

1934.

Kenya

No. 23068 / 2.

SUBJECT

CO 533 / 444

Terms of service.

- European Local Civil Service.

Previous

main file.

Subsequent

38121/35.

2
✓ H. M. Moore (S.O.) (Air Mail) — May 31st

Encls. advance copies of a Sessional Paper, copies of 4th Interim Reports of C.S. Board & Provident Fund Bill, regarding proposed European Local C.S. & states despatch will be sent after debate.

25 APR 34

DESTROYED UNDER STATUTE

Shankar Library

Ad. Secretary 3rd
Trans. 12 copies of Sessional Paper No. 1, 1934, European Local Civil Service.

The Sessional Paper sets out very clearly & concisely the proposed terms of service for the Kenya European Local Civil Service, & includes the terms on which Officers now serving on agreement should be transferred to the Local Civil Service.

C. J. [unclear] will no doubt wish to take a copy of the Sessional Paper — There are three copies available

? Advise the Provisional Secretary.

C. J. [unclear]
23/1/34

This is mainly for C.S.D.; but I would suggest:-

- (1) that, for a locally-recruited service, the passage provision (= a free return passage + £50 once in every 4½ years) seems unnecessarily generous.
- (2) the inclusion of the following in the Local Service is open to criticism:-

1. Mr. M. Moore (S.O) (Air Mail) _____ - May 31st

Encls. advance copies of a Resessional Paper, copies of 14th Interim Reports of C.S. Board & President's Third Bill, regarding proposed European Local C.S. & states despatches will be sent after debate.

REPRODUCED UNDER STATUTE
Lib. Secretary 3hr _____ 25/11/68
Trans. 12 copies of Resessional Paper No. 1, 1964, European

Shaw to Library

Local Civil Service

The Resessional Paper sets out very clearly & concisely the proposed terms of service for the Kenya European Local Civil Service, & includes the terms on which officers now serving on agreement should be transferred to the Local Civil Service.

C.S. Dept with no doubt wish to take a copy of the Resessional Paper - There are three copies available

? Advise the Provisional Despatches.

C. J. Morrison
23/11/68

This is mainly for C.S.D.; but I would

suggest:-

- (A) that, for a locally-recruited service, the passage provision (= a free return passage + £50 once in every 4½ years) seems unnecessarily generous.
- (B) the inclusion of the following in the Local Service is open to criticism:-

Medical Dept.: Nations
Nursing Section
Police Dept: Chief Inspector
Inspector
Secretariat: Report. (It is quite ~~inconceivable~~
inconceivable that the standard
required could be achieved by anyone
trained only in Kenya).

Director
23/5

1. To Secretary, Kenia _____ 4 May 34
Plans, in copies of each of three & fourth interim
reports of C.S. Board.

2. To Mr. Deputy Moore (11/10/34) _____ 23 May 34
Submits proposals for the inauguration of the
European Local Civil Service & various reports etc in
connection therewith. States motion approving proposals
contained in Sessional Paper No. 1 has been passed in
Leg. Council & requests approval may be conveyed by
early Air Mail.

The proposals for the inauguration of
the European Local Civil Service contained in
Sessional Paper No. 1 of 1934 were approved by
Legislative Council on the 16th of May, by 30
votes to 5. The five Indian members voted
against the proposals and the Arab member
declined to vote. The Governor's only deviation
from the proposals is in regard to the salaries
to be paid to those engaged in European primary
education.

For convenience of reference I have
attempted to collate in separate notes the
arguments

arguments which have been advanced by the
Civil Service Board and the Executive Council
regard to leave, passages, grant of medical
age of retirement and salaries. A copy of the Final Bill
The considerations governing the
and point of entry in the new service, and
officers with less than six years' service, as
described in paragraph 1 of the Civil Service Board's
third interim report and in paragraph 1 of the
Executive Council's minute of the 12th March 1934.

The question of the grant of pensionable
status and conditions of voluntary transfer to the
European Local Civil Service of non-pensionable
officers with more than six years' service was dealt
with by a sub-committee of the Executive Council.
The sub-committee report is contained in the
Sessional Paper. See also the report of the
Governor's research.

The Governor proposes that the inauguration of the
inauguration of the new service should be the
1st of January, 1935, and requests approval of the
proposals at an early date, by air mail.

I suggest, for consideration, that the proposals
might be considered in conference with C.S. Dept.

Ch. J. J. J.
7/6/34

The Jaffier
I have spoken to you and to S.
G. Tomlinson, who agrees to a meeting in his
room at 3.0 pm on Tuesday June 19th

Director
7/6

The Sessional paper shows the proposals

in the handiest form. Note, however,
p. 21-3 of enclosure (b),
which show that this elaborate
structure is based on very
inadequate foundations!

C.F. Frowitt
12.6.34

We have now agreed to hold
the discussion on June 26th
at 3 pm. But I wonder what
has become of Mr. James Barton's
note of conversations in Nairobi.
I sent it out some weeks ago
- I think to W. Robinson.

S.P.F.F.
13.6.34

Deputy
B. Governor's ~~Office~~ Tel 132 107 — 13 June 34
- Trans. protest from European C.S. Assoc regarding
the compulsory inclusion in local C.S. of officers in their
second term & young officers who have completed one term
or 2 years service should be given option of category B
or C in Sectional Paper No. 1. Suggests it is not now feasible
to reopen the question.

? Wait for the conference on
the 26 June.

C.F. Frowitt
14/6/34

W. Robinson
15

C.F. Frowitt
15/6
advice

the Executive.

I submit a draft for comment.
The draft embodies the conclusions
reached at the conference with
Sir G. Robinson & his officers on
the 26 June.

C.F. Frowitt
28/6/34

Biggar (16315)
Sharp (12032)

Para 3 of the draft. Today I had - visit
from two senior members of the Kenya
Nursing service, who are seriously concerned
at the prospect of the inclusion in the
L.C.S. of Nursing Sister etc. (They
were quite indignant, being themselves both
personally). They said that there
were available in Nairobi a certain
(probably inadequate) number of nurses,
mostly with South African training,
but of definitely inferior quality
to the type hitherto recruited through
the O.N.A. I told them that we
proposed to talk to Dr. Paterson
before S.O.P.'s of approval was
extended to the Sectional Paper proposals.
They spoke of raising the College
of Nursing; I endeavored to dissuade
them.

W. Robinson
28/6.

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Pg. 21-3 of enclosure (b),
which show that this elaborate
structure is based on very
inadequate foundations!

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note of conversations in Nairobi.
I sent it out some weeks ago
- I think to W. Atkinson.

S. J. F. F.
13.6.34

Deputy
D. Governor's ~~Response~~ Tel 13264 _____ 13 June 34
- trans. protest from European C.S. Arson regarding
the compulsory inclusion in local C.S. of officers on their
second tour & urging officers who have completed one tour
or more service should be given option of category B
or C in Sectional Paper No. 1. Suggests it is not now desirable
to reopen the question.

? Wait for the conference on
the 26 June

C. J. Morris
14/6/34

W. Atkinson
14

C. J. Morris
15/6
Africa

The Education
I submit a draft for comment.
The draft embodies the conclusions
reached at the conference with
Sir G. Mackenzie & the officers on
the 26 June.
C. J. Morris
28/6/34

Biggar (16315)
Sheep (12032)

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from two senior members of the Kenya
Nursing service, who are seriously concerned
at the prospect of the inclusion in the
L.C.S. of Nursing Sisters etc. (They
were quite indignant, being themselves both
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proposed to talk to Dr. Paterson
before S.O.S.'s of approval was
extended to the Sectional Paper proposals.
They spoke of raising the College
of Nursing; I endeavored to dissuade
them.

W. Atkinson
28/6.

Our thanks are due to Mr
Gronnith for his preparations
for the discussion, and for
reducing the results of the
discussion to a draft.

The only point of
difficulty, I think, is in
regard to the people with
less than 6 years' service on
the 1st. of Jan. 1933, who
were engaged outside the Colony.
The terms of the S.O.'s t.c.
of the 14th Nov. 1932 (which
was published in Kenya) can
only be regarded as a definite
pledge that as regards leave
conditions these officers would
be treated on the same footing
as officers of the Overseas service.
The difficulties to which the Gov.
refers in para. 3 (d) of his
desp. can readily be appreciated,
but should not ~~be~~ justify
a breach of the pledge given
by the S.O.'s to the officers

no 18078/32)

in question.

C.F. Jeffries
29.6.34

Mr. Jeffries

I have now added a further sub para
to the desp. at Mr. Gronnith's suggestion.
We ought not to be bound to approval
of Mr. Scott's inconveniently rigid
equation of salary with qualification
see the Schedule - last end. to desp. at my
rate until Mr. Stanger has seen it.

W. H. Jeffries
29/6

W. H. Jeffries
20

Sir J. Laffey.

This matter must have involved a very great
deal of work and I have no alterations to suggest in
the draft despatch which has been prepared.

There can be no doubt that, regarded as a
scheme for a real local Service the proposals put
forward by the Govt. are entirely illusory. It is
in effect helping the Governor as far as possible
can to reduce the cost of officers of various grades
who are and will be recruited from outside.

The draft despatch, I think, represents
the utmost limit to which we can go in this direction.
Various Departmental appointments are necessarily
reserved for further consideration and we have to
observe pledges given by the Secretary of State. On

the

Second of Mr.
Jeffries' minute
of 12.6

the other hand there is no pledge which compels us to admit the representations put forward in No.5 by the European Civil Service Association, and I agree with paragraph 9 of the draft on that point.

Personally, I always feel some hesitation over any scheme for a Provident Fund in cases of this kind. People who take up service in the Colonies (and it is very much the same ~~as to~~ ^{with} the Civil Service in this country), have very little chance of further employment when their Govt. service comes to an end and pension is in no view far more appropriate. But certainly something has to be done to reduce the respective cost of pensions and I do not think that we can afford to neglect this opportunity of bringing an economy in that respect.

H.C.S.

21.6.34

The draft despatch puts the responsibility on a different & complicated piece of work. It is the first time that I have seen the ~~paper~~ ^{correspondence} & I have not been able to do any real work on the lines of the paper. But in view of the line taken in the despatch I do not think it necessary to consider the problem of initiation. The despatch, in fact, summarises the position in a commonsense way & leaves to our own for adjustment.

S.P.S. to settle kind of this in Kenya & shall see.

? Despatch may issue.

[Signature]

I have now suggested an alteration in para. 3, in the light of our discussion yesterday with Dr Paterson.

[Signature]

This ~~the~~ ^{draft} had not been dealt with by the S.P.S., so we thought it desirable to insert the new material which became available after our talk with Dr Paterson. The point is that in the case of the Sanitary Inspectors, Nursing Sisters and others a professional qualification is stipulated which cannot be obtained in Kenya. Thus these posts cannot even potentially be recruited from the local youth, and in recruiting from overseas the Kenya Govt. will be competing with other Govts. which make no distinction between such officers and those in the higher grades.

C.J. Gibson

21.6.34 6.7.34

The S.O. spoke to me about this. As regards the latter part of para. 6 of the draft, he observed that officers on agreement had no contractual claim to pension and he did not think it logical to draw a line at 3 years' service, though he was willing to accept the 6 years' distinction which had been agreed upon locally. He did not think that any officer serving on agreement would have any legitimate complaint if, in consequence of a reorganisation of the service, he found himself placed upon a provident fund instead of being admitted in due course to the pensionable establishment.

C.J. Jeffries
9.7.54

6 To Kenya Const. 2. (4 amend)

10 JUL 1954

Not reviewed by Governor Byrne Tel. 10/10/54
 Enquire when reply to HQ may be expected
 DESTROYED UNDER STATUTE
 Capt. Tel. Kenya
 C.J. Jeffries
 11/7/54

8 Tel no 106 to Gov Kenya (inspired) - 11 July 1954

Re: ...

U. A. ...

It was agreed at the Conference on the 26th June that the Crown Agents should take up with the Gov of Kenya direct the question of the form of agreement necessary for the engagement of personnel in this country for the Kenya Local European Civil Service.

The Kenya Civil Service Board's views regarding the form of appointment are contained in their 4th Interim Report, page 8, but these views relate only to appointments made in Kenya. Write to C.A. enclosing for information:-

Copies of 4. & the four Interim Reports, Sessional Paper No 1 of 1954 & a copy of the Revised Report.
 Copies of No 6.

Ask them to take up with Kenya the question of agreement for persons engaged here. C.J. Jeffries
 11/7/54

Received
 R311
 16/7/54
 Sec

Revised to
R. 311 to 300
D. de Pennington
A. S. Leaf

To G.O. (as usual. as info) 21/7/54

10 Crown Agents (Min) 25th Aug 54

States form of agreement for the combined Posts & Tele Service will present considerable difficulties in drafting & it seems doubtful whether officers of a unified Service can be put under the Kenya Local C.S. Scheme. Enquiries whether this has been considered.

11 Honorary Officer 121 (Inf/Min Mail) 21 Aug 54

Furnishes information regarding discussion in the Executive Council on proposals for the inauguration of a East African Local C.S. Submits views regarding certain points & the grant of overseas leaves passage conditions & other outstanding matters. Requests reply by an early air mail.

Mr. Ashmun

You agreed that the best way of dealing with this would be by discussion round a table with Sir T. Stanton & Mr. Jeffries. I do not mention at length.

A. Ashmun
3/9

~~Handwritten signature~~
15/9/54

Mr. Jeffries mentioned to me that a proposition similar to that in (g) of the Exec. Council minute enclosed in Nov. had been made and rejected in the case of Pacific Officers in K.A. when their

*He has gone on leave; but as date of O'Brien crisis be willing to help.
J.P.

salaries were revised in 1923. 1 attach

4/4/23 - v. named of Jeffries minute of 26/7/23.

30859/23. - v. despatch of to Kenya, Uganda & TT (Para 7) of 21/6/23

36308/23 - v. despatch to Kenya of 22/8/23

These papers give the decision which was applied with to the ordinary staff & to the staff of the K.O.R.

15/9/54

(To me today)

I am sorry that the file has had to be delayed for this reason, & also because it was required for reference in another connection.

We are ready to discuss at any time

Jeffries
15/9/54

Attached will be found a note of a discussion at which the Governor's proposals in No. 11 were considered.

It is proposed to accept the Governor's views on most points. The note sets out the points on which there are thought to be grounds for differing from him. Of these points the last two are the most important. One of them (No. 4) involves a question of the Secretary of State's personal good faith.

Drafts are also attached for comment, which

11A

will, of course, be subject to acceptance of
the views contained in the notes.

C.F. Committee } 16
A.B. [unclear] } 11
R. [unclear] 16

C.F. Jeffries
16.11.34

G.J.F. [unclear]
19.11.34

The left it has been amplified
in instructions from Sir C. Bottomley.

Mr. Jeffries
20/11/34

It is not yet possible
to reply earlier it is not
desirable to send a more definite
answer on these points.

It is not possible to
of the Government is confident that
the best Sanitary measures can be
traced on to Sanitary Director
but that they can't legislate them.
has been a reduction in the cost of the
imposed rules. I think we may have to
look for a middle course.

Sir J. Moffat.
We are turning down the Governor
on important points and I think
you should see these drafts.
The position will be clear from the

Note of discussion.
I feel no doubt on all general
points dealt with in the notes
except perhaps on about 10
points. But that does not exclude
the possibility of an additional
reduction in the number of nurses
from now and I feel that we
would not exclude a similar
possibility in regard to the Sanitary
Director. As long as all possible
the change would be very
gradual and like would be more
likely to occur and replace them
by about now but feel that being
cases for the Sanitary Director
shall make. I have made a
very slight alteration at the end of (6)
so as to leave the Governor definitely
free to return to his point.

Sir J.
21/11/34

At 10
Mr. [unclear]

Received for [unclear]
(10)

Working to
see further
and make a
(10) My last minute
C.F. 27/11/34 13

To Gov Kenya No 285 C.F. - 21 Nov

To Kenya, Conf (11 unword) 24 Nov 1934

has been att. slip
[unclear]

Mount
(Para 3 c)

In forwarding the proposals for the inauguration of the local European Civil Service, the Governor said "In regard to the salary scales proposed, it will be observed that as regards the salaries to be paid to those engaged in European primary education, co-ordination with the clerical scales is intended."

The Director of Education's recommendations are shown in the attached schedule and these I support. There are at present various scales in use in the Department and the general position is not satisfactory in consequence. (Copy of the Schedule, and salary scales for the clerical service annexed).

No 6
Para 4

The following is an extract from the Secretary of State's reply with regard to the local European Civil Service proposals. "As regards the posts in the Education Department my approval of the scales must not, for the present, be held to imply that I ~~expect~~ ^{accept} the correlations proposed by the Director of Education between professional qualifications and points in the clerical service scale. I shall address you further on this subject."

17273/31

In 1932 a scheme was considered by the Education Advisory Committee which ~~provided~~ ^{suggested} a scale for Education Officers for European education at elementary schools. The suggested qualification for appointment to that class was:- Elementary trained certified teacher. The scale of salary and efficiency bars were as follows:-

European Education.

Class II. Education Officers: £246 x £18 x £300 (bar)
(Elementary schools) x £18 x £390 (bar) x £18
x £480 (bar) x £20 x £600

Headmasters of Schools Start at £390.
of 100 (or more)

Approx. total posts - 10.

114 Governor Byrnes Tel 281 hrs 15th Dec 34
States that he would be grateful for despatch promised in No 6
regarding education qualification basis by Annual. 10

Not.
(Para 3 c)

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		x £480 (bar) x £20' x £600

Headmasters of Schools Start at £390.
of 100 (or more)

Approx. total posts - 10.

As indicated above, we have approved the inclusion of Primary Education Officers in the posts scheduled to the local Civil Service as well as the salary scales for those posts, but we have yet to reach agreement with regard to the qualifications which will be required of candidates. Now that Mr. Scott, who was responsible for the recent proposals is now in England, it would probably be as well to arrange a discussion with him in the first instance.

C. Hornwith
29.12.34

Mr. Adelson
Mr. Vischer

This is mainly a technical matter

Mr. Scott's views will be valuable.

J. W. Ford
11.35

You but I may as well record my view for what it is worth: it seems to me wrong in principle to pay people engaged on precisely the same work differing rates merely because they possess or do not possess academic qualifications. Everyone knows that for the persons with the highest university degrees often make extremely bad teachers.

It is ^{maybe} different with certificate degrees etc in education i.e. the art of teaching. Teachers who get such qualifications might, I suppose, be assumed to be ^{generally} more efficient than teachers who do not; ~~but~~ for this superior efficiency they might be rewarded by a special increment or even perhaps a higher maximum; but the scales for all should be substantially the same.

I do not understand the facts - are the various columns of qualification alternative? If ^{not}, what could be more anomalous than, in a primary school, to give a teacher with a certificate in education, and 4 years teaching experience and academic qualifications of amply sufficient to teach primary standards, a salary £220 a year less than a ~~teach~~ colleague whose sole qualification is a post degree at some recognized university?

And what is a recognized university?

Finally, I do not see any justification for a departure from the Col Regs - as is suggested in the postscript.

W. J. B. 31/35

I have shown this to Mr. Maylin and he feels that he would like to discuss the matter with Mr. Scott and that Mr. Adelson as well as Capt. Kimball should be present. In discussing the matter we should have before us the Qualifications and Salary Regulations for Elementary Schools in England and what is known as the Prunham scale. We have then regulations in our library. Mr. Scott could then explain points on which his proposals differ radically from the Prunham scale conditions of salary and qualifications. Then, as Mr. Maylin says, we should know where we are.

I am anxious to have C.S.D. representation
W. J. B. to Mr. Adelson
7.1.35.

Hornwith
31.1.35

Then at no discuss as suggested Kenya is in a hurry.

S.S.W. 7.11

I am available for discussion any time after tomorrow, but I should prefer to postpone it until the beginning of next week if possible, as I am at the moment somewhat choked.

I have spoken to Mr. Flood and understand that the arrangements will be made by the Department.

Handwritten signature

15 To H. I. Scott etc. Com. 10/11/35
15/11/35

Complete history
action as indicated
against (12) + (13)

16 H. I. Scott (S.O.) 13 Jun 35.

States that he could attend the meeting on Wed. or Thurs day.

Major Vischer
Mr. Chapman
Capt. Newbold

cc. Reply to (10)
25 King (S.S.)
C.S.
25 Grant (S.S.)

Pl. see No 15-K16.
Wed Thursday morning 11:30 am be
convenient to you to discuss the
matter with Mr Scott. I suggest
Thursday morning because Mr. Asherson
is not free on Wednesday or Thursday
afternoon.

Handwritten signature
14.1.35

Y
Mr. Hans Vischer
15.1.35

Y
Mr. [unclear]
15-1

Handwritten signature
16/1

I annex a copy of the discussion
on the 12th January and a draft
telegram to the Governor.

As regards the hard cases mentioned
at the discussion? it would be
desirable to ask the staff to
take in writing the type of cases
he has in mind.

Handwritten signature
18/1/35

Handwritten signature
18

Mr. Scott gave a clear account of his proposals
which satisfied me anyhow that they are well designed
to meet local conditions so far as they can be met.

Classes (1) & (2) will be locally educated Kenyaites
(or locally recruited anyhow) & won't be worth more. They
will be largely temporary
(3) (4) & (5) will also be local - as far as may be -
but will be more permanent or more likely to be

So as there is little alteration I have passed
the telegram. Mr. Vischer should see the despatch in draft

S.S.W. 7.11
18.5.

Letter 14/1/35
Vischer

Further action on
at 16

18 Tel to Gov. Kenya NO 114 — 21.1.35

19 To H. I. Scott (Ltr 18) etc. Com. 26/1/35

20. H.S. Scott (s.o) _____ 29th Jan. 35

Notes. No 19. Give details of hard cases of transfers & state that he has written to the Genl. Secy. that he has found it impossible to justify separation of (a) from (u) & (d) but there might be reasons which entailed him to keep grants separate.

Draft to Mr. Kenya Kenia
C.A. Prosser
31. 1. 35.

21. To Kenya, Genl. Secy (3) (14 enclosed) cons 11 FEB 1935

22. Crown Agents. (copy).....26th Jan. 35.

Trans. copy lr. to Kenya govt. regarding the conditions of engagement of candidates for vacancies in the European Local Civil Service.

No 22 Registered for account

Put by
C.A. Prosser
31. 1. 35
C.A. Prosser

23. Lt. Secretary Genl (in mail) _____ 16th Feb. 35

Trans. a copy of a letter to C.A. giving instructions as to action which should be taken regarding officers on leave whose posts are included in the European Local C.S.

No. 23. As we had not received a copy of Secretariat Circular No. 2 of 1935 I obtained a copy from the Crown Agents. I have looked through the Circular to see whether the instructions in the S. of S's. despatches of 10th July, 24th November and 11th February have been observed. ~~These~~ Those instructions relate to category "C" officers, i.e. those officers originally engaged overseas serving on agreements

(2)

(No. 6, 13 + 21)

Review
with regard to
No. 10

Leave granted on No. 10.

C.A.
M. King
M. Prosser

agreements who, on the 1st January 1933, had not completed six years' continuous colonial service. It will be seen that their present agreements will not be prematurely terminated and that the officers may complete the period of their agreements and be transferred thereafter, or they may elect within six months of the date of the Circular or before the expiration of their present agreements, whichever date is the earlier, to transfer to the Local Service. In either case they will retain throughout their service the same terms and conditions of service relating to passages and leave as would have applied to them had the Local Service not been inaugurated.

Nurses and Sanitary Inspectors have been omitted from the posts scheduled to the new Service in accordance with the S. of S's. despatch of the 24th of November, 1934.

The correlations between educational qualifications and salary scales for European primary education officers are as approved by the S. of S. in his despatch of the 11th of February, 1935.

I note that there are certain minor changes in the posts shown in the Circular (App. III) to those shown in Sessional Paper No. 1 of 1934. No doubt we shall receive an explanatory despatch from the Governor in due course.

In the circumstances there seems no reason, therefore, for us to add in any way to the instructions given to the Crown Agents in the enclosure to No. 23.

? Put by.

and his letter of
21 Jan (No. 21)
(No 21)

Room 311 should
get & keep a copy
of the circular. It
will be needed for
reference.

C.A. Prosser
15/3/35

J.E.G. 200
15 done 13

C.A. Prosser
17/3/35
R. Prosser
8.13

Actions on N^o. 10. 25. Crown Agents _____ 2nd A.M. 35

Room 311 I have copy
of N^o. 26 as amended.
(No return available)
1/35.
Mr King to see.
Mr Cadogan to see.
Encls. a copy of a letter from the Lt. Secretary stating
that it is proposed to engage all officers for the European Local
C.S. on letters of appointment, & the question of revision of agreement
will not arise.

Further C.P. as a def.
N^o. 173. 26. Crown Agents _____ 2nd A.M. 35

Encls. a copy of a letter from Lt. Sec. & such approval
of action which it is proposed to take regarding
family passage allowance in respect of certain officers
on leave.

No. 25. It has been agreed that candidates for the Local Civil Service shall receive a letter of appointment on arrival in the Colony. It has been suggested to the O.A.G., however, that selected candidates should be called upon to sign a passage agreement. We await the O.A.G.'s observations on that point - see No. 2 on 38067/35.

As regards the point raised in No. 10 ~~about~~ regarding the propriety of including in the Local Civil Service certain Postal Service appointments, we must assume that the implications are fully understood in Kenya, and that the position has been considered.

? Reply ^{to No. 25} by minute, inviting reference to No. 3 on 38067/35, regarding the question of requiring candidates to sign a passage agreement.

No. 26. It will be seen that the Crown Agents have paid the family passage allowance of £30 in certain cases, i.e. the family passage ^{allowance} for second-class passages under the ordinary Regulations. The family passage allowance under the Local Civil Service

14
Regulations is £25 to officers who have attained the age of thirty years.

It might be argued that adjustment should not be made in view of the fact that the higher amount has been paid in good faith. But, on the other hand, certain of the married officers named in the list accompanying the Colonial Secretary's letter of the 16th February have only received £20, i.e. the ordinary family passage allowance for third-class passages, whereas they would be entitled to £25 under the new Local Civil Service Regulations. Actually, the only officers about whom the Crown Agents are ^{immediately} concerned are Messrs. Anderson, Douglas and Catania. In all the circumstances, I think we could agree that in the event of their electing to transfer to the new Service, adjustment should be made. In view, however, of the Crown Agents' proposal regarding passage agreements, I think we shall have to send a copy of No. 26 to Kenya by Air Mail, enclosing a copy of No. 2 on 38067/35 (which went by Sea Mail) and ask for the O.A.G.'s observations by telegram. Copy despatched to Crown Agents by reference 26.

I agree

4.4.35.

C.A. Groom
After speaking to Mr Anderson, I went to Crown Agents & discussed the various cases. They do not require an answer to No. 26, & will send us a copy of a letter which they are sending to Kenya. C.A. 574/35.

24 Crown Agents (Wm) 11 April 35
Enclose a copy of a letter to Govt. of Kenya regarding
the inauguration of the European Local Civil Service.

Put by C.A. Parnwell
17 4/35
at once

31 7.37

an
copy of
the letter
to the
Govt. of
Kenya

275/1.

No. 275/1

Mr. Grossmith,
East African Department,
Colonial Office.

RECEIVED
12 APR 1935

9.4.35.

I enclose, as arranged, a copy of
the letter which we have addressed to the Government
of Kenya regarding the inauguration of the Kenya
European Local Civil Service.

AmBoelsen

"M" Department,
Crown Agents,
11th April, 1935.

AHB/NEB

Air Mail.

9th April 1935.

Sir,

I have the honour to refer to the Colonial Secretary's letter No. /A/ 7/1/10/12/111/23 of the 16th of February, regarding the inauguration of the Kenya European Local Civil Service. We note from Secretariat Circular No. 2 of the 28th January, 1935, that officers at present in the service who are occupying posts included in the Local Service (excepting those whose terms of service fall under Category B or Category C of the Circular) will be entitled to £25 family passage allowance instead of £20 as hitherto and that payment of the allowance is subject to the proviso that the officer has attained the age of 30 years at the time the passage is taken.

2. The following officers, whose names are included in the list forwarded by the Colonial Secretary, have already received the sum of £20 in respect of the outward family passage allowance:-

- A. Gray, Foreman, Public Works Department.
- H. E. Jackson, Clerk, Treasury.
- J. Anderson, Stock Inspector, Agricultural Department.
- H. C. Douglas, Foreman, Public Works Department.
- J. Denwett, Stock Inspector, Agricultural Department.
- J. S. J. Williams, Sub-Telegraph Engineer, Posts & Telegraphs.
- G. T. Catania, Foreman, Public Works.
- C. O. E. Stenmark, Mechanic, Agricultural Department.

The Treasurer,
Nairobi,
KENYA.

3. Of these no adjustment is necessary in the case of Messrs. Gray, Denwett, Williams, Catania and Stenmark, all of whom are included either in Category B or Category C of the Circular, or in the case of Mr. Jackson, who has effected a saving on the cost of his outward passage the unexpended balance of which is greater than the £5 reduction in the family passage allowance.

4. Mr. Anderson has informed us that he is prepared to transfer to the Local Service, but, as he had previously signed a re-engagement agreement, we assume, unless you desire us to cancel this agreement, that he may be permitted to retain the whole of the outward family passage allowance of £20, which was paid to him locally before he proceeded on leave.

5. Mr. Douglas also has expressed his willingness to accept transfer to the Local Service. As, however, he has not signed a re-engagement agreement, we assume that the sum of £5 in respect of family passage allowance overpaid to him should be recovered by us, and we shall be glad to learn whether you agree.

6. We shall be obliged if you will inform us, for your future guidance, whether those Local Civil Service officers whose appointments fall under Category Biii of the existing Kenya passage regulations, under which they have hitherto been entitled to £20 family passage allowance only, are in future to be paid £25. The appointments of Messrs. A. W. Hayward and H. W. Rees, who have both received an allowance of £20, fall under Category Biii of the Passage Regulations but the latter has not yet attained the age of 30 years. These officers have sailed from this country and it is assumed that any necessary adjustment with them will be effected locally.

7. We are of the opinion that those officers who have not signed re-engagement agreements should be required to sign passage agreements in order to cover the cost of their outward passage to Kenya.

In this connection we enclose a copy of a despatch which has been addressed by the Secretary of State for the Colonies to the Governor regarding the engagement of a proof Reader, Government Press in the Local Service, from paragraph 3 of which you will observe that the Secretary of State agrees that the officer selected should be called upon to sign a passage agreement with the proviso that liability to refund the cost of his passage should only extend to 12 months.

8. The officers named below have not signed re-engagement agreements, and we shall be obliged if you will advise us whether we should call upon them to sign passage agreements and if so, whether any alteration to the standard form of agreement is necessary,-

H.M. Douglas	Foreman, Public Works Department.
H. Lamont,	Assistant Storekeeper, Public Works Department.
Miss O. M. Dorrell	Female Postal Clerk and Telegraphist, Posts and Telegraphs.
F. C. Catania	Foreman, Public Works Department.
F. W. Evans	Junior Laboratory Assistant, Agricultural Department.

9. We shall be grateful if you would be good enough to furnish us with your decision on the points outlined above by air mail at your earliest convenience.

I have the honour to be,

Sir,

Your obedient servant,

Sir,

I have the honour to acknowledge the receipt of Sir Joseph Byrne's despatch No.107 of the 23rd of February forwarding particulars of the terms of service for the vacant post of Proof Reader in the Government Press. The Crown Agents for the Colonies are being asked to endeavour to obtain a suitable candidate on the terms offered, with salary at the rate of £360, rising to £540, per annum.

2. I foresee, however, that there may be some difficulty in the satisfactory selection of a candidate since the man selected will naturally wish to have some definite terms of appointment in his possession before he leaves England. I accordingly suggest that the Crown Agents should give him a formal letter to the effect (1) that he has been selected for service and on arriving in Kenya will be appointed by letter on a temporary basis for the period of twelve months, which period may be extended at the discretion of the Head of his Department. (2) that on the conclusion of twelve months' service he will become eligible for a permanent appointment in the local Civil Service and, if so appointed, will become subject to the regulations applicable from time to time to that Service: (3) that if his appointment is terminated otherwise than by dismissal while he is serving on a temporary basis, he will be provided with a free passage back to this country and will be granted a sum of £25 towards the cost of passages for his wife and family if they are with him in the Colony, provided that these rights will lapse if not exercised within six months and (4) that if his appointment is terminated otherwise than dismissal he will, if returning to England immediately on

/release

release from duty, be granted leave with full salary for the period of the voyage and for ten days in respect of every completed period of ~~three~~ months' resident service or for one month, whichever is the greater, but that otherwise he would only be granted such leave, if any, as is required to enable him to have one clear month on full pay after his release from duty.

3. The question has been raised by the Crown Agents whether the selected candidate should sign a passage agreement in the usual form and I think it would be the most satisfactory course that he should be called upon to do so with the proviso that liability to refund the cost of his passage should only extend to twelve months.

4. There may be some difficulty in engaging a suitable candidate on the terms suggested, and I should be glad to learn whether you agree with the suggestions set out in the preceding paragraphs.

I have, etc.,

(sd.) P Cunliffe-Lister.

from duty, be granted leave with full salary
 period of the voyage and for ten days in respect
 completed period of three months' residence
 or for one month, whichever is the greater, and
 otherwise he would only be granted such leave, if
 it is required to enable him to have one clear month
 away after his release from duty.

The question has been raised by the Crown
 whether the selected candidate should also
 be agreement in the usual form and I think it would
 be most satisfactory course that he should be called
 to do so with the proviso that liability to return
 out of his passage should only extend to twelve months.

There may be some difficulty in engaging a
 suitable candidate on the terms suggested, and I should
 be glad to learn whether you agree with the suggestions
 set out in the preceding paragraphs.

I have, etc.,
 (Sd.) P. G. Miller-Lester.

21
26



ALL COMMUNICATIONS
TO BE ADDRESSED TO THE
CROWN AGENTS FOR THE COLONIES,
THE FOLLOWING REFERENCE AND THE
DATE OF THIS LETTER BEING QUOTED

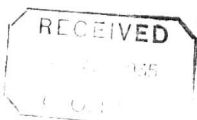
M/S A. 275/1

TELEGRAMS: "CROWN LONDON"
TELEPHONE: VICTORIA 7730

S. MILLBANK,
LONDON. S.W.1.

2nd April, 1945.

Richardson



IMPORTANT.

Sir,

I have the honour to enclose a copy of a letter which we have received from the Government of Kenya regarding the inauguration of the Kenya European Local Civil Service. We note from Secretariat Circular No. 2 of the 20th of January, 1945, that officers of the Local Civil Service (excepting those falling under Category C of the Circular) will be entitled to £25 family passage allowance instead of £15 as hitherto, and that the payment of the allowance is subject to the condition that the officer has attained the age of 30 years at the time the passage is taken.

*x 12
M. on money
allowance for
2nd Class
family
passages*

2. The following officers whose names are included in the list forwarded by the Colonial Secretary have already received the sum of £30 in respect of the outward family passage allowance:-

- | | | |
|----|-----------------|---|
| c. | A. Gray | Foreman, Public Works Department. |
| j. | H.E. Jackson | Clerk, Treasury. |
| j. | J. Anderson | Stock Inspector, Agricultural Department. |
| j. | M.M. Douglas | Foreman, Public Works Department. |
| j. | J. Denwett | Stock Inspector, Agricultural Department. |
| d. | J.W.M. Williams | Sub-Telegraph Engineer, Posts & Telegraphs. |
| d. | F.C. Catania | Foreman, Public Works. |
| d. | L.O.E. Stenmark | Mechanic, Agricultural Department. |

3. Of these, no adjustment is necessary in the case of Mr. Williams who has elected to be confirmed in his appointment, or in the case of Messrs. Jackson and Denwett who have effected a saving

The Under Secretary of State,
COLONIAL OFFICE.

saving on the cost of their outward passages the unexpended balance of which is greater than the £5 reduction in the family passage allowance. Messrs. Gray and Stenmark have sailed and it is assumed that any adjustment that may be necessary with them will be effected locally. We propose, in the event of their electing to transfer to the local Civil Service, to effect any adjustment that may be necessary with Messrs. Anderson, Douglas and Catania in due course.

4. The question arises, whether those Local Civil Service Officers whose appointments fall under Category B.iii of the existing Kenya passage regulations under which they have hitherto been entitled to £20 family passage allowance only, are in future to be paid £25. The appointments of Messrs. A.W. Hayward and H.W. Rees who have both received an allowance of £20, fall under Category B iii of the passage regulations but the latter has not yet attained the age of 30 years. These officers have sailed from this country and it is assumed that any necessary adjustment with them will be effected locally. We propose, however, to enquire of the Government of Kenya on this point for our future guidance.

5. The following officers have not signed re-engagement agreements, and we propose to call upon these officers to sign passage agreements as otherwise the cost of their outward passages to Kenya will not be covered:-

B	H.M. Douglas	Foreman, Public Works Department
B2	H. Lamont	Assistant Storekeeper, Public Works Department.
B1	Miss. O.M. Dorrell	Female Postal Clerk and Telegraphist, Posts and Telegraphs.
B2	F.C. Catania	Foreman, Public Works.
B2	F.W. Evans	Junior Laboratory Assistant, Agricultural Department.

3.

6. We shall be obliged if you will inform us whether the Secretary of State concurs in the above proposals.

I have the honour to be,

Sir,

Your obedient servant,

F. S. Blumfield

for CROWN AGENTS.

16th February, 1935 dated
25th February, 1935 rec'd

Gentlemen,

I have the honour to inform you that under separate cover 30 copies of Secretariat Circulars No.2 and No.4 dated the 28th January and the 13th February respectively on the subject of the inauguration of the Kenya European Local Civil Service have been transmitted to you.

2. At the present time there are on leave in England eighteen officers (whose names are set out in the accompanying enclosure) who are occupying posts scheduled for inclusion in the European Local Civil Service, and of these eighteen Nos 1 to 8 inclusive are required to transfer to that Service.

3. These officers, therefore, should be asked to state in writing whether they are prepared to transfer to the Local Service and if their reply is in the affirmative they should be informed that they will be furnished with appropriate Letters of Appointment on their arrival in the Colony. The date of their appointment to the Local Service will in each case be the date of embarkation.

4. In none of the above cases should re-engagement be offered on Agreement although it is realized that before the receipt of this letter by you Re-engagement Agreements may in some cases have already been entered into. In such cases no steps should be taken by you to cancel the Re-engagement Agreement unless the officer himself so desires it, when he should be informed that a Letter of Appointment to the Local Service will be issued to him on his arrival in the Colony.

5. In the event of an officer preferring termination of his engagement to transfer to the Local Service, I should be glad if

/his

his name could be telegraphed to me with a summary of his reasons, if any.

6. The officers numbered 9 to 18 inclusive in the enclosure who are included in Category B of Circular No.2 have been communicated with through the Heads of their Departments and they have been asked to notify their wishes in regard to transfer within six months from the 28th January, 1935.

Any action necessary in their cases will be taken locally. Should, however, any of these officers notify you of his election, I am to request you to forward such notification to this Government. Should any such officer notify his wish to transfer to the Local Service, no re-engagement Agreement with him should be entered into by you. He should be informed by you that he will be furnished with an appropriate Letter of Appointment to the Local Service on his arrival in the Colony.

7. A copy of this letter has been transmitted to the Under Secretary of State for the Colonies.

I have the honour to be,
Gentlemen,

Your obedient servant,

(Sgd) JUKON BARTON.

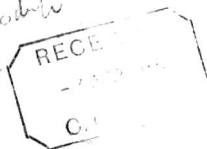
Colonial Secretary.

NAMEDESIGNATION AND DEPARTMENTCATEGORY.

<u>NAME</u>	<u>DESIGNATION AND DEPARTMENT</u>	<u>CATEGORY.</u>
W.A. Doust	Laboratory Assistant, Agricultural	C.
A. Gray	Foreman, Public Works	C.
H.E. Jackson	Clerk, Treasury	D.
A.W. Hayward	Leading Artisan, Education	D.
H.W. Eves	Clerk, Treasury	D.
J. Anderson	Stock Inspector, Agricultural	D.
A. Bryant	Telegraph Inspector, Posts and Telegraphs	D.
H. M. Douglas	Foreman, Public Works	D.
J.L. Brierley	Learner, Posts and Telegraphs	B (2).
L.O.E. Stenmark	Mechanic, Agricultural	B (2).
J. Dewett	Stock Inspector Agricultural	B (2).
J.W.M. Williams	Sub-Telegraph Engineer, Posts and Telegraphs	B (1).
L.E. Smith	Stock Inspector, Agricultural	B (2).
W.P. Bruce	Laboratory Assistant, Agricultural	B (2).
H. Lament	Assistant Storekeeper, Public Works	B (2).
Miss G.M. Dorrrell	Female Postal Clerk and Telegraphist, Posts and Telegraphs	B (1).
F.C. Catania	Foreman, Public Works	B (2).
F.W. Evans	Junior Laboratory Assistant, Agricultural	B (2).

Mr. Freeston,
Colonial Office,

Nairobi



No 9

Colonial Officer letter 23068/2/34 of the 27th July, 1934.

No 10

We informed you in a minute dated the 28th August that we had consulted the Government of Kenya regarding the general form of agreement to be used for the engagement in this country of candidates for the European Local Civil Service. We now enclose a copy of a letter which we have received from the Colonial Secretary and unless you have any objection to the Colonial Government's proposal we do not propose to take any further action in the matter.

W. A. Rees

Appointments Department,
Crown Agents
2nd April, 1935.

M/S.A. 808

Nodah

RECEIVED
- 3 APR 1935
C. O.

Mr. Freeston,
Colonial Office,

No 9

Colonial Officer letter 23068/2/34 of the 27th

No 10

We informed you in a minute dated 1st August that we had consulted the Government of Kenya regarding the general form of agreement to be used for the engagement in this country of candidates for the E Local Civil Service. We now enclose a copy of a which we have received from the Colonial Secretary you have any objection to the Colonial Government's we do not propose to take any further action in the

23.2.35.

J. Rees

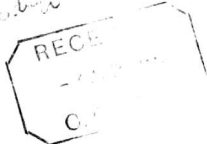
Appointments Department

Crown Agents

2nd April, 1935.

NEB

Noble



Mr. Freeston,
Colonial Office,

No 9

Colonial Officer letter 23068/2/34 of the 27th July, 19

No 10

We informed you in a minute dated the 28th August that we had consulted the Government of Kenya regarding the general form of agreement to be used for the engagement in this country of candidates for the European Local Civil Service. We now enclose a copy of a letter which we have received from the Colonial Secretary and unless you have any objection to the Colonial Government's proposal we do not propose to take any further action in the matter.

23.2.35.

J. Rees

Appointments Department,
Crown Agents
2nd April, 1955.

NEB

B/EMS
P.O. Box No. 621

THE SECRETARIAT,
NAIROBI,
KENYA.

No.S/E.7/1/8/3/92

23rd February, 1955.
(Received C.A.'s 21.3.55.)

Gentlemen,

I have the honour to refer to your letter No. M/S.A. 808 dated 28th August last regarding the form of agreement necessary for the engagement in England of candidates for the European Local Civil Service.

2. In this connection I invite your attention to my letter No.S/E.7/1/10/12/III/20 dated 16th instant and have to inform you that it is proposed to engage all officers appointed to the European Local Civil Service on Letters of Appointment. The question of the revision of the form of agreement referred to in your letter will not, therefore, now arise.

I have the honour to be,

Gentlemen,

Your obedient servant,

(sgd) R.C.M. WOOD
for Colonial Secretary.

THE CROWN AGENTS FOR THE COLONIES,
4 Millbank,
Westminster.
LONDON, S.W. 1.

See
encl to
No 23

1066 returned to 23068/P/24 Kenya '94

COLONY AND PROTECTORATE OF KENYA.

S/E.7/1/10/12/III.

CIRCULAR No. 2.

G. 2.

A.—

D.—

THE SECRETARIAT

NAIROBI.

28th January, 1935.

THE KENYA EUROPEAN LOCAL CIVIL SERVICE.

The Secretary of State for the Colonies has approved of the inauguration of a Kenya European Local Civil Service. This Service (hereinafter referred to as the "local service") will come into being with effect from the 1st day of January, 1935.

PART I.

A.—CATEGORIES OF OFFICERS.

Officers at present in the Service and who are occupying posts included in the local service will be divided into the following categories:—

1. CATEGORY "A"—OFFICERS WHO HAVE BEEN CONFIRMED IN THEIR APPOINTMENTS AND ADMITTED TO THE PERMANENT AND PENSIONABLE ESTABLISHMENT.

- (1) Officers in this category will not be transferred compulsorily to the local service, but may, if they so desire, and provided they are, at the time, occupying posts included in the local service, voluntarily transfer at any time during the course of their service.
- (2) Any such officer who voluntarily transfers to the local service shall forfeit his pensionable status and—
 - (a) shall be subject to the scales of salary prescribed for the local service;
 - (b) shall be subject to the terms and conditions of service governing the local service at the date of his transfer, and to any variation in such terms of service as may be introduced subsequent to the date of his transfer; and
 - (c) shall, if not debarred therefrom by the provisions of the European Civil Service Provident Fund Ordinance, 1934, participate in the Provident Fund established under that Ordinance, and become liable for the arrears of contributions paid by Government under section 6 (b) thereof.
- (3) Any officer in this category who does not voluntarily transfer to the local service shall continue to serve as if the local service had not been inaugurated.
- (4) If an officer in this category who has not voluntarily transferred to the local service is selected for promotion to a post included in the local service the following provisions shall apply to such officer as an arrangement personal to himself—
 - (a) he shall retain his pensionable status and shall continue to serve on such terms and conditions of service as would have applied to him had the local service not been inaugurated; and
 - (b) the scale of salary attached to the post to which he is promoted shall be the scale of salary which would have been attached to the post had the local service not been inaugurated.

2. CATEGORY "B"—OFFICERS SERVING ON AGREEMENTS WHO, ON THE FIRST DAY OF JANUARY, 1933, HAD COMPLETED SIX YEARS' CONTINUOUS COLONIAL SERVICE.

These officers will be divided into the following sub-categories:—

- (1) Certain officers who, subject to the recommendations of their Heads of Departments and to the production of the customary medical certificate, will be allowed to elect between—
 - (a) being confirmed and admitted to the permanent and pensionable establishment, and thereafter serving on such terms and conditions of service as would have applied to them had the local service not been inaugurated;
 - (b) voluntarily transferring to the local service and subjecting themselves to the terms and conditions of service which may from time to time govern the local service, and if not debarred therefrom by the provisions of the European Civil Service Provident Fund Ordinance, 1934, participating in the Provident Fund established under that Ordinance, and becoming eligible for the arrears of contributions paid by Government under section 6 (b) thereof, but retaining the same terms and conditions of service relating to passages and leave as would have applied to them had the local service not been inaugurated.
- (2) Certain officers who will be allowed to elect between—
 - (a) continuing to serve on the terms and conditions of service which would have applied to them had the local service not been inaugurated, but without any prospect of being confirmed and admitted to the pensionable and permanent establishment;
 - (b) transferring voluntarily to the local service and subjecting themselves to the terms and conditions of service which may from time to time govern the local service, and, if not debarred therefrom by the provisions of the European Civil Service Provident Fund Ordinance, 1934, participating in the Provident Fund established under that Ordinance, and becoming eligible for the arrears of contributions paid by Government under section 6 (b) thereof, but retaining the same terms and conditions of service relating to passages and leave as would have applied to them had the local service not been inaugurated.

Heads of Departments will be notified of the names of the officers who have been placed, with the sanction of the Secretary of State, in these sub-categories. The officers concerned will be required to exercise their election within six months from the date of this Circular.

3. CATEGORY "C"—OFFICERS ORIGINALLY ENGAGED OVERSEAS SERVING ON AGREEMENTS WHO, ON THE FIRST DAY OF JANUARY, 1933, HAD NOT COMPLETED SIX YEARS' CONTINUOUS COLONIAL SERVICE.

- (1) Such officers may—
 - (a) continue to serve under the terms of their present agreement on the conclusion of which they will be required to transfer to the local service; or
 - (b) elect within six months from the date of this Circular or before the expiration of their present agreements, whichever date is the earlier, to transfer to the local service.
- (2) Upon such transfer such officers shall, in either case, save as herein provided, be subject to all the terms and conditions of service which may from time to time govern the members of the local service and shall be eligible for the arrears of contributions paid to the Provident Fund by Government under section 6 (b) of the European Civil Service Provident Fund Ordinance, 1934.

Provided that such officers shall retain throughout their service the same terms and conditions of service relating to passages and leave as would have applied to them had the local service not been inaugurated.

4. CATEGORY "D"—OFFICERS ENGAGED LOCALLY SERVING ON AGREEMENTS WHO, ON THE FIRST DAY OF JANUARY, 1933, HAD NOT COMPLETED SIX YEARS' CONTINUOUS COLONIAL SERVICE.

- (1) Such officers may—
 - (a) continue to serve under the terms of the present agreements on the conclusion of which they will be required to transfer to the local service; or
 - (b) elect, within six months of the date of this Circular, or before the expiration of their present agreements, whichever date is the earlier, to transfer to the local service.
- (2) Upon such transfer such officers shall, in either case, be eligible for the arrears of contributions paid to the Provident Fund by Government under section 6 (b) of the European Civil Service Provident Fund Ordinance, 1934.
 - (3) Any officer in this category transferring voluntarily to the local service within six months of the date of this Circular, shall be credited with the following proportions of leave and passage allowance in respect of his service under his agreement up to the date of transfer:—
 - (a) Leave.—At the rates prescribed in paragraphs 182 and 183 of the Code of Regulations.
 - (b) When any such officer spends his first vacation leave after his transfer to the local service outside the Colony he will (subject to any regulations which may be in force at the time he proceeds on leave relating to the number of days allowed to members of the overseas service for the voyage from the Colony to the country in which the leave is to be spent), be entitled to add to his vacation leave such proportion of the number of days that would have been allowed for the voyage had such officer been a member of the overseas service, as is borne to thirty-six or forty-eight as the case may be by the number of months' service completed between first appointment or last return from vacation leave whichever happened later and the date of transfer. For the purpose of this regulation parts of a month and parts of a day shall not be taken into account. For example: An officer whose normal tour of service is now thirty-six months and who returned from leave on the 23rd July, 1933, elects to transfer with effect from the 1st April, 1935, on which date he will have completed twenty months and ten days' resident service. If he subsequently goes on leave to Europe (normal voyage period twenty-eight days) he will be allowed to add 20 — × 28 days, i.e. fifteen days (excluding fractions of a day) to his vacation leave.
- (3) Passage.—Twenty-five per cent of the cost of a passage in respect of every twelve months of resident service. In cases where the normal tour is now thirty-six months, each completed month of resident service between the date of last return from vacation leave and the date of transfer shall count as one and one-third months for the purpose of this regulation. Part of a month under this calculation shall not be taken into consideration. For example: An officer whose normal tour is now thirty-six months and who returned from leave on the 23rd July, 1933, elects to transfer with effect from the 1st April, 1935. At the date of transfer he will have completed twenty months and ten days' resident service in his present tour which, on the above calculation, will be reckoned as twenty-six months' service. He will therefore be required to complete a further period of twenty-two months' resident service to earn the remainder of his passage which will be fully earned on the 31st January, 1937.

(4) The provisions of sub-paragraph (3) of this paragraph shall apply to officers in Category "A" who voluntarily transfer to the local service.

5. CATEGORY "E".—OFFICERS SERVING ON A PURELY TEMPORARY BASIS.

All such officers occupying posts for which specific provision is made in the Estimates will, subject to the conditions governing entry and to the recommendations of their Heads of Departments, be transferred to the local service with effect from the 1st day of January, 1935. Their leave and passage privileges will be those prescribed for the local service in paragraphs 13, 14 and 15 of this Circular.

6. CATEGORY "F".—SECONDED OFFICERS.

The terms and conditions on which officers seconded to the service of this Government are at present serving will not be altered during the present period of their secondment.

PART II.

VOLUNTARY TRANSFER PERIOD.

7. (1) Save as is provided in paragraph 1 (1) of this Circular, an officer with the power of election will be allowed up to six months from the date of this Circular in which to transfer voluntarily to the local service.

(2) Any officer who elects within that period to transfer to the local service will be deemed to have been transferred with effect from the date of his election.

(3) Notification of election, which will be irrevocable, must reach the Colonial Secretary in Kenya or, if the officer is on leave in the United Kingdom, the Crown Agents for the Colonies, within the prescribed period.

LETTER OF APPOINTMENT.

8. (1) An officer at present serving on an agreement shall on transfer to the local service be furnished with a Letter of Permanent Appointment in the form set out in Appendix V hereto.

(2) An officer at present serving on a Letter of Temporary Appointment may on transfer to the local service be furnished with either a Letter of Temporary Appointment in the form set out in Appendix IV or a Letter of Permanent Appointment in the form set out in Appendix V as the circumstances relating to his appointment may require.

METHOD OF TRANSFER.

9. (1) All transfers of B and C Grade clerks will be made into Grade II of the local service. All transfers of A Grade clerks will be made into Grade I of the local service, provided that if an A Grade clerk is in receipt of a salary less than the minimum of Grade I of the local service he shall not, on transfer to the local service, draw the minimum of the Grade I salary forthwith, but shall, subject to the Regulations governing the grant of annual increments, proceed to that minimum by the annual incremental rates laid down for Grade II clerks.

Subject to the foregoing, Grade I of the local service will become a general roster promotion grade.

(2) (a) An officer who is in receipt of a fixed salary and who transfers or is transferred to the local service—

- (i) will, if he has been less than one year on a fixed salary, continue to draw salary at his old rate until he has been in receipt of the old salary for one year when he will proceed to the next incremental step in the new scale; but if he has been one year or more on a fixed salary he will, on transfer to the local service, enter the new scale at the next higher incremental point in his new scale and his future incremental date will be the date from which his transfer takes place.

- (ii) will, if at the date of his transfer he is in receipt of a lower salary than the minimum salary of the new scale applicable to his post and provided his case does not fall within the proviso to paragraph 9 (1) above referring to A Grade clerks, begin to draw the minimum salary of the new scale with effect from the date of his transfer;

- (iii) will, if at the date of his transfer he is in receipt of a higher salary than the maximum of the new scale or the fixed salary applicable to his post, continue as an arrangement personal to himself to draw the salary of which he was in receipt at the date of his transfer.

(b) (i) An officer who is drawing salary on an incremental scale will, on transfer to the local service continue to draw salary at his old rate until his next incremental date when he will proceed to such step in the new scale as will give him a salary of not less than the salary which he would have drawn under the old scale. For example:

Officer on old scale of £240 by £18 to £300.
 Incremental date 1st April.
 New scale £240 by £20 to £360.
 Salary at date of transfer (old scale) £276.
 Salary on 1st of April after the date of transfer (old scale) £294.
 Salary on 1st April, after the date of transfer (new scale) £300.

(ii) If the incremental date of an officer who is transferred to the local service falls on the date of such transfer his new salary will be calculated on the basis of what his old salary would have been on the date of his transfer and he will enter the new scale at the next higher incremental point in his new scale. For example:—

Officer on old scale of £240 by £18 to £300.
 Incremental date, date of transfer.
 New scale £240 by £20 to £360.
 Salary on day before the date of transfer (old scale) £276.
 Salary on date of transfer (old scale) £294.
 Salary on date of transfer (new scale) £300.

(c) If an officer is on the maximum of his old scale and that maximum is less than the maximum of his new scale and if he has served for one year or more on the maximum of his old scale he will on transfer to the local service enter the new scale at the next higher incremental point in his new scale and his future incremental date will be the date from which his transfer takes place.

(d) If an officer has been less than one year on the maximum of his old scale, he will on transfer to the local service continue to draw salary at his old rate until he has been in receipt of the old salary for one year when he will proceed to the next incremental step in his new scale.

(e) If an officer drawing salary on an incremental scale is in receipt of a higher salary than the maximum salary of the new scale or fixed salary attached to the post to which he has been transferred, he will as an arrangement personal to himself, on such transfer continue to draw such higher salary, but he will not be entitled to any further increments under his old scale of salary.

PART III.

TERMS AND CONDITIONS OF SERVICE.

10. All members of the local service shall, save as herein provided, be subject to such regulations as may from time to time be in force for officers in the service of the Government of the Colony. Provided that all members of the local service, other than those specifically otherwise provided for in this Circular, shall be subject to the special regulations and terms of service set out in this Part and to such variations of and amendments to such regulations and terms and to such other regulations and terms of service relating to the local service as may from time to time be made by or approved by the Governor.

By the Secy. of the Govt. of Kenya

POSTS AND SCALES OF SALARIES.

11. (1) Appendix I shows the scales of salaries approved for learners and apprentices in the various departments, together with the conditions of entry thereto.

(2) Appendix II shows scales of salaries applicable to the clerical staff, both male and female, together with the conditions of entry thereto. These scales and conditions are also applicable to posts such as accounts clerk, stores clerk, clerk-storekeeper, etc. unless otherwise specifically provided for in Appendix III.

(3) Appendix III contains a list of other posts included in the local service together with scales of salaries attached to such posts.

LETTERS OF APPOINTMENT.

12. (1) New appointments to the local service will be made, subject to such regulations as may from time to time be in force, on a temporary basis in the first instance and an officer will be provided with a Letter of Temporary Appointment, in the form set out in Appendix IV hereto, for a period of not less than one year. This period may be extended at the discretion of the Head of Department.

(2) Thereafter, provided the officer is occupying a post for which specific provision has been made in the Estimates, he may be given a Letter of Permanent Appointment, in the form set out in Appendix V hereto.

LEAVE.

13. (1) (a) *Local.*—Local privilege leave may be granted at the rate of eighteen days in respect of each year of resident service. This leave will be forfeited if an officer does not avail himself of it during any year of resident service.

(b) Local privilege leave may, however, be added to vacation leave in any year in which vacation leave is taken.

(c) An officer will not be granted local privilege leave before he has completed six months' resident service, and a period of six months must elapse after the completion of the eighteen days' leave before any further local privilege leave can be granted.

(2) (a) *Vacation.*—Vacation leave may be granted, *pro rata*, on the basis of ten days in respect of each three months' resident service. All leave will be inclusive of the periods of any voyages and no officer will normally be absent from duty for more than one hundred and ninety days.

(b) Vacation leave may be spent in the Colony.

(c) For the purpose of calculating vacation leave five months' service in an unhealthy station will be counted as six months' service in a healthy station.

PASSAGES.

14. (1) An officer will be considered to have earned in respect of each year of resident service twenty-five per centum of the cost of a passage to London by the all-sea route via Suez if his leave is to be spent in Europe or to the port nearest to the place in which his leave is to be spent, by direct route and by the class by which he is eligible to travel, up to the cost to Government of a passage by that class to London by the all-sea route via Suez.

(2) For the purpose of calculating a year of resident service five months' service in an unhealthy station will be counted as six months' service in a healthy station.

(3) If an officer is ordered to proceed on vacation leave on medical grounds he will be granted a free passage.

FAMILY PASSAGE ALLOWANCE.

15. (1) A married officer may be granted a family passage allowance of £25 each way during a period of four and a half years' service (inclusive of vacation leave), provided that he has attained the age of thirty years at the time the passage is taken.

(2) For the purpose of calculating a year of resident service five months' service in an unhealthy station will be counted as six months' service in a healthy station.

(3) In cases where an officer's wife or any member of his family proceeds elsewhere than to Europe the family passage allowance will be limited to half the cost of the officer's passage to that place by the applicable grade, or to £25 whichever is the less.

HOUSING.

16. (1) Free quarters will not be provided, but Government reserves to itself the right to order any officer to occupy Government quarters and to pay rent therefor.

(2) Except as provided below, if an officer occupies Government quarters he will be charged a rental at the following rates—

5 per cent of the actual salary when the salary does not exceed £360 per annum;

7½ per cent of the actual salary when the salary exceeds £360 per annum but does not exceed £520 per annum;

10 per cent of the actual salary when the salary exceeds £520 per annum.

Provided that an officer who, on the day before the date of transfer, is entitled by his existing terms of service to free quarters or to an allowance in lieu thereof while in the Colony, will be granted a personal consolidation allowance at the rate of £50 per annum to be drawn while serving in the Colony and Protectorate. This allowance will not be drawn—

(a) on vacation leave; or

(b) on local leave which may be added to vacation leave; or

(c) if the officer is in occupation of Government quarters; or

(d) if the officer is provided with a tent, caravan or other temporary shelter for the continuous performance of his duties.

(3) (a) When an officer who is entitled to a personal consolidation allowance is provided with a tent, caravan or other temporary shelter for the occasional performance of his duties he will continue to draw the personal consolidation allowance and no rent for such tent, etc. will be charged.

(b) When an officer who is not entitled to a personal consolidation allowance is provided with a tent, caravan or other temporary shelter no rent will be charged for such tent, etc.

MEDICAL ATTENDANCE.

17. An officer of the local service will be provided with medical attention as laid down from time to time in the Code of Regulations.

LOCAL TRANSPORT AND TRAVELLING.

18. The relative provisions of the Code of Regulations in force from time to time in regard to Local Transport and Travelling shall apply to members of the local service. Provided that the regulations relating to the grant of free transport for an officer and his family proceeding on vacation leave shall only apply to a member of the local service when the amount of vacation leave which he is taking is forty days or more.

PROVIDENT FUND.

19. A provident fund has been established by the European Civil Service Provident Fund Ordinance, 1934, for the benefit of officers holding Letters of Permanent Appointment in the local service.

AGE OF RETIREMENT.

20. (1) The normal age of retirement from the local service will be fifty-five years, at which age an officer will retire automatically, save that—

- (a) an officer may, in special circumstances and notwithstanding the provision of paragraph 25 of this Circular, be compulsorily retired with the approval of the Governor between the age of 50 and 55 years;
- (b) an officer may, at the discretion of the Governor, be allowed to remain in the service after such officer has attained the age of 55 years, but in no circumstances will an officer be allowed to remain in the local service after he has attained the age of 60 years.

(2) The age limits referred to in this paragraph are those applicable to male officers. In the case of female officers such ages shall in each case be reduced by five years.

ACTING ALLOWANCE.

21. Acting allowances will not normally be paid to officers of the local service, but special cases will be considered on their merits.

CONFIDENTIAL REPORTS.

