

CHAPTER 174.

**WIDOWS AND ORPHANS (AFRICAN OFFICERS)
PENSIONS.**

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

SECTION.

1. Short title and commencement.
2. Interpretation.

PART II.—ESTABLISHMENT OF SCHEME AND MANAGEMENT.

3. The Scheme.
4. Register of contributions.
5. Information to be furnished by contributors and widows.
6. Penalty for non-compliance or for giving false information.

PART III.—CONTRIBUTORS AND CONTRIBUTIONS.

7. Who shall or may become contributors.
8. Rates of contributions.
9. Period and manner of contributions.
10. Contributions not normally to be repaid.
11. Prohibition of dual contributions.

PART IV.—PROVISION FOR OFFICERS LEAVING THE SERVICE.

12. Bachelor and widower without children of a pensionable age, ceasing to contribute or leaving the service.
13. Contributor married or widower with children of a pensionable age leaving the service.

PART V.—CALCULATION AND PAYMENT OF PENSIONS.

14. Calculation of pensions.
15. Effect of increases and reductions in contributions.
16. Rights of individual beneficiaries.
17. Pensions of children.
18. Death or re-marriage of widow.
19. Certain persons not entitled to pension.
20. Failure to maintain child.
21. Payment of minors' pensions.
22. Payment of pensions to dependants of contributor married according to Mohammedan law or native law and custom.
23. Proof of claim to pensions.

PART VI.—MISCELLANEOUS.

24. Pension not to be assigned or levied upon.
25. Determination of disputes.
26. Regulations.
27. Notices of election irrevocable.
28. Application of Ordinance to members of staff of Fourah Bay College.

FIRST SCHEDULE.

Tables A, B and C.

SECOND SCHEDULE.

Instructions for the use of the Pension Tables.

CHAPTER 174.

WIDOWS AND ORPHANS (AFRICAN OFFICERS)
PENSIONS.

18 of 1957. **An Ordinance to Provide for the Payment of Pensions to the Widows and Orphans of African Public Officers.**

[1ST JULY 1957.]

PART I—PRELIMINARY

Short title
and
commence-
ment.

1. This Ordinance may be cited as the Widows and Orphans (African Officers) Pensions Ordinance, and shall come into operation on the 1st day of July, 1957.

Interpreta-
tion.

2. (1) In this Ordinance, unless the context otherwise requires—

“actuary” means a Fellow of the Institute of Actuaries or of the Faculty of Actuaries in Scotland;

Cap. 175.

“African Officer” means a public officer who is not an overseas officer for the purposes of the Widows and Orphans (Overseas Officers) Pension Ordinance;

“approved scheme” means a scheme or fund for the granting of pensions to the widows and children of officers in other public service, which has been declared by the Governor by notice in the *Gazette* to be an approved scheme for the purposes of this Ordinance;

“beneficiary” means the widow of a contributor, and a child of pensionable age of a contributor, by his marriage with any wife who has died or is not entitled to a pension under the provisions of this Ordinance:

Provided that when there are two or more such children of one marriage those children shall constitute one beneficiary:

Provided further that a child shall not be a beneficiary in respect of more than one marriage;

“ contributor ” means a contributor to the Scheme and includes a person who has ceased to contribute to the Scheme in such circumstances that he continues to rank for benefit under the provisions of this Ordinance;

“ this Government ” means the Government of Sierra Leone;

“ of a pensionable age ”, as applied to a child, means, in the case of a male, that he is under the age of twenty-one years, and, in the case of a female, that she is under the age of twenty-one years and is not married;

“ pension ” in relation to a pension granted on retirement from the public service means the unreduced pension which would have been payable had the contributor not elected to receive a reduced pension and gratuity;

“ pensionable office ” has the meaning assigned to that expression by the Pensions Ordinance;

Cap. 173.

“ public officer ” means the holder of any civil office of emolument in the service of the Crown in respect of this Government;

“ salary ” does not include any personal, duty, acting or other allowance;

“ the Scheme ” means the Scheme established under the provisions of this Ordinance;

“ widow ” means in relation to any contributor the person who was immediately prior to his decease his wife;

“ wife ” means, where a contributor is lawfully married to more than one woman, the woman whom such officer first married:

Provided that where a contributor is lawfully married to more than one woman, in the event of any wife eligible for a pension under this Ordinance ceasing to be so eligible, the officer, if then alive, shall be deemed to have become a widower on such cessation and the woman with whom he contracted the first lawful marriage (which is still subsisting) after the marriage to the wife who has ceased to be so eligible shall be deemed immediately thereafter to have married the contributor and to have become his wife.

(2) When the marriage of any contributor has been annulled or dissolved by the decree of any competent Court, or, in the

case of a marriage according to customary law to which a contributor is subject, when the marriage has been annulled, dissolved or otherwise terminated in accordance with that customary law, the wife, party to such marriage, shall for all the purposes of this Ordinance be deemed to have died and the contributor to have become a widower at the date of such decree or such annulment, dissolution or termination.

(3) For the purposes of this Ordinance, a child adopted in accordance with the customary law to which the contributor is subject, or in accordance with any statutory provision of the country in which, at the time of the adoption, the contributor was domiciled, by a married contributor, who and whose wife was at the time of adoption under the age of fifty years and whose wife at the time of adoption is eligible to become a beneficiary, shall, if the adoption is notified to the Accountant General within four months after the adoption, or if the adoption is prior to his becoming a contributor within four months after becoming a contributor, be deemed to be a child of the contributor's marriage with that wife.

PART II—ESTABLISHMENT OF SCHEME AND MANAGEMENT

The
Scheme.

3. (1) There shall be established a Scheme to be known as the Widows and Orphans (African Officers) Pensions Scheme, for the purpose of providing pensions for the widows and orphans of contributors.

(2) All contributions under this Scheme shall be paid into the general revenue of Sierra Leone and all pensions, refunds and expenses payable under the Scheme shall be charged to the general revenue of Sierra Leone.

Register of
contributions.

4. The Accountant General shall keep registers in which shall be entered the date of the birth of every contributor, and if he be married, the dates of the births of his wife and children, if any, particulars of his contributions, and all other dates and particulars respecting contributors and their families material to be recorded for the purposes of this Ordinance.

Information
to be
furnished by
contributors
and
widows.

