

CHAPTER 175.

WIDOWS AND ORPHANS (OVERSEAS OFFICERS) PENSIONS.

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CHAPTER 175.

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

An Ordinance to Establish a Fund for the Payment of Pensions to the Widows and Orphans of Overseas Public Officers. 17 of 1957.

[1ST JANUARY, 1953.]

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the Widows and Orphans (Overseas Officers) Pensions Ordinance, and shall be deemed to have come into operation on the 1st day of January, 1953. Short title and commencement.

2. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say— Interpretation.

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

“ Approved scheme ” means a scheme or fund for the granting of pensions to the widows and children of officers in the public service, which has been declared by the Secretary of State to be an approved scheme for the purpose of this Ordinance or which was an approved scheme under the provisions of the Pensions (Widows and Orphans) Ordinance; *

“ Beneficiary ” means—

(a) the widow of a contributor;

(b) 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 this Ordinance: Provided that when there are two or more such children of one marriage, such children shall constitute one beneficiary: Provided further that a child shall not be a beneficiary in respect of more than one contributor;

“ contributor ” means a person who is contributing to the Fund and, save as otherwise provided in this Ordinance, includes a person who has ceased to contribute in such circumstances that he continues to rank for benefit under this Ordinance; or who is exempted from contributing under subsection (2) of section 9 of this Ordinance;

“ the Fund ” means the Fund established under this Ordinance;

*See footnote on page 1828.

“this Government” means the Government of Sierra Leone;

“other public service” means public service not under this Government;

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“overseas officer” means any contributor to the Scheme and any other public officer who, for the purposes of the Pensions Ordinance, is an expatriate officer;

“pension” means any pension granted to a beneficiary under this Ordinance except when the context implies that a pension granted to the contributor himself is meant;

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“pensionable office” means an office which is, as respects the holder thereof, a pensionable office under the Pensions Ordinance;

“public service” means service in a civil capacity under the Government of the United Kingdom or of any British possession and such other service as the Secretary of State may determine to be public service for the purposes of this Ordinance;

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

“the Scheme” means the scheme for granting pensions to the widows and orphans of European officers established by the Pensions (Widows and Orphans) Ordinance.

(2) A child shall be of pensionable age for the purposes of this Ordinance, in the case of a male, if he is under the age of twenty-one years, and, in the case of a female, if she is under the age of twenty-one years and is not married.

(3) (a) A child adopted by a contributor while he is married to any wife shall, for the purposes of this Ordinance, be deemed to be the child of the contributor by that marriage if—

(i) the contributor adopted the child before he retired from the public service;

(ii) the contributor was under the age of fifty-five at the time of the adoption; and

(iii) the adoption was in accordance with the law of the place where the contributor was resident at the time of the adoption.

(b) The child of a contributor who is adopted by any other person in accordance with the law of the place where such person was resident at the time of the adoption shall

*See footnote on page 1828.

not be entitled to benefit under this Ordinance unless the contributor so elects by notice in writing to the Crown Agents given within twelve months of the date of the adoption order or within such longer period as the Governor may permit.

(c) Nothing in this sub-section shall entitle an adopted child to be paid a pension or a share in any pension where the payment to him of such pension or such share would diminish the pension or the share of any pension immediately payable or being paid at the date of the commencement of this Ordinance to the widow or to any child or children by marriage of the contributor.

(4) When the marriage of any contributor has been annulled or dissolved by the decree of any competent court 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.

(5) A child who shall have been legitimated by marriage according to the law of the country of the father's domicile at the date of the marriage shall, for the purpose of this Ordinance, be deemed to be a child of that marriage.

PART II—ESTABLISHMENT OF FUND AND MANAGEMENT.

3. (1) A Fund, to be known as the Sierra Leone Widows and Orphans Pensions (Overseas Officers) Fund, shall be established for providing pensions for the widows and orphans of contributors. The Fund.

(2) There shall be paid into the Fund all moneys which the House of Representatives shall vote or shall have voted for that purpose, all contributions made by contributors and by the Government under the provisions of this Ordinance, all interest on investments of the Fund and all sums paid under sub-section (1) of section 6 of this Ordinance.

(3) There shall be paid out of the Fund all pensions and repayments of contributions (including interest, if any) authorised by this Ordinance and all expenses incurred in the administration of the Fund (including the obtaining of actuarial advice).

(4) All moneys belonging to the Fund shall be deposited with the Crown Agents and, except as regards such part thereof as the Crown Agents shall consider it expedient to retain for making payments out of the Fund under this Ordinance, shall so far as practicable be invested by the Crown Agents on behalf of the Fund in such stocks, funds and securities, or employed at

interest, in such manner, as may be approved by the Governor; and the Crown Agents may realise any investments and any moneys received thereby shall be paid into the Fund or re-invested by the Crown Agents on behalf of the Fund:

Provided that no part of the moneys belonging to the Fund shall at any time be expended in the purchase of securities of this Government or employed at interest for the purposes of this Government if such purchase or such employment would cause the total current market value of the securities of this Government held on behalf of the Fund together with the outstanding sums employed at interest for the purposes of this Government to exceed three-eighths of the total assets of the Fund at that date.