22. Confidential reports on members of the local service will be made annually by the Head of Department. Such reports will be sent to the Colonial Secretary by the 1st of December in each year, under sealed cover.

DISCIPLINE.

23. Control in regard to the discipline of, and staff matters relating to, members of the local service shall vest in the Governor.

MARRIED WOMEN.

24. (1) A married woman will not be selected for appointment to the local service save in exceptional circumstances such as—

- (a) where a man and wife are required for the superintendence of an institution; or
- (b) where the public interest demands the selection of a person with particular qualifications and the only suitable candidate is a married woman.

(2) (a) Notwithstanding anything in this Circular contained, a married woman at present in the service (other than a married woman falling within the exception referred to in sub-paragraph (1) (a) of this paragraph) will not be transferred to the local service.

(b) A female officer in the local service will be called upon to tender her resignation on marrying.

(c) The further employment, on a purely temporary basis in the service of the Colony, of any such married woman or any such female officer will be at the discretion of the Governor.

TERMINATION OF APPOINTMENTS.

25. (1) Save as herein provided the Governor may at any time determine the engagement of an officer of the local service on giving him three months' notice in writing or on paying him one month's salary in lieu of notice: Provided that where an officer has completed ten or more years of continuous service (provided such service falls within the definition of "service" in the European-Civil Service Provident Fund Ordinance, 1934) the engagement of such officer, other than by way of dismissal in accordance with the provisions of paragraphs 26 to 29 of this Circular, shall only be terminated in the event of the abolition of his office or for the purpose of facilitating improvements in the organization of the department in which he is serving.

(2) An officer of the local service may at any time after the expiration of three months' service determine his engagement on giving three months' notice in writing or on paying to the Government one month's salary in lieu of notice.

26. (1) Any officer of the local service may be dismissed by the Governor for misconduct or insubordination, provided that in every such case where the officer has not been convicted on a criminal charge the grounds of intended dismissal are definitely stated in writing, and communicated to the officer in order that he may have full opportunity of exculpating himself, and that the matter is investigated by the Governor with the aid of the Head of the Department.

(2) In lieu of dismissal the Governor may remove any such officer to an office of lower rank in the local service, or may require him to serve in his original office at a reduced salary, either permanently or for a stated period, or may deduct a portion of salary due, or about to become due, to the officer.

27. If the Governor considers that any officer in the local service who has ten or more years of continuous service (provided such service falls within the definition of "service" in the European Civil Service Provident Fund Ordinance, 1934) should be removed from the local service on grounds of general inefficiency, he shall call for a full report from the Head of the Department in which the officer has served; and if, after considering that report and giving the officer an opportunity of submitting representations on his own behalf, he is satisfied that it is necessary in the public interest, he may remove the officer from the local service.

28. If in any case the Governor considers that the public interest requires that any officer in the local service should cease to exercise the powers and functions of his office instantly, he may interdict the officer from the exercise of the powers and functions of his office provided that proceedings for dismissal are being taken or are about to be taken, or that criminal proceedings are being instituted against him. An officer who has been interdicted shall, unless and until he is suspended, be allowed to receive such proportion of the emoluments of his office, not being less than one-half, as the Governor shall think fit. If the proceedings against any such officer do not result in the dismissal or other punishment of the officer, he shall be entitled to the full amount of the emoluments which he would have received if he had not been interdicted.

29. (1) If criminal proceedings are instituted against an officer in the local service, proceedings for his dismissal upon any grounds involved in the criminal charge shall not be taken pending the criminal proceedings.

(2) If an officer is convicted on a criminal charge, the Governor may consider the proceedings of the Criminal Court on such charge, and if he is of opinion that the officer should be dismissed or subjected to some lesser penalty on account of the offence for which he has been convicted the officer may thereupon be dismissed from the local service or otherwise punished in such manner as the Governor may think fit.

(3) An officer convicted on a criminal charge shall not receive any emoluments from the date of conviction, pending consideration of his case by the Governor.

(4) An officer acquitted of a criminal charge shall not be dismissed on any charge upon which he has been acquitted, but nothing in this sub-paragraph shall prevent his being dismissed from the local service or otherwise punished on any other charges arising out of his conduct in the matter, provided that they do not raise substantially the same issues as those on which he has been acquitted.

30. In the event of the dismissal of an officer from the service the provisions of section 8 of the European Civil Service Provident Fund Ordinance, 1934, may be applied by the Governor.

GENERAL.

31. It is the policy of Government to recommend meritorious officers of the Kenya European Local Civil Service for promotion to the overseas service provided they possess the necessary qualifications.

32. The provisions of this Circular will be embodied in the Code of Regulations.

A. DE V. WADE,
Colonial Secretary.

To:—

All Heads of Departments,
All Provincial Commissioners,
With copies for District Commissioners.

APPENDIX I.**LEARNERS AND APPRENTICES****I.—CLERICAL LEARNERS***(A) Scale of Salary.*

Grade II.—£60 to £84 per annum with no set increments.

Grade I.—£84 by £18 to £120 per annum.

(B) Establishment.

There will be no fixed establishment of Learners in the local service.

*(C) Conditions of Entry.**Grade II:—*

1. (1) Entry, subject to the approval of the Governor, will be allowed between the ages of 16 and 18 years conditional on a good school record, a certificate of character from the headmaster, and evidence of having passed the Cambridge Junior Local, or an equivalent examination.

(2) Dismissal from this Grade or promotion to Grade I will vest in the discretion of the Head of Department.

Grade I:—

2. (1) By promotion from Grade II, after not less than one year's service in that Grade.

(2) By direct entry, subject to the approval of the Governor, between the ages of 17 and 18½ years, at any point in the scale conditional on a good school record, a certificate of character, and evidence of having passed the London Matriculation, or an equivalent examination.

(3) Where the age, previous experience, or higher educational qualifications warrant it, an appointment may be made on a higher salary than the minimum.

3. Unsatisfactory conduct or failure to pass the examinations prescribed within three years of a Learner's appointment will render the officer liable to discharge from the local service by the Governor.

(D) Promotion to Grade II Clerkships.

Promotion from Learner Grade to Grade II Clerkship will, on the recommendation of the Head of Department and provided that the Government Junior Shorthand or Accounts, Typing and Language examinations have been passed, be allowed at any time after attaining the age of 18 years.

(E) Service in the Learner Grade for Leave Purposes.

Service in the Learner Grades alone will not earn vacation leave, but if, on the termination of the Learner service an appointment to the graded clerical staff is secured without break of service, the period spent in the Learner Grade will be counted for leave purposes as if the whole service had been rendered in the Clerical Grade.

II.—TECHNICAL APPRENTICES AND LEARNERS.

These will be divided into the following classes:—

- (1) Apprenticeships in the Printing Department.
- (2) Apprenticeships leading to professions, e.g. Quantity Surveying Apprenticeships in the Public Works Department, Survey Apprentices in the Local Government, Lands and Settlement Department.
- (3) Learners for technical posts not covered by (1) and (2).

CLASS (1)—APPRENTICES IN THE PRINTING DEPARTMENT.

(A) Scale of Salary.

First year	... ..	£80 per annum.
Second year	... ..	£84 per annum.
Third year	... ..	£102 per annum.
Fourth year	... ..	£120 per annum.
Fifth year	... ..	£150 per annum.

(B) Conditions of Entry.

Entry, subject to the approval of the Governor, will be conditional upon a standard of education sufficient to satisfy the Government Printer, a good school record and a certificate of character from the headmaster. The minimum age for entry will be 15 years.

CLASS (2)—APPRENTICESHIPS LEADING TO PROFESSIONS.

(A) Scale of Salary.

First year	... ..	£84 per annum.
Second year	... ..	£102 per annum.
Third year	... ..	£120 per annum.
Fourth year	... ..	£150 per annum.
Fifth year	... ..	£165 per annum.

An apprentice will continue to serve at the rate of £165 per annum until such time as a pass has been obtained in the professional examination.

(B) Conditions of Entry.

Entry, subject to the approval of the Governor, will be conditional on the attainment of 16 years of age, a good school record, a certificate of character from the headmaster, and a pass in the Cambridge Junior Local, or a higher examination.

CLASS (3)—LEARNERS FOR NON-CLERICAL POSTS NOT INCLUDED IN CLASSES (1) AND (2).

(A) Scale of Salary.

Grade II.—£60 to £84 per annum with no set increments.
Grade I.—£84 by £18 to £120 per annum.

(B) Conditions of Entry.

Entry, subject to the approval of the Governor, will be conditional on the attainment of 16 years of age, a good school record, a certificate of character from the headmaster and a pass in the Cambridge Junior Local, or a higher examination.

Service as an Apprentice for Leave Purposes.

Service as an apprentice will not earn vacation leave, but if on the termination of the apprenticeship an appointment in the service of the Government of the Colony is secured, two years of such service, or a period not exceeding one-half of the period of apprenticeship whichever is the longer period may be counted for purposes of vacation leave.

Method of Appointment.

Letters of Temporary Appointment will be issued to Learners, and Indentures to Apprentices.

APPENDIX II.

CLERICAL STAFF

(A) Scales of Salary.

(Figures in heavy type indicate efficiency bar.)

(1) Male.

Grade II.—£150 by £15 to **£210** by £30 to £240 by £20 to **£360** by £20 to £420
Grade I.—£440 by £20 to **£520** by £10 to £600.
Special Grade.—£620 by £10 to £660.

(2) Female.

Grade II.—£150 by £15 to **£210** by £15 to **£300** by £15 to £360.
Grade I.—£380 by £10 to £420.
Special Grade.—£440 by £10 to £500.

(B) Conditions of Entry.

Grade II :—

(1) By promotion from the Learner Grade subject to the requirements governing such promotions.

(2) Direct entry, regard being had to age, will be allowed at any point in the scale, provided the qualifications for promotion from Learner Grade I are held.

Grade I :—

(1) Promotion to this Grade will depend on vacancies occurring in the establishment of Grade I Clerkship and will be by merit, due regard being had to seniority.

(2) By direct entry, in exceptional cases only. In such cases age, experience and the possession of the qualifications or the equivalent for passing the £210 efficiency bar will be insisted upon.

(3) Twenty-five per cent of the total graded clerical establishment will be allocated to Grade I posts.

Special Grade :—

The Special Grade which is definitely intended for a limited number of special posts to be filled by individuals of exceptional service and/or attainments will be strictly limited in numbers.

Direct entry will not be allowed to this Grade save in the most exceptional circumstances.

(C) Efficiency Bars.

To pass the efficiency bar at £210 an officer must have passed—

- (1) the Senior Shorthand and Typing Examination or an equivalent recognized test, or the Senior Accounts Examination, and all applicable language examinations;
- (2) a general intelligence test consisting of a short written general knowledge paper set and marked by the Education Department, and a *visa voce* examination on departmental subjects held by the Head of Department or such other officer as he may appoint and a representative of the Civil Service Board.

Passing the efficiency bar at £360 for men and £300 for women will be conditional upon the Head of Department certifying—

- (1) that all applicable Government regulations and examinations have been complied with;
- (2) that there have been no defects of character or of conduct sufficient to prevent further progress in the scale; and
- (3) that the person named is in every way recommended for further progress in the scale.

To pass the efficiency bar at £520 in Grade I (male) a certificate similar to that required for passing the £360 bar must be submitted.

APPENDIX III

NON-CLERICAL POSTS AND SCALES OF SALARY
(Figures in heavy type indicate efficiency bar)

Post	Scale of Salary
GOVERNMENT HOUSE—	
Chief Clerk	£500-20-660
Chauffeur-Mechanic	£300-20-420
Superintendent of Gardens	£300-20-420
Caretaker and Housekeeper	£240 fixed
ADMINISTRATION—	
Land Assistant	£500-20-660
Chief Clerk	£500-20-660
Labour Officer	£400, 400, 500-20-660
Superintendent of Inland Revenue and Conservancy, Kisumu	£480-20-600
Superintendent of Inland Revenue and Conservancy	£300-20-420
Fisheries Inspector	£360-20-480-20-540
AGRICULTURAL—	
Accountant	£500-20-660
Grader and Inspector	£360-20-480-20-540
Superintendent of Maize Conditioning Plant and Cool Stores	£360-20-480-20-540
Laboratory Superintendent	£500-20-660
Instructor in Stock	£360-20-480-20-600
Assistant Agricultural Officer	£360-20-480-20-540
Laboratory Assistant	£360-20-480-20-540
Stock Inspector	£360-20-480-20-540
Storekeeper	£360-20-480-20-540
Plant Inspector	£360-20-480-20-540
Clerk-Librarian (Veterinary Laboratory)	£360-20-480
Assistant Grader and Inspector	£300-20-420
Mechanic, Cool Stores	£300-20-420
Mechanic, Veterinary Laboratory	£300-20-420
Overseer	£150-15-210-30-240-20-360
Junior Laboratory Assistant	£150-15-210-30-240-20-360
Assistant Stock Inspector	£150-15-210-30-240-20-360
AUDIT—	
Examiner of Accounts	£360-20-480-20-540
COAST AGENCY—	
Assistant Government Coast Agent	£500-20-660
CUSTOMS—	
Operator, Statistical Department	£300-15-360
Inspector, Preventive Service	£360-20-480-20-540
Examining Officer	£240-20-300
Junior Examining Officer	£180 1st year
Cadet	£200 2nd year
Accounts Clerk	£360-20-480-20-600
EDUCATION—	
Office Superintendent	£500-20-660
Accountant	£500-20-660
Principal (Male), Primary European Education:	
Schools of 200 Pupils and over	£660-15-720
Schools of 100-199 Pupils	£520-10-660
Principal (Female), Primary European Education:	
Schools of 200 Pupils and over	—
Schools of 100-199 Pupils	£400-10-520

APPENDIX III—(Continued)

NON-CLERICAL POSTS AND SCALES OF SALARY—(Continued)

EDUCATION—(Continued).

Primary Education Officers (Male):

Scale	Qualifications			Scale of Salary
	Academic	Professional	Experience	
A.	Graduate of recognized University.	Certificate recognized as equivalent to Board of Education Certificate.	—	£420-20-520-10-600
B.	Graduate of recognized University.	Ditto Nil	—	£360-20-520-10-600 £240-20-360
C.	Higher School Certificate or Intermediate or equivalent.	Certificate recognized as less than Board of Education Certificate.	2 years	£240-20-360
	Matriculation or School Certificate or equivalent.	Ditto	4 years	£240-20-360
D.	Higher School Certificate or Intermediate or equivalent.	Nil	—	£180-15-210
E.	Matriculation or School Certificate or equivalent.	Nil	—	£150-15-210

Primary Education Officers (Female):

Scale	Qualifications			Scale of Salary
	Academic	Professional	Experience	
A.	Graduate of recognized University.	Certificate recognized as equivalent to Board of Education Certificate.	—	£360-20-420-10-500
B.	Graduate of recognized University.	Ditto Nil	—	£315-15-360-20-380- 10-420-10-500 £225-15-315
C.	Higher School Certificate or Intermediate or equivalent.	Certificate recognized as less than Board of Education Certificate.	2 years	£225-15-315
	Matriculation or School Certificate or equivalent.	Ditto	4 years	£225-15-315
D.	Higher School Certificate or Intermediate or equivalent.	Nil	—	£180-15-210
E.	Matriculation or School Certificate or equivalent.	Nil	—	£150-15-210

APPENDIX III—(Continued)

NON-CLERICAL POSTS AND SCALES OF SALARY—(Continued)

POST	SCALE OF SALARY
EDUCATION—(Contd.)—	
Matron :	
Grade I	£225-15-300
Grade II	£150-15-210
Learner	£80-12-84-18-120
Technical Instructor	£300-20-420
FOREST—	
Accountant	£360-20-480-20-600
Forester :	
Grade I	£360-20-480-20-540
Grade II	£240-20-360
Junior	£150-15-210
GAME—	
Assistant	£400, 400, 500-20-660
JUDICIAL—	
Process Server	£240-20-360
Shorthand Writer	£400-20-480-20-600
LEGAL—	
Chief Clerk	£500-20-660
LOCAL GOVERNMENT, LANDS AND SETTLEMENT—	
Office Assistant	£500-20-660
Office Superintendent and Accountant	£500-20-660
Survey Records Officer	£440-20-540
Draughtsman	£440-20-540
Junior Draughtsman :	
Grade I	£300-20-360
Grade II	£240-20-300
Forest Surveyor	£300-20-360-20-480-20-540
Junior Staff Surveyor :	
Grade I	£300-20-360
Grade II	£240-20-300
Junior Computer	£300-20-360-20-480
MEDICAL—	
Accountant	£500-20-660
Laboratory Superintendent	£500-20-660
Medical Storekeeper	£500-20-660
Laboratory Assistant	£360-20-480-20-540
Dispenser	£360-20-480-20-540
Wardmaster	£360-20-480-20-540
Chief Instructor	£360-20-480
Superintendent, Mental Hospital	£300-20-420
Superintendent, Infectious Diseases Hospital	£240-20-360
Sanitary Overseer	£300-20-360
Malaria Overseer	£240-20-360
Mental Hospital Warder	£240-15-300
Mental Hospital Matron	£240-15-300
Mental Hospital Assistant Matron	£240-15-300

APPENDIX III—(Continued)

NON-CLERICAL POSTS AND SCALES OF SALARY—(Continued)

POST	SCALE OF SALARY
MILITARY—	
Bandmaster	£360-20-420
Musketry Instructor, Defence Force	£460 fixed
Petty Officer Instructor and Storekeeper, Kenya Royal	
Naval Volunteer Reserve	£460 fixed
POLICE—	
Chief Inspector	£500-20-600
Inspector	£420-20-520
Depot Instructor	£420-20-520
Assistant Inspector	£360-20-420
Assistant Inspector, 2nd Grade	£240-20-360
Deputy Inspector, Weights and Measures	£500-20-540
POSTS AND TELEGRAPHS—	
Workshop Superintendent	£600-20-660
Assistant Workshop Superintendent	£540-20-600
Postmaster	£540-20-660
Assistant Telephone Engineer	£500-20-660
Accountant	£500-20-660
Storekeeper	£360-20-500-20-660
Telegraph Inspector	
(Sub-Engineer on passing efficiency bar at £500)	£360-20-480-20-540
Electrical Mechanician	£360-20-480-20-540
Wireless Officer	£360-20-480-20-540
Postal Clerk and Telegraphist (Male)	
(Junior Postmaster on passing efficiency bar at £480)	£150-15-210-30-240-20-300
Junior Postal Clerk and Telegraphist (Male)	-20-360
Postmistress	£380-10-420
Supervisor of Telephones	£380-10-420
Postal Clerk and Telegraphist (Female)	£240-15-300-15-360
Junior Postal Clerk and Telegraphist (Female)	£150-15-210-15-240
PRINTING AND STATIONERY—	
Press Engineer	£500-20-660
Foreman, Composing	£500-20-660
Foreman, Machine	£480-20-540
Linotype Operator	£480-20-540
Monotype Operator	£480-20-540
Reader	£360-20-480-20-540
Assistant Linotype Operator	£180-15-210-30-240-20-300
Machinist	£180-15-210-30-240-20-300
Copyholder	As for Learner in Clerical Scale.
PRISONS—	
Assistant Superintendent	£360-20-480-20-540
Superintendent, Class II Approved School	£360-20-480-20-540
Assistant, Class III Approved School	£240-20-360-20-420
Chief Officer	£240-20-360-20-420
Technical Instructor	£300-20-420
Matron, Class II Approved School :	
Grade I	£225-15-300
Grade II	£150-15-210

APPENDIX III—(Continued)

NON-CLERICAL POSTS AND SCALES OF SALARY—(Continued)

Post	SCALE OF SALARY
PUBLIC WORKS—	
Draughtsman	£500-20-660
Assistant Accountant	£500-20-660
Senior Storekeeper	£500-20-660
Senior Overseer	£500-20-660
Assistant Storekeeper	£400-20-500
Overseer	£400-20-500
Inspector, Water Supply	£360-20-480-20-540
Foreman	£300-20-420
Timber Seasoning Operator	£300-20-420
Telephone Operator	£150-15-210
REGISTRAR-GENERAL—	
Accountant	£400-20-480-20-600
SECRETARIAT—	
Assistant Establishment Officer	£500-20-660
Reporter	£400-20-480-20-660
STATISTICAL—	
Assistant Registrar of Natives	£480-20-600
Deputy Registrar of Domestic Servants	£240-20-360-20-420
TREASURY—	
Assistant Revenue Officer	£360-20-480-20-600
Hollerith Operator	£180-15-210-20-240-20-300

APPENDIX IV

THE COLONY AND PROTECTORATE OF KENYA
THE KENYA EUROPEAN LOCAL CIVIL SERVICE

LETTER OF TEMPORARY APPOINTMENT

DEPARTMENT

STATION

DATE, 193...

To

M

Subject to your acceptance of the terms of this letter you are hereby appointed as a

in this Department with effect from the

- The salary attached to your post is at the rate of £..... per annum consolidated, i.e., inclusive of all allowances.
- This appointment is purely temporary and can be terminated by, notice on either side or payment of equivalent salary in lieu of notice.
- You will be liable to instant dismissal in the event of incompetence, misconduct or insubordination.
- Your appointment does not entitle you to privileges of leave or passage or other concessions enjoyed by members of the permanent staff of the Local Service.

Head of Department.

I hereby accept the appointment subject to the terms of this letter.

Employee.

Date, 193...

COPIES TO—Employee, Department concerned, Hon. Colonial Secretary, Hon. Treasurer, and the Auditor.

OF 20
APPENDIX V

THE COLONY AND PROTECTORATE OF KENYA
THE KENYA EUROPEAN LOCAL CIVIL SERVICE

LETTER OF PERMANENT APPOINTMENT

..... DEPARTMENT

..... STATION

No.

DATE 193.....

To,

M.

Subject to your acceptance of the terms of this Letter you are hereby appointed as a

.....
in the permanent staff of the European Local Civil Service of this Colony with effect from
the

2. The salary attached to your post is at the rate of £ in the scale of
£

and the incremental date is

3. You will be subject to all Regulations governing the local service, which are now
in force or which may be promulgated from time to time by the Governor.

4. You are liable to be transferred at any time to another branch of the Colony and
Protectorate service at the discretion of the Governor.

.....
Head of Department.

I hereby accept the appointment subject to the terms of this Letter.

.....
Employee.

Date 193.....

COPIES TO—Employee, Department concerned, Hon. Colonial Secretary, Hon. Treasurer,
and Auditor.

AIR MAIL

WHEN REPLYING
PLEASE QUOTE
No. S. 1/10/12/III/21.
AND DATE



23
39
THE SECRETARIAT
NAIROBI
KENYA

16th February, 1935.

RECEIVED
2 FEB 1935
J. O. REGY

The Colonial Secretary of the Colony and Protectorate of Kenya presents his compliments to the Under Secretary of State for the Colonies and has the honour to transmit herewith copy of a letter together with enclosure addressed to the Crown Agents for the Colonies on the subject of the Kenya European Local Civil Service.

13.9/1/10/12/211/20.

40

16th February, 1935.

Gentlemen,

I have the honour to inform you that under separate cover 30 copies of Secretariat Circulars No.2 and No.4 dated the 28th January and the 13th February respectively on the subject of the inauguration of the Kenya European Local Civil Service have been transmitted to you.

2. At the present time there are on leave in England eighteen officers (whose names are set out in the accompanying enclosure) who are occupying posts scheduled for inclusion in the European Local Civil Service, and of these eighteen Nos.1 to 8 inclusive are required to transfer to that Service.

3. These officers, therefore, should be asked to state in writing whether they are prepared to transfer to the Local Service, and if their reply is in the affirmative they should be informed that they will be furnished with appropriate Letters of Appointment on their arrival in the Colony. The date of their appointment to the Local Service will in each case be the date of embarkation.

4.

THE CROWN AGENTS FOR THE COLONIES,

4, HILLBANK,

WESTMINSTER,

LONDON, S.W.1.

C.O. 533

444

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/10/2001 BY 60322
PUBLIC RECORD OFFICE, LONDON

4. In none of the above cases should re-engagement be offered on Agreement although it is realized that before the receipt of this letter by you Re-engagement Agreements may in some cases have already been entered into. In such cases no steps should be taken by you to cancel the Re-engagement Agreement unless the officer himself so desires it, when he should be informed that a Letter of Appointment to the Local Service will be issued to him on his arrival in the Colony.

5. In the event of an officer preferring termination of his engagement to transfer to the Local Service, I should be glad if his name could be telegraphed to me with a summary of his reasons, if any.

6. The officers numbered 9 to 18 inclusive in the enclosure who are included in Category B of Circular No.2 have been communicated with through the Heads of their Departments and they have been asked to notify their wishes in regard to transfer within six months from the 28th January, 1935.

Any action necessary in their cases will be taken locally. Should, however, any of these officers notify you of his election, I am to request you to forward such notification to this Government. Should any such officer notify his wish to transfer to the Local Service, no Re-engagement Agreement with him should be entered into by you. He should be informed

by

by you that he will be furnished with an appropriate letter of Appointment to the Local Service on his arrival in the Colony.

7. A copy of this letter has been transmitted to the Under Secretary of State for the Colonies.

I have the honour to be,
Gentlemen,
Your obedient servant,

Sgd. Juxon Barton

for COLONIAL SECRETARY.

DESIGNATION AND DEPARTMENT.

CATEGORY.

43

<u>No.</u>	<u>NAME.</u>	<u>DESIGNATION AND DEPARTMENT.</u>	<u>CATEGORY.</u>
1.	W.A. Donat.	Laboratory Assistant, Agricultural.	C.
2.	A. Gray.	Foreman, Public Works.	C.
3.	H.E. Jackson.	Clerk, Treasury.	D.
4.	A.W. Hayward.	Leading Artisan, Education.	D.
5.	H.W. Ross.	Clerk, Treasury.	D.
6.	J. Anderson.	Stock Inspector, Agricultural.	D.
7.	A. Bryant.	Telegraph Inspector, Posts and Telegraphs.	D.
8.	H.K. Douglas.	Foreman, Public Works.	D.
9.	J.L. Brierley.	Foreman, Posts and Telegraphs.	B (2).
10.	L.O.E. Stenmark.	Mechanic, Agricultural.	B (2).
11.	J. Bennett.	Stock Inspector, Agricultural.	B (2).
12.	J.W.H. Williams.	Sub-Telegraph Engineer, Posts and Telegraphs.	B (1).
13.	L.E. Smith.	Stock Inspector, Agricultural.	B (2).
14.	W.P. Bruce.	Laboratory Assistant, Agricultural.	B (2).
15.	H. Lambert.	Assistant Storekeeper, Public Works.	B (1).
16.	Nick G.H. Berrell.	Female Postal Clerk and Telegraphist, Posts and Telegraphs.	B (2).
17.	F.C. Catania.	Foreman, Public Works.	B (2).
18.	F.W. Evans.	Junior Laboratory Assistant, Agricultural.	B (2).

M/3621

22
44
COPY Original on 23199/34
sub file ①

Mr. Grossmith,
COLONIAL OFFICE.

Colonial Office letters Nos: 23068/2/34
dated 27th July 1934 and
23199/34 dated 8th January, 1935.

702

With reference to the above-mentioned letters regarding the Kenya European Local Civil Service and the vacancy for a Shorthand Writer in the Judicial Department, Kenya, respectively, I attach for your information, as arranged by telephone, a copy of a letter which we have now addressed to the Colonial Government.

We will advise you of any developments.

22. 1. 35.

(Sgd.) ?

" " Department,
Crown Agents,

26. 1. 35.

M/3621

44
COPY Original on 23199/34
sub file ①

Mr. Grossmith,
COLONIAL OFFICE.

Colonial Office letters Nos: 23068/2/34
dated 27th July 1934 and
23199/34 dated 8th January, 1935.

712

With reference to the above-mentioned letters regarding the Kenya European Local Civil Service and the vacancy for a Shorthand Writer in the Judicial Department, Kenya, respectively, I attach for your information, as arranged by telephone, a copy of a letter which we have now addressed to the Colonial Government.

22. 1. 35.

We will advise you of any developments.

(Sgd.) ?

"..." Department,

Crown Agents,

26. 1. 35.

M/3621

22nd January, 1935.

BY AIR MAIL

Sir,

With reference to the Governor's despatch to the Secretary of State of the 20th of December last, No. 656 relative to the vacancy for a Shorthand Writer in the Judicial Department, which we have been asked to fill, I have the honour to inform you that, in the absence of a reply to our letter of the 20th of August last, No. S.A. 808, we are not clear as to the exact conditions of the engagement in this country of candidates for vacancies in the European Local Civil Service, and I have to ask that we may be furnished with more precise information in this connection.

2. In particular I would draw your attention to the following questions:-

- (a) Does the candidate receive the letter of appointment in this country or in the Colony. In either case we shall be glad to receive a copy of it for the information of candidates.
- (b) Should he sign either an engagement or a passage agreement and, if so, in what terms?
- (c) If for any reason, other than misconduct entailing dismissal, an officer is not absorbed / into

The Colonial Secretary,
Nairobi,

KENYA.

CJR

into the European Local Civil Service at the end of a year's probation, will he be entitled to a free passage to this country and leave at the rate of ten days for every three months' service?

(d) Has either the Government or the officer the right to determine the appointment at any time, either during the period of probation or later, and, if so, on what conditions?

(e) We gather that officers will contribute to the Widows' and Orphans' Pension Scheme as from the date from which they first draw the salary of their appointment, but that they will not contribute to the Provident Fund until they are absorbed into the Civil Service at the end of their year's probation. Is this so?

(f) Does the usual provision for half salary on the voyage to the Colony apply in the case of new appointments to the Local Civil Service?

3. Until we receive your reply to this letter we are unable to proceed with the recruitment of candidates and you will, doubtless, arrange therefore for an answer to be sent to us as soon as possible.

I have the honour to be,
Sir,
Your obedient servant,

for Crown Agents.

C. O. 2

23068/2/34

21 - 7

Mr. Grossmith 31/1/35

Mr. Acheson 4/2

X Mr. Vischer 5/2

X Mr. Parkinson Mr. Jeffries 5/2

Mr. Flood 7/2
Sir G. Tomlinson.

Sir C. Bodomley.

Sir J. Shackburgh

Permi. U.S. of S.

Parly. U.S. of S.

Secretary of State.



Downing Street.

1 February, 1935.

DRAFT.

Kenya

Conf (3)
Per.

* on the transfer of this
general issue, I
Thank you should see
Adm.
It has all been out before
ad necessary, but to have in
saying it I

Sir,

I have etc., to refer to your
(14) confidential telegram No. 281 of the
15th of December, 1934, regarding the
correlation between educational
qualifications and salary scales proposed
by the Director of Education for
Education Officers appointed to the
European Local Civil Service.

2. I informed you in my
(18) confidential telegram No. 14 of the
21st January that I approved the
Director's recommendations, except that
I considered that officers falling
within the fifth category in his
Schedule should be on the same scale

FURTHER ACTION.

as those in the third and fourth categories.

The fifth category was intended for teachers engaged in European primary education, who are graduates of recognised Universities but who have neither professional qualifications nor teaching experience. The salary

scale recommended by the Director (£360 - £520) is considerably higher

than that proposed for non-graduate teachers ^{all who} have had from two to four years teaching experience, and in addition possess a certificate in teaching,

and I do not think that it can be justified on a comparison of qualifications.

3. I understand that it is the intention that the grade £360 - £600 (Categories 5 and 7 in the Schedule) should have a definite establishment, in which vacancies may be filled by the promotion of qualified officers from the lower categories; and I would point

out that an officer in category 5 who obtains

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

48
obtains the certificate necessary to qualify him for promotion to the next grade will enjoy a considerable advantage as compared with officers in categories 3 and 4, since he will be eligible on receiving promotion to draw an initial salary in the new grade of £420. Whether such an advantage is justifiable and should be retained is a question which you will no doubt consider; but, unless you would prefer to consult me, I should not wish to interfere with your discretion in the matter.

4. There is one further general question arising out of the establishment of the Local Civil Service, which I should be obliged if you would consider, namely, whether exceptions should not, in appropriate circumstances, be made to the rule applying Local Civil Service terms to all officers serving on agreement who had not completed six years' service on the 1st January 1933.

FURTHER ACTION.

There

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Parlt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

to the Legislative Council, with

a view to the exercise of a reasonable

discretion in this matter.

I have etc.,

(Sgd.) P. CUNLIFFE-LISTER

DRAFT.

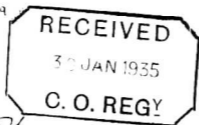
FURTHER ACTION.

There are, I understand, officers who had only a few days short of six years' service on the 1st January 1933, some of whom may have been unable to complete six years' service by that date owing to their accidental failure to secure a passage from this country in a steamer sailing before the 1st of January, 1927.

There may also be Officers who were qualified in by length of service, say, 1929 for admission to pensionable status but who failed to secure the recommendation of the Heads of their Departments until some time after that date, when the recommendations were held over in view of the proposed alteration of conditions. It appears to me that rigid adherence to the rule may in these and similar cases involve distinct hardship, and if you see no objection you will no doubt arrange for doubtful cases to be examined, after reference, if necessary

to

Feb 319



29.135

Dear Flo, ^{1/319}

Thank you for your letter of the 26th & for letting
me see a copy of the program you have sent to Regy.
It might be as well that you should know that
I have written by air to Max & Ed's new host. I
found it impossible to ~~find~~^{find} the separation of (5) from (4) at
all that I told you that the ~~right~~^{right} will be wrong
(which I have forgotten) which implies me to keep the
groups separate. I've been the door for the
to return to the change, if he will.

File 319

RECEIVED
30 JAN 1935
C. O. REGY

29 130

Dear Floz,

Thank you for your letter of the 26th & for letting me see a copy of the program you have sent to Ranga. It might be as well that you should know that I have written by air to Mom & Dad and that I found it impossible to ^{fully} ~~fully~~ do separate (15) for (4) (13) and that I told you that the night will be warm (which I have forgotten) which implies me to help the Group separate. I am sure to see you to have to return to the change, if he will.

Hard cases in attempt for
agreement to Local Consular Service

A. Qualified in May, 1929 for admission to
Punjab State but held back owing to
failure to secure recommendation. Secured
such recommendation in May, 1930 but then
held up owing to proposed alterations of conditions.
This seems hard.

B. Accidental failure to arrive - Kenya
before 1st January 1927 owing to postponement
of bookings by Crown Agents or inability to
secure passage on ship sailing before (1927).
This seems rather ridiculous.

to S.S.
29.135

referred to
from the
part of
City

Hard cases in transition from
agreement to Local Commission of Justice

A. Qualified in May, 1929 for admission to
Punjab State but held out strong to
factor to become recommendation. Seem
and recommendation in May, 1930 but then
held up strong to perform all other conditions.
This seems hard

B. Accidental failure to arrive - Kenya
Apr 1st January 1927 wrong to post-ponement
of bookings by Crown Agents or inability to
secure passage - ship sailing before 11/27.
This seems rather ridiculous.

to SS.

29.135

received from the
part of
City

As regards the hand cases I contain two
samples.

Yours sincerely

H. S. S. S.

As regards the hand cases I enclose two
samples.



Yours sincerely
H. S. Saha

2506072/34

C. O.

Mr. *Swain* 23/1/34
Mr. *Keeton* 24/1/34
Mr.

Sp for Mr. Hoops
Signature

Mr. Parkinson
Sir G. Tomlinson
Sir C. Bottomley
Sir J. Shuckburgh
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.



20 January 1934

Dear Mr. Scott

You will remember mentioning at the discussion about the Kenya local European Civil Service, certain cases of hardship with regard to the transfer of teachers to the new service. You spoke of those officers who on the 1st of January 1933 had only a few days short of 6 years' service, but who have nevertheless been compelled to accept local Civil Service terms. There were other cases as well.

I should be most grateful if you would let me have a note of the ^{types of} cases which you have in mind. I enclose ^{some information} a copy of a ^{release}

DRAFT.

H. H. Scott, Esq. C.M.G.
(Address on No 16).

~~21 January 1934
(No 18)~~

FURTHER ACTION.

telegram which has been
sent to the Governor.
It is, I think, self-explanatory

J. E. W. Flood

(Signed) J. E. W. FLOOD

23068/2/34

Mr. Wood 19 above
Mr. Robinson
Sir G. Tomlinson
Sir C. Attenley
Sir J. Hambrogh
U.S. of S.
U.S. of S.
Secretary of State.

Collected from -
9.40 pm
21/1/35
K.M.D.

15c

Confidential No. 114

DRAFT. TELEGRAM. (14)

Your telegram No. 281

GOVERNOR.

Confidential and paragraph 3(c) of

PARIS.

(4) your Confidential despatch No. 71. I

approve Director's recommendations with
exception of (5) *in his schedule* which I consider

should be on same scale as (3) and

(4). Despatch follows.

176

Copy to H.T. Scott (19)

SECRET.

NEITHER ACTION.

176

Note of Conclusions reached at a Discussion on the 17th of January, 1935, regarding Qualifications and Salary. Scales proposed for Education Officers in the local Civil Service.

PRESENT:-

Mr. Flood

Mr. Scott
(Director of Education
Kenya)

Mr. Acheson

Major Vischer

Mr. Grossmith

Mr. Mayhew

Captain Newbolt.

The points emerging from the discussion this morning were as follows:-

The Kenya Education Department staff has no provision for relief teachers. At times there are as many as a dozen on leave. Local people are engaged temporarily to fill the gaps as far as possible. Classes I and II in Mr. Scott's proposals are designed especially for this type of appointment. Mr. Scott emphasised the necessity of having a definite establishment of teachers to include reliefs.

* Copy annexed.

The higher commencing salary (i.e. £180 instead of £150) to be given to holders of the Higher School Certificate or Intermediate or equivalent (Class II in the proposals) is in relationship with the extra two years spent at school, by these individuals.

In order to pass from Class II to Class III, i.e. from a scale of £180-£210 to a scale of £240-360, Mr. Scott suggests that men teachers should have passed the examination.

of the College of Preceptors and women an examination of the Froebel Institute.

Class V of Mr.Scott's proposals presented difficulties. This is the case of the graduate of a recognised University who possesses no professional qualifications or teaching experience. Mr.Scott's proposals envisage a scale of £360 to £520. He agreed that graduates are not particularly wanted for primary education, and that their best chance of promotion is by transferring to native education or secondary education. On the other hand this type of appointment affords employment for sons of settlers. A few such appointments have been made in the past and the men have become efficient teachers. Mr.Scott was willing to accept a suggestion that Class V should be merged into Classes III and IV. The point to be borne in mind, however, is that if a University graduate appointed to the scale of £240-£360 eventually obtains the certificate recognised as equivalent to the Board of Education Certificate, he will be eligible for a scale of £420-£520-£600. But the jump from £360 to £420 will be out of proportion. This will be a difficulty to be faced by the Director of Education and the Civil Service Board.

Conclusions.

That Mr.Scott's proposals be accepted with the exception of Class V, which should be telescoped into Classes III and IV.

Mr.

Mr.Scott drew attention to certain "hard cases" of officers who on the 1st of January, 1941, had only a few days short of six years' service and have therefore, been compelled to accept loss of seniority terms. Other cases of hardship were also mentioned.

In my minute I have suggested that we should ask Mr.Scott to state in writing the type of cases which he has in mind.

It was agreed that the Governor should be asked to review "hard cases".

EUROPEAN PRIMARY EDUCATION.

Scales Proposed for Education Officers

I. Assistants and Principals of Schools of less than 100 pupils.

<u>Qualifications</u>	<u>Professional.</u>	<u>Experience.</u>	<u>Scale.</u>	
			<u>Men</u>	<u>Women</u>
Academic.				
Matriculation or School Certificate or equivalent.	nil.	-	150-210	150-210
Higher School Certificate or Intermediate or equivalent.	nil.	-	180-210	180-210
Matriculation or School Certificate or equivalent.	Certificate recognised as less than Board of Education certificate	4 years	240-360	225-315
Higher School Certificate or Intermediate or equivalent.	ditto.	1 year		
Graduate of recognised University.	nil.	-	360-520	315-420
	Certificate recognised as equivalent to Board of Education Certificate.	-	360-520-600.	315-420-500.
Graduate of recognised University.	ditto.	-	420-520-600.	360-420-500.
II.				
<u>Principals.</u>				
Schools of 100-199 pupils.			520-660 ^x	400-520 ^x
Schools of 200 pupils and over.			660x15-720	-

x to receive one irregular promotion increment if in receipt of salary of 520 (men) or 400 (women) or over on appointment as principal.

APPENDIX 1

Proposed Salary Scales for the Clerical Service.

Men £	Women £	Men £	Women. £
£150 Grade II	£150 Grade II	£440 Grade I	£380 Grade I
165 "	...165 "	460 "	... 390 "
180 "	...180 "	480 "	... 400 "
195 "	...195 "	500 "	... 410 "
<u>210</u> "	... <u>210</u> "	<u>520</u> "	... <u>420</u> "
240 "	...225 "	530 "	... 440 Special
260 "	...240 "	540 "	... 450 Grade
280 "	...255 "	550 "	... 460 "
300 "	...270 "	560 "	... 470 "
320 "	...285 "	570 "	... 480 "
340 "	... <u>300</u> "	580 "	... 490 "
<u>360</u> "	...315 "	590 "	... 500 "
380 "	...330 "	600 "	...
400 "	...345 "	620	Special Grade
420 "	...360 "	630 "	" "
		640 "	" "
		650 "	" "
		660 "	" "

Note. - Figures underlined indicate Efficiency Bar.

Telephone 319

16

13. 1. 38

Dear Frank.

No 15

I have your letter of the 10th, which
reached me just as I was leaving
London for the above address.

I can come up to town on Wednesday or
Thursday this week. Would you mind
telephoning the day or two?

I think that I should remind you that
through the discussion about salaries has
been going on for about six years I have not yet

Telephone 319

16⁵⁹

13. 1. 36

Dear Frank.

No 15

I have your letter of the 10th, which
reached me just as I was leaving
London for the above address.

I can come up to town on Wednesday or
Thursday this week. Would you mind
helping me the day or two?

I think that I should remind you that
through the discussion about salaries has
been going on for about six years I have not yet

heard the decision as to success sales.

It might be as well if I come for and had a
chance of refreshing my memory with the files.

I will come in the morning & be ready for your discussion
in the afternoon if you could let me know precisely
what you are now discussing with the Range

Yours

Yours sincerely

St. J. S. S.

heard the decision on the services salaries

It might be as well if I came for and had a chance of refreshing my memory with the files.

I can't come in the morning & be away for your discussion in the afternoon if you could let me know precisely what you are now discussing with the Range

Yours

Yours sincerely

St J. S. S. S.

To C. O.

- Mr. Grossmith. 9/1
- Mr. ~~Heston~~ 9
- Mr. ~~Hood~~ 9/1
- Mr. Parkinson.
- Sir G. Tomlinson
- Sir C. Bottomley.
- Sir J. Shuckburgh
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

S/o for Mr. Flood's signature.

DOWNING STREET.

10 January, 1934.

~~Handwritten signature~~
Answered by No. 16

Dear ~~Mr~~ Scott,

B. 16

DRAFT.

H.S. SCOTT, ESQ., C.M.G.

C/O NATIONAL PROVINCIAL BANK LTD.,

8, HIGH STREET,

NOTTING HILL GATE, W.11.

You will remember that in connection with the ~~terms of~~ Service for ^{the} Kenya European Local Civil Service you submitted to the Governor proposals for the qualifications and salary scales of officers appointed for European Primary Education. The question of the ~~qualifications~~ required has never been settled and the Governor is anxious to obtain an early decision. We are arranging for the matter to be discussed and it would be a great help if you could be present. If you have an afternoon free, preferably next week, I will arrange ~~for~~ the time and date of

FURTHER ACTION.

discussion to suit your convenience.

Yours sincerely,

(Signed) J. E. W. FLOOD

COPY FOR REGISTRATION

RECORDED
15 DEC 1934
C. O. RLG

114
62

Telegram from the Governor Kenya to the Secretary of State for the Colonies.

Dated 15th December. Received at 11-30am 15th December 1934.

No 281 Confidential.

11/12/34
My telegram No 185 Confidential. Grateful for despatch promised in paragraph 4 of your confidential despatch (2) of 10th July regarding education qualification bars by Air Mail.

3066/1/21
(Team of names: European local & t)

COPY FOR REGISTRATION
RECORDED
15 DEC 1934
C. O. RLCY

Telegram from the Governor Kenya to the Secretary of State for Colonies.

Dated 15th December. Received at 11-30am 15th December 1934.

No 281 Confidential.

11/2000/314
My telegram No 185 Confidential. Grateful despatch promised in paragraph 4 of your confidential despatch of 10th July regarding education qualification bars by Air Mail

*6 am
2306/1/21*

*(Team of names:
European local & f)*

2306/1/21

C. O.

Mr. Acheson. 16.11.34.

Mr. O'Brien 16/11

Mr. Forster 16

Mr. Parkinson (Mr. Wood (am))

Mr. G. Tomlinson (Mr. Jeffries 20/11)

Mr. C. Bottomley 21/11

Sir J. Shuckburgh

+ Permt. U.S. of S. 21/11

Parly. U.S. of S.

Secretary of State

12/34
AIR MAIL

Downing Street.

S 4 Y

Nov. 21st, 1934.

Sir,

I have etc., to acknowledge

the receipt of your ^{confidential} despatch No. 121 of

the 21st of August on the subject of

proposals for inaugurating a European

Local Civil Service, and to confirm my

telegram No. 283 of the 21 November.

^{CD}
(insert here copy of accompanying draft telegram as sent).

2. I will discuss seriatim in this despatch those of your proposals to which I have not found it possible to give my consent.

(a) Inclusion of the post of Nursing Sister in the Local Civil Service

Your suggestion was that the post of Nursing Sister should be included in the Local Civil Service as an experiment

which

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KENYA.

~~Confidential.~~

GOVERNOR.

FURTHER ACTION.

which, if it proved to be disadvantageous, could be reconsidered. The change would admittedly have little effect upon the sources of recruitment, and Nursing Sisters would continue, at any rate in the great majority of cases, to be recruited from this country. It would, however, have the result that the terms of service applicable to Nursing Sisters in Kenya would become decidedly less favourable than those available in other Colonial Dependencies where conditions are comparable, and that the financial and other attractions which service in Kenya at present offers as compared with opportunities of employment in this country would be very considerably reduced. On the other hand, evidence is accumulating that the existing conditions of service in East Africa are ~~likely~~ ~~in the future, owing to competition from other sources, to be~~ ^{becoming} insufficient to attract candidates of the standard required. The introduction of the Federation Superannuation Scheme for Nurses has made it possible for most nurses in this country to qualify for a pension on retirement

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson

Sir G. Tomlinson

Sir C. Bottomley

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State

DRAFT.

FURTHER ACTION.

retirement. The benefits of the Scheme have recently been thrown open to non-Government Nursing Institutions and Organisations abroad, which entrust the selection of their nurses to the Overseas Nursing Association, and one of its results has been markedly to reduce the attractions of service under a Colonial Government which does not offer a definite prospect of pensionable status. I am advised that enquiries received by the Overseas Nursing Association indicate that increasing importance is ^{being} attached by prospective candidates for ^{Colonial} employment to the question of pension, and that a Provident Fund is not regarded as a comparable alternative. In Malaya ~~attention has~~ ^{been drawn} I have recently found it necessary to ~~the desirability of informing the suggest to the local Government that~~ ^{the} steps should be taken to improve pensions payable to Nursing Sisters on retirement.

In the Tanganyika Territory, as you are aware,
the Director of Medical Services has expressed
the view that Nursing Sisters recruited in
recent years fall short of the standard of
personal suitability and professional
competence which can, and should, be maintained, ^{and}
~~my enquiries on this subject are not yet~~
~~completed, but~~ I have little doubt that the
remedy will be found to lie ^{any change in the} ~~not in the suggested~~
~~machinery for the selection of candidates in~~
^{in improving}
~~this country but in an improvement in the~~
conditions of service, particularly in regard ^{more especially to}
to pension, ~~under the existing system which is~~

In view of the responsible duties
which Nursing Sisters in Kenya and other
Colonies, particularly if they are employed
in Native Hospitals, are required to under-
^{don't feel}
take, I ~~am~~ unable to entertain any proposals
which would have the effect of lowering the
standard of the candidates who present
themselves for employment, and consequently
of

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

FURTHER ACTION.

of reducing the efficiency of the Nursing
Service, and it is because I am convinced
~~having regard to the~~
that the inclusion of the post of Nursing
Sister in the Local Civil Service in Kenya
^{in present circumstances}
would have this effect that I have found
myself unable to agree to it. For similar
reasons, in view of the limited facilities
for the training of Nursing Sisters in the
hospitals in Kenya, I feel some hesitation
in regard to the suggestion that locally
educated girls should be employed as
Probationer Nurses on Local Civil Service
terms with a view to ultimate appointment
to the Nursing staff. If, however, you
are anxious that effect should be given to
this suggestion, I will raise no objection
to a limited number (not exceeding six in
the first instance) of appointments of this
nature being created as an experiment, ~~on~~
~~the understanding that~~ ^{if} the candidates
selected are ultimately appointed to the
Nursing staff, they will ^{naturally} continue to serve
on Local Civil Service terms.

(b) Sanitary Inspectors.

The professional qualification required for the appointment of Sanitary Inspector is the Certificate of the Royal Sanitary Institute. There are ^{known} at present no facilities for obtaining this Certificate in Kenya, and the inclusion of the post of Sanitary Inspector in the Local Civil Service could ~~therefore~~ ^{it does not therefore appear that} have any effect upon the prospects of employment of local Europeans. On the other hand, it ^{and} might seriously ^{hinder the recruitment} ~~affect the prospects~~ of obtaining suitable candidates in this country, where Kenya would be competing with the Association of Sanitary Inspectors which, ^{as you are aware, takes an active interest in the} ~~with the Association of Sanitary Inspectors which, African Dependence offering more favourable terms.~~ conditions of service of Sanitary Inspectors both in this country and abroad. For these reasons it is, in my opinion, preferable that the post of Sanitary Inspector should, for the time being at any rate, remain in the Overseas ~~service~~ ^{Service.} I note that it is proposed to create a number of junior appointments for Sanitary Overseers which

will

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Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

FURTHER ACTION.

will be filled by local recruitment and to replace Sanitary Inspectors by these Overseers, as vacancies occur. I have no objection to the creation of the new grade, nor to the promotion of any Sanitary Overseer who may obtain the prescribed professional qualification to the grade of Sanitary Inspector on Local Civil Service conditions. But I view with misgiving the suggestion that the staff of qualified Sanitary Inspectors should be reduced. It is generally recognised that among primitive peoples the work carried out by ~~the~~ Sanitary Inspectors is one of the most important factors in maintaining and improving the general health of the community. This work requires a certain measure of technical knowledge; and the substitution of unqualified for qualified personnel can hardly fail to have an adverse effect upon ^{its} ~~the~~ performance, which would not only be regrettable in itself but would in my opinion lay the ~~issues~~ ^{Government} open to legitimate criticism. While therefore I am

prepared

prepared to agree to the appointment of unqualified

Assistants who will work under professional supervision, I am unable, *subject to your further observations,* on the information at present *and to be full*

before me, to give my approval to an arrangement

which is directed towards reducing the existing staff of qualified Sanitary Inspectors.

(c) Application of Local Civil Service terms as regards leave and passages to serving officers recruited overseas with less than six years' service.

I have again considered, in view of the importance which you attach to this matter, your proposal to apply Local Civil Service terms as regards leave and passages to serving officers recruited overseas who are compulsorily transferred to the new Service.

I can well understand that the existence of a number of officers who, though included in the Local Civil Service for other purposes, enjoy "overseas" leave and passage terms, may give rise to considerable administrative inconvenience. But at this stage the question must be considered not on merits but in the light of existing commitments.

The position is that the question whether serving officers

C. O.

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Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

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FURTHER ACTION

officers, who should later be included in the Local Civil Service, should retain Overseas Service terms as regards leave and passages arose ^{directly} on the letter addressed to the Chief Secretary by the Expenditure Advisory Committee on the 30th September, 1932, a copy of which was included in your/despatch No. 133 of the 20th October, 1932. My decision ~~on that case~~ was conveyed to you in my confidential telegram No. 236 of the 14th November, 1932: it has been published, and in my view it constitutes a definite pledge to the officers concerned which I am personally bound in good faith to observe. It is the case that the scheme for the Local Civil Service had not been settled when the decision was taken, but I am fully satisfied that no factors have emerged during the elaboration of the Scheme which would justify me in repudiating it. It must therefore stand

and

and its effect is that the officers concerned
the Kenya
will, so long as they remain in Government
service, be entitled to whatever terms as regards
leave and passages are applicable to officers
included in the Overseas Service.

(d) Transfer of officers serving on agreement
to Local Civil Service terms.

The Executive Council has proposed that officers
at present serving on agreement who are to be
compulsorily transferred to the Local Civil Service
should, if their agreements were signed on or after
the 1st January, 1933, be given three months' notice
of the termination of their appointments, on the
conclusion of which they would presumably be offered
employment on Local Civil Service terms. It has
long been recognised (and on this point reference is
invited to paragraph 8 of the memorandum enclosed with
your confidential despatch No. 71 of the 23rd ^{May} March, 1934)
that the premature termination by notice of the appoint-
ment of an officer serving on agreement merely in order
to reduce his salary, or other privileges, is open to
objection. But ~~the step is justified in the present~~

case

*The justification
of this is that
is that proposed in*

C. O.

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Mr.

Mr.

Mr. Parkinson.

Mr. G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

FURTHER ACTION.

is handwritten
~~case by reference to~~ the warning contained
in Part 2 of the Secretariat Circular
No. 48 of 1932, which was published in Kenya
on the 10th December, 1932. This warning,
however, referred specifically to the re-
engagement of officers "on the termination
"of their present agreements"; it
contained nothing to suggest that any
agreements would be prematurely terminated
in order to introduce new and less favour-
able terms of service. In these circum-
stances I do not think that it would be
justifiable to terminate existing agree-
ments by notice with a view to the re-
engagement of the officers concerned on
Local Civil Service terms, until the
minimum tour for which they provide has
expired. There would then be no objection
to the agreements being brought to an end
as speedily as possible, provided that any
obligations which ^{may} be imposed on the
Government in regard to such matters as
the grant of free passages, etc., are

duly

duly observed.

(4) I may add, as regards paragraphs 4 and 6 of your despatch under reply, that it may be necessary to give an undertaking to the War Office that serving soldiers seconded for service in Kenya will be provided with Government quarters.

4. As regards para.10 of your despatch I agree that full authority in regard to discipline and staff questions should, in so far as members of the Local Civil Service ~~to~~ are concerned, be vested in the Governor, except in the case of officers who enjoy pensionable status. Such officers would for purposes of discipline remain subject to the Colonial Regulations. It will not be necessary for the appointments, promotions, etc., of members of the Local Civil Service to be reported for approval, although it would be convenient if they could from time to time be communicated for purposes of record.

I have etc.

(Sgd.) PUGH-LISTER.

C. O.

Mr. Emmitt 16/11 + 20/11

Mr. Acheson 16/11

Dr. O'Brien 16/11

Mr. Frester 16/11

Mr. Parkinson 17/11 (away)

Sir G. Tomlinson 19/11/34 + 20/11

✗ Sir C. Bottomley 21/11

Sir J. Shuckburgh

✗ Permt. U.S. of S. 21/11 at once

Parly. U.S. of S.

Secretary of State.

23068/2/34 Kenya.

Coded + sub

9.30 pm

C.O.
R 22.0V
D 22.

21/11/34

No. 283 Confidential.

Your despatch 21st August

DRAFT.

Telegram

GOVERNOR

NAIROBI.

21/11/34

(5) of date 18/11/34
As regards agreements signed after 31st December 1932

Confidential. After full consideration

I regret that I am unable to accept proposals for inclusion of nursing sisters and sanitary inspectors in local Civil Service,

(2) proposal in paragraph 8 of your despatch and proposal in paragraph

(9) of Executive Council minute of 7th August

Subject to above reservations I approve your recommendations. Despatch follows.

My reasons briefly are as regards (1) inclusion would have serious effect on recruitment from this country, from which majority of vacancies

would

FURTHER ACTION.

would still have to be filled. As regards (2) I can see nothing in subsequent elaboration of Local Civil Service Scheme to justify repudiation of decision in my telegram No.236 of 14th November 1932, which I regard as definite personal pledge. As regards (3) Warning in Secretariat Circular No.48 of 10th December contains nothing to suggest that any agreements would be prematurely terminated in order to apply new and less favourable conditions, and such procedure would be contrary to established practice - vide paragraph 8 of memorandum enclosed in your despatch of 23rd May confidential No.71. 180/8/32 No.11. No.4

Subject to above reservations I approve your recommendations. Despatch follows by AIR MAIL.

KENYA EUROPEAN LOCAL CIVIL SERVICE.

Note of discussion in Mr. Flood's room on
the 18th November.

Present:

Mr. Flood
Dr. O'Brien
Mr. Jeffries
Mr. Preston
Mr. Acheson
Mr. Grossmith

The various points raised by the Governor were considered, and no occasion was seen to differ from him except on the following points:-

The inclusion of Nursing Sisters in the Local Civil Service.

In view of the responsibilities of Nursing Sisters, particularly in native hospitals, it is very important to maintain a high standard of proficiency and professional capacity among them. For this purpose the conditions of service must be sufficiently attractive. The allocation of Nursing Sisters to the Local Civil Service would mean not only that their conditions of service in Kenya would be decidedly less favourable than in any other dependency, whether in Africa or elsewhere, where conditions are comparable, but also that the margin of advantage between service in Kenya and employment in this country would be very greatly reduced. There is recent evidence from Tanganyika and Uganda that this margin is already insufficient to attract candidates of the requisite standard, and that it may be necessary to improve the terms, particularly in regard to pensions; the question of pensions

KENYA EUROPEAN LOCAL CIVIL SERVICE.

Note on discussion in Mr. Flood's room on
the 13th November.

Present:

Mr. Flood
Dr. O'Brien
Mr. Jeffries
Mr. Freeston
Mr. Acheson
Mr. Grossmith

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70

KENYA EUROPEAN LOCAL CIVIL SERVICE.

Note on discussion in Mr. Flood's room on
the 13th November.

Present:

Mr. Flood
Dr. O'Brien
Mr. Jeffries
Mr. Freeston
Mr. Acheson
Mr. Grossmith

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has

has recently become much more important, requiring a scheme under which the majority of nurses in this country can qualify for a pension has recently been introduced; the experience of the scheme indicates that candidates now are apt to pay more attention to the prospect of obtaining a pensionable post (Provident Fund benefits are not regarded as a comparable equivalent) than even to the salary.

In the circumstances there seems no doubt that the effect of the Governor's proposal would be to reduce the efficiency of the Kenya Nursing Service, and on this ground it is proposed to reject it. On the other hand, the Governor suggests that local girls might be recruited for training as nursing sisters in the Kenya Hospitals. As the facilities for such training cannot be compared with the facilities in this country it seems doubtful whether a scheme of this nature would turn out to bring sisters up to the required standard. It is therefore proposed to prevent the Governor from making an experiment with a limited number (six or eight) of such appointments to start with.

2. Inclusion of Sanitary Inspectors in the Local Civil Service.

The sole argument advanced by the Governor in favour of this proposal is that the idea of the Local Civil Service is to afford opportunities of employment in the Government Service to locally educated applicants. But as an essential qualification for the post of Sanitary Inspector is the certificate of the Royal Sanitary Institute, and

this

this certificate cannot be obtained in Kenya (the Kenya Government has recently declined an invitation from the Royal Sanitary Institute to set up a local board for holding the examination for the certificate in the Colony, on the ground that adequate facilities for training do not exist) this argument does not carry weight.

On the other hand the reduced terms will certainly affect the recruitment in this country and may very likely bring us into controversy, in which we should not be on strong ground, with the Association of Sanitary Inspectors which we have reason to know takes a very active interest in the welfare of its members in the Colonies.

3. Proposal to replace Sanitary Inspectors by Overseers.

The Government adumbrates a proposal to create a new grade of Sanitary Overseer which would be recruited locally. There is no objection to this but he couples with it the suggestion that these overseers should, as vacancies occur, replace the trained Sanitary Inspector. To this proposal Dr. O'Brien saw great objection. In the conditions which exist in Kenya and other African dependencies the work of the ^{European} Sanitary Inspector is one of the most valuable of the ^{of activities} ~~activities~~ in the Medical Department, and the unqualified man cannot be expected to reach the required standard of efficiency. It is proposed to express these misgivings to the Governor and to indicate that before any policy aimed

aimed at reducing the existing number of qualified European Sanitary Inspectors is introduced the Secretary of State will require much more information and a good deal of convincing.

4. Application of local Civil Servants' leave and passage terms to serving officers.

In 1932 the Governor forwarded a proposal that officers likely to be included in the Local European Civil Service who were serving on agreements should be warned that any offer of re-engagement which might be made to them on the expiration of their agreements might be on revised terms of service. The Secretary of State in accepting this proposal made the proviso that "Officers recruited outside the Colony should not be forced to accept the conditions designed for local personnel, but as a personal arrangement should be treated in the same way as those holding posts assigned to the overseas service". The telegram from which this is an extract has been published and will be quite legitimately regarded by the officers concerned as a pledge by the Secretary of State.

The Governor points out that the effect will be to cause a good deal of administrative inconvenience and difficulty. He appears to suggest that the fact that the Secretary of State, when he gave the pledge, had not before him full details of the local Civil Service scheme is a sufficient ground for not observing it. The Secretary of State was, however, fully aware that proposals were afoot for the local Civil Service which involved less favourable conditions as regards leave and passages than those applicable to the overseas Service;

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Not
(v. minutes of Exec.
Council).

Do No 13.

in Kenya
the local
Govt.

he had before him a specific recommendation that the overseas service terms should not be applied to persons included in the future in the local Civil Service. His decision was intended as a definite rejection of that proposal in so far as officers ^{actually} recruited overseas were concerned. It seems impossible that he should go back on what amounts to a personal pledge.