5. (1) Every contributor shall within four months of his first becoming a contributor notify to the Accountant General in writing—

(a) the date of his birth, and

(b) if he is a married man or a widower with children of a pensionable age, the dates of his marriage and of the births of his wife and of his children, if any.

(2) Every contributor who marries while a contributor shall within four months after his marriage notify the same to the Accountant General in writing and state the date of birth of the woman whom he has married.

(3) Every contributor shall notify to the Accountant General in writing within four months from the date of the event—

(a) the birth of any child born to him, by which woman it was born and the date thereof;

(b) the adoption of a child which under the provisions of sub-section (3) of section 2 of this Ordinance is deemed to be a child of the contributor's marriage subsisting at the time of the adoption;

(c) the marriage of any female child under the age of twenty-one years;

(d) the death of his wife or of any of his children of a pensionable age; and

(e) the annulment, dissolution or other termination of his marriage and the date thereof:

Provided that where an adoption of which notification is required has taken place before the date of enactment of this Ordinance a person who is a contributor at the date of enactment of this Ordinance shall notify the event to the Accountant General in writing within four months from such date of enactment

(4) After the death of any married contributor, the widow of such contributor shall notify to the Accountant General in writing within four months from the date of the event—

(a) the date of the death of the contributor, if he was not at the time in the service of this Government;

(b) the birth of any posthumous child born to such contributor by her;

(c) the marriage of any female child of such contributor by her under the age of twenty-one years;

(d) the death of any child of such contributor by her while of a pensionable age; and

(e) her own re-marriage or bankruptcy and the date thereof.

(5) Any such statement or notice shall be proved by the production of birth, death or marriage certificates, or by affidavit or otherwise, to the satisfaction of the Accountant General.

(6) The provisions of this section shall not apply to any marriage to which sub-section (1) of section 19 of this Ordinance applies or to the wife, widow or child of any such marriage.

Penalty for non-compliance or for giving false information.

6. (1) A contributor or widow who fails or neglects to comply with any of the requirements of section 5 of this Ordinance shall, in the discretion of the Accountant General for each default, pay a fine not exceeding two pounds, which may be deducted from his or her salary or pension, as the case may be.

(2) If a contributor or widow of a contributor shall at any time have wilfully made any false statement respecting any of the particulars required by this Ordinance to be furnished. all or any part of the rights under the Scheme of the contributor or the widow or any child of the contributor shall be liable to be forfeited at the discretion of the Governor, and the Governor may give directions for increasing the pension payable to any child of the contributor in consequence of forfeiture under this section of the rights of any other child or the widow of the contributor and such pension shall be increased accordingly.

PART III—CONTRIBUTORS AND CONTRIBUTIONS

Who shall or may become contributors.

7. (1) Subject to the provisions of this Ordinance every male African officer appointed to a pensionable office on pensionable terms in the service of this Government—

(a) shall, if he was so appointed on or after the 1st day of July, 1957, become a contributor from the date on which he first commenced to draw salary in respect of such appointment, or

(b) may, if he was so appointed before the 1st day of July, 1957, by written notice addressed to the Accountant General, and received by him before the 1st day of October, 1957, become a contributor from the first day of July, 1957.

(2) For the purposes of sub-section (1) of this section an officer appointed to the service of this Government on agreement with a view to appointment to a pensionable office on pensionable terms shall, from the date from which he was so appointed, be deemed to have been appointed to a pensionable office on pensionable terms.

(3) Persons who have attained the age of forty-nine years shall not be eligible to become contributors.

(4) Where an African officer who is a contributor to an approved scheme is appointed to service under this Government

and ceases to contribute to such approved scheme, he shall become a contributor.

(5) (a) Subject to the provisions of this sub-section, if the Accountant General is satisfied that an officer who is required by this Ordinance to become a contributor is a contributor under an approved scheme, the Accountant General may, on the application of such officer, direct that he shall, so long as he continues to be a contributor under such approved scheme, be exempt from contributing unless at any time the contributions which, in the absence of this sub-section, he would from time to time be required to pay under this Ordinance exceed his contributions under such approved scheme; and so long as the exemption remains in force and the officer continues to be a contributor under such scheme, he shall not contribute to the scheme more than the amount (if any) of such excess:

Provided that he may, by written notice addressed to the Accountant General and received by him within three months of the date he was appointed to service under this Government, elect to become a contributor in full to the scheme:

Provided further that any officer who under this paragraph is exempt from contributing wholly or in part shall for the purposes of section 14 be deemed to be making contributions in accordance with section 8.

(b) The Accountant General may require any contributor who has been granted an exemption under this sub-section, from time to time to produce the receipts for his contributions or other evidence of his continuing to be a contributor under such approved scheme, and if he shall fail to do so the Accountant General may cancel the exemption.

(c) No application for exemption under this sub-section shall be valid unless it is made in writing and reaches the Accountant General not later than three months after the date from which the officer commences to draw salary from Sierra Leone funds or such later date as the Governor may in any special case determine.

(d) Where an officer is, by virtue of an exemption under this sub-section, making no contributions to the scheme, he shall nevertheless be deemed, for the purposes of this Ordinance, to cease or continue to contribute, as the case may be, in any circumstances in which he would so cease or continue if there were no such sub-section, and all rights of election under Part IV of this Ordinance may be exercised by him accordingly.

Rates of
contribution.

8. An officer, whose salary exceeds the amounts given in any line of the first column below but does not exceed that given in the corresponding line of the second column, shall contribute at the annual rate given in the corresponding line of the third column—

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
£	£	£ s. d.
—	100	5 0 0
100	120	6 0 0
120	150	7 10 0
150	180	9 0 0
180	220	11 0 0
220	260	13 0 0
260	320	16 0 0
320	400	20 0 0
400	500	25 0 0
500	600	30 0 0

and so on, the annual contribution increasing by five pounds for each step of one hundred pounds in the salary scale:

Provided that an officer who is required under the foregoing provisions of this section to contribute at an annual rate exceeding sixty pounds may, by written notice addressed to the Accountant General and received by him either by the 1st day of October, 1957, or within four months of his first appointment to a post whereby he is eligible to contribute under this Ordinance or thereafter within four months of any change in salary whereby he becomes eligible to contribute at a different rate, elect to contribute at an annual rate of sixty pounds or at any annual rate which is a multiple of five pounds between sixty pounds and the rate which, but for the provisions of this proviso, would apply to him:

Provided further that where an officer's salary changes so that he becomes eligible to contribute at a rate different from that applicable immediately prior to the change the new rate shall be applicable from the first day of July immediately following the change, or, where the change occurs on the first day of July, from that date.

