc., to be
appro-
priated
out of the
public
funds of
the Federa-
tion.

4. All such sums of money as may from time to time be granted by way of pension, gratuity or other allowance in pursuance of this Act are hereby appropriated out of the public funds of the Federation and shall be paid therefrom on the warrant of the Governor-General.

5. (1) No officer shall have an absolute right to compensation for past services or to pension, gratuity, or other allowance; nor shall anything in this Act affect the right of the Crown to dismiss any officer at any time and without compensation.

Pensions,
etc., not
of right.

(2) Where it is established to the satisfaction of the Governor-General that an officer has been guilty of negligence, irregularity or misconduct, the pension, gratuity, or other allowance may be reduced or altogether withheld.

6. No pension, gratuity or other allowance shall be granted under this Act to any officer except on his retirement, from the public service in one of the following cases—

Circum-
stances in
which
pension
may be
granted.

- (a) If he retires from the public service of the Federation after he attains the age of fifty-five years or, in special cases with the approval of the Governor-General, fifty years;
- (b) if, having been transferred to other public service—
 - (i) he retires after he attains the age at which he is permitted by the law or regulations of the public service in which he is last employed to retire on pension or gratuity or, if no age is prescribed by the said law or regulations, he retires after he attains the age of fifty; or
 - (ii) he retires in any other circumstances in which he is permitted by the said law or regulations to retire on pension or gratuity;
- (c) on the abolition of his office;
- (d) on compulsory retirement for the purpose of facilitating improvement in the organisation of the department to which he belonged, by which greater efficiency or economy may be effected;
- (e) on medical evidence to the satisfaction of the Governor-General or the Secretary of State that he is incapable by reason of any infirmity

of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent;

- (f) in the case of termination of employment in the public interest as provided in this Act;
- (g) on retirement in circumstances not mentioned in the preceding paragraphs of this section, rendering him eligible for a pension under the Imperial Governor's Pensions Act, 1957, or any Imperial Act amending or replacing that Act:

5 & 6 Eliz.
2 c. 62.

Provided that a gratuity may be granted to a female officer, in accordance with the provisions of this Act, who retires for the reason that she has married or is about to marry, notwithstanding that she is not otherwise eligible under this section for the grant of any pension, gratuity or other allowance.

Retire-
ment on
grounds of
public
interest.

7. Where an officer's service is terminated on the ground that, having regard to the conditions of the public service, the usefulness of the officer thereto and all the other circumstances of the case, such termination is desirable in the public interest and a pension, gratuity or other allowance cannot otherwise be granted to him under the provisions of this Act, the Governor-General may, if he thinks fit, grant such pension, gratuity or other allowance as he thinks just and proper, not exceeding in amount that for which the officer would be eligible if he retired from the public service in the circumstances described in paragraph (e) of section 6 of this Act.

Compul-
sory retire-
ment.

8. The Governor-General may require an officer to retire from the public service in respect of the government of the Federation—

- (a) at any time after he attains the age of sixty years; or
- (b) in special cases, where the public interest requires at any time after he attains the age of fifty years;
- (c) in the case of a female officer, on marriage.

9. (1) Except in cases provided for by subsection (2) of this section, a pension granted to an officer under this Act shall not exceed two-thirds of the highest pensionable emoluments drawn by him at any time while in the public service in respect of the government of the Federation. ^{Maximum pension.}

(2) An officer who has been granted a pension in respect of other public service shall not at any time draw from the public funds of the Federation an amount of pension which, when added to the amount of any pension or pensions drawn in respect of other public service, exceeds two-thirds of the highest pensionable emoluments drawn by him at any time in the course of his public service.

Provided that where an officer receives in respect of some period of public service both a gratuity and a pension, the amount of such pension shall be deemed for the purpose of this subsection to be what it would have been if part of it had not been commuted or, in the case of a pension granted under the Superannuation Acts of the United Kingdom or under the Oversea Superannuation Scheme, to be four-thirds of its actual amount.

(3) Where the limitation prescribed by the preceding subsection operates, the amount of pension to be drawn from the public funds of the Federation shall be such amount as the Governor-General shall determine after consultation with the Secretary of State in order that it may be determined with due regard to the amount of any pension or pensions to be drawn in respect of other public service.

(4) For the purposes of the preceding subsections an additional pension granted in respect of injury shall not be taken into account; but where the officer is granted such an additional pension under this Act, the amount thereof together with the remainder of his pension or pensions shall not exceed five-sixths of his highest pensionable emoluments at any time in the course of his public service.

10. (1) Every pension granted under this Act shall be subject to the condition that unless or until the person in receipt of the pension has attained the age of fifty years, he may, if physically fit for service, be called upon by the Secretary of State to accept, in lieu of his pension, an office, whether in the public service of the Federation or in other ^{Liability of pensioners to be called upon to take further employment.}

public service, not less in value, due regard being had to circumstances of climate, than the office which he held at the date of his retirement.

If a pensioner so called upon declines to accept such office the payment of his pension may be suspended until he has attained the age of fifty years.

(2) The provisions of the foregoing subsection shall not apply in any case where the Governor-General, being of opinion that the person in receipt of pension is not qualified for other employment in the public service or that there is no reason to expect that he can be shortly re-employed therein, otherwise directs.

Suspension
of pension
on re-
employ-
ment.

11. If a person to whom a pension has been granted under this Act is appointed to an office in the public service, the payment of his pension may, with his consent, if the Governor-General thinks fit, be suspended during the period of his re-employment.

Pensions,
etc., not
to be
assignable.

12. A pension, gratuity or other allowance granted under this Act shall not be assignable or transferable except for the purpose of satisfying—

- (a) a debt due to the Crown or other authority in respect of the government of the Federation;
or
- (b) an order of any court for the payment of periodical sums of money towards the maintenance of the wife or former wife or minor child of the person to whom the pension, gratuity, or other allowance has been granted,

and shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt due to the Federation as aforesaid.

Governor-
General
may apply
part of
pension for
main-
tenance of
wife and
children.