5. Proposed termination of the agreements of officers engaged on or after the 1st January, 1933.

It has long been recognised that it is not proper to use the power of terminating an unexpired Agreement by notice, solely for the purpose of imposing less favourable conditions upon the officer. It is proposed, ^{however, by the Secretary} to follow this course in the case of officers whose posts are included in the local Civil Service, provided that they were engaged after the 1st January, 1933. The proposal is justified on the ground that a warning was published on the 10th December, 1932, in the following terms:-

Notice is hereby given to all officers serving on agreement that on the termination of their present agreements any offer of future employment will include the terms set out above, subject to the further proviso that any officers who are serving on agreement in posts which have been scheduled in the report of the Local European Civil Service Committee, and who have less than six years' continuous Colonial service (on 1st January, 1933) may be required to serve under different conditions

This

(which is clearly
meant "termination
by lapse of time")

This warning, however, refers in terms only to re-engagement "on the termination of their present agreements", and does not suggest that any agreements will be ~~be~~ prematurely terminated in order to ~~change the terms~~ ^{make his offers subject to} the new conditions. There do not appear in these circumstances to be any grounds on which the established practice in this matter can ^{properly} be departed from ~~without~~

AIR MAIL

KENYA
No. 121.

CONFIDENTIAL.



76
GOVERNMENT HOUSE
NAIROBI
KENYA

27th August, 1944.

Sir,

I have the honour to refer to your despatch Confidential (2) of the 10th July on the subject of the proposals for the inauguration of an European Local Civil Service which was discussed in my Executive Council on the 7th August. I transmit copies of the Memorandum which was circulated to Members and of the relative Council Minute No.390 of 1934.

Memorandum.

Minute.

Amended (13)

2. In this connection I invite your attention to paragraph 3 of the Memorandum regarding posts in the Medical Department scheduled for inclusion in the Local Civil Service particularly those of Nursing Sister and Sanitary Inspector.

As you are aware the main object of the new Service is to afford opportunities to locally educate youths and girls, with the requisite qualifications, enter upon an assured career in Government Service. During the discussion in Executive Council with refer to your request that the inclusion of the post of Nursing Sister in the Local Civil Service should be reconsidered, it was apparent that members felt that the door should not be closed to local girls of school-leaving age who might wish to obtain employment other than that of a clerical nature and the view was expressed that if the post of Nursing Sister was declared to be a Local Service post it should not be impossible for a system of probationer Nurses to be introduced for

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S.W.

which

77

which girls would be eligible. The Acting Director of Medical Services was, however, of the opinion that the introduction of such a scheme at the present time and with the present facilities was premature.

No6

In regard to the recruitment from overseas of candidates possessing the requisite professional qualifications members, with the exception of the Acting Director of Medical Services, were unanimous that because the Service, vide paragraph 2 of your despatch under reply, is to be of an experimental character it was not unreasonable to include as an experiment the post of Nursing Sister in the Local Service; and that if after a period of trial it was found that recruitment of Nurses for this Colony suffered in comparison with that for the neighbouring East African Dependencies the question of excluding the post of Nursing Sister from the Local Service could be reconsidered.

The view was also expressed, and I understand it to be correct, that the proposed Local Civil Service terms compare most favourably with those enjoyed in England by Nursing Sisters in the larger Hospitals and Nursing Institutions and that, in consequence, there should be no difficulty in recruiting for Kenya on Local Civil Service terms which include a Provident Fund. It is not the intention to reduce the number, nine, of pensionable posts in the cadre of Nursing Sisters to which participators in the Provident Fund can aspire; it is also not the intention to increase that number.

In view of the foregoing remarks I trust that you will see your way to allow the post of Nursing

Sister

Sister to be included in the Local Civil Service, subject to reconsideration after a period of trial.

3. In regard to the post of Sanitary Inspector, you will observe that Council, while considering that this post should be included in the Local Civil Service, also considered that a junior post of Sanitary Overseer should be created and that as and when vacancies for Sanitary Inspectors arise they should, as far as possible, and particularly in purely native areas, be replaced by officers of the new Sanitary Overseer grade.

This proposal had the unqualified support of the Acting Director of Medical Services whose view is that, in course of time, the present establishment of Sanitary Inspectors will gradually be reduced to a few officers.

4. As to the posts of:-

Superintendent, Infectious Diseases Hospital.
Male Nursing Orderlies.
Mental Hospital Warders.
Mental Hospital Assistant Matrons.
Superintendent, Mental Hospital.
Matron, Mental Hospital.

The Acting Director of Medical Services saw no reason why such posts should be excluded from the Local Service particularly in view of the fact that with two exceptions the present incumbents were recruited locally at a time when the European population of this Colony was much less than it is to-day. Council agreed with Dr. Johnstone's views and I trust that you will agree to reconsider the question of these posts.

In connection with the posts of:-

Dispensers.
Wardmasters.
Chief Instructors.

I would invite your attention to the remarks on page 4 of the enclosed Memorandum. I share the opinion of

79

Executive Council that these posts can without difficulty be filled by secondments from the Regular Army on Local Civil Service terms.

5. You will observe from paragraph 3 of the first enclosure to this despatch that the then Director of Medical Services (Dr. J. L. Gilks, C.M.G.) served upon the Fitzgerald Committee, that the present Acting Director of Medical Services (Dr. F. J. C. Johnstone) served upon the Merrick Committee and that the Director of Medical Services (Dr. A. R. Paterson) was a member of my Executive Council when the Civil Service Board Reports were discussed. That Dr. Paterson should now have seen fit to take exception to decisions in which he participated is a matter of surprise to me; and I should be glad if he may be informed of my own, and my Councils, disagreement with the views he had seen fit to express at this late hour.

6. In regard to the post of Musketry Instructor (Defence Force), should no suitable local candidate be available, when the period of secondment of the present incumbent terminates, it will be necessary to approach the War Office with a view to a secondment of a serving soldier. No difficulty is anticipated in obtaining a suitable candidate on Local Service terms and salary, but without participation in the Provident Fund in view of the pension contribution which would be paid by this Colony towards an Army pension. There is naturally no intention of altering the present agreement of Sergeant Major Cummins.

7. In reply to your enquiry concerning the different scales of salary for Draughtsman in the

Public

Public Works and Survey Departments, the present (Overseas) scale of salary for the Draughtsman, Public Works Department, is £480 x 20 x £600 and for Draughtsman, Survey Department, is £372 x £480 x £500 x £600. This indicates that the qualifications demanded of the former are superior to those required of the latter. The Merrick Committee recognised this differentiation by recommending a salary of £500 x 25 x £650 for the former, remarking that he "is really an Assistant Architect acting during leave", and a salary of £480 x 20 x £540 for the latter post remarking that "the Surveyor General agrees provided that one of these goes to £600".

The Civil Service Board endorsed the Merrick Committee scales with the slight modification that the scale for the Draughtsman, Public Works Department, should become £500 x 20 x £660 the scale for the Survey Draughtsman remaining at £440 x 20 x £540 and without agreeing that one post should be accorded the higher maximum of £600.

Moreover, it should be borne in mind that there is only one higher post (of Architect) to which the Draughtsman in the Public Works Department can look for promotion as compared with the more highly paid five posts of Computer in the Survey Department.

8. I now turn to the question of the grant of overseas leave and passage conditions to those officers with less than six years' service who were recruited overseas and in this connection I invite your attention to paragraph 5 of the Memorandum for Executive Council where the case is fully set out.

Council after the fullest discussion were

unanimous

81

unanimous in recommending that you should be asked to reconsider your decision that these officers require special consideration and I emphatically endorse Council's opinion.

In regard to the "breach of faith" I venture to suggest that the pertinent fact is that you had not the terms of the proposed new Service before you when your subsequently published telegram Confidential No.236 of the 14th November, 1932, was sent. That telegram was sent in relation to proposals regarding the tours and leave conditions of all civil servants and since then you have had the opportunity of examining in all its aspects a complete scheme for a European Local Civil Service, one to which this Government has given considerable examination, and thought, over a period of years. I am convinced that to differentiate as you propose will cause endless difficulties and anomalies and a dissatisfaction which may do great harm to the inauguration of the new Service.

9. The further advice of Council, with which I concurred, in sub-paragraphs (e), (f) and (g) of the Minute, is self explanatory.

The recommendation regarding the 1935 Estimates was made in view of the six months period during which voluntary transferees have the option of signifying their desire to transfer to the new Service, vide Recommendation VI of the Third Interim Report as amended by Executive Council's Minute No.94 of the 1st March, 1934, and I anticipate no difficulty in this matter with Unofficial Members of the Legislative Council.

10. Other outstanding points are:-

(a)

Fourth

(a) In Recommendations I and XI of the Third Interim Report of the Civil Service Board you will observe that the Board recommended that the powers of removal from the Service and the authority in staff matters should lie in the Governor, and, although you have not specifically referred to these recommendations in your comments, I assume that you will have no objection to this authority being vested in me and in my successors. The inherent right of every officer of appeal to you of course remains.

rel 180/32
No 1
para 8

(b) It has been the practice to report to you in the Quarterly Returns of Staff all appointments, promotions, terminations, etc. in posts the maximum of whose scale does not exceed £500 a year, exclusive of the value of free quarters. Most of these posts are now included in the Local Civil Service and I shall be glad to learn whether you wish to be notified of all appointments, promotions, terminations etc. to posts in the new Service, or whether you will only require notification of other appointments.

CD
to copy

11. In view of the necessity to publish the new terms and conditions of the European Local Civil Service as soon as possible I shall be grateful for your reply to this despatch by an early Air Mail.

I have the honour to be,
Sir,
Your most obedient, humble servant,

BRIGADIER-GENERAL
GOVERNOR.

EUROPEAN LOCAL CIVIL SERVICE.
Reference Executive Council's Minute No.94 of the 1st March, 1934.

NoH -

In Kenya Confidential despatch No.21 of the 23rd May the Secretary of State was informed that on the 10th May the following motion was passed in Legislative Council:-

"Be it resolved that the proposals for the inauguration of the European Local Civil Service contained in Sessional Paper No.1 of 1934 be approved"

and copies of:-

- (a). The four Reports of the Civil Service Board;
- (b). A Memorandum on the European Local Civil Service circulated to Members of Executive Council on the 24th February;
- (c). A copy of Executive Council Minute No.94 of the 1st March;
- (d). A copy of a Report dated the 5th April by a Sub-Committee of Executive Council which was approved by Executive Council on the 10th April;
- (e). A copy of Sessional Paper No.1 of 1934; and
- (f). An Uncorrected copy of the debate in Legislative Council on the 9th and 10th May.

were transmitted in the same despatch and the views of this Government which were set out in Sessional Paper No.1 of 1934 were recommended for the Secretary of State's favourable consideration.

2. The Secretary of State's reply has now been received and while accepting the principle of an European Local Civil Service and approving its inauguration with effect from the 1st January, 1935, he "considers the Service must be regarded as of an experimental character in view of the anticipated difficulties of local recruitment" (vide Paragraph V on Page 21 of the Memorandum No. SE.7/1/10/12 circulated to Members of Executive Council on the 24th February, 1934).

3. The proposed salary scales for the Clerical Service shown in Appendix I of Sessional Paper No.1 of 1934 and in general the proposed salary scales for the Non-Clerical posts shown in Appendix II id have received the Secretary of State's sanction with the exception of those enumerated under "Medical Department".

The Secretary of State adds: -

"My doubts as to the propriety of scheduling the majority of these posts have been strengthened by information derived from Dr. Paterson, whose presence in London has afforded an opportunity for discussion. There can be no question of lowering the present standards of efficiency and qualification expected from the occupants of such posts as Nursing Sister and Sanitary Inspector. To maintain these standards, it will be necessary, in the absence of any local facilities for training, to rely almost entirely upon the recruitment from overseas, in competition with other territories in Africa and elsewhere, of persons possessing the requisite professional qualifications. I shall be glad if you will reconsider the present proposals, in the light of these remarks, and in the meantime I consider that the only posts in the Medical Department schedule for which provision on the new scale should be included in the 1935 Estimates are the following: - Accountant, Laboratory Superintendent, Laboratory Assistant, Malaria Overseer, and Learners and Juniors".

In this connection it should be pointed out that the Director of Medical Services did not raise any objection to the inclusion in the Local Service of these posts when the various Reports were discussed in the Executive or the Legislative Councils. It should also be borne in mind that the Director of Medical Services (Dr. Gilks) was a member of the Fitzgerald Committee and that the Deputy Director of Medical Services (Dr. Johnstone) was a member of the Merrick Committee. The Fitzgerald Report included all these posts now under discussion with the exception of Senior Sanitary Inspector and Sanitary Inspector while the Merrick Report included even these two posts and also that of the Chief Sanitary Inspector and referred specifically on page 63 of the Report to the
doubt

doubt which existed as to whether that post (salary £720 x £840) could rightly be included in a Local Service.

Dealing seriatim with the various posts which the Secretary of State wishes this Government to reconsider:-

(1). It is true that qualified Nursing Sisters and Sanitary Inspectors (of the latter at present serving all are pensionable) cannot normally be recruited locally and it would seem that for this reason they may need to be excluded from the Local Civil Service. A decision is requested.

In this connection it is suggested that officers who might be designated Overseers could be obtained locally for the class of work done by qualified Sanitary Inspectors in Native Reserves.

- (2). Superintendent, Infectious Diseases Hospital.
- (3). Male Nursing Orderlies.
- (4). Mental Hospital Warders.
- (5). Mental Hospital Assistant Matrons.
- (6). Superintendent, Mental Hospital.
- (7). Matron, Mental Hospital.

It is not understood why the above should be excluded from the Local Civil Service. All the present occupants, with the exception of Nos. (6) and (7), were recruited locally and no reason is seen why difficulty should be experienced in replacing them by local recruitment. In the event of any difficulty being experienced, no reason is seen why, if Government has to go overseas for suitable candidates, Local Civil Service terms should not be offered. A decision is asked as to whether Government should reconsider its previous recommendation.

- (8). Dispensers.
- (9). Wardmasters.
- (10). Chief Instructors.

The present incumbents are seconded from the

Regular Army. There is naturally no intention on the part of Government to interfere with the present terms and conditions of secondment and no reason is seen for the exclusion of these posts from the Local Service.

When it becomes necessary to replace them by other seconded members of the Regular Army, or by locally recruited candidates, there again seems no reason why Local Service terms should not be offered. It should be borne in mind that in regard to officers seconded from the Regular Army this Government makes a pension contribution to the Army Council during their period of secondment and because these officers are pensionable it is obvious that they cannot be allowed to participate in Provident Fund benefits. A decision is asked as to whether the remaining terms and conditions of the Local Civil Service should be offered to them as recommended.

4. In regard to posts in the Education Department, Sir Philip Cunliffe-Lister states:-

"my approval of the scales must not, for the present, be held to imply that I accept the correlations proposed by the Director of Education between professional qualifications and points in the Clerical Service scale. I shall address you further on this subject"

5. While the Secretary of State has no objection to the application of Local Civil Service terms and conditions to locally engaged officers with under 6 years continuous Colonial Service on the 1st January, 1933, he considers, in view of the terms of his published telegram No. 236 of the 15th November, 1932, as regards Leave and Passage conditions:-

"officers recruited outside the Colony should not be forced to accept conditions designed for local personnel but as a personal arrangement should be treated in the same way as those holding posts assigned to the Overseas Service"

that

that the application of the proposed leave and passage conditions to these officers requires special consideration.

This Government recommended that no differentiation in leave and passage conditions should be made between officers with less than 6 years continuous service irrespective of their place of recruitment, but the Secretary of State states:-

"a question of faith is involved and I consider that such officers must be allowed to remain on the current leave and passage conditions applicable to the Overseas Service".

(Note. The officers in question - if the Secretary of State's ruling that Nursing Sisters and Sanitary Inspectors must be given overseas terms is accepted - now number 43).

It should be remembered that when the Secretary of State's published telegram was received the ad hoc Civil Service Board had not been appointed and neither Government nor the Secretary of State were in possession of the complete scheme for a European Local Civil Service. These final recommendations, which have been summarised in Sessional Paper No.1 of 1934, show that the proposed terms and conditions of the new Service, including as they do Provident Fund benefits, are not ungenerous when compared with existing terms and conditions of service, particularly when it is borne in mind that a number of the officers who will be transferred to the new Service are serving in posts which have not been accorded pensionable status, and for the creation of a Local Civil Service, would probably have remained on non-pensionable agreements and without any Provident Fund benefits.

That the Board, however, in formulating their final

final recommendations appreciated the invidiousness of distinguishing between officers recruited from outside the Colony and those recruited in the Colony, the great proportion of whom are immigrants, is evident from Recommendation II of their Fourth Interim Report which reads: -

"RECOMMENDATION II.

That in respect of passages, officers recruited from overseas whether for the Local Service or for the Overseas Service should receive similar treatment in accordance with the current regulations".

Also it cannot be too strongly stressed that to have officers engaged on the same work, on the same scales of salary, often in the same Department, even if brothers and sisters, serving on different leave and passage conditions in the junior ranks of the Service will lead to a dissatisfaction which may do serious harm to the inauguration of a European Local Service.

Moreover, in so far as is known at present, the Secretary of State's ruling applies not only to those recruited in Great Britain but also to those recruited in e.g. South Africa.

It is a matter for consideration, therefore, whether this Government should again reiterate its opinion, expressed in the despatch referred to above, that: -

"to attempt to differentiate in this regard would cause endless difficulties and create innumerable anomalies"

in asking the Secretary of State to reconsider his ruling.

6. In this connection a decision is necessary upon

upon the exact significance of the term "current leave and passage conditions" as used by the Secretary of State above.

NO 14

18076/32

Is it to connote those specifically set out in Circular No.48 of 1932, or is it to be understood that, if at some future date those conditions are altered either favourably or unfavourably towards the Service, these 43 individuals will receive the benefit or disadvantage of such alteration.

The Sub-Committee of Executive Council recommended, vide pages 9 and 10 of Appendix III of Sessional Paper No.1 of 1934, that officers with over six years service, irrespective of their place of recruitment, should, if they transfer voluntarily to the Local Civil Service, receive only the tour and leave conditions, which must now include passage privileges, set out in Secretariat Circular No.48 of 1932.

A decision is asked as to whether "current" refers solely to Secretariat Circular No.48 of 1932 as is said in the Sessional Paper or whether the word has its usual significance.

7. It will be seen from Recommendation VII of the Third Interim Report that the date recommended for the inauguration of the new Service was the 1st January, 1934. On the recommendation of this Government that date has been now altered to the 1st January, 1935, and such being the case the date of 1st January 1934 appearing in Recommendation IV of the same Report (approved by Council in its Minute No.94 of the 1st March, 1934) will need formal alteration to the 1st January, 1935, and the consent of Council to this is requested.

It

It will prove impossible to give the requisite 6 months period of election, vide paragraph 2 (h) of Executive Council Minute No.94 of 1934, to voluntary transferees and to arrange the transfer terms of individuals, whether on voluntary or compulsory transfer, by the 1st January, 1935, and the suggestion is made that the Estimates for that year should be passed with a proviso that the salaries of posts and officers included in the European Local Civil Service and in the Asian Local Civil Service are subject to revision.

8. A further point on which a decision is required is the exact meaning of the words "subject to the terms of current agreements" which occur in Recommendation IV (c) of the Third Interim Report in which the methods of transfer of serving officers to the new Service are set out.

Is it to be understood that the phrase implies that Agreements which have been entered into for a period of 30/48 months must be allowed to run for 30 months before transfer to the new terms can be effected, or does it imply that the usual three months' notice, which is one of the provisions of the Agreement, need only to be given by Government to compulsory transferees in order that transfer to the new terms can then be effected? The latter seems the most reasonable explanation.

Council, having considered the matters arising out of the Secretary of State's Confidential (2) despatch of 10th July 1934, advised that further representations should be made by Government on the following lines:-

- (a) The inclusion of the posts of Nursing Sister and Sanitary Inspector in the Local Civil Service should be pressed for, emphasis being laid on the experimental nature of the Service, and on the advantages of Local Civil Service Terms generally.
- (b) That it was proposed to create a new Local Civil Service post of Sanitary Overseer, with a new scale of salary, and that, as and when vacancies among Sanitary Inspectors arose, they should, as far as possible, be replaced by Overseers.
- (c) That Government should press for the inclusion of the following posts in the Local Civil Service:-

Superintendent, Infectious Diseases Hospital.

Male Nursing Orderlies.

Mental Hospital Warders.

Mental Hospital Assistant Matrons.

Superintendent, Mental Hospital.

Matron, Mental Hospital.

Dispensers.

Wardmasters.

Chief Instructors.

- (d) That this Government should defend its previous recommendation with regard to officers with less than six years service on the 1st January 1933, who were recruited outside the Colony but who are filling posts scheduled for inclusion in the Local Civil Service.

In this connection Council remarked that the Secretary of State's published statement regarding the leave conditions for such officers was contained in his Confidential telegram No.236 of 14/11/32, that the reference there related solely to leave and that at the time the Secretary of State had not the reports of the Civil Service Board or the terms of the Executive Council Minute of the 1st March 1934, before him.

The Acting Director of Medical Services disagreed with the inclusion of the post of Nursing Sister in the Local Civil Service.

Council further advised:-

- (e) That the date of inauguration of the new Service should be January 1st 1935;
- (f) That the 1935 Estimates should be passed subject to revision of the salaries to be paid to officers in Local Civil Service Posts and that a list of such posts and salary should appear at an appropriate place in the printed Estimates.
- (g) That, in the case of officers at present serving on agreements, who are to be compulsorily

compulsorily transferred to the Local Civil Service, officers whose agreements were signed on or after 1st January 1933, should be given three months notice of termination of their agreements, while agreements made before that date should be terminated when the officer has completed a tour of 20 months' service.

In this connection Council noted the terms of the warning given in paragraph 4 (II) of Secretariat Circular No.48 of the 10th December 1932.

H.E. CONCURRED AND ORDERED ACCORDINGLY

Mr. Freeston,
Colonial Office.

O.O. letter No. 23068/2/34 of 27. 7. 34. N09

As requested, we are consulting the Government of Kenya regarding the general form of agreement required for the engagement in this country of candidates for the European Local Civil Service.

One form of agreement, that for the combined Posts and Telegraphs Service of Kenya, Uganda and Tanganyika will present considerable difficulties in drafting. In fact it seems doubtful whether officers in a Unified Service can be put under the Kenya Local Civil Service Scheme. Has this point been considered, please? If not, you may like to go into it before we deal with that particular agreement. We are not saying anything about it to the Kenya Government at this stage.

Also regarding Unified Service see with Secy to Govt.



"M" Department,
Crown Agents' Office.
28th August, 1934.

C. O.
R 21 JUL
27

- Mr. Gibbs *20/7/34*
- Mr. Vanning *27/7/34*
- Mr.
- Mr. Parkinson.
- Mr. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

27 July, 1934

Gentlemen,

I am pleased to transmit

to you the following documents on the subject of the inauguration of an European Local Civil Service in Kenya:

DRAFT.

The CA

for the Colo

Fr. Gov. of Kenya 23/5/34 (41)
 (47 copies of the enclosed
 4 interim reports)
Sessional Paper No. 1 of 1934
 (encl (2) to (4))
Rept. of Local European Civil Service Com.
 (flagged in 3076/33)
To Gov. of Kenya 27/7/34 (6)

- (a) a copy of a desp. from the Governor of Kenya dated the 23rd of May,
- (b) copies of the four Interim Reports of the Kenya Civil Service Board,
- (c) a copy of Kenya Sessional Paper No. 1 of 1934,
- (d) a copy of the Report of the Kenya Local European Civil Service

Committee

FURTHER ACTION.

Committee,

(12) a copy of a disp.
to the Governor of Kenya
dated the 10th of July.

2. I am to ask you
to consult the Govt. of Kenya
in regard to the form of
agreement necessary for
the engagement of candidates
in this country of candidates
for the Kenya Local
European Civil Service.

I am &c.

(Signed) J. E. W. FLOOD

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

Pat.
forward
Van's

FURTHER ACTION.

23889/734

12 JUL 1934

Copied & sent
P.O. 11/7/34

No. 166

Confidential.

Your telegram No 166
~~Local Civil Service~~
See new despatch
left dated 10 July
despatched by the mail
Friday July 11th
Linn.

Mr. Grossmith 28/6/34.

Mr. Freeston 28 ^{and 6/7}

Mr. Jeffries 29/6

Mr. Parkinson.

X Sir G. Tomlinson 29/6 ^{5/6/7}

X Sir C. Bottomley 30-6-16/7

Sir J. Shuckburgh

+ Permt. U.S. of S. (for sec. 2/7)

Parly. U.S. of S.

Secretary of State.

For the air mail ~~_____~~

Downing Street,

30 July, 1934.

Approved by Noel

Sir,

I have the honour to acknowledge the receipt of your confidential despatch No. 71 of the 23rd of May on the subject of the proposals for the inauguration of an European Local Civil Service.

2. The justification for such a service rests partly on the need for economy and partly on the desirability (which I fully admit) of providing openings in a suitably organised permanent service for Europeans resident in the Colony. As regards the latter, ^{however,} I infer, from the data provided in the memorandum circulated to members of the Executive Council on the 24th of February, that the

prospects

DRAFT.

PR
9/7

(4)

K E N Y A.

CONFIDENTIAL. 2.

GOVERNOR.

copy to C.A. (9)

FURTHER ACTION.

Recvi.

C. O.

6 97

Mr. Grossmith 28/6/34.

Mr. Freeston 28 and 6/7

Mr. Jeffries 29/6

Mr. Parkinson.

X Sir G. Tomlinson 29/6 16/7

X Sir C. Bottomley 30-6. 16/7

Sir J. Shuckburgh

+ Permt. U.S. of S. (has seen 2/7)

Parly. U.S. of S.

Secretary of State.

PR
9/7
(4)

DRAFT.

K E N Y A.

-CONFIDENTIAL. 2.

GOVERNOR.

copy to C.A. (9)

For the air mail ~~Express~~

Downing Street,
30 July, 1934.

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2. The justification for such a service rests partly on the need for economy and partly on the desirability (which I fully admit) of providing openings in a suitably organised permanent service for Europeans resident in the Colony. As regards the latter, I infer, from the data provided in the memorandum circulated to members of the Executive Council on the 24th of February, that the

prospects

FURTHER ACTION.

Recvi.

prospects of securing a sufficient

number of local recruits of the

necessary educational standard are

such that, neither now nor, in the

near ^{so far as can be foreseen} ~~readily ascertainable~~ future, can a fully
comprehensive local civil service be wholly or

even mainly recruited from local sources.

material. It would seem that for
many years to come a large proportion
of the posts scheduled to the Local
European Civil Service must necessarily

be filled either by recruitment from
overseas or by persons from overseas
who happen to be in Kenya and who are
qualified for such employment. It is

by no means clear that as regards the
former category, and perhaps also as
regards the latter, it will be possible
in practice to maintain conditions of
employment substantially differing from
those attached to the Overseas Service.

While, therefore, I accept the principle
of an European Local Civil Service, and

C. O.

Mr.

Mr.

Mr.

Mr. Tomlinson.

Sir C. Bottomley.

Sir J. Simcburgh.

Sir G. Grindle.

Parly. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

Insert at A
(para 3)

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... with the exception of those
enumerated under Medical Department.
My doubts as to the propriety
of scheduling the majority of
these posts have been strengthened
by information derived from
Dr. Patena, whose presence in
London has afforded an opportunity
for discussion. There can be
no question of lowering
the present standards of
efficiency and qualification
expected from the occupants
of such posts as Nursing
Sister and Sanitary
Inspector. To maintain
these standards, it will

be necessary, in the absence of any local facilities for training, to rely almost entirely upon the recruitment from overseas in competition with other territories in Africa elsewhere of ~~the recruitment from overseas~~ of persons possessing the requisite professional qualifications. I shall be glad if you will reconsider the present proposals in the light of these remarks and in the meantime I consider that the only posts in the Medical Department ~~which~~ which for which provision on the new scale should be included in the 1935 Estimates are the following: Assistant, Lab. Superintendent, Lab. Assistant, Pathology Overseas, and ~~biomicroscopists~~ persons.

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson

Sir C. Bottomley.

Sir J. Shuckburgh

Parly. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

Substitute from attached sheet

FURTHER ACTION.

I approve its inauguration, I consider that the Service must be regarded as of an experimental character in view of the anticipated difficulties of local recruitment to which I have referred.

3. I approve the proposed salary scales for the Clerical Service shown in Appendix I of Sessional Paper No. 1 of 1934, and in general the proposed salary scales for the Non-Clerical posts shown in Appendix II, ~~but I wish to reserve for the present my approval of the inclusion in the Local Civil Service of the posts listed under Medical Department and Military Department (Defence Force). As regards the former, an opportunity will be taken to discuss the matter with Dr. Paterson, and I will address you further in due course on this point.~~ 4) As regards the post of Musketry Instructor, I shall be glad to be informed whether it is

anticipated

icipated that this post will be
led locally or by an officer
onded from His Majesty's Forces.
the latter case the salary and
er conditions would of course be
ject to the approval of the Army
ncil. I shall also be glad to
eive your observations with regard
the difference in the salaries
posed for the draughtsmen in the
lic Works Department and in the
vey and Registration Department.
the former case the salary scale
posed is £500-£20-£660 and in the
ter £440-£20-£540.

5. I have no objection to the
er terms and conditions for future
rants, including officers serving on
purely temporary basis.

6. I now turn to paragraph 5 (II)
the Sessional Paper, i.e. the suggested
rms and conditions for officers serving
agreement who, on the 1st of January, 1933,
not completed six years continuous Colonial

Service.

As regards the posts in the
Education Dept., my approval of
the scales must not, for the
present, be held to imply that I
accept the suggestion contained
proposed by the D/Educ. between
professional qualifications and posts
in the scales. Civil Service scales.
I shall address you further on this
subject.

Subject to my general
observation as to
the experimental
character of the
Service,

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson

Sir C. Bottomley.

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

No.13 18078/32.

(23068/34)

DRAFT.

FURTHER ACTION.

100
Service. I have no objection to the
application of those terms to officers
who were recruited in Kenya, but, in
view of my telegram No.236 of the 15th
of November 1932 (which has been
published) and the 4th paragraph of
the Fourth Interim Report of the Civil
Service Board, in which I concur, the
application of the proposed leave and
passage conditions to officers who
were recruited outside the Colony
requires special consideration. I
appreciate the difficulties to which
you allude in paragraph 2(d) of your
despatch, but a question of faith is
involved, and I consider that such
officers must be allowed to remain on
the current leave and passage
conditions applicable to the overseas
service. Again, I do not think that
the legitimate expectations in regard
to pension of such officers who have
been engaged for service in

pensionable

anticipated that this post will be filled locally or by an officer seconded from His Majesty's Forces.

In the latter case the salary and other conditions would of course be subject to the approval of the Army Council. I shall also be glad to receive your observations with regard to the difference in the salaries proposed for the draughtsmen in the Public Works Department and in the Survey and Registration Department. In the former case the salary scale proposed is £500-£20-£660 and in the latter £440-£20-£340.

5. I have no objection to the other terms and conditions for future entrants, including officers serving on a purely temporary basis.

6. I now turn to paragraph 5 (II) of the Sessional Paper, i.e. the suggested terms and conditions for officers serving on agreement who, on the 1st of January, 1933, had not completed six years continuous Colonial

Service.

As regards the posts in the Education Dept., my approval of the scale must not, for the present, be held to imply that I accept the suggested correlation proposed by the D/Educ. between professional qualifications and posts in the scale. Clerical Service scale. I shall address you further on this subject.

Subject to my general observation as to the experimental character of the Service,

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson

Sir C. Bottomley

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

No.13 18078/32.

(23068/34)

DRAFT.

FURTHER ACTION.

100
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pensionable

~~pensionable posts can be ignored, and~~
 I consider that officers in this category who had completed, on the 1st of January 1933, not less than three years' service in posts which have hitherto been pensionable offices, should be given the option (subject to satisfactory service) of being placed on the pensionable establishment or of contributing to the Provident Fund. This option should be exercised within a stated period and should be irrevocable once it has been exercised. In the case of officers who had less than three years' service on the date in question, I think that it may in general be held that any obligation to them is ~~fully~~ discharged by their admission to the Provident Fund. It would ^{however} ~~of course~~ be necessary to consider any representations which such an officer, or any locally engaged officer, might make as to any understanding (as regards the prospect of pensionable status subject to satisfactory service) upon which

C. O.

- Mr.
- Mr.
- Mr.
- Mr. Parkinson.
- Sir G. Tomlinson
- Sir C. Bottomley.
- Sir J. Shuckburgh
- Permt. U.S. of S.
- Partly U.S. of S.
- Secretary of State.

DRAFT.

FURTHER ACTION.

which he should claim to have accepted his appointment.

7. I assume that as regards the application of the new salary scales to officers with less than six years' service, it is intended that the recommendations in the Third Interim Report of the Civil Service Board will apply.

8. I have no objection to the suggested terms and conditions of transfer to the new service of officers serving on agreement, who, at the 1st of January 1933, had completed six years' continuous Colonial Service.

I have, etc.

9. I desire to express my appreciation of the labours of those in Kenya, both official and unofficial, who as members of the

Civil Service Board and
in other capacities have
been instrumental in
preparing what I trust
will prove to be a
successful scheme.

¹⁰ P. Finally, I have to ack.
the receipt of your tel. no. 132
confidential of the 13th of June,
transmitting a protest from
the European Civil Service
Association against the inclination
in the Local Civil Service of
Officers in their second tour.
I shall be glad if you will
inform the Association that I
have received their message but
that, ~~except to the extent indicated~~
~~in paragraph 6 of their despatch,~~ I am not
prepared to authorise any

(5)

Sgt

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

DRAFT.

102
departure from the
scheme which has
been put forward
after exhaustive
local consideration.

}
P. CUNLIFFE-LISTER.

FURTHER ACTION.

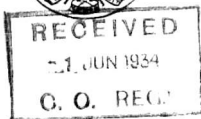
C. O. RESY

Telegram from the Deputy Governor Kenya to the Secretary of State for the Colonies.

Dated 13th June. Received at 5-55pm 13th June 1934.

No 132 Confidential.

Following transmitted at the request of European Civil Service Association begins... Owing to widespread dissatisfaction at compulsory inclusion in local Civil Service of officers in their second tour European Civil Servants Association Kenya urge that officers who have at date of inauguration of new service completed one or two or 4 years service whichever be the shorter be given option for category B in Session Paper No 1 of 1934 if occupying posts which have hitherto been accorded pensionable status. If occupying non-pensionable posts category C to apply. Respectfully urge that when probationary first tour it is distinct breach of faith to force acceptance of conditions seriously worse than those on which Civil Service was chosen as a career. Very few officers concerned by proposal while allaying feelings of discontent will add but to pension and other financial commitments of the Government. You will remember that 10 years period recommended by Expenditure Advisory Committee was reduced to 6 for reasons given in paragraph 4 of my despatch No 125 Confidential 30th September 1932. That and connected correspondence was published and laid on the table on 14th December. It has been accepted as basic principle ever since and formed first terms of reference of Civil Service Board. No exception was taken to it during recent debate and fail to understand the 10 hour protest. Statement as to the number of persons affected as probably some 250 officers would be involved. I do not however propose to traverse statement in detail as I feel sure you will agree that to reopen the whole scheme which has been evolved and generally accepted by the Legislative Council after such exhaustive deliberation would be quite unthinkable.

25th May, 1934.

Sir,

With reference to Kenya Confidential Note No. S/E.7/1/1/B/2/IV/49 of the 7th of May, I have the honour to inform you that on the 10th May the following motion was passed in Legislative Council:-

"Be it resolved that the proposals for the inauguration of the European Local Civil Service contained in Sessional Paper No.1 of 1934 be approved".

In this connection I transmit for your information:-

- (a) 2 copies of each of the four Reports of the Civil Service Board;
- (b) A Memorandum on the European Local Civil Service circulated to Members of Executive Council on the 24th February;
- (c) A copy of Executive Council Minute No.94 of the 1st March;
- (d) A copy of a Report dated the 5th April by a Sub-Committee of Executive Council which was approved by Executive Council on the 20th April;
- (e) 2 copies of Sessional Paper No.1 of 1934;
- (f) Uncorrected copies of the debate in Legislative Council on the 9th and 10th May.

2. You are fully aware of the time and consideration which has been given to the creation of a Local Civil Service suitable for future entrants and for existing European staff, and after the fullest examination of the proposals contained in the four Reports of the Civil Service Board I have no hesitation in recommending the views of this Government which are set out in Sessional Paper No.1 of 1934 for your favourable consideration.

3. Enclosure (b) to this despatch gives the

history

RIGHT HONOURABLE

MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON S.W.

Nos

(9)

Copy, of and Apr. 2 (a) + 9 (c) to G.O.

history of the proposal and deals fully with the various points raised in the four Reports of the Civil Service Board and it seems unnecessary to reiterate seriatim in this despatch the various recommendations of the Board.

There are a few points, however, to which I consider it necessary that I should invite your specific attention:-

(a) It will be observed that in so far as leave proposals are concerned, the Board after contrasting the present leave regulations with those recommended by the Fitzgerald and Merrick Committees preferred to leave the decision to Government as to what leave terms should be considered suitable for the new Service, and it will be seen from Enclosure (c) that the Governor concurred with the advice of Executive Council that more generous leave terms than those recommended by the Fitzgerald and Merrick Committees should be granted to members of the Local Civil Service.

(b) Another major point in which the Civil Service Board differed from the Fitzgerald and Merrick Reports is in regard to the provision of free medical attention to officers' wives and families (paragraph 17 of the Board's Report of the 16th February, 1933, refers) and I would refer you to Executive Council's Minute in paragraph 1 of Enclosure (c) and also to the debate in Legislative Council on this matter.

(c) In regard to the salary scales proposed, it will be observed that as regards the salaries to be paid to those engaged in European primary education co-ordination with the clerical scales is intended. The Director of Education's recommendations are shown in the attached Schedule and these I support, there are at present various scales in use in the Department and

chedule.

the

the general position is not satisfactory in consequence.

(d) A further point to which I feel I should invite your attention is that of the position of the 81 officers serving on agreement who were engaged overseas but who on the 1st January, 1933, had completed less than six years continuous service at that date (paragraph 6 of the Board's Third Interim Report refers). In your Confidential telegram No.236 of the 14th November, 1932, you stated that "officers recruited outside the Colony should not be forced to accept conditions designed for local personnel but as a personal arrangement should be treated in the same way as those holding posts assigned to the Overseas Service". Full reference to these particular officers is made in paragraph 4 of the Fourth Interim Report of the Civil Service Board while in paragraph 13 idem the difficulties of a geographical differentiation in terms of transfer are set out.

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18078/32

From Sessional Paper No.1 of 1934 it will be seen, therefore, that in so far as these particular officers are concerned it is not proposed to distinguish between the leave conditions to be granted to them whether they were recruited from overseas or locally. I am convinced that to attempt to differentiate in this regard would cause endless difficulties and create innumerable anomalies and I do not consider that any hardship would be caused by treating all such officers alike. In making this recommendation the fact that the new four and three year tours are for an experimental period of five years has been remembered.

The

The concessions to be granted to those with over six years service are fully set out in paragraph 5 (III) of Sessional Paper and in Appendix III thereof.

(e) Specific reference is necessary to Recommendation XI of the Fourth Interim Report of the Civil Service Board, viz:-

"That in all cases of discipline the authority in staff matters should lie in the Governor".

The inherent right of every officer to appeal to yourself was recognised by the Board and will naturally not be interfered with, but I shall, at a later date, submit general regulations for application to the European Local Civil Service which will follow Colonial Regulations as closely as possible.

4. In so far as the date of the introduction of the new Service is concerned, I propose that the 1st January, 1935, is an appropriate one. If this is agreed then it should be possible for the 1935 draft Estimates to reflect these proposed new terms and conditions of service. There is, moreover, the desirability of formulating local terms and conditions of service for the Asian staff and the Government will now turn its attention to this task which should not prove difficult now that the European Local Civil Service terms have been formulated.

5. It will be observed from the second term of reference of the Civil Service Board and from paragraph 2 of Sessional Paper No. 1 of 1934 that the creation of a Provident Fund was complementary

to the inauguration of the European Local Civil Service. The European Civil Service Provident Fund Bill passed its third reading in Council on the 11th May, copies of which will be forwarded to you as early as possible. 108

6. Slight modifications in the scheme may be necessary, e.g. the creation of additional posts with suitable salary scales, but I am satisfied that the terms and conditions of service are appropriate, fair and reasonable, and are acceptable, in the main, both to the Unofficial Members and to the Service as a whole.

As you will see from the copies of the debate now transmitted the proposals received the general support of Unofficial European Members in Legislative Council while the opposition of Indian Elected Members was largely due to misconception as to racial discrimination.

I have no hesitation in recommending the proposals for your favourable consideration and I trust that I shall receive your approval thereto at an early date by Air Mail.

I have the honour to be,
Sir,
Your most obedient, humble servant,

Mr. Williams

GOVERNOR'S DEPUTY.

Enclosure (a) 109

COLONY AND PROTECTORATE OF KENYA



INTERIM REPORT OF THE
CIVIL SERVICE BOARD

Price: Sh. 1/-

NAIROBI
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1933

INTERIM REPORT OF THE
CIVIL SERVICE BOARD

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CIVIL SERVICE BOARD

● INTERIM REPORT OF THE CIVIL SERVICE BOARD

YOUR EXCELLENCY,

The Civil Service Board appointed by Your Excellency on the 20th December last

1. To examine and to report upon the inclusion of the posts scheduled in the Report of the Local European Civil Service Committee in the light of the comments received and the decision of Executive Council that officers with six years or more service should retain Overseas Service rights; Terms of reference.

2. To advise, assuming a 10 per cent reduction from salary will have to be made to cover contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pensions Scheme (or such modification thereof as the Board may recommend), whether the scales of salary set out in the Report of the Local European Civil Service Committee are reasonable and, if not, what variations should be made; and

3. In the light of such advice to make detailed recommendations as to points in the scales of salary on which officers recommended for a Local Civil Service should transfer;"

has the honour to submit the following Report

2. The Board held nine meetings between the dates of the 5th January and the 16th February, 1933

On the 20th January Mr. C. J. J. T. Barton, O.B.E. proceeded on leave to England and his place on the Board was taken by Mr. C. W. Hayes-Sadler

3. For brevity of reference in this Report, the Report of the Terms of Service Committee, 1931, and that of the Local European Civil Service Committee will be referred to as the "Fitzgerald" Report and "Merrick" Report respectively.

4. In view of its terms of reference the Board concluded that it was a special body set up to deal only with the matters referred to it and was not the Civil Service Board contemplated in the Fitzgerald and Merrick Reports. It is assumed that a Board of the latter kind will be constituted in due course and will have assigned to it appropriate powers and duties.

5. At the outset of its deliberations the Board also came to the conclusion that until Government had considered the Board's recommendations under the first two terms of reference and had come to a definite decision thereon, time was likely to be lost if any attempt were made to deal with the cases of approximately 300 officers affected by the Board's final term of reference, seeing that effective action with regard to the transfer of the officers concerned to the new terms and conditions can only be taken in the light of Government sanction of—

- (a) the posts to be included in the "Local" Service;
 (b) scales of pay for such posts.

6. In the circumstances, the Board feels that the best course is to submit an interim report dealing only with its first two terms of reference.

7. Subject to the following modifications, the Board endorses the recommendations of the Merrick Report as to the posts which should be included in a "Local" Service—

Posts to be added.

- (1) Chief Clerk (Administration).
- (2) Fisheries Inspector (Administration).
- (3) Assistant Establishment Officer (Secretariat and Legislative Council).
- (4) Reporters (Secretariat and Legislative Council).
- (5) Deputy Inspector of Weights and Measures (Police).
- (6) Assistant Game Wardens (Game).

NOTE:

(a) Posts 1-5 are of a class which correspond with posts already proposed for the "Local" Service; of these post No. 2 had not been created at the time of the Merrick Report; the omission of the remainder from that Report would seem to be an oversight.

(b) In regard to the post of Assistant Game Warden the Board is not convinced by the arguments advanced by the Game Warden and accepted by the Merrick Committee in support of its recommendation that these officers should be accorded "Overseas" status. The posts were listed as "Local" posts in the Fitzgerald Report and with this the Board agrees.

Posts to be deleted.

- (1) Superintendent (Prisons Department).
- (2) Chief Registrar of Natives.
- (3) Superintendent—Kabete Reformatory.

NOTE:

(a) As to post (1): Notwithstanding that the Fitzgerald Committee also recommended that this post was suitable for inclusion in the "Local" Service, the Board after very careful consideration and in the light of representation from the Commissioner of Prisons recommends that the post should be on "Overseas" terms.

As to post (2): This post is not listed in the Fitzgerald Report as a "Local" post. The duties are of such a character and of such responsibility that the Board considers that the post should be on "Overseas" terms.

As to post (3): The Board considers that this is a post which calls for special qualifications and training in the correction of juvenile offenders at Borstal or other remedial institutions and should therefore be classed as an "Overseas" post.

(b) The Merrick Committee omitted the post of Officer-in-Charge, Finger Print Bureau, from the schedule of "Local" posts, but it appeared to be in some doubt as to whether its action was justified. The Board considers that this post should be an "Overseas" one.

8. The Board is very conscious of the responsibility thrown upon it in being required, by its second term of reference, to review the salary proposals of the Merrick Committee. This review, so far as the clerical staff is concerned, must include consideration also of the more general recommendations of the Fitzgerald Committee.

9. So far as the question is concerned of determining appropriate scales for the various grades, clerical and non-clerical, which it is proposed to place in the "Local" Service, it seemed to the Board that there were two methods of approach open. One was to assume that the service is at the moment in a state of reasonable equilibrium in regard to the emoluments attached to the various posts, and that all that was necessary was to agree on the adjustments which should be made in consideration of:—

- (a) Loss of free pension privileges.
- (b) Loss of free quarters.
- (c) Loss of certain minor privileges.

Review of the salary scales proposed by the Merrick Committee.

5. At the outset of its deliberations the Board also came to the conclusion that until Government had considered the Board's recommendations under the first two terms of reference and had come to a definite decision thereon, time was likely to be lost if any attempt were made to deal with the cases of approximately 300 officers affected by the Board's final term of reference, seeing that effective action with regard to the transfer of the officers concerned to the new terms and conditions can only be taken in the light of Government sanction of—

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8. The Board is very conscious of the responsibility thrown upon it in being required, by its second term of reference, to review the salary proposals of the Merrick Committee. This review, so far as the clerical staff is concerned, must include consideration also of the more general recommendations of the Fitzgerald Committee.

9. So far as the question is concerned of determining appropriate scales for the various grades, clerical and non-clerical, which it is proposed to place in the "Local" Service, it seemed to the Board that there were two methods of approach open. One was to assume that the service is at the moment in a state of reasonable equilibrium in regard to the emoluments attached to the various posts, and that all that was necessary was to agree on the adjustments which should be made in consideration of:—

- (a) Loss of free pension privileges.
- (b) Loss of free quarters.
- (c) Loss of certain minor privileges.

Review of the salary scales proposed by the Merrick Committee.

A simple mathematical calculation would then have determined the rate of pay, under the new conditions, for each grade. The other method of approach was to revise the value of certain posts, in relation to others, in addition to taking into consideration the loss of the privileges referred to above. The latter course obviously incurs the risk of creating apparent anomalies, but it is the course which appears to have been followed by the Merrick Committee, and the Board found itself in agreement with that Committee on this point.

10. On proceeding to consider the salary scales proposed by the Merrick Committee, the Board, in order to obtain as true a picture as possible of the then existing position, caused Columns 1 to 6 of Appendix I to be prepared. From these there emerged :—

(1) That apart from the loss of free pensions and free quarters, the clerical grades under the Merrick proposals suffer in cash salaries a heavy reduction, in the intermediate stages of service, as compared with present terms. Further, the scales proposed are inferior to those recommended by the Fitzgerald Committee.

(2) That, compared with the non-clerical grades (*vide* Appendix III of the Merrick Report), the clerical grades appear to have suffered disproportionate reductions.

11. While the Board is satisfied that the clerical grades are, under existing regulations, relatively on better terms than the non-clerical grades and can therefore bear a proportionately greater reduction in present total emoluments, the Board is equally satisfied that, under the salary scales proposed by the Merrick Committee, the clerical grades not only suffer disproportionately but at certain points are assigned pay which is definitely inadequate. The Board, in view of the resources of the Colony, fully realizes the restrictive effect which unduly high emoluments for posts in the "Local" Service may have on the number of such posts which may, as time goes on, become available for local European youths. On the other hand, the Board feels that it would be most unwise and might well prove disastrous to the establishment and maintenance of a Local Civil Service if a scheme for such a service were launched on terms which failed to offer an attractive and assured career to officers entering it.

12. After full consideration of the various aspects of the subject, the Board recommends the following scales for the Clerical Service :—

Scales of salary for Learner and Clerical Grades.

Learners. (Male and Female)—

Grade II.—£60 to £84 per annum with no set increments.

Grade I.—£84 by £18 to £120.

Grade B (Minimum age of entry 18 years)—

(Male).—£150 by £15 to £310 by £30 to £240 by £20 to £860 by £20 to £420, with efficiency bars at £210 and £360.

(Females).—£150 by £15 to £210 by £15 to £360 by £15 to £360, with efficiency bars at £210 and £300.

Grade A.—

(Male).—£440 by £20 to £520 by £10 to £600.

(Female).—£380 by £10 to £420.

Special Grade.—

(Male).—£620 by £10 to £660.

(Female).—£440 by £10 to £500.

NOTE.—Reference to Appendix I shows that in the matter of grading, the Board has departed from the recommendations of the Fitzgerald and Merrick Committees. The Board considers that a simpler and more satisfactory arrangement would be to divide the service (apart from learners) into two grades only and abolish the over-lapping of grades in the matter of pay. At the same time, the Board realizes that there is much to be said in favour of the proposals of the Fitzgerald and Merrick Committees.

Under the Board's proposals, learners, on qualifying to pass out of the learner grade, would proceed as Grade B clerks to a maximum of £420 per annum subject to passing the prescribed bars and to their possessing such additional qualifications for advancement in the grade as the permanent Civil Service Board may lay down. The Board feels that if the best material is to be attracted, it is necessary to afford a competent officer a prospect of proceeding without stoppage to at least a maximum of £420 per annum.

A simple mathematical calculation would then have determined the rate of pay, under the new conditions, for each grade. The other method of approach was to revise the value of certain posts, in relation to others, in addition to taking into consideration the loss of the privileges referred to above. The latter course obviously incurs the risk of creating apparent anomalies, but it is the course which appears to have been followed by the Merrick Committee, and the Board found itself in agreement with that Committee on this point.

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- (2) That, compared with the non-clerical grades (*vide* Appendix III of the Merrick Report), the clerical grades appear to have suffered disproportionate reductions.

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12. After full consideration of the various aspects of the subject, the Board recommends the following scales for the Clerical Service:—

Scales of salary for Learner and Clerical Grades.

Learners. (Male and Female)—

Grade II.—£60 to £84 per annum with no set increments.

Grade I.—£84 by £18 to £120.

Grade B (Minimum age of entry 18 years)—

(Male).—£150 by £15 to £210 by £30 to £240 by £20 to £360 by £20 to £420, with efficiency bars at £210 and £360.

(Females).—£150 by £15 to £210 by £15 to £300 by £15 to £360, with efficiency bars at £210 and £300.

Grade A.—

(Male).—£440 by £20 to £520 by £10 to £600.

(Female).—£380 by £10 to £420.

Special Grade.—

(Male).—£620 by £10 to £660.

(Female).—£440 by £10 to £500.

NOTE.—Reference to Appendix I shows that in the matter of grading, the Board has departed from the recommendations of the Fitzgerald and Merrick Committees. The Board considers that a simpler and more satisfactory arrangement would be to divide the service (apart from learners) into two grades only and abolish the over-lapping of grades in the matter of pay. At the same time, the Board realizes that there is much to be said in favour of the proposals of the Fitzgerald and Merrick Committees.

Under the Board's proposals, learners, on qualifying to pass out of the learner grade, would proceed as Grade B clerks to a maximum of £420 per annum subject to passing the prescribed bars and to their possessing such additional qualifications for advancement in the grade as the permanent Civil Service Board may lay down. The Board feels that if the best material is to be attracted, it is necessary to afford a competent officer a prospect of proceeding without stoppage to at least a maximum of £420 per annum.

The Board agrees that promotion to Grade A should depend on vacancies occurring in the establishment and considers that for some time to come conditions will render necessary to provide for direct entry into this grade and into Grade B.

Comparison of scales.

13. Reference to Appendix I shows how, age for age, the foregoing scales compare with existing rates and with those recommended by the Fitzgerald and Merrick Committees assuming an officer proceeds normally by annual increments to the maximum open to him. Of the two latter, it will be observed that (as already stated) the Fitzgerald proposals are the more favourable, and that the Board's proposals are more favourable than either. Some explanation of the Board's reasons for this is perhaps desirable. The Board took as its starting point that at about the age of 30-32 an officer should, given normal progress and advancement, be in receipt of a salary on which he is in a position prudently to marry, and it has framed its proposals accordingly. Under these proposals an officer has a prospect of being in receipt of £35 per mensem at the age of 32 and the Board suggests that this is the least amount on which he can maintain a home on a level appropriate to his position, particularly when it is remembered that out of the sum mentioned he has to find a 10 per cent contribution to a Provident or Pension Fund, and also his house-rent.

Scales for non-Clerical posts.

14. The Board's recommendations in regard to non-clerical posts are set out in Appendix II, side by side with the Merrick Report proposals and the present scales. It will be observed that, generally speaking, the Board has seen no reason to differ materially from the Merrick Report proposals. In the great majority of cases only minor alterations or variations have been made, and this solely in order to conform with the Board's proposals in regard to the clerical grade.

Provident or Contributory Pension Fund.

15. In the time at its disposal the Board has not been able to gather any material which would justify it in putting forward any definite proposals under this head. On its appointment the Board found that an inquiry had been made of the Crown Agents for information on the subject. This inquiry and the reply received are shown in Appendix III. No communication has as yet been received from the Secretary of State, but it is obvious that the formulation of a suitable scheme for local application will require long and careful deliberation. The Board suggests that it is a point for consideration whether

some Dominion or semi-Government scheme should not be applied *in toto* as an interim measure. The Board feels that it is essential to the establishment of a "Local" Service on a satisfactory basis to bring some scheme into effect without undue delay.

General observations.

16. Though not strictly within its terms of reference, the Board has carefully studied the question of attracting local youths to the proposed "Local" Service. Under existing conditions and in view of the rates of pay proposed for Learners, it appears to the Board that at the present time the only candidates that Government can hope to obtain are those who are living with their relatives in Nairobi and in the larger centres. The Board therefore recommends that if the need arises and circumstances permit, Government should consider the adoption of some such scheme as that at present obtaining under the Kenya and Uganda Railways' and Harbours' Administration under which youths are lodged under supervision, a lodging allowance being provided in the case of those Learners whose parents cannot afford to make any contribution towards their maintenance.

The Board recognize, however, that the present time is premature for any more definite recommendation in this regard to be advanced.

17. The Board's salary proposals are based on the general terms and conditions of service suggested by the Merrick Report, including concessions of leave, passage allowance and free medical attendance. The Board, however, after full consideration, recommends a not unimportant departure from the Merrick Report (and also from the Fitzgerald Report) in connexion with free medical attendance and that is the extension of the privilege to the officer's family. The Board feels that in view of the salary scales proposed, and of the absence in this Colony of health insurance schemes, cheap hospital facilities and cheap nursing facilities such as are prevalent in England, the expenses entailed by any unexpected and severe illness in his family might prove an excessive drain on an officer's resources, and recommends therefore that free medical attendance be granted to all officers and their families on the same terms and conditions as for the Overseas Service. The Board believes that in practice the extension of the privilege would not involve the Medical Department in any very considerable additional expenditure, and is confident that it would prove a very substantial attraction to prospective candidates.

The Board agrees that promotion to Grade A should depend on vacancies occurring in the establishment and considers that for some time to come conditions will render it necessary to provide for direct entry into this grade and into Grade B.

Comparison of scales.

13. Reference to Appendix I shows how, age for age, the foregoing scales compare with existing rates and with those recommended by the Fitzgerald and Merrick Committees assuming an officer proceeds normally by annual increments to the maximum open to him. Of the two latter, it will be observed that (as already stated) the Fitzgerald proposals are the more favourable, and that the Board's proposals are more favourable than either. Some explanation of the Board's reasons for this is perhaps desirable. The Board took as its starting point that at about the age of 30-32 an officer should, given normal progress and advancement, be in receipt of a salary on which he is in a position prudently to marry, and it has framed its proposals accordingly. Under these proposals an officer has a prospect of being in receipt of £35 per mensem at the age of 32 and the Board suggests that this is the least amount on which he can maintain a home on a level appropriate to his position, particularly when it is remembered that out of the sum mentioned he has to find a 10 per cent contribution to a Provident or Pension Fund, and also his house rent.

Scales for non-Clerical posts.

14. The Board's recommendations in regard to non-clerical posts are set out in Appendix II, side by side with the Merrick Report proposals and the present scales. It will be observed that, generally speaking, the Board has seen no reason to differ materially from the Merrick Report proposals. In the great majority of cases only minor alterations or variations have been made, and this solely in order to conform with the Board's proposals in regard to the clerical grade.

Provident or Contributory Pension Fund

15. In the time at its disposal the Board has not been able to gather any material which would justify it in putting forward any definite proposals under this head. On its appointment the Board found that an inquiry had been made of the Crown Agents for information on the subject. This inquiry and the reply received are shown in Appendix III. No communication has as yet been received from the Secretary of State, but it is obvious that the formulation of a suitable scheme for local application will require long and careful deliberation. The Board suggests that it is a point for consideration whether

some Dominion or semi-Government scheme should not be applied *in toto* as an interim measure. The Board feels that it is essential to the establishment of a "Local" Service on a satisfactory basis to bring some scheme into effect without undue delay.

General observations.

16. Though not strictly within its terms of reference, the Board has carefully studied the question of attracting local youths to the proposed "Local" Service. Under existing conditions and in view of the rates of pay proposed for Learners, it appears to the Board that at the present time the only candidates that Government can hope to obtain are those who are living with their relatives in Nairobi and in the larger centres. The Board therefore recommends that if the need arises and circumstances permit, Government should consider the adoption of some such scheme as that at present obtaining under the Kenya and Uganda Railways' and Harbours' Administration under which youths are lodged under supervision, a lodging allowance being provided in the case of those Learners whose parents cannot afford to make any contribution towards their maintenance.

The Board recognizes, however, that the present time is premature for any more definite recommendation in this regard to be advanced.

17. The Board's salary proposals are based on the general terms and conditions of service suggested by the Merrick Report, including concessions of leave, passage allowance and free medical attendance. The Board, however, after full consideration, recommends a not unimportant departure from the Merrick Report (and also from the Fitzgerald Report) in connexion with free medical attendance, and that is the extension of the privilege to the officer's family. The Board feels that in view of the salary scales proposed, and of the absence in this Colony of health insurance schemes, cheap hospital facilities and cheap nursing facilities such as are prevalent in England, the expenses entailed by any unexpected and severe illness in his family might prove an excessive drain on an officer's resources, and recommends therefore that free medical attendance be granted to all officers and their families on the same terms and conditions as for the Overseas Service. The Board believes that in practice the extension of the privilege would not involve the Medical Department in any very considerable additional expenditure, and is confident that it would prove a very substantial attraction to prospective candidates.

18. The Board desires to express its appreciation of the very valuable assistance rendered to it by the Secretary, Mr. R. C. M. Wood.

We have the honour to be,
Sir,
Your Excellency's obedient servants,

T. FITZGERALD (*Chairman*),
A. DE V. WADE,
C. W. HAYES-SADLER, } (*Members*).
E. M. LEY.

R. C. M. WOOD, *Secretary*

Nairobi,
16th February, 1933

APPENDIX I

AGE	PRESENT SCALE		FITZGERALD PROPOSALS		MERRICK PROPOSALS		BOARD PROPOSALS	
	2		3	4	5	6		7
1	Men and Women		Men	Women	Men	Women	Men	Women
18	£ 180		£ 150	£ 150	£ 150	£ 150	£ 150	£ 150
19	200		160	160	160	160	160	165
20	220		170	170	170	170	170	180
21	240		180	180	180	180	180	195
22	258	} C	190	190	190	190	210	210
23	276		200	200	200	200	215	225
24	294	} B	240	240	210	215	220	230
25	300		255	255	220	230	230	240
26	318	} A	270	270	230	245	230	245
27	336		285	285	240	260	240	260
28	354	} A	300	300	275	275	275	275
29	372		320	320	305	305	290	290
30	390	} B	340	320	320	320	320	320
31	408		360	330	340	335	335	340
32	426	} A	380	340	350	350	350	350
33	444		400	350	360	360	360	360
34	462	} A	420	360	365	365	365	365
35	480		440	380	380	380	380	380
36	500	} A	460	390	395	400	400	400
37	No Special Grades		480	400	410	420	420	420
38		} A	500	410	410	440	440	440
39			520	420	420	460	460	460
40		} Special	540	420	460	480	480	480
41			560	420	460	500	500	500
42		} Nil-Special	580	420	460	500	500	500
43			600	420	460	520	520	520
44		} Special	620	420	460	540	550	550
45			640	420	460	560	575	575
46		} Special	660	420	460	580	600	600
47			660	420	460	600	625	625
48		} Special		420	460	600	650	650
49					420	460	675	700
50				420	460	700	725	

Figures in heavy type indicate Efficiency Bar.

NOTE.—In addition to the Grades shown in Column 2 above there are certain Special Posts of a Clerical character carrying a scale of pay of £500-£600 per annum vide Appendix II. These posts are included as Special Grade Posts under the Fitzgerald, Merrick, and the Board's proposals.