Period and
manner of
contributions.

9. (1) All contributions shall accrue daily and contributions shall be made by means of monthly payments equal in each case to one-twelfth of the annual rate for the time being applicable to the contributor, and such monthly payments shall, subject as hereinafter mentioned, be payable until either the contributor dies or has contributed for an exact number of years terminating at or after the forty-ninth but before the fiftieth birthday of the contributor.

(2) The Accountant General shall deduct the contributions from the salary or pension of a contributor.

(3) If a contributor is on leave on half salary or under interdiction from duty he shall still be liable to contribute at the full rate.

(4) If a contributor is on leave without salary, he shall still be liable to contribute at the full rate and if he does not himself pay his contributions during the period when he was on leave without salary, the amount of his contributions in arrear shall be deducted in equal instalments from his first three full monthly payments of salary subsequent to such leave.

(5) For the purposes of this section, the words " salary " and " pension " refer to a salary and a pension paid by this Government.

10. Save as is otherwise expressly provided in this Ordinance no contributions may be repaid.

Contributions not normally to be repaid.

11. No person shall contribute under this Ordinance for any period during which he is contributing under the Widows and Orphans (Overseas Officers) Pensions Ordinance.

Prohibition of dual contributions. Cap. 175.

PART IV—PROVISION FOR OFFICERS LEAVING THE SERVICE

12. (1) If a contributor being a bachelor or a widower without children of a pensionable age leaves the service of this Government he shall cease to contribute.

Bachelor and widower without children of a pensionable age, ceasing to contribute or leaving the service.

(2) If a contributor being a bachelor or a widower without children of a pensionable age ceases to contribute whether by reason of the provisions of sub-section (1) of this section or otherwise there shall be paid to him or his legal personal representative, the following amount, less any debt due to this Government, that is to say—

(a) in the case of a bachelor, the amount of the contributions paid by him with compound interest thereon, and

(b) in the case of a widower, the amount of the contributions paid by him during the period from the death of his last wife or the ceasing to be of pensionable age of his last child, whichever event shall have last happened, with compound interest thereon.

(3) For the purposes of this section, interest shall be calculated at two and a-half per centum per annum with annual rests, at the 30th day of June in each year.

Contributor married or widower with children of a pensionable age leaving the service.

13. (1) If a contributor who is married or who is a widower with children of a pensionable age and whose period of payment of contributions has not expired, leaves the service of this Government he shall continue to contribute at the rate at which he was contributing immediately prior to the date of his retirement:

Provided that any such contributor may at any time, by notice in writing addressed to the Accountant General elect—

(a) to cease contributing under the provisions of this Ordinance, or

(b) notwithstanding the provisions of section 8 of this Ordinance, to pay contributions assessed on the amount of his pension,

and if he does so elect the amount of the pension registered in his name shall be adjusted in accordance with the provisions of section 15 of this Ordinance:

Provided further that should any such contributor after the date of his retirement become a widower without children of a pensionable age he shall forthwith cease to contribute and shall cease to be entitled to rank for benefit under the provisions of this Ordinance either by way of pension or return of contributions:

Provided further that an officer dismissed from the service of this Government shall not continue to contribute but shall continue to rank for benefit to the extent of such part of the pension registered in his name as his past contributions have earned.

(2) Where any such contributor who has elected under the provisions of paragraph (a) or (b) of the first proviso to sub-section (1) of this section to cease contributing under the provisions of this Ordinance or to pay contributions assessed on his pension is re-appointed to the service of this Government before the expiration of his period of payment of contributions, he shall where eligible otherwise in accordance with the provisions of this Ordinance as from the date of his re-appointment cease to have the rights offered under sub-section (1) of this section and commence to pay contributions, assessed on the amount of his salary in accordance with the provisions of section 8 of this Ordinance.

(3) Notwithstanding the provisions of section 15 of this Ordinance, if such a contributor shall retire on the ground of ill-health and his death shall occur—

(a) if at the date of his death he shall be contributing not later than three years after the date of his retirement;

(b) if at the date of his death he shall have ceased to contribute, not later than two years after the date of his retirement;

any pension payable in respect of him shall be computed as if he had died on the day preceding the date of his retirement.

PART V—CALCULATION AND PAYMENT OF PENSIONS

14. (1) For the purpose of calculating the pension to be registered in respect of an officer, so long as he is in the service of this Government and is making or is deemed to be making contributions under this Ordinance this Government shall be deemed to make a contribution on his behalf equal to one-half of each contribution so made by him. Calculation of pensions.

(2) The Accountant General shall calculate the pensions payable under the provisions of this Ordinance in accordance with the Pension Tables and Instructions set forth respectively in the First and Second Schedules to this Ordinance and shall pay the pensions as they become due and for the purposes of the First and Second Schedules the word "contribution" means, except where reference is made to the contributor's own contribution, the contributor's contribution plus any contribution deemed to have been made by the Government in accordance with the provisions of sub-section (1) of this section in respect of that contributor. Schedules.

(3) All pensions payable under the provisions of this Ordinance shall, subject to the express provisions of this Ordinance, commence upon the day after the death of the contributor in respect of whom they are payable, shall accrue daily and shall be payable monthly in arrear:

Provided that a pension may be paid quarterly instead of monthly if the person to whom it is payable so requires by notice in writing addressed to the Accountant General.

15. (1) If the total monthly contributions payable by and on behalf of a contributor who is married or a widower with children of pensionable age are increased, any pension payable in respect of that contributor shall be increased by an amount corresponding to the pension which would become payable by virtue Effect of increases and reductions in contributions.

of a contribution equivalent to the increase if the contributor were to commence to contribute at the date of the increase.

(2) If such contributions are reduced, any pension payable in respect of him shall be reduced by the amount by which it would have been increased had such contributions been increased instead of reduced.

(3) When contributions cease to be payable otherwise than in the cases mentioned in sub-section (1) of section 9 of this Ordinance, the cessation thereof shall be deemed to be a reduction for the purposes of sub-section (2) of this section.

Rights of
individual
beneficiaries.