(5) Annual accounts of the transactions of the Fund during the year ended the preceding 31st day of December, and a statement of the assets and liabilities of the Fund at that date shall be prepared by the Crown Agents and shall be audited and certified every year by a professionally qualified accountant and shall thereafter be laid before the House of Representatives together with a report by the Crown Agents on the working of the Fund, not later than the ensuing 30th day of September.

Registers of contributors to be kept.

4. Registers shall be kept by the Crown Agents in which shall be entered the date of the birth of every contributor, and of every wife and child who may become, or shall be, entitled to pension under this Ordinance, and particulars of all contributions paid into the Fund by or on behalf of each contributor, and the pension or pensions for the time being payable in respect of each contributor in the event of his death, 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 three months of his first becoming a contributor notify to the Crown Agents in writing the date of his birth and, if he is then married or a widower with children of pensionable age, the dates of his marriage and of the births of his wife and children, if any.

(2) Every contributor who marries while a contributor shall within three months after his marriage notify to the Crown Agents in writing the fact and the date of his marriage and the date of the birth of his wife.

(3) Every contributor shall notify to the Crown Agents in writing within three months from the date of the event—

- (a) the birth of any child born to him and the date thereof;
- (b) the adoption of any 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 of his under the age of twenty-one years;
- (d) the death of his wife or of any of his children of a pensionable age;
- (e) the annulment or dissolution 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 Crown Agents in writing within three months from such date of enactment.

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

- (a) the date of the death of such contributor, if he was not at the time in the service of this Government;
- (b) the birth of any posthumous child of such contributor and the date thereof;
- (c) the marriage of any female child of such contributor under the age of twenty-one years and the date thereof;
- (d) the death of any child of such contributor while of pensionable age;
- (e) her own re-marriage or bankruptcy and the date thereof.

(5) Any such statement or notice shall, if the Crown Agents so require, be verified by the production of birth, death, or marriage certificates or by affidavit or otherwise, to the satisfaction of the Crown Agents.

(6) This section shall not apply to any marriage to which sub-section (1) of section 33 of this Ordinance applies or to the wife, widow or child of any such marriage.

6. (1) A contributor or widow who fails or neglects to comply with any of the requirements of the foregoing section shall, for each default, be liable, at the discretion of the Crown Agents, Penalties.

to pay a fine not exceeding two pounds sterling, 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 Fund 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.

(3) Nothing in this section shall prejudice any right of the Crown Agents to recover any sum paid out of the Fund which would not have been paid but for such failure, neglect or false statement.

Valuation of
Fund.

7. (1) The Fund shall be valued at intervals of not more than ten years by an actuary approved by the Governor in Council who shall make a report to the Governor in Council in which shall be set out the methods by which in his opinion any surplus in the Fund may appropriately be dealt with or any deficit may appropriately be made good, whether by way of adjustment of contributions or benefits or otherwise.

(2) The Governor shall forward to the Crown Agents any report made under sub-section (1) of this section and the Crown Agents shall make their recommendations thereon.

PART III—CONTRIBUTORS AND CONTRIBUTIONS.

Who shall
become
contributors.

8. Subject to the provisions of this Ordinance—

(1) Every male overseas officer appointed to a pensionable office in the service of this Government shall become a contributor under the provisions of this Ordinance as from the date on which he was so appointed.

(2) Any male overseas officer on contract or agreement—

(a) shall, if he is so appointed before the 1st day of July, 1957, be a contributor unless he elects, by written notice addressed to the Crown Agents and received by them within six months of the date of his taking up such appointment or by the 1st day of November, 1957, whichever date is the later, not to become a contributor, and

(b) may, if he is so appointed after the 30th day of June, 1957, by written notice addressed to the Crown Agents and received by them within three months of the date of his taking up such appointment, elect to be a contributor in which event he shall become a contributor from such date.

9. (1) The following persons shall not be eligible to become contributors—

Who shall not contribute and exemptions.

(a) persons not required or entitled to become contributors by virtue of the preceding section;

(b) persons employed temporarily on special missions;

(c) persons seconded to the service of this Government from other public service;

(d) females;

(e) persons who have attained the age of forty-nine years.

(2) (a) Subject to the provisions of this sub-section, if the Crown Agents are satisfied that an officer who is required by this Ordinance to become a contributor is a contributor under an approved scheme, the Crown Agents 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 Fund more than the amount (if any) of such excess:

Provided that he may, by written notice addressed to the Crown Agents and received by them within three months of the date he was appointed to service under this Government, elect to become a contributor in full to the Fund.

(b) The Crown Agents 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 Crown Agents 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 Crown Agents 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 Fund, 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 V of this Ordinance may be exercised by him accordingly.