APPENDIX II

Post	Present Scale	Merrick Proposal	Board's Proposals	Note
GOVERNMENT HOUSE *Chief Clerk	£ 500-20-600	£ 500-20-650	£ 500-20-650	Free Quarters.
Chaufeur-Mechanic	£ 300-18-390-18 480 -20-500 ditto	£ 360-20-480	£ 300-20-420	Free Quarters.
Superintendent of Gardens	£ 240	ditto	ditto	Free Quarters
Cartaker and Housekeeper	£ 240	£ 150-15-300	£ 240 fixed	With Free Board and lodging. The Board considers a fixed rate of salary more appropriate to this post. Private Secretary agrees.
ADMINISTRATION *Office Assistants	£ 125-25-600-30 72	£ 150-25-150	£ 150-20-150	
*Chief Clerk	£ 500-20-650	ditto	ditto	
Superintendent of Public Revenue	£ 500-20-600 Kisumu £ 300-18-390 Nakuru	£ 450-20-600 £ 300-15-350-15 425	£ 450-20-600 £ 300-20-420	
Fisheries Inspector			ditto	
AGRICULTURAL DEPARTMENT *Accountant	£ 500-20-650	£ 500-25-650	£ 500-20-660	
*Office Superintendent: Grader and Inspector	ditto	ditto	ditto	
Superintendent of Maize Planting	£ 372-18-426-18 480 20-500-20-600	ditto	ditto	
*Laboratory Superintendent Animal Husbandry Assistant	£ 500-20-600 £ 300-18-390-18 480 20-500	ditto	ditto	
		£ 360-20-480-20-600	£ 360-20-480-20-600	

* Indicates pensionable office at present

Figures in heavy type indicate Efficiency Bar

APPENDIX II

POST	Present Scale	Merrick Proposal	Board's Proposals	Notes
GOVERNMENT HOUSE—				
*Chief Clerk	£500-20-600	£500-20-650	£500-20-660	Free Quarters.
Chauffeur-Mechanic	£300-18-390-18-480 -20-500 ditto	£360-20-480	£300-20-420	Free Quarters.
Superintendent of Gardens		ditto	ditto	Free Quarters.
Caretaker and Housekeeper	£240	£150-15-300	£240 fixed	With Free Board and lodging considers a fixed rate of salary more appropriate to this post. Private Secretary agrees.
ADMINISTRATION				
*Office Assistants	£425-25-600-30-720	£500-25-650	£500-20-675	
*Chief Clerk	£500-20-600	ditto	ditto	
Superintendent of Hospital Revenue	£500-20-600 Kisumu £700-18-390 Nakuru	£480-20-600 £500-15-350-18-425	£430-20-500 £300-20-420	
Fisheries Inspector				
AGRICULTURAL DEPARTMENT				
*Accountant	£500-20-600	£500-20-650	£500-20-660	
*Office Superintendent	ditto	ditto	ditto	
Grader and Inspector	£420-20-600	ditto	ditto	
Superintendent of Mairo Plantation	£372-18-425-18-480 £0-500-20-600	ditto	ditto	
*Laboratory Superintendent	£500-20-600	ditto	ditto	
Animal Husbandry Assistant	£300-18-390-18-480 20-500	£300-20-425-600	£300-20-480-20-600	

*Indicates pensionable office at present.
Figures in heavy type indicate Efficiency Bar.

Post	Present Scale	Merrick Proposals	Board's Proposals	Notes
AGRICULTURAL DEPARTMENT—(Contd.) Laboratory Assistant	£354-18-390-18-480- 20-500 £300-18-300-18-480- 20-500 ditto £300-18-390- ditto £300-18-390-18-390- 18-460-18-390- £300-18-390-18-426	£360-20-460-20-540 ditto ditto ditto ditto £360-20-480 £350-18-425	£366-20-480-20-540 ditto ditto ditto ditto £360-20-480 £390-20-42	Board considers pro- posed scale adequate.
Stock Inspector	ditto	ditto	ditto	
Storekeeper	ditto	ditto	ditto	
Plumbeater	ditto	ditto	ditto	
Librarian (Veterinary Laboratory)	ditto	ditto	ditto	
Assistant Grader and Inspector	ditto	ditto	ditto	
Mechanic—Cool Stores	ditto	ditto	ditto	
Mechanic—Veterinary Research Laboratory	ditto	ditto	ditto	
Yard Foreman	£300-18-372	ditto	ditto	
Overseer	£300-18-372	£300-18-290-18-360	£240-20-380-20-420	
Assistant Storekeeper	£180-20-240-18-300- 18-354	£150-10-200-15-290- 15-350	£150-15-210-30-240- 20-360	
Junior Laboratory Assistant	£120-144	£60-12-84-18-120	A- for Learner in Clerical Scale.	
Junior Stock Inspector				
Learner (e.g., Laboratory Assistant)				

AUDIT DEPARTMENT—To consist of trained Overseas Officers and Officers in the Clerical Scales.

COAST AGENCY—

*Assistant Government Coast Agent

*Indicates pensionable office at present.

Figures in heavy type indicate Efficiency Bar.

Post	Present Scale	Merrick Proposals	Board's Proposal	Notes
CUSTOMS DEPARTMENT Assistant Accountant	£500-20-600	£500-25-650	£500-20-660	
Inspector, Statistical Department (Lady)	£300-18-390	£200-15-350	£300-15-360	
*Inspector, Preventive Service	£300-18-390-18-480- 20-500	£360-20-480-20-540	£360-20-480-20-540	
*Examining Officer	£300-18-390-18-480- 20-500	£360-20-480-20-540	£360-20-480-20-540	
Cadet	£240 for two years	£200-15-290	As Cadets of 180 1st year, £200 2nd year, then as Junior Examining Officers at £240- 20-300	The Commissioner of Customs agrees.
REGISTRATION DEPARTMENT— *Office Superintendent	£500-20-600 ditto	£300-25-650 ditto	£500-20-660 ditto	
*Accountant	£400-400-475-25-600 and £300-30-720	£500-25-650-25-725	£500-20-660-20-720	
*Primary Education Officer (g) Male	£320-16-480	£400-20-480	£360-20-480	
(g) Male	£400-400-475-25-600	£360-20-480-20-600	£360-20-480-20-600	
(g) Female	£300-16-400	£300-25-415	£300-15-420	
(g) Male	£240-10-400	£248-245-15-350	£240-20-380-20-420	
(g) Female	£240-10-380 (consolid.)	£200-15-290-15-350- 15-425	£195-15-310-30-340- 20-380-20-420	Director of Educa- tion agrees.
(g) Male	£192 in 24c. (consolid.)	£300-15-290-15-350	£195-15-310-30-340	
(g) Female	£192 (heavy) ditto	£150-10-240 ditto	£150-15-310-30-340 £150-15-310-15-240	

*Indicates pensionable office at present.

Figures in heavy type indicate Efficiency Bar.

POST	Present Scale	Merrick Proposals	Board's Proposals	Notes
AGRICULTURAL DEPARTMENT—Contd. Laboratory Assistant	£ 354 18-395-18 480 20-500 20-550	£ 390 25-460 20 540	£ 360 25-480 20 540	
Stock Inspector	ditto		ditto	
Storekeeper	ditto		ditto	
Plant Inspector	ditto		ditto	
Librarian (Veterinary Laboratory)	£ 300 16 398		£ 300 20 460	
Assistant Grainer and Inspector	£ 300 18-354-18 390 18-460 £ 300 18 390 18 420	£ 350 18 425	£ 300 20 420	Board considers proposed scale adequate.
Mechanic—Cool Stores	ditto		ditto	
Mechanic—Veterinary Research Laboratory	£ 300 18 372		ditto	
Vet. Foreman	ditto		ditto	
Overseer	£ 300-18 372	£ 200 15-290 15 350	£ 240 20 420	
Assistant Storekeeper	£ 180 20 340-18 300 18 354	£ 150 10-200 15 290 15 350	£ 150 15 210 20 240 20-350	
Junior Laboratory Assistant	£ 120, 144	£ 60 12 84 18 120	A- for Learner in Clerical Scale.	
Junior Stock Inspector				
Learner (e.g., Laboratory Assistant)				

AUDIT DEPARTMENT—To consist of trained Overseas Officers and Officers in the Clerical Scale.

COAST AGENCY—

*Assistant Government Coast Agent

£ 500-20-600

£ 500 20 660

*Indicates pensionable office at present.

Figures in heavy type indicate Efficiency Bar.

APPENDIX II—Contd.

POST	Present Scale	Merrick Proposals	Board's Proposals	Notes
CUSTOMS DEPARTMENT Assistant Accountant Operator, Statistical Department (Lady) *Inspector, Preventive Service	£ 500-20 600 £ 300-18 390 £ 300-18 390-18 460 £ 300 18-390-18 460- 20-500	£ 500-25 650 £ 290-15-350 £ 360-20-460-25-540	£ 500-20 660 £ 300 18 360 £ 360-20-480-20 540	
*Examining Officer	£ 240 for two years	£ 360-20-480-20 540	£ 360 20-480 20-540	The Commissioner of Customs agrees.
Cadet				As Cadets £ 180 1st year, £ 200 2nd year, then as Junior Examining Officer £ 240-20-300
EDUCATION DEPARTMENT— *Office Superintendent *Accountant *Primary Education Officer (g) Male	£ 500-20-600 ditto £ 400, 400, 475-25-600 (and senior) 30-720 30-640 £ 220-16-280 £ 300 16-25-600 £ 300 10 460 £ 300 10 420 £ 240 8 120 £ 240 10-300 (senior) (g) Male (g) Female (g) Male (g) Female	£ 500-25 650 ditto £ 500 25 650 25 725	£ 500-20 660 ditto £ 500 25 660 20 720	
(g) Male	£ 180 25 480		£ 180 20-480	
(g) Male	£ 360-20-480 20 600		£ 360-20-480 20 500	
(g) Female	£ 300 15-360 15 420		£ 300 15-360 15 420	
(g) Male	£ 245 15-350 15 425		£ 240-20-360-20-420	
(g) Male	£ 245 15 350		£ 240 15-360	
(g) Male	£ 200 15 290 15 350 15 420		£ 195-18-310-20-340 15-420	
(g) Female	£ 200 15-290 15 350		£ 195-15-310-15-390	
(g) Male	£ 150 10-240		£ 150-15-310-30 240	
(g) Female	ditto		£ 150-15-310 15 240	Director of Education agrees.

*Indicates pensionable office at present.

Figures in heavy type indicate Efficiency Bar.

Post	Present Scale	Merrick Proposals	Board's Proposals	Notes
REGISTRATION DEPARTMENT—(Contd.)				
1. Learners (b) Male	Various	£84-18-120	(b) As for Grade I, Clinical Staff	Director of Education, Agrees.
2. " (c) Female	ditto	ditto	ditto	
3. " (a) Male	ditto	£60-12-84-18-120	(a) As for Grade II, Learners (Clinical Staff)	Board considers proposals adequate.
4. " (a) Female	ditto	ditto	ditto	
5. Matrons (b)	£220-18-300	£150-15-300	£125-15-300	
6. Matrons (a)	£140-15-220	£120-10-190	£100-15-210	
7. Matrons (c)	£60-72	£60-12-84-18-120	£60-12-84-18-120	
8. Leading Artisan	£500 fixed	£350-15-425	£300-20-500	
ROBERT DEPARTMENT				
1. Accountant	£425-18-460-20-600	£360-20-480-20-640	£360-20-480-20-600	No Note in paragraph 7 of Report.
2. Forester, Grade A	£300-18-360-18-480-20-500	ditto	£300-20-480-20-540	
3. Forester, Grade B		£245-15-350	£240-20-360	
4. Forester, Apprentice		£150-10-200	£150-15-210	
5. Forester, Learner		£84-18-120	Clinical Lecturer/dictator	
GAME DEPARTMENT				
1. Assistants	£360, 360, 500, 20-600	Overseas posts	£400, 400, 500, 20-660	
JUDICIAL DEPARTMENT				
Process Street, Shornhand, Winger	£240-18-300	£200-15-290-15-350	£240-20-360	
LEGAL DEPARTMENT—Only Overseas and Clinical Posts.	£400-20-600	£360-20-480-20-600	£400-20-480-20-600	
* Indicates responsible office at present.				
Figures in heavy type indicate Efficiency Bar.				

APPENDIX II—Contd.

Post	Present Scale	Merrick Proposals	Board's Proposals	Notes
MEDICAL DEPARTMENT				
1. Accountant	£500-20-600	£500-25-650	£500-20-600	
2. Superintendent	ditto	ditto	ditto	
3. Senior Sanitary Inspector	£340-20-640	£550-25-650	£340-20-640	
4. Medical Store-keeper	£500 20 600	£500-25-650	£500-20-660	
Laboratory Assistant	£354-18-390-18-480	£360-20-480-20-540	£360-20-480-20-540	
Dispenser	£300-18-390	ditto	ditto	
Wardmaster	£300-18-426	ditto	ditto	
Chief Instructor	ditto	ditto	ditto	
Sanitary Inspector	£372-18-460-20-540	£340-20-480	£360-20-480	
Superintendent, Mental Hospital	£372-18-460-20-550	£300-15-350	£300-20-420	
Superintendent, Infectious Diseases Hospital	£300-18-360-19-426	£290-15-350	£300-15-360	
Matron	ditto	ditto	ditto	
Nursing Sisters (Health Visitors)	£240-15-300	ditto	£300-15-346	
Matron, Overseer	£300	ditto	£300-20-360	
Male Nursing Orderly	£240-18-300-18-372	£200-15-290-15-350	£240-20-360	
Mental Hospital Ward	£300-18-372	ditto	ditto	
Mental Hospital Matron	£240-18-300	£260-15-290	£240-15-300	
Mental Hospital Assistant Matron	ditto	£260-15-290	£240-15-300	
Nursing Sister	ditto	ditto	£240-15-300	
Learners and Juniors		As in Clinical Scale	As for Learners (Clinical Scale)	
* Indicates responsible office at present.				
Figures in heavy type indicate Efficiency Bar.				

Health professionals agreed to by Medical Department

Free quarters

No free quarters for those with more than Nursing Staff.

Free quarters

APPENDIX II—Contd.

POST	Present Scale	Merrick Proposals	Board's Proposals	Notes
EDUCATION DEPARTMENT—(Contd.)				
Teachers (a) Male	Various	£84-18-120	(b) As for Grade I, Learners' Clerical Staff	Director of Education's approval.
(b) Female	ditto	ditto		
(c) Male	ditto	£60-12-84-18-120	(e) As for Grade II, Learners' Clerical Staff	Board considers proposed scale appropriate.
(d) Female	ditto	ditto		
Matrons (a)	£220-18-300	£150-15-300	£225-15-300	
Matrons (b)	£140-15-220	£120-10-190	£150-15-210	
Wardens (Learners)	£60-72	£60-12-84-18-120	£60-12-84-18-120	
Leading Woman	£300 fixed	£380-15-425	£300-20-325	
ENGINEER DEPARTMENT				
*Accountant	£425-18-460-20-600	£360-20-480-20-640	£360-20-480-20-600	See Note in paragraph 7 of Report.
*Forester, Grade A	£300-18-300-18-480-20-500	ditto	£360-20-480-20-540	
Forester, Grade B		£245-15-350	£240-20-360	
Forester, Apprentice		£150-18-200	£145-15-210	
Forester, Learner		£84-18-120	£84-15-210	
GAME DEPARTMENT				
*Assistants	£350, 260, 500, 20-600	Overseas posts	Clerical Learners' Scale	
JUDICIAL DEPARTMENT				
Deputy Secretary	£240-18-300	£200-15-290-15-350	£260-20-360	
Magistrate, Junior	£400-20-600	£360-20-480-20-600	£470-20-480-20-600	

*Indicates pensionable office at present.

*Fixed in heavy type indicate Efficiency Bar.

LEGAL DEPARTMENT—Only Overseas and Clerical Posts.

APPENDIX II—Contd.

POST	Present Scale	Merrick Proposals	Board's Proposals	Notes
MEDICAL DEPARTMENT				
*Recountant	£500-20-600	£500-25-650	£500-20-660	Board's proposals agreed to by Medical Department.
*Senior Sanitary Inspector	ditto	ditto	ditto	
*Sanitary Inspector	£540-20-660	£550-25-650	£540-20-660	
*Medical Store-keeper	£500-20-600	£500-25-650	£500-20-660	
Laboratory Assistant	£354-18-390-18-480-20-500	£360-20-460-20-540	£360-20-480-20-540	
Dispenser	£300-18-390	ditto	ditto	
Wardmaster	£300-18-426	ditto	ditto	
Chief Inspector	ditto	ditto	ditto	
*Sanitary Inspector	£372-18-460-20-540	ditto	£360-20-480	
*Superintendent, Mental Hospital	£372-18-460-20-500	£360-20-460	£300-20-420	
*Superintendent, Infectious Diseases Hospital	£300-18-360-18-426	ditto	£300-15-360	
*Matron	ditto	£290-15-350	£300-15-360	
*Nursing Sisters (Health Visitors)	£240-15-300	ditto	£300-15-345	No free quarters available for more than Nursing Sisters.
Matron Overseer	£300	ditto	£300-20-360	
Male Nursing Orderly	£40-18-300-18-372	£200-15-270-15-350	£240-20-360	
Mental Hospital Warden	£400-18-372	ditto	ditto	
Mental Hospital Matron	£240-18-300	£260-15-290	£240-15-300	
Mental Hospital Assistant Matron	ditto	ditto	£240-15-300	
*Nursing Sister				
Learners and Juniors		As in Clerical Scale	As for Learners' Clerical Scale	Free quarters.

*Indicates pensionable office at present.

Figures in heavy type indicate Efficiency Bar.

POST	Present Scale	Merrick Proposals	Boards' Proposals	Notes
MILITARY DEPARTMENT (Defence Forces)				
Musketry Instructor	£ 390 fixed	£ 498 fixed	£ 490 fixed	
POLICE DEPARTMENT—				
*Chief Inspector	£ 450-20-540	£ 520-20-600	£ 500-20-600	
*Inspector	£ 372-18-450	£ 420-20-500	£ 420-20-520	
*Depot Instructor	ditto	ditto	ditto	
*Assistant Inspector, 1st Grade	£ 300-18-372	£ 360-20-420	£ 360-20-420	
*Assistant Inspector, 2nd Grade	£ 246-18-300	£ 285-15-350	£ 240-20-360	Formerly European Police Constable
Deputy Inspector, Weights and Measures	£ 550		£ 500-20-540	
POST AND TELEGRAPH DEPARTMENT—				
*Electrician	£ 500-20-600	£ 550-25-650	£ 540-20-660	
*Postmaster	ditto	ditto	ditto	
*Chief Electrical Mechanician	ditto	£ 500-25-650	£ 500-20-660	
*Storekeeper	ditto	ditto	ditto	
*Sub-Engineer	£ 400-20-500-20-600	£ 460-20-480-20-600	£ 360-20-500-20-660	
*Postal Clerk, Telegraphist, Male	£ 372-18-426-18-450	£ 360-20-480-20-540	£ 360-20-480-20-540	
*Electrical Mechanician	ditto	ditto	ditto	
*Postmistress and Supervisor of Telephones	£ 372-18-426-18-480-20-500	£ 360-20-420	£ 360-10-420	
*Postal Clerk and Telegraphist	£ 240-18-372	£ 210-15-290-15-350	£ 240-15-300-15-360	
Female	£ 180-20-240	£ 150-15-240-20-360	£ 150-15-210-30-240	
Junior Male	ditto	£ 150-10-200	£ 20-300-20-360	
Junior Female	£ 120-144	£ 65-12-54-15-120	£ 150-15-210-15-240	As for Learner
Learners			As for Learner	

*Indicates pensionable office at present.

Figures in heavy type indicate Efficiency Bar

POST	Present Scale	Merrick Proposals	Boards' Proposals	Notes
PRINTING AND STATIONERY DEPARTMENT—				
*Press Engineer	£ 600 fixed	£ 500-25-650	£ 500-20-660	
Foreman Composing	£ 500-20-600	ditto	ditto	
Foreman Machine	£ 390-18-480-20-500	£ 480-20-540	£ 480-20-540	
Linotype Operator	£ 372-18-426-18-480-20-500	ditto	ditto	
Monotype Operator	ditto	ditto	ditto	
Reader, Male	£ 300-18-390-18-450-25-500	£ 360-20-480-20-540	£ 360-20-475-20-540	
Reader, Female	£ 180-20-240	£ 200-15-270	£ 210-15-300	
Assistant Linotype Operator	£ 4-7-9-120-150	£ 60-12-84-15-120	£ 110-15-210-30-24-20-300	
Learners, Apprentices			As for Learners Clerical Scale	
PRISONS DEPARTMENT				
Assistant Superintendent	£ 40-11-384-18-390-18-430-20-500	£ 90-26-450-26-540	£ 90-20-480-20-540	
Technical Instructor	£ 360-18-390-18-426-18-450-18-300-18-354-18-390	£ 350-15-425-15-425-15-425	£ 300-20-420	
Chief Officer		£ 45-15-240-15-360-15-425	£ 44-20-380-20-420	With five quarters
PUBLIC WORKS DEPARTMENT—				
*Transport Officer	£ 600-8-720-10-800	£ 540-25-624	£ 500-20-550	
*Boroughsman	£ 500 fixed	ditto	ditto	
*Assistant Accountant	£ 4-0-20-600	ditto	ditto	
*Senior Storekeeper	£ 426-18-450-20-600	ditto	ditto	
*Senior Overseer	£ 500-20-600	ditto	ditto	
Assistant Storekeeper	£ 372-18-426-18-450-20-500	£ 450-20-540	£ 400-20-500	Board const n. pro posed scale Librarian
*Overseer	ditto	ditto	ditto	
Inspector (Water Supply)	ditto	£ 36-20-47-20-54	£ 30-20-480-20-540	

*Indicates pensionable office at present.

Figures in heavy type indicate Efficiency Bar

POST	Present Scale	Merrick Proposals	Board's Proposals	Notes
MILITARY DEPARTMENT Deputy Force Musketry Instructor	£ 300 fixed	£ 450 fixed	£ 460 fixed	
POLICE DEPARTMENT— *Chief Inspector	£ 450, 20 54; £ 372 18 40	£ 520 20 600 £ 420 20 520	£ 500 20 600 £ 400 20 520	
*Inspector	ditto	ditto	ditto	
*Depot Instructor	£ 300 18 372	£ 460 20 420	£ 360 20 420	
*Assistant Inspector, 1st Grade	£ 246 18 300	£ 248 15 45	£ 240 20 360	Formerly European Police Constable.
Deputy Inspector, Weights and Measures	£ 500		£ 500 20 540	
POST AND TELEGRAPH DEPARTMENT— Electrician	£ 500 20 600	£ 550 28 650	£ 540 20 660	
*Postmaster	ditto	ditto	ditto	
*Chief Electrical Mechanician	ditto	£ 500 28 650	£ 500 20 660	
*Accountant	ditto	ditto	ditto	
Storekeeper	ditto	£ 360 20 490 20 400	£ 360 20 500 20 660	
*Sub-Engineer	£ 400 20 500 20 600	ditto	ditto	
*Postal Clerk, Telegraphist (Male)	£ 372 18 426 18 460- 200	£ 360 20 490 20 540	£ 360 20 480 20 540	
*Electrician Mechanician	£ 372 18 426 18 480- 20 500	ditto	ditto	
*Postmistress and Supervisor of Telephones	£ 240 18 372	£ 230 15 290 15 380	£ 240 15 300 15 360	
*Postal Clerk and Telegraphist— Female	£ 180 20 240	£ 180 15 240 20 360	£ 150 15 210 30 240	
Junior Male	ditto	£ 150 10 200	£ 150 15 210 15 240	
Junior Female	£ 120 144	£ 60 12 54 18 120	As for Learners Central States	
Learners				

*Indicates pensionable office at present.
Figures in heavy type indicate Efficiency Bar

APPENDIX II (Contd.)

POST	Present Scale	Merrick Proposals	Board's Proposals	Notes
PRINTING AND STATIONERY DEPARTMENT— Press Engineer	£ 600 fixed	£ 500 28 650	£ 500 20 660	
*Press Compositor	£ 500 20 600	ditto	ditto	
Foreman (Machine)	£ 390 18 480 20 500	£ 450 20 54	£ 460 20 540	
Lithotype Operator	£ 372 18 426 18 450 20 500	ditto	ditto	
Monotype Operator	ditto	£ 360 20 480 20 540	£ 360 20 470 20 540	
Reader—Male	£ 300 18 372 18 460 20 500	ditto	£ 210 15 800 20 300	
Reader—Female	£ 180 20 240	£ 200 15 290	£ 150 15 210 30 240	
Assistant Lithotype Operator	£ 48 12 96 120 15	£ 50 12 94 15 120	As for Learners Central State	
Learners—Apprentices				
PRISONS DEPARTMENT Assistant Superintendent	£ 300 18 364 18 496 £ 200 20 500	£ 390 20 430 20 540	£ 390 20 480 20 540	
Technical Instructor	£ 300 18 390 18 426	£ 350 18 425	£ 300 20 420	With new quarters
Chief Officer	£ 246 18 300 18 354 18 436	£ 246 18 290 18 350 18 425	£ 246 20 380 20 42	
PUBLIC WORKS DEPARTMENT— *Transport Officer	£ 600 62 72 72 800 £ 600 fixed	£ 54 28 65	£ 500 20 660	
*Troughman	£ 470 20 500	ditto	£ 500 20 660	
Assistant Accountant	£ 390 18 450 20 600	ditto	ditto	
*Senior Storekeeper	£ 520 20 600	ditto	ditto	
Assistant Storekeeper	£ 372 18 426 18 460 20 500	£ 400 20 54	£ 400 20 54	Board considers this post a scale advance
*Inspector—Male, S. 0/1	ditto	ditto	ditto	
Inspector—Male, S. 0/1	£ 300 30 400 20 14	£ 300 30 480 20 140	£ 300 30 480 20 140	

*Indicates pensionable office at present.
Figures in heavy type indicate Efficiency Bar

POST	Present Scale	Merrick Proposals	Boards' Proposals	Notes
PUBLIC WORKS DEPARTMENT (Contd.)				
Foreman (Blacksmith)	£ 500 18 9/16 16 4/2*	£ 290 15 3/50 15 4/2*	£ 500 20 4/2*	
Foreman (Joiner)	£ 460 18 3/4	ditto	ditto	
Trackkeeper	£ 300 18 3/4 18 4/60	ditto	ditto	
Kiln Seasoning Operator	ditto	ditto	£ 300 20 4/20	
Telephone Operator	192	£ 150 10 2/100	£ 150 15 2/10	
Learners (Apprentices)	£ 96	£ 60 12 9/4 16 1/2*	As for Learner Clerical Grades	
REGISTRAR-GENERAL'S DEPARTMENT				
Accountant	£ 426 16 4/60 20 6/00	£ 400 20 4/60 20 6/00	£ 400 20 4/60 20 6/00	
SECRETARIAT AND LEGISLATIVE COUNCIL				
*Assistant Establishment Officer Reporters	£ 500 25 6/00 £ 400 20 6/00		£ 500 20 6/60 £ 400 20 4/60 20 6/60	
STATISTICAL DEPARTMENT				
*Assistant Registrar of Navies	£ 500 20 6/00	£ 450 20 6/00	£ 480 20 6/00	
SURVEY AND REGISTRATION DEPARTMENT				
*Office Superintendent and Accountant Forest Surveyor	£ 500 20 4/00 £ 372 18 4/60 20 5/00	£ 500 25 6/50 £ 290 15 3/50 20 5/00	£ 500 20 6/60 £ 300 20 4/60 20 4/60 20 5/40	
*Draftsman: Survey Records Officer Junior Computer	£ 372 18 4/60 20 5/00 20 6/00 ditto £ 240 20 3/00	£ 450 20 5/40 ditto ditto	£ 440 20 5/40 ditto £ 300 20 4/60 20 4/60	Scale as agreed with Head of Dept. are that later proposed a maximum of £ 340.
Learners Survey Cadets	£ 100 100 100 166 2/40	£ 84 18 1/20 156 10 2/100 200 with promotion on qualification	£ 84 18 1/20 £ 150 10 2/100 with pro- motion on qualification	

TEASURY. The foregoing will be understood in future consist of trained Overseas Service Officers and Clerical Staff only.

*Indicates pensionable office or post only.

Figures in heavy type indicate Efficiency Bar.

APPENDIX III

THE SECRETARIAT.

NAIROBI.

S. E. 37/1/5/18/1

9th December, 1932

Gentlemen

I have the honour to state that proposals are under consideration in this Colony for the inauguration of a Contributory Pensions Scheme or Fund for certain Government employees and I should be grateful if you would kindly send any particulars that may be in your possession bearing upon this subject.

Perhaps you could transmit copies of the relative Regulations or Ordinances by Air Mail.

I should also be glad of your general opinion upon the possibility of combining a Contributory Pensions Scheme with the East African Widows and Orphans Scheme and whether you consider contribution to the latter is essential from all Government servants in East Africa. It is realized that the implications of this question are large and would be subject to further consideration, but if it is possible for you to reply to this paragraph by an early Air Mail it would be appreciated.

I have the honour to be

Gentlemen

Your obedient servant,

H. NON BARTON

for Colonial Secretary

THE CROWN OFFICES FOR THE COLONY

LONDON, S.W.



	1982	Present Scale	Metric Proposals	Binary Proposals	Notes
PUBLIC WORKS DEPARTMENT (Contd.)					
Foreman (Blacksmith)		£ 300 18 190 18 426	£ 290 15 350 15 428	£ 300 20 430	
Foreman (Joiner)		£ 450 fixed	ditto	ditto	
Timekeeper		£ 300 18 390 18 460	ditto	ditto	
Kiln Seasoning Operator		20 500	ditto	£ 300 20 420	
Telephone Operator		£ 192	£ 150 10 200	£ 150 15 210	
Learners (Apprentices)		£ 96	£ 60 12 84 15 120	As for Learner (Clerical Grade)	
REGISTRAR-GENERAL'S DEPARTMENT					
Accountant		£ 428 18 480 20 600	£ 400 20 460 20 600	£ 400 20 480 20 600	
SECRETARIAT AND LEGISLATIVE COUNCIL					
*Assistant Establishment Officer		£ 500 25 600		£ 500 30 660	
Reporters		£ 400 20 600		£ 400 20 480 20 660	
STATISTICAL DEPARTMENT					
*Assistant Registrar of Natives		£ 500 20 600	£ 450 20 600	£ 480 20 600	
SURVEY AND REGISTRATION DEPARTMENT					
Office Superintendent and Accountant		£ 500 20 400	£ 500 25 650	£ 500 20 660	
Forest Supervisor		£ 372 18 480 20 500	£ 290 15 350 360 20	£ 300 20 380 20 480	
*Draftsman		£ 372 18 480 20 500	430 20 540	20 540	
Survey Records Officer		20 600	ditto	ditto	
Junior Computer		£ 240 20 300	ditto	£ 300 20 380 20 480	
Learners, Survey Cadets		£ 100 100 180 240	£ 84 18 120 150 10	£ 84 18 120 150	
			10 200 with promotion on qualification	10 200 with promotion on qualification	
			£ 54 18 120 150 10	£ 54 18 120 150	
			£ 54 18 120 150 10	£ 54 18 120 150	

Scale as agreed with Head of Dept. save that later proposed a maximum of £ 540.

TREASURY: The Treasury will, it is understood, in future consist of trained Overseas Service Officers, and Clerical Staff only.

*Indicates post-eligible office at present.
Figure in heavy type indicate Efficiency Bar.

APPENDIX III

THE SECRETARIAT.

NAIROBI.

S E. 37/1/5/18/1

9th December, 1932.

Gentlemen,

I have the honour to state that proposals are under consideration in this Colony for the inauguration of a Contributory Pensions Scheme, or Fund, for certain Government employees and I should be grateful if you would kindly send any particulars that may be in your possession bearing upon this subject.

Perhaps you could transmit copies of the relative Regulations or Ordinances by Air Mail.

2. I should also be glad of your general opinion upon the possibility of combining a Contributory Pensions Scheme with the East African Widows' and Orphans' Scheme and whether you consider contribution to the latter is essential from all Government servants in East Africa. It is realized that the implications of this question are large and would be subject to further consideration, but if it is possible for you to reply to this paragraph by an early Air Mail it would be appreciated.

I have the honour to be
Gentlemen,
Your obedient servant.

JUNON BARTON
for Colonial Secretary

THE CROWN AGENTS FOR THE COLONIES
LONDON, S.W.

1945	Present Staff	Merrick Proposals	Board's Proposals	Notes
PUBLIC WORKS DEPARTMENT				
Foreman	£ 800 18 0/0 18 4/6	£ 290 8 35/0 18 4/25	£ 900 20 4/0	
Foreman Blacksmith	£ 450 8/0/0	ditto	ditto	
Foreman Joiner	£ 800 18 3/0 18 4/0	ditto	ditto	
Timekeeper	20 5/00	ditto	£ 800 20 4/0	
Kiln Seasoning Operator	ditto	£ 150 2/00	£ 150 15 2/10	
Telephone Operator	£ 142	£ 60 12 8/4 18 1/20	AS for Learner	
Learners Apprentices	£ 96		Clerical Grades	
REGISTRAR-GENERAL'S DEPARTMENT				
Accountant	£ 426 18 4/80 20 6/00	£ 400 20 4/80 20 6/00	£ 400 20 4/80 20 6/00	
SECRETARIAT AND LEGISLATIVE COUNCIL				
*Assistant Establishment Officer	£ 500 25 6/00		£ 500 20 4/60	
Reporters	£ 400 20 6/00		£ 400 20 4/00 20 6/60	
STATISTICAL DEPARTMENT				
*Assistant Registrar of Natives	£ 500 20 6/00	£ 450 20 6/00	£ 480 20 6/00	
SURVEY AND REGISTRATION DEPARTMENT				
*Office Superintendent and Accountant	£ 500 20 6/00	£ 500 25 6/60	£ 500 20 6/60	
Forest Supervisor	£ 372 18 4/80 20 5/00	£ 290 4/0 20 5/40 20	£ 300 20 5/00 20 4/80	
*Draughtsman	£ 372 18 4/80 20 5/00	£ 430 20 5/40	£ 440 20 5/40	
Survey Records Officer	20 6/00	ditto	ditto	
Junior Computer	£ 240 20 3/00	ditto	£ 300 20 3/00 20 4/80	
Learners Survey Cadets	£ 100 100 100 180 240	£ 84 18 1/20 150 10	£ 84 18 1/20 1150	
Scale as agreed with the Board that later proposed a maximum of £540.		200 with provision on qualification motion on Clerical Staff only	100 200 with prov.	

INDICATOR: The Treasury will, it is understood, in future consist of trained Overseas Service Officers and Clerical Staff only.

*Indicates pensionable office at present.

Figures in heavy type indicate Efficiency Bids.

APPENDIX III

THE SECRETARIAT,

NAIROBI

S. E. 37 1 5 18 1

9th December 1932

Gentlemen,

I have the honour to state that proposals are under consideration in this Colony for the inauguration of a Contributory Pensions Scheme, or Fund, for certain Government employees and I should be grateful if you would kindly send any particulars that may be in your possession bearing upon this subject.

Perhaps you could transmit copies of the relative Regulations or Ordinances by Air Mail.

I should also be glad of your general opinion upon the possibility of combining a Contributory Pensions Scheme with the East African Widows and Orphans' Scheme and whether you consider contribution to the latter is essential from all Government servants in East Africa. It is realized that the implications of this question are large and would be subject to further consideration, but if it is possible for you to reply to this paragraph by an early Air Mail it would be appreciated.

I have the honour to be
Gentlemen,

Your obedient servant

JUXON BARTON

for Colonial Secretary

THE CROWN AGENTS FOR THE COLONIES
LONDON, S.W.

CROWN AGENTS FOR THE COLONIES.

4, MILLBANK,

WESTMINSTER,

LONDON, S.W.1.

23rd December, 1932.

No. 530 O/Kenya 82.

AIR MAIL.

Sir,

I have the honour to acknowledge the receipt of your letter S. E 37/1/5/18/1 of the 9th December and to inform you that we know of no contributory pension scheme or fund in operation in any of the Colonies or Administrations for which we act as agents.

2. In regard to the question raised in the 2nd paragraph of your letter this, in our opinion, raises points which must be considered by the Secretary of State to whom we have, therefore, transmitted a copy of your letter.

I have the honour to be,

Sir,

Your obedient servant,

F. S. BLOOMFIELD,

for Crown Agents.

THE COLONIAL SECRETARY,

NAIROBI,

KENYA.

CROWN AGENTS FOR THE COLONIES.

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WESTMINSTER,

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THE COLONIAL SECRETARY,

NAIROBI,

KENYA.

Enclosure (2)

COLONY AND PROTECTORATE OF KENYA



SECOND INTERIM REPORT
OF THE
CIVIL SERVICE BOARD

PRINTED BY THE GOVERNMENT PRINTER
1952

SECOND INTERIM REPORT OF THE
CIVIL SERVICE BOARD

SECOND INTERIM REPORT OF THE
CIVIL SERVICE BOARD

124

SECOND INTERIM REPORT OF THE CIVIL SERVICE BOARD

YOUR EXCELLENCY.

The Civil Service Board appointed on the 25th December last has the honour to submit its Second Interim Report. The Board has held fourteen meetings between the 8th of May and the 14th June.

2. The Board's First Interim Report was submitted on the 16th February, 1933. That Report dealt with: (a) the posts to be included in the "Local" Service, and (b) scales of pay for such posts. First Interim Report.

The scales of pay therein recommended were based, according to our instructions, on the assumption that a 10 per cent reduction from salary will have to be made to cover contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pension Scheme or such modification thereof as the Board may recommend.

3. By a letter dated the 11th April, 1933, from the Colonial Secretary we were informed that His Excellency in Council had approved in principle the scales of salary proposed in our First Interim Report and at the same time the Board was instructed to address itself (a) to the consideration of the most suitable form of Contributory Pensions Scheme for the proposed Local Service, and (b) to its third term of reference, viz. "to make detailed recommendations as to the points in the scales of salary on which officers recommended for the Local Civil Service should transfer." Introductory.

4. It is with (a) above that this Interim Report is concerned, and we would propose to defer our consideration of (b) until Government has given its decision on the recommendations of this Report, for it is obvious that the points in the scales at which officers are to be transferred must depend to some extent on the amounts which Government is prepared to subscribe to the fund or scheme, as also on the amounts which are to be compulsorily deducted from an officer's salary.

5. In considering the pension problem the Fitzgerald Report advised that "Pensions should definitely be on a contributory basis and a Pension Scheme on such lines should be introduced as early as possible for the fully permanent Fitzgerald Report.

124

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The scales of pay therein recommended were based, according to our instructions, on the assumption that a 10 per cent reduction from salary will have to be made to cover contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pension Scheme for such modification thereof as the Board may recommend.

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members of the Local Service. For members on less permanent terms a Provident Fund Scheme should be established. The Committee, in fact, incline to the view that officers in the Local Service should be under a Provident Fund Scheme until the age of, say, 25 years, so that they may be in a position up to that age to leave the service without too great a sacrifice of pension rights."

6. The Merrick Committee reported in favour of a Contributory Pensions Scheme as the ultimate aim, but realizing that the inauguration of any such scheme would be a matter of considerable time, recommended as a temporary arrangement a Provident Fund on the lines of that in active operation in the service of the Kenya and Uganda Railways and Harbour. The Committee did not consider it necessary to examine the details of any such scheme or to draft regulations particularly as they only envisaged it "as a temporary arrangement which should be established on as simple lines as practicable with a view to ultimate absorption of the funds collected in whatever fund or scheme of contributory pensions may be accepted" and the Committee suggested "that the contribution be fixed at 15 per cent of the substantive salary and that Government and the officer should be called upon to contribute in equal proportions, i.e. 7 1/2 per cent. The Committee examined the advisability of either allowing or compelling officers during the interim period of the Provident Fund's continuance to join the existing Widows' and Orphans' Pensions Scheme and concluded that it would be best in view of the heavy liabilities entailed by such double subscriptions to make no additional imposition on officers pending the full review of the provisions which it might be possible to incorporate to cover similar purposes in any contributory pensions scheme or fund."

7. That Committee also realized that though there should be no need for a Provident Fund to run permanently in concurrence with a Contributory Pension Scheme or Fund, "some such arrangement would be essential for some years to come at the inception of the Local Service pending actuarial advice on the pension system."

8. In view of the above and in consideration of the approval of the Governor in Council referred to in paragraph 3 *supra* which approval was given "on the assumption that members of the Local European Service would be required to contribute an aggregate of 10 per cent of their salaries to a Contributory Pensions Scheme or a Provident Fund and to

the Widows' and Orphans' Scheme" (vide Colonial Secretary's No. S.E.7 1/1/8/47 of 11th April), we have concluded that, although our definite instruction is to address ourselves to the consideration of "the most suitable form of Contributory Pensions Scheme", we are rightly interpreting the wishes of Government in considering the most suitable form of Contributory Provident Fund (as an interim measure for immediate adoption pending the introduction of a Pensions Scheme) to be adopted in conjunction with the Widows' and Orphans' Pension Scheme.

9. We conclude that Government has not accepted the advice of the Merrick Committee referred to in paragraph 6 *supra* that compulsory contributions to the Widows' and Orphans' Pension Scheme should cease during the operation of a Provident Fund and pending the introduction of a Contributory Pensions Scheme, but in any case we are definitely of opinion that compulsory participation in the scheme should continue as we are convinced that insurance of widows and children is of primary importance. Provident Fund benefits may be dissipated or lost by unwise or unfortunate investment and widows and children may in consequence find themselves destitute unless otherwise provided for. Government cannot contemplate such a condition with equanimity even though it is in no way responsible for the destitution.

10. We have, therefore, based our report on the following premises—

Premises on which this Report is based.

(a) that compulsory contributions to the Widows' and Orphans' Pension Scheme are to continue;

(b) that a Provident Fund is to be adopted suitable for use in conjunction with the Widows' and Orphans' Pension Scheme;

(c) that Government's contributions to the Provident Fund will be on a scale not less generous than that to be used by the Railway Administration in its Provident Fund to which reference is made in the Merrick Report and in the Select Committee's Report on the Draft Estimates, 1938;

(d) that the total contribution of the Civil Servant to the Provident Fund and the Widows' and Orphans' Pension Fund will be 10 per cent of thereabouts of his salary.

Widows' and Orphans' Pension Scheme.

Provident Fund.

members of the Local Service. For members on less permanent terms a Provident Fund Scheme should be established.

The Committee, in fact, incline to the view that officers in the Local Service should be under a Provident Fund Scheme until the age of, say, 25 years, so that they may be in a position up to that age to leave the service without too great a sacrifice of pension rights."

6. The Merrick Committee reported in favour of a Contributory Pensions Scheme as the ultimate aim, but realizing that the inauguration of any such scheme would be a matter of considerable time, recommended as a temporary arrangement a Provident Fund on the lines of that in active operation in the service of the Kenya and Uganda Railways and Harbours. The Committee did not consider it necessary to examine the details of any such scheme or to draft regulations particularly as they only envisaged it "as a temporary arrangement which should be established on as simple lines as practicable with a view to ultimate absorption of the funds collected in whatever fund or scheme of contributory pensions may be accepted" and the Committee suggested "that the contribution be fixed at 15 per cent of the substantive salary and that Government and the officer should be called upon to contribute in equal proportions, i.e. 7½ per cent. The Committee examined the advisability of either allowing or compelling officers during the interim period of the Provident Fund's continuance to join the existing Widows' and Orphans' Pensions Scheme and concluded that it would be best in view of the heavy liabilities entailed by such double subscriptions to make no additional imposition on officers pending the full review of the provisions which it might be possible to incorporate to cover similar purposes in any contributory pensions scheme or fund."

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8. In view of the above and in consideration of the approval of the Governor in Council referred to in paragraph 3 *supra* which approval was given "on the assumption that members of the Local European Service would be required to contribute an aggregate of 10 per cent of their salaries to a Contributory Pensions Scheme or a Provident Fund and to

Merrick Report.

Widows' and Orphans' Pension Scheme.

Provident Fund.

the Widows' and Orphans' Scheme" (vide Colonial Secretary's No. S.E.7 1/1/8/47 of 11th April), we have concluded that, although our definite instruction is to address ourselves to the consideration of "the most suitable form of Contributory Pensions Scheme", we are rightly interpreting the wishes of Government in considering the most suitable form of Contributory Provident Fund (as an interim measure for immediate adoption pending the introduction of a Pensions Scheme) to be adopted in conjunction with the Widows' and Orphans' Pension Scheme.

9. We conclude that Government has not accepted the advice of the Merrick Committee referred to in paragraph 6 *supra* that compulsory contributions to the Widows' and Orphans' Pension Scheme should cease during the operation of a Provident Fund and pending the introduction of a Contributory Pensions Scheme, but in any case we are definitely of opinion that compulsory participation in the scheme should continue as we are convinced that insurance of widows and children is of primary importance. Provident Fund benefits may be dissipated or lost by unwise or unfortunate investment and widows and children may in consequence find themselves destitute unless otherwise provided for. Government cannot contemplate such a condition with equanimity even though it is in no way responsible for the destitution.

10. We have, therefore, based our report on the following premises—

- (a) that compulsory contributions to the Widows' and Orphans' Pension Scheme are to continue;
- (b) that a Provident Fund is to be adopted suitable for use in conjunction with the Widows' and Orphans' Pension Scheme;
- (c) that Government's contributions to the Provident Fund will be on a scale not less generous than that to use by the Railway Administration in its Provident Fund to which reference is made in the Merrick Report and in the Select Committee's Report on the Draft Estimates, 1933;
- (d) that the total contribution of the Civil Servant to the Provident Fund and the Widows' and Orphans' Pension Fund will be 10 per cent or thereabouts of his salary.

Premises on which this Report is based.

11. We have examined the Kenya and Uganda Railway Provident Fund in detail. The salient features of that Fund are as follows:—

Contributions at 8½ per cent of annual salary by officer. A bonus 6.25 per cent of the officer's annual salary by Administration together with interest at a rate fixed annually for application during the ensuing calendar year.

Gratuity of half a month's salary for each year of approved service in cases of long service, i.e. between 15 and 25 years.

Repayment in full of officer's contributions, bonuses and interest, on termination of appointment, abolition of post or voluntary resignation.

Dismissals.—Repayment of officer's contribution plus interest and, at General Manager's discretion, of bonuses plus interest.

We understand that bonuses are in practice withheld only in cases where dismissal is on account of some defalcation or misappropriation of stores or money or serious dereliction of duty and not on account of misconduct unconnected with his work.

The cost of administration is a charge against the fund.

As an illustration of the benefits which would accrue to a contributor to a fund established on the basis of the Railway Provident Fund and adopted to the scales of salary proposed for the Local Civil Service, at Appendix I is a table which shows the amounts which would be credited annually to the account of a contributor assuming a commencing salary of £150 per annum (the minimum of the proposed clerical scale) and assuming progression through the service to the age of 55 and retirement after 35 years at a salary of £800. From that Appendix it will be seen that an officer during his service of 35 years on the basis of one-twelfth or 8½ per cent of his annual salary would contribute to the fund a sum of £1,426. During that period on the basis of 7½ per cent of the officer's own deposits (i.e. 6.25 per cent of the officer's salary) the Administration would contribute a sum of £1,060 while allowing for interest at 5½ per cent per annum on both contributor's and Administration's deposits a sum of £1,938 in the way of interest would accrue during the period of service. Thus the total amount which the officer would be paid on leaving the service would be £4,429. In addition, the gratuity which such

Appendix I.

an officer would normally be granted would amount to a further sum of £594, so that the total sum which would be paid to the officer on his final retirement would be some £5,022 or sufficient at the age of 55 to purchase an annuity at 7 per cent of approximately £350.

12. After due examination of its various features we find ourselves unable to recommend the adoption of the Railway Provident Fund Scheme *in toto* since as we have stated in paragraph 10 we have presumed that a Provident Fund is to be adopted suitable for use in conjunction with the East African Widows' and Orphans' Pension Scheme. As stated above the compulsory contribution to the Railway Provident Fund is at the rate of 8½ per cent of an officer's salary, whereas the rate of compulsory contribution to the East African Widows' and Orphans' Fund is one which varies between 5 per cent and 6 per cent of an officer's salary. To compel an officer, therefore, to contribute a proportion of his salary at so high a rate (which would in practice on some occasions exceed 14 per cent) would in our opinion be unreasonable, a view which apparently is shared by the Government since in the second of the Board's original terms of reference a figure of 10 per cent for contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pension Scheme is laid down.

It should be borne in mind in this connection that the Railway Provident Fund Scheme makes no provision for contributions to a Widows' and Orphans' Scheme, that is to say that an officer who contributes compulsorily to the Railway Provident Fund is not compelled to contribute to any Widows' and Orphans' Pension Scheme. It was obvious, therefore, to us that if any form of Provident-Fund Scheme was to be proposed on lines similar to the Railway Fund—it was essential that the rates of compulsory contribution by the contributor could not be as high as those at present obtaining in the Railway Provident Fund. The question then arose as to whether the benefits which would accrue to an officer on retirement with a compulsory contribution at a smaller rate than that of the Railway Fund would be adequate and it was thought that they would not unless the rate of contribution by Government were higher than the rate of contribution by the officer and in our search for a favourable solution we examined the particulars of a number of provident fund schemes operating in various parts of the world. In the course of this examination we have been much impressed by the Provident Fund of the Municipality of Singapore in which the compulsory

Kenya and
Uganda
Railways and
Harbours
Provident
Fund.

11. We have examined the Kenya and Uganda Railway Provident Fund in detail. The salient features of that Fund are as follows:—

Contributions at 8½ per cent of annual salary by officer. A bonus 6.25 per cent of the officer's annual salary by Administration together with interest at a rate fixed annually for application during the ensuing calendar year.

Gratuity of half a month's salary for each year of approved service in cases of long service, i.e. between 15 and 25 years.

Repayment in full of officer's contributions, bonuses and interest, on termination of appointment, abolition of post or voluntary resignation.

Dismissals.—Repayment of officer's contribution plus interest and, at General Manager's discretion, of bonuses plus interest.

We understand that bonuses are in practice withheld only in cases where dismissal is on account of some defalcation or misappropriation of stores or money or serious dereliction of duty and not on account of misconduct unconnected with his work.

The cost of administration is a charge against the fund.

As an illustration of the benefits which would accrue to a contributor to a fund established on the basis of the Railway Provident Fund and adopted to the scales of salary proposed for the Local Civil Service, at Appendix I is a table which shows the amounts which would be credited annually to the account of a contributor assuming a commencing salary of £350 per annum (the minimum of the proposed clerical scale) and assuming progression through the service to the age of 55 and retirement after 38 years at a salary of £600. From that Appendix it will be seen that an officer during his service of 38 years on the basis of one-twelfth or 8½ per cent of his annual salary would contribute to the fund a sum of £1,405. During that period on the basis of 7½ per cent of the officer's own deposits (i.e. 6.25 per cent of the officer's salary) the Administration would contribute a sum of £1,099 while allowing for interest at 4½ per cent per annum on both contributor's and Administration's deposits a sum of £1,938 in the way of interest would accrue during the period of service. Thus the total amount which the officer would be paid on leaving the service would be £4,442. In addition, the gratuity which such

an officer would normally be granted would amount to a further sum of £594, so that the total sum which would be paid to the officer on his final retirement would be some £5,022 or sufficient at the age of 55 to purchase an annuity at 7 per cent of approximately £350.

12. After due examination of its various features we find ourselves unable to recommend the adoption of the Railway Provident Fund Scheme *in toto* since as we have stated in paragraph 10 we have presumed that a Provident Fund is to be adopted suitable for use in conjunction with the East African Widows' and Orphans' Pension Scheme. As stated above the compulsory contribution to the Railway Provident Fund is at the rate of 8½ per cent of an officer's salary, whereas the rate of compulsory contribution to the East African Widows' and Orphans' Fund is one which varies between 5 per cent and 6 per cent of an officer's salary. To compel an officer, therefore, to contribute a proportion of his salary at so high a rate (which would in practice on some occasions exceed 14 per cent) would in our opinion be unreasonable, a view which apparently is shared by the Government since in the second of the Board's original terms of reference a figure of 10 per cent for contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pension Scheme is laid down.

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contribution is by the officer at the rate of $7\frac{1}{2}$ per cent of his salary while the corresponding contribution by the Municipality is on a sliding scale as follows:—

	Per cent
Sliding Scale To members with less than 10 years service ...	$7\frac{1}{2}$
To members with more than 10, but less than 15 years ...	10
To members with more than 15, but less than 20 years ...	15
To members with 20 years service ...	20

While we feel that a contribution by Government at so generous a rate as that of the Municipality of Singapore is not possible yet we are of opinion that a scheme in which the contribution by the Government is on a sliding scale—increasing in percentage according to length of service—should not be impossible of application.

Board's
Proposals.

13. With this end in view we applied ourselves to the examination of the possibilities of such a scheme and came to the unanimous conclusion to recommend to Government that a Provident Fund be created in which the contributor throughout the period of his contribution should by monthly deduction contribute 5 per cent of his annual salary. This percentage together with his compulsory contribution to the Widows' and Orphans' Pension Scheme would approximate to a total deduction of 10 per cent of his salary at some periods during his service being slightly more than 10 per cent and at others slightly less than this figure, the average being 10.18 per cent.

For Government's contribution we recommend that the Government's share should be—

- 5 per cent per annum contribution during the first 10 years of an officer's service;
- $7\frac{1}{2}$ per cent during the second 10 years, and
- 10 per cent per annum after completion of the 20th year of service.

It would perhaps be as well in this connexion to emphasize that in our view the creation of a sliding scale in which Government's contribution increases in accordance with length of service is preferable to a scheme in which a universal "flat" rate of contribution by the Government is laid down. A sliding scale provides an incentive to remain in

the Service in order to qualify for increased benefits and in our opinion should go far to create a settled and contented service and would be calculated to retain to Government the services of officers of proved value.

14. We have examined the question of the need for superimposing a gratuity based on the lines of the Railway Provident Fund, i.e. after 15 years' satisfactory service a gratuity of half a month's salary for every year of service, or on the lines of the present Government regulations, i.e. one week's salary for each year of service, subject to the minimum qualifying period laid down in the European Officers' Pension (Consolidation) Regulations, Regulation 15, viz. on retrenchment after not less than seven years or on retirement in any of the cases set out in section 7 of the Ordinance after fifteen years, and we have come to the unanimous conclusion that a gratuity should be granted, based on the present Government Regulations applicable to non-pensionable appointments. Gratuities.

15. Appendix II compares the cost to the Colony of the Board's proposed scheme with the cost to the Railway Administration of its existing fund in the case of a contributor who begins to contribute at the age of eighteen, continues to do so until he reaches the age of 55, when he retires having progressed in the normal way throughout his service. Appendix II.

From this appendix it will be seen that for the first 29 years of his service an officer under the Board's scheme would cost the Colony less than does an officer similarly placed under Railway Administration—but that an officer who has served for the full period of 38 years will at the end of his service have proved more expensive to Government. In our opinion this is a reasonable principle to adopt and although it is not possible to compare the total cost of the Railway Administration Scheme and the Board's proposals it must be the case that a number of officers will retire before having served for 30 years and, so far as we are able to estimate, we do not consider that our scheme will prove on the whole to be materially the more costly. Comparison of Board's Proposals with Kenya and Uganda Railways and Harbours Fund.

It will be apparent that the total benefits accruing from the Board's scheme will be less than those provided by the Railway Fund, viz. £4,418* as against £5,022—the main reason for this being that while under the Railway Scheme the combined contributions of officer and Administration approximate to 15 per cent of the former's salary throughout the

* i.e. £3,980, vide Appendix III, column 8—plus gratuity of £438.

contribution is by the officer at the rate of $7\frac{1}{2}$ per cent of his salary while the corresponding contribution by the Municipality is on a sliding scale as follows:—

Sliding Scale	Per cent
To members with less than 10 years service ...	$7\frac{1}{2}$
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While we feel that a contribution by Government at so general a rate as that of the Municipality of Singapore is not possible yet we are of opinion that a scheme in which the contribution by the Government is on a sliding scale—increasing in percentage according to length of service—should not be impossible of application.

13. With this end in view we applied ourselves to the examination of the possibilities of such a scheme and came to the unanimous conclusion to recommend to Government that a Provident Fund be created in which the contributor throughout the period of his contribution should by monthly deduction contribute 5 per cent of his annual salary. This percentage together with his compulsory contribution to the Widows' and Orphans' Pension Scheme would approximate to a total deduction of 10 per cent of his salary at some periods during his service being slightly more than 10 per cent and at others slightly less than this figure, the average being 10.18 per cent.

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- $7\frac{1}{2}$ per cent during the second 10 years, and
- 10 per cent per annum after completion of the 20th year of service.

It would perhaps be as well in this connexion to emphasize that in our view the creation of a sliding scale in which Government's contribution increases in accordance with length of service is preferable to a scheme in which a universal "flat" rate of contribution by the Government is laid down. A sliding scale provides an incentive to remain in

the Service in order to qualify for increased benefits and in our opinion should go far to create a settled and contented service and would be calculated to retain to Government the services of officers of proved value.

14. We have examined the question of the need for superimposing a gratuity based on the lines of the Railway Provident Fund, i.e. after 15 years' satisfactory service a gratuity of half a month's salary for every year of service, or on the lines of the present Government regulations, i.e. one week's salary for each year of service, subject to the minimum qualifying period laid down in the European Officers' Pension (Consolidation) Regulations, Regulation 15, viz. on retrenchment after not less than seven years or on retirement in any of the cases set out in section 7 of the Ordinance after fifteen years, and we have come to the unanimous conclusion that a gratuity should be granted, based on the present Government Regulations applicable to non-pensionable appointments. Gratuities.

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* i.e. £3,980, vide Appendix III, column 8—plus gratuity of £438.

6
whole of his service, under the Board's proposals the officer's contribution is fixed at 5 per cent and the combined rate of 15 per cent is not reached until he has completed 20 years' service. Moreover, we have explained in paragraph 14 that under the Board's proposals the gratuity is calculated on a different basis from that of the Railway Provident Fund.

16. If it should be thought that the total cash benefits are inadequate under our scheme it should be remembered that apart from the proposed Provident Fund an officer will have made provision for his wife and family by means of his compulsory contribution to the Widows' and Orphans' Pension Scheme. It is very difficult to assess in terms of a lump sum the value of that benefit to an officer; it would be generally admitted we feel sure that the figure would be considerable, and probably it is true that the combined benefits of the Widows' and Orphans' Pension Fund and the Provident Fund Scheme which we have proposed are greater than those provided under the Railway Provident Fund, but it should be borne in mind that the combined contributions from the officer to the Widows' and Orphans' Pension Scheme and the proposed Provident Fund amount to approximately 10 per cent whereas the Railway servant contributes to his Provident Fund 8½ per cent only.

17. Appendix III illustrates the effects of our proposals on an officer's salary at every year during his service. It will be observed therefrom that we have not taken into account the present levy on salaries.

18. As the problem of finding a suitable provident fund scheme for women servants is not complicated by the existence of a compulsory Widows' and Orphans' Pension Scheme there is not the same objection to advising in their case the adoption of either the Railway Scheme or that recommended by the Merrick Committee on page 9 of its Report. The latter is based on equal contributions by the contributor and the State at 7½ per cent each of the servant's salary. We have compared the respective merits of these two schemes with those of the scheme recommended by us for adoption in the case of men and of the three we are of opinion that the balance of the argument is in favour of the Merrick Committee's proposal.

-We, therefore, advise the adoption of that scheme together with a gratuity on retirement calculated on the existing Government basis, *vide* paragraph 14 above.

19. Appendix IV shows the benefits accruing in the case of a woman servant beginning her service at the age of eighteen, pursuing the normal course and retiring at the age of fifty on a salary of £420 per annum. From the figures therein contained it will appear that she will receive on retirement a total of £2,938 (the interest being calculated at 3½ per cent) with which at 6 per cent she would be able to purchase an annuity of £176 per annum or at 7 per cent an annuity of £205. To this sum of £2,938 Government will have contributed a total of £1,598.

Appendix IV.
Comparative Figures.

If a scheme were adopted for women on the lines of that recommended by us for men the total benefit which a woman servant in circumstances as above would receive would be £2,509 to which Government would have contributed £1,674.

On the other hand if a scheme on the lines of the Railway Scheme were adopted the total benefit would be £3,044 to which Government would have contributed £1,555.

20. Under the Merrick Scheme, therefore, the cost to Government in the instance given will be slightly more than the Railway Scheme, but less than under our scheme for men. The total benefit will be slightly less than under the Railway Scheme, but very considerably greater than under our scheme for men. The cost to the contributor will vary in the three schemes proportionately to 7½ per cent, 8½ per cent and 5 per cent of her salary (viz. Merrick Scheme, £1,340; Railway Scheme, £1,489, and our scheme for men, £835). In our opinion 5 per cent results in an inadequate final benefit, and a pound for pound basis at 7½ per cent is preferable to the Railway basis of 8½ per cent by the contributor and 6½ per cent by the Administration. (It will be realized that the additional cost to the State is largely balanced by Government's less generous method of calculating gratuity on retirement.)

21. It may be argued that we have been inconsistent and possibly illogical in abandoning in the case of women the principle of sliding scale benefits by which we have stated that we were favourably impressed and which we have recommended for application to the male service. We suggest, however, that the objects to be attained are not quite the same. Under that principle the advantage is to the officer who retires after long service, the disadvantage to the one who leaves early. To us this appears reasonable in the case of men for the average man at the end of a long service has

Explanatory.

whole of his service, under the Board's proposals the officer's contribution is fixed at 5 per cent and the combined rate of 15 per cent is not reached until he has completed 20 years service. Moreover, we have explained in paragraph 14 that under the Board's proposals the gratuity is calculated on a different basis from that of the Railway Provident Fund.

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Women

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Board's Proposals.

We, therefore, advise the adoption of that scheme together with a gratuity on retirement calculated on the existing Government basis, *vide* paragraph 14 above.

19. Appendix IV shows the benefits accruing in the case of a woman servant beginning her service at the age of eighteen, pursuing the normal course and retiring at the age of fifty on a salary of £420 per annum. From the figures therein contained it will appear that she will receive on retirement a total of £2,938 (the interest being calculated at 3½ per cent) with which at 6 per cent she would be able to purchase an annuity of £176 per annum or at 7 per cent an annuity of £205. To this sum of £2,938 Government will have contributed a total of £1,598.

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to provide not only for himself but also for a wife and family. Increasing benefits, therefore, correspond with increasing liabilities. With women servants the case is very different. If they marry they leave the service and if they remain unmarried they have only themselves to provide for in their old age. In view of the large numbers who will marry or for some other reason will leave early it is probably to the general advantage that the rate of benefit should remain constant throughout their service. Moreover, it has also been borne in mind that the normal retiring age for women is earlier than for men by five years and that the casualty rates and expectation of life of men and women are different.