13. (1) Where any person to whom a pension has been granted has deserted and left his wife or child within the Federation without sufficient means of support, the Governor-General, on being satisfied that such wife or child is by reason of such person's absence from the Territory of residence of the wife unable, and would but for such absence

be able, to obtain an order of maintenance, may from time to time deduct from the moneys payable to such person by way of pension such sum or sums as the Governor-General may deem expedient, and may apply the same for the maintenance and support of such wife or child.

(2) Where any person to whom a pension has been granted has been adjudicated a person of unsound mind, and has a wife or a child or children living, the Governor-General may deduct from the moneys payable to such person by way of pension such sum or sums as he may deem expedient and apply the same for the maintenance and support of the wife or any child or children of such person.

14. (1) If any person to whom a pension or other allowance has been granted under this Act is adjudicated bankrupt or is declared insolvent by judgment of any competent court, then such pension or allowances shall forthwith cease. Pensions,
etc., to
cease on
bankruptcy.

(2) If any person is adjudicated bankrupt or is declared insolvent as aforesaid either—

- (a) after retirement in circumstances in which he is eligible for pension or allowance under this Act but before the pension or allowance is granted; or
- (b) before such retirement, and he shall not have obtained his discharge from the bankruptcy or insolvency at the date of his retirement,

then, in the former case any pension or allowance eventually granted to him shall cease as from the date of the adjudication or declaration as the case may be and, in the latter case, the pension or allowance may be granted, but shall cease forthwith and not become payable.

(3) Where a pension or allowance ceases by reason of this section, the Secretary of State or, if the person in question is resident in the Federation, the Governor-General, may from time to time during the remainder of such person's life, or during such shorter period or periods, either continuous or discontinuous, as the Secretary of State or the Governor-General, as the case may be, shall think fit, direct, all or any part of the monies to which such person would

have been entitled by way of pension or allowance, had he not become bankrupt or insolvent, to be paid to, or applied for the maintenance or benefit of, all or any to the exclusion of the other or others, of the following, that is to say, such person and any wife, child or children of his, in such proportions and manner as the Secretary of State or the Governor-General, as the case may be, thinks proper, and upon such direction such money shall be paid or applied accordingly.

(4) Monies applied for the discharge of the debts of the person whose pension or allowance has so ceased shall, for the purposes of this section, be regarded as applied for his benefit.

(5) When a person whose pension or allowance has so ceased obtains his discharge from bankruptcy or insolvency, the Secretary of State, or if such person is resident in the Federation, the Governor-General, may direct that the pension or allowance shall be restored as from the date of such discharge or any later date, and upon such direction the pension or allowance shall be restored accordingly.

Pensions,
etc., may
cease on
conviction.

15. (1) If any person to whom a pension or other allowance has been granted under this Act is sentenced to a term of imprisonment by any competent court for an offence, such pension or allowance shall, if the Secretary of State or, if such person is resident in the Federation, the Governor-General, so directs, cease as from such date as the Secretary of State or the Governor-General as the case may be determines.

(2) If any person is sentenced as aforesaid after retirement in circumstances in which he is eligible for pension or allowance under this Act but before the pension or allowance is granted, then the provisions of the foregoing subsection shall apply as respects any pension or allowance which may be granted to him.

(3) Where a pension or allowance ceases by reason of this section the Secretary of State or the Governor-General, as the case may be, may direct all or any part of the monies to which such person would have been entitled by way of pension or allowance had he not been sentenced as aforesaid

to be paid, or applied, in the same manner in all respects as prescribed in the preceding section, and upon such direction such money shall be paid or applied accordingly.

(4) If such person after conviction at any time receives a free pardon, the pension or allowance shall be restored with retrospective effect; but in determining whether arrears of such pension or allowance are payable to such person and in computing the amount thereof, account shall be taken of all monies paid or applied under the preceding subsection.

16. If any person to whom a pension or other allowance has been granted under this Act otherwise than under section 18 becomes either a director of a company the principal part of whose business is in any way directly concerned with the Federation, or an officer or servant employed in the Federation by any such company, without the prior permission of the Governor-General in writing, such pension or allowance shall cease if the Governor-General so directs:

Pensions, etc., may cease on accepting certain appointments.

Provided that the Governor-General, on being satisfied that the person in respect of whose pension or allowance he has given such a direction has ceased to be a director of such company or to be employed as an officer or servant of such company in the Federation, as the case may be, may give directions for the restoration of such pension or allowance, with retrospective effect, if he shall see fit, to such date as he shall specify, and the pension or allowance shall be restored in accordance with any such directions.

17. (1) Where an officer holding a pensionable or non-pensionable office who is not on probation or agreement, dies while in the public service of the Federation, the Governor-General may grant to his legal personal representative a gratuity of an amount whichever of the following is the greater—

Gratuity where officer dies in the service or after retirement.

- (a) the annual pensionable emoluments which would have been taken for the purpose of computing any pension or gratuity granted to the officer under this Act if he had retired from the public service at the date of his death on the ground of ill-health;

- (b) the total of the gratuities which would have been granted to him under this Act and in respect of his service under any scheduled administration (as defined in regulation 8 of the Regulations contained in the Schedule to this Act) if he had retired from the public service at the date of his death on the ground of ill-health and had been granted a gratuity and, in the case of a pensionable office, a pension by each administration.

(2) Where an officer dies after retirement from the public service of the Federation having been granted, or having become eligible for, a pension under this Act, and the total of all the sums paid or payable to him at the date of his death on account of any pension and any gratuity granted to him under this Act and in respect of his service under any scheduled administration is less than the amount of the annual pensionable emoluments which he last received, the Governor-General may grant to his legal personal representative a gratuity equal to the deficiency.

(3) The Governor-General may in any case where the amount of the gratuity payable thereunder does not exceed the sum of five hundred dollars, dispense with the production of probate or letters of administration and cause the gratuity to be paid to the dependant or dependants of the officer and, where there is more than one such dependant, may divide the gratuity among the dependants in such proportion as he may think fit.

(4) In the case of an officer not holding a pensionable office, the expression "pensionable emoluments" in this section shall mean the emoluments enjoyed by him which would have been pensionable emoluments if the office held by him had been a pensionable office.

Pensions to dependants when an officer dies as a result of injuries received or disease contracted in the discharge of his duties.