Rates of
contribution.

10. (1) (a) An officer whose salary exceeds the amount 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 to the Fund 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>
£	£	£
—	500	24
500	600	30
600	720	36
720	840	42
840	960	48
960	1,100	54
1,100	1,200	60
1,200	1,300	65

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

Provided that no officer shall contribute at a higher rate than sixty pounds a year, unless within six months after the date on which he becomes liable to contribute at the rate of sixty pounds a year, he, by written notice addressed to the Crown Agents and received by them, elects to continue to contribute in accordance with the rates specified in this sub-section.

(b) Any officer who in exercise of the right conferred by paragraph (a) of this sub-section, is contributing at a higher rate than sixty pounds may at any time by written notice addressed to the Crown Agents and received by them elect to limit his future annual contributions to the rate at which he is contributing at the date of giving such notice.

(2) If a contributor is on leave on part salary or without salary, or is under interdiction, he shall be liable to contribute at the full rate.

(3) Contributions under this section shall accrue daily and shall be deducted monthly in arrear from the salary or pension, as the case may be, of each contributor and, if during a period of leave without salary a contributor does not pay his contributions, the amount of his contributions in arrear shall be deducted from the salary payable to him subsequent to such leave in such instalments as the Crown Agents may in each case determine.

11. (1) So long as an officer is in the service of this Government and is making contributions to the Fund, a contribution on behalf of the officer equal to one-half of each and every contribution paid by the officer shall be charged upon the general revenue and assets of Sierra Leone and shall be paid forthwith into the Fund.

Government contributions.

(2) In respect of any officer who is exempted from contributing under sub-section (2) of section 9 of this Ordinance, there shall be charged upon the general revenue and assets of Sierra Leone and paid forthwith into the Fund a contribution equal to one half of the contribution which the officer would be required to pay if he were not so exempted.

(3) If a contributor is on leave on part salary or under interdiction, contributions under this section shall be continued at the full rate.

(4) Subject to the provisions of sub-section (5) of this section, where an officer having left the service of this Government is contributing to the Fund and is in receipt of a pension from the revenue of Sierra Leone, a contribution on his behalf equal to one half of the contribution appropriate to his pension in accordance with the rates set out in sub-section (1) of section 10 shall be charged upon the general revenue and assets of Sierra Leone and paid forthwith into the Fund.

(5) Where an officer has elected or been compelled to receive a reduced pension and gratuity, in lieu of a pension which he might have received but for such election or compulsion, his pension shall, for the purpose of calculating contributions to be made on his behalf under this section, be deemed to be the amount of the unreduced pension which he might have so received but for such election or compulsion.

(6) Contributions under this section shall accrue daily and shall be paid monthly in arrear.

Cessation of contributions.

12. The contributions to the Fund of any contributor shall cease—

(a) if he dies, or

(b) when he has contributed to the Fund for an exact number of years terminating on or after his forty-ninth and before his fiftieth birthday, or

(c) save as otherwise provided in section 20 of this Ordinance, if he leaves the public service, or

(d) save as otherwise provided in Part V of this Ordinance, if he is transferred from the service of this Government to other public service;

and not otherwise.

Contributions may continue in full if salary reduced.

13. If the salary of a contributor be reduced—

(a) he may, upon giving written notice addressed to the Crown Agents and received by them of his desire to do so, continue to make contributions computed by reference to his salary immediately before the reduction; and

(b) the rate of contribution payable by the Government shall, whether he so continues or not, be determined only by the actual salary of the contributor.

Re-appointment of contributors.

14. Where a contributor having left the service of this Government is re-appointed thereto, and immediately before the date of his re-appointment is making contributions to the Fund under Part V of this Ordinance, he shall, as from the date of such re-appointment, contribute at the rate at which he would have contributed if he had not been a contributor before that date:

Provided that if and so long as that rate is less than the rate at which he was contributing before the said date, he may, if he so elects by written notice addressed to the Crown Agents and received by them, continue to contribute at the last mentioned rate; and he may at any time revoke such election.

PART IV—REPAYMENT OF CONTRIBUTIONS.

Contributions not normally to be repaid.

15. Save as otherwise expressly provided in this Ordinance, no contributions thereunder shall be repaid.

Repayment to bachelor or widower without pensionable children.

16. (1) Subject to the provisions of Part V of this Ordinance, if a contributor, being a bachelor or a widower without children of pensionable age, ceases to contribute to the Fund, he shall thereupon cease to be a contributor for the purposes of this

Ordinance, and there shall be paid out of the Fund to him, or to his legal personal representative, the following amount, less any debt due to the 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:

Provided that where such a contributor is dismissed from the public service for misconduct, the contributions shall be repaid as aforesaid without interest.

(2) 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.

PART V—PROVISION FOR OFFICERS LEAVING THE SERVICE.