Kenya and
Uganda
Railways and
Harbours
Fund
Regulations.
Gratuities.

22. We have examined the Regulations governing the administration of the Railway Provident Fund and we are of opinion that *mutatis mutandis* they are generally suitable to the two schemes proposed by us.

23. With reference to the gratuities proposed in paragraphs 14 and 18 *supra*, we consider that it should be unnecessary to make provision governing the rates and terms on which they become payable in the rules relating to the Provident Fund Schemes. If our recommendations in this matter are accepted, we suggest that the object in view could best be achieved by declaring the offices occupied by contributors to these schemes to be non-pensionable offices within the meaning of Regulation 15 (1) of the European Officers' Pension (Consolidation) Regulations, 1930.

Qualifying
Service.

24. We are in agreement with the recommendation of the Merrick Committee appearing on page 9 of that Committee's Report that an officer should have no claim on the Government contributions or interest thereon until he had completed five years as a contributor, unless his services were terminated on medical grounds or changes due to reorganization of staff. There is no such condition in the Railway Scheme, but we believe it to be sound, for in the early stages of his service an officer is frequently of no very great value to Government and we see no reason why Government should be put to expense in the way of providing for the future of those who make use of Government Service merely as a temporary accommodation.

Voluntary
Contributions.

25. Another variation which we recommend is the withholding of the privilege of voluntary contributions. We are satisfied that there are now in Kenya so many facilities in the way of building societies, the Post Office Savings Bank and other means of investment at the disposal of individuals

who desire and are able to make use of them that we do not consider that the necessity arises for the provision of any such privilege in either of our proposed schemes. Such a privilege would merely mean additional and unnecessary accounting to Government without such benefits to the contributor, additional to those he could obtain by other means as would justify the extra labour involved.

26. There are at present 729 officers holding posts scheduled for inclusion in the Local Civil Service. On the assumption that there would be approximately 700 contributors to the two schemes recommended by us we estimate the annual cost to Government would eventually be in the neighbourhood of £18,000 per annum. This estimate is based on an average salary of £850 per annum and does not take into account Government's liability for gratuities which in paragraphs 14 and 18 we have recommended should continue on the existing basis.

Cost to
Government.

At the present time, however, of the 729 officers filling posts scheduled for inclusion in the Local Civil Service 300 have acquired free pensionable status and, therefore, do not concern our immediate calculations. As explained above it is anticipated that Contributory Pensions Schemes will in due course be substituted for whatever Provident Fund Schemes may be adopted. It is unlikely, therefore, that our proposed schemes will ever in practice embrace so many as 700 contributors.

27. The cost in 1934 in respect of those 245 locally engaged officers who will have completed less than six years service and who may be expected to transfer to local terms of service in preference to retirement, we estimate to be approximately £4,200. (In this connexion we understand that six years is the limit which has been accepted by the Secretary of State.)

28. If the tentative recommendation of the Merrick Committee appearing on page 10 of that Committee's Report that "Should financial considerations permit . . . it would be a welcome gesture on the part of Government if in the case of personnel now under agreement, who might be offered transfer to the Local Service, it were made clear that Government would be prepared to place to their credit in the Provident Fund the amount of the Government contributions, which would have accrued, with or without interest as may be decided, had the fund been in operation at the time when

Merrick
Report, p. 10.

to provide not only for himself but also for a wife and family. Increasing benefits, therefore, correspond with increasing liabilities. With women servants the case is very different. If they marry they leave the service and if they remain unmarried they have only themselves to provide for in their old age. In view of the large numbers who will marry or for some other reason will leave early it is probably to the general advantage that the rate of benefit should remain constant throughout their service. Moreover, it has also been borne in mind that the normal retiring age for women is earlier than for men by five years and that the casualty rates and expectation of life of men and women are different.

22. We have examined the Regulations governing the administration of the Railway Provident Fund and we are of opinion that *mutatis mutandis* they are generally suitable to the two schemes proposed by us.

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25. Another variation which we recommend is the withholding of the privilege of voluntary contributions. We are satisfied that there are now in Kenya so many facilities in the way of building societies, the Post Office Savings Bank and other means of investment at the disposal of individuals

who desire and are able to make use of them that we do not consider that the necessity arises for the provision of any such privilege in either of our proposed schemes. Such a privilege would merely mean additional and unnecessary accounting to Government without such benefits to the contributor, additional to those he could obtain by other means, as would justify the extra labour involved.

26. There are at present 729 officers holding posts scheduled for inclusion in the Local Civil Service. On the assumption that there would be approximately 700 contributors to the two schemes recommended by us we estimate the annual cost to Government would eventually be in the neighbourhood of £18,000 per annum. This estimate is based on an average salary of £850 per annum and does not take into account Government's liability for gratuities which in paragraphs 14 and 18 we have recommended should continue on the existing basis.

At the present time, however, of the 729 officers filling posts scheduled for inclusion in the Local Civil Service 300 have acquired free pensionable status and, therefore, do not concern our immediate calculations. As explained above it is anticipated that Contributors' Pensions Schemes will in due course be substituted for whatever Provident Fund Schemes may be adopted. It is unlikely, therefore, that our proposed schemes will ever in practice embrace so many as 700 contributors.

27. The cost in 1934 in respect of those 245 locally engaged officers who will have completed less than six years' service and who may be expected to transfer to local terms of service in preference to retirement, we estimate to be approximately £4,300. (In this connexion we understand that six years is the limit which has been accepted by the Secretary of State.)

28. If the tentative recommendation of the Merrick Committee appearing on page 10 of that Committee's Report, p. 10, that "Should financial considerations permit, it would be a welcome gesture on the part of Government if in the case of personnel now under agreement, who might be offered transfer to the Local Service, it were made clear that Government would be prepared to place to their credit in the Provident Fund the amount of the Government contributions, which would have accrued, with or without interest as may be decided, had the fund been in operation at the time when

Kenya and
Uganda
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Fund
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Qualifying
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Voluntary
Contributions.

Cost to
Government.

Merrick
Report, p. 10.

they joined the Service for continuous employment" is accepted by Government the additional cost to Government of transferring these 245 officers we estimate to be £13,200 with interest, or £12,000 without interest.

29. We are, however, unable to estimate the cost to Government of transferring to the local terms of service those engaged overseas or those who having completed more than six years service may be admitted to participation in one of the proposed Provident Fund Schemes.

30. It will be apparent from the above that the immediate adoption of either or both of our proposed schemes will involve Government in considerable expenditure in the provision of benefits for a number of officers who are on agreement in non-pensionable posts. Ultimate economy, however, should be achieved from the transference of 300 posts from "free pension" to "contributory provident fund" status, it being understood that for contributory provident funds there may be substituted in the not far distant future contributory pensions schemes for some or all of the posts scheduled for inclusion in the Local Civil Service.

31. We wish to record our appreciation of the help given to us by the Deputy Treasurer, Mr. G. N. Sandford, O.B.E., and by Mr. C. H. Bloomfield, of the Kenya and Uganda Railways and Harbours Administration and to the very valuable work performed by the Secretary, Mr. R. C. M. Wood.

We have the honour to be,

Sir,

Your Excellency's obedient servants,

A. DE V. WADE,

Chairman.

C. W. HAYES-SADLER,
H. J. WEBSTER, } Members.*

R. S. M. WOOD,

Secretary.

Nairobi.

14th June, 1933.

* Note.—Lt. Col. E. M. Ley, D.S.O., was unable to sign the final copy of this Report owing to his temporary absence from the Colony, but he approved the Report in its draft form prior to his departure.

APPENDIX I

STATEMENT OF ACCOUNT OF AN INDIVIDUAL CONTRIBUTOR COMPILED ON THE BASIS OF THE KENYA AND UGANDA RAILWAYS AND HARBOURS PROVIDENT FUND.

Years	Salary	Contribution one-twelfth of Salary †	Bonus 5 1/2%	Interest 3 1/2%	Total
1	150	12 5	7 4	2	21 9
2	165	13 7	10 3	8	46 7
3	180	15 0	11 2	16	74 5
4	195	16 2	12 2	26	105 5
5	210	17 5	13 1	37	139 5
6	240	20 0	15 2	49	179 7
7	260	21 7	17 2	63	223 9
8	280	23 3	17 8	78	272 5
9	300	25 0	17 7	96	325 8
10	320	26 7	17 6	114	383 9
11	340	28 3	21 2	134	446 8
12	360	30 0	22 8	156	514 9
13	380	31 7	24 7	180	585 3
14	400	33 3	25 0	20 6	667 2
15	420	35 0	26 2	23 4	751 8
16	440	36 7	27 5	26 3	842 3
17	460	38 3	28 7	29 5	938 8
18	480	40 0	30 0	32 9	1 041 7
19	500	41 5	31 2	36 5	1 151 3
20	520	43 1	32 5	40 3	1 267 1
21	530	44 1	33 1	44 3	1 388 6
22	540	45 0	33 7	48 6	1 515 9
23	550	45 9	34 4	53 1	1 649 3
24	563	46 7	35 0	57 7	1 788 7
25	570	47 5	35 6	62 6	1 934 4
26	580	48 3	36 2	67 7	2 086 8
27	590	49 2	36 9	73 0	2 245 7
28	600	50 0	37 5	78 6	2 411 6
29	600	50 0	37 5	84 4	2 583 7
30	600	50 0	37 5	90 4	2 761 6
31	600	50 0	37 5	96 7	2 945 8
32	600	50 0	37 5	103 1	3 136 4
33	600	50 0	37 5	109 8	3 333 7
34	600	50 0	37 5	116 7	3 537 9
35	600	50 0	37 5	123 8	3 749 2
36	600	50 0	37 5	131 2	3 967 9
37	600	50 0	37 5	138 9	4 194 3
38	600	50 0	37 5	146 8	4 428 6
Total 38 years		£ 1,426 5	£ 1,069 5	£ 1,932 6	£ 4,428 6

Provident Fund

Gratuity at half-month's salary for

each year's service

£ 4,428

594

Total

£ 5,022

they joined the Service for continuous employment" is accepted by Government the additional cost to Government of transferring these 245 officers we estimate to be £13,200 with interest, or £12,000 without interest.

29. We are, however, unable to estimate the cost to Government of transferring to the local terms of service those engaged overseas or those who having completed more than six years service may be admitted to participation in one of the proposed Provident Fund Schemes.

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We have the honour to be,

Sir,

Your Excellency's obedient servants,

A. DE V. WADE,

Chairman.

W. HAYES-SADLER,

H. J. WEBSTER,

Members.

R. C. M. WOOD,

Secretary.

Nairobi.

14th June, 1933.

*Note.—Lt.-Col. E. M. Ley, D.S.O., was unable to sign the final copy of this Report owing to his temporary absence from the Colony, but he approved the Report in its draft form prior to his departure.

APPENDIX I
STATEMENT OF ACCOUNT OF AN INDIVIDUAL CONTRIBUTOR OR COMBINED
ON THE BASIS OF THE KENYA AND UGANDA RAILWAYS AND
HARBOURS PROVIDENT FUND.

Years	Salary	Contribution one-twelfth of Salary	Bonus % P.	Interest 3½%	Total
1	150	12.5	2.4	2	167.4
2	165	13.7	2.8	2.7	183.7
3	175	14.6	3.2	3.1	195.9
4	195	16.2	3.7	3.6	218.5
5	210	17.5	4.3	4.2	246.0
6	240	20.0	5.0	5.0	305.0
7	260	21.7	5.7	5.7	349.1
8	280	23.3	6.4	6.4	405.8
9	300	25.0	7.2	7.2	470.4
10	320	26.7	8.0	8.0	545.1
11	340	28.3	9.0	9.0	632.3
12	360	30.0	10.0	10.0	732.3
13	380	31.7	11.1	11.1	845.2
14	400	33.3	12.3	12.3	972.9
15	420	35.0	13.6	13.6	1116.5
16	440	36.7	15.0	15.0	1277.2
17	460	38.3	16.5	16.5	1456.5
18	480	40.0	18.0	18.0	1655.5
19	500	41.7	19.6	19.6	1875.4
20	520	43.3	21.3	21.3	2117.3
21	530	44.2	22.2	22.2	2382.7
22	540	45.0	23.2	23.2	2662.9
23	550	45.8	24.3	24.3	2958.0
24	560	46.7	25.4	25.4	3268.4
25	570	47.5	26.6	26.6	3594.2
26	580	48.3	27.8	27.8	3936.5
27	590	49.2	29.0	29.0	4295.3
28	600	50.0	30.3	30.3	4671.6
29	600	50.0	31.6	31.6	5065.5
30	600	50.0	33.0	33.0	5477.0
31	600	50.0	34.5	34.5	5906.3
32	600	50.0	36.0	36.0	6354.3
33	600	50.0	37.5	37.5	6822.0
34	600	50.0	39.0	39.0	7310.5
35	600	50.0	40.5	40.5	7820.0
36	600	50.0	42.0	42.0	8351.5
37	600	50.0	43.5	43.5	8905.0
38	600	50.0	45.0	45.0	9480.5
Total 38 years		£1,426.5	£1,069.5	£1,932.6	£4,428.6

Provident Fund

Gratuity at half-month's salary for each year's service

£ 4 4 28

594

Total

£5,022

APPENDIX II

COMPARISON OF THE COST OF THE RAILWAY SCHEME TO THE RAILWAY ADMINISTRATIONS WITH THE COST OF THE BOARD'S PROPOSALS TO GOVERNMENT IN AN INDIVIDUAL CASE

Railway Administration's Contributions						Colony's Contributions					
Years	Salary	Bonus	Interest	Gratuity	Total	Total	Gratuity	Interest	Bonus	Salary	Years
	1	2	at 3%	4	5	5	4	3	2	1	
1	150	9.4			159.4	7.5				5.0	1
2	188	10.3		9.8	208.1	14.0				5.0	2
3	196	11.2		20.0	227.2	25.5				5.0	3
4	196	11.2		31.9	249.1	36.2				5.0	4
5	210	13.1		48.2	271.3	47.2				5.0	5
6	240	15.0		71.7	327.7	51.4				5.0	6
7	260	16.2		96.0	352.2	78.8				5.0	7
8	280	17.5		126.0	383.5	111.7				5.0	8
9	300	18.7		161.8	410.5	151.4				5.0	9
10	320	20.0		204.4	444.4	199.2				5.0	10
11	340	21.2	10.0	264.4	495.6	257.7				5.0	11
12	360	22.5	17.7	342.2	552.4	327.7				5.0	12
13	380	23.7	27.7	439.4	620.8	400.0				5.0	13
14	400	25.0	39.8	558.8	698.6	484.8				5.0	14
15	420	26.2	54.0	698.4	786.6	581.4				5.0	15
16	440	27.5	70.5	868.5	885.0	690.0				5.0	16
17	460	28.7	89.5	1069.2	998.7	810.0				5.0	17
18	480	30.0	111.0	1300.0	1111.0	940.0				5.0	18
19	500	31.2	135.0	1561.2	1231.2	1080.0				5.0	19
20	520	32.5	172.0	1854.5	1366.5	1280.0				5.0	20

Includes Gratuity

APPENDIX II contd.

Railway Administration's Contributions						Colony's Contribution					
Years	Salary	Bonus	Interest	Gratuity	Total	Total	Gratuity	Interest	Bonus	Salary	Years
	1	2	at 3%	4	5	5	4	3	2	1	
21	530	33.1	19.0	464	596.4	631.6	214	19.5	53.0	530	21
22	540	33.7	22.9	527	603.6	638.8	228	22.1	54.0	540	22
23	550	34.3	27.9	597	619.9	647.5	243	24.7	55.0	550	23
24	560	35.0	34.0	674	634.0	657.5	259	27.5	56.0	560	24
25	570	35.6	41.5	759	646.1	668.8	276	30.4	57.0	570	25
26	580	36.2	50.5	854	655.7	681.1	294	33.7	58.0	580	26
27	590	36.9	60.0	959	662.8	694.4	313	37.0	59.0	590	27
28	600	37.5	70.0	1074	668.5	708.1	333	40.1	60.0	600	28
29	610	38.1	80.5	1199	672.6	722.1	354	43.6	61.0	610	29
30	620	37.5	92.5	1334	675.0	736.6	376	47.2	62.0	620	30
31	600	37.5	41.4	594	1,262.9	1,928.8	1,928.8	1,928.8	1,928.8	1,928.8	31
32	600	37.5	44.2	594	1,344.6	2,051.7	1,682.7	369	50.9	600	32
33	600	37.5	47.0	594	1,429.2	2,182.6	1,801.6	381	58.8	600	33
34	600	37.5	50.0	594	1,516.7	2,316.7	1,924.7	392	63.0	600	34
35	600	37.5	53.0	594	1,607.2	2,454.2	2,052.0	404	67.3	600	35
36	600	37.5	56.2	594	1,701.1	2,595.3	2,186.0	415	71.8	600	36
37	600	37.5	59.5	594	1,798.1	2,742.3	2,323.3	426	76.4	600	37
38	600	37.5	62.9	594	1,898.5	2,892.6	2,461.5	438	81.2	600	38

Summary of Railway Contributions:

At 10 years	1646
At 20 years	543.3 plus gratuity 976.3
At 30 years	1,184.0 " " 1,778.0
At 38 years	1,396.6 " " 2,492.6

Summary of Colony's Contributions:

At 10 years	13.6
At 20 years	559.1 plus gratuity 789.1
At 30 years	1,456.8 " " 1,802.8
At 38 years	1,461.5 " " 2,899.5

APPENDIX II
 COMPARISON OF THE COST OF THE RAILWAY SCHEME TO THE RAILWAY ADMINISTRATORS WITH THE
 COST OF THE BANKERS' PROPOSALS TO GOVERNMENT IN AN INDIVIDUAL CASE

Railway Administration's Contribution

Years	Salary		Bonus		Interest		Gratuities		Total
	at 4%	at 3%	at 4%	at 3%	at 4%	at 3%	at 4%	at 3%	
1	180	180	0	0	0	0	0	0	180
2	168	168	0	0	0	0	0	0	168
3	156	156	0	0	0	0	0	0	156
4	144	144	0	0	0	0	0	0	144
5	132	132	0	0	0	0	0	0	132
6	120	120	0	0	0	0	0	0	120
7	260	172	0	0	0	0	0	0	260
8	280	175	0	0	0	0	0	0	280
9	300	187	0	0	0	0	0	0	300
10	320	200	0	0	0	0	0	0	320
11	340	212	0	0	0	0	0	0	340
12	360	224	0	0	0	0	0	0	360
13	380	237	0	0	0	0	0	0	380
14	400	250	0	0	0	0	0	0	400
15	420	262	100	70	20	14	585	414	644
16	440	275	112	79	22	16	541	467	656
17	460	287	126	86	24	18	525	494	680
18	480	300	140	96	26	19	485	544	700
19	500	312	156	104	28	20	495	585	720
20	520	325	172	112	30	21	475	625	740

Includes Gratuity
at 4%
Includes Gratuity
at 3%

Colony's Contributions

Years	Gratuity		Interest		Bonus		Salary		Total
	at 4%	at 3%	at 4%	at 3%	at 4%	at 3%	at 4%	at 3%	
1	0	0	0	0	0	0	180	180	180
2	0	0	0	0	0	0	168	168	168
3	0	0	0	0	0	0	156	156	156
4	0	0	0	0	0	0	144	144	144
5	0	0	0	0	0	0	132	132	132
6	0	0	0	0	0	0	120	120	120
7	0	0	0	0	0	0	120	120	120
8	0	0	0	0	0	0	120	120	120
9	0	0	0	0	0	0	120	120	120
10	0	0	0	0	0	0	120	120	120
11	0	0	0	0	0	0	120	120	120
12	0	0	0	0	0	0	120	120	120
13	0	0	0	0	0	0	120	120	120
14	0	0	0	0	0	0	120	120	120
15	0	0	0	0	0	0	120	120	120
16	0	0	0	0	0	0	120	120	120
17	0	0	0	0	0	0	120	120	120
18	0	0	0	0	0	0	120	120	120
19	0	0	0	0	0	0	120	120	120
20	0	0	0	0	0	0	120	120	120

APPENDIX II contd.

Railway Administration's Contributions

Years	Salary		Interest		Gratuities		Bonus		Total	
	at 4%	at 3%	at 4%	at 3%	at 4%	at 3%	at 4%	at 3%	at 4%	at 3%
21	530	331	18.0	13.0	464	331	595.4	405.4	1,050.4	845.6
22	540	337	20.7	15.0	495	350	650.0	445.0	1,145.0	935.0
23	550	343	22.6	16.2	527	370	707.1	484.1	1,234.1	1,026.6
24	560	35.0	24.7	17.6	560	390	766.9	526.9	1,293.8	1,109.5
25	570	35.6	26.8	19.1	594	410	829.4	572.4	1,401.8	1,194.9
26	580	36.2	29.0	20.8	628	430	894.6	621.6	1,516.2	1,283.2
27	590	36.8	31.3	22.6	664	450	972.8	674.8	1,645.6	1,374.6
28	600	37.5	33.7	24.5	704	470	1,064.0	732.0	1,796.0	1,470.0
29	600	37.5	36.7	26.6	748	490	1,168.0	794.0	1,968.0	1,568.0
30	600	37.5	39.7	28.8	794	510	1,285.4	861.4	2,166.8	1,671.4
31	600	37.5	41.4	30.9	844	530	1,416.4	934.4	2,390.8	1,780.8
32	600	37.5	44.2	33.2	896	550	1,561.6	1,013.6	2,645.2	1,906.6
33	600	37.5	47.0	35.6	954	570	1,722.0	1,100.0	2,924.0	2,050.0
34	600	37.5	50.0	38.1	1,018	590	1,898.0	1,194.0	3,222.0	2,212.0
35	600	37.5	53.0	40.7	1,088	610	2,090.0	1,296.0	3,546.0	2,384.0
36	600	37.5	56.2	43.4	1,164	630	2,298.0	1,408.0	3,896.0	2,568.0
37	600	37.5	59.5	46.2	1,248	650	2,522.0	1,532.0	4,274.0	2,774.0
38	600	37.5	62.9	49.1	1,340	670	2,774.0	1,668.0	4,682.0	2,998.0

Summary of Railway Contributions

At 10 years	At 20 years	At 30 years	At 40 years
1,644	1,644	1,644	1,644
545.3 plus gratuity	545.3 plus gratuity	545.3 plus gratuity	545.3 plus gratuity
1,184.0	1,184.0	1,184.0	1,184.0
1,598.6	1,598.6	1,598.6	1,598.6
2,442.0	2,442.0	2,442.0	2,442.0

Summary of Colony's Contributions

At 10 years	At 20 years	At 30 years	At 40 years
1,644	1,644	1,644	1,644
545.3 plus gratuity	545.3 plus gratuity	545.3 plus gratuity	545.3 plus gratuity
1,184.0	1,184.0	1,184.0	1,184.0
1,598.6	1,598.6	1,598.6	1,598.6
2,442.0	2,442.0	2,442.0	2,442.0

APPENDIX III

DETAILED STATEMENT OF AN OFFICER'S ACCOUNT UNDER THE BOARD'S PROPOSALS SHOWING THE EFFECT ON HIS SALARY.

Age	2	3	Provident Fund Contributions		6	7	8	9
			4	5				
Salary	W. & O. P. Cont.	Personal	5% Stage	Total (Col's. 4 & 5)	Interest at 3½% Comp.	Grand Total	Nett Salary drawn	
£	£	£	£	£	£	£	£	
18	150		5%	7-5	15-0	—	15-0	142
19	165		5%	8-2	16-5	0-5	32-0	156
20	180		5%	9-0	18-0	1-1	51-1	171
21	195		5%	9-7	19-5	1-7	72-4	173
22	210	12	5%	10-5	21-0	2-5	95-9	187
23	240	12	5%	12-0	24-0	3-3	123-3	216
24	260	12	5%	13-0	26-0	4-3	153-6	235
25	280	15	5%	14-0	28-0	5-3	187-0	251
26	300	15	5%	15-0	30-0	6-5	223-5	270
27	320	18	5%	16-0	32-0	7-8	263-3	286
			7½%					
28	340	18	7½%	25-5	42-5	9-2	315-1	305
29	360	18	7½%	27-0	45-0	11-0	371-1	324
30	380	18	7½%	28-5	47-5	12-9	431-6	341
31	400	18	7½%	30-0	50-0	15-1	496-7	362
32	420	24	7½%	31-5	52-5	17-3	566-6	375
33	440	24	7½%	33-0	55-0	19-8	641-4	394
34	460	24	7½%	34-5	57-5	22-4	721-4	413
35	480	24	7½%	36-0	60-0	25-2	806-6	432
36	500	24	7½%	37-5	62-5	28-2	897-3	451
37	520	30	7½%	39-0	65-0	31-4	993-8	464
			10%					
38	530	30	10%	53-0	79-5	34-7	1,108-0	473
39	540	30	10%	54-0	81-0	38-7	1,227-8	483
40	550	30	10%	55-0	82-5	42-9	1,353-3	492
41	560	30	10%	56-0	84-0	47-3	1,484-7	502
42	570	30	10%	57-0	85-5	51-9	1,622-1	511
43	580	30	10%	58-0	87-0	56-7	1,765-9	521
44	590	30	10%	59-0	88-5	61-8	1,916-2	530
45	600	30	10%	60-0	90-0	67-0	2,073-3	540
46	600	30	10%	60-0	90-0	72-5	2,235-6	540
47	600	30	10%	60-0	90-0	78-2	2,404-1	540
48	600	30	10%	60-0	90-0	84-1	2,578-2	540
49	600	30	10%	60-0	90-0	90-2	2,758-5	540
50	600	—	10%	60-0	90-0	96-5	2,945-0	570
51	600	—	10%	60-0	90-0	103-0	3,138-1	570
52	600	—	10%	60-0	90-0	109-8	3,337-9	570
53	600	—	10%	60-0	90-0	116-8	3,544-8	570
54	600	—	10%	60-0	90-0	124-0	3,758-8	570
55	600	—	10%	60-0	90-0	131-5	3,980-4	570

APPENDIX IV

STATEMENT SHOWING AMOUNTS WHICH WOULD BE CREDITED ANNUALLY TO ACCOUNT OF MISS "X"—ON BASIS OF COMMENCING SALARY OF £150 PER ANNUM AND ASSUMING PROGRESSION THROUGH SCALES OF SALARY UP TO MAXIMUM OF £255 PER ANNUM (25 YEARS OF AGE) AND £420 PER ANNUM (50 YEARS OF AGE).

Salary	Contribution (7½%)	Bonus (7½%)	Interest (3½%)	Total (Credited)
£	Sh.	Sh.	Sh.	Sh.
150	225	225	—	450
165	248	248	16	512
180	270	270	34	574
195	293	293	54	640
210	315	315	76	706
225	338	338	101	777
240	360	360	128	848
255	383	383	158	924
270	405	405	190	1,000
285	428	428	225	1,081
300	450	450	263	1,163
315	473	473	304	1,250
330	495	495	347	1,327
345	518	518	394	1,430
360	540	540	444	1,524
360	570	570	497	1,637
390	585	585	555	1,725
400	600	600	615	1,815
410	615	615	678	1,908
420	630	630	746	2,006
420	630	630	815	2,075
420	630	630	888	2,148
420	630	630	963	2,223
420	630	630	1,041	2,301
420	630	630	1,122	2,382
420	630	630	1,205	2,465
420	630	630	1,291	2,540
420	630	630	1,380	2,618
420	630	630	1,473	2,733
420	630	630	1,569	2,829
420	630	630	1,668	2,928
420	630	630	1,770	3,020
Total	16,301	16,301	21,000	53,602

Amount payable on retirement £2,680
Plus Gratuity on basis of one week's pay for each year's service (32) 258

£2,938

£2,938 will purchase immediate payment annuity of £197 per annum (at £6.7 per £100).

CONTRIBUTION.

By Officer—

£
815
5-5

By Government—

£
815
528
258

£1,340

£1,596

APPENDIX III

DETAILED STATEMENT OF AN OFFICER'S ACCOUNT UNDER THE BOARD'S PROPOSALS SHOWING THE EFFECT ON HIS SALARY.

1	2	3	Provident Fund Contributions		6	7	8	9
			4	5				
Age	Salary	W. & O. P. Cont.	Personal	State	Total (Col's 4 & 5)	Interest at 3 1/4% Comp.	Grand Total	Net Salary drawn
	£	£	£	£	£	£	£	£
18	150		5% 7.5	5%	15.0	—	15.0	142
19	165		7.5	7.5	16.5	—	16.5	156
20	180		8.2	8.2	18.0	0.5	32.0	171
21	195	12	9.0	9.0	18.0	1.1	31.1	171
22	210	12	9.7	9.7	19.5	1.7	72.4	173
23	240	12	10.5	10.5	21.0	2.5	95.9	187
24	260	12	12.0	12.0	24.0	3.3	123.3	216
25	280	12	13.0	13.0	26.0	4.3	153.6	235
26	300	15	14.0	14.0	28.0	5.3	187.0	251
27	320	18	15.0	15.0	30.0	6.5	223.5	270
			16.0	16.0	32.0	7.8	263.3	286
				7 1/2%				
28	340	18	17.0	25.5	42.5	9.2	315.1	305
29	360	18	18.0	27.0	45.0	11.0	371.1	324
30	390	18	19.0	28.5	47.5	12.9	431.6	343
31	400	18	20.0	30.0	50.0	15.1	496.7	362
32	420	24	21.0	31.5	52.5	17.3	566.6	375
33	440	24	22.0	33.0	55.0	19.8	641.4	394
34	460	24	23.0	34.5	57.5	22.4	721.4	413
35	480	24	24.0	36.0	60.0	25.2	806.6	432
36	500	24	25.0	37.5	62.5	28.2	897.3	451
37	520	30	26.0	39.0	65.0	31.4	993.8	464
				10%				
38	530	30	26.5	53.0	79.5	34.7	1,108.0	473
39	540	30	27.0	54.0	81.0	38.7	1,227.8	483
40	550	30	27.5	55.0	82.5	42.9	1,353.3	492
41	560	30	28.0	56.0	84.0	47.3	1,484.7	502
42	570	30	28.5	57.0	85.5	51.9	1,622.1	511
43	580	30	29.0	58.0	87.0	56.7	1,765.9	521
44	590	30	29.5	59.0	88.5	61.8	1,916.2	530
45	600	30	30.0	60.0	90.0	67.0	2,073.3	540
46	600	30	30.0	60.0	90.0	72.5	2,235.6	540
47	600	30	30.0	60.0	90.0	78.2	2,404.1	540
48	600	30	30.0	60.0	90.0	84.1	2,578.2	540
49	600	30	30.0	60.0	90.0	90.2	2,758.5	540
50	600	30	30.0	60.0	90.0	96.5	2,945.0	570
51	600	30	30.0	60.0	90.0	103.0	3,138.1	570
52	600	30	30.0	60.0	90.0	109.8	3,337.9	570
53	600	30	30.0	60.0	90.0	116.8	3,544.8	570
54	600	30	30.0	60.0	90.0	124.0	3,758.8	570
55	600	30	30.0	60.0	90.0	131.5	3,980.4	570

APPENDIX IV

STATEMENT SHOWING AMOUNTS WHICH WOULD BE CREDITED ANNUALLY TO ACCOUNT OF MISS "X"—ON BASIS OF COMMENCING SALARY OF £150 PER ANNUM AND ASSUMING PROGRESSION THROUGH SCALES OF SALARY UP TO MAXIMUM OF £255 PER ANNUM (25 YEARS OF AGE) AND £420 PER ANNUM (50 YEARS OF AGE).

Salary	Contribution (7 1/4%)	Bonus (7 1/4%)	Interest (3 1/4%)	Total (Credited)
£	Sh.	Sh.	Sh.	Sh.
150	225	225	—	450
165	248	248	16	512
180	270	270	34	574
195	293	293	54	640
210	315	315	76	706
225	338	338	101	777
240	360	360	128	848
255	383	383	158	924
270	405	405	190	1,000
285	428	428	225	1,081
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Enclosure (a) 134

COLONY AND PROTECTORATE OF KENYA



**THIRD INTERIM REPORT
OF THE
CIVIL SERVICE BOARD**

NAIROBI
PRINTED BY THE GOVERNMENT PRINTER
1933

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YOUR EXCELLENCY,

We, the Civil Service Board, appointed by Your Excellency on the 20th December, 1932, have the honour to submit our Third Interim Report.

2. Our First Interim Report was submitted on the 16th February, 1933, and dealt with—

Previous Reports.

- (a) the posts to be included in the proposed European Local Civil Service; and
- (b) the scales of pay for these posts.

We understand that this Report has been accepted by Your Excellency's Government, but that the views of the Secretary of State have not yet been received.

3. Our Second Interim Report was submitted on the 14th June, 1933, and dealt exclusively with the institution of a Provident Fund for the proposed European Local Civil Service.

We understand that this Report has been accepted by Your Excellency's Government and by the Secretary of State. We have recently had the opportunity of advising upon the terms of a Bill to establish this Provident Fund.

4. During the consideration of its Third Term of Reference—

Term of Reference.

To make detailed recommendations as to the point in the scales of salary on which officers recommended for a Local Civil Service should transfer.

the Board held fifteen meetings. Mr. C. J. J. T. Barton, O.B.E., took the place of Mr. C. W. Hayes-Sadler on the Board on the 23rd August, 1933.

5. In connexion with our Third Term of Reference we have been instructed that officers serving on agreement who have completed six years' continuous service by the 1st January, 1933, should not be compelled to accept the conditions of the proposed Local Service as the alternative to retirement, but should be permitted to re-engage on their existing terms,

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6. Of the estimated total of 729 officers who on the 1st January, 1933, were occupying posts recommended for inclusion in the proposed Local Civil Service:—

- (a) 300 had already been granted pensionable status.
 (b) 163 were on agreements (80 months) having had more than six years' continuous service on that date.
 (c) 227 were on 30 months' agreements having had less than six years' continuous service on that date (of these 146 were engaged locally and 81 overseas).
 (d) 99 were serving on temporary month to month agreements.

With (a) above we are not concerned.

With (b) we are concerned only to the extent of recommending the general principles for determining the points in salary scales at which voluntary transferees would enter the proposed new Service.

With (c) we are concerned.

With (d) we are concerned, although the conditions on which transfer is to be effected will not, necessarily, be the same as those recommended to govern transfer under (c) above.

7. In determining the points in the new salary scales to which serving officers in category (c) are to be transferred we considered that it would be indefensible to disregard the terms of their existing agreements.

That is to say, we could not recommend that Government should in effect say to its servants "Your agreement with Government is finished and you have no claim on Government for any further consideration. If you wish for further employment under Government, that employment must be on whatever terms Government chooses to offer you without regard to your previous employment which is now over and done with."

Clause 2 of the 20 to 30 months' Agreement Form, Class "B", reads as follows:—

"2. The salary of the office is at the rate of pounds (£.....) a year rising to pounds (£.....) a year by annual increments of pounds (£.....) a year by annual increments of pounds (£.....) a year respectively."

Considerations governing Transfer.

Clause 2 of the 30 to 48 months' Re-engagement Form introduced in 1933 reads as follows:—

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But the rate of salary of the person engaged shall, from the date on which salary under this Agreement commences as provided in the Schedule hereto annexed, be the same as he shall have enjoyed immediately prior thereto, and shall so continue until his next increment is granted."

These agreements, therefore, hold out prospects of steadily increasing remuneration over a period of service extending, normally, until retirement.

It was on the strength of these prospects, and in the belief that Government would honour the offer implied, that Government servants now serving on agreement entered this Government's service, some of them leaving employment in England or elsewhere to come to Kenya with the justifiable hope, and expectation, of making a permanent career in this Colony under the conditions and terms of service held out to them.

With these considerations in view we came to the unanimous conclusion that in the cases where re-employment is offered to serving officers the terms of that re-employment should not be generally less advantageous than are the terms of their existing agreements. We accordingly recommend as a general principle that:—

RECOMMENDATION I.

"Officers on transfer should not be put in a generally less advantageous position than that in which they stand at present."

8. At present in the Service there are a number of Grading officers, particularly in the clerical ranks, whose appointments have been made on a scale of salary which is in effect a "long grade."

Exc. Civil
Reserve.

But appointment
long grade.

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Gen. Civil
Reserve.

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by Gen.

An "A" Grade Clerk, for instance, whose initial salary was £240 in the scale (£240) by £18 to £300 by £18 to £390 by £18 to £480 by £20 to £500 may at present be serving on agreement at the £390 step in this scale and has a reasonable expectation of proceeding throughout the scale in course of time to the maximum, viz. £500 per annum. We consider that it would be inequitable in transferring such an officer to the new Service to reduce the maximum salary which he can hope to attain because we consider that his appointment by Government to a scale of £240 to £500 per annum implies a promise that, provided he is retained in employment and his work and conduct are satisfactory, he will in due course be paid the sum of £500 per annum for his services.

We therefore recommend:—

RECOMMENDATION II.

"That the maximum of the grade to which officers will be transferred should not be less than that of the grade to which they have already been admitted."

A difficulty was encountered in considering the case of Grade "A" women clerks, the proposed new salary scale for whom is £380 to £420. At present the salary scale of a Grade "A" Clerk (for both men and women) is £240 to £500. If Recommendation II is accepted, it follows that a woman clerk who has been admitted to the present Grade "A" should be allowed to proceed to a maximum personal to herself as a "new" Grade "A" Clerk of £500.

We, therefore, recommend:—

RECOMMENDATION III.

"Those officers who have already been admitted to 'old' Grade 'A' should not be demoted to 'new' Grade 'B' as a consequence of the re-adjustment of salary scales, and that the maximum salary to which they may attain shall not be less than the maximum of the 'old' Grade 'A'."

9. Having decided upon the first three of our Recommendations, we addressed ourselves to the problem of the transfers of individuals and in considering this problem we had in mind the recommendations of the Fitzgerald, Merrick and Expenditure Advisory Committees.

From the outset we realized that the question of compulsory, and of voluntary, transfers to the new Service would

present great difficulty. The main considerations which we kept in mind were:—

- (a) That the new Service was not designed with the particular object of transferring serving officers to the new conditions, but was designed primarily to afford opportunities to locally educated youths, with the requisite qualifications, to enter upon an assured career in Government Service.
- (b) That to bring the cases of transferees within the new Service consolidation of conditions in terms of money is desirable.

Many difficulties were encountered and much time and thought was expended in arriving at a workable formula. It seemed to us, for example, wrong to transfer two officers one of whom was in receipt of £300 per annum consolidated and the other in receipt of £300 per annum plus quarters or an allowance in lieu, to the proposed salary scales at the same point in the scale.

The present position in regard to the payment of house allowance is that it is granted at the rate of 15 per cent of the initial salary of the officer's grade with minima of £50 to single officers and £75 to married officers. The allowance paid requires the submission of vouchers for rent and it is on these that the payment is made. The figure of 15 per cent bears no relation to rents, it is an actuarial figure arrived at for pension purposes and it should be borne in mind that the new Service is not to be on a free pension basis.

In our endeavour to find a suitable solution to this difficulty our first intention was to recommend that a percentage should be added to the salary of the officers concerned and that, when Government quarters were occupied, a deduction of this percentage should be made for rent.

We examined some two hundred cases of existing officers in all Departments, men and women. Of these officers some were recruited in Great Britain, some in the Dominions, others were experienced local recruits and some were recruited locally as learners. A few were locally educated.

To these we attempted to apply a percentage method of consolidation. We soon found that this method would not only create numerous individual anomalies but would also involve Government in sundry difficulties and complications not the least of which would be additional expense. The principle of consolidating what may be termed emoluments additional to

*Exec. Cld
Resumi*

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Transfers of
Serving
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Transfers of
Serving
Officers.

salary with salary has so often been mooted that we think it desirable to specify the major difficulties which presented themselves to us in our consideration of its adoption.—

- (a) The proposed increase in salary it would give moves certain individuals higher in their scales, and even into higher scales than their work or qualifications warrant.
- (b) By inference it would involve increasing the maxima of the approved salary scales for officers who have already reached, or who are approaching, the end of their present scales.
- (c) It would give a permanent addition to salary while on leave when, e.g., housing is not the concern of Government.
- (d) It would increase Government's and the officer's contributions to the Provident Fund and also Government's liabilities and the officer's contributions to the Widows' and Orphans' Pension Scheme.
- (e) It would add to the amount of gratuities, etc., payable by Government.
- (f) It would be productive of confusion and embarrassment in the services common to Kenya, Uganda and/or Tanganyika.

10. After full consideration we have come to the unanimous conclusion that the equitable method of compulsory, or of voluntary, transfer to the new Service is:—

RECOMMENDATION IV.

- "(a) To allow those who were, on the 1st January, 1934, entitled by agreements, to quarters or to a house allowance, a personal consolidation allowance at the rate of £50 per annum, to be drawn while serving in the Colony and Protectorate, but not to be drawn when on vacation leave.
- (b) To require from those officers who occupy Government quarters a rent, as from the 1st January, 1934, paid by salary deduction, at the rate of £50 per annum.

Note.—The rental proposed is based upon 5 per cent of the average capital value of the Government quarters which members of the Local Civil Service will occupy. Some of these quarters will be the new Class IV type of house valued at approximately £1,250, others will be houses of different types and ages and many of them of far lower value.

Personal Consolidation Allowance, Rents, Methods of Transfer of Serving Officers.

*See Civil Revenue
that approval be given.*

We do not consider that any differentiation can be made between old or new houses, or on account of the situation of the quarters.

- (c) Subject to the terms of current agreements, to transfer existing personnel with service under the Kenya Government of a year or over on the 1st January, 1934, to the new scales by the following method:—

1. In the case of officers on fixed salaries the new rates to be payable as from the 1st January, 1934.
2. In the case of officers on incremental scales the old salaries to be drawn from the 1st January, 1934, until the next incremental date when the officers will proceed to such step in the new scales as will give them not less than the salary which they would have drawn under the old rates of pay."

*See Civil Revenue
that approval be given.*

Example.

Officer on old scale of £240 by £18 to £300 with incremental date 1st of April.

(New scale £240 by £20 to £360.)

Salary from 1st January, 1934 (old scale) £276.

Salary on old scale on 1st April, 1934, £294.

Salary on new scale from 1st April, 1934, £300.

Thus:—

Officer's salary will be £276 plus the personal consolidation allowance of £50 from 1st of January until the 31st March, 1934, and £300 plus the personal consolidation allowance of £50 from the 1st April, 1934.

(Note.—(1) If an officer's incremental date falls on the 1st of January, 1934, his new salary will be calculated on the basis of his emoluments at the 31st of December, 1933, and he will enter the new scale on the 1st of January, 1934.

Examples.

Officer on old scale of £240 by £18 to £300 with quarters or £50 per annum in lieu and incremental date 1st January.

Salary and house allowance on 31st December, 1933: £276 plus £50 = £326.

Salary, etc., on 1st January, 1934 (old scale) = £344.

(New scale is £240 by £20 to £360.)

Salary, etc., on 1st January, 1934 (new scale): £300 plus £50 consolidation allowance = £350.

salary with salary has so often been mooted that we think it desirable to specify the major difficulties which presented themselves to us in our consideration of its adoption:—

- (a) The proposed increase in salary it would give moves certain individuals higher in their scales, and even into higher scales than their work or qualifications warrant.
- (b) By inference it would involve increasing the maxima of the approved salary scales for officers who have already reached, or who are approaching, the end of their present scales.
- (c) It would give a permanent addition to salary while on leave when, e.g., housing is not the concern of Government.
- (d) It would increase Government's and the officer's contributions to the Provident Fund and also Government's liabilities and the officer's contributions to the Widows' and Orphans' Pension Scheme.
- (e) It would add to the amount of gratuities, etc., payable by Government.
- (f) It would be productive of confusion and embarrassment in the services common to Kenya, Uganda and/or Tanganyika.

10. After full consideration we have come to the unanimous conclusion that the equitable method of compulsory, or of voluntary, transfer to the new Service is:—

RECOMMENDATION IV.

"(a) To allow those who were, on the 1st January, 1934, entitled by agreements, to quarters or to a house allowance, a personal consolidation allowance at the rate of £50 per annum, to be drawn while serving in the Colony and Protectorate, but not to be drawn when on vacation leave.

(b) To require from those officers who occupy Government quarters a rent, as from the 1st January, 1934, paid by salary deduction, at the rate of £50 per annum.

Note.—The rental proposed is based upon 5 per cent of the average capital value of the Government quarters which members of the Local Civil Service will occupy. Some of these quarters will be the new Class IV type of house valued at approximately £1,250, others will be houses of different types and ages and many of them of far lower value.

Personal
Consolidation
Allowance,
Rents,
Methods of
Transfer of
Serving
Officers.

*Case Civil Reserve
That approval be
given.*

We do not consider that any differentiation can be made between old or new houses, or on account of the situation of the quarters.

(c) Subject to the terms of current agreements, to transfer existing personnel with service under the Kenya Government of a year or over on the 1st January, 1934, to the new scales by the following method:—

1. In the case of officers on fixed salaries the new rates to be payable as from the 1st January, 1934.

2. In the case of officers on incremental scales the old salaries to be drawn from the 1st January, 1934, until the next incremental date when the officers will proceed to such step in the new scales as will give them not less than the salary which they would have drawn under the old rates of pay."

*Case Civil Reserve
That approval be given.*

Example.

Officer on old scale of £240 by £18 to £300 with incremental date 1st of April.

(New scale £240 by £20 to £360.)

Salary from 1st January, 1934 (old scale) £276

Salary on old scale on 1st April, 1934. £294

Salary on new scale from 1st April, 1934. £300.

Thus:—

Officer's salary will be £276 plus the personal consolidation allowance of £50 from the 1st of January until the 31st March, 1934, and £300 plus the personal consolidation allowance of £50 from the 1st April, 1934.

(Note.—(1) If an officer's incremental date falls on the 1st of January, 1934, his new salary will be calculated on the basis of his emoluments at the 31st of December, 1933, and he will enter the new scale on the 1st of January, 1934.

Examples.

Officer on old scale of £240 by £18 to £300 with quarters or £50 per annum in lieu and incremental date 1st January.

Salary and house allowance on 31st December, 1933: £276 plus £50 = £326.

Salary, etc., on 1st January, 1934 (old scale) = £344.

(New scale is £240 by £20 to £360.)

Salary, etc., on 1st January, 1934 (new scale): £300 plus £50 consolidation allowance = £350.

A comparison of the actual cash at this officer's personal disposal under old and new conditions shows, for 1934:—

Old: £344, less £15 (Widows' and Orphans' contribution) = £329.

New: £350, less £15 (Widows' and Orphans' contribution) and 5 per cent Provident Fund = £320.

In the case of an officer transferring at the same rate of salary as formerly the result would be, at £300 per annum:—

Old: £300 plus £50 minus £15 = £335.

New: £300 plus £50 minus £15 and 5 per cent for Provident Fund = £320.

At £500 per annum the cash difference would be £50 per annum since under the old conditions the house allowance payable on a £500 fixed salary is £75 per annum.

(2) If an officer is on the maximum of his scale and that maximum is less than the maximum of his new scale, and if he has not been less than one year on the maximum of his old scale he will enter the new scale as from 1st January, 1934, at the next higher incremental point in his new scale and his future incremental date will be the 1st January in any year.

If he has been less than one year on his maximum, he will draw his old salary from the 1st January, 1934, until his next incremental date when he will proceed to the next incremental step in the new scale.

(3) We understand the foregoing procedure is that followed in the 1933 revision of salaries.

11. In continuation of the foregoing, and in order that there should be no doubts as to our intentions, we recommend:—

RECOMMENDATION V.

(a) No personal consolidation allowance should be granted to officers of the new Service who were not, on the 1st January, 1933, entitled to free quarters or to an allowance in lieu.

(b) No personal consolidation allowance should be granted to officers of the new Service who were not, between the 1st January, 1933, and the announcement of the new terms of service, entitled to free quarters or to an allowance in lieu.

(c) No personal consolidation allowance, or privilege of free quarters, should be granted to future entrants into the new Service."

12. We wish to make it clear that we consider the Provident Fund recommended in our Second Interim Report may be regarded as some compensation for any expectation of pension; and we have made the recommendations in this Third Interim Report on the understanding that Government will be prepared to place to the credit of the transferred personnel the amount of the Government contributions without interest which would have accrued had the fund been in operation at the time when they joined the Service, as recommended in the Merrick Report and endorsed in our Second Interim Report. We consider, however, that it would be impossible to expect Government, in the case of voluntary transfers, to keep open this offer for an indefinite period and we, therefore, recommend:—

RECOMMENDATION VI.

"That of those who voluntarily transfer to the new Service, only those who within three months of the announcement of the new terms elect to transfer as from the date of its inception should receive the benefit of Government's contributions to the Provident Fund in respect of their previous service."

RECOMMENDATION VII.

"We recommend the date of the inauguration of the new Service should be the 1st January, 1934."

13. In conclusion, we desire to record our appreciation of the services of our Secretary, Mr. R. C. M. Wood, and of the assistance afforded to us by Mr. C. H. Bloomfield, of the Kenya and Uganda Railways and Harbours Administration, who has attended our meetings in a liaison capacity.

We have the honour to be,
Your Excellency's
humble and obedient servants,

A. DE V. WADE,
Chairman.

C. J. J. T. BARTON
H. J. WEBSTER
E. M. LEY, } *Members.*

R. C. M. WOOD, *Secretary.*
22nd November, 1933.

Provident
Fund.

Voluntary
Transfer.

Date of
Inauguration.

Conclusion.

Officers
eligible for
personal
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We have the honour to be,
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H. J. WEBSTER,

E. M. LEY,

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R. C. M. WOOD, Secretary,
22nd November, 1933.

Enclosure (a)

142

COLONY AND PROTECTORATE OF KENYA



**FOURTH INTERIM REPORT
OF THE
CIVIL SERVICE BOARD**

NAIROBI
PRINTED BY THE GOVERNMENT PRINTER
1954

FOURTH INTERIM REPORT OF THE CIVIL SERVICE BOARD

YOUR EXCELLENCY,

We, the Civil Service Board appointed on the 20th December, 1932, have the honour to submit our Fourth Interim Report upon the following and fourth term of reference :—

“To consider and make recommendations upon any further points of detail which may still require the decision of Government in order that its policy in creating Local Civil Services for Europeans and Asians may be put into operation as equitably and as expeditiously as possible.”

In connexion with this term of reference we have held eight meetings.

Our deliberations have been confined solely to matters connected with the inauguration of a European Civil Service, for we are of the opinion that once the main principles of such a service have been approved it should not be a difficult matter to formulate rules and regulations suitable for application to an Asian Local Civil Service.

2. As we have stated in paragraph 6 of our Third Interim Report we are not concerned with the 300 officers occupying posts recommended for inclusion in the proposed new Service who have been already granted pensionable status. While we are of opinion that such officers must retain their pension rights throughout their service, we consider that on receiving promotion in the new service they must accept the new salary scales and rates of increment. They would not, of course, be allowed to become contributors to the Provident Fund.

Pensionable officers occupying posts included in the Local Civil Service.

3. As regards the 103 officers who are serving on agreement with more than six years' Colonial service we consider that in the event of voluntary transfer to the new Service such officers should be treated in exactly the same way as those with less than six years' service on the 1st January, 1933, who are to be compulsorily transferred.

Non-pensionable officers with more than 6 years' service occupying posts included in the Local Civil Service.

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Non-pensionable officers with more than 6 years' service occupying posts included in the Local Civil Service.

4. In connexion with the 81 officers of under six years' service who were engaged overseas and who for leave purposes, in accordance with the Secretary of State's instructions must be given "Overseas" terms, in the first place it was perfectly clear to us whether the Secretary of State's decision was intended to apply only to the amount of leave and to the tour of service, or whether it was intended to apply also to passage privileges and in particular to the family passage allowance. It appears to us from the context of his published telegram (No. 236 of 1932) in which the decision is conveyed, and from a perusal of previous correspondence, that the latter was his intention and we recommend that these officers be treated accordingly.

5. In so far as the 99 officers serving on temporary agreements are concerned, we consider that on transfer to the new terms, for Provident Fund purposes, the first year of service in a temporary capacity should be deducted from any period served at the time of transfer, that is to say, if an officer has served for four years in a temporary capacity at the date of transfer to the new service, his date of entry into the Provident Fund and the consequent date from which Government's arrears of contributions should be reckoned should be three years.

6. During the course of our investigations we examined the possibility of laying down standard terms, and conditions of service for Technical Apprentices throughout the Service.

The Departments employing or likely to employ indentured staff are the Posts and Telegraphs, the Public Works, the Government Press, the Forests and the Survey, and we, therefore, asked the Postmaster General to convene a meeting of the Heads of these Departments, together with the Director of Education, with a view to arriving at a basis of agreement on which general standard terms might be formulated.

As the result of that meeting the following letter has been received :-

"The circumstances relating to the different posts were found to vary to such an extent that it is thought that youths recruited for training should be divided into three classes, viz :-

- (1) Apprentices in the Printing Department.
- (2) Apprenticeships leading to professions, e.g., Quantity Surveyor Apprentices in the Public Works Department; Survey Apprentices in the Survey Department.

(3) Learners for technical posts not covered by (1) and (2).

In the case of classes (1) and (2), appointments should ordinarily be on a deed of apprenticeship for the period usual in the respective trade or profession, but in order to cover any special cases that may arise the Head of the Department should be allowed discretion whether a contract of apprenticeship is entered into or a letter of appointment issued. It is suggested, however, that a formal deed should not be signed until after a probationary period of at least six months, and if then signed, the deed to have retrospective effect.

In regard to (3), it is felt that it would be better to allow Heads of Departments discretion whether learners should be indentured or engaged on a suitable letter of appointment. There are no indications of any tendency for youths to withdraw from training and a letter of appointment gives more general freedom to both sides.

The conditions precedent to the engagement of learners of all classes were considered and it is agreed that those mentioned in paragraph 3 of the Secretary's letter (see below) under reply are appropriate, subject to the modification that the minimum age should be lowered to 15 in order to meet the requirements of the Printing Department which finds from experience that suitable apprentices can be obtained under 16 years of age. In regard to other departments, it will, it is believed, be found in practice that 16 years of age will prove to be the minimum.

As a corollary to lowering the minimum age to meet the case of the Printing Department, it is recommended that for that Department a standard of education sufficient to satisfy the Government Printer itself that need be required.

The following scales of pay are recommended. In deciding on these scales the meeting kept in view that, in the main, the scales should not be less than the scale for Clerical Learners so as not to discourage youths from entering the technical side.

Class 1.	£
1st year	60
2nd year	84
3rd year	102
4th year	120
5th year	150

Non-pensionable officers engaged overseas with less than 6 years' service occupying posts included in the Local Civil Service.

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The following scales of pay are recommended. In deciding on these scales the meeting kept in view that, in the main, the scales should not be less than the scale for Clerical Learners so as not to discourage youths from entering the technical side.

Class	£
1st year	60
2nd year	64
3rd year	102
4th year	120
5th year	150

and thereafter, if retained in the Department, as Assistant Linotype Operators on a scale: £180 by £15 to £210 by £30 to £240 by £20 to £300 (vide First Interim Report of the Civil Service Board).

Class 2.	£
1st year	84
2nd year	102
3rd year	120
4th year	150
5th year	165

and continuing at £165 until such time as a pass has been obtained in the professional examination.

If retained in the Department when qualified, appointment to Junior Staff Surveyor as follows:—

Grade B £240 by £20 to £300 and then Grade A £300 by £20 to £360.

Class 3.—As for Clerical Learners, and thereafter as provided for in the Board's proposals in its First Interim Report for Juniors, viz: £150 by £15 to £210, etc.

In regard to general conditions of service, it is agreed that these should be as for clerical posts.

Note I.—Paragraph 3 of the Secretary's letter reads:—

"The First Interim Report of the Civil Service Board recommends the following salary scales for Clerical Learners:—

Learners (Male and Female).

Grade II.—£60 to £84 per annum with no set increments;

Grade I.—£84 by £15 to £120.

and, as at present advised, my Board considers that Technical Apprentices should be of the minimum age of 16 years and that conditions precedent to indentures should be:—

- (a) The attainment of 16 years.
- (b) A good school record.
- (c) A certificate of character from the Headmaster.
- (d) A pass in the Junior Locals or a higher examination."

Note II.—It is not the intention that a learner should invariably be appointed at the minimum of the appropriate scale. In exceptional cases—age, previous experience, high educational qualifications—the regulations should permit of an appointment being made on a salary higher than the minimum.

Note III.—We consider that Deeds of Apprenticeship and Letters of Appointment to Apprentices and to Learners should be in a standard form.

Note IV.—We consider that service as an Indentured Apprentice should not earn vacation leave, but that if on the termination of the indentured service an appointment in Government Service is secured, two years or a period not exceeding one-half of the indentures should be counted for leave purposes.

7. Turning now to the conditions governing the entry of Learners in the Clerical Grade we consider that:—

Conditions of entry etc. for learners in the Clerical Grades.

In Grade II:—

Subject to approval by Government, entry should be between 16 and 18 years and should be conditional on a good school record, a certificate of character and evidence of having passed an examination of the Junior Locals standard; dismissal from Grade II and/or progress to Grade I (after at least one year's service in Grade II) being left to the Head of Department.

In Grade I:—

- (a) Subject to approval by Government, direct entry should be allowed between the ages of 17 and 18½ years at any point in the scale; and should—
- (b) be conditional on a good school report, a certificate of character and evidence of having passed the School Certificate, the London Matriculation or an equivalent examination.
- (c) Promotion from Learner to a Grade B clerkship (£150) should be allowed at any time after reaching the age of 18 years on the recommendation of the Head of Department provided the Government Junior Short-hand or Accountancy, Typing and Language Examinations have been passed.
- (d) Unsatisfactory conduct or failure to pass the examination detailed in (c) above within three years should, in our opinion, entail discharge by Government.

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7. Turning now to the conditions governing the entry of Learners in the Clerical Grade we consider that:—

In Grade II.—

Subject to approval by Government, entry should be between 18 and 19 years and should be conditional on a good school record, a certificate of character and evidence of having passed an examination of the Junior Locals standard; dismissal from Grade II and/or progress to Grade I (after at least one year's service in Grade II) being left to the Head of Department.

In Grade I:—

- Subject to approval by Government, direct entry should be allowed between the ages of 17 and 18½ years at any point in the scale; and should—
- be conditional on a good school record, a certificate of character and evidence of having passed the School Certificate, the London Matriculation or an equivalent examination.
- Promotion from Learner to a Grade B clerkship (£150) should be allowed at any time after reaching the age of 18 years on the recommendation of the Head of Department provided the Government Junior Shorthand or Accountancy, Typing and Language Examinations have been passed.
- Unsatisfactory conduct or failure to pass the examination detailed in (c) above within three years should, in our opinion, entail discharge by Government.

Conditions of entry etc. for learners in the Clerical Grades.

In regard to the question of leave to be granted to this class of employee, we recommend that service in the Learner Grade as such should not earn vacation leave, but that if on the termination of the Learner service an appointment to the graded Clerical Service is secured without break of service, the period spent in the Learner Grade should be counted for leave purposes as if the whole service had been rendered in the Clerical Grade.

We furthermore are of the opinion that there should be no fixed establishment of Learners in the Service.

Conditions of entry etc. to Grade B Clerks.

8. For Grade B Clerks we consider that subject to approval by Government :-

- (a) Direct entry, regard being had to age, should be allowed at any point, provided the qualifications for promotion from Learner Grade I are held.
- (b) To pass the £210 efficiency bar an officer should be required to have passed :-

(i) The Senior Shorthand and Typing Examination, or an equivalent recognised test, or an Accountancy examination and all applicable Language Examinations. A reasonable period should be allowed to direct entrants within which to pass the applicable Language Examination.

(ii) A general intelligence test consisting of a short written general knowledge paper set and marked by the Education Department and a viva voce examination on Departmental subjects held by the Head of Department and a representative of the Civil Service Board. This viva voce examination would also serve as a personality test.

Efficiency Bars.—In regard to the £360 bar for men and the £300 bar for women, we consider that passing these bars should be conditional on the Head of Department certifying precisely that all applicable Government regulations and examinations have been complied with, that there have been no defects of character, or of conduct, sufficient to prevent further progress in the scale and that the person named is in every way recommended for further progress in the scale.

Conditions of promotion etc. to Grade A Clerks.

9. For Grade A Clerks we consider that, subject to approval by Government :-

- (a) Direct entry should be permitted but only in rare cases, and that in such cases, age, experience and the

possession of the qualifications, or the equivalent for passing the £210 bar in the Grade B scale should be insisted upon.

- (b) Promotion to this Grade should be by merit, due regard being had to seniority.

Efficiency Bar.—To enable an officer in this Grade to pass the £520 efficiency bar, we consider that a certificate similar to that suggested for the £360 bar should be required.

Establishment.—We consider that there should be a definite establishment of Grade A posts on a general roster throughout the Service on which promotions would be made and that the present system of allocating graded posts to various departments should cease.

We are unable to understand the present basis of distribution. We observe, for instance, that in the Secretariat provision is made for only one "A" Grade Clerk, while in the Agricultural Department provision exists for no less than 11 Clerks in this Grade.

We, therefore, recommend that of the posts in the Clerical Service 25 per cent should be Grade A. An officer who progresses through the clerical scale by normal steps throughout Grade B and by immediate promotion from the top of Grade B to Grade A will serve for 15 years in Grade B and for 13 years in Grade A before reaching the maximum of that Grade. Twenty-five per cent would probably be too small a proportion were it not for the fact that a number of clerks in Grade B will leave the Service for various reasons before reaching the maximum of that Grade, but in all the circumstances we consider that this figure is a reasonable one. The percentage of Grade A Clerks in the 1933 Estimates is 32.8 of the total number of Clerks.

Rates of Increment.—We are of opinion that those officers who are referred to in Recommendation III of our Third Interim Report should be called upon to accept the new rates of increment notwithstanding the fact that we have recommended their old maxima should be retained as an arrangement personal to themselves.

10. **Special Grade Clerks.**—We endorse the recommendation of the Merrick Committee that appointments in this Grade should be strictly limited in numbers and that direct entry should only be allowed in the most exceptional circumstances, preference being given to the claims of officers with long service.

Conditions of promotion etc. to Special Grade Clerks.