18. (1) Where an officer while in the public service of the Federation—

- (a) is injured in the actual discharge of his duty by some injury specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct; or

- (b) contracts a disease to which he is exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct,

and dies as a direct result thereof, and such death occurs within seven years of the date when he was injured or contracted the disease, the Governor-General may grant, in addition to the grant, if any, made to his legal personal representative under section 17 of this Act—

- (i) if the deceased officer leaves a widow, a pension to her, while unmarried at a rate not exceeding ten-sixtieths of his annual pensionable emoluments at the date of the injury or ninety-six dollars a year, whichever is the greater;
- (ii) if the deceased officer leaves a widow to whom a pension is granted under the preceding paragraph and a child or children, a pension in respect of each child, until such child attains the age of nineteen years, of an amount not exceeding one-eighth of the pension prescribed under the preceding paragraph;
- (iii) if the deceased officer leaves a child or children, but does not leave a widow, or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of nineteen years, of double the amount prescribed by the preceding paragraph;
- (iv) if the deceased officer leaves a child or children and a widow to whom a pension is granted under paragraph (i) of this subsection, and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of nineteen years, of double the amount prescribed in paragraph (ii) of this subsection;

- (v) if the deceased officer does not leave a widow, or if no pension is granted to his widow and if his mother was wholly or mainly dependent on him for her support, a pension to the mother of an amount not exceeding the pension which might have been granted to his widow;
- (vi) if the deceased officer does not leave a widow or mother, or if no pension is granted to his widow or mother, and if his father was wholly or mainly dependent on him for his support, a pension to the father of an amount not exceeding the pension which might have been granted to his widow;
- (vii) if the deceased officer does not leave a child or children who is or are eligible for a pension under the provisions of this section, and if any brother or sister was wholly or mainly dependent on him for support, a pension to any such brother or sister until he or she attains the age of nineteen years, of the same amount and subject to the same conditions as the pension which might have been granted under paragraph (ii), (iii) or (iv) of this subsection, as the case may be:

Provided that—

- (a) if in the opinion of the Governor-General there are compassionate grounds for so doing, he may grant to any child of a deceased officer being a child who at the date of the death of the officer was wholly or mainly dependent on him for support and who has attained the age of nineteen a pension for such period as the Governor-General may determine, of an amount not exceeding the pension which may be granted under paragraph (ii), (iii) or (iv) of this subsection, as the case may be;
- (b) where a deceased officer leaves a child who was incapacitated at the time of the officer's

death (hereinafter in this section referred to as an "incapacitated child") the Governor-General may, notwithstanding any pension which may have been granted under paragraph (ii), (iii) or (iv) of this subsection grant an additional pension in respect of such incapacitated child after he has attained the age of nineteen years and so long as his incapacity shall continue, of an amount not exceeding one-half the pension which might have been granted under paragraph (ii), (iii) or (iv) aforesaid, as the case may be;

- (c) where compensation in respect of the death is payable under any law in force in the Federation which provides for the payment of workmen's compensation, or where benefits corresponding to benefits granted under this section are payable under the Oversea Superannuation Scheme or under the law in force in respect of any other public service, in respect of death, the Governor-General may reduce or withhold any pension which may be payable under this section in such manner as he may consider reasonable;
- (d) no pension shall be payable under this subsection at any time in respect of more than six children exclusive of incapacitated children, and where there are more than six such children, in respect of whom, but for this proviso, a pension would be payable, then the amount payable in respect of six children shall be divided equally among all such children during the period in which there are more than six children of pensionable age;
- (e) in the case of a pension granted under paragraph (v) of this subsection, if the mother is a widow at the time of the grant of the pension and subsequently remarries such pension shall cease as from the date of remarriage;
- (f) a pension granted to a female child under this section shall cease upon her marriage under the age of nineteen years.

(g) in the case of a pension granted under paragraph (v), (vi) or (vii) of this subsection, if it appears to the Governor-General, or if such person is not resident in the Federation, the Secretary of State, at any time that the mother or father, or any brother or sister, is adequately provided with other means of support, such pension shall cease as from such date as the Governor-General or the Secretary of State, as the case may be, may determine.

(2) In the case of an officer not holding a pensionable office, the expression "pensionable emoluments" in the preceding subsection shall mean the emoluments enjoyed by him which would have been pensionable emoluments if the office held by him had been a pensionable office.

(3) If an officer proceeding by a route approved by the Governor-General to or from the Federation, or from one island in the Federation to another, at the commencement or termination of his service in the public service of the Federation, or for a period of secondment, duty leave or leave therefrom, dies as a result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against such vessel, aircraft or vehicle, and the Governor-General is satisfied that such damage or act is attributable to circumstances arising out of war in which Her Majesty may be engaged, such officer shall be deemed, for the purposes of this section, to have died as a result of the circumstances described in paragraph (a) of subsection (1) of this section.

(4) An officer who dies as a result of an injury received while travelling by air in pursuance of official instructions, which injury is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, shall be deemed for the purposes of this section to have died in the circumstances described in paragraph (a) of subsection (1) of this section.

Provided that in such a case the rates of pension prescribed in paragraphs (i) and (ii) of subsection (1) of this section shall be fifteen-sixtieths and one-sixth respectively.

(5) (a) Where the Governor-General is satisfied that damages have been or will be recovered in respect of the

death for which a pension may be granted under subsection (1) of this section, the Governor-General may take those damages into account against such pension in such manner and to such extent that he may think fit and may withhold or reduce the pension accordingly.

(b) For the purposes of this subsection an officer shall be deemed to recover damages whether they are paid in pursuance of a judgment or order of a court or by way of settlement or compromise of his claim and whether or not proceedings are instituted to enforce that claim.

(6) For the purposes of this section the following words have, in relation to an officer, the meanings hereby respectively assigned to them—

- (a) “brother” includes, in relation to a person, every male child of his father or his mother;
- (b) “child” includes—
 - (i) a posthumous child;
 - (ii) a step-child or illegitimate child born before the date of the injury or contracting the disease, as the case may be, and wholly or mainly dependent upon the deceased officer for support; and
 - (iii) an adopted child, adopted in a manner recognised by law, before the date of the injury or contracting the disease, as the case may be, and dependent as aforesaid;
- (c) “incapacitated” means in relation to a child, incapable by reason of some specific bodily or mental disability of earning his own living, and a child, who is in any event too young to earn his own living shall be treated as incapacitated for the purposes of this section if it appears that, by reason of any specific bodily or mental disability, he will be incapable of earning his own living when he attains the age at which he would otherwise be capable of doing so;
- (d) “father” includes his step-father and a male person by whom he has been adopted;

- (e) "mother" includes, in relation to a person, a stepmother and a female person by whom he has been adopted;
- (f) "sister" includes every female child of his father or his mother.