17. If a contributor is transferred from the service of this Government to other public service for which there is established an approved scheme, the following provisions shall have effect—

Transfer of a contributor to service with approved Scheme.

(a) If the contributor is a bachelor or a widower without children of pensionable age—

(i) he shall, if he so elect by written notice addressed to the Crown Agents and received by them not later than three months after the date of his transfer, remain a contributor for the purposes of this Ordinance without making further contributions after the date of receipt of the notice;

(ii) if he shall not have so elected as provided in paragraph (a) of this sub-section, section 16 of this Ordinance shall apply with effect from the date of his transfer, at the expiration of the said three months or at his earlier death;

(iii) if, having so elected as provided in sub-paragraph (i) of this paragraph, he subsequently leaves the public service, attains the age of forty-nine years while still in the public service or dies without having married or remarried, as the case may be, the provision of section 16 shall apply;

(iv) if, having so elected as provided in sub-paragraph (i) of this paragraph, he subsequently marries without having left the public service, the provisions of section 16 shall not

apply and the amount which would have been paid to him if he had not so elected shall remain in the Fund and shall be taken into account for the purpose of calculating any pension under this Ordinance.

(b) Save as otherwise provided in section 21 of this Ordinance, if the contributor is married or is a widower with children of pensionable age he shall cease to contribute as from the date of transfer.

Transfer of contributor to service without approved scheme.

18. If a contributor is transferred from the service of this Government to other public service for which there is not established an approved scheme the following provisions shall have effect—

(a) If the contributor is a bachelor or widower without children of pensionable age—

(i) if he so elects by written notice addressed to the Crown Agents and received by them not later than three months after the date of transfer, he may continue to contribute to the Fund at the rate at which he was contributing at that date;

(ii) if he shall not have so elected as provided in sub-paragraph (i) of this paragraph, section 16 of this Ordinance shall apply, with effect from the date of his transfer, at the expiration of the said three months or at his earlier death;

(iii) if, having so elected as provided in sub-paragraph (i) of this paragraph, he shall further elect, by written notice addressed to the Crown Agents at any time and received by them, to cease to contribute, he shall cease accordingly as from the first day of the month in which such notice is received and, subject to the provisions of this Ordinance, if, being at the time a bachelor or widower without children of pensionable age, he so ceases while in the public service or leaves the public service or dies the provisions of section 16 shall apply.

(b) If the contributor is married or is a widower with children of pensionable age—

(i) he may elect to continue to contribute, and thereafter to cease to contribute in the manner prescribed by paragraph (a) of this section;

(ii) if he does not so elect to continue to contribute, he shall cease to contribute as from the date of his transfer.

19. If a contributor being a bachelor or a widower without children of a pensionable age—

Retirement of contributor on abolition of office, etc.

(a) is compelled to leave the service of this Government in consequence of the abolition of his office or with a view to effecting economy, and

(b) is not transferred to other public service, and

(c) is in receipt of a pension from this Government,

he may, by written notice addressed to the Crown Agents and received by them within three months of his leaving the service of this Government, elect not to receive a repayment of contributions under the provisions of section 16 of this Ordinance but to continue to contribute at the rate at which he was contributing immediately before he left the service of this Government and, if he does so elect, he may at any time thereafter cease to continue his contributions and in such event—

(i) if he is then married or is a widower with children of a pensionable age, any pension payable on his death shall be reduced in accordance with the provisions of section 28 of this Ordinance, and

(ii) in any other case, the provisions of section 16 of this Ordinance shall apply.

20. (1) If a contributor, who is married or is a widower with children of pensionable age and whose period of payment of contributions has not expired, retires from the public service and is granted a pension from the funds of Sierra Leone, he shall continue to contribute at the rate at which he was contributing immediately prior to his retirement, unless and until, by written notice addressed to the Crown Agents and received by them, he elects—

Continuance of contributions of married contributor or widower with pensionable children after retirement on pension.

(a) to contribute at a rate appropriate to the amount of such pension, or

(b) to cease to contribute as from the first day of the month in which such notice is received by them.

If he shall so elect, his contributions shall be reduced or shall cease accordingly and the amount of the pension registered in his name shall be adjusted in accordance with the provisions of section 28 of this Ordinance. A contributor may elect under this sub-section to cease to contribute notwithstanding that he shall

previously have elected to contribute as provided in paragraph (a) of this sub-section.

(2) Notwithstanding the provisions of section 28 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 as provided in paragraph (a) of the preceding sub-section, 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.

(3) If such a contributor continues to contribute under sub-section (1) of this section and subsequently his wife shall have died and each of his children, if any, shall have ceased to be of pensionable age or died, he shall thereupon cease to contribute.

(4) If such a contributor, who has elected under paragraph (a) or (b) of sub-section (1) of this section to contribute at a rate appropriate to the amount of his pension or to cease to contribute, is appointed or re-appointed to the service of this Government before the expiration of his period of payment of contributions, he shall, if otherwise eligible as from the date of his appointment or re-appointment, commence or recommence to contribute at the rate prescribed in section 10 of this Ordinance.