16. Subject to the provisions of this Ordinance—

(a) on the death of a contributor leaving one or more beneficiaries, the beneficiary, or each of such beneficiaries, as the case may be, shall receive a pension in accordance with the provisions of this Ordinance;

(b) if pensions are payable to more than one beneficiary each beneficiary shall receive such a proportion of the pension which such beneficiary would have received if he had been the sole beneficiary, divided by the number of beneficiaries;

(c) where there are two or more beneficiaries receiving pensions in respect of the same contributor and the pension payable to one of such beneficiaries shall lapse under the provisions of this Ordinance, the other beneficiary or beneficiaries shall, as from the date of such lapse, receive the pension or pensions which they would have received if such first-mentioned beneficiary had not been in existence at the death of such contributor.

Pensions of
children.

17. (1) Where there is by any particular marriage only one child of a contributor entitled to pension, the pension shall be at the same rate as the pension which that child's mother received or would have received if it had been payable to her, and shall lapse when such child ceases to be of a pensionable age or dies.

(2) Where there are by any particular marriage two or more children of a contributor entitled to pension, the pension payable shall be at the same rate as the pension which the mother of those children received or would have received if it had become payable to her, and shall be paid to such children, in equal shares.

(3) When any of the children of any particular marriage ceases to be of a pensionable age or dies that child's share of such pension shall be paid to the remaining child of the same marriage

of a pensionable age, or, if there are two or more such children, to those children in equal shares.

(4) Where a child ceases to be of pensionable age by reason of marrying and whilst under the age of twenty-one ceases to be married by reason of the death of her husband or the annulment or dissolution of her marriage by any competent Court the child shall, whilst under the age of twenty-one and whilst unmarried, notwithstanding any lapse or division amongst other children of the child's pension under the provisions of this section, be entitled, as from the date of ceasing to be married, to a pension as if she had not been married and any increase of another child's pension in consequence of that marriage shall from the same date cease to be payable.

For the purposes of this sub-section in the case of a marriage according to customary law to which the child is subject, when the marriage has been annulled, dissolved or otherwise terminated in accordance with that customary law the marriage shall be deemed to have been dissolved by a competent Court.

18. (1) Where a beneficiary is the widow of a contributor, the pension shall cease to be payable to her on re-marriage.

Death or
re-marriage
of widow.

(2) When such pension ceases as aforesaid or by reason of the death of the widow or is forfeited under the provisions of sub-section (2) of section 6 of this Ordinance, if there are no children of the marriage of the widow with the contributor living and of a pensionable age, the pension shall lapse; and if there are such children the pension shall be paid to such children in accordance with the provisions of this Ordinance.

19. (1) No widow of a contributor whose marriage with him is contracted or is deemed in accordance with the proviso to the definition of " wife " in section 2 of this Ordinance to have been contracted, after he has either attained the age of fifty-five years or left the service of this Government, unless he has been re-appointed and contributes in accordance with the provisions of sub-section (2) of section 13 of this Ordinance, and no issue of such marriage shall constitute a beneficiary for the purposes of, or become entitled to any pension under the provisions of, this Ordinance.

Certain
persons not
entitled to
pension.

(2) Where a contributor dies within twelve months of his marriage and there is no issue of such marriage, his widow shall not constitute a beneficiary under, or become entitled to any pension under the provisions of, this Ordinance;

Provided that the Governor in Council may grant to such widow all or any part of the pension to which she would have been entitled but for the provisions of this sub-section (hereinafter referred to as "the hypothetical pension"); and in such event the widow shall constitute a beneficiary for the purpose of this Ordinance; and if the grant of pension to the widow is part only of the hypothetical pension, the pension payable to any other beneficiary shall be increased by an amount which shall bear to the difference between the pension which would have been payable to that beneficiary if the Governor in Council had granted the whole of the hypothetical pension to the said widow and the pension which would have been payable to that beneficiary if the Governor in Council had not granted any pension under this sub-section, the same proportion as the part of the hypothetical pension not granted bears to the whole thereof.

Failure to maintain child.

20. If the widow of a contributor while in receipt of a pension ceases to assist, deserts or abandons a child of hers by the contributor whom she is by law bound to maintain and who is of a pensionable age, the Accountant General may pay to a fit and proper person on behalf of such child, such portion of the pension as he may think fit, and the widow shall have no further claim in respect of such portion.

Payment of minors' pensions.

21. Any pension or part of a pension or any allowance payable under the provisions of this Ordinance to a minor may, as the Accountant General may from time to time think fit, be paid either—

(a) to such minor, or

(b) to such person or persons as the Accountant General may think fit, for, or to be applied for, the maintenance, support or benefit of the minor.

Payment of pensions to dependants of contributor married according to Mohammedan law or native law and custom.

22. (1) A contributor married according to Mohammedan law or native law and custom may at any time, by written notice addressed to the Accountant General and received by him, elect to have the pension payable under this Ordinance paid to the Official Administrator or to such other public officer as the Accountant General may approve for distribution to his dependants in accordance with Mohammedan law or native law and custom, as the case may be:

Provided that such a pension shall cease to be paid when there is no longer any beneficiary.

(2) For the purposes of this section, "dependants" means his wives by marriages, which are valid according to Mohammedan law or native law and custom, and the children of such marriages.

23. The Accountant General may require such proof as he considers desirable that any person who claims to be entitled to pension, or on behalf of whom such a claim is made, is alive and entitled to pension, and the payment of any pension may be refused until such proof is furnished to the satisfaction of the Accountant General.

Proof of claim to pensions.

PART VI—MISCELLANEOUS

24. Except as may be expressly provided in this Ordinance, no pension payable, and no rights of any contributor, under the provisions of this Ordinance, shall be assignable or transferable or liable to be attached, sequestered or levied upon for, or in respect of, any debt or claim whatsoever:

Pension not to be assigned or levied upon.

Provided that any contribution or other sum due under the provisions of this Ordinance from a contributor or deceased contributor may be deducted from any amount payable to or in respect of such contributor, and any sum due under the provisions of this Ordinance from a widow or child of a contributor may be deducted from any pension or allowance payable to, or on behalf of, such widow or child by virtue of the provisions of this Ordinance.