Determina-
tion of
questions
of inter-
pretation.

19. When any question arises as to the interpretation or application of any of the provisions of this Act, such question may be determined by the Governor-General, acting after consultation with the Secretary of State.

Reference
to
Governor-
General.

20. In the exercise of any of the functions conferred on him by or under this Act (other than functions conferred by paragraphs (a) of the definitions of pensionable office and non-pensionable office in subsection (1) of section 2 and by subsections (2) and (4) of section 3 thereof) the Governor-General is authorised to exercise that function in his discretion after consultation with the Public Service Commission.

[Commencement s. 21 omitted.]

SCHEDULE

REGULATIONS

PART I

PRELIMINARY

1. These Regulations may be cited as the Pensions Regulations, Short title. 1958.

2. In these Regulations, unless the context otherwise requires— Interpretation.

“qualifying service” means service which may be taken into account in determining whether an officer is eligible by length of service for pension, gratuity, or other allowance;

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

“the Act” means the Pensions Act, 1958.

PART II

OFFICERS WITHOUT OTHER PUBLIC SERVICE

3. Save when the Governor-General in any special case otherwise directs, this Part of these Regulations shall not apply in the case of any officer transferred to or from the public service of the Federation from or to other public service except for the purpose of determining whether such officer would have been eligible for pension or gratuity, and the amount of pension or gratuity, for which the officer would have been eligible, if the service of the officer had been wholly service in the public service of the Federation. Application of Part II.

4. Subject to the provisions of the Act and of these Regulations, every officer holding a pensionable office in the public service of the Federation, who has been in the said public service for ten years or more, may be granted on retirement a pension at the annual rate of one six-hundredth of his pensionable emoluments for each complete month of his pensionable service. Pension to whom and at what rates to be granted.

5. Every officer, otherwise qualified for a pension, who has not been in the public service of the Federation for ten years, may be granted on retirement a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period might have been granted to him under regulation 4 of these Regulations. Gratuities where length of service does not qualify for pension.

6. Where a female officer having held a pensionable office or pensionable offices in the public service of the Federation for not less Marriage gratuities.

than five years and having been confirmed in a pensionable office, retires from that public service for the reason that she has married or is about to marry, and is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part of these Regulations, she may be granted, on production within six months after her retirement or such longer period as the Governor-General may in any particular case allow, of satisfactory evidence of her marriage, a gratuity not exceeding one-twelfth of a month's pensionable emoluments for each completed month of pensionable service in the public service of the Federation or one year's pensionable emoluments, whichever shall be the less:

Provided that when a period of service in the public service of the Federation otherwise than in a pensionable office is taken into account as pensionable service under regulation 19, the officer shall, during that period be deemed for the purposes of this regulation to be holding a pensionable office.

PART III

TRANSFERRED OFFICERS

Application of Part III. 7. This Part of these Regulations shall apply only in the case of an officer transferred to or from the public service of the Federation from or to other public service.

Interpretation. 8. (1) In this Part and Part IV of these Regulations:—

“scheduled administration” means the Government of any territory, or any authority, mentioned in the Schedule to these Regulations, and includes the Government of Ceylon in respect of any officer appointed to the public service of that territory prior to the 4th February, 1948, and the Government of Palestine in respect of any officer appointed to the public service of that territory prior to the 15th May, 1948.

“service in the group” means service in the public service of the Federation and under a scheduled administration or scheduled administrations.

(2) Where an officer to whom this Part of these Regulations applies is, on his retirement from the public service, not granted a pension or gratuity in respect of his employment in the service in which he was last employed, solely by reason of the fact that he has not held office or pensionable office therein for a specified period, he shall nevertheless be deemed for the purposes of this Part of these Regulations to have retired in circumstances in which he is permitted by the law in force in respect of the service in which he is last employed to retire on pension or gratuity.

9. (1) Subject to the provisions of the Act and of these Regulations, Pension for where the other public service of an officer to whom this Part of these Regulations applies has been wholly under one or more scheduled admin- service wholly within the istrations and his aggregate service would have qualified him had it been group. wholly service in the public service of the Federation for a pension under the Act, he may, on his retirement from the public service, be granted in respect of his service in the public service of the Federation a pension of such an amount as shall bear the same proportion to the amount of pension for which he would have been eligible had his service been wholly in the public service of the Federation as the aggregate amounts of his pensionable emoluments during service in the public service of the Federation shall bear to the aggregate amounts of his pensionable emoluments throughout his service in the group.

(2) In determining for the purposes of this regulation the pension for which an officer would have been eligible if his service had been wholly service in the public service of the Federation—

- (a) in the application of regulation 18, his pensionable emoluments shall be determined by reference to the pensionable emoluments enjoyed by him at the date of his retirement from the public service or during the three years or lesser period preceding that date, as the case may be, except that where the officer is not serving under a scheduled administration at that date, the date upon which he was last transferred from the public service under a scheduled administration shall be deemed to be the date of his retirement for the purposes of this subparagraph;
- (b) no regard shall be had to an additional pension under regulations 22, 23 or 24;
- (c) regard shall be had to the condition that pension may not exceed two-thirds of his highest pensionable emoluments;
- (d) no period of other public service under a scheduled administration in respect of which no pension or gratuity is granted to him shall be taken into account.

(3) For the purposes of this regulation the aggregate amount of an officer's pensionable emoluments shall be taken as the total amount of pensionable emoluments which he would have received or enjoyed had he been on duty on full pay in his substantive office or offices throughout his period of service in the group subsequent to the attainment of the age of twenty years:

Provided that—

- (a) in calculating the aggregate amount of his pensionable emoluments, no account shall be taken of any service

under a scheduled administration in respect of which no pension or gratuity is granted to him;

- (b) where under regulation 19 service in a civil capacity otherwise than in a pensionable office is taken into account as pensionable service, the officer's aggregate pensionable emoluments during that service shall be taken into account for the calculation aforesaid.