(5) Where an officer has elected or been compelled to receive a reduced pension and gratuity, in lieu of a pension which he might have received but for such election or compulsion, his pension shall, for the purpose of calculating his contributions under paragraph (a) of sub-section (1) of this section, be deemed to be the amount of the unreduced pension which he might have so received.

Contributor
leaving the
service on
transfer.

21. If a contributor in the service of this Government who is married or who is a widower with children of a pensionable age and whose period of payment of contributions has not expired is transferred to other public service, he may continue to contribute at the rate at which he was contributing immediately before he left the service of this Government or he may at any time thereafter cease to contribute and in such case any pension payable on

his death shall be reduced in accordance with the provisions of section 28 of this Ordinance.

22. Subject to the provisions of section 44 of this Ordinance a contributor who is married or who is a widower with children of a pensionable age and who retires from the service of this Government or other public service otherwise than on pension shall have registered in his name the pension actually earned by his past contributions and shall not be eligible to continue to contribute after the date of his retirement:

Registered pension in case of persons leaving the service.

Provided that—

(i) any such contributor may, by written notice addressed to Crown Agents and received by them within three months after the date on which he ceased to draw salary, in lieu of having registered such pension elect to have registered the full pension which was registered in his name at the date of his retirement for a period commencing from such date and equal to one-half of the period during which he contributed under the provisions of this Ordinance and if he is alive on the expiration of the above-mentioned period during which he was entitled to rank for benefit under the provisions of this Ordinance, he shall cease to be entitled to rank for benefit whether by way of pension or repayment of contributions; and

(ii) where any such contributor who has exercised his option and elected under the provisions of paragraph (i) of this proviso to have the full pension registered in his name is appointed or re-appointed to the service of this Government before the expiration of the period for which the full pension is registered as aforesaid he shall as from the date of his appointment or re-appointment commence or recommence to contribute under the provisions of this Ordinance or, if he so elects within three months of his appointment or re-appointment, as from the expiration of the said period.

23. If the whole or any part of a monthly contribution of a contributor who may elect to cease to contribute shall remain unpaid for a period of three months, he shall be deemed to have so elected on the first day of the month in respect of which such contribution was payable:

Provisions regarding elections.

Provided that if in any special case the Crown Agents shall so direct, this section shall have effect as if for the reference to three months there were substituted a reference to such longer period as the Crown Agents may determine.

Married contributor or widower with children of pensionable age dismissed from the service of the Government.

24. If a contributor who is married or is a widower with children of a pensionable age is dismissed from the service of this Government he shall cease to contribute under the provisions of this Ordinance and 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.

Retirement for ill-health without pension.

25. If a contributor who is married or is a widower with children of pensionable age retires from the public service on the ground of ill-health and is not granted a pension from the revenue of Sierra Leone, any pension payable on his death shall, if such death shall occur not later than two years after the date of his retirement, be computed as if he had died on the day preceding that date.

PART VI—CALCULATIONS AND PAYMENT OF PENSIONS.

Calculation of pensions. Schedules.

26. The Crown Agents shall calculate the pensions payable under the provisions of this Ordinance in accordance with the Pensions 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 such contribution, if any, as is made by this Government in respect of that contributor.

Payment of pensions.

27. 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 written notice addressed to the Crown Agents and received by them.

Effect of increases and reductions in contributions.

28. (1) If the total monthly contributions payable by and on behalf of a contributor who is married or a widower with children of a 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 of a contribution equivalent to the increase if the contributor were to commence to contribute to the Fund at the date of the increase.

(2) If such contributions are reduced, any pension payable in respect of them shall be reduced by the amount by which it would have been increased had such contributions been increased instead of reduced. When contributions cease to be payable otherwise than in the cases mentioned in section 12 of this Ordinance, the cessation thereof shall be deemed to be a reduction for the purposes of this sub-section.

29. Subject to the provisions of this Ordinance—

Rights of individual beneficiaries.

(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.

30. (1) Where there is by any particular marriage only one child of a contributor entitled to pension, the pension of that child 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.

Pensions of children

(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.

Death or
re-marriage
of widow.

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

(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.

Bankruptcy
of a widow.

32. Where a beneficiary, being a widow of a contributor, is adjudged bankrupt or declared insolvent by any competent court, the pension shall thereupon cease to be payable to her:

Provided that the Crown Agents may, during the remainder of her life, or during such shorter period or periods, either continuous or discontinuous, as they shall think fit, from time to time pay an allowance at a rate not exceeding the rate of such pension to such widow or to any child or children of her marriage with the contributor, or in part to the widow and in part to any such child or children, and where the amount of the allowance so paid is less than the amount of the pension the Crown Agents may increase, in consequence of the reduction under the provisions of this section of the amount payable out of the Fund, the pension payable to any child of any other marriage of the contributor.