In regard to the question of leave to be granted to this class of employee, we recommend that service in the Learner Grade as such should not earn vacation leave, but that if on the termination of the Learner service an appointment to the graded Clerical Service is secured without break of service, the period spent in the Learner Grade should be counted for leave purposes as if the whole service had been rendered in the Clerical Grade.

We furthermore are of the opinion that there should be no fixed establishment of Learners in the Service.

Conditions
of entry etc.
to Grade B
Clerkships.

8. For Grade B Clerkships we consider that subject to approval by Government :—

- (a) Direct entry, regard being had to age, should be allowed at any point, provided the qualifications for promotion from Learner Grade I are held.
- (b) To pass the £210 efficiency bar an officer should be required to have passed :—

(i) The Senior Shorthand and Typing Examination, or an equivalent recognised test, or an Accountancy examination and all applicable Language Examinations. A reasonable period should be allowed to direct entrants within which to pass the applicable Language Examination.

(ii) A general intelligence test consisting of a short written general knowledge paper set and marked by the Education Department and a viva voce examination on Departmental subjects held by the Head of Department and a representative of the Civil Service Board. This viva voce examination would also serve as a personality test.

Efficiency Bars.—In regard to the £360 bar for men and the £300 bar for women, we consider that passing these bars should be conditional on the Head of Department certifying precisely that all applicable Government regulations and examinations have been complied with, that there have been no defects of character, or of conduct, sufficient to prevent further progress in the scale and that the person named is in every way recommended for further progress in the scale.

9. For Grade A Clerkships we consider that, subject to approval by Government :—

- (a) Direct entry should be permitted but only in rare cases, and that in such cases, age, experience and the

Conditions
of promotion
etc., to Grade
A Clerkships.

possession of the qualifications, or the equivalent for passing the £210 bar in the Grade B scale should be insisted upon.

- (b) Promotion to this Grade should be by merit, due regard being had to seniority.

Efficiency Bar.—To enable an officer in this Grade to pass the £520 efficiency bar, we consider that a certificate similar to that suggested for the £360 bar should be required.

Establishment.—We consider that there should be a definite establishment of Grade A posts on a general roster throughout the Service on which promotions would be made and that the present system of allocating graded posts to various departments should cease.

We are unable to understand the present basis of distribution. We observe, for instance, that in the Secretariat provision is made for only one "A" Grade Clerk, while in the Agricultural Department provision exists for no less than 11 Clerks in this Grade.

We, therefore, recommend that of the posts in the Clerical Service 25 per cent should be Grade A. An officer who progresses through the clerical scale by normal steps throughout Grade B and by immediate promotion from the top of Grade B to Grade A will serve for 15 years in Grade B and for 13 years in Grade A before reaching the maximum of that Grade. Twenty-five per cent would probably be too small a proportion were it not for the fact that a number of clerks in Grade B will leave the Service for various reasons before reaching the maximum of that Grade, but in all the circumstances we consider that this figure is a reasonable one. The percentage of Grade A Clerks in the 1933 Estimates is 32.8 of the total number of Clerks.

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Conditions
of promotion
etc., to Special
Grade Clerk-
ships.

We do not consider it advisable to attempt to lay down any standard of qualifications for entry into this Grade. In our opinion the Special Grade, as the designation implies, is definitely intended for a very limited number of Special posts to be filled by individuals of exceptional service or attainments. Generally speaking, we consider that these Special Grade posts should be awarded to those who are capable of doing the work of a Secretarial Assistant.

Form of Appointment to the Local Civil Service.

11. *Form of Appointment.*—We have examined at considerable length the question of the form of appointment to be issued to members of the new Service. It is obvious that the form must be either an Agreement or a Letter of Appointment. We consider that a Letter of Appointment is more appropriate and we therefore recommend that:—

RECOMMENDATION I.

- (a) A Letter of Appointment on the lines of the specimen form on page 58 of the Merrick Report in which should appear a clause that removal from the Service of the holder should be within the power of the Governor should be issued in all cases.
- (b) Appointees should be issued in the first case with a Letter of Temporary Appointment on the lines of the specimen form on page 56 of the Merrick Report.

The decision of Government is required on a number of points as to which the Fitzgerald Committee or the Merrick Committee or both have advised, viz:—

12. *Leave.*—The recommendations of the Fitzgerald Committee are briefly as follows:—

Local.—13 days annually.

Vacation.—28 days per annum cumulative to six months. Officers under 18 years of age not to be eligible for vacation leave.

Service at unhealthy stations should earn leave in a shorter time than service in healthy stations.

With these recommendations the Merrick Committee was in general agreement.

The present leave regulations for European Civil Servants, whether or not pensionable, are:—

Three days for each completed month of service where the normal tour is forty-eight months.

Four days for each completed month of service where the normal tour is thirty-six months.

Five months' service at an unhealthy station counts as six months' service at a healthy station.

A comparison of the present regulations with the Fitzgerald Committee's leave proposals is shown in the following table.

Present terms for 48 months' tour:—

144 days earned,
Plus 56 days period of voyages.

Total 200 days.

Fitzgerald leave proposals after 48 months' service:—

112 days earned,
add 18 days local leave

Total 130 days.

From the above it will be seen that the latter proposals are far less favourable than are the present regulations which only a year ago were considerably reduced. We have no medical statistics of illness to guide us, but from the published Vital Statistics of European Officials for 1931, we observe that the death and invaliding rates for the last recorded 5-year period have been:—

	1927	1928	1929	1930	1931
<i>Death.</i>					
Kenya	4.8	2.7	1.2	2.3	3.4
Kenya and Uganda					
Railway	6.6	7.8	7.2	7.9	2.8
Uganda	5.8	9.9	5.7	3.5	5.0
Nyasaland	4.7	4.3	..	3.4	3.6
Zanzibar	5.1	17.7	9.0	..	..
Tanganyika	7.1	6.7	6.9	6.1	4.9
Northern Rhodesia .. .. .	..	13.9	9.7	7.9	7.2
<i>Invaliding.</i>					
Kenya	3.8	2.0	5.8	1.7	7.3
Kenya and Uganda					
Railway	6.6	1.6	10.4	5.3	..
Uganda .. .. .	..	..	9.5	6.9	5.0
Nyasaland .. .. .	..	..	4.5	..	7.3
Zanzibar	8.1	..	9.0	8.9	17.7
Tanganyika	5.0	7.6	4.3	9.1	4.2
Northern Rhodesia	2.8	17.0	1.9	4.3

Leave conditions for the Local Civil Service.

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Kenya and Uganda					
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Uganda	5.8	9.9	5.7	3.5	5.0
Nyasaland	4.7	4.3	..	3.4	3.6
Zanzibar	8.1	17.7	9.0	..	1.5
Tanganyika	7.1	6.7	6.9	6.1	4.9
Northern Rhodesia	13.9	9.7	1.9	7.2
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It is a matter for consideration by Government whether the Fitzgerald proposals are to be adopted or in any way modified (see footnote to Report).

Passages for
the Local
Civil Service.

13. *Passages.*—The Fitzgerald Committee recommended that an account should be opened into which the officer should contribute 2½ per cent of his salary (with a minimum of Sh. 10 and a maximum of Sh. 20 per mensem) and that Government should contribute an equal amount. That Committee recommended that there should be no statutory tour of service but that an officer should be able to take the leave due to him together with the amount standing to his credit in his passage account whenever he should choose subject to the exigencies of the Service.

The Merrick Committee recommended more generous assistance and advised that an officer should earn the full cost of a return passage in four years. This would probably mean in practice that a period of four years would come to be considered a normal period of service. When this recommendation was made the normal tour of service was 2½ years. For the Overseas Service this has now been increased to a four-year tour for the first nine years of service and to a three-year tour for subsequent service.

Although the service with which we are now concerned is designated the "Local Service" it is not disputed that a large number of the members of the Service have been recruited from overseas and have enjoyed similar leave privileges to the Overseas Service, wherever they were recruited, and that recruitment from overseas must continue. Moreover, that in offering employment to candidates from overseas Government should be in a position to inform them of the probable duration of the period at the termination of which they may expect to be granted overseas leave. The Fitzgerald Committee realized the difficulty and referred to it in paragraph 24 of its Report. That Committee felt that ordinarily such officers should serve under local service conditions but that at the moment it was not desirable to lay down hard and fast rules. The Committee further suggested that decisions in such cases could be made as they arose. It seems, however, that in practice a decision must be come to before they arise for otherwise Government will not know what conditions to offer to any particular candidate.

It is at least arguable that overseas leave in England, or elsewhere, is no less necessary for those members of the Local Service who may be recruited overseas, than it is for members of the Overseas Service and we recommend:—

RECOMMENDATION II.

That in respect of passages, officers recruited from overseas whether for the Local Service or for the Overseas Service should receive similar treatment in accordance with the current regulations.

If this is agreed we come to the difficulty of distinguishing between those recruited from outside the Colony and those recruited in the Colony, for among the latter are a number whose homes are overseas although they happen to have signed their agreements in Kenya. The difficulty, however, is probably not insuperable. We do not recommend individual treatment and the most practicable solution seems to be to make a hard and fast rule that all those who were or who may be appointed in Kenya will be subject to the strict interpretation of the Local Service conditions, that is to say (if the Merrick Committee's recommendation is accepted) they will earn a passage after four years' service, and four years will come to be regarded as their normal period of duty throughout their service.

14. *Family Passage.*—No grant towards a family passage was recommended by either the Fitzgerald or the Merrick Committee, the latter Committee, however, recommended that the grant towards the officer's passage might be accumulated up to six years, so that at the end of that period he would have earned a passage and a half. In this connexion again it may be argued that if it is proper that members of the Overseas Service should be granted a passage allowance it must be no less proper that members of the Local Service who have been or who may be recruited overseas should receive a similar allowance, particularly in view of the fact that officers in the Local Service are normally less able to afford the cost of a family passage home than are those of the Overseas Service. We therefore recommend:—

Family
passage.

RECOMMENDATION III.

That in the matter of a family passage allowance officers who have been or who may be recruited overseas—whether for the Overseas or for the Local Civil Service—should receive identical treatment.

Note.—The concession of a family passage allowance would not apply to local members of the Local Service and in this respect again we suggest that all who are appointed in Kenya should be deemed to be local members.

(See Footnote to Report).

15. *Quarters.*—Another difficulty with which we have been confronted arises out of Recommendation IV of our Third Interim Report.

Quarters.

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(See Footnote to Report).

15. *Quarters*.—Another difficulty with which we have been confronted arises out of Recommendation IV of our Third Interim Report.

There are at present a number of officers in the Service whose duties entail continuous travelling, and in consequence of which they are issued by Government with tents or caravans in which they live. Their terms of appointment entitle them to quarters or an allowance in lieu. The estimated cost of the usual tent issued in such cases is £22-10, and its normal life may be assessed at five years. We consider that it would not be sound policy to give such officers £50 personal consolidation allowance and at the same time when in occupation of a Government tent or caravan to charge them this amount in the form of rent. It is obvious that if this allowance were paid most of the officers would quickly wish to purchase their own tents and to draw the £50 personal consolidation allowance.

We therefore recommend that :—

RECOMMENDATION IV.

- (i) When an officer is issued with a tent or caravan he shall not receive a personal consolidation allowance nor shall any rent be charged for the use of the tent or caravan issued to him.
- (ii) When such an officer is posted to a station where the conditions of his employment do not involve the use of a tent or caravan he shall be given the personal consolidation allowance, and be required to pay rent for any Government quarters which may then be allocated to him.

16. *Medical Attendance.*—In paragraph 17 of our First Interim Report we recommended a departure from the Merrick and Fitzgerald Reports, that is the extension of the privilege of free medical attention to the officer's family. We understand that the whole question has been referred by Your Excellency's Government to the Secretary of State, whose reply is awaited. We take this opportunity of stating that we do not wish to depart in any way from our previous recommendation in this connexion.

17. *Acting Allowances.*—We recommend that :—

RECOMMENDATION V.

Acting allowances should not be paid in connexion with any post which has been scheduled for inclusion in the new Service. In cases in which an officer of the new Service acts in an "Overseas" post we consider that he should be paid acting allowance in accordance with the regulations in force for the Overseas Service.

18. *Age of Retirement.*—The Fitzgerald Committee recommended that the normal age for retirement should be

"fifty-five years, or after 30 years' service, whichever comes the earlier, subject to the right of Government to retire an officer who has reached the age of fifty years".

The Merrick Committee stated :—

"The appropriate age for normal retirement suggested is 55 years for males and 50 years for females, but the Committee appreciate that final decision on this point must remain for consideration with the provisions to govern whatever scheme of compulsory insurance may be adopted".

The recommendations of the Colonial Administrative Service Unification Scheme are :—

- (a) That the normal age of retirement should be fixed at 55, at which age officers would retire automatically except in the circumstances detailed below.
- (b) That when, in exceptional circumstances, an officer remains in the Service beyond the age of 55, he should in no case be allowed to remain after the age of 60.
- (c) That officers between the ages of 50 and 55 might, in special circumstances, retire on pension with the consent of the Governor.
- (d) That, in special circumstances, officers between the age of 50 and 55 might be compulsorily retired with the approval of the Governor but without recourse to the inefficiency clause of Colonial Regulations".

We therefore recommend :—

RECOMMENDATION VI.

That the Colonial Administrative Service Unification Scheme recommendations be adopted, viz (a), (b), (c) and (d) above with the modification that, as recommended by the Merrick Committee in the case of women, the above proposals should apply with a reduction of five years in every case.

19. *Married women.*—We have discussed the question of the employment of married women and we have been informed of the recently expressed views of the Secretary of State in this connexion. After careful consideration of all aspects of the case we recommend that :—

Medical
attendance.

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allowance.

Age of re-
tirement.

Married
women.

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Medical attendance.

Acting allowance.

Age of retirement.

Married women.

RECOMMENDATION VII.

(i) Married women should not be selected for appointment unless in exceptional circumstances such as (a) where a man and wife are required for, e.g., superintendence of an institution; or (b) where the public interest demands the selection of a person with particular qualifications and the only suitable candidate is a married woman.

(ii) A woman officer in the Service should be called upon to tender her resignation on marrying. The question of her further employment on a purely temporary basis being at the discretion of Government.

Married women and the Provident Fund.

20. *Provident Fund.*—Arising out of the preceding recommendations, and following the analogy of pensionable women officers who on marriage are required to forgo pension rights on resignation, we recommend that :—

RECOMMENDATION VIII.

(i) Women officers who are already in the Service and who are married should not be allowed to contribute to the Provident Fund.

(ii) When both husband and wife are in the Service only the husband should be allowed to contribute to the Provident Fund.

(iii) Government should contribute to the Provident Fund in respect of women officers only until the date of their marriage.

Note.—From recommendation (i) above we exclude widows.

Confidential reports.

21. *Confidential Reports.*—We understand that present regulations do not require reports—similar to those applicable to officers of the Overseas Service—but as we are of opinion that the compilation of confidential reports would safeguard Government and also the officer whose conduct, or misconduct, was under consideration we recommend :—

RECOMMENDATION IX.

That reports should be made annually by the Head of Department in a form similar to that in use, should be shown to an officer adversely reported upon, should be confidentially filed in the Department and should be available for inspection by Government or by any person or body authorized by Government.

Promotions to the Overseas Service and of officers with more than 6 years' service within the Local Civil Service.

22. *Promotions.*—We consider it desirable that Your Excellency's Government should encourage those whose abilities and/or qualifications and service warrant advancement to posts in the Overseas Service and recommend :—

RECOMMENDATION X.

That Government should make a clear statement that it will be its policy, when possible, to recommend meritorious officers of the new Service for advancement in the Overseas Service.

In so far as officers with more than six years' service as at 1st January, 1933, are concerned it is a matter for consideration whether promotion in the new Service should entail acceptance of conditions other than the new rates of salary and increment.

23. *Discipline.*—We recommend :—

Discipline.

RECOMMENDATION XI.

That in all cases of discipline the authority in staff matters should lie in the Governor.

We recognize that in every case the officer has the right of appeal to the Secretary of State.

24. *Permanent Civil Service Board.*—We consider that a permanent Civil Service Board should be set up as soon as possible.

Civil Service Board.

25. *Nomenclature.*—We are not entirely satisfied that "Local Civil Service" is the most satisfactory designation that can be devised and we are of opinion that this matter merits further consideration.

Nomenclature.

It has been represented to us that the designation "Local Civil Service" introduces an invidious distinction not dissimilar to that which formerly existed between 1st and 2nd class officers which was abolished by the Secretary of State in 1920. We consider it to be most unfortunate that any such distinction should be created, particularly as we regard it of the greatest importance as did the Fitzgerald Committee, vide paragraph 22 of their Report, that all possible facilities should be given to enable members of the Local Service (if it is to continue to be so called) to enter the Overseas Service. We have, therefore, considered alternative designations. The recommendation concerning the Asian Service is that it should be known as the Kenya Asian Civil Service and we incline to the opinion that the designation Kenya European Civil Service is less open to objection than "Local Civil Service".

26. *General.*—The Chairman, the Hon. A. de V. Wade, O.B.E., was unable to sign this Report before proceeding on leave. The first draft was examined by him and he approved its principles. We have made no substantial alterations.

General.

RECOMMENDATION VII.

(1) Married women should not be selected for appointment unless in exceptional circumstances such as (a) where a man and wife are required for, e.g., superintendence of an institution; or (b) where the public interest demands the selection of a person with particular qualifications and the only suitable candidate is a married woman.

(II) A woman officer in the Service should be called upon to tender her resignation on marrying. The question of her further employment on a purely temporary basis being at the discretion of Government.

20. *Provident Fund*.—Arising out of the preceding recommendations, and following the analogy of pensionable women officers who on marriage are required to forgo pension rights on resignation, we recommend that :—

RECOMMENDATION VIII.

(1) Women officers who are already in the Service and who are married should not be allowed to contribute to the *Provident Fund*.

(II) When both husband and wife are in the Service only the husband should be allowed to contribute to the *Provident Fund*.

(III) Government should contribute to the *Provident Fund* in respect of women officers only until the date of their marriage.

Note.—From recommendation (I) above we exclude widows.

21. *Confidential Reports*.—We understand that present regulations do not require reports—similar to those applicable to officers of the Overseas Service—but as we are of opinion that the compilation of confidential reports would safeguard Government and also the officer whose conduct, or misconduct, was under consideration we recommend :—

RECOMMENDATION IX.

That reports should be made annually by the Head of Department in a form similar to that in use, should be shown to an officer adversely reported upon, should be confidentially filed in the Department and should be available for inspection by Government or by any person or body authorized by Government.

22. *Promotions*.—We consider it desirable that Your Excellency's Government should encourage those whose abilities and/or qualifications and service warrant advancement to posts in the Overseas Service and recommend :—

RECOMMENDATION X.

That Government should make a clear statement that it will be its policy, when possible, to recommend meritorious officers of the new Service for advancement in the Overseas Service.

In so far as officers with more than six years' service as at 1st January, 1933, are concerned it is a matter for consideration whether promotion in the new Service should entail acceptance of conditions other than the new rates of salary and increment.

23. *Discipline*.—We recommend :—

RECOMMENDATION XI.

That in all cases of discipline the authority in staff matters should lie in the Governor.

We recognize that in every case the officer has the right of appeal to the Secretary of State.

24. *Permanent Civil Service Board*.—We consider that a permanent Civil Service Board should be set up as soon as possible.

25. *Nomenclature*.—We are not entirely satisfied that "Local Civil Service" is the most satisfactory designation that can be devised and we are of opinion that this matter merits further consideration.

It has been represented to us that the designation "Local Civil Service" introduces an invidious distinction not dissimilar to that which formerly existed between 1st and 2nd class officers which was abolished by the Secretary of State in 1920. We consider it to be most unfortunate that any such distinction should be created, particularly as we regard it of the greatest importance as did the Fitzgerald Committee, vide paragraph 22 of their Report, that all possible facilities should be given to enable members of the Local Service (if it is to continue to be so called) to enter the Overseas Service. We have, therefore, considered alternative designations. The recommendation concerning the Asian Service is that it should be known as the Kenya Asian Civil Service and we incline to the opinion that the designation Kenya European Civil Service is less open to objection than "Local Civil Service".

26. *General*.—The Chairman, the Hon. A. de V. Wade, O.B.E., was unable to sign this Report before proceeding on leave. The first draft was examined by him and he approved its principles. We have made no substantial alterations.

In conclusion we desire to record our appreciation of the services of our Secretary, Mr. R. C. M. Wood, and of the assistance afforded to us by Mr. C. H. Bloomfield of the Kenya and Uganda Railways and Harbours who has attended our meetings in a *Maison* capacity.

We have the honour to be,
Your Excellency's humble and obedient servants,

Chairman.

*C. J. J. T. BARTON
†H. J. WEBSTER
E. M. LEY } *Members.*

R. C. M. WOOD,
Secretary.

Nairobi.

29th December, 1933.

*Subject to the notes following upon paragraphs 12 and 14.
†Subject to the note following upon paragraph 14.

Note on Paragraph 12.

Mr. Barton considers current leave regulations should apply to existing staff until, as required by the Secretary of State, the statistic record of results is available for the experimental 5-year period laid down by him in his published telegram No. 236 of the 14th November, 1932. A further point to be considered in this connexion is the incidence of illness amongst the female staff the greater portion of which will serve under Local Service conditions.

Note on Paragraph 14.

In Mr. Barton's and Mr. Webster's opinion the grant of a family passage allowance has a bearing upon European colonization and, apart from this, they consider that the withdrawal of the privilege from the officers who have enjoyed it is open to doubt. They consider the amount of the allowance should remain at £30 or £20 and be paid to married officers provided they have attained the age of 29 years and/or the £360 salary step. Moreover, that the foregoing provisos should not be applied to men already married, nor to women, whether or not widows, who are supporting their children unaided.

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Presented to Members of Executive Council on 17th February, 1932

EUROPEAN LOCAL CIVIL SERVICE.

I. Origin.

In June 1931 Government accepted a motion moved by the Hon. F. J. O'Shea:-

"That this Council requests Government to appoint a Committee as soon as possible to enquire into the terms and conditions of the Civil Service".

II. Fitzgerald Committee.

The terms of reference to this Committee which was appointed in July 1931 were:-

"To examine the present terms and conditions attached to European appointments in the Kenya Civil Service and to make recommendations with a view to the modification of such terms and conditions for future entrants, including those now engaged on Agreements, having in mind the possible establishment of a purely local Civil Service in Kenya".

An advance copy of the Report of this Committee which reported in October 1931, was sent to the Secretary of State, was laid on the table of Legislative Council and was the subject of a motion for adoption which was, by leave, withdrawn.

It was circulated to the neighbouring Governments and to the Departments. The comments received were collated and submitted to Executive Council in January 1932 (See Minute No. 3/1932). The Report divided the Service into "Overseas" and "Local" Sections and its recommendations received the general approval of the Governor in Council who appointed a further Committee for more detailed examination of the problem.

of State in February 1932. In the

it was said:-

153

"3. Generally I am confident that the time has arrived when certain modifications of the present terms of service on the lines suggested in this Report could be introduced for future entrants to the Service without detriment and with a saving in expenditure. At the same time, in view of the ruling contained in Lord Passfield's despatch No.16 of the 6th January, 1930, I cannot see how in equity any change in terms of service on less advantageous lines could be extended to existing staff and so effect immediate economies

"5. There is, however, one direction in which it is certain that Kenya at present must proceed alone, and that is the creation of a Local European Service to include posts which it is considered could be filled by the local youth of the Colony i.e. not only those born in the Colony but also those who have come to Kenya from other countries".

"6. I agree with the statement in paragraph 9 of the Report that it is not necessary (or possible) to offer to prospective members of the Local Service such terms as must be offered to persons engaged from overseas and that the creation of a Service distinct and separate from the Overseas Service is most desirable

"11. A further paragraph to which I desire to invite your attention in the Report is Paragraph No.19 which deals with the important question of the transfer of officers at present serving on agreement to the new terms. While I realise that

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it would be within the terms of their employment to offer them a transfer to the new terms either after due notice of the termination of their present agreement or alternatively to their signing a new agreement, I consider that there are many officers at present serving who would have reason for dissatisfaction if the new terms were applied to them. In this connection I have concurred with the advice of my Executive Council in recommending that this question, as also the proposal for the creation of a Civil Service Board, should be dealt with after the Committee (Merrick) on the Local Services has submitted its recommendations".

In the Secretary of State's reply the following passages occur:-

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No 2

"2. I am prepared to accept the principle that conditions of service in Kenya must be dictated by local circumstances, and I agree that it is proper to differentiate between "local" and the "overseas" services. I see no reason to suppose that with minor adjustments the proposals in your despatch under reply should not be acceptable. But, while the present (August 1932) is in some ways a convenient time to take stock of the situation and to draw up schemes for application when recruitment revives, the fact that recruitment is practically at a standstill makes it unnecessary to attempt to reach a decision before the questions at issue have been fully explored. In this connection it is desirable to guard against the formulation of conditions in a period of financial depression, which in the future may prove to be a source of discontent".

"3. In the circumstances I propose, before expressing a final judgment on the recommendations now before me, to await the expression of your views on the Colonial Administrative Service scheme

III. Merrick Committee.

The terms of reference to the Merrick Committee appointed by the Governor in Council in January 1932 were:-

"To examine, to report upon, to schedule posts and to draft Regulations, having regard to the principles laid down by Executive Council at its meeting of the 7th January 1932, for the inauguration of:-

- (a). A Local European Service; and
- (b). A Local Asiatic Service

applicable to Government servants not employed by the Kenya and Uganda Railways and Harbours Services".

and on a difference of opinion arising on the Committee as to the construction of the words underlined above the Governor in Council ruled that the Committee might consider variations of the Leave and Passage conditions for the Local Service recommended by the Fitzgerald Committee (See Minute No.230/1932).

The Merrick Committee reported in August 1932 and the Report was circulated to the Expenditure Advisory Committee, the Departments and to the Secretary of State. Before the Report had been considered by the Governor in Council the Expenditure Advisory Committee recommended that those officers who were serving on agreement and who had less than 10 years service should be warned that it was proposed

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proposed to terminate their present agreements on 156
three months notice, and that on the expiry of that
period they might be offered re-engagement but only
on such revised conditions as Government may consider
advisable. The Minute (No.391 of 1932) of Executive
Council runs:-

"(i). Of the present posts for which modified terms
of service have been recommended in the Report
of the Local European Civil Service Committee,
those holders who are at present serving on
agreements or on a month to month basis should,
unless they have had six or more years
continuous service, or have completed two
tours, whichever shall be greater, be warned
that any offer of re-engagement which may be
made to them upon the expiration of their
present agreements may be on revised terms
of service and that, in cases in which exist-
ing agreements expire before the new terms of
service have been approved, they will, if they
wish, be retained on a month to month basis
until the new terms are ready for their
examination.

(ii). Individual cases which may be recommended for
special consideration should be submitted to
the Governor in Council".

In transmitting this Minute to the Secretary of
State in September 1933 it was said:-

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No 7

"8. It will be observed that Executive Council
were not prepared to accept in full the
recommendations of the Expenditure Advisory
Committee and indeed, they reaffirmed the
principle.....that to take the drastic
step of offering officers transfer to new terms

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of service after giving them three months notice of termination of their present agreements would not be justifiable. I observe from the terms of Kenya Confidential despatch of the 21st June 1962 that a similar view was held by the Duke of Devonshire who wrote (vide paragraph 7 of that despatch):-

"As regards officials at present serving on agreement, I am strongly of opinion that the existing agreements should be allowed to run their course, and that no endeavour should be made to secure an immediate economy by terminating the agreements with the prescribed notice and offering re-engagement at a reduced rate of pay. That it would be strictly legal to do so I do not deny; but I think that the Government would lay itself open to justifiable criticism if it used the power of determining agreements merely for the sake of effecting reductions of salary."

9. The principal reasons actuating the Executive Council in arriving at its decision were that owing to the failure to obtain any decision in Kenya on the question of terms of service and to the undertaking given not to add to the pensionable establishment until those terms were settled, officers had been required to serve in Kenya on agreements for longer periods than in other Colonies. For this reason it was considered that officers who had had six years or more satisfactory service on agreements should not, by reason of the fact that they happened to be serving on agreements, be put in a less favourable category than others who have possibly been confirmed in their appointments after a shorter period of service....."

As a result of this despatch and the previous references, the approval of the Secretary of State to various alterations in terms of service was announced to the Service in Secretariat Circular No.48 of the 10th December 1932. In the case of officers serving on agreements it was, inter alia, laid down:-

1. Tour to be from 30 - 48 months.
2. 48 months to be the normal tour for those with less than 9 years continuous Colonial service and 36 months to be the normal tour for those with more than 9 years service.
3. Leave to be 3 days for each month when the normal tour is 48 months and 4 days for each month when the normal tour is 36 months.

and notice to officers serving on existing agreements was given in the following terms:-

"Notice is hereby given to all officers serving on agreement that on the termination of their present agreement any offer of future employment will include the terms set out above, subject to the further proviso that any officers who are serving on agreement in posts which have been scheduled in the Report of the Local European Civil Service Committee and who have less than six years' continuous Colonial Service may be required to serve under different conditions from those enumerated below".

In the meanwhile the considerable comments and criticism of the Departments upon the Merrick Report had been received. They were collated and submitted to the Governor in Council. The Minute (No.499/1932) ends with:-

".....Finally Council advised that a Civil Service Board be appointed to consider the Report

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of the Fitzgerald and Merrick Committees and the Memorandum submitted to Council, and that as its first duty it be asked:-

1. To examine and to report upon the inclusion of the posts scheduled in the Merrick Report for the Local Civil Service in the light of the comments received and the decision of Executive Council that officers with six years or more service should retain Overseas Service rights.
2. To advise, assuming a 10% reduction from salary will have to be made to cover contributions to a contributory Pensions Scheme and obligations in respect of the Widows and Orphans Pensions Scheme (or such modification thereof as the Board may recommend) whether the Merrick Report scales of salary are reasonable, and, if not, what variations should be made.
3. In the light of such advice to make detailed recommendations as to points in the scales of salary on which officers recommended for the Local Civil Service should transfer".

This decision was reported to the Secretary of State. As the Civil Service Board's work progressed it was found necessary to add a fourth Term of Reference:-

- "4. To consider and make recommendations upon any further points of detail which may still require the decision of Government in order that its policy in creating Local Civil Services for Europeans and Asians may be put into operation as equitably and as expeditiously as possible".

The position, therefore, when the ad hoc Civil Service Board was appointed was that the problems of a Local European Civil Service had been set out by the Fitzgerald Committee and general approval had been given to

the Report of that Committee; the Merrick Committee had reported and Government had made no pronouncement upon its Report but, in view of the criticisms made and the difficulties now apparent, had appointed the Civil Service Board with more detailed terms of reference.

During this period of examination the principle of overseas and local sections of the Service had been established; major alterations applicable to all civil servants had been made in the length of tours and in the leave earning rates and in passage privileges; while as regards the officers of the proposed Local Service those with 6 years or more service on the 1st January 1933 had been promised overseas terms.

IV. Civil Service Board.

The Board presented its First Interim Report in February, its Second in June, its Third in November and its Fourth in December 1933.

1. The First Interim Report.

This Interim Report deals with salary scales and in its Appendices I and II shows the Present Scale, the Fitzgerald Proposals, the Merrick Proposals and the Board's Proposals.

Points of importance are:-

- (a). The differentiation between the salaries for men and for women.
- (b). The Board's remarks in Paragraph 11 that under the salary scales proposed by the Merrick Committee the clerical grades "not only suffer disproportionately but at certain points are assigned pay which is definitely inadequate".
- (c). The Board's remark in Paragraph 11 that "it would be most unwise and might well prove disastrous to the establishment and

and maintenance of a Local Civil Service if a scheme for such a service were launched on terms which failed to offer an attractive and assured career to officers entering it".

(d).The Board's note to Paragraph 12 that in the matter of grading it has departed from the recommendations of the Fitzgerald and Merrick Committees considering that the simpler and more satisfactory arrangement would be to divide the clerical service into two grades only and to abolish the overlapping of grades in the matter of pay.

This Report was considered by the Governor in Council in April 1933, see Minute No.179/1933, and Council:-

"Advised approval, in principle, of the scales of salary proposed in the Interim Report of the Civil Service Board on the assumption that members of the Local European Service would be required to contribute an aggregate of 10% of their salaries to a Contributory Pensions Scheme or a Provident Fund and to the Widows' and Orphans' Scheme.....".

The Report was sent to the Secretary of State, but no reply has been received to the despatch.

It is now a matter for consideration whether the rates of salary proposed in the Appendices to the First Interim Report of the Board are fair and reasonable and it will be realised that this largely depends on the additional terms proposed in the subsequent Reports of the Board, bearing in mind that contributions of up to at least 10% will have to be paid out of a man's salary and of up to 7½% out of a woman's.

2. The Second Interim Report.

This Report deals with the institution of a Provident Fund

Fund. The Fitzgerald Report advised that pensions should be on a contributory basis for the Local Service and that for members on less permanent terms a Provident Fund Scheme should be established. The Merrick Report favoured a Contributory Pensions Scheme as the ultimate aim but recommended a Provident Fund as a temporary arrangement.

Points of importance in this Report of the Board are:-

- (a). The premises in Paragraph 10 on which the Report is based.
- (b). The reasoning in Paragraphs 11, 12, 15 and 16 of the Report on which the Board decided not to follow the Railway Provident Fund Scheme.
- (c). The contributions of Government and of the officer summarised in Paragraph 18 of the Report.
- (d). The contributions in the case of women summarised in Paragraphs 18, 19 and 21 of the Report.
- (e). The estimate of cost to Government in Paragraphs 26 and 27 of the Report.
- (f). The proposal of the Merrick Committee, and of the Board in Paragraph 28 of the Report, that in the case of personnel now under agreement Government should place to their credit in the Provident Fund the amount of the Government contributions which would have accrued, with or without interest as may be decided, had the fund been in operation at the time when they joined the Service.

This Report was considered by the Governor in Council in July 1933, see Minute No. 322/1933, when:-
"Council"

"Council advised that the Second Interim Report of the Civil Service Board should be accepted by Government and should be submitted to the Secretary of State.

Council further advised that Paragraph 26 of the Report, relative to Government placing the amount of its contributions to the credit of personnel now under agreement who are offered transfers to the Local Service, should be recommended provided the amount estimated can be funded".

The Report was sent to the Secretary of State who was also informed that until a decision was reached it did not appear practicable to effect the transfer of serving officers to the new "Local" Service. The Secretary of State approved the adoption of this Report and said that the possibility of funding the arrears of Government contribution was being investigated.

The present position is that a Bill to establish the Provident Fund has been drafted and referred to the Governor in Council who has deferred consideration. The question of the manner of funding the arrears of Government's contributions to the Provident Fund has yet to be decided.

3. The Third Interim Report.

This Report deals with the question of transferring serving officers to the new scales of salary.

Points of importance are:-

- (a). The analysis of the composition of the Local Civil Service as at the 1st January 1933 which appears in Paragraph 6 of the Report viz:-

300 already pensionable:

103 on agreement (30 months) having more than 6 years continuous service on the 1st January 1933.

227 on agreement (30 months) having had less than 6 years continuous service on the 1st January 1933. Of these 146 were engaged locally and 81 overseas.

99 on temporary month to month agreements.

729.

As regards the 300 already pensionable the only question arising is dealt with in Paragraph 2 of the Board's Fourth Interim Report where it is recommended that such officers must retain their pension rights throughout their service and that they should on receiving promotion in the Local Service, accept the new salary scales and rates of increment. A decision is required.

As regards the 103 on agreement who had more than 6 years continuous service on the 1st January 1933, the transfer of these officers to the new terms presents the greatest difficulty. It will be seen from the despatches and Minutes of Executive Council which have been quoted earlier in this memorandum that these officers fall into a special category. Moreover, in the case of these officers any transfer to the new terms would be made voluntarily. Again in Secretariat Circular No.48 of 1932 the promise of overseas terms is made to them. Finally most of these officers have greater, or as great, claims to pensionable status as those in the Local Civil Service who have attained that status; Paragraph 15 of the Code of Regulations citing the Colonial Office pamphlet African 973 reads:-

"15. If at the end of two years from the date of first arrival in the Colony the officer's appointment is confirmed on the recommendation of the

Governor

Governor approved by the Secretary of State, he ceases to be on probation and becomes eligible for pension or gratuity on retirement".

e.g. a European Police Constable is pensionable on confirmation after 2 years service. The Secretary of State has on various occasions drawn the attention of Government to the length of time on which officers have been kept on agreement. An analysis of these 103 officers (the number is now about 85) and their service is attached.

Enclosure I.

Of the 227 on agreement who had less than 6 years continuous service on the 1st January 1930, 146 were engaged locally and 81 overseas and later in considering the Fourth Interim Report the difficulties of a geographical differentiation in transfer terms will be apparent.

The remaining 99 on temporary month to month agreements present no particular difficulty.

(b). Recommendation I, and the reasoning on which it is based, in Paragraph 7 of this Report that officers on transfer should not be put in a generally less advantageous position than that in which they stand at present.

(c). Recommendations II and III in Paragraph 8 that the existing maximum and designation of a transferred officer should remain.

These recommendations particularly apply to the case of women of whom there are but very few affected.

(d). The question of consolidation of salaries, and the reasons why this is not advocated, dealt with in Paragraph 9 of this Report. From this Recommendation IV in Paragraph 10 results in advocating a personal consolidation allowance

of £50 to those who, on the 1st January, 1934, were entitled to quarters or to a house allowance. It is not proposed that this allowance should be drawn when on leave and it will be seen that with this allowance to those who have been entitled to quarters house allowance disappears.

(e). The matter of voluntary transfer of those who had more than 6 years service on the 1st January 1933 dealt with in Recommendation VI in Paragraph 12 of this Report. This recommends a three months period for election. It has already been said that this class of officer is in a special position.

4. The Fourth Interim Report.

This Report deals with various points of detail in order that a Local Civil Service may be put into operation as equitably and as expeditiously as possible. The chief points are:

(a). The standard terms on entry for Technical Apprentices, Clerical Learners, Graded Clerkships dealt with in Paragraphs 6 to 10 of this Report. In connection with the terms for apprentices attention is invited to the remarks of the European Civil Service Association which have been circulated to Executive Council.

(b). The question of leave, see Paragraph 12 of this Report. The proposals of the Fitzgerald Committee were:-

Local Leave - 18 days annually.

Vacation - 28 days annually cumulative to 6 months.

with unhealthy station allowances.

With

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(b). The question of leave, see Paragraph 12 of this Report. The proposals of the Fitzgerald Committee were:-

- Local Leave - 18 days annually.
- Vacation - 28 days annually cumulative to 6 months.

with unhealthy station allowances.

With

With this the Merrick Committee was in general agreement.

The present leave regulations for Europeans, which have been made since the two above Committees reported, are:-

- Local - 18 days annually.
- Vacation - 36 days per annum when the officer has under 9 years service and so does a 4 year tour.
- 48 days per annum when the officer has over 9 years service and so does a 3 year tour.

with unhealthy station allowances.

The contrast between the Fitzgerald proposals and the present regulations for a 4 year tour is shown as the difference between 130 days and 200 days; and attention is drawn to the Vital Statistics for the latest 5 year period. The Board makes no recommendation.

In a footnote on Page 16 of the Report a member urges that the recently made leave regulations, quoted above, should apply to existing staff until the results of the 5 year experimental period laid down by the Secretary of State are known. This footnote also invites attention to the incidence of illness among the female staff practically all of whom would come under Local Civil Service conditions; recent statistics in the Posts and Telegraphs Department indicate a 1.5 sickness rate amongst European men and a 2.6 rate amongst women.

It is to be observed that in Paragraphs 9 and 24 the Fitzgerald Report states that for some time to come it will be necessary to recruit overseas. Since that Report was submitted the composition of the

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the proposed Local Service has been closely analysed and it is estimated that of the 729 officers serving on the 1st January 1933 only approximately 7% were locally born or locally educated. In Paragraph 9 of its Third Interim Report the Civil Service Board remarks that the new Service was designed primarily to afford opportunities to locally educated youths.

(c). The question of passages is dealt with in Paragraph 13 of this Report and Recommendation II is that officers recruited from overseas should be treated according to current regulations. The Board then deals with the difficulty of distinguishing between those recruited from outside the Colony and those recruited in the Colony, for among the latter are a number whose homes are overseas although they happen to have signed their agreements in Kenya and to have enjoyed the current passage privileges throughout their service. Individual treatment is not recommended by the Board to those recruited in the Colony, but a free passage is recommended at the end of a 4 year period of service. In this connection attention is invited to Secretariat Circular No.48 of 1932 in the matter of overseas terms being granted to those with more than 6 years service. It has already been stated that no medical statistics were available for the Board's guidance.

(d). No grant towards a family passage was recommended by the Fitzgerald and Merrick Committees, the latter Committee, however, recommended that a passage and a half could be earned at the end of 6 years continuous service. Family passages are dealt with in Paragraph 14, of this Report and Recommendation III

Recommendation III is that those who have been recruited overseas should be given this concession. This Recommendation is the subject of a footnote on Page 16 of this Report showing that the Board was equally divided, two members holding that existing officers should retain this privilege and that in the case of future recruits the concession of £30 or £20 should be paid to married officers, whether recruited from overseas or locally, who have attained a reasonable marrying age and salary. These two members remark upon the bearing which family passages have upon European colonisation and it is a fact that many of the more junior members of the Service have made, or are making, a home in the Colony.

(e) Medical Attention. In Paragraph 16 of this First Report the Board refer to Paragraph 17 of their Report and reiterate that in view of the salary scales proposed, the absence of health insurance schemes, of cheap hospital and nursing facilities the drain on a junior officer's resources might be expensive. Accordingly free medical attendance to officers and their families is recommended.

The general question of free medical attendance was considered by the Governor in Council in June 1933 when, see Minute No. 251/1933, Council by a majority recommended that the privilege of free medical attendance upon the wives and families of officers of the Overseas Service should be withdrawn and, by a majority, that in the case of the Local Service, the privilege should be retained.

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The question was referred to the Secretary of

of State who has replied that his provisional views are:-

(i) The practice is not to alter a regulation to an officer's disadvantage except when it can be justified by reason of a change in conditions since the date when the regulation was made.

(ii) The justification put forward for an alteration is:-

(a) that general health conditions have so improved that the concessions are no longer necessary in the interests of a healthy and efficient service.

(b) that the general financial position of Kenya both now and in the immediate future is such that this source of economy must not be ignored.

and he states:-

(a). "It is admitted that the vital statistics of Kenya show no great superiority - if any at all - over those of the neighbouring territories

(b). "Kenya officials have been bailed upon in recent years to make numerous financial sacrifices and I should be reluctant to make any further demands on them which could not be regarded as absolutely essential. In any case it will be found from what I shall have to say later in this despatch that no appreciable gain to the finances of the Colony could be anticipated".

(iii)

(iii) As regards future entrants the Secretary of State states "I am therefore of opinion that there would be no objection in principle to the conditions of service for future entrants into the Kenya Service being modified so as not to provide for the free medical treatment of their wives and families....."

These are provisional views pending the Secretary of State consulting with other East African Governments and his instruction is that pending his final views no alteration should be made.

As far as the Local Service is concerned the position appears to be that in view of the foregoing provisional instructions existing officers retain the privilege but that it may be taken away from future entrants. It, therefore, becomes a matter for consideration whether the salary scales proposed, less the deductions on account of the Provident Fund and Widows and Orphans Scheme, will allow an officer to secure medical attention for his family.

(f). Other Recommendations in this Report which need decisions are:-

Paragraph 17. Recommendation V regarding the non-payment of Acting Allowance within the Local Service.

Paragraph 18. Recommendation VI regarding the retiring age. A reduction of 3 years is suggested in the case of women.

Paragraph 19. Recommendation VII regarding the engagement of married women and

the resignation of women on marriage.

Paragraph 20. Recommendation VIII regarding the contributions of married women to the Provident Fund.

Paragraph 21. Recommendation IX regarding Confidential Reports.

Paragraph 22. Recommendation X regarding promotions.

Paragraph 23. Recommendation XI regarding discipline.

Paragraph 25. Regarding the nomenclature of the new Service; the term "Kenya" European Civil Service" is recommended.

V. Prospects of Local Recruitment.

According to the 1931 Census there were 627 persons of 16 to 19 years of age of European origin, of these 558 either were not at school or were not stated to be at school or had left school and only 69 (35 boys and 34 girls) were stated to be receiving instruction.

The total of 35 boys and 34 girls who were between 16 and 19 years old in 1931 and were receiving education, even supposing all were suitable for and all were willing to enter Government Service, does not auger well for the prospects of local recruitment. It will also be realised for some years young persons of from 16 to 19 would not be of great assistance in a department.

The question of a supply of recruits for the Local Civil Service is not only one of statistics of population. In paragraphs 7 to 9 of the Fourth Interim Report of the Civil Service Board, the minimum

minimum educational qualifications which the Board consider should be conditions precedent to enter the Civil Service are set out. It is essential that there should be standard qualifications for entry and it is disquieting to note that the examination record of European education in Kenya during the five years ending 1931 is as follows:-

	<u>Entered.</u>	<u>Passed.</u>
Cambridge Junior Local.	157	106 (47 boys, 59 girls)
Cambridge School Certificate	49	35 (14 boys, 21 girls)
London Matriculation	15	1 (1 boy)
Cambridge Higher Certificate	1	1 (1 boy)

For 1932 the figures are:-

	<u>Entered.</u>	<u>Passed.</u>
Cambridge Junior	44	26 (13 boys, 13 girls)
Cambridge School Certificate	20	14 (9 boys, 5 girls)

The 1933 results are not available.

Apart from this examination record, the following factors must be taken into consideration:-

- (a) That a number now receiving education in Kenya will complete their education elsewhere.
- (b) That a number now receiving education in Kenya will not reach the requisite standards for entry into the Civil Service.
- (c) That a number will seek employment in other than Government Service.
- (d) That of the posts listed for inclusion in the Local Civil Service, the great majority can definitely be regarded as closed to girls, thus reducing the prospects of recruitment.

(e) That there are no facilities for European vocational training in Kenya or for evening classes with the result that the training of European Junior Civil Servants would be at the expense of Government and of departmental efficiency.

It appears that neither now, nor in the readily ascertainable future, can a genuine Local Civil Service materialise and that the great majority of the posts must definitely be recruited either from persons from overseas or from persons from overseas who happen to be in Kenya and who are suitable and qualified for the employment they seek.

ANALYSIS OF NON-PENSIONABLE INDIVIDUAL OFFICERS HOLDING
 LOCAL CIVIL SERVICE POSTS WITH OVER SIX YEARS' SERVICE ON THE 1ST JANUARY, 1933. 175

Department.	Designation.	Date of first appointment.
<u>ADMINISTRATION - KABETE REFORMATORY.</u>		
	Technical Instructor.	1.6.1921.
AGRICULTURAL.	Junior Laboratory Assistant	1.1.1922.
	- do -	1.6.1924
	Grader and Inspector.	12.12.1919.
	Superintendent, Grading and Conditioning Plant.	11.9. 1922.
	Stock Inspector.	20.12.1917.
	-do-	1. 3.1919
	-do-	1. 3.1919
	-do-	10. 3.1919
	-do-	18. 3.1919
	-do-	12. 3.1920
	-do-	1. 6.1920
	-do-	27. 3.1921
	-do-	1. 1.1922
	-do-	16. 5.1922
	-do-	17. 1. 1923.
	Instructor in Stock	12. 3.1923.
	-do-	12. 3. 1923.
	-do-	1.10.1924
	Assistant Storekeeper.	1. 8.1913.
	Clerk, Grade "C".	1. 1.1916.
Laboratory Assistant	16. 5.1913.	
-do-	1. 1.1918.	
-do-	12. 9.1916	
-do-	12. 6.1925.	
-do-	12.11.1915.	
-do-	1.10.1926	
-do-	9.12.1920.	
Mechanic	28. 6.1911.	

Department.	Designation.	Date of First Appointment.	
AUDIT.	Examiner of Accounts	16.11.1926	
CUSTOMS.	Assistant Accountant.	1. 2.1927.	
	Statistical Operator.	11.11.1926.	
EDUCATION.	Clerk, Grade "C".	1.10.1926.	
	-do-	20.10.1926.	
	Education Officer.	3. 3.1927.	
	-do-	12. 4.1926.	
	Matron.	1. 9.1926.	
	-do-	6. 1.1926.	
	Education Officer.	16. 9.1926.	
	Leading Artizan.	11.11.1926.	
	GAME.	Assistant Game Warden.	15. 2.1926.
	GOVERNMENT HOUSE.	Chauffeur-Mechanic	4. 4.1926.
JUDICIAL.	Process Server.	18. 5.1927.	
MEDICAL.	Clerk, Grade "C"	16. 8.1926.	
	-do-	1. 6.1926.	
	-do-	7. 8.1926.	
	Dispenser.	16. 6.1926.	
	Nursing Sister.	9. 7.1926.	
	-do-	6. 8.1926.	
	-do-	6. 8.1926.	
	-do-	3. 9.1926.	
	-do-	3. 9.1926.	
	-do-	28. 6.1926.	
	-do-	9. 7.1926.	
	-do-	3. 8.1926.	
	-do-	8.12.1926.	
	Warder, Mental Hospital.	17. 7.1919.	
	Assistant Matron -do-	23. 2.1926.	
Male Nursing Orderly.	1. 3.1926.		
Sanitary Inspector.	2.10.1919.		
Laboratory Assistant.	26. 7.1926.		
Junior Laboratory Assistant	16. 2.1926.		
-do-	8. 3.1926.		

Department.	Designation.	Date of first appointment.
POSTS AND TELEGRAPHS.	Junior Postal Clerk and Telegraphist.	23. 4. 1926.
	-do-	20. 5. 1926.
	Telegraph Inspector.	9. 2. 1925.
	Electrician.	7.11. 1926.
	Learner.	27. 5. 1926.
PRINTING.	Foreman Composing.	5. 5. 1922.
	Linotype Operator.	19. 4. 1921.
	-do-	17. 7. 1924.
	-do-	17. 7. 1924.
	Reader.	18. 3. 1925.
PRISONS.	Clerk Grade "C".	31.12. 1925.
	Chief Officer.	20. 9. 1926.
PUBLIC WORKS.	Clerk, Grade "B".	21. 7. 1924.
	-do-	24. 3. 1925.
	Accounts Clerk.	1. 1. 1926.
	-do-	13. 1. 1926.
	Telephone Operator.	1. 6. 1924.
	Assistant Accountant.	1. 4. 1924.
	-do-	1. 5. 1926.
	Assistant Storekeeper.	28. 5. 1923.
	Overseer.	6. 8. 1926.
	-do-	12. 1. 1924.
	-do-	7.11. 1926.
	Foreman.	12. 5. 1921.
	-do-	1. 1. 1922.
	-do-	20. 8. 1923.
	-do-	1. 3. 1926.
-do-	1. 9. 1926.	
-do-	11.11. 1926.	
-do-	1. 1. 1927.	
REGISTRAR GENERAL.	Inspector, Water Supply.	25. 4. 1922.
	Accountant.	1. 8. 1925.

Department.	Designation.	Date of first appointment.
SECRETARIAT.	Clerk, Grade "C".	1. 4. 1924.
	-do-	29.10.1925.
	-do-	15. 3. 1926.
SURVEY AND REGISTRATION.	-do-	10. 6. 1925.
	Junior Computer.	3. 5. 1926.
TREASURY.	Clerk, Grade "A".	1. 7. 1926.
	-do- "B".	1. 4. 1926.
	-do- -do-	3. 1. 1924.

EUROPEAN LOCAL CIVIL SERVICE.

Council, having considered the Reports of the Fitzgerald and Merrick Committees and of the Civil Service Board, advised: -

1. CIVIL SERVICE BOARD FIRST INTERIM REPORT.

- (a) That approval should be given to the salary scales proposed in paragraph 12 and Appendices I and II, subject to the proviso that where possible, e.g. in the Education Department, scales of salaries relating to particular posts should be adjusted by Government to ensure greater uniformity.
- (b) That the clerical grades should become Special Grade, Grade I, and Grade II instead of as shown in Appendix I.
- (c) With reference to paragraph 17, that free medical attention should be given to the families of officers, subject to reconsideration in the event of the present system, as applied to members of the Overseas Service, being modified by direction of the Secretary of State; further that drugs and dressings should be provided free, if prescribed by a Doctor, and that accommodation in Government Hospitals for families of officers should be charged for at the rates laid down in the Code of Regulations obtaining at the time. Council understood that a sliding scale of fee based on income which would apply to non-officials as well as to officials, was being prepared.

2. CIVIL SERVICE BOARD THIRD INTERIM REPORT.

- (a) That approval be given to Recommendation I.
- (b) That Recommendation II be not approved.

(The Acting Commissioner for Local Government, Lands and Settlement dissented).

- (c) That Recommendation III be not approved.
(The Acting Commissioner for Local Government, Lands and Settlement dissented).
- (d) That approval be given to Recommendation IV (a).
- (e) That the rent to be paid for Government quarters should be at the rate of 5% of the actual salary when the salary drawn does not exceed £360 per annum, of 7½% of the actual salary when the salary exceeds £360 per annum, but does not exceed £520 per annum, of 10% when the salary exceeds £520 per annum, and that Government should have the right to order an officer to occupy Government quarters. This sliding scale should not apply to officers covered by 2 (d).
- (f) That approval be given to Recommendation IV (c).
- (g) That approval be given to Recommendation V.
- (h) That the period for election in Recommendation VI should be six months from the date on which the officer is informed officially of the terms of transfer to the new Service.

3. CIVIL SERVICE BOARD FOURTH INTERIM REPORT.

- (a) That, as regards paragraph 2, pensionable officers who may elect to transfer to the New Service at any stage in their career, should accept the salary scales and conditions of service applicable to the European Local Civil Service, including participation in the Provident Fund, and consequent forfeiture of pension rights. In the event of an officer at present serving on pensionable basis being selected for promotion to a post scheduled for inclusion in the European Local Civil Service, corresponding to a post at present carrying pensionable status, he should on promotion retain

- (c) That Recommendation III be not approved.
(The Acting Commissioner for Local Government, Lands and Settlement dissented).
- (d) That approval be given to Recommendation IV (a).
- (e) That the rent to be paid for Government quarters should be at the rate of 5% of the actual salary when the salary drawn does not exceed £360 per annum, of 7½% of the actual salary when the salary exceeds £360 per annum, but does not exceed £520 per annum, of 10% when the salary exceeds £520 per annum, and that Government should have the right to order an officer to occupy Government quarters. This sliding scale should not apply to officers covered by 2 (d).
- (f) That approval be given to Recommendation IV (c).
- (g) That approval be given to Recommendation V.
- (h) That the period for election in Recommendation VI should be six months from the date on which the officer is informed officially of the terms of transfer to the new Service.

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retain

retain his pensionable rights and other privileges at present attached to his service, and as an arrangement personal to himself be put on the salary scale laid down under the existing regulations for the pensionable office in question

(b) That, as regards paragraph 3, the question of the grant of pensionable status and of the conditions on voluntary transfer of the non-pensionable officers, with more than six years service, occupying posts in the Local Civil Service, should be referred to a Sub-Committee of Executive Council, consisting of:-

- The Hon. Colonial Secretary,
- The Hon. The Treasurer,
- Capt. The Hon. H.E. Schwartz.

(c) That, subject to the concurrence of the Secretary of State, approval be given to Recommendation 1.

(d) That, as regards paragraph 12, for those with less than six years service on the 1st Jan: 1933 and for future entrants, leave should be granted pro rata, on the basis of ten days per quarter to which may be accumulated the last eighteen days local leave due; further that all such leave shall be inclusive of voyages, and that an officer shall not be absent from duty for more than 190 days.

(e) That, as regards Recommendation II, and subject to the decisions taken on 2 (b) above, an officer should be considered to have earned in respect of each year of resident service, 25% of the cost of a return passage in accordance with current passage regulations, provided that, when an officer is ordered to proceed on leave

- on medical grounds, he shall be granted a free passage.
- (f) That, as regards Recommendation III, and subject to decisions taken on 2 (b) above, a family passage allowance of £25 each way should be granted once during each period of four and a half years to married officers who have attained the age of 30 years.
 - (g) That, as regards Recommendation V, acting allowances should not normally be paid, but that special cases should be considered on their merits.
 - (h) That approval be given to Recommendation VI.
 - (i) That approval be given to Recommendation VII.
 - (j) That approval be given to Recommendation VIII.
 - (k) That approval be given to Recommendation IX (subject to the deletion of the word "Government" where it occurs in lines 5 and 6, and the substitution therefor of the words "The Governor").
 - (l) That approval be given to Recommendation X.
 - (m) That approval be given to Recommendation XI.
 - (n) That, as regards paragraph 24 a permanent Civil Service Board should be set up as soon as is convenient.
 - (o) That, as regards paragraph 25, the nomenclature of the new Service should be "The Kenya European Local Civil Service".
 - (p) That the Sub-Committee appointed under paragraph 2 (b) above should consider any further points of detail arising out of the inauguration of the Kenya European Local Civil Service.

(q) That the decisions taken be embodied in a memorandum which should be laid on the table of the Legislative Council, and that a resolution proposing the adoption of the memorandum should be moved.

H.E. CONCURRED AND ORDERED ACCORDINGLY.

5th April, 1934.

Your Excellency,

We, the Sub-Committee of Executive Council appointed on the 1st March, 1934, to consider the question of the grant of pensionable status and of the conditions on voluntary transfer to the European Local Civil Service of the non-pensionable officers with more than six years' service, have the honour to state that we met on the 4th April, 1934, and when we examined the terms of paragraph 4 of Secretariat Circular No. 48 of 1932 and came to the unanimous conclusion that the present tours and leave privileges published in that Circular must continue to be enjoyed by them throughout the remainder of their service.

2. Having reached this conclusion, we next formulated the following principles for application to the cases of the officers under consideration:-

1. That officers holding posts that have been accorded pensionable status should, if themselves qualified for pensionable status on the 1st January, 1933, now be made pensionable; and if not so qualified, should be allowed to proceed on their present scales until they do so qualify. Moreover, in accordance with paragraph 3 (a) of Executive Council Minute No. 94 of the 1st March, 1934, that, in the event of officers at present serving on a pensionable basis being selected for promotion to posts scheduled for inclusion in the European Local Civil Service, corresponding to posts at present carrying pensionable status, they should, on promotion, retain their pensionable rights and other privileges at present attached to their service, and as an arrangement personal to themselves

enter the salary scale laid down under the existing regulations for the pensionable office in question.

II. That in cases where the claim for pensionable status to be attached to a post has already been considered and disallowed by the Governor in Council, no cause now exists for revising the previous decision.

III. That in cases where a limited number of posts only are pensionable the number of such posts should not be altered merely in order to meet the claims of those with more than six years' service.

IV. That the grant of pensionable status should normally be restricted to officers who had not reached the age of 40 years on first appointment.

3. In applying these principles to the cases of the individual officers concerned we adopted the following categories:-

Category A.

- (i) Cases where, subject to the recommendation of the Head of Department and the production of the customary medical certificate, the officer in question should be allowed either pensionable status together with the tour and leave conditions set out in Secretariat Circular No.48 of 1932, quarters or house allowance, current passage privileges and the promotion prospects set out in paragraph 2 I above; or
- (ii) To transfer voluntarily to the European Local Civil Service salary scales and conditions with Provident Fund benefits and

the tour and leave conditions set out in Secretariat Circular No.48 of 1932, but to forfeit all pension rights.

Category B.

- (i) Cases where the officer in question should be allowed either to remain on the present terms until, subject to the recommendation of the Head of Department and the production of the customary medical certificate, qualified for admission to the pensionable establishment when the conditions in Category A (i) would apply; or
- (ii) To transfer voluntarily to the European Local Civil Service salary scales and conditions with Provident Fund benefits and the tour and leave conditions set out in Secretariat Circular No.48 of 1932, but to forfeit all pension rights.

Category C.

- (i) Cases where the officer in question should be allowed either to retain the present salary scale, quarters or house allowance and the tour and leave conditions set out in Secretariat Circular No.48 of 1932; or
- (ii) To transfer voluntarily to the European Local Civil Service salary scales and conditions with Provident Fund benefits and the tour and leave conditions

conditions set out in Secretariat
Circular No.48 of 1932.

4. In the attached schedule we have
classified the officers in accordance with the
foregoing categories.

We have the honour to be,
Your Excellency's
most obedient servants,

sd.H.M.-M.MOORE,

COLONIAL SECRETARY.

sd.G.R.SANDFORD

ACTING TREASURER.

sd. H.E.Schwartz.

SCHEDULE

188

<u>Name.</u>	<u>Post & Dept.</u>	<u>Category.</u>
H.E.Hellyer	Carpentry Instructor Kabete Reformatory.	C
F.B.L. Butler	Grader and Inspector Agric. Dept.	A but personal to himself.
D.F.Sargent	Supdt. Maize Conditioning Plant and Cool Stores. Agric. Dept.	A but personal to himself.
O. Stenmark	Mechanic Agric. Dept.	C
G.W. Clochley	Asst. Storekeeper Agric. Dept.	C
Miss R.M. Dennis	Clerk Grade C Agric. Dept.	A
D. Wyatt	} Stock Inspector Agric. Dept. }	}
W.L. Lewis		
G. White		
L.E. Smith		
P.H. Poolman		
T. Harris		
G.B. Jolley		
J. Denwett	} Instructor in Stock. }	}
J.H. Ward		
A. Lambie		
H.C.W. Guy		
C.G. Bishop		

(Note. In connection with the posts of Stock Inspector and of Instructor in Stock the suggestion is made that a small intermediary class of officer might be created with pensionable status, similar to that of Assistant Surgeon in the Medical Department, to which the more qualified and experienced Stock Inspectors might be promoted).