Pension where other service is not within the group.

10. (1) Subject to the provisions of the Act and of these Regulations, where the other public service of an officer to whom this Part of these Regulations applies has not included service under any of the scheduled administrations, and his aggregate service would have qualified him, had it been wholly service in the public service of the Federation, for a pension under these Regulations, he may on his retirement from the public service, be granted in respect of his service in the public service of the Federation a pension at the annual rate of one six-hundredth of his pensionable emoluments for each complete month of his pensionable service in the public service of the Federation.

(2) Where the officer is not in the public service of the Federation at the time of such retirement, his pensionable emoluments for the purposes of the preceding paragraph shall be those which would have been taken for the purposes of computing his pension if he had retired from the public service and been granted a pension at the date of his last transfer from the public service of the Federation.

Pension when other service both within and not within the group.

11. Where a part only of the other public service of an officer to whom this Part of these Regulations applies has been under one or more of the scheduled administrations, the provisions of regulation 9 shall apply; but in calculating the amount of pension, regard shall be had only to service in the group.

Gratuities where length of service does not qualify for pension.

12. Subject to the provisions of the Act and of these Regulations, where an officer to whom this Part of these Regulations applies retires from the public service but has not been in the public service for ten years, he may, be granted in respect of his service in the public service of the Federation a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under regulations 9, 10 or 11, as the case may be.

Marriage gratuities.

13. A female officer to whom this Part of these Regulations applies who retires for the reason that she has married, or is about to marry, and in consequence—

- (a) would, if the whole of her public service had been service in the public service of the Federation, have been eligible for a gratuity under regulation 6 of these Regulations, and
- (b) if she is at the date of her retirement in other public service, is eligible for a gratuity under provisions

corresponding to that regulation in the law in force in respect of the public service in which she is last employed,

may, if she is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part of these Regulations, be granted a gratuity which bears to the gratuity for which she would be eligible if the whole of her public service had been in the service in which she is last employed the proportion which her service in the public service of the Federation bears to her total pensionable service:

Provided that for the purpose of computing her total pensionable service under this regulation, no regard shall be had to any service under a scheduled administration which does not grant a gratuity to her in consequence of her retirement.

PART IV

GENERAL

14. (1) Subject to the provisions of these Regulations, qualifying General service shall be the inclusive period between the date on which an officer rules as to begins to draw salary in respect of public service and the date of his qualifying service and leaving the public service, without deduction of any period during which pensionable service he has been absent on leave.

(2) No period which is not qualifying service by virtue of the foregoing paragraph shall be taken into account as pensionable service.

(3) No period during which the officer was not in public service shall be taken into account as qualifying service or as pensionable service.

15. (1) Except as otherwise provided in these Regulations, only Continuity continuous service shall be taken into account as qualifying service or as of service. pensionable service:

Provided that any break in service caused by temporary suspension of employment not arising from misconduct or voluntary resignation shall be disregarded for the purposes of this paragraph.

Provided also that any person holding office in the public service in respect of the government of Palestine immediately before the fifteenth day of May, 1948, shall be deemed to have continued in his office until either he was appointed to the service of the Crown elsewhere, or, if he was not so appointed, he retired or was removed from office.

(2) An officer—

(a) whose pension has been suspended under section 11 of the Act or under a corresponding provision in any law

relating to the grant of pensions in respect of public service; or

(b) who has retired from the public service without pension on account of ill health, abolition of office, or reorganisation designed to effect greater efficiency or economy, and has subsequently been re-employed in the public service; or

15 & 16
Geo. 5 c. 59.

(c) who has left pensionable service under the Imperial Teachers (Superannuation) Act, 1925, with a view to entering public service not being service pensionable under the said Act and has, not later than three months, or such extended period as the Governor-General may in any particular case approve, after leaving such first mentioned service, received any salary in respect of employment in public service not so pensionable,

may, if the Governor-General thinks fit, be granted the pension or gratuity for which he would have been eligible if any break in his public service immediately prior to such suspension, re-employment or employment had not occurred, such pension to be in lieu of—

(i) any pension previously granted to him from the funds of the Federation, and

(ii) any gratuity so granted which is required to be refunded as a condition of the application to the officer of this regulation,

but additional to any gratuity so granted which is not required to be refunded as aforesaid.

Leave
without
salary.

16. No period during which an officer has been absent from duty on leave without salary shall be taken into account as pensionable service unless such leave has been granted on grounds of public policy with the approval of the Governor-General.

Service in
Her
Majesty's
forces.

17 Where an officer, during some period of his service has been on the active list of the Royal Navy, the Army or the Royal Air Force, and pension contributions have been paid in respect of that period from the funds of the Federation or of any scheduled administration and have not been refunded, such period shall not be taken into account as pensionable service.

Emolu-
ments to
be taken
for com-
putation of
pensions,
etc.

18. (1) Subject to the provisions of paragraph (4) of this regulation for the purpose of computing the amount of the pension or gratuity of an officer who has had a period of not less than three years' pensionable service before his retirement—

- (a) in the case of an officer who has held the same office for a period of three years immediately preceding the date of his retirement, the full annual pensionable emoluments enjoyed by him at that date in respect of that office shall be taken;
- (b) in the case of an officer who at any time during such period of three years has been transferred from one office to another, but whose pensionable emoluments have not been changed by reason of such transfer or transfers, otherwise than by the grant of any scale increment, the full annual pensionable emoluments enjoyed by him at the date of his retirement in respect of the office then held by him shall be taken;
- (c) in other cases one third of the aggregate pensionable emoluments enjoyed by the officer in respect of his service during the three years of his service immediately preceding the date of his retirement shall be taken;

Provided that—

- (i) if such one third is less than the highest annual pensionable emoluments enjoyed by him at the date of any transfer within such period of three years those annual pensionable emoluments shall be taken; and
- (ii) if such one third is less than the annual pensionable emoluments which would have been enjoyed by him at the date of his retirement, if he had continued to hold any office from which he has been transferred at any time during such period of three years, and had received all scale increments which, in the opinion of the Governor-General, would have been granted to him, the annual pensionable emoluments which would have been so enjoyed shall be taken.