Certain
persons not
entitled to
pension.

33. (1) No widow of a contributor whose marriage with him is contracted after he has left the public service (unless at the date of the marriage he is contributing by virtue of section 19) or has attained the age of forty-nine years and no issue of such marriage shall constitute a beneficiary for the purpose of this Ordinance or become 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 Crown Agents 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 Crown Agents 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 Crown Agents 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.

34. 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 a pensionable age, the Crown Agents may pay to a fit and proper person on behalf of such child, such portion of the pension as they may think fit, and the widow shall have no further claim in respect of such portion.

Failure to maintain child.

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

Payment of minor's pensions and widow's allowances.

(a) to such minor or widow, or

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

36. The Crown Agents may require such proof as they consider 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 Crown Agents.

Proof of claim to pensions.

PART VII—TRANSITIONAL PROVISIONS.

37. All contributions made to this Government under the Scheme shall for all the purposes of this Ordinance other than those of sub-section (2) of section 3, and in respect of contributions made before the 1st day of January, 1953, section 11, be deemed to have been made to the Fund.

Contributions to Scheme deemed contributions to the Fund.

Contributors to Scheme deemed to be contributors to the Fund.

38. (1) Every person who was contributing to the Scheme on the 31st day of December, 1952, shall be deemed to have become a contributor to the Fund from the first day of January, 1953, and any election validly made under the provisions of the Scheme as to the rate of contribution thereto shall be deemed to be an election made under the provisions of the proviso to sub-section (1) of section 10 of this Ordinance.

(2) For the purposes of sub-section (1) of this section the Scheme shall be deemed to have continued in operation until the enactment of this Ordinance.

Calculation of pensions of persons who were contributors to the Scheme.

*

39. (1) In order to ascertain the registered pension at the first day of January, 1953, in respect of any person to whom the provisions of section 38 and section 11 of this Ordinance apply the amount of pension due at the first day of January, 1953, shall first be calculated in accordance with the provisions of the Pensions (Widows and Orphans) Ordinance, as if such person had ceased to contribute to the Scheme on the thirty-first day of December, 1952, and the reduced pension so calculated shall then be increased to such extent as is appropriate having regard to the fact that contributions in accordance with sections 10 and 11 after the thirty-first day of December, 1952, are deemed to have been made to the Fund in accordance with the provisions of this Ordinance, and the full pension thus computed shall be paid from the Fund:

Provided that in any case where such pension is less than the pension computed in accordance with the provisions of the Pensions (Widows and Orphans) Ordinance a pension computed in the latter manner shall be the registered pension.

*

(2) In the case of a contributor to the Scheme who has left the service of this Government before the first day of January, 1953, and who has since the thirty-first day of December, 1952, continued to pay contributions to this Government under the Scheme the pension grantable from the Fund in respect of such contribution shall be calculated as if this Ordinance had not been enacted:

Provided that in respect of any such contributor who is entitled to contribute to the Fund after the period of six months after the enactment of this Ordinance and continues so to contribute, the amount of registered pension due as at the end of that period shall first be calculated in accordance with the provisions of the Pensions (Widows and Orphans) Ordinance, as if such person had ceased to contribute to the Scheme on such date, and the reduced pension so calculated shall then be increased in

*

accordance with the provisions of this Ordinance to such extent as is appropriate having regard to the fact that contributions made thereafter have been made to the Fund by the contributor only.

40. Pensions payable in respect of contributors to the Scheme whose contributions ceased before the thirty-first day of December, 1952, shall be computed in accordance with the provisions of the Pensions (Widows and Orphans) Ordinance and shall be paid from the Fund.

Pensions payable under provisions of Pensions (Widows and Orphans) Ordinance to be paid from the Fund.
*

41. When an election has been made by a contributor to the Scheme in accordance with the provisions of the Pensions (Widows and Orphans) Ordinance, whether before the commencement of this Ordinance, or during the period between the commencement of this Ordinance and its enactment, that election shall be deemed to be an exercise of any analogous right of election conferred by this Ordinance.

Elections under the Scheme deemed to be elections under this Ordinance.
*

42. A contributor who, under the provisions of paragraph (b) of sub-section (1) of section 5 of the Pensions (Widows and Orphans) Ordinance, was at the commencement of this Ordinance making an additional annual contribution may continue to make such additional contribution and may discontinue such contributions in accordance with the provisions heretofore relating thereto.

Right to continue to make additional annual contribution.
*

43. (1) Where a contributor to the Scheme has paid contributions thereunder both to this Government and otherwise than to this Government—

Amount of refund of contributions, and proportion of pension chargeable to the Fund when contributions to the Scheme have been paid otherwise than to this Government.