E.J. Hall	} Laboratory Assistant. Agric. Dept. }	}
W.P. Bruce		
F. Lyons		
R.N. Noble	} Junior Laboratory Assistant. Agric. Dept. }	}
F.W. Evans		
H.C.O'Brien	Examiner of Accounts Audit Dept.	C

<u>Name</u>	<u>Post & Dept.</u>	<u>Category</u>
Miss R.E.M.Gozett	Operator Hollerith Machines Customs Dept.	C
F.P.S.Olivier	Education Officer Education Dept.	C
Miss A.Cloete	"	C
Mrs.M.L.Angus (widow)	Matron Education Dept.	A
A.Roberts	Leading Artizan Education Dept.	C
Miss W.A.Cock	Clerk Grade C Education Dept.	A
J.A.Hermitte	Clerk Grade C Education Dept.	B
R.E.Dent	Asst.Game Warden Game Dept.	C
(Note. This officer is 51 years of age)		
J.R.C.Davis	Chauffeur-Mechanic Government House.	C
A.H.Price	Process Server Judicial Dept.	C
Miss A.M.Collins	Clerk Grade C Medical Dept.	A
G.J.Bosch	Warder Medical Dept.	}
Mrs.M.A.Bosch	Asst.Matron Medical Dept.	

(Note. We consider that if Category C cannot be applied to both these officers by reason of Mrs.Bosch being ineligible for contributing to the Provident Fund that Mr.Bosch should come under Category A as personal to himself and Mrs.Bosch should remain on her present terms of service).

Miss C.E.Eason	} Nursing Sister Medical Dept.	}	
" M.E.Roche			
" E.M.Birch			
" M.G.Rice-Oxley			C
" I.M.Nicolson			
" S.I.Beazley			
" M.S.Feville			
" M.McLeod			

<u>Name.</u>	<u>Post & Dept.</u>	<u>CATEGORY.</u>	190
W.E.Grainger	Junior Laboratory Assistant. Medical Dept.	C	
T.G.R.Jones			
H.M.Nefdt			
Miss O.M.Dorrell	Female Postal Clerk and Telegraphist. Posts and Telegraphs.	A	
J.L.Brierley	Learner Posts and Telegraphs.	C	
J.W.M.Williams	Telegraph Inspector Posts and Telegraphs.	A	
M.G.Fair	Foreman, Composing Government Press.	A	but personal to himself. X
F.Marsden	Foreman, Machine Government Press.	C	
G.E.Overton	Reader Government Press.	C	
J.A.Foot	Chief Warden Prisons.	C	
W.Browning	Clerk Public Works.	A	
N.Y.Kilminster	Accounts Clerk Public Works.	C	
(Note. This officer is 52 years of age).			
L.E.Lavers	Clerk Grade A Public Works.	A	
D.K.Noble	Clerk Grade B Public Works.	B	
J.A.Ellis	Assistant Accountant Public Works	C	
E.A.Friend			
H.Lamont	Ast.Storekeeper Public Works.	C	
✓ C.G.J.White	Overseer Public Works.	C	
T.S.Paterson			
✓ H.S.Dalley	Foreman Public Works.	C	
F.C.Catania.			
J.Lang			
G.G.Dennis			
K.V.Rasmussen			
A.G.Baker			
A.H.Frangley			

<u>Name.</u>	<u>Post & Dept.</u>	<u>Category.</u>
L.R.Fisher	Accountant Registrar General's Dept.	A but personal to himself.
Miss E.Linton	Clerk Grade C Secretariat.	A
" G.B.Duncan		
" E.A.Hart		
Miss D.A.Harris	Clerk Grade C Local Govt.Lands Settlement & Mines.	B
A.F.Tate	Junior Computer Local Govt.Lands Settlement & Mines.	C
G.E.Bowles	Clerk Grade A Treasury.	A
D.Cuthbert.		

Encl. (E)



LEGISLATIVE COUNCIL

Sessional Paper No. 1 of 1934

EUROPEAN LOCAL CIVIL SERVICE

The Civil Service Board appointed by the Governor in Council in December, 1932, had the following terms of reference:

- (1) To examine and to report upon the inclusion of the posts scheduled in the Report of the Local European Civil Service Committee in the light of the comments received and the decision of Executive Council that officers with six years or more service should retain Overseas Service rights.
- (2) To advise, assuming a 10 per cent reduction from salary will have to be made to cover contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pensions Scheme (or such modification thereof as the Board may recommend), whether the scales of salary set out in the Report of the Local European Civil Service Committee are reasonable, and, if not, what variations should be made.
- (3) In the light of such advice, to make detailed recommendations as to points in the scales of salary on which officers recommended for a Local Civil Service should transfer.
- (4) To consider and make recommendations upon any further points of detail which may still require the decision of Government in order that its policy in creating Local Civil Services for Europeans and Asians may be put into operation as equitably and as expeditiously as possible.

During the period of the Board's examination of its various terms of reference the principle of Overseas and Local Sections of the Service had been established; major alterations applicable to all Civil Servants had been made in the length of tours and in the leave earning rates and in passage privileges; while the special position of officers with 6 years or more service on the 1st January 1933 had been recognized.

2- The Civil Service Board has submitted four Interim Reports all of which have been laid.

The First Interim Report, presented in February, 1933, deals with salary scales and in its Appendices I and II shows the present scales, the Fitzgerald proposals, the Merrick proposals and the Board's proposals.

The Second Interim Report, presented in June, 1933, deals with the institution of a Provident Fund.

The Third Interim Report, presented in November, 1933, deals with the question of transferring serving officers to the new scales of salary.

193

The Fourth Interim Report, presented in December, 1933, deals with various points of detail in order that a Local Civil Service may be put into operation as equitably and as expeditiously as possible.

3. In the course of the examination of the four Reports a number of difficulties were encountered. These have received the closest attention by Executive Council and the proposals set out in paragraph 5 below represent the Government's view as to the conditions which should be adopted.

4. Perusal of the Reports will show that it has been necessary to differentiate between the terms to be offered to future entrants and those to be offered to members of the existing Service. For the former, in which category are included officers serving on a purely temporary basis, the salary scales, terms and conditions set out below are recommended. These salary scales have been formulated in accordance with the Civil Service Board's second term of reference (see paragraph 1 *supra*) and it should be borne in mind that if any variation is made in the proposed rate of contribution by the officer to the suggested Provident Fund, these salary scales will need to be re-examined and the inauguration of the Service will need to be deferred until such examination has taken place.

5. (I) Suggested Terms and Conditions for Future Entrants, Including Officers Serving on a Purely Temporary Basis.

(a) Salary Scales.

Clerical Learners:—

Grade II.—£60 to £84 per annum with no set increments.

Grade I.—£84 to £120.

Clerical Posts.—See Appendix I.

Non-Clerical Posts.—See Appendix II.

(b) Leave.

Local.—18 days per annum.

Vacation.—*Pro rata* on the basis of 10 days per quarter to which may be accumulated the last 18 days local leave due; all leave to be inclusive of the voyages and no officer to be absent from duty for more than 190 days.

(c) Passages.

(i) An officer to be considered to have earned, in respect of each year of resident service, 25 per cent of the cost of a passage in accordance with current passage regulations, provided that when an officer is ordered to proceed on leave on medical grounds, he shall be granted a free passage.

(ii) A family passage allowance of £25 each way to be granted once during each period of 4½ years to married officers who have attained the age of 30 years at the time the passage is taken.

(d) Quarters.—None

A rental shall be charged for Government quarters at the rate of 5 per cent of the actual salary when the salary drawn does not exceed £360 per annum, of 7½ per cent of the actual salary when the salary exceeds £360 per annum but does not exceed £520 per annum, of 10 per cent when the salary exceeds £520 per annum. Government to have the right to order an officer to occupy Government quarters.

(e) Medical Attention.

Free to officers and their families, subject to reconsideration in the case of families in the event of the present system, as applied to members of the Overseas Service, being modified by direction of the Secretary of State. Drugs and dressings free, if prescribed by a doctor, and accommodation in Government hospitals for families of officers to be charged for at such rates as may be laid down in the Code of Regulations from time to time.

(f) Pensions.—None; but in substitution a Provident Fund compulsory.

Contribution by a male officer at the rate of 5 per cent of his annual salary and by a female officer at the rate of 7½ per cent of her annual salary. Married female officers—other than widows—not to contribute.

Gratuities at the rate of one week's salary for each completed year of service after continuous satisfactory service of not less than 15 years.

(g) Age of Retirement.

In accordance with the Colonial Administrative Service Unification Scheme, normal age 55 years, in no case later than 60—with the modification that in the case of women the age of retirement to be reduced by 5 years.

(II) Suggested Terms and Conditions for Officers Serving on Agreement who, on the 1st January, 1933, had not Completed Six Years Continuous Colonial Service

(h) Salary Scales.—As in (a) above.

(i) Leave.—As in (b) above.

(j) Passages.—As in (c) above.

(k) Quarters.—Those officers who were, on the 1st January, 1934, entitled by agreements to quarters or to a house allowance, to be given a personal consolidation allowance at the rate of £50 per annum to be drawn while serving in the Colony and Protectorate, but not to be drawn when on vacation leave. If in occupation of Government quarters an annual rent of £50 per annum to be paid.

(l) Medical Attention.—As in (e) above.

(m) Pensions.—As in (f) above.

(n) Age of Retirement.—As in (g) above.

(III) Suggested Terms and Conditions of Transfer to the New Service of Officers Serving on Agreement who, on the 1st January, 1933, had Completed Six Years Continuous Colonial Service.

As explained in paragraph 6 of the Civil Service Board's Third Interim Report there were some 103 officers who on the 1st January, 1933, were on agreements, having had more than 6 years' continuous service on that date. Each of these officers was occupying a post which had been scheduled for inclusion in the proposed Local Civil Service.

Many had been recruited from overseas, and it became necessary to consider what terms of transfer should be offered to them, regard being had to a ruling of the Secretary of State that in so far as leave and passage conditions were concerned they should continue to enjoy their overseas privileges and should not be forced into the new Service.

In order to enable Government to arrive at a decision on the matter a Sub-Committee of Executive Council was appointed which laid down certain principles to be applied to individual cases. These principles were adopted and are shown as Appendix III to this Paper. Acting on these principles the Government divided the officers affected into the following categories and, subject to the final recommendations of the Heads of Departments, the approximate numbers of these officers now are:—

In Category A.—17.

In Category B.— 4.

In Category C.—58.

6. The Governor in Council further recommended that, in the event of officers who are on a pensionable basis, or who will be granted pensionable status in accordance with the foregoing recommendations, being selected for promotion to posts scheduled for inclusion in the European Local Civil Service, corresponding to posts at present carrying pensionable status, they should, on promotion, retain their pensionable rights and other privileges at present attached to their service, and, as an arrangement personal to themselves, enter the salary scale laid down under the existing regulations for the pensionable office in question.

7. It will thus be seen that for a considerable time to come the practical effect of the foregoing recommendations will be that parallel terms and conditions of service will obtain in certain cases. This is unavoidable if an officer's reasonable expectations of service are to be safeguarded. The number of such cases will, however, gradually diminish and in course of time disappear altogether.

8. The proposals outlined in this Sessional Paper are the outcome of the most detailed examination of terms suitable for the inauguration of an European Local Civil Service both by various Committees which have studied this subject, by the Civil Service Board, and finally by the Government itself. They are now submitted in as concise a form as possible for the approval of the Legislative Council.

PROPOSED SALARY SCALES FOR THE CLERICAL SERVICE.

Men		Women	
£		£	
150	Grade II	150	Grade II
165	"	165	"
180	"	180	"
195	"	195	"
210	"	210	"
240	"	225	"
260	"	240	"
280	"	255	"
300	"	270	"
320	"	285	"
340	"	300	"
360	"	315	"
380	"	330	"
400	"	345	"
420	"	360	"

Men		Women	
£		£	
440	Grade I	380	Grade I
460	"	390	"
480	"	400	"
500	"	410	"
520	"	420	"
530	"	440	Special
540	"	450	Grade
560	"	460	"
570	"	470	"
580	"	480	"
590	"	490	"
600	"	500	"
620	Special Grade		
630	"		
640	"		
650	"		
660	"		

Note.—Figures in heavy type indicate Efficiency Bar.

PROPOSED SALARY SCALES FOR NON-CLERICAL POSTS.

Post	Salary
GOVERNMENT HOUSE—	
Chief Clerk	£500-20-660
Chauffeur-Mechanic	£300-20-420
Superintendent of Gardens	ditto
Caretaker and Housekeeper	£240 fixed
ADMINISTRATION—	
Office Assistant	£500-20-660
Chief Clerk	ditto
Superintendent of Inland Revenue—Kisumu	£480-20-600
Superintendent of Inland Revenue—Nakuru	£300-20-420
Fisheries Inspector	ditto
AGRICULTURAL DEPARTMENT—	
Accountant	£500-20-660
Office Superintendent	ditto
Grader and Inspector	ditto
Superintendent of Maize Plant, etc.	ditto
Laboratory Superintendent	ditto
Animal Husbandry Assistant	£360-20-480-20-600
Laboratory Assistant	£360-20-480-20-540
Stock Inspector	ditto
Stockkeeper	ditto
Plant Inspector	ditto
Librarian (Veterinary Laboratory)	ditto
Assistant Grader and Inspector	£300-20-480
Mechanic—Coal Stores	£300-20-420
Mechanic—Veterinary Research Laboratory	ditto
Yard Foreman	ditto
Overseer	ditto
Assistant Stockkeeper	£240-20-360-20-420
Junior Laboratory Assistant	£150-15-210-30-240-20-360
Junior Stock Inspector	ditto
Learner (e.g., Laboratory Assistant)	As for Learner in Clerical Scale.
COAST AGENCY	
Assistant Government Coast Agent	£500-20-660
CUSTOMS DEPARTMENT	
Assistant Accountant	£500-20-660
Operator, Statistical Department (Lady)	£300-15-360
Inspector, Preventive Service	£360-20-480-20-540
Examining Officer	£360-20-480-20-540
Cadet	As Cadets £150 1st year, £200 2nd year, then as Junior Examining Officers at £240-20-300
EDUCATION DEPARTMENT—	
Office Superintendent	£500-20-660
Accountant	ditto
Primary Education Officer—	To be co-ordinated with the Clerical Grade scales.
(a) Male	
(b) Female	
Learners: (b) Male	(b) As for Grade I, Learners Clerical Staff.
(b) Female	(a) As for Grade II, Learners Clerical Staff.
(a) Male	
(a) Female	
Matrons (b)	£225-15-300
Matrons (a)	£150-15-210
Matrons (Learners)	£60-12-84-18-120
Leading Artisan	£300-20-420

Figures in heavy type indicate Efficiency Bar.

Post	Salary
FOREST DEPARTMENT—	
Accountant	£360-20-480-20-600
Forester, Grade A	£360-20-480-20-540
Forester, Grade B	£240-20-360
Learner	Clerical Learner Scale and thereafter as Junior Forester, £150-15-210
GAME DEPARTMENT—	
ASSISTANT	£400, 400, 500-20-660
JUDICIAL DEPARTMENT—	
PROCESS SERVER	£240-20-360
Shorthand Writer	£100-20-480-20-600
MEDICAL DEPARTMENT—	
Accountant	£500-20-660
Laboratory Superintendent	ditto
Senior Sanitary Inspector	£540-20-660
Medical Storekeeper	£500-20-660
Laboratory Assistant	£360-20-480-20-540
Dispenser	ditto
Wardmaster	ditto
Chief Instructor	ditto
Sanitary Inspector	ditto
Superintendent, Mental Hospital	ditto
Superintendent, Infectious Diseases Hospital	£360-20-480
Matron	£300-20-420
Nursing Sister (Health Visitor)	£300-15-360
Malaria Overseer	£300-15-34.5
Male Nursing Grdly	£300-20-360
Mental Hospital Warder	£240-20-360
Mental Hospital Matron	ditto
Mental Hospital Assistant Matron	£240-15-300
Nursing Sister	ditto
Learners and Juniors	ditto
As for Learners Clerical Scale.	
MILITARY DEPARTMENT (Defence Force)	
Musketry Instructor	£460 fixed
POLICE DEPARTMENT—	
Chief Inspector	£500-20-660
Inspector	£420-20-520
Depot Instructor	ditto
Assistant Inspector 1st Grade	£360-20-420
Assistant Inspector 2nd Grade	£240-20-360
Deputy Inspector, Weights and Measures	£500-20-540
POST AND TELEGRAPH DEPARTMENT—	
Electrician	£540-20-660
Postmaster	ditto
Chief Electrical Mechanician	ditto
Accountant	£500-20-660
Storekeeper	ditto
Sub-Engineer	ditto
Inspector	£360-20-500-20-600
Postal Clerk and Telegraphist (Male)	ditto
Electrical Mechanician	£360-20-480-20-540
Postmistress and Supervisor of Telephones	ditto
Postal Clerk and Telegraphist (Female)	£380-10-420
Junior Male	£240-15-300-15-360
Junior Female	£150-15-210-30-240, 20-300-20-360
Learners	£150-15-210-15-240
As for Learners Clerical Scale.	

Figures in heavy type indicate Efficiency Bar.

Post	Salary
PRINTING AND STATIONERY DEPARTMENT—	
Press Engineer	£500-20-000
Foreman (Composing)	ditto
Foreman (Machine)	£400-20-540
Linotype Operator	ditto
Monotype Operator	ditto
Reader (Male)	£300-20-400-20-540
Reader (Female)	£210-15-000
Assistant Linotype Operator	£180-15-210-20-240-20-300
Learners (Apprentices)	£00-84-102-120-150
PRISONS DEPARTMENT—	
Assistant Superintendent	£300-20-400-20-540
Technical Instructor	£300-20-420
Chief Officer	£240-20-300-20-420
PUBLIC WORKS DEPARTMENT—	
Transport Officer	£500-20-000
Draughtsman	ditto
Assistant Accountant	ditto
Senior Storekeeper	ditto
Senior Overseer	ditto
Assistant Storekeeper	£400-20-500
Overseer	ditto
Inspector Water Supply	£300-20-400-20-540
Foreman	£300-20-420
Foreman (Blacksmith)	ditto
Foreman (Joiner)	ditto
Timekeeper	ditto
Kiln Sensoning Operator	£300-20-420
Telephone Operator	£150-15-210
Learners (Apprentices—Professional)	£84-102-120-150-165
REGISTRAR GENERAL'S DEPARTMENT—	
Accountant	£400-20-400-20-600
SECRETARIAT AND LEGISLATIVE COUNCIL—	
Assistant Establishment Officer	£500-20-000
Reporters	£400-20-400-20-600
STATISTICAL DEPARTMENT—	
Assistant Registrar of Natives	£400-20-600
SURVEY AND REGISTRATION DEPARTMENT—	
Office Superintendent and Accountant	£500-20-000
Forest Surveyor	£300-20-300-20-400-20-540
Junior Staff Surveyor—	
Grade B	£240-20-300
Grade A	£300-20-300
Draughtsman	£440-20-540
Survey Records Officer	ditto
Junior Computer	£300-20-400-20-480
Learners (Survey Apprentices)	£84-102-120-150-165

Figures in heavy type indicate Efficiency Bar.

YOUR EXCELLENCY.

We, the Sub-Committee of Executive Council appointed on the 1st March, 1934, to consider the question of the grant of pensionable status and of the conditions on voluntary transfer to the European Local Civil Service of the non-pensionable officers with more than six years' service, have the honour to state that we met on the 4th April, 1934, when we examined the terms of paragraph 4 of Secretariat Circular No. 48 of 1932 and came to the unanimous conclusion that the present tours and leave privileges published in that circular must continue to be enjoyed by them throughout the remainder of their service.

Appendix IV.

2. Having reached this conclusion, we next formulated the following principles for application to the cases of the officers under consideration:—

(i) That officers holding posts that have been accorded pensionable status should, if themselves qualified for pensionable status on the 1st January, 1933, now be made pensionable; and if not so qualified, should be allowed to proceed on their present scales until they do so qualify. Moreover, in accordance with paragraph 3 (a) of Executive Council Minute No. 94 of the 1st March, 1934, that, in the event of officers at present serving on a pensionable basis being selected for promotion to posts scheduled for inclusion in the European Local Civil Service, corresponding to posts at present carrying pensionable status, they should, on promotion, retain their pensionable rights and other privileges at present attached to their service, and as an arrangement personal to themselves enter the salary scale laid down under the existing regulations for the pensionable office in question.

Not reproduced.

(ii) That in cases where the claim for pensionable status to be attached to a post has already been considered and disallowed by the Governor in Council, no cause now exists for revising the previous decision.

(iii) That in cases where a limited number of posts only are pensionable the number of such posts should not be altered merely in order to meet the claims of those with more than six years' service.

(iv) That the grant of pensionable status should normally be restricted to officers who had not reached the age of 40 years on first appointment.

3. In applying these principles to the cases of the individual officers concerned we adopted the following categories:—

Category A.

(i) Cases where, subject to the recommendation of the Head of Department and the production of the customary medical certificate, the officer in question should be allowed either pensionable status together with the tour and leave conditions set out in Secretariat Circular No. 48 of 1932, quarters or house allowance, current passage privileges and the promotion prospects set out in paragraph 2 (i) above; or

(ii) To transfer voluntarily to the European Local Civil Service salary scales and conditions with Provident Fund benefits and the tour and leave conditions set out in Secretariat Circular No. 48 of 1932, but to forfeit all pension rights.

Category B.

(i) Cases where the officer in question should be allowed either to remain on the present terms until, subject to the recommendation of the Head of Department and the production of the customary medical certificate, qualified for admission to the pensionable establishment when the conditions in Category A (i) would apply; or

- (ii) To transfer voluntarily to the European Local Civil Service salary scales and conditions with Provident Fund benefits and the tour and leave conditions set out in Secretariat Circular No. 48 of 1932, but to forfeit all pension rights.

Category C.

- (i) Cases where the officer in question should be allowed either to retain the present salary scale, quarters or house allowance and the tour and leave conditions set out in Secretariat Circular No. 48 of 1932; or
- (ii) to transfer voluntarily to the European Local Civil Service salary scales and conditions with Provident Fund benefits and the tour and leave conditions set out in Secretariat Circular No. 48 of 1932.

4.

We have the honour to be,

Your Excellency's most obedient servants,

H. M.-M. MOORE,
Colonial Secretary.

G. R. SANDFORD,
Acting Treasurer.

H. E. SCHWARTZ.

5th April, 1934.

Paragraph 4 of Secretariat Circular No. 48 of 1932 (which formed part of Sessional Paper No. 1 of 1932.)

OFFICERS SERVING ON AGREEMENTS.

I.—NEW AGREEMENTS.

- (a) The future engagement of officers on agreement will be for a tour of from thirty to forty-eight months' service.
- (b) Five months' service in a station classed as unhealthy will be treated as six months' service in a healthy station.
- (c) The normal tour in a station classed as healthy will be forty-eight months for the first two tours. Subsequent tours in a station classed as healthy will be thirty-six months.
- (d) If at the end of thirty-six months in a tour the officer has completed less than nine years' continuous Colonial Service his normal tour of service will be deemed to be completed on the expiration of forty-eight months' residential service.
- (e) When an officer completes more than nine years' continuous Colonial Service at the end of thirty-six months in any tour his normal tour will be deemed to be completed on the expiration of his thirty-sixth month of residential service.
- The basis of calculation of leave will be:—
- (f) Three days for each completed month of residential service where the normal tour is forty-eight months.
- (g) Four days for each completed month of residential service where the normal tour is thirty-six months.

II.—PRESENT AGREEMENTS.

Notice is hereby given to all officers serving on agreement that on the termination of their present agreements any offer of future employment will include the terms set out above, subject to the further proviso that any officers who are serving on agreement in posts which have been scheduled in the Report of the Local European Civil Service Committee and who have less than six years' continuous Colonial Service may be required to serve under different conditions from those enumerated below.

In accordance with existing agreements the tour of an officer serving on agreement cannot be extended beyond thirty-six months' residential service. This period includes the period of the moratorium, and subject to the exigencies of the service will normally be insisted upon.

All leave earned in respect of service previous to the 1st January, 1933, will be granted at the rate laid down in the terms of the officer's agreement.

Where an officer wishes to renew his agreement the offer of re-engagement will be conditional upon all service in his present tour subsequent to the 1st January, 1933, qualifying for leave at the rate of four days vacation leave for each completed month of residential service in accordance with the basis laid down in paragraphs (f) and (g) above.



COLONY AND PROTECTORATE OF KENYA.

LEGISLATIVE COUNCIL
DEBATES

MAY 9 and 10, 1934

UNCORRECTED PROOFS

Hon. Members are asked to notify the Clerk within seven days of any corrections they may desire to have inserted in their own speeches.



COLONY AND PROTECTORATE OF KENYA

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DEBATES

MAY 9 and 10, 1934

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Hon. Members are asked to notify the Clerk within seven days of any corrections they may desire to have inserted in their own speeches.

WEDNESDAY, 9th MAY, 1934

The Council assembled at 11 a.m. at the Memorial Hall, Nairobi, on Wednesday, 9th May, 1934. His Excellency THE GOVERNOR (BRIGADIER-GENERAL SIR JOSEPH ALOYSIUS BYRNE, G.C.M.G., K.B.E., C.B.), presiding.

His Excellency opened the Council with prayer

ADMINISTRATION OF THE OATH

The Oath of Allegiance was administered to

Nominated Official Member

COLONEL ROGER WILKINSON, D.S.O., Officer Commanding Northern Brigade, King's African Rifles

European Elected Member (Acting)

WILLIAM GILBERT LILLYWHITE, Acting Member for the Coast Electoral Area.

MINUTES

The minutes of the meeting of the 27th April, 1934 were confirmed

PAPERS LAID ON THE TABLE

The following papers were laid on the Table

BY THE HON. THE COLONIAL SECRETARY (MR. H. M. M. MOORE):

Report of the Select Committee appointed to consider the Fifth Supplementary Estimates, 1933, and First Supplementary Estimates, 1934

BY THE HON. THE ATTORNEY GENERAL (MR. W. HARRISON):

Report of the Select Committee appointed to consider the Juveniles Bill.

Report of the Select Committee appointed to consider the Limitation Bill

Report of the Select Committee appointed to consider the Penal Code (Amendment) Bill

Report of the Select Committee appointed to consider the Criminal Procedure Code (Amendment) Bill

BY THE HON. THE TREASURER (MR. G. WALSH):

Colonial Loans statement submitted to Legislative Council in May, 1934.

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By THE HON. THE TREASURER MR. G. WAISUP

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By THE HON. THE CHIEF NATIVE COMMISSIONER (MR. S. H. LA FONTAINE) :

Native Affairs Department Annual Report, 1932.

By THE HON. THE DIRECTOR OF EDUCATION (MR. H. B. WATERS) :

Report of the Advisory Council on European Education.

NOTICE OF MOTION.

THE HON. ISHER DASS : Your Excellency, I beg to give notice of the following motion :

" In the opinion of this House, the Report submitted by the Unemployment Committee does not reflect the true position of and the distress among the unemployed of the Colony, and that the remedy suggested by the Unemployment Committee is both inadequate and unsatisfactory."

ORAL ANSWERS TO QUESTIONS.

COAST FERRIES.

No. 14.—THE HON. W. G. LILLYWHITE asked :

" Will Government please state what is their intention regarding the coast ferries, whether they are to be free, or a reduced charge made."

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS : The cost of running the Kilifi and Shimo-la-Tewa ferries as a free service is estimated at £675 per annum.

The revenue derived from them at present is not more than sufficient to cover expenditure, inclusive of renewals.

It is hoped that it will be possible to reduce the charges substantially in 1934 in the interest of coast producers.

THE HON. CONWAY HARVEY : Arising out of that answer, Your Excellency, may I ask whether Government has received any representations in regard to ferries which have been established in competition with the Nyali Bridge?

HIS EXCELLENCY : This question refers to the Shimo-la-Tewa and Kilifi ferries. I think the hon. Member will have to give notice in regard to questions about other ferries.

THE HON. CONWAY HARVEY : On a point of order, Sir, I thought the question referred to coast ferries generally.

HIS EXCELLENCY : No, this refers only to the two ferries mentioned.

LT.-COL. THE HON. LORD FRANCIS SCOTT : On a point of order, it does say "coast ferries" in the question.

HIS EXCELLENCY : Which ferry was the hon. Member referring to?

THE HON. CONWAY HARVEY : Various ferries, Your Excellency, which have been established in competition with and in close proximity to the Nyali Bridge.

HIS EXCELLENCY : I do not know whether the hon. Member wishes to give notice of that.

THE HON. THE COLONIAL SECRETARY : If it is of any interest to the hon. Member, Sir, the answer is in the affirmative.

ASIAN WIDOWS' AND ORPHANS' PENSION SCHEME.

No. 17.—THE HON. J. B. PANDYA asked :

Will the Government state total amount of contributions collected and total payments made up to 31st December, 1933, to Widows and Orphans under the Asian Civil Servants Widows' and Orphans' Scheme?

Has the Government any intention to alter or improve this scheme?

THE HON. THE TREASURER : The total contributions to the fund up to the 31st December, 1933, amounted to £42,101/3/45, and the total sum paid to the Widows and Orphans during that period amounted to £4,109/0/05.

A sum of £5,158/10/79 on account of interest on investments has also been credited to the fund, which, as a result of an appreciation in the securities held, totalled £48,271 on the 31st December last.

With regard to the second part of the question, section 80 of the Ordinance allows for a revision of the rates of contribution and amount of pension payable, after a period of ten years, after an investigation by an actuary appointed by the Secretary of State. The fund has only been in existence some six-and-a-half years.

INDIAN MEDICAL OFFICERS.

No. 18.—THE HON. J. B. PANDYA asked :

Is it a fact that in Government publications, namely, annual reports of the Medical Department or Blue Book names of Assistant and Sub-Assistant Surgeons or other Indian Medical Officers are not mentioned?

BY THE HON. THE CHIEF NATIVE COMMISSIONER (MR. S. H. LA FONTAINE):

Native Affairs Department Annual Report, 1932.

BY THE HON. THE DIRECTOR OF EDUCATION (MR. H. B. WATERS):

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"Will Government please state what is its intention regarding the coast ferries, whether they are to be free, or a reduced charge made."

THE HON. THE ACTING DIRECTOR OF PUBLIC WORKS: The cost of running the Kilifi and Shimo-la-Tewa ferries as a free service is estimated at £675 per annum.

The revenue derived from them at present is not more than sufficient to cover expenditure, inclusive of renewals.

It is hoped that it will be possible to reduce the charges substantially in 1934 in the interest of coast producers.

THE HON. CONWAY HARVEY: Arising out of that answer, Your Excellency, may I ask whether Government has received any representations in regard to ferries which have been established in competition with the Nyali Bridge?

HIS EXCELLENCY: This question refers to the Shimo-la-Tewa and Kilifi ferries. I think the hon. Member will have to give notice in regard to questions about other ferries.

THE HON. CONWAY HARVEY: On a point of order, Sir, I thought the question referred to coast ferries generally.

HIS EXCELLENCY: No, this refers only to the two ferries mentioned.

LT.-COL. THE HON. LORD FRANCIS SCOTT: On a point of order, it does say "coast ferries" in the question.

HIS EXCELLENCY: Which ferry was the hon. Member referring to?

THE HON. CONWAY HARVEY: Various ferries. Your Excellency, which have been established in competition with and in close proximity to the Nyali Bridge.

HIS EXCELLENCY: I do not know whether the hon. Member wishes to give notice of that.

THE HON. THE COLONIAL SECRETARY: If it is of any interest to the hon. Member, Sir, the answer is in the affirmative.

ASIAN WIDOWS' AND ORPHANS' PENSION SCHEME.

No. 17.—THE HON. J. B. PANDYA asked:

Will the Government state total amount of contributions collected and total payments made up to 31st December, 1933, to Widows and Orphans under the Asian Civil Servants Widows' and Orphans' Scheme?

Has the Government any intention to alter or improve this scheme?

THE HON. THE TREASURER: The total contributions to the fund up to the 31st December, 1933, amounted to £42,101/3/45, and the total sum paid to the Widows and Orphans during that period amounted to £4,109/0/05.

A sum of £5,158/10/79 on account of interest on investments has also been credited to the fund, which, as a result of an appreciation in the securities held, totalled £48,271 on the 31st December last.

With regard to the second part of the question, section 30 of the Ordinance allows for a revision of the rates of contribution and amount of pension payable, after a period of ten years, after an investigation by an actuary appointed by the Secretary of State. The fund has only been in existence some six-and-a-half years.

INDIAN MEDICAL OFFICERS.

No. 18.—THE HON. J. B. PANDYA asked:

Is it a fact that in Government publications, namely, annual reports of the Medical Department or Blue Book names of Assistant and Sub-Assistant Surgeons or of other Indian Medical Officers are not mentioned?

If the answer be in the affirmative will the Government state why it is so? and whether these names will be included in the annual reports and in the Blue Book in future?

THE HON. THE COLONIAL SECRETARY: The reply to the first part of the question is in the affirmative.

In 1915 it was decided (with the approval of the Secretary of State) on the ground solely of economy to reduce the bulk of Departmental Annual Reports and the Blue Book by adopting the practice followed in Uganda of omitting lists of non-European staff. In view of the considerable additional cost of compilation and printing which a departure from the practice, now uniform in the East African territories, would necessitate, it is considered that there are insufficient grounds for making any change at the present time. As regards the Annual Medical Report a decision has already been taken in accordance with the recommendation in paragraph 325 of the Report of the Expenditure Advisory Committee, to omit in future all names from the report, other than those of Senior Officers of the Department.

REPORT OF THE NATIVE MARKETING ADVISORY COUNCIL.
No. 20.—THE HON. J. B. PANDYA asked:

Is it the intention of the Government to make the Report of the Native Marketing Advisory Council available to the public? If the answer be in the negative, will the Government state reasons thereof?

THE HON. THE CHIEF NATIVE COMMISSIONER: No Report by the Native Marketing Advisory Council has been submitted to Government. Certain recommendations, however, of the majority of that body, together with a memorandum dissenting therefrom by the Indian Member of the Council, are now being considered by Government.

ALLOCATION OF REVENUE BETWEEN COMMUNITIES.
No. 21.—THE HON. J. B. PANDYA asked:

Will the Government state figures of the amounts contributed by Europeans and Indians by way of (a) Education Tax, and (b) Wines and Spirits Tax, for the years 1927, 1928, 1929, 1930, 1931, 1932, and 1933, and state the basis on which the division of revenue derived from Wines and Spirits Tax has been made between the two communities?

Is the Government aware that the Indian community has challenged the arbitrary division of Wines and Spirit Tax and if the reply be in the affirmative what action the Government proposes to take to ensure just and fair division of this revenue?

THE HON. THE DIRECTOR OF EDUCATION (MR. H. S. SCOTT): The figures asked for by the hon. Member have been circulated for the information of hon. Members.

It should be understood that this allocation of revenue from the Wines and Spirits Tax as between the two communities has been based on the population figures of 1928. As the hon. Member is no doubt aware the European population since that year has increased considerably while the Indian population has decreased. The allocation shown in the table is therefore probably somewhat in favour of the Indian contribution.

With regard to the second part of the question a statement showing the method by which the Government statistician arrived at the proportion of revenue to be credited to the two communities was put before the Advisory Council on Indian Education in May, 1933, and the Advisory Council recorded the view that the allocation was not susceptible of definite criticism save in one unimportant respect. In effect the Advisory Council admitted the fairness of the allocation.

ALLOCATION OF EDUCATIONAL EXPENDITURE BETWEEN COMMUNITIES.

No. 22.—THE HON. J. B. PANDYA asked:

Will the Government state figures of the amounts spent in (a) Housing, (b) Pensions, and (c) Loan Charges, for (a) Europeans, and (b) Indians, for educational purposes during the years 1927, 1928, 1929, 1930, 1931, 1932, and 1933?

THE HON. THE DIRECTOR OF EDUCATION: It is regretted that it is not possible to provide the figures asked for by the hon. Member.

INDIAN REPRESENTATION ON LEGISLATIVE COUNCIL.

No. 23.—THE HON. J. B. PANDYA asked:

Will Government state if the representations made by the Eastern Africa Indian National Congress on the increase of Indian representation on the Legislative Council of Kenya have been considered and if so what decision has been arrived at by the Government in this matter?

If the answer be in the affirmative will the Government state why it is so? and whether these names will be included in the annual reports and in the Blue Book in future?

THE HON. THE COLONIAL SECRETARY: The reply to the first part of the question is in the affirmative.

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No. 23.—THE HON. J. B. PANDYA asked:

Will Government state if the representations made by the Eastern Africa Indian National Congress on the increase of Indian representation on the Legislative Council of Kenya have been considered and if so what decision has been arrived at by the Government in this matter?

THE HON. THE COLONIAL SECRETARY: I would refer the hon. Member to the Secretary of State's published despatch No. 409 of 13th July, 1932, and to the published record of the interview of the Secretary of State with the Indian Elected Member of the Legation Council on the 14th February, 1934.

REPRESENTATION OF AFRICAN COMMUNITY ON LEGISLATIVE COUNCIL.

No. 2.—**THE HON. J. B. PANDYA** asked:

In view of the provisions contained in paragraphs XV and XIX of Royal Instructions dated 29th March 1934 to nominate two unofficial members to represent the interests of the African community, is it the intention of the Government to appoint a suitable person without prejudice of race or colour?

If the reply be in the affirmative, will the Government consider sympathetically appointment of an Indian who may have special knowledge of natives in reserves and who may be interested in the furtherance of African interests.

THE HON. THE COLONIAL SECRETARY: With reference to the first part of the question, I would refer the hon. Member to His Excellency's Communication from the Chair on Tuesday, 24th April, 1934, at the opening of this session.

2. As the appointment has already been made, the second part of the question does not arise.

INDIAN REPRESENTATION ON RAILWAY ADVISORY COUNCIL.

No. 30.—**THE HON. J. B. PANDYA** asked:

In view of the representations made by the Federation of the Indian Chambers of Commerce will the Government state if, and when they wish to take steps for amending the Kenya and Uganda Railway Transport Order in Council with a view to admit of appointment of Indian Members on the Railway Advisory Council and Port Advisory Board?

THE HON. THE COLONIAL SECRETARY: The views of the Secretary of State on the proceedings of the Governors' Conference, at which the constitution of the Railway Advisory Board was considered in the light of the Gibb Report, have not yet been received and the Government is therefore not in a position to make a final pronouncement on the subject at this date.

The constitution of the Port Advisory Board provides for full representation of all interests primarily concerned in the administration of the Port, and the Government considers that no useful purpose would be served by amending the Order in Council to provide for representation on a racial basis.

AGRICULTURAL MORTGAGES COMMITTEE.

No. 33.—**THE HON. E. H. WRIGHT** asked:

Whether it is the intention of Government to implement at an early date the special legislative measure recommended by the Agricultural Mortgages Committee?

THE HON. THE COLONIAL SECRETARY: The Bill was referred to the Secretary of State for consideration in accordance with the statement made by His Excellency the Governor on the 5th December last. A telegram has now been received from the Secretary of State approving the Bill in principle and the Government hopes to be able to proceed further in the matter as soon as the detailed observations of the Secretary of State on the Bill have been received by despatch.

REPORT OF ADVISORY COUNCIL ON EUROPEAN EDUCATION.

No. 34.—**THE HON. LORD FRANCIS SCOTT:** In view of the fact that the Report asked for has been laid on the Table this morning, I beg leave to withdraw Question No. 34.

MOTION.

EUROPEAN LOCAL CIVIL SERVICE.

THE HON. THE COLONIAL SECRETARY: Your Excellency, I beg to move the motion standing in my name.

Be it resolved that the proposals for the inauguration of the European Local Civil Service contained in Sessional Paper No. 4 of 1934 be approved.

I think that hon. Members will consider that on a motion of this sort, in view of the past history that has attended the matter, I should be unnecessarily taking up the time of the House if I were anything but very brief. This question has been considered exhaustively by a series of committees. The first committee, the Fitzgerald Committee, reported in October, 1931; the Merrick Committee reported in October, 1932; since then there have been four interim reports on this subject by the Civil Service Board—one in February, 1933; another in June, 1933; another in November, 1933; and a fourth in December, 1933. All those reports have been laid on the Table of this Council and have been in the hands of Members of the Legislative Council, and therefore, all those of them who take a live interest in this matter had every opportunity of going into the details of the proposals and appreciating the practical difficulties that have been encountered from

THE HON. THE COLONIAL SECRETARY: I would refer the hon. Member to the Secretary of State's published despatch No. 499 of 13th July, 1932, and to the published record of the interview of the Secretary of State with the Indian Elected Member of the former Council on the 14th February, 1934.

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No. 28.—**THE HON. J. B. PANDYA** asked:

In view of the provisions contained in paragraphs XV and XIX of Royal Instructions dated 29th March, 1934, to nominate two unofficial members to represent the interests of the African community, as it is the intention of the Government to appoint a suitable person without prejudice of race or colour?

If the reply be in the affirmative, will the Government consider sympathetically appointment of an Indian who may have special knowledge of natives in reserves and who may be interested in the furtherance of African interests?

THE HON. THE COLONIAL SECRETARY: With reference to the first part of the question, I would refer the hon. Member to His Excellency's communication from the Chair on Tuesday, 20th April, 1934, at the opening of this session.

2. As the appointment has already been made, the second part of the question does not arise.

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No. 30.—**THE HON. J. B. PANDYA** asked:

In view of the representations made by the Federation of the Indian Chambers of Commerce will the Government state if, and when they wish to take steps for amending the Kenya and Uganda Railway (Transport) Order in Council with a view to admit of appointment of Indian Members on the Railway Advisory Council and Port Advisory Board?

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time to time in the inauguration of this Service. It was for that reason, Sir, and because so many committees have considered this question, and, in certain cases, the recommendations made have not been always unanimous, that the Government considered the simplest way of putting the proposals in a comprehensive form before Council was to publish this somewhat brief Sessional Paper, No. 1 of 1934, which is in your hands to-day.

If I might for a moment just make clear the procedure that it is proposed to adopt it is this. We are tabling this Sessional Paper to-day in accordance with a pledge given by the Government during last session to, I think the hon. Member for Plateau South, that, when the Government have formulated what might be called final proposals for the inauguration of this Service, this Council will be given full opportunity of considering and debating them. It is in accordance with that pledge, Sir, that the motion now before the House is being debated to-day.

It may be said that there has been a somewhat long delay in dealing with this matter and that, in fact, it has been on the stocks since 1931. While that delay is in a sense regrettable, I do feel that in this case, had we tried to act otherwise, it might have been a case of more haste less speed. The reasons for my saying that, Sir, are these. Were we merely of the parent committee, I think the underlying intention concerned—which had been, in fact, the Fitzgerald Committee—with formulating local terms of service and applying them only to future entrants, the matter would have been comparatively simple one; but as time went on and as the financial depression came upon us, the Government were pressed by representations made—and we ourselves as a Government were only too anxious to work in the same direction—that every possible step should be taken to reduce our overhead expenditure, our recurrent expenditure, if that could be done without hardship and injustice to serving officers. The problem, therefore, developed from the simple problem of devising suitable local terms of service for future entrants to see how these terms of service could also be made suitable for the transfer of serving officers to those terms.

The further point that presented difficulty was this, that, again owing to a pledge that this Government had given to the Legislative Council—I think it went back as far as 1926, when the question of pensions generally was agitating the country, and at that time we were dealing really with the overseas service—there was no local service as such—the Government gave a guarantee that until we could get some definite decision on this matter no additional posts to the overseas pensionable establishment would be made, at least without reference to the

Legislative Council. The result was that many officers, who, in accordance with ordinary colonial practice when recruited for departmental purposes, came out originally on what is known as a one tour agreement, had every reasonable hope to expect that, provided their services were satisfactory, they would at the end of that agreement be confirmed in their appointment and made pensionable. Such officers were kept in suspense, as it were, and no definite decision was given either for or against them. When, therefore, we came to consider the question of who should and who should not form a part of this local service, we were confronted with the problem that we had many officers on agreement, but they did not all fall precisely into the same category. We had certain officers who definitely, from the nature of their appointments—temporary in character—had really no expectation of pension. We had other officers who were equally serving on agreements but who, in the Government's view at any rate—and, I believe, in the view of many hon. Members opposite—it would be improper to deprive of their reasonable pension rights, because, for the reasons which I have just explained, they had not been put on a pensionable basis. That, Sir, explains why the inauguration of this Service has proved so complicated a matter.

Now, Sir, we have tried to reduce our proposals to their simplest form, and probably the easiest way for me to put them before the House is to refer to the Sessional Paper which is in your hands. It will be seen that, as an appendix to that Sessional Paper are set out, first in Appendix I, the proposed salary scales for the clerical service, and secondly, in Appendix II, the proposed salary scales for non-clerical posts. Those salary scales have been evolved by the Civil Service Board after a very full examination of these different reports to which I have just referred; and I should like to emphasize this point—that I think perhaps in the minds of some hon. Members it may be felt that the work of these earlier committees, the Fitzgerald Committee and the Merrick Committee, has been wasted and, in certain cases, disregarded, and another Board set to work to do the work which they had already done. I should like to emphasize the point that that original spade work was not wasted at all. If you turn to the first of the interim reports of the Civil Service Board you will find these words:

"The Board's salary proposals are based on the general terms and conditions of service suggested by the Merrick Report, including concessions of leave, passage allowance and free medical attendance."

In other words, that careful work which had been done in the earlier stages by these committees has formed the basis

time to time in the inauguration of this Service. It was for that reason, Sir, and because so many committees have considered this question, and, in certain cases, the recommendations made have not been always unanimous, that the Government considered the simplest way of putting the proposals in a comprehensive form before Council was to publish this somewhat brief Sessional Paper, No. 1 of 1934, which is in your hands to-day.

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In other words, that careful work which had been done in the earlier stages by these committees has formed the basis

of these recommendations, but in the light of experience and further examination, and detailed criticism by Heads of Departments, to whom all these proposals were sent, the Board came to the conclusion that certain modifications were necessary. I would like to stress that point, Sir, because we as a Government are fully alive to the hard work which was put into these committees by certain members, and I should be glad to go away with the idea that that work has been wasted.

Let me turn now to the scales. The clerical scales are shown in Appendix I, and there is just one point I would like to emphasize, and that is—I know there are pros and cons; there are different opinions held on this question—but we have definitely here differentiated in scales between men and women. Personally, I think, conditions being such as they are in this Colony, that that differentiation is quite a reasonable one, though I saw only the other day in the *London Times* that the latest tendency is to assimilate male and female scales in England. But I submit our conditions here are rather different from those at home.

Then, as regards Appendix II, which are the non-clerical scales, these have been exhaustively gone into by these committees, by the Board and by the Heads of Departments. It may be that in one or two minor particulars some modification may be required. For example, a note is made in the case of the Education Department, on which, owing to the particular problems and multifarious number of scales at the moment, some adjustment may be required; and similarly, it may be that when these final proposals are sent home to the Secretary of State there will be some slight modifications; but I would like to emphasize that the general principle that those scales embody is accepted by the local Government. There is no intention of asking your approval to them to-day and then to-morrow raising them by 50 per cent, or anything of that sort. If there are modifications they will be of a minor character, and naturally, when they come to be embodied in the Estimates under the appropriate departmental heads, you will have full opportunity of alluding to the fact if you think any alteration has been made.

So much, Sir, for the salary scales. The next points of importance are the questions of leave, passages, quarters, and so on. In dealing with them you will see that we have definitely had to differentiate between future entrants and certain serving officers, and if you turn to paragraph 5 of the memorandum you will see set out the terms, what may be regarded as the basic terms proposed for this service in the case of future entrants.

In the case of leave, provision is made for 18 days local leave, and vacation leave *pro rata* on the basis of 10 days per quarter, to which may be accumulated the last 18 days local leave due, all leave to be inclusive of the voyage and no officer to be absent from duty for more than 190 days. The object of putting the leave in that way was this. I think the basis underlying, anyway in certain quarters, the demand for a local service was that as increasingly we obtained local recruits in the true sense for this Service, it was not essential that they should go home on grounds of health every two, three or four years. At the same time it was suggested that, apart from health reasons—and also very likely on account of health reasons—it might be desirable for these officers to have the opportunity of going home and broadening their ideas from time to time. The provision therefore made it that after four years, an officer will ordinarily have earned a free return passage for himself and will also have qualified for six months leave, less actually two days. The ideas underlying these arrangements are these: that probably normally an officer, if he goes home at all, will not go home till the end of the fourth year, but if for any reason he wishes to go home earlier, and if the Head of his Department can spare him, there is no reason why he should not go home at an earlier period than four years; but in that case the amount of leave he will earn will be proportionately less, and also the amount of passage earned will be proportionately less, while, unless he has served for his four years, the family passage allowance of £25 will not be available. As regards quarters, normally no quarters are to be provided. Medical attention is to be provided free to officers and their families. The reason for that is this. It is considered that, in view of the low rate of salary provided in these scales on the whole, plus the contributions that an officer has got to make both to Provident Fund and to the Widows' and Orphans' Pensions Scheme, this medical concession is not unreasonable, while on the Government side we have been assured by the Medical Department that the economies, if any, to be effected in the departmental vote by the elimination of this privilege will be very little. As regards pension, no pension is to be provided, but a Provident Fund to which contributions will be compulsory is to be initiated instead. As I am moving the second reading of the Provident Fund later, I will not say any more on that point at the moment. The age of retirement is normally 55 years, and in no case later than 60 years, with a modification in the case of women that the age of retirement is to be reduced by 5 years. Those are the normal terms that will be provided for future entrants. We now come to the very practical difficulties to which I have referred, as to how to deal with officers now in the Service. After full consideration, it was considered that

of these recommendations, but in the light of experience and further examination, and detailed criticism by Heads of Departments, to whom all these proposals were sent, the Board came to the conclusion that certain modifications were necessary. I would like to stress that point, Sir, because we as a Government are fully alive to the hard work which was put into these committees by certain members, and I should not like them to go away with the idea that that work has been wasted.

Let me turn now to the scales. The clerical scales are shown in Appendix I, and there is just one point I would like to emphasize, and that is—I know there are pros and cons; there are different opinions held on this question—but we have definitely here differentiated in scales between men and women. Personally, I think, conditions being such as they are in this Colony, that that differentiation is quite a reasonable one, though I saw only the other day in the London Times that the latest tendency is to assimilate male and female scales in England. But I submit our conditions here are rather different from those at home.

Then, as regards Appendix II, which are the non-clerical scales, these have been exhaustively gone into by these committees, by the Board and by the Heads of Departments. It may be that in one or two minor particulars some modification may be required. For example, a note is made in the case of the Education Department, on which, owing to the particular problems and multifarious number of scales at the moment, some adjustment may be required; and similarly, it may be that when these final proposals are sent home to the Secretary of State there will be some slight modifications; but I would like to emphasize that the general principle that those scales embody is accepted by the local Government. There is no intention of asking your approval to them to-day and then to-morrow raising them by 50 per cent, or anything of that sort. If there are modifications they will be of a minor character, and naturally, when they come to be embodied in the Estimates under the appropriate departmental heads, you will have full opportunity of alluding to the fact if you think any alteration has been made.

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officers who had had six years or more service required special consideration, and the manner in which it is proposed to deal with them is set out in paragraph 3 of this Report. I do not think it is necessary for me, Sir, unless it is going to be challenged later in debate, to repeat the principles which are contained in Appendix III by which Government has been guided in dealing with these officers. Naturally, as a signature to the Report, I think these principles are fair and just, and I hope they will be endorsed by hon. Members of this House. If these principles are so endorsed, the placing of individual officers into their appropriate categories in accordance with these principles becomes a more or less automatic proceeding.

At the outset I referred to the difficulty of these serving officers and how we were to deal with them, and it may be of interest to say that at the moment the number of officers who will fall to be incorporated in this Local Service and who really can be called local recruits, is very small indeed. A close analysis was made of the 729 officers who on the 1st of January, 1933, were serving in posts that had been scheduled for the Local Service; of that number I think approximately 7 per cent were locally born or locally educated. That means to say that at present, and for some time to come, either we are going to recruit directly from home for this Local Service or we shall take in, as we have frequently done, people who have come to Kenya for one reason or another, but who were not locally educated or Kenya born, and incorporate them in the Service. For that reason I think you will agree that it is not unreasonable to make some provision for leave and passage out of the Colony for officers many of whose homes cannot at present in any sense be said to be in Kenya.

I think, Sir, I have said enough generally to outline the principles which Government has followed in putting these proposals forward. I would only like to say this: I hope hon. Members will realize that these proposals form part of one comprehensive whole, with the Provident Fund Bill which comes later on, and that any criticisms which would result in seriously altering the rates and scales of salary or the rates of contributions to the Provident Fund will only mean a further delay in inauguration of this Service which I believe all members of this House are only too anxious to see started at the earliest possible date. I beg, Sir, formally to move the motion standing in my name.

THE HON. THE ATTORNEY GENERAL: Your Excellency, I beg to second the motion.

HIS EXCELLENCY: The question is that the motion just proposed by the Hon. the Colonial Secretary be approved.

LT.-COL. THE HON. LORD FRANCIS SCOTT: Your Excellency, I may say that I welcome this opportunity which has now arrived of seeing the question of the European Local Civil Service become an actual fact by the laying of this sessional paper and the discussions which are taking place to-day. This question has been the subject of discussion for many years now, and has been very urgently pressed for by Members on this side of the House. No doubt in this world we can never expect to achieve perfection, and there may be a few points in these proposals which will not meet with universal approval; but, in spite of that, I trust, Sir, that this Service will now be instituted, that it will be found to contain as few anomalies as possible, and that in the course of time those anomalies may be rectified and that the Service may become a practical part of the administration of this country, Sir.

Before I go on to any discussion of the actual motion before the House, Your Excellency, I should just like to ask if the Hon. the Colonial Secretary in his reply would tell us what would be the future procedure as these proposals are put into actual effect. He did say that we would have an opportunity of seeing any alterations made from time to time, but I think Members on this side would be grateful if any alterations to be made could be laid in the form of a paper so that everyone would know exactly what modifications had been instituted.

Now, Sir, if you go back to the origin of the demand for this Local Civil Service, it was based firmly on the need for economy. I think it was generally agreed that the cost of the whole Service in this country was very high in proportion to the income of the Colony. What particularly alarmed us was to see this growing pensions list, and how much it might amount to in the future. That was one main idea, to get on to some basis of a contributory pension scheme or provident fund similar to that which is now embodied in these proposals. The next point was, to give definite openings to the local people of the country who could have a career before them which they could go into. The third point, which the hon. Member has referred to, was to try and work up a scheme which would achieve economy and which would give a decent prospect of a livelihood to the people we are thinking of. Now, Sir, it did raise great difficulties, and it was not an easy matter to adjust the various points of view, but I do believe that in general this report is a workable and fair proposition.

I do not propose to go into any details of the rates proposed; they have been discussed by so many bodies, and the European Elected Members are not asking for a Select Committee, because they feel there would only be a further

officers who had had six years or more service required special consideration, and the manner in which it is proposed to deal with them is set out in paragraph 3 of this Report. I do not think it is necessary for me, Sir, unless it is going to be challenged later in debate, to repeat the principles which are contained in Appendix III by which Government has been guided in dealing with these officers. Naturally, as a signatory to the Report, I think these principles are fair and just, and I hope they will be endorsed by hon. Members of this House. If these principles are so endorsed, the placing of individual officers into their appropriate categories in accordance with these principles becomes a more or less automatic proceeding.

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delay and further discussions, as everybody has different views on such matters. But I should just like to refer to one point which arises, the question of leave and passage. I think I am right in saying that in the original reports the proposals for leave and passages were not quite so generous as are shown here. In fact, I think in one case it would have taken any officer six years to earn his leave. Personally, Sir, I support the proposals before the House to-day. I think they are very fair; even if they are more generous than was originally supposed, I think it is wise from the point of view of the efficiency of the Service and the good of the country. The only point, Sir, which I am not quite in agreement with—and I hope in the course of debate I may be convinced that I am wrong—is with regard to medical attention.

It is contrary to what has been recommended in other reports in so far as medical attention is being extended to the families of officers and that drugs and dressings shall be free to them. The hon. mover has said that the cost to Government would be negligible and therefore there was no object in not doing so. I trust that this is so, and that the hon. the Director of Medical Services will put up a case to show that it is so, because it must be within the knowledge of hon. Members that his predecessor held very different views.

I think it is generally admitted that in certain cases these privileges are apt to be abused, and I notice here that it says drugs and dressings are to be free if prescribed by a doctor. That, I believe, is meant as a safeguard against such abuse. But I do trust that if these privileges are granted there will be a check to see that there is no abuse of this particular privilege.

I do not think, Sir, there is any more that I wish to say for these questions of detail are not so materially important as to justify any further delay. I trust that before very long we may actually have a European Local Civil Service in existence, Sir.

THE HON. J. B. PANDYA: Your Excellency, I oppose the principle which has been laid down in this motion of racial discrimination for the Civil Service of this Colony. In my view the paper which has been laid before us

THE HON. THE COLONIAL SECRETARY: On a point of explanation, Sir—I do not wish to interrupt the hon. Member, but it might save the time of the House if I informed him that the proposals are that there should be an Asian local clerical service on substantially the same lines as this. We are only waiting to get this matter cleared out of the way before that can be brought in; so any suggestion that there is

racial discrimination and that Asiatic members will not be permitted to take part in the clerical service of the Colony is illusory.

THE HON. J. B. PANDYA: Your Excellency, I was discussing this from the point of view of the principle involved. I quite realize that the Asian civil service motion also will come before this House, but I was on this point raising the question of whether appointing Civil Servants of various races in this Colony and reserving for them certain special emoluments or posts was the right way for a Colony of this kind. What should be in its place is one Kenya Civil Service without any discrimination as regards race or colour and, as is practised in various other countries, a central Civil Service Board, who should hold examinations for various grades and posts, which should be given to those who pass those examinations and at the pay laid down, without any racial prejudice. That principle, Sir, is the one which the Government of this Colony should desire to adopt at this stage, before we go further in accepting in this country a division on the basis of racial colours.

I could perhaps realize under existing circumstances the need for certain higher posts being reserved for Europeans, but I cannot imagine, and I have not heard any arguments here this morning to convince me that there is any justification whatever for the reservation of subordinate posts for Europeans. All posts scheduled in this Sessional Paper are subordinate posts and in my opinion should be thrown open for competition as I have said before.

When we refer to the scales for the clerical posts we find that Appendix No. 1 shows a grade from £150 to £660 per annum, and although from £600 onwards it is a special grade, I personally could not think of any justification for these higher salaries and grades for clerical jobs. If we turn to the conditions existing outside Government service—and I think in regard to the Local Civil Service we must bear in mind that scales of salary should be based on the rate of remuneration in other services outside Government, such as mercantile houses and other places—I do feel that on enquiry the Government would find that the scales for clerical jobs are far in excess of what they are in the mercantile service, for which I see no justification. I think it is a wrong principle that the Government service should be so highly paid, which will reflect not only on the taxpayers but on services in other spheres or occupations in the country.

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The demand for this local service was, as the Noble Lord the Member for Rift Valley said, based on grounds of economy firstly, and secondly, on the grounds of providing openings for the local youth.

I shall first take the ground of economy. May I ask what actual saving the Government proposes to make as a result of this scheme, and if it was intended that a local service would lessen the burden to the taxpayer, I should like to ask whether these proposals fulfil those expectations? On the other hand, what do we find? The hidden emoluments, such as house allowance and pensions, have been added to the consolidated pay and the country will have to foot the same bill.

The policy of increasing Europeans in medical posts has been put into force since 1921 and as a result of this the following facts would be interesting.

In 1921 there were 285 subordinate posts filled by Europeans at a total cost to the country of £59,015, whereas in 1933 there were 502 subordinate posts filled by Europeans at a total cost to the country of £186,202. The average cost per post in 1921 was £207 1, which rose in 1933 to £370 18.

In 1921 there were twelve accountants and assistant accountants, costing a total of £16,619, whereas in 1933 there were nineteen of these posts, costing a total of £19,583. This shows that during these twelve years the posts have increased by 50 per cent but the cost has increased by 300 per cent.

In 1921 there were forty-two European clerks, costing the country a total of £7,268, whereas in 1933 there were 116 European clerks, costing the country a total of £15,500. This shows that while the number of posts during this period was increased three-and-a-half times, the cost during the period was increased by six-and-a-quarter times.

I have not here figures and details of a number of such posts which show similar disparity, but I think these instances should be quite sufficient to prove my contention that, apart from higher services, these European subordinate posts cost the country a good deal more than necessary.

According to the present terms, when hidden emoluments in the form of house allowances, passage, leave, medical treatment, local travelling and pensions, etc., are added, we arrive at the cost of these clerical services. A post of £300 per annum would cost the country £500 per annum, and a post of £400 would cost £625, and a post of £500 would cost £760 per annum.

No, Sir, if it is contended that these consolidated salaries now before us is a saving to the country, I should very definitely like to contradict that statement. Turning to the new scales we find that the hidden emoluments are all provided for with the exception of house allowance and pension. As regards house allowance, rent for Government quarters will be charged at the rate of 5 per cent on salaries. As an instance, a European subordinate in receipt of a salary of £300 per annum who occupies Government quarters will have to pay to the Government £15 per annum or 8s. 25 per month. Having regard to the accommodation in these quarters, I should say that at this rate the quarters are given almost free, because for this rent of 8s. 25 per month not even a small room would be available in any part of the town. May I ask what is this if it is not again a sort of hidden allowance? Where are we making in the scale of pay everything inclusive? According to this the actual saving by withdrawing the privilege of house allowance would be not 15 per cent, as it would appear to be at first sight, but it will be not more than 5 per cent. With regard to pension, there would be a provident fund in lieu of pension to which officers would be required to contribute at the rate of 5 per cent, so that even after taking into consideration other minor adjustments, such as family passage allowances, shorter periods of leave, etc., the total savings on hidden emoluments would not exceed 15 per cent in comparison to the present basis.

This saving of 15 per cent is more than wiped out when we look into the consolidated scale suggested in these proposals. According to present terms the maximum for European clerical posts was £500 per annum, whereas in this new scheme the maximum suggested is £600, a rise of 32 per cent. Even if all are not promoted to the special grade, they will normally rise to the maximum of first grade, i.e. £600 per annum, a rise of 20 per cent. If we take an example of non-clerical staff, a second grade Assistant, Inspector of Police rises at present to £300. In future he will get £390 per annum, an increase of 30 per cent. A reader in the Government Press at present on the scale of £300 by £18 to £500 will be placed in the new terms at £360 by £20 to £540, a rise of 20 per cent at the start, an increased rate of annual increment, and a rise of 10 per cent on the maximum.