(2) For the purpose of determining under paragraph (1) of this Regulation the pensionable emoluments that an officer has enjoyed or would have enjoyed, as the case may be, he shall be deemed—

- (a) to have been on duty on full pensionable emoluments throughout the period of three years immediately preceding the date of his retirement; and
- (b) to have enjoyed the benefit of any increase due to a revision of salaries in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period of three years.

(3) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of less than three years' pensionable service before his retirement—

- (a) the average annual pensionable emoluments enjoyed by him during such period shall be taken;
- (b) he shall be deemed to have been on duty on full pensionable emoluments throughout such period; and
- (c) he shall be deemed to have enjoyed the benefit of any increase due to a revision of salaries in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period.

(4) The estimated value of free quarters in respect of public service in respect of the government of the Federation shall be such as shall be fixed in each case by the Governor-General, but shall not exceed one-sixth of the actual salary of the office.

Service in non-pensionable office. 19. Only service in a pensionable office shall be taken into account as pensionable service:

Provided that—

- (a) where a period of service in a civil capacity otherwise than in a pensionable office (not being service in respect of which the officer is entitled to a gratuity in lieu of pension) is immediately followed by service in a pensionable office and the officer is confirmed therein, such period may with the approval of the Governor-General, be so taken into account;
- (b) any break in service which may be disregarded under the provisions of regulation 15 of these regulations may likewise be disregarded in determining for the purposes of the two preceding provisions to this regulation whether one period of service immediately follows another period of service;
- (c) (i) where an officer has been transferred from a pensionable office in which he had been confirmed to an office which is not pensionable and subsequently retires either from a pensionable office or an office which is not pensionable his service in the office which is not pensionable may, with the approval of the Governor-General, be taken into account as though it were service in the pensionable office which he held immediately prior to such transfer and at the pensionable emoluments which were payable to him at the date of transfer.
- (ii) where a period of service in an office which is not pensionable is taken into account under this regulation, the officer shall, during that period, be deemed for the purpose of regulation 6, 22, 23 and 24 to be

holding a pensionable office, and where that period is taken into account under the preceding proviso to have been confirmed therein.

- (d) where a period of teaching service in any Territory in the Federation which is public service but is not service under the Government of that Territory is immediately followed by service in the public service of the Federation, such period may, with the approval of the Governor-General, and to such extent as he may direct, be so taken into account;

20. Any period during which an officer has performed only acting service in an office may be taken into account as pensionable service (subject, if the office is a non-pensionable office, to the provisions of the preceding regulation) if the period of such acting service—

- (a) is not taken into account as part of his pensionable service in other public service, and
- (b) is immediately preceding or followed by service in a substantive capacity in a pensionable office in the public service in respect of the same government or authority,

and not otherwise.

21. Save as otherwise provided in these Regulations, there shall not be taken into account as pensionable service—

- (a) any period of service while the officer was under the age of 20 years, or
- (b) any period of service while he was on probation or agreement, unless without break of service he is confirmed in a pensionable office in the public service:

Service under age of 20 or on probation or agreement.

Provided that any break of service which may be disregarded under the provisions of regulation 15 may likewise be disregarded in determining whether the officer is confirmed in a pensionable office without break of service.

PART V

SUPPLEMENTARY

22. If an officer holding a pensionable office retires from the public service in consequence of the abolition of his office or for the purpose of facilitating improvements in the organisation of the department to which he belongs, by which greater efficiency or economy may be effected, he may—

Abolition of office and re-organisation.

- (a) if he has been in the public service for less than ten years, be granted in lieu of any gratuity under regulation 5 or regulation 12, a pension under regulations 4, 9, 10 or 11, as the case may be, as if the words "for ten years or more" were omitted from regulation 4;
- (b) if he retires from the public service of the Federation, be granted an additional pension at the annual rate of one-sixtieth of his pensionable emoluments for each complete period of three years pensionable service:

Provided that—

- (i) the addition shall not exceed ten-sixtieths; and
- (ii) the addition together with the remainder of the officer's pension shall not exceed the pension for which he would have been eligible if he had continued to hold the office held by him at the date of his retirement, and retired on reaching the age of sixty years, having received all increments for which he would have been eligible by that date.

Officers
injured or
contracting
diseases in
the dis-
charge of
their duties.

23. (1) This regulation shall apply to an officer who—

- (a) is injured in the actual discharge of his duty by some injury specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct; or
- (b) contracts a disease to which he is exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct.

(2) In this regulation unless the contrary intention appears, references to an officer being injured and to the date on which an injury is sustained shall respectively be construed as including references to him contracting such a disease as is mentioned in paragraph (1) of this regulation and to the date on which such disease is contracted.

(3) Where an officer to whom this regulation applies is holding a pensionable office in which he has been confirmed, he may—

- (a) if his retirement is necessitated or materially accelerated by his injury and he has been in the public service for less than ten years, be granted, in lieu of any gratuity under regulation 5 or regulation 12, a pension under regulations 4, 9, 10 or 11, as the case may be, as if the words "for ten years or more" were omitted from the said regulation 4;

- (b) if he was injured while in the public service of the Federation be granted on retirement an additional pension, at the annual rate of the proportion of his actual pensionable emoluments at the date of his injury appropriate to his case as shown in the following table:—

When his capacity to contribute to his own support is:—

Slightly impaired.....	— five sixtieths;
Impaired.....	— ten sixtieths;
Materially impaired.....	— fifteen sixtieths;
Totally destroyed.....	— twenty sixtieths;

Provided that the amount of the additional pension may be reduced to such an extent as the Governor-General shall think reasonable where the injury is not the cause or the sole cause of retirement.