(a) in respect of refunds of contributions provided for under this Ordinance there shall be repaid from the Fund only such sum as represents the contributions received by this Government together with such interest thereon, if any, as is provided under this Ordinance;

(b) except as provided in paragraph (c) of this sub-section, the amount of the pension payable from the Fund in respect of that contributor shall be the same amount as would have been payable by this Government had this Ordinance not been enacted and had the provisions of the Scheme as in force in

* See footnote on page 1828.

Sierra Leone at the date of the enactment of this Ordinance remained in force in the other British Colonies and Protectorates in West Africa with the addition thereto of the difference between the pension which would have been payable had this Ordinance not been enacted and the pension payable under the provisions of this Ordinance where the latter pension is greater than the former;

(c) in the case of a contributor, being a bachelor or a widower without children of a pensionable age, who ceased to be in the service of this Government before the commencement of this Ordinance and who elected, being entitled to do so, not to receive a repayment of his contributions the amount of any pension payable from the Fund in respect of that contributor shall be the same amount as would have been payable, computed only on the contributions made to the Government in respect of the Scheme, if the Pensions (Widows and Orphans) Ordinance had continued to apply to him.

(2) For the purposes of sub-section (1) of this section the Scheme shall be deemed to have continued in operation until the enactment of this Ordinance.

Exceptions from the operation of section 22 of this Ordinance.

44. The provisions of section 22 of this Ordinance shall not apply to a contributor who is married or who is a widower with children of a pensionable age—

(a) who became a contributor to the Scheme prior to the first day of April, 1938, and

(b) whose service is of such a nature and of such length as would have rendered him eligible for pension if he had retired from the service of this Government on the ground of ill-health, and

(c) who retires from West African service as defined in the Pensions (Widows and Orphans) Ordinance otherwise than on pension.

Such a contributor may continue to contribute at the rate at which he was contributing immediately before such retirement or he may at any time thereafter cease to contribute and in such case any pension payable on his death shall be reduced in accordance with the provisions of section 28 of this Ordinance.

PART VIII—MISCELLANEOUS.

Pension not to be assigned or levied upon.

45. 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

*See footnote on page 1828.

liable to be attached, sequestered or levied upon for, or in respect of, any debt or claim whatsoever:

Provided that any contribution or other sum due to the Fund from a contributor or deceased contributor may be deducted from any amount payable out of the Fund to or in respect of such contributor, and any sum due to the Fund 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.

46. The provisions of this Ordinance shall apply to those members of the staff of the Fourah Bay College who would be overseas officers if they were in the service of this Government; any such person shall be deemed to be an overseas 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:

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

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 Crown Agents and received by them, 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:

Provided further that this section shall not apply to any person exempted from the provisions of section 30 of the Fourah Bay College Ordinance.

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47. 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 amount of such pension, or as to the rights or liabilities of any person under this Ordinance shall be determined by the Crown Agents, and the decision of the Crown Agents 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.

48. The Governor 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.

49. Unless otherwise provided by this Ordinance, an election made by a contributor under the provisions of this Ordinance shall be irrevocable.

Pensions payable in consequence of the death of a public officer prior to the enactment of this Ordinance.
*

50 (1) Pensions payable under the provisions of the Pensions (Widows and Orphans) Ordinance in consequence of the death of a contributor to the Scheme prior to the commencement of this Ordinance shall be deemed to have been granted under the provisions of this Ordinance.

(2) Pensions payable in consequence of the death of a contributor during the period between the commencement of this Ordinance and its enactment shall be computed in accordance with the provisions of this Ordinance and in any case where such pension is less than the pension computed in accordance with the provisions of the Pensions (Widows and Orphans) Ordinance a pension computed in the latter manner shall be granted.

Removal of hardship.

51. (1) If any hardship shall be imposed upon a contributor to the Scheme by reason that he becomes a contributor to the Fund under the provisions of this Ordinance the Governor may, by Order, make such provision as to him seems necessary for the purpose of removing the hardship and may by such Order amend or add to the provisions of this Ordinance:

Provided that no Order shall be made under this section later than the 31st day of December, 1957.

(2) Any Order made under this section by the Governor shall, as soon as may be after the making thereof, be laid before the House of Representatives, and if the House of Representatives, within the period of fourteen days beginning with the day on which any such Order is laid before it, resolves that the Order be annulled, the Order shall thereupon become void, without prejudice, however, to the validity of anything previously done thereunder or to the making of a new Order. In reckoning any such period of fourteen days as aforesaid, no account shall be taken of any time during which the House of Representatives is dissolved or prorogued, or during which the House of Representatives is adjourned for more than four days.

* The Pensions (Widows and Orphans) Ordinance was Chapter 168 of the 1946 Edition. It was repealed by section 52 of No. 17 of 1957, which is now this Chapter 175, the repealing section having been omitted.

FIRST SCHEDULE

PENSIONS TABLES

TABLE A

SIERRA LEONE WIDOWS AND ORPHANS PENSIONS (OVERSEAS OFFICERS) FUND

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

Section 26.