25. Questions and disputes as to who is entitled to be regarded as a contributor, or as to the right of a widow or child to a pension, or as to the rights or liabilities of any person under this Ordinance shall be determined by the Accountant General and, if any person is aggrieved by the decision of the Accountant General thereon, the question or dispute shall be referred to the Governor in Council and the Governor in Council's decision thereon shall be binding and conclusive on all parties, shall be final to all intents and purposes, and shall not be subject to appeal or to be called in question by or before any Court.

Determination of disputes.

26. The Governor in Council may make regulations, not inconsistent with the provisions of this Ordinance, for the better carrying out of the provisions of this Ordinance.

Regulations.

Notices of election irrevocable.

27. Unless otherwise provided by this Ordinance, all notices of election given by officers under the provisions of this Ordinance shall be irrevocable.

Application of Ordinance to members of staff of Fourah Bay College.

28. The provisions of this Ordinance shall apply to those members of the staff of the Fourah Bay College who would be African Officers if they were in the service of this Government; any such person shall be deemed to be an African Officer for the purposes of this Ordinance, and such person shall, while a member of the staff of the Fourah Bay College, be deemed, for the purposes of this Ordinance, to be in the service of this Government:

Provided that any person employed by a Missionary Society, whose services have been placed at the disposal of the Fourah Bay College Council by agreement, shall be exempted from the provisions of this section unless within three months of his services being so placed he elects, by written notice addressed to the Accountant General and received by him, to become a contributor under this Ordinance and thereupon this section shall apply to such person and he shall be liable to pay contributions under this Ordinance with effect from the date on which his services were placed at the disposal of the Fourah Bay College Council.

FIRST SCHEDULE

PENSIONS TABLES

TABLE A

SIERRA LEONE WIDOWS AND ORPHANS (AFRICAN OFFICERS) PENSIONS SCHEME

The yearly pension, payable by monthly instalments, which a single payment of 1 will secure.

Age of husband last Birthday	AGE OF WIFE LAST BIRTHDAY											Age of husband last Birthday	
	20	25	30	35	40	45	50	55	60	65	70		75
20	.347	.382	.433	.503	.592	.709							20
21	.332	.365	.413	.481	.568	.685							21
22	.318	.350	.395	.459	.543	.658							22
23	.306	.336	.379	.439	.521	.629							23
24	.294	.323	.364	.420	.498	.602							24
25	.282	.310	.348	.403	.476	.578	.704						25
26	.272	.297	.333	.386	.457	.556	.680						26
27	.261	.284	.318	.369	.439	.532	.654						27
28	.251	.272	.306	.353	.420	.510	.629						28
29	.241	.262	.293	.338	.403	.490	.606						29
30	.232	.251	.281	.324	.386	.469	.581	.730					30
31	.224	.242	.270	.311	.370	.450	.559	.704					31
32	.216	.232	.258	.298	.355	.431	.538	.680					32
33	.208	.223	.248	.285	.339	.413	.515	.654					33
34	.200	.214	.238	.273	.325	.395	.495	.629					34
35	.193	.206	.228	.262	.311	.379	.474	.606	.787				35
36	.187	.198	.219	.251	.297	.362	.455	.581	.763				36
37	.181	.191	.210	.240	.284	.347	.435	.559	.735				37
38	.175	.184	.202	.230	.272	.332	.417	.535	.709				38
39	.169	.178	.194	.220	.260	.317	.398	.513	.685				39
40	.163	.172	.187	.211	.249	.304	.382	.493	.662	.901			40
41	.158	.166	.180	.203	.239	.291	.365	.474	.637	.870			41
42	.153	.160	.173	.195	.228	.278	.350	.455	.613	.840			42
43	.148	.154	.166	.187	.218	.265	.334	.435	.588	.813			43
44	.144	.149	.161	.180	.209	.254	.319	.417	.565	.787			44
45	.140	.144	.155	.173	.201	.243	.305	.398	.541	.763	1.087		45
46	.136	.140	.149	.166	.193	.232	.291	.380	.518	.735	1.053		46
47	.132	.136	.144	.160	.185	.222	.277	.362	.498	.709	1.031		47
48	.129	.131	.139	.154	.177	.212	.265	.346	.476	.685	1.010		48
49	.125	.127	.135	.148	.170	.203	.253	.330	.455	.658	.990		49
50	.122	.123	.130	.143	.163	.194	.241	.314	.435	.629	.962	1.493	50
51	.119	.120	.126	.138	.157	.186	.230	.299	.415	.602	.926	1.471	51
52	.116	.116	.122	.133	.151	.178	.219	.285	.395	.578	.901	1.449	52
53	.113	.113	.118	.128	.145	.170	.209	.272	.376	.552	.870	1.429	53
54	.110	.110	.114	.123	.139	.163	.200	.259	.357	.526	.840	1.408	54

TABLE B
SIERRA LEONE WIDOWS AND ORPHANS (AFRICAN OFFICERS) PENSIONS SCHEME

The yearly pension, payable by monthly instalments, which a yearly contribution of 1, payable by monthly instalments will secure

Age of husband last Birthday	AGE OF WIFE LAST BIRTHDAY											Age of husband last Birthday	
	20	25	30	35	40	45	50	55	60	65	70		75
20	6.04	6.65	7.54	8.76	10.31	12.34							20
21	5.66	6.22	7.04	8.20	9.68	11.67							21
22	5.30	5.84	6.59	7.66	9.06	10.98							22
23	4.99	5.48	6.18	7.16	8.49	10.25							23
24	4.67	5.14	5.79	6.68	7.92	9.57							24
25	4.37	4.80	5.39	6.24	7.37	8.95	10.90						25
26	4.10	4.48	5.02	5.82	6.89	8.38	10.25						26
27	3.82	4.16	4.66	5.40	6.43	7.79	9.57						27
28	3.56	3.86	4.34	5.01	5.96	7.24	8.93						28
29	3.31	3.60	4.02	4.64	5.53	6.73	8.32						29
30	3.08	3.33	3.73	4.30	5.12	6.22	7.70	9.68					30
31	2.86	3.09	3.45	3.97	4.72	5.74	7.13	8.98					31
32	2.65	2.84	3.16	3.65	4.35	5.28	6.59	8.33					32
33	2.44	2.61	2.91	3.34	3.97	4.84	6.04	7.66					33
34	2.24	2.39	2.66	3.05	3.63	4.42	5.53	7.03					34
35	2.05	2.19	2.42	2.78	3.30	4.02	5.03	6.44	8.36				35
36	1.88	1.99	2.20	2.52	2.98	3.63	4.56	5.83	7.65				36
37	1.71	1.80	1.98	2.26	2.68	3.27	4.10	5.27	6.92				37
38	1.54	1.62	1.78	2.02	2.39	2.92	3.67	4.71	6.24				38
39	1.38	1.45	1.58	1.79	2.12	2.58	3.24	4.18	5.58				39
40	1.22	1.28	1.40	1.58	1.86	2.27	2.85	3.68	4.95	6.73			40
41	1.07	1.12	1.22	1.37	1.62	1.97	2.47	3.21	4.31	5.89			41
42	.92	.97	1.04	1.18	1.38	1.68	2.11	2.75	3.70	5.07			42
43	.78	.81	.88	.99	1.15	1.40	1.76	2.30	3.10	4.29			43
44	.65	.67	.72	.81	.94	1.14	1.43	1.87	2.54	3.53			44
45	.51	.53	.57	.63	.74	.89	1.12	1.46	1.99	2.80	3.99		45
46	.38	.39	.42	.47	.54	.65	.82	1.07	1.46	2.07	2.96		46
47	.25	.26	.28	.31	.36	.43	.53	.70	.96	1.36	1.98		47
48	.13	.13	.14	.15	.17	.21	.26	.34	.47	.67	.99		48