- (4) (a) An officer to whom this regulation applies who is injured while in the public service of the Federation and who holds a non-pensionable office, or who holds a pensionable office in which he has not been confirmed, may be granted on retirement, a pension of the same amount as the additional pension which may be granted to him under paragraph (3) of this regulation if his office were a pensionable office and he had been confirmed therein.
- (b) The provisions of regulation 25 shall not apply to a pension granted under this paragraph.
- (5) (a) If, for the purpose of assessing the amount of any additional pension or pension to be granted under sub-paragraph (b) of paragraph (3) or under paragraph (4) of this regulation to any officer to whom this regulation applies, the degree of permanent impairment of his capacity to contribute to his support is in doubt, he may be granted a provisional award to have effect until such time as his degree of permanent impairment can be determined.
- (b) The provisions of regulation 25 shall not apply to an award made under this paragraph.

(6) If an officer proceeding by a route approved by the Governor-General to or from the Federation, or from one island in the Federation to another, at the commencement or termination of his service in respect of the government of the Federation, or of a period of secondment, duty leave or leave therefrom, is injured as a result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against any such vessel, aircraft or vehicle, and the Governor-General is satisfied that such damage or act is attributable to circum-

stances arising out of any war in which Her Majesty may be engaged, such officer shall be deemed for the purpose of this rule to have been injured in the circumstances described in paragraph (1) of this regulation.

(7) An officer who is injured while travelling by air in pursuance of official instructions, and whose injury is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, shall be deemed for the purpose of this regulation to have been injured in the circumstances described in paragraph (1) of this regulation:

Provided that in such a case the rates of pension prescribed in sub-paragraph (b) of paragraph (3) of this regulation shall be seven-and-a-half sixtieths, fifteen sixtieths, twenty-two sixtieths and thirty sixtieths respectively.

(8) Where compensation in consequence of the injury is payable under any law in force in the Federation which provides for the payment of workmen's compensation, or where benefits corresponding to an additional pension or pension under paragraph (3) or paragraph (4) of this regulation are payable, under the Oversea Superannuation Scheme or under the law in force in respect of any other public service, in consequence of the injury, the Governor-General may reduce or withhold any additional pension or pension payable under either paragraph (3) or paragraph (4) aforesaid in such manner as he may consider reasonable.

(9) (a) Where the Governor-General is satisfied that damages have been or will be recovered by an officer in respect of an injury for which an additional pension or pension may be granted under sub-paragraph (b) of paragraph (3) or under paragraph (4) of this regulation, the Governor-General may take those damages into account against such additional pension or pension in such manner and to such extent as he may think fit and may withhold or reduce the additional pension or pension accordingly.

(b) For the purpose of this paragraph an officer shall be deemed to recover damages whether they are paid in pursuance of a judgment or order of the court or by way of settlement or compromise of his claim and whether or not proceedings are instituted to enforce that claim.

Officer
retiring on
account
of ill-
health.

24. (1) An officer who retires from the public service of the Federation in the circumstances mentioned in paragraph (e) of section 6 of the Act, and who has completed more than ten years' but less than twenty years' pensionable service, may, unless he is granted an additional pension under sub-paragraph (b) of paragraph (3) of regulation 23, be granted an additional pension at the annual rate of one six-hundredth of his pensionable emoluments for each month by which his pensionable service falls short of twenty years.

(2) In the case of an officer whose pensionable service would, if

he had continued to hold until he attained the age of fifty-five the office which he held at the date of his retirement, have been a period shorter than twenty years, paragraph (1) of this regulation shall have effect as if for the last reference therein to twenty years there were substituted a reference to that shorter period.

25. (1) Any officer to whom a pension is granted under the Act may, at his option exercisable as in this regulation provided, be paid in lieu of such pension a pension at the rate of three-fourths of such pension together with a gratuity equal to twelve and a half times the amount by which such pension is reduced: Gratuity and reduced pension.

Provided that in the application of this regulation to cases where the limitation prescribed by subsection (2) of section 9 of the Act operates, the words "such pension" shall mean the amount of pension which the officer might have drawn from the funds of the Federation if he had not exercised his option under this regulation.

(2) An option exercisable in accordance with this regulation—

- (a) shall be exercisable, and if exercised, may be revoked, on or before the date of the officer's retirement or, with the permission of the Governor-General, at any time between that date and the date of the final award of the pension granted to him under the Act;
- (b) shall be exercised or revoked by notice in writing addressed to the Federal Secretary;
- (c) shall be deemed to have been exercised or revoked on the date on which such notice is received.

(3) If an officer who has not exercised an option in accordance with this regulation dies after he has retired but before a pension has been granted to him under the Act, the Governor-General may, if he thinks fit, grant to his legal personal representatives a gratuity and a reduced pension as provided in paragraph (1) of this regulation, as if the officer had exercised the option before his death.

26. (1) An officer holding a non-pensionable office who is not eligible for pension (other than a pension under regulation 23) or otherwise eligible for gratuity from the funds of the Federation may, if he has been in the public service for not less than seven years and retired from the service in one of the cases mentioned in section 6 of the Act other than that mentioned in paragraph (g) thereof, be granted if the Governor-General thinks fit, a compassionate gratuity not exceeding twelve days pay, for each year of his service in respect of the government of the Federation which would be pensionable service if he were eligible for pension under these Regulations. Gratuities for officers who have served in non-pensionable offices.

(2) For the purpose of this regulation—

- (a) “pay” means pay at the date of an officer’s retirement and includes the value of free quarters and any other allowance which the Governor-General may think fit to include;
- (b) regulation 15 may be disregarded, but directions may be given by the Governor-General, either generally or in any particular case, for disregarding periods of service prior to breaks of three years or more, to dismissal for misconduct or to voluntary resignation, or periods during which an officer has served less than the number of days prescribed in the directions, and such directions shall have effect as if they were contained in this regulation;
- (c) an officer who, having held a non-pensionable office, is serving on probation in a pensionable office, shall be deemed to hold a non-pensionable office and his pay shall be deemed to be the pensionable emoluments of the pensionable office or the pay last received by him in respect of his service in a non-pensionable office, whichever shall be the greater.

SCHEDULE

(REGULATION 8 (1)).