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	.402	.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 PENSIONS (OVERSEAS OFFICERS) FUND

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 PENSIONS (OVERSEAS OFFICERS) FUND.
 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

Widows and Orphans (Overseas Officers) Pensions [Cap. 175] 1831

Section 26.

SECOND SCHEDULE

INSTRUCTIONS FOR THE USE OF THE PENSION TABLES

Under section 14 of the Ordinance, contributions to the Fund in these examples include contributions both by the officer and by the 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 TO THE FUND 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 contributions 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	1	17	10

£109 17 10

	£	s.	d.
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 of £176 14s. 9d.	6	3	9
Total accumulation	230	3	6

Quantity found from Table A:
 Husband—aged 24 last birthday }
 Wife—aged 21 last birthday } .30

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

(iii) *Application of Rule I (b)—*

	£	s.	d.
Annual contribution at date of marriage	63	0	0
Quantity found from Table B:			
Husband—aged 24 last birthday } Wife—aged 21 last birthday } 4.76			

Then the pension in consideration of the annual contribution at marriage = £63 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
Total	£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, 1961			
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	9	0	0
Quantity found from Table V:			
Husband—aged 25 last birthday } 4.54			
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 } 3.57			
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 with- drawal from the scheme	81	0	0
Quantity found from Table B:			
Husband—aged 34 last birthday } 2.69			
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 on 31st March, 1970	217	17	10
	£224	0	6

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

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

Assume 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 re-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 }
 Wife—aged 24 last birthday } 0.247

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 }
 Wife—aged 36 last birthday } 1.64

Registered pension in consideration of the annual contribution at commencement of contribution—

£54 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—*

Rule IV (a). Proceed as in Rule II (a).

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

Rule IV (b). Proceed as in Rule II (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 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 one 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 2.20 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 table.*

F.—TRANSITIONAL PROVISIONS FOR CONTRIBUTOR FOR WHOM THERE WAS A REGISTERED PENSION AT 31ST DECEMBER, 1952 UNDER CAP. 168.

Cap. 168.

In the case of an officer who on the 31st December, 1952, was a contributor under the Scheme, the pension already registered under the Pensions (Widows and Orphans) Ordinance will be subject to revision for registration under this Ordinance. The revision is calculated as follows.

The cessation of contributions to the Scheme on the 31st December, 1952, will be regarded as a decrement in the rate of contributions involving a deduction in the registered pension under the Scheme. The deduction is ascertained by multiplying the rate of annual contributions at the 31st December, 1952 by the quantity found from Table B in the Third Schedule corresponding to the respective ages of the husband and wife at the last birthday before the 31st December, 1952. Deduct this amount from the registered pension at the 31st December, 1952.

Add the product of the annual contribution (including the 50 per cent. contribution by Government) effective from 1st January, 1953, multiplied by the quantity found from Table B in the First Schedule corresponding to the respective ages of the husband and wife at the last birthday before 1st January, 1953. The result is the registered pension at 1st January, 1953.

Example:

- (i) *Data—*

Officer born on 2nd May, 1919

Officer began to contribute on 1st January, 1945

Officer married on 15th April, 1948

Wife born on 4th February, 1923

Officer's age last birthday at date of marriage ... 28

Wife's age last birthday at date of marriage ... 25

Officer's age last birthday at 31st December, 1952... 33

Wife's age last birthday at 31st December, 1952 ... 29

Annual contribution from 1st January, 1945, to date of marriage	£ s. d.
Annual contribution on 31st December, 1952 ...	24 0 0
Annual contribution as from 1st January, 1953 ...	36 0 0
	54 0 0
 (ii) <i>Application of Rule III—</i>	
(a) <i>Accumulation at marriage</i>	
Contributions from 1st January to 31st December, 1945	24 0 0
Contributions during 1946	24 0 0
One year's interest at 6 per cent on £24	1 8 10
	<hr/>
	49 8 10
Contributions during 1947	24 0 0
One year's interest at 6 per cent on £49 8s. 10d. ...	2 19 4
	<hr/>
	76 8 2
Contributions from 1st January, 1948 to date of marriage	7 0 0
	<hr/>
Accumulation on marriage	83 8 2
(b) <i>Registered pension at marriage under the Scheme—</i>	
Pension in consideration of bachelor contributions £83 8s. 2d. x .446	37 3 11
Pension in consideration of annual contributions at marriage £24 x 5.00	120 0 0
	<hr/>
Total	£157 3 11
 (c) <i>Pension after revision—</i>	
Reduction in respect of cessation of contributions under the Scheme on 31st December, 1952, £36 x 3.99	143 12 10
	<hr/>
Residual pension from contributions under the Scheme	13 11 1
Addition in respect of new rate of contribution as from 1st January, 1953, in accordance with Table B in First Schedule £54 x 2.85	153 18 0
	<hr/>
Revised pension as from 1st January, 1953 ...	167 9 1
	<hr/>