TABLE C
 SIERRA LEONE WIDOWS AND ORPHANS (AFRICAN OFFICERS) PENSIONS SCHEME
 The single payment which will secure a yearly pension of 1, payable by monthly instalments.

Age of husband last Birthday	AGE OF WIFE LAST BIRTHDAY											Age of husband last Birthday	
	20	25	30	35	40	45	50	55	60	65	70		75
20	2.88	2.62	2.31	1.99	1.69	1.41							20
21	3.01	2.74	2.42	2.08	1.76	1.46							21
22	3.14	2.86	2.53	2.18	1.84	1.52							22
23	3.27	2.98	2.64	2.28	1.92	1.59							23
24	3.40	3.10	2.75	2.38	2.01	1.66							24
25	3.54	3.23	2.87	2.48	2.10	1.73	1.42						25
26	3.68	3.37	3.00	2.59	2.19	1.80	1.47						26
27	3.83	3.52	3.14	2.71	2.28	1.88	1.53						27
28	3.99	3.67	3.27	2.83	2.38	1.96	1.59						28
29	4.15	3.82	3.41	2.96	2.48	2.04	1.65						29
30	4.31	3.98	3.56	3.09	2.59	2.13	1.72	1.37					30
31	4.47	4.14	3.71	3.22	2.70	2.22	1.79	1.42					31
32	4.64	4.31	3.87	3.36	2.82	2.32	1.86	1.47					32
33	4.81	4.49	4.04	3.51	2.95	2.42	1.94	1.53					33
34	4.99	4.67	4.21	3.66	3.08	2.53	2.02	1.59					34
35	5.17	4.85	4.39	3.82	3.22	2.64	2.11	1.65	1.27				35
36	5.35	5.04	4.57	3.99	3.37	2.76	2.20	1.72	1.31				36
37	5.53	5.23	4.76	4.17	3.52	2.88	2.30	1.79	1.36				37
38	5.72	5.43	4.96	4.35	3.68	3.01	2.40	1.87	1.41				38
39	5.92	5.63	5.16	4.54	3.84	3.15	2.51	1.95	1.46				39
40	6.12	5.83	5.36	4.73	4.01	3.29	2.62	2.03	1.51	1.11			40
41	6.32	6.04	5.57	4.93	4.19	3.44	2.74	2.11	1.57	1.15			41
42	6.53	6.26	5.79	5.14	4.38	3.60	2.86	2.20	1.63	1.19			42
43	6.74	6.48	6.01	5.35	4.58	3.77	2.99	2.30	1.70	1.23			43
44	6.94	6.70	6.23	5.57	4.78	3.94	3.13	2.40	1.77	1.27			44
45	7.15	6.93	6.46	5.79	4.98	4.12	3.28	2.51	1.85	1.31	.92		45
46	7.35	7.15	6.69	6.02	5.19	4.31	3.44	2.63	1.93	1.36	.95		46
47	7.56	7.38	6.93	6.26	5.41	4.51	3.61	2.76	2.01	1.41	.97		47
48	7.77	7.61	7.18	6.50	5.64	4.72	3.78	2.89	2.10	1.46	.99		48
49	7.98	7.85	7.43	6.75	5.88	4.93	3.96	3.03	2.20	1.52	1.01		49
50	8.20	8.10	7.69	7.01	6.12	5.15	4.15	3.18	2.30	1.59	1.04	.67	50
51	8.42	8.34	7.95	7.27	6.37	5.38	4.35	3.34	2.41	1.66	1.08	.68	51
52	8.64	8.59	8.22	7.54	6.63	5.62	4.56	3.51	2.53	1.73	1.11	.69	52
53	8.86	8.84	8.49	7.82	6.90	5.87	4.78	3.68	2.66	1.81	1.15	.70	53
54	9.08	9.09	8.76	8.10	7.18	6.12	5.00	3.86	2.80	1.90	1.19	.71	54

Section 14.

SECOND SCHEDULE

INSTRUCTIONS FOR THE USE OF THE PENSION TABLES

Under section 14 of the Ordinance, contributions in these examples include contributions both by the officer and by Government. For example where the contribution quoted is £54, the officer's contribution is £36, and the Government's £18.

A.—CONTRIBUTOR WHO BEGINS TO CONTRIBUTE WHILE A BACHELOR

I.—*First Wife's Prospective Pension*

The registered pension to be recorded on marriage is found by adding together the two amounts calculated in accordance with the following Rules I (a) and I (b):—

(a) *Pension in consideration of the contributions paid during bachelorhood—*

Rule I (a)

Accumulate the contribution at three and a half per cent compound interest with yearly rests at each 30th June and multiply the result by the quantity found from Table A corresponding to the ages last birthday of the husband and wife at the date of marriage.

The product gives the pension on account of the contributions paid during bachelorhood.

(b) *Pension in consideration of the annual contribution at the date of marriage—*

Rule I (b).

Multiply the amount of the annual contribution by the quantity found from Table B corresponding to the ages last birthday of husband and wife at the date of marriage.