Aden
 Antigua
 Bahamas
 Barbados
 Basutoland
 Bechuanaland Protectorate
 Bermuda
 British Guiana
 British Honduras
 British Solomon Islands Protectorate
 Cayman Islands
 Crown Agents for Oversea Governments and Administrations
 Cyprus
 Dominica
 East Africa High Commissioner
 East African Railways and Harbours Administration
 Eastern Region of Nigeria
 Employing Authorities under the Overseas Superannuation Scheme
 Falkland Islands
 Federation of Malaya
 Federated Malay States
 Federation of Nigeria
 Federation of Rhodesia and Nyasaland

Fiji
Gambia
Ghana
Gibraltar
Gilbert and Ellice Islands
Gold Coast
Grenada
Hong Kong
Jamaica
Kenya
Kenya and Uganda Railways and Harbours Administrations
Leeward Islands
Malayan Establishment
Malayan Union
Malta
Mauritius
Montserrat
Nigeria
North Borneo
Northern Region of Nigeria
Northern Rhodesia
Nyasaland
Overseas Audit Department (Home Establishment)
St. Christopher, Nevis and Anguilla
St. Helena
St. Lucia
St. Vincent
Sarawak
Seychelles
Sierra Leone
Singapore
Somaliland Protectorate
Straits Settlements
Swaziland
Tanganyika
Tonga
Trinidad and Tobago
Turks and Caicos Islands
Uganda
Unfederated Malaya States
United Kingdom of Great Britain and Northern Ireland
Virgin Islands
Western Region of Nigeria
Zanzibar.
Service under the Imperial Overseas Service Act, 1958.

STATUTORY INSTRUMENTS

**PENSIONABLE AND NON-PENSIONABLE OFFICES
NOTIFICATION, 1959.**

**PENSIONABLE AND NON-PENSIONABLE OFFICES
NOTIFICATION, 1959.**

Date of Making 2nd March, 1959

Date of Publication 20th March, 1959

Made by the Governor-General, under subsection (1) of S.I. section 2 of the Pensions Act, 1958, declaring that for the purpose of 9/1959. the Pensions Act, 1958—

- (a) the offices specified in the first column of the First Schedule to this notice shall be pensionable offices with effect from the respective dates shown opposite thereto in the second column of that Schedule;
- (b) the offices specified in the first column of the Second Schedule to this notice shall be non-pensionable offices with effect from the respective dates shown opposite thereto in the second column of that Schedule.

FIRST SCHEDULE

[Amd. S.I.
20/1959].

<u>Office</u>	<u>Date</u>
Governor-General	
Secretary to the Governor-General and Clerk to the Council of State	3/1/58
Cypher Clerk	1/1/59
Federal Supreme Court	
Registrar	3/1/58
Assistant Registrar	1/10/59
Librarian	1/4/58
Usher	1/4/58
Legislature	
Clerk to the House of Representatives	3/1/58
Deputy Clerk of the Legislature	1/4/58
Clerk to the Senate	1/4/58
Librarian	1/4/58
Federal Secretariat	
Defence Officer	3/1/58
Federal Personnel Officer	1/5/58
Commissionaire	1/3/59
Law Officers	
Attorney General	3/1/58
Solicitor General	1/7/58
Legal Draftsman	3/1/58
Assistant Legal Draftsman	1/4/58

[Statutory Instrument]

PENSIONABLE AND NON-PENSIONABLE OFFICES
NOTIFICATION.**Prime Minister's Department**

Senior Economist	3/1/58
Economist	3/1/58
Research Assistant	3/1/58
Federal Statistician	1/1/59
Federal Information Officer	3/1/58
Deputy Federal Information Officer	1/1/59
Broadcasting Assistant	3/1/58
Press Officer	3/1/58
Liaison Officer	3/1/58
Technical Officer	1/1/59
Reference Librarian	3/1/58
Reference Library Assistant	1/1/59
Library Aide	1/1/59
Personal Secretary to the Prime Minister	3/1/58

Ministry of Finance

Federal Financial Secretary	3/1/58
Accountant General	3/1/58
Assistant Accountant General	3/1/58
Establishment Officer	12/5/58
Administrative Assistant (Accountant)	3/1/58

Ministry of Natural Resources & Agriculture

Agricultural Adviser	3/1/58
Agricultural Economist	25/1/58

Ministry of Labour and Social Affairs

Medical Adviser	21/4/58
Education Adviser	3/1/58

Ministry of Communications & Works

Housing Manager	1/1/59
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Overseas Commissions**Commission in the United Kingdom:**

Commissioner	3/1/58
Principal Secretary	3/1/58
Commercial Secretary	3/1/58
Secretary for Migrant Services	3/1/58
Secretary for Student Affairs	3/1/58
Assistant Secretary	3/1/58
Administrative Assistant	3/1/58

Commission in Canada:

Commissioner	3/1/58
Deputy Commissioner	3/1/58
Assistant Commissioner (Students)	3/1/58
Assistant Commissioner (Public Relations and Tourism)	3/1/58
Administrative Assistant	3/1/58

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LAWS OF THE WEST INDIES

PENSIONS

Cap. 512 47

[Statutory Instrument]

PENSIONABLE AND NON-PENSIONABLE OFFICES NOTIFICATION.

Commission in Venezuela:

Assistant Secretary (Vice Consul) 1/7/58

Meteorological Services

Director of Meteorological Services 1/5/58
Deputy Director of Meteorological Services 1/5/58
Assistant Director of Meteorological Services 1/5/58
Senior Meteorologist 1/1/59
Meteorologist 1/5/58
Senior Assistant Meteorologist 1/1/59
Assistant Meteorologist 1/5/58
Senior Meteorological Assistant 1/1/59
Meteorological Assistant Grade I 1/5/58
Meteorological Assistant Grade II 1/5/58
Messenger 1/5/58

General

All the following offices other than those on the establishment of any department which is not stationed within the Federation:—

Permanent Secretary 3/1/58
Senior Assistant Secretary 3/1/58
Assistant Secretary 3/1/58
Administrative Assistant 3/1/58
Administrative Cadet 1/7/58
Senior Executive Officer 1/2/58
Executive Officer 1/2/58
Secretary/Stenographer 3/1/58
Stenographer 3/1/58
Clerical Officer Grade I 3/1/58
Clerical Officer Grade II 3/1/58
Messenger Grade I 3/1/58
Messenger Grade II 3/1/58
Telephone Operator 3/1/58

SECOND SCHEDULE

Office Date

General:

All the following offices other than those on the establishment of any department which is not stationed within the Federation:—

Chauffeur 1/4/58