The rates of annual increments have been raised in these new proposals, which means an officer will reach his maximum scale of salary earlier than at present and then draw higher rate of salary for the remaining period of his service. I am afraid I could not find any material savings in these new

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In 1921 there were twelve accountants and assistant accountants costing a total of £3,619, whereas in 1933 there were nineteen of these posts, costing a total of £10,583. This shows that during these twelve years the posts have increased by 59 per cent but the cost has increased by 300 per cent.

In 1921 there were forty-two European clerks, costing a total of £7,268, whereas in 1933 there were 136 European clerks, costing the country a total of £15,500. This shows that while the number of posts during this period was increased three-and-a-half times, the cost during the period was increased by six-and-a-quarter times.

I leave out here figures and details of a number of such posts which show similar disparity, but I think these instances should be quite sufficient to prove my contention that, apart from the extra expenses, these European subordinate posts cost the country a good deal more than necessary.

Coming to the present terms, when hidden emoluments in the form of house allowances, passage, leave, medical treatment and travelling and pensions, etc., are added, we arrive at the cost of these clerical services. A post of £300 per annum would cost the country £500 per annum, and a post of £100 would cost £225, and a post of £500 would cost £750 per annum.

No, Sir, it is contended that these consolidated salaries now before us is a saving to the country. I should very definitely like to contradict that statement. Turning to the new scales we find that the hidden emoluments are all provided for with the exception of house allowance and pension. As regards house allowance, rent for Government quarters will be charged at the rate of 5 per cent on salaries. As an instance, a European subordinate in receipt of a salary of £300 per annum who occupies Government quarters will have to pay to the Government £15 per annum or Sh. 25 per month. Having regard to the accommodation in these quarters, I should say that at this rate the quarters are given almost free, because for this rent of Sh. 25 per month not even a small room would be available in any part of the town. May I ask what is this if it is not again a sort of hidden allowance? Where are we doing in the scale of pay everything inclusive? According to this the actual saving by withdrawing the privilege of house allowance would be not 15 per cent, as it would appear to be at first sight, but it will be not more than 5 per cent. With regard to pension, there would be a provident fund in lieu of pension to which officers would be required to contribute at the rate of 5 per cent, so that even after taking into consideration other minor adjustments, such as family passage allowances, shorter periods of leave, etc., the total savings on hidden emoluments would not exceed 15 per cent in comparison to the present costs.

This saving of 15 per cent is more than wiped out when we look into the consolidated scale suggested in these 140 posts. According to present terms the maximum for European clerical posts was £300 per annum, whereas in this new scheme the maximum suggested is £600, a rise of 32 per cent. Even if all are not promoted to the special grade, they will normally rise to the maximum of first grade, i.e. £600 per annum, a rise of 20 per cent. If we take an example of non-clerical staff, a second grade Assistant Inspector of Police rises at present to £300. In future he will get £250 per annum, an increase of 20 per cent. A member in the Government Press at present on the scale of £300 by £18 to £500 will be placed in the new terms at £360 by £20 to £540, a rise of 20 per cent at the start, an increased rate of annual increment, and a rise of 40 per cent on the maximum.

The rates of annual increments have been raised in these new proposals, which means an officer will reach his maximum scale of salary earlier than at present and then draw higher rate of salary for the remaining period of his service. I am afraid I could not find any material savings in these new

proposals and if therefore the idea in organizing this Local Civil Service was economy I do not think it is fulfilled by these proposals.

In my view, however, a considerable amount could be saved if these posts are thrown open to competition by all races. At present these subordinate posts could be efficiently and economically filled by Asians. The average cost per post for Europeans quoted by me earlier, namely, in 1921 £207/1 and in 1933 £370/18, would increase yearly as posts reach their maximum. Now, Sir, if these posts, or the majority of them, are filled on a basis of merit and qualifications through examinations, I am quite sure that a large number of them could be creditably filled by Asians, and a reasonable grade necessary to attract a good type of man would be much lower than the scale mentioned in these proposals. If we add hidden emoluments on an average of 50 per cent. the cost per post of Europeans would be £556/7, whereas if these posts were filled by Asians the cost would be £270 per post. What an enormous amount of saving would this be to the finances of the country? The saving would be approximately £100,000 per annum, and if this policy was followed since 1921, the country would have saved by this time about one-and-a-quarter millions sterling, and there should have been no necessity for fresh taxation in these hard times.

May I ask on what grounds this deliberate extra cost for the administration of the country can be justified, and whether it is not yet clear that, having regard to the present circumstances and economic depression, the country cannot afford to bear this burden. Could anyone think of, either at home or in any other country, the basic principle of Civil Service on racial discrimination; or even on a basis of cost of living, which is bound to differ even among the people of the same race?

It may be argued, Sir, as it has been before, that the question of efficiency should be considered when appointments are made. In regard to the question of efficiency, I should like to say that the experience of Government has been that the Asian clerks have been found quite efficient, and I should like to read to the House some extracts from debates which took place in 1921, in this Council. The late Mr. Kempe, the then Treasurer, said: "From his own experience he had clerks with many years experience who were certainly more useful and more competent than European clerks would be on a higher rate of pay". Col. Notley, the then Colonial Secretary, was even more definite. On the strength of the figures compiled by him with great care he asserted that Asian allowances were smaller than those of Europeans and that on the basis of the same qualifications a European in

the first ten years would cost the Government £4,023 as against £2,246 for a non-European. He quoted an instance of an Asian clerk who was shortly retiring, and said if this post costing £312 to Government when occupied by an Asian was to be filled by a European as suggested by the Elected Members it would have to be done by a European on a scale of pay of an office superintendent. Sir Edward Northey, the then Governor, said he had examined the question of Asiatic salaries right through the country and he did not think they were out of the way in view of the fact that they were extraordinarily efficient and earned their pay all the time. This testimony, Your Excellency, should be quite enough to prove that the charge of inefficiency does not exist and that it should not be quoted. There is another instance of efficiency, for as late as 1931 the Wade-Mayer report which was issued that year is a tribute to the Asian staff. It describes the number of posts that could be filled by Asians with less expenditure and with equal efficiency. From lengthy details I shall only mention one instance; they said: "Forty-eight Europeans have been shown employed as postal clerks and telegraphists in the Post and Telegraphs Department. It will be observed that a number of Asians have been and are carrying out the duties of postmasters at various post offices in the Colony, and we feel that these junior posts could likewise be safely filled by Asians". If the Government, Your Excellency, follows the policy laid down in these proposals—that is, the inauguration of this European Local Civil Service—it will cost the Government very heavily, and I, as representing a large section of the taxpayers should certainly take this opportunity of opposing such a measure.

The second thing in regard to this scheme has been that it is an opportunity for providing an opening for local people born and bred in this country. Now, Sir, with regard to that, I feel that although in the beginning it may look as if a certain provision had been made for people born in the country, ultimately I am sure this country must remove those racial barriers in regard to the Civil Service, and without that comes about the difficulties will be greater. As time goes on there will be a difficulty in getting the same efficiency from the Europeans in these small subordinate posts, and not only would the Service suffer, and at an unnecessarily high pay, but it will be a sort of detriment to Kenya. Another thing which has been said many times is that by appointments in subordinate offices of Europeans a certain saving is easily made. I should like to say that in my experience this has not been the case. As soon as a clerical job has been found for a subordinate in any department, immediately, or within a short time, it is found that the work of that branch of the department has increased, and that means that more Asian

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and African clerks have to be engaged. This may not be due to anything, but it is there, so that for so many years the practice of increasing the European staff has not resulted to any appreciable progress. I do not know, Sir, if my hon. friend the Principal Medical Officer knows of a disease which is created in this Colony; I have seen no mention of it in his annual reports, which are very admirable, but the germ of the disease, according to my experience, occurs among Europeans, and is called the "superiority complex" (laughter). And, Sir, that disease has been the cause and the reason of this increased demand for Asian clerks and Africans. The precedent is set that in this country it is not possible for a European to work in any capacity except as a "boss", and that reason, Sir, is not only increasing the cost to the country of these commitments, but it does increase the total cost all round. I should like to say, Sir, that this matter in regard to the subordinate posts should receive the very careful consideration of all before this scheme is accepted.

Now, Sir, there is one point here that I should like to make, and that is in regard to home leave and passages. It has been said by hon. members on this side of the House and by Government, that Kenya is such a beautiful country and is healthy that you do not require to go away; that you want white settlement here and you ask for Colonial status to increase that settlement. But when we refer to this scheme we find that local Europeans, those bred and born in the country, do require a change every three years. I should like to ask which of these two statements is right? Is Kenya a healthy country or is it not; and, if not, then why should we put this privilege in the Local Services? There is another argument advanced, Sir, by the hon. the mover, that these home passages and leave are necessary under the peculiar circumstances of this country to enable Civil Servants I suppose to have a wider vision of the world. I should like to ask, Sir, in which part of the world is there a country which provides its Civil Servants such an opportunity of having a wider vision? It is not so provided in England. I should think, and they stand in very little need of it so far as the Empire goes; although I should like to see most of those officers coming here to see the conditions under which people live. If that is so, I cannot understand why this country is so flourishing that it wishes to have such a scheme as is provided here. I could understand that in special circumstances a particular officer should be recommended for that kind of treatment, but I can never imagine a wholesale adoption of this large expenditure when it is not necessary. The criticisms I have made just now I know are not perhaps given much consideration on the official benches because they come

from an Indian member. I am very sorry if that is the attitude adopted, Sir, but I am going to support the statement I have just made by a quotation from a quarter which cannot be complained of and which has no prejudice against this Colony or against white settlement. I should like to read, Sir, a small extract from a paper which is called *East Africa*, published in London. In its issue of the 5th of April of this year it says: "The 1932 return of vital statistics of European officials in East Africa from Somaliland to Northern Rhodesia inclusive, has just been published. Perhaps the most interesting feature is the numerical strength. The three largest territories show these figures:—

Kenya 1,455 (males 1,455, females 275).

Tanganyika 1,384 (males 1,383, females 50) and

Northern Rhodesia 792 (males 651, females 141).

Making every allowance for the difference in age, conditions and population, white and coloured, we fail to find reasons for such striking disparities. Why Kenya should require nearly a thousand more European officials than Northern Rhodesia—the railway staffs being excluded in both cases—is beyond our comprehension. As a matter of fact, the comparison is really more to Kenya's detriment than it appears at first sight, for in that Colony Indians and Germans do some of the work which is done by Europeans in Northern Rhodesia. The statistics indicate one obvious direction in which something can be done to lighten the burden without fresh taxation." That, in substance, Sir, agrees with what I have said and the points of opposition which I have raised for this scheme have been justified on the grounds of policy, economy, and efficiency of the services.

HON. CONWAY HARVEY: Your Excellency, first of all I should like to thank the hon. mover for his gracious reference to the work of the early committees which dealt with this subject. As a member of the Fitzgerald Committee, Sir, which may be regarded as the chief parent of this lusty baby, and as one of those very keenly interested in the inauguration of this Service, I should like to express my personal gratification that the majority of the recommendations of the Fitzgerald Committee have been accepted and incorporated in this scheme. In spite of the fact, Sir, that the report of the earlier committee was in very grave danger of suffocation by a plethora of subsequent committees, the last of which dropped reports like leaves in Vallombrosa, those recommendations survived, and we have a most admirable scheme subjected for our consideration to-day.

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In answer to one point only which the last speaker attempted to make, the Fitzgerald Committee was satisfied, after a most intensive consideration of the subject and very careful comparisons of finance of every sort and kind and description, that with the introduction of this scheme there would be an eventual saving in the fairly near future in public expenditure of no less a sum than £33,000 a year.

Now, Sir, there was one very important recommendation of this committee which was not accepted. The Noble Lord made a brief allusion to the continuation of medical facilities and I wish to slightly elaborate what my noble friend said about that, Your Excellency. The Fitzgerald Committee in regard to medical attendance on page 10 of the report, reported as follows:—

"The Committee were reluctantly compelled to reject a proposal that the privilege of free medical attendance should be withdrawn; but on evidence before them that the present privilege is exploited to the point of abuse, they are strongly of the opinion that the present scope of the privilege should be revised. They recommend, for instance, that the privilege should be withdrawn from the wives and families of officers and confined to the officers themselves, and that officers should, even in their own case, be called upon to pay for drugs and dressings supplied".

I suggest that a recommendation of that nature, which appears over the signature of such responsible people as my hon. friend the Postmaster General, Dr. Gilks, with nearly three decades of medical service in Kenya, Mr. Rushton and Mr. Wade, Chief Native Commissioner, should be treated with reasonable respect, and it is a matter of very great surprise and disappointment to me, Your Excellency, that the recommendation of those gentlemen, based—and let me emphasize this, Sir—on the most careful enquiry, and based on a mass of evidence which was received at the time—facts and figures and definite details—I think it a very serious matter indeed that that should be rejected by Government at this stage, and I sincerely trust, Sir, that the matter will come under review.

Now one very important phase of this scheme which appeals to me, and to all of us, Your Excellency, is that we have for many years urged the principle of consolidation in the matter of Service remuneration, and this, Sir, is the first substantial advance that has been made in that direction. There are very few hidden emoluments in this scheme and we shall see at a glance exactly what we are paying for the services in the various schedules.

Now, Sir, there was one matter that the hon. mover did not mention. It formed the subject of a very special recommendation in clause-18, I think, on page 14 of the Fitzgerald Committee Report. I refer, Sir, to the recommendation, to which that representative committee attached very great importance, namely, Sir, the establishment of a Civil Service Board. We should all be very grateful, Sir, if the hon. mover would let us know Government's intentions in regard to this matter in his reply. The function of such a Board, Sir, in my opinion would be to regulate admission to the Service, to determine the standard of education for various grades and the qualifications required for promotion from one grade to another, and this Board, Sir, would also bring about co-operation between the Education and other departments as to the courses of technical training, with a view to opening up as many avenues as possible for the employment of local youths. We consider, Sir, that the personnel of this Board, which we feel certain will be established, should be very carefully selected and should not consist solely of members of the Civil Service. For instance, I would like to suggest for the consideration of Government, a suggestion that has already been made, that at least one highly respected commercial man should serve on this committee, and such a man, in my opinion, Sir, should have been identified with public affairs; he should have spent a long period of time in the Colony and shown his interest in this very important matter.

Now, Sir, I do quite definitely, in expressing complete agreement with everything the Noble Lord said, and in spite of the minor criticisms I have made on the subject of medical facilities, most heartily support this motion. Unlike the last speaker, Sir, I do honestly believe it to be based on thoroughly sound principles, and I believe it will prove to be of inestimable benefit to the Colony in a dozen different ways.

THE HON. ISHAQ DASS: Your Excellency, in the beginning I have to congratulate the hon. mover and seconder; I must congratulate those who in the course of their duties prepared this report and presented it. It involves great labour and hardship. Thirdly, I should congratulate the Government Printer also for printing it and in twelve pages actually deciding the fate of very many people and their future life.

Your Excellency, in view of the fact that time after time there have been statements made by yourself, by Government officials and by the Secretary of State for the Colonies on different occasions that there should be co-operation among all races residing in the Colony for the development of this Colony as a whole—in view of those statements coming from the Government and the Secretary of State for the Colonies,

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and also from the Noble Lord the Member for Rift Valley in his speeches, I am really surprised that to-day we have been presented with this Bill and asked to approve it.

I personally cannot congratulate the mover on one thing, and that is in presenting it with the words "European Local Civil Service". If it was simply "Local Civil Service" I would be the first man to congratulate him.

Your Excellency, some of the hon. Members on the other side will probably think that I criticize on a racial basis. Those who know me personally know very well that I stand for internationalism and not on any racial denomination. Your Excellency, if I am permitted to, and if I may be excused, I will refer to one statement made in connexion with Sir Samuel Wilson's visit to this Colony in 1929. In an interview at Government House on the question of a common roll and some other things His Excellency made a statement to Sir Samuel Wilson, and that is this: "that up to this time no honest move has been made by the local Government or the Imperial Government or any other official to bring all the different races residing in the Colony together for the peaceful development of the Colony as a whole". Now this statement, Your Excellency, Sir Samuel Wilson, then Permanent Under Secretary for the Colonies, was good enough to put in his report, and it is on page 9 or 10. That has never been answered up to this time. If we are here all residing in the interests of peaceful development of the whole Colony, and not for any particular race or section or class of people domiciled in or having come to the country, or for future generations, then let us get together. I do not mind. Your Excellency, in the least those who will be benefited, because after all I belong myself to a poor class—a class of clericals—but I must say there is a higher principle involved. Some hon. Members on the other side might say that it is absolutely wrong to talk of racial questions here, but that will not be felt by the people of this country and by future generations, whether Europeans, Asiatics or others, who having grown up in a different atmosphere will look to this unfortunate day when racial discrimination was introduced into this country. Take the future of those youths who are born here, have to live here as citizens of Kenya—not as Europeans, Indians, Asiatics or any other race—taking that into consideration I must very strongly oppose the word "European" in this Bill. If it is removed it has my whole-hearted support. It is not very far back, in 1914, when there was no question of racial discrimination or superiority complex. We, as members of the British Empire, were asked to fight shoulder to shoulder. If we were good enough to be included as one then, and if

we were encouraged to call this British Empire a commonwealth of nations, then, Your Excellency, each member residing in that commonwealth of nations has to be treated equally.

I imagine that all constitution in the country is run by subordinates and not by high officials. All those who work and sell their labour will have to be paid. If that is the case, and if those who are working for the good of the constitution of the country should be efficient and should possess such educational qualifications as are required to fill those posts, then, Your Excellency, why should "European" be added to this Bill? All who pass the examinations should be entitled to be included in this. If a European, Indian, Asiatic or anybody else, does not possess sufficient qualifications to pass, then automatically he should come out. If he is fit to pass the test of the examination, then, Your Excellency, where comes the justice of employing simply Europeans? The Service will demand educational qualifications. I do not see any reason for differentiation. Europeans are not asked to have higher qualifications. If that is the case, here comes the question of racial discrimination. If in the interests of the country we have to run this Government on a purely business basis, then may I ask if there is a business house outside this Council chamber which has such a wonderful system of emoluments for its staff? Business houses are not run on a racial basis outside.

There is one thing I wish to say now before I conclude my remarks. Last year, in 1932, the hon. Member for Nairobi South, in the course of his speech on taxation in opposing the introduction of income tax into this country mentioned—and I am definite about it—that the incidence of taxation does not fall equally on all races because in his opinion the standard of living of one race was not equal to the standard of living of another race. He put it in those words, that the standard of living of Asiatics was lower than the standard of living of Europeans. Now, in this Bill, and probably the Bill to follow, the Asian Civil Service Bill—and I am definite about it—the emoluments of the Asian Civil Service will not be exactly the same, and, if I am wrong I might point out that the local leave here is eighteen days, while in the Asian Civil Service it is fourteen days only. The people getting better wages, and better accommodation, should also have better health, and they should have less leave; and if people have less facilities, they should have more leave in the year. But that is not so. This Bill means we are providing a higher standard of living to one race and at the same moment we are providing a lower standard of existence to a different race reading in the same Colony. And then people suggest that the standard of living of one race

and also from the Noble Lord the Member for Rift Valley in his speeches, I am really surprised that to-day we have been presented with this Bill and asked to approve it.

I personally cannot congratulate the mover on one thing, and that is in presenting it with the words "European Local Civil Service". If it was simply "Local Civil Service" I would be the first man to congratulate him.

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is lower than the standard of living for the other. We like those higher standards as much as other people. To-day I was absolutely surprised to hear from members on the other side, and particularly from the leader of the unofficial European community, who from time to time has asked us to work for the peaceful development of the Colony—Your Excellency. I was surprised to hear the statement made in this House that if the standard of living is lower we should be given a lower standard of wages, which means that in practice we are forced into a poorer standard of living. When the question arises later we shall be told that the standard of living of one race is lower than the standard of living of another race.

Your Excellency, I do not want to go into the details of the Bill, but as I have said I belong to a class of clerks myself, and I assure you that there is one thing which I am very anxious to find out here. In time to come, if there is any more trouble in the British Empire or in the United Kingdom, will we be asked as Indians to stop behind with inferior complexes and a standard of living—

HIS EXCELLENCY: That is going a bit beyond the subject matter of the motion. You must keep more to the point. I do not like interrupting you, but you must keep to the point.

THE HON. ISHER DASS: Your Excellency, as I have said, my colleague has explained in detail about the different items in this Bill, and all I have to say is this: when I congratulate those at least who will benefit by this Bill, because they will not be rich people but clerks in office life, I will strongly request Your Excellency, before this Bill is approved, to have something done to remove this racial discrimination. Just that, because if you do honestly believe, and you have from time to time said it, that we should work together in the peaceful development of this country, then Your Excellency, we ask that that principle should be put into practice and that there should be no racial discrimination in the Civil Service, whose members are supposed to be public servants and who are supposed to work in the interests of the people here. If this Service is brought into existence with that principle of racial discrimination, Your Excellency, you cannot expect that those people will not carry racial discrimination on, whereas in the time to come, one day or the other, it will be better for us in order that we should co-operate and work harmoniously in the peaceful development of the country that no such legislation should be imposed, and that in the interests of economy also and with a view to equal qualification and equal service and everything that is demanded from a

public servant. Without that I could not support this Bill. It should be to inaugurate a Local Service, and not discriminate in the way this does.

CAPT. THE HON. H. E. SCHWARTZ: Your Excellency, the hon. Member Mr. Pandya in his speech quoted extracts and recommendations to the effect that in the interests of true economy the large numbers of posts at present held by Europeans should be filled instead by Asians, because the Asians, owing to their receiving a smaller scale of salary than Europeans, would make it possible for large economies to be effected. The hon. Member Mr. Isher Dass, on the other hand, states that it is quite wrong that Asians should receive lower salaries than Europeans. I would suggest to this House, Sir, that it is quite impossible to make those two points of view dovetail, and for myself I am content to let the one cancel the other and think no more about it.

The only other thing that I have to say after listening to the hon. Member Mr. Isher Dass, is to respectfully suggest that the Clerk of the Council should see that his chair is removed and that a tub is placed there instead. (Laughter).

I had not proposed, Your Excellency, prior to the receipt of a communication from the Civil Servants Association, to intervene in this debate, because everything that the Noble Lord has said has met with the approval of myself and of the other European Elected Members. It was only yesterday afternoon, however, that I received a copy of a letter which had been despatched to the hon. the Colonial Secretary by the Civil Servants Association. It is a short letter. Your Excellency, and deals with certain points of detail. The points raised in this letter have not been discussed by the elected members as a whole, as it was received, I am sorry to say, too late, but I have had the opportunity of discussing it with three or four of my colleagues, and I think that while they will agree with what I am about to say I must of course be taken as speaking for myself.

There are three points in the letter with which I wish to deal, Sir. The first is, they refer to the provision in this Sessional Paper which provides that quarters be charged for at the rate of 5 per cent and 7½ per cent respectively of the salary. They ask that these quarters should be interpreted as meaning quarters within the accepted sense of the word; that is to say, quarters which appear on the Public Works schedule of houses, and that if an officer is given a tent or a banda in some out-station he will not be charged 5 per cent of his salary. That is a reasonable suggestion, and I am quite sure that the hon. the Colonial Secretary will have no difficulty in giving an assurance to that effect in his reply.

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The next point deals with the question of junior laboratory assistants in the Agricultural Department, which appears on page 6 of this report, the last item under Agricultural Department. It is pointed out that officers holding these posts are really of a specialized class, and that their training in these posts will probably not fit them for work of a different character in the Agricultural Department. Their scale stops at £360. It is suggested that if that figure remains the local youths desirous of accepting such posts in the Local Service will not be attracted to that branch if they know that in all probability their utmost hope in the future is a salary of £300 a year. It is therefore suggested that the scale might be carried on to a longer scale. That, I think, is a matter of detail which might be carefully considered by Government.

The only other point on much the same lines, concerns two people on page 8, Appendix II, "Learners (apprentices, professional)" of the Public Works Department and the Survey Department. Their scale stops at £165, and the jump as far as I can see to any other post in those Departments is at £300. It is pointed out by the Association of Civil Servants that that jump is really too big to be made from £165 to £300. I understand that their suggestion is there should be some kind of senior junior post which would enable that gulf to be bridged in two moves rather than in one, which is such a big one from £165 to £300. No doubt if I have misinterpreted the views of the Association as expressed in this letter, the hon. gentleman who is still President of the Association will correct me.

The final point is that there is a differentiation between the maximum for stenographers who operate in the Legislative Council and those who operate in the Judicial Department. They start at the same salary, the efficiency point is the same point, but whereas the stenographers of the Council go to £600 the Judicial Department stenographers stop at £500. I seriously suggest, Your Excellency, to Government that there is really no valid reason for that. It is stated, and stated with truth, that the stenographers who work in the Legislative Council have to work at very much higher speed because there are not the same interruptions such as witnesses going out and other witnesses taking their place, as in court that it is more or less continuous work, which is not the case in the Judicial Department proceedings. At the same time, the qualifications required are similar, and I do not think it can be said that the importance of the work of the Judicial stenographers in taking down what is said at trials is any less important than the work of the Council stenographers in taking down the words of wisdom which continually flood this hall. (Laughter.) I would suggest, Sir, that Government consider altering the scale for the Judicial stenographers to

that of the Legislative Council stenographers. That deals with the points put up the Civil Servants Association which I have thought proper to deal with, and the hon. Member for Nairobi North is going to deal with one or two other points arising on the letter.

There are two main further points that, with your permission, Sir, I should like briefly to refer to. The first is this question of local leave. I would like to have seen in this Sessional Paper some reference to Government's determination that local leave was not just put down there but that it was really intended it should be taken. It is in my opinion of the greatest possible importance for people in this country, especially when they are doing a tour of four years, to take regular local leave. I do trust that instructions will be given to Heads of Departments to see that wherever humanly possible this 48 days local leave shall be taken by Members of the Local Civil Service.

While on the question of local leave, might I even suggest that local leave could with advantage be taken more often even by people in the overseas service and especially by Heads of Departments. I know my hon. friend the mover is one of the most self-sacrificing culprits in this way, but let us hope that as a result of my remarks he will shortly proceed on local leave.

Finally, on the subject of the Civil Service Board, the matter was referred to by the hon. Member for Nyanza. I would like to say that I think we all on this side of the House feel these two points about the Civil Service Board, first of all, it is essential that it should be a very small Board. I do not think there will be two opinions about that. If it is to work efficiently and properly it should be as small as it can conveniently can be, and while I agree with the suggestion put forward by my hon. friend regarding a commercial man of standing and experience, I think we all feel on this side of the House that one member of the Board should be one of the European Elected Members.

THE HON. SHAMSUD DEEN: Your Excellency, I can see that sooner or later hon. Members of this House are showing signs of being bored with Members in this part of the House speaking. I daresay some hon. Members think that Indian Members are wasting the time of the House, but the only privilege enjoyed by Indian Members in this House is to be able to put forward their views in as definite a manner as they possibly can. I think we should be confirmed optimists if ever we thought that any observations by Indian Members had any chance of ever passing this House. The constitution of this Council, Sir, as we know at the present moment, is

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THE HON. SHAMSUD-DEEN: Your Excellency, I can see that sooner or later hon. Members of this House are showing signs of being bored with Members in this part of the House speaking. I daresay some hon. Members think that Indian Members are wasting the time of the House, but the only privilege enjoyed by Indian Members in this House is to be able to put forward their views in as debate a manner as they possibly can. I think we should be confirmed optimists if ever we thought that any observations by Indian Members had any chance of ever passing this House. The constitution of this Council, Sir, as we know at the present moment, is

that the official majority, which has the reputation of being a "steam roller", has always the right to pass whatever measures they like. When any racial legislation, such as we have before us this morning, Sir, comes up, the "steam roller" gets to work and any representations from this side of the House are ground to pulp. In view therefore of the microscopic Indian minority, I hope Members will give us a certain amount of indulgence when we stand up to make our voices heard, and that a certain amount of patience will be given to us.

To be candid and frank this bill is of absolutely no interest to me whatsoever. It has nothing to do with the community by which I was returned to this House. I wish the hon. the Colonial Secretary had embodied, or submitted at the same time, the terms of service that he proposes to extend to the Asian staff, but in that event even it would not have ameliorated the hardships that are bound to occur by reason of two separate terms of service in this Colony. If, as the hon. mover tried to assure us this morning, the privileges are going to be equal, then may I ask with all due respect, Sir, where is the necessity for presenting to this House two separate bills? I do not think, Sir, that we can be accused of seizing the opportunity for raising racial questions because this very bill in itself is a racial measure, for which we cannot be blamed. The whole theory of economy upon which this bill is based was exploded by the statement of the hon. Colonial Secretary himself when he said that the number of servants employed locally to whom this bill was going to be applied was very small indeed. It is merely an effort to prune the expenditure which has been so lavishly incurred in the past in employing the Service from overseas.

I have always consistently maintained, Your Excellency, that there is only one policy which can be economically and practically pursued if this Colony is going to remain solvent, and that is, if we want any service, advertise for it—throw it open to the public of this Colony—make it the subject of most stringent examination or test if you like, but after that no question of any racial considerations should enter. I think all of us like in our own homes to have servants but for the sake of economy how many households are there in the country who have European servants? They all employ natives for the sake of economy. I submit the same should be done in the public service. It is absurd to say that Indians cannot fill the higher posts efficiently. We have most recent examples of Indians occupying posts as high as the Governor, and as high posts as can be offered in the British Empire to any British subject have been very effectively filled by Indians. In view of these facts I think it is absurd to say that Indians cannot fill even higher clerical posts.

I am very glad that, as stated by Mr. Pandya, it has been proved that when the Secretary of State made a statement that it was not a fact that Indians were being replaced by Europeans he was wrong. If the figures given by my hon. friend are right that shows that the statement of the Secretary of State was wrong and that there has been a tendency during the last ten or twelve years in this Colony to increase the white population.

I must associate myself with Mr. Isher Dass also—the word "European" is very galling indeed. If you wanted to perpetuate racial legislation the word "British", for instance

THE HON. THE COLONIAL SECRETARY: On a point of order, Your Excellency, the hon. Member has suggested that perhaps Members of this House are bored when listening to Indian Members and he has said, very properly, that in taking the opportunity of fully ventilating their views the House might listen to them with patience. With that we all entirely agree, but I would suggest that those views must be ventilated in accordance with Standing Orders, and Standing Orders provide that Members should speak according to the rules of the debate. If we are to give the patience that we all desire to give in listening to their views they should confine themselves to the motion before the House.

THE HON. SHAMS-UD-DEEN: I am strictly within the rules of the House according to Standing Orders when I object to the word "European" in "European Local Civil Service". This Colony is not a hunting ground for Europeans and Asians. It is for British people and if you want to make it exclusively for British people the word "British" should be substituted for the word "European". I do not see how that can be irrelevant.

As far as the real object of the bill is concerned, as I understood it, it was one of economy, and secondly it was to give an opportunity to local youths. The first of these objects can hardly be serious because the Colonial Secretary has told us that it affects only a very small number of present Government servants, and I doubt very much—unless this House has before it a comparative statement as to rates of salary paid prior to the introduction of this measure—whether there is much object so far as economy is concerned.

I do hope, Sir, that the statement made by the Colonial Secretary as regards these privileges being equally applicable to the British Indian staff will be implemented before long.

that the official majority, which has the reputation of being a "steam roller", has always the right to pass whatever measures they like. When any racial legislation, such as we have before us this morning, Sir, comes up, the "steam roller" gets to work and any representations from this side of the House are ground to pulp. In view therefore of the microscopic Indian minority, I hope Members will give us a certain amount of indulgence when we stand up to make our voices heard, and that a certain amount of patience will be given to us.

To be candid and frank, this bill is of absolutely no interest to me whatsoever. It has nothing to do with the community by which I was returned to this House. I wish the hon. the Colonial Secretary had embodied, or submitted at the same time, the terms of service that he proposes to extend to the Asian staff, but in that event even it would not have ameliorated the hardships that are bound to occur by reason of two separate terms of service in this Colony. If, as the hon. mover tried to assure us this morning, the privileges are going to be equal, then may I ask with all due respect, Sir, where is the necessity for presenting to this House two separate bills? I do not think, Sir, that we can be accused of seizing the opportunity for raising racial questions because this very bill in itself is a racial measure, for which we cannot be blamed. The whole theory of economy upon which this bill is based was exploded by the statement of the hon. Colonial Secretary himself when he said that the number of servants employed locally to whom this bill was going to be applied was very small indeed. It is merely an effort to prune the expenditure which has been so lavishly incurred in the past in employing the Service from overseas.

I have always consistently maintained, Your Excellency, that there is only one policy which can be economically and practically pursued if this Colony is going to remain solvent, and that is, if we want any service, advertise for it—throw it open to the public of this Colony—make it the subject of most stringent examination or test if you like, but after that no question of any racial considerations should enter. I think all of us like in our own homes to have servants, but for the sake of economy how many households are there in the country who have European servants? They all employ natives for the sake of economy; I submit the same should be done in the public service. It is absurd to say that Indians cannot fill the higher posts, efficiently. We have most recent examples of Indians occupying posts as high as the Governor, and as high posts as can be offered in the British Empire to any British subject have been very effectively filled by Indians. In view of these facts I think it is absurd to say that Indians cannot fill even higher clerical posts.

I am very glad that, as stated by Mr. Pandya, it has been proved that when the Secretary of State made a statement that it was not a fact that Indians were being replaced by Europeans he was wrong. If the figures given by my hon. friend are right that shows that the statement of the Secretary of State was wrong and that there has been a tendency during the last ten or twelve years in this Colony to increase the white population.

I must associate myself with Mr. Isher Dass also—the word "European" is very galling indeed. If you wanted to perpetuate racial legislation the word "British", for instance

THE HON. THE COLONIAL SECRETARY: On a point of order, Your Excellency, the hon. Member has suggested that perhaps Members of this House are bored when listening to Indian Members and he has said, very properly, that in taking the opportunity of fully ventilating their views the House might listen to them with patience. With that we all entirely agree, but I would suggest that those views must be ventilated in accordance with Standing Orders, and Standing Orders provide that Members should speak according to the rules of the debate. If we are to give the patience that we all desire to give in listening to their views they should confine themselves to the motion before the House.

THE HON. SHAMS-UD-DEEN: I am strictly within the rules of the House according to Standing Orders when I object to the word "European" in "European Local Civil Service". This Colony is not a hunting ground for Europeans and Asians. It is for British people and if you want to make it exclusively for British people the word "British" should be substituted for the word "European". I do not see how that can be irrelevant.

As far as the real object of the bill is concerned, as I understood it, it was one of economy, and secondly it was to give an opportunity to local youths. The first of these objects can hardly be serious because the Colonial Secretary has told us that it affects only a very small number of present Government servants, and I doubt very much—unless this House has before it a comparative statement as to rates of salary paid prior to the introduction of this measure—whether there is much object so far as economy is concerned.

I do hope, Sir, that the statement made by the Colonial Secretary as regards these privileges being equally applicable to the British Indian staff will be implemented before long.

THE HON. THE COLONIAL SECRETARY: On a point of explanation, Sir, I did not say "equally applicable". I said there were provisions—that it was the intention of the Government to provide suitable terms of service for a Local Asian Service, which would include a contributory pension fund. I did not state that all the terms would be identical and I should not like the hon. Member to have any misapprehension on that point.

THE HON. SHAMS-UD-DEEN: I thought it was too good to be true, Sir, and that I had misunderstood the Colonial Secretary, because the term "equality" is a regular term in this Colony. The only treatment in which we enjoy equality is as far as taxation is concerned.

HIS EXCELLENCY: We are discussing now the Local Civil Service. I do not want the debate to range beyond that.

THE HON. SHAMS-UD-DEEN: I only mention there ought to be equality of treatment so far as the Local Civil Service is concerned. The most economical and equitable form in which to introduce any system of local service is to make it equally applicable to all the subjects of this Colony.

I do not think this would be an inopportune moment for me, Your Excellency, to state that in the past theoretically I think everybody in this Colony has agreed that every opportunity should be given to local youths. There have been after-care committees—I am talking now about Indian schools—to give an opportunity to local youth, but the fact remains that the local youths very seldom get any opportunity. As a rule, it is only after a vacancy has been filled that a local youth gets to know of any vacancy. I submit, Your Excellency, it should form part and parcel of the policy of this Colony that, whenever a vacancy occurs, under no circumstances should a person overseas be employed, and it should be advertised and thrown open for competition. Unless some special measures in that respect are taken the Local Civil Service will remain a Local Civil Service only on paper.

As far as leave conditions are concerned, I cannot see any reasons for granting overseas leave after two, three or four years. Many Europeans have been in the Colony for sixteen or twenty years and they have as good health as anybody going home after three or four years. The climate of this Colony is very good. I think, if we are to be consistent we ought to cancel and wipe off overseas leave altogether. That, I think, is one of the strong points in favour of a Local Service.

I can hardly see, Sir, any change which has been introduced in these new terms of service. The only change which appears to be provided for appears to be done away with house allowance and quarters. No government quarters are to be given to employees, but instead of that there is an allowance. Do the ordinary servants in the commercial sphere get similar privileges?

HIS EXCELLENCY: Does the hon. Member propose to speak further at any length now?

THE HON. SHAMS-UD-DEEN: Yes, Sir, I have a lot of points to make.

HIS EXCELLENCY: I do not want to curtail you, but if you are going to speak at any length I will adjourn this debate till to-morrow.

BILLS.

FIRST READING.

THE CROWN LANDS (AMENDMENT) BILL.

On the motion of the hon. the Attorney General the Crown Lands (Amendment) Bill was read a first time.

Notice was given to move the second reading at a subsequent stage of the session.

*The Council adjourned till 10 a.m. on
Thursday, 10th May, 1934.*

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246

THURSDAY, 10th MAY, 1934

The Council assembled at 10 a.m. at the Memorial Hall, Nairobi, on Thursday, 10th May, 1934, His Excellency the Governor (BRIGADIER-GENERAL SIR JOSEPH ALOYSIUS BYRNE, G.C.M.G., K.B.E., C.B.) presiding.

His Excellency opened the Council with prayer.

MINUTES.

The minutes of the meeting of the 9th May, 1934, were confirmed.

ORAL ANSWERS TO QUESTIONS.

TRANSFERS OF LEASES.

No. 24.—THE HON. J. B. PANDYA asked :—

In view of representation made by the Federation of Indian Chambers of Commerce regarding increasing difficulties in the case of both Europeans and Indians, will the Government state if it is their intention to amend the Crown Lands Ordinance so as to permit transfers of leases of subdivisions of agricultural lands created for industrial and commercial purposes from Europeans to Indians, and vice versa, without any restrictions?

THE HON. THE ACTING COMMISSIONER FOR LOCAL GOVERNMENT, LANDS, SETTLEMENT AND MINES (MR. E. B. HOSKING) : The answer is in the negative.

CREMATORIUM PLOTS FOR INDIAN COMMUNITIES.

No. 26.—THE HON. J. B. PANDYA asked :—

Is the Government aware that the Indian community at Karatina have not been granted plots of land for crematorium, though application for same was made by the Indian Association in the early part of 1933?

And if the answer be in the affirmative, will the Government issue instructions to make areas required available to Indians at an early date?

THE HON. THE ACTING COMMISSIONER FOR LOCAL GOVERNMENT, LANDS, SETTLEMENT AND MINES : The answer to the first part of the question is in the affirmative. The applications and objections thereto have been considered on two occasions by the Local Native Council and will come before the Local Land Board at its next meeting.

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ALTERNATIVE REVENUE MEASURES.

No. 29.—THE HON. J. B. PANDYA asked :—

Will the Government give an assurance to this House that the Alternative Revenue Measures introduced last year are temporary and emergency measures, and that before any changes of a permanent nature are introduced Government will appoint a representative committee to review the whole fiscal system of this country, with a view to make taxation equitable on all communities.

THE HON. THE COLONIAL SECRETARY (MR. H. M.-M. MOORE) : The temporary character of certain of the Alternative Revenue Measures is expressly safeguarded in the form of the legislation enacting them, which falls to expire at the close of the current year.

It is not possible to state categorically whether it may be found necessary or desirable to prolong the life of all or any of these Ordinances. In any event, the present is not considered an opportune time for the appointment of a committee to review the whole fiscal system of this country in the manner proposed by the hon. Member.

COMMITTEE ON LICENSING ORDINANCE.

No. 13.—CAPT. THE HON. H. E. SCHWARTZ asked :—

Will Government appoint at the earliest moment possible a Committee to consider the provisions of the Licensing Ordinance, 1933, in the light of experience gained, and to suggest such amendments as may be considered necessary?

THE HON. THE TREASURER (MR. G. WALSH) : The Government is prepared to appoint a Committee to consider the provisions of the Licensing Ordinance, 1933, during the course of the current year. Its appointment will be announced as soon as the Government has had time to consider the reports of the Licensing Commissioners on the workings of the present Ordinance.

CAPT. THE HON. H. E. SCHWARTZ : Arising out of that answer, is it the intention of Government to appoint a Select Committee, which is usual, of Members of this House? If that has not been decided yet, will Government consider that before to-morrow?

THE HON. THE COLONIAL SECRETARY : Government will give consideration to that point, Sir.

INDIAN REPRESENTATION ON UASIN GISHU DISTRICT COUNCIL.

No. 31.—THE HON. J. B. PANDYA asked :—

Whether the application from the Indian Association, Eldoret, for the appointment of one Indian member on the Uasin Gishu District Council has been granted by the Government?

If the answer be in the negative, will the Government state reasons thereof?

THE HON. THE ACTING COMMISSIONER FOR LOCAL GOVERNMENT, LANDS, SETTLEMENT AND MINES : It is proposed to appoint one Indian member of the Uasin Gishu District Council in due course.

VISITING JUSTICES FOR PRISONS.

No. 39.—THE HON. ISHEE DASS asked :—

Will Government please state the number of—

- (a) European
- (b) Indian, and
- (c) Arab.

visiting justices for prisons appointed under section 22 of Ordinance No. 37 of 1930?

If the answer to *b* be in the negative, will the Government state reasons for this discriminatory measure, and will Government now consider the question of appointing Indian visiting justices for the prisons in all the districts in the Colony and Protectorate?

THE HON. THE COLONIAL SECRETARY : (a) Male, 44; female, 5. (b) Nil. (c) 3.

2. Mr. Abdul Wahid, as a Member of Executive Council, is an *ex officio* visiting justice in accordance with section 22 (2) of Ordinance No. 37 of 1930, and I would refer the hon. Member to page 1051, Vol. II of the 1925 *Hansard* for the reasons why any additional Indian visiting justices were then considered unnecessary.

The answer to the third part of the hon. Member's question is in the negative but if he will state a case for the appointment of an Indian visiting justice to any particular prison or prisons it will receive careful consideration.

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MOTIONS.

EUROPEAN LOCAL CIVIL SERVICE.

The debate on the Local European Civil Service motion was continued.

THE HON. SHAMSU-D-DIEN: Your Excellency, I have not got much more to say on this subject. I merely wish to conclude my speech which I began yesterday with a few remarks. If I was to give my acquiescence to this measure, I would to all intents and purposes, Sir, be consenting to all these posts that are mentioned in Appendix II being exclusively reserved for Europeans and my countrymen being deprived permanently of any of them. As I said yesterday, I do not feel called upon to discuss the details of these proposed scales, but to my mind, when it is proposed to give salaries of £500 and £600 to office assistants, I think the amount is fabulous as compared with the amount paid to other persons of the same order in commercial centres. The amount to be paid to an assistant clerk is out of all proportion with the capability of this Colony to pay, Sir. One of the hon. Members yesterday referred to an Indian Member as a tub-thumper. I think it is probably difficult for those hon. Members to realize that if a Bill of a similar nature or a measure of similar kind were brought in by which Europeans would be excluded from entering a Service of this sort—I can well imagine the House rocking with roaring speeches from the left wing. You have to make allowance for a Member giving vent to his emotions, because this measure is actually branding one section of the community at the expense of the other.

Your Excellency, there are some Members of the House who do not realize the importance of this Bill. They think it is a piece of routine work, but I can assure the House that the heartburnings it leaves behind will have very far-reaching effects. I should not be surprised to see repercussions in other parts of the Empire. I do not think, Your Excellency, that I can usefully take up the time of the House by adding any more to what has been said, except that if we are taking up the time of the House we should be excused for trying to make up for the silence that has long been characteristic of this corner of the House for the last seven or eight years.

DR. THE HON. A. C. L. DE SOUZA: Your Excellency, I am perhaps the last Member in this part of the House to speak on this subject, but it is my duty to join forces with the hon. the Indian Members in not agreeing to the principles and the practice of this measure. I wish that I and my colleagues had been in the same position as the representatives of Government and the European community. The European Members

have shown their satisfaction at this measure, and I am very, very sorry that we cannot have that same satisfaction, inasmuch as this measure provides in a service considered subordinate for that discrimination to be made between Asians, Africans and Europeans. I will excuse Your Excellency and excuse your agents who have put this measure before us if they had desired to keep these distinctions in the higher appointments. As you know yourself, Sir, you were present at the interview given the other day by the Secretary of State for the Colonies to the then Indian Elected Members, in which he emphatically said there were higher posts of the Service that were not going to be given out by him to anyone except perhaps Europeans. I will quote you, Sir, from the report as it was printed; he was very emphatic as far as the Local Civil Service are concerned. He said: "So far as the Local Services are concerned, I am entirely prepared to leave those matters in the hands of the local Government, knowing that they will pursue one consideration only, and that is the interests of the country and the efficiency of the service with which they are charged." I submit, Sir, from this corner of the House that a case was not made out by a Government spokesman whereby it is shown that in the interests of the country and especially the interests of the community generally there is a necessity for these posts to be divided into water-tight compartments and based on racial discrimination. I am not so much concerned, Sir, with the difference made and the value put on the colour of a man's skin. I am not concerned with that, Sir. There was also some talk yesterday about the necessities of life—the difference in the different races. I am not going into that at all, Sir. But I do consider the matter on merits only, and if it is the intention of Your Excellency's Government to pay for merit only, then I submit that this measure put before us is unfair and unjust to us, to say the least of it, Sir. But while I am anxious to safeguard the interests of not only the Indians and Asians generally, but also of the Africans—while I am anxious to do that, I do realize the difficulties which face Government when introducing measures of this kind. It has been accepted from the very beginning perhaps of colonial life that certain posts have got to be reserved, and I quite sympathized with the Government spokesman yesterday when he referred to this, without any consideration for what he referred to later on, except perhaps that he said a similar Bill was going to be introduced for Asians, perhaps with the same principles. I think, Sir, that much of the opposition from this side would have been minimized if all the Bills affecting the Asians or Africans had been placed before the House at the same time, so that we could have seen the relative difficulties that were met in the provision of these services for the three different races.

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There is only one more point, Sir, that I should like to mention in this House, and that is that Your Excellency and hon. Members should not consider that the opposition—almost violent opposition—placed before the House yesterday, is only professional opposition. In the past the leaders of the Indian community have been accused of being professional agitators—that they opposed every measure just for the love of opposition. I do submit, Sir, the time has come in this Colony when ideals must be followed. As you know, Sir, we in India and elsewhere take pride in our British—

HIS EXCELLENCY. I wish you would stick to the point of the European Local Civil Service; you are getting into other matters now.

DR. THE HON. A. C. L. DE SOUZA. I would only mention, Your Excellency, that the repercussions of this measure, as mentioned by the hon. Member, Mr. Shamsud-Deen, as between His Majesty's subjects is likely to be exaggerated in other parts of the Empire, especially India, and I do not consider it in the interests of this country at any rate that we should be deprived of the friendly relations that ought to exist between the different communities. This provision for different races as far as clerical posts are concerned I consider a measure that is going to prejudice those relations. In any case, Sir, I am sorry if any have spoken things that ordinarily they would not like to have spoken, and I crave your indulgence, Sir.

MAJOR THE HON. F. CAVENDISH-BERTINCK. Your Excellency, I naturally wish to support the motion which is before the House, and I would like to raise one or two small points. In the first place, I should like to get Government's assurance that the proposals contained in the sessional paper now before us will not be regarded as entirely unalterable. I think we have had that assurance from the hon. the Colonial Secretary, and I agree with the Noble Lord the Member for the Rift Valley that we on this side of the House would like to hear of such alterations as may be necessary from time to time. At the same time, we have been for many years trying to inaugurate this Local European Civil Service, and although we all realize and are very pleased that something is being done without further delay and that this Service is really at last being started, we do, I think, all realize how frightfully difficult it is to get everybody into their right place without any inequalities and hardship.

With regard to the sessional paper itself, I should have liked a little more information, Sir, with regard to the categories mentioned at the end of paragraph 5 on page 4 of the

paper. In the absence of detailed information it is difficult to make comments, but I do trust that every effort has been made and will be made by Government to deal as liberally as is just with the holders of certain posts, more especially such as laboratory assistants, some of whom have been many years in this country, and some of whom, perhaps, have been a little hardly dealt with recently.

There are two other points I wish to make, Sir. The first is, I also trust that Government will act generously with regard to the scales of salary at which some of the younger and, in many cases, locally born officers will start. There are at present quite a few young men who have served their apprenticeship in Government departments and who have been told that they would in due course receive an agreement. This promise has been put off year after year on the plea that inquiries were being made into the inauguration of this Service. I think, Sir, in a few cases it will be found that the locally born young men has perhaps suffered greater hardship in this measure than some who had also been told to wait.

There is one more point, Sir. I notice that the Assistant Game Wardens have been included in this Local Civil Service. I was myself a member of the Committee appointed to inquire into this Local Civil Service. I think I am the only member present in this House that was on that Committee, and that was the first Committee which sat to go into the details as to how to start trying to inaugurate this Local Civil Service. On that Committee we made, for very good reasons I think, a very special point about these particular officers. It will be found on page 62 of the report which was brought out in 1932. I trust, Sir, that that point will also have the attention of Government.

LT.-COL. THE HON. J. G. KIRKWOOD. Your Excellency, as an Elected Member I naturally rise to support the motion before the House. In doing so, I should like to quote a short paragraph that was uttered during the last election—

"The Local Civil Service is an accomplished fact, and will provide necessary opportunity for our rising generation to take its place in the body politic and reduce Government expenditure while finding employment for our children. This is one of the finest achievements of the old gang of Elected Members."

That was, probably, to a certain extent a prophecy. It is quite obvious that Government is determined to fulfil that prophecy and make the dream come true, for which I think all of us on this side of the House give Government due credit as far as that is concerned.

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I agree with practically everything that has been said by the European Elected Members who have spoken during this debate. I am surprised that the medical facilities have been offered to the wives and families of Government servants under this Bill, having regard to the recommendations made by the Terms of Service Committee. The medical benefits and services to wives and children should be abolished, and I hope it is not Government's intention to force that through, and that it is going, at least in Select Committee of the whole House, to give some consideration to that question. I am also in favour of a Civil Service Board being appointed. I think it is a very wise suggestion, and a very sound one, and I hope eventually it will be adopted by Government.

It is not clear to me, Sir, some of these details. I see "Chief Inspector" under the Police Department, "£500 - £20,000". I do not know whether "Chief Inspector" is a new post, but I do know there are two Sub-Superintendents in the Colony who cannot get beyond £600, and I should have thought that anomaly should have been removed before other posts were put up to that amount. I have also been informed, two days ago, by a gentleman who professes to know what he is talking about, that there are holders of many posts at the moment at the rate of £25 a month who will be able to transfer to this Service and immediately go up to £30. I am not going to argue whether that is right or fair. I have no doubt consideration has been given to the fact that there is no pension; it is a contributory scheme but it must also be remembered that Government is also contributing to that scheme, and I suggest that those more fitted to deal with those posts will tackle them in Select Committee.

Generally, Your Excellency, I think it is an excellent move. It has been long overdue, and naturally I welcome the Bill before the House, which will, as I have prophesied, give employment to the rising generation of Kenya.

Government from time to time have asked for the co-operation of Members of this House. I would just like to go into that question, just for one moment.

HIS EXCELLENCY: Has that got any reference to the Local Civil Service?

LT.-COL. THE HON. J. G. KIRKWOOD: It has a reference to this extent, Your Excellency. When this Committee was appointed, there were two Elected Members on that Committee. The Merrick Committee was then appointed, and after that the Civil Service Board, which issued four interim reports. There were no Elected Members on that last Committee and

Government did not get the benefit of their advice and co-operation; and I hope in the future that this point will be borne in mind, and the value of the advice to be got from this side of the House will not only be sought but will be made use of by Government.

There is only just one question I should like to spend a moment on, and that is the racial issue that has been raised during this debate. I am quite sure that practically everybody in this House regrets the attitude of certain hon. Members on this question. The Bill, or Sessional Paper, clearly lays down that it is a European Local Civil Service. Personally, I do not like that as being racial at all, and I very much regret that has been raised. An assurance has already been given that another Ordinance will be brought into force dealing with the Asian branch of the Service, and I am quite certain that the European Elected Members will review that in a sympathetic way and see that they get justice and a fair deal.

One hon. Indian Member apparently used the word "international" and gave me the impression that he was an International Communist, rightly or wrongly. I suggest, if that is his idea that if his deal was implemented in this Colony, and it was open to all races throughout the world, that the Indian and Asiatic Members in this House would be the first to regret it.

It would seem to me, Sir, speaking for myself, that this racial question was raised in the last Council, and there is every indication it is going to be raised in future Councils; and that is an attitude that I should deeply regret. I would appeal to the Indian Elected Members and others on this question to let it drop. We have not raised the question at all, and I do appeal to them, if they want the co-operation of the European Elected Members they will have to take a different line. Without the co-operation of the whole of this House we are not going to get the benefit from the deliberations of this Council that we ought to get. I hope my words will not fall on deaf ears.

THE REV. CANON THE HON. G. BURNS: Your Excellency, I rise to support this Bill, and I do so for two reasons: of which I put it perhaps in a negative way. Were it not that I am convinced that this Bill does not aim at cutting out anybody from any post he is fitted to fill in the future, whether Asian or African, I certainly for one would be the first to oppose the Bill. But I certainly do not think such an idea is in the minds of those who brought this Bill, long overdue in my opinion, into existence. It does not say that any of these posts here, as far as I can read them, are new posts, specially brought into being for the benefit of people that are to fill

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those posts. It has been a rearrangement, as far as I understand the position, to try and get the Colony on a more economical basis than it has been hitherto, and instead of pensions and all that sort of thing, which everybody in the House was deploring, they have sought by just means to make the Government of this Colony more economical and at the same time not to depreciate its efficiency. For those reasons, Sir, I believe, when the Africans whom I have the honour to represent in this House are ready to fill posts in the Government, the Government will see that those Africans are put into those posts.

With regard to the Indian friends, one does not want to speak about these sorts of things, but I regret very much—I cannot say how much—that these racial questions have been brought into this House. We are living in a Colony where all classes of the community have to live together, and it is up to us—whether European, Asian or African—to so arrange our matters that we may live amicably together and the Government of this country go forward in a just way, which I believe is the real desire of the Government in bringing in this Bill.

THE HON. THE DIRECTOR OF MEDICAL SERVICES (DR. A. R. PETERSON): Your Excellency, one of the proposals contained in this Sessional Paper is that free medical attention should be given to officers and their families, subject to re-consideration in the case of families in the event of the present system as applied to members of the overseas service being modified, and I have been asked by the hon. Member for the Rift Valley to assure him that the retention of this privilege—and I presume he is referring to the privilege of free medical attention to wives and families—will not involve any considerable additional expenditure. It will not involve any considerable additional expenditure because at the present time most of those people, according to their agreements—not necessarily an agreement that goes into the future, but their present agreements—are entitled to and are getting it. Therefore it would cost no additional expenditure. Alternatively, I think he would ask me to confirm the statement made by the Colonial Secretary that by omitting this privilege there would be no appreciable saving. That also I can assure him is the case. The number of officers involved is, I think, 723, or somewhere about that. They are the junior branch of the service in certain ways, and they are not all married; perhaps half of them are. I do not know. But 300 wives and families normally would not constitute a practice for an ordinary medical practitioner. It would do so, more or less, when the people are scattered all over the country. The majority of them are in Nairobi, but a large number are in other places. By the elimination of this privilege you would not be able to reduce

the medical service by a single officer. I cannot say that giving his attention costs nothing. I undoubtedly it does, but you would make no appreciable saving. That is as regards that point.

The second point is that raised by the hon. Member for Nyanza when he quoted the Fitzgerald Committee. I think he referred to the question of principle. I cannot discuss principle; they must discuss that for themselves, but there were two points made. The first was that the Fitzgerald Committee had not been able to make a recommendation that this privilege should be continued because they had evidence before them to the effect that it had been exploited to the point of abuse. Well, when you have what for the moment I will call a "privilege", and you have a very large body of people who have that privilege, you will always, human nature being what it is, find one or two who will endeavour to exploit a privilege. I can say nothing in regard to the abuse, all that I can say is, when I was asked for my opinion in this matter on a previous occasion, I made inquiries of my colleagues, and I am very glad of the opportunity of saying that I can find no evidence of any general exploitation or abuse of this privilege. I should be extremely sorry if there were. There may be some people who like to get more than they are entitled to, but speaking generally, there is no exploitation or abuse to-day. It appears to be my business and the business of my officers to ensure that there is no abuse.

Just now I called it a "privilege", Sir, but there is this consideration: People on small salaries cannot afford to spend a very large amount on medical attention, and the result is that they do not call in a doctor until people are very ill. Some insurance companies, as you are possibly aware, offer a free medical consultation by an expert officer once a year to all the people who insure with them, in the hope that they will not get ill. If you have this privilege, one of the chief points about it to my mind is that these people have the opportunity of calling a doctor before people have got really ill, and by that means, I think, quite frequently they perhaps save them from getting ill, and doctors' bills being what they are, you remove a very serious source of anxiety to your officers. I do not think, Sir, it is entirely a privilege. My own view of the matter is that we would save money by making this concession.

THE HON. F. A. BEMISTER: Your Excellency, one great point that has struck me in the course of the debate is the query by some students of the sessional paper and the suggestion of an inferiority complex. I would have thought that the only inferiority complex which was emphasized in this paper was that of the Kenya European population, because in this

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paper is limited the height to which Kenya residents who are servants in the public service can get. It struck me directly I saw it that at last we have got a clear-cut definition which has been a great difficulty in the days gone by, in deciding what was a first class official and what was a second class official. That has certainly been settled by this paper, Sir. We now know that those in the Kenya Service are only worth £660, and then only at a special grade. But I want particularly to ask Government if that is their definite intention? It was my hope when I heard that the Local Civil Service was to be started that, given capability, all posts would be open to suitable candidates.

THE HON. THE COLONIAL SECRETARY: Your Excellency, on a point of explanation, it may save the time of the hon. Member if he will turn to clause 7 (2) of the European Provident Fund Bill, which we shall take later, wherein he will see specific provision is made to allow in cases of suitability promotion from the Local Service to the Pensionable Service.

THE HON. P. A. BEMSTER: I am intensely obliged for that, Sir, and, now it is public, the public will know, and it will take away a great deal of the objections which are voiced among people intending to enter this Service. I am much obliged for this explanation, Sir, and that is all I have to say.

THE HON. THE COLONIAL SECRETARY: Your Excellency, I should like in the first place to thank the House for the generally very favourable reception that this measure has received. Except in one quarter of the House—in which I sincerely believe the opposition that has been voiced is due to a quite understandable misconception on their part—the only points to which I have to reply are of a rather unusual character. I have been asked on behalf of the Government to give an assurance that in certain respects we will be more liberal than the actual measures indicate. I welcome that evidence of the real feeling that there is abroad that the Service is doing good work for this country, and that where a man has worked hard for this country his interests ought to be properly safeguarded. I can assure hon. Members, if such assurance is necessary, that one of the reasons perhaps why there has been so much delay in dealing with some of these reports, was that we were scrupulously anxious to see that the proper interests of serving officers were not jeopardized by undue haste.

There are one or two points perhaps that I can refer to later in my reply, but I should like at the outset to thank the House for the very favourable reception which they have given to this measure. I would then like to turn for a moment, Sir,

to the point raised particularly by the hon. and reverend Member, Canon Burns, representing native interests. I should like to endorse all he says. I feel that all of us here regret very much that any question of racial discrimination should have been raised on a measure which I believe, and honestly believe, does not raise any discrimination at all. I think I am largely to blame myself that this misapprehension should have arisen. I stated when I opened the debate that for the reason that this matter had been so fully explored, so many reports written, I would be as brief as possible, and I assumed—I think possibly unwisely—in certain quarters the possession of certain elementary knowledge that apparently was non-existent.

One hon. Member stated that all their misapprehensions would have been laid aside had it been possible for Government to lay contemporaneously the Bills dealing with the European and Asian Services at the same time. I take it as an indication of a lack of Government's good faith in the matter. Still, if hon. Members will turn to the report of the original parent Committee, known as the Fitzgerald Committee, they will see that when in 1931 they first tackled this problem, after referring to the general question of the desirability of affording avenues of work and promotion to local youths of all races, they said in paragraph 27: "As a rider to this report, the Committee wish to state that the conclusions they have reached in regard to the possibility of establishing a local Service for Europeans on revised conditions point to the necessity for a basic inquiry on similar lines into the terms and conditions on which Asian Civil Servants are employed." Following up that recommendation, Sir, what was the first term of reference to the Committee known as the Merrick Committee? It is as follows: Sir, a Committee appointed by Your Excellency "to examine, to report upon, to schedule posts, and to draft regulations, having regard to the principles laid down by Executive Council at its meeting of the 7th January, 1932, for the inauguration of (a) a Local European Service, and (b) a Local Asiatic Service." I think therefore, Sir, that makes it abundantly clear that it is the intention, and it has been so stated in subsequent reports, that now we have got this measure out of the way we have a basis to go upon, and the next step will be to introduce the Local Asiatic Service. In dealing with the problem in two parts rather than in one part, we are merely following precedent that has been established in the case of the Overseas Service. Pensionable officers, whether European or Indian, they both obtain pension rights under existing Ordinances. The general basis of these Ordinances is the same, but they are secured, for what are quite obvious and not discriminatory reasons, in separate Bills. That being so, I should like again, Sir, to state that what we are

paper is limited the height to which Kenya residents who are servants in the public service can get. It struck me directly I saw it that at last we have got a clear-cut definition which has been a great difficulty in the days gone by, in deciding what was a first class official and what was a second class official. That has certainly been settled by this paper, Sir. We now know that those in the Kenya Service are only worth £660, and then only at a special grade. But I want particularly to