The product gives the pension on account of the annual contribution at the date of marriage.

Example:(i) *Data—*

Officer born on 4th November, 1935.

Officer begins to contribute on 1st July, 1956.

Officer marries on 31st March, 1960.

Wife born on 5th March, 1939.

Officer's age last birthday at date of marriage 24

Wife's age last birthday at date of marriage 21

Annual contribution—

	£	s.	d.
1st July, 1956 to 30th June, 1957	54	0	0
1st July, 1957 to 30th June, 1958	54	0	0
1st July, 1958 to 30th June, 1959	63	0	0
1st July, 1959 to date of marriage	63	0	0

(ii) *Application of Rule I (a):*

Accumulation of contributions paid during bachelorhood:

Contributions from 1st July, 1956 to 30th June, 1957	54	0	0
Contributions from 1st July, 1957 to 30th June, 1958	54	0	0
One year's interest at 3½ per cent on £54 0s. 0d. ...	1	17	10

£109 17 10

	£ s. d.
Brought forward	109 17 10
Contributions from 1st July, 1958 to 30th June, 1959	63 0 0
One year's interest at 3½ per cent on £109 17s. 10d.	3 16 11
	176 14 9
Contributions from 1st July, 1959 to date of marriage	47 5 0
Three-quarters year's interest at 3½ per cent on £176 14s. 9d.	6 3 9
	230 3 6

Quantity found from Table A:

Husband—aged 24 last birthday	}	.30
Wife—aged 21 last birthday		

Then the pension in consideration of contributions paid during bachelorhood = £230 3s. 6d. x .30 = £69 1s. 0d.

(iii) Application of Rule I (b)—

Annual contribution at date of marriage = £63 0 0

Quantity found from Table B:

Husband—aged 24 last birthday	}	4.76
Wife—aged 21 last birthday		

Then the pension in consideration of the annual contribution at marriage = £63 0s. 0d. x 4.76 = £299 17s. 7d.

Total registered pension recorded on marriage of bachelor:

	£ s. d.
Under Rule I (a)	69 1 0
Under Rule I (b)	299 17 7
	368 18 7

(c) Variations of pension consequent on increments to, and decrements from, the annual contribution while the contributor is married to his first wife.

Multiply the amount of the increment to, or the decrement from, the annual contribution by the quantity found from Table B corresponding to the ages last birthday of the husband and wife at the date of the variation of the contribution. Rule I (c)

The product gives the amount to be added to the registered pension consequent on the increment to the annual contribution or, as the case may be, the amount to be deducted from the registered pension consequent on the decrement from the annual contribution. The cessation of the contribution from any cause, except death, before the completion of the full period of contribution must be regarded as a decrement from the annual contribution equal to the amount of such annual contribution.

Example:(i) *Data—*

Assume particulars as in example subjoined to Rules I (a) and I (b).

	<i>£</i>	<i>s.</i>	<i>d.</i>
Annual contribution increased on 1st July, 1966,			
from	63	0	0
to	72	0	0
Annual contribution increased on 1st July, 1966,			
from	72	0	0
to	81	0	0
Annual contribution ceased on 31st March, 1970, owing to withdrawal from the Scheme.			

(ii) *Application of Rule I (c)—*

1st July, 1961—Increment to annual contribution
Quantity found from Table B: 9 0 0

Husband—aged 25 last birthday }
Wife—aged 22 last birthday } 4.54

Then the amount to be added to the registered
pension = £9 x 4.54 = £40 17s. 2d.

Registered pension at date of marriage 368 18 7

Add pension in consideration of the increment of £9
to the annual contribution at 1st July, 1961 40 17 2

Total registered pension at 1st July, 1961 409 15 9

1st July, 1966—Increment to annual contribution 9 0 0

Quantity found from Table B:
Husband—aged 30 last birthday }
Wife—aged 27 last birthday } 3.57

Then the amount to be added to the registered
pension = £9 x 3.57 = £32 2s. 7d.

Registered pension at 1st July, 1961 409 15 9

Add pension in consideration of the increment of £9
to the annual contribution at 1st July, 1966 32 2 7

Total registered pension at 1st July, 1966 441 18 4

31st March, 1970—Decrement from current annual
contribution due to cessation of payment on
withdrawal from the scheme = 81 0 0

Quantity found from Table B:
Husband—aged 34 last birthday }
Wife—aged 31 last birthday } 2.69

Then the amount to be deducted from the registered
pension = £81 x 2.69 = £217 17s. 10d.

Registered pension at 1st July, 1966 441 18 4

Deduct pension in respect of cessation of contribution
of £81 0s. 0d. on 31st March, 1970 217 17 10

224 0 6

II.—Second or Subsequent Wife's Prospective Pension.

(a) Variations of pension consequent on increments to, and decrements from, the annual contribution while the contributor is a widower—

Assume that the contributor is married to a wife of the age that his last preceding wife would have been had she survived to the date of the variation of the contribution and proceed in accordance with Rule I (c). Rule II (a)

Example:

If the particulars be as in the example subjoined to Rule I (c) except that the first wife had died on 7th May, 1963, it would be assumed that the contributor was married to a wife born on the first wife's birthday, i.e. 5th March, 1939. The calculations will then be identical with those given in the example subjoined to Rule I (c), assuming that, when contributions ceased on 31st March, 1970, owing to withdrawal from the scheme, there was a child of pensionable age.

(b) Variations of pension consequent on the re-marriage of the contributor—

If the second or subsequent wife was of the same age last birthday, at the date of the re-marriage, as the last preceding wife would have been had she survived, then the registered pension remains unchanged. If the second or subsequent wife was, at the date of the re-marriage younger or older than the last preceding wife would have been had she survived, multiply the amount of the pension already registered in respect of the husband by the quantity found from Table C corresponding to the age last birthday of the husband at the date of his re-marriage, and the age last birthday which the last preceding wife would have attained had she survived to that date. Then multiply the product so obtained by the quantity found from Table A corresponding to the ages last birthday of husband and of the second or subsequent wife at the date of the re-marriage. Rule II (b).

The result gives the new registered pension to be recorded in place of the old one.

Example:

(i) *Data—*

Assume particulars as in the example subjoined to Rule I (c).

First wife died on 7th May, 1963.

Contributor re-married on 11th January, 1966.

Contributor's age last birthday at date of marriage 30

Second wife born on 30th April, 1941.

Second wife's age last birthday at marriage ... 24

Age last birthday at date of re-marriage which the first wife would have attained had she survived 26

(ii) *Application of Rule II (b)—*

At 11th January, 1966 as the second wife is younger than the first wife would have been had she survived, the registered pension of ... £409 15s. 9d.

(See example subjoined to Rule I (c)) has to be recalculated.

Quantity found from Table C:
 Husband—aged 30 last birthday } 3.896
 Wife—aged 26 last birthday }
 Quantity found from Table A:
 Husband—aged 30 last birthday } 0.247
 Wife—aged 24 last birthday }
 Registered pension at 11th January, 1966
 =£409 15s. 9d. x 3.896 x 0.247
 =£394 6s. 11d.

- (c) *Variations of pension consequent on increments to, and decrements from, the annual contribution while the contributor is married to his second/or subsequent wife.*

Rule II (c). Proceed as in Rule I (c).

B.—CONTRIBUTOR WHO BEGINS TO CONTRIBUTE TO THE FUND WHILE MARRIED

III.—First Wife's Prospective Pension.

In every case of a contributor who commenced to contribute while married, the wife at the date of commencement of contributions is to be considered as the officer's first wife. No particulars are to be recorded respecting any former wife to whom he may have been married unless there is a child of pensionable age of the former marriage (*see C.—Rule V*).

- (a) *Pension in consideration of the annual contribution at the date of commencement of contributions:—*

Rule III (a). Multiply the amount of the annual contribution by the quantity found from Table B corresponding to the ages last birthday of the husband and wife at the date of commencement of contributions.

The product gives the pension on account of the annual contribution at the date of commencement of contributions.

Example:

- (i) *Data—*

Officer born on 2nd May, 1919.
 Officer married on 15th April, 1945.
 Officer began to contribute on 1st October, 1959.
 Annual contribution on 1st October, 1959—
 £54 0s. 0d.
 Wife born on 4th February, 1923.

- (ii) *Application of Rule III (a)—*

Quantity found from Table B:
 Husband—aged 40 last birthday } 1.64
 Wife—aged 36 last birthday }

Registered pension in consideration of the annual contribution at commencement of contribution=
 £54 0s. 0d. x 1.64 = £88 11s. 2d.

- (b) *Variations of pension consequent on increments to, and decrements from, the annual contribution while the contributor is married to his first wife.*

Rule III (b). Proceed as in Rule I (c).



IV.—*Second or Subsequent Wife's Pension.*

- (a) *Variations of pension consequent on increments to, and decrements from, the annual contribution while the contributor is a widower.*

Proceed as in Rule II (a)

Rule IV (a).

- (b) *Variations of pension consequent on the re-marriage of the contributor.*

Proceed as in Rule II (b).

Rule IV (b).

C.—CONTRIBUTOR WHO BEGINS TO CONTRIBUTE WHILE A WIDOWER

V.—*Prospective Pension to Children of his Former Marriage.*

So long as a child of the contributor's former marriage is of pensionable age, a pension must be registered on his or her behalf. If there is no child of pensionable age the contributor should be regarded as a bachelor. Rule V.

For the purpose of calculating the pension to be registered on behalf of the child of pensionable age of the former marriage assume that the deceased wife had lived until the date of commencement of contributions and had died immediately afterwards. Proceed in accordance with Rules III (a) and II (a).

VI.—*Second or Subsequent Wife's Prospective Pension*

For the purpose of calculating the pension to be registered on behalf of the second or subsequent wife, assume that the deceased wife had lived until the date of commencement of contributions and had died immediately afterwards. Proceed as in Rules II(b) and II(c). Rule VI.

D.—CONTRIBUTOR WITH TWO OR MORE BENEFICIARIES

Where there are children eligible for pension by two or more deceased wives, and where there are also a wife and also a child or children by one or more previous marriages, the pension of each beneficiary as found by the above Rules which assume that each beneficiary is a sole beneficiary must be divided by the total number of beneficiaries then existing in order to find the registered pension of that beneficiary. Rule VII.

Example:

Assume that the contributor of the calculations subjoined to Rules I and II were to die on 31st March, 1970, instead of withdrawing from the scheme on that date, leaving a widow and also a child by his first marriage. The child of his first wife might still be of a pensionable age on 31st March, 1970, and the mother's prospective pension of £409 15s. 9d. would have been registered in respect of the child. The contributor's widow, his second wife, would have a pension of £394 6s. 11d. registered in respect of her.

In accordance with Rule VII above each registered pension would be divisible by two—there being two beneficiaries. The pension actually payable in respect of the child of the first marriage would be one half of £409 15s. 9d. or £204 17s. 10d. and the pension actually payable in respect of the widow would be one half of £394 6s. 11d. or £197 3s. 5d.

When the child's pension terminated on his ceasing to be of pensionable age, the widow's pension, which is still payable, would be increased to the full amount of £394 6s. 11d.

E.—CALCULATION OF QUANTITIES FOR AGES NOT IMMEDIATELY AVAILABLE FROM THE TABLES.

- (a) If a quantity is required for an age of husband or wife younger than the youngest given in the table, or an age of wife older than the oldest given in the table, then the quantity relating to the youngest tabular age of husband or wife, or the oldest tabular age of wife, as the case may be, should be assumed to apply.
- (b) Quantities relating to ages of wives are given at five-yearly intervals only. For the intermediate ages interpolate by exact one fifth.

Example:

- (i) *To find a quantity in Table A corresponding to the ages of husband and wife of 24 and 21 last birthday respectively.*

The quantity for ages 24 and 20 given in Table A is .294

The quantity for ages 24 and 25 given in Table A is .323

The addition of 5 years to the age of the wife results, therefore, in an addition of .029 to the quantity given in the table for 24 and 20.

By proportion, an addition of 1 year results in an addition of one fifth of this difference of .029, that is .006.

This figure, added to .294, gives .3, which is the required quantity relating to ages 24 and 21 of husband and wife respectively.

- (ii) *Similarly, the quantity from Table B relating to ages 36:33 is three fifths of .32 added to .220 which gives 2.392.*
- (iii) *In the case of the application of Table C it must be noted that an addition to the age of the wife results in a deduction from the quantity given in the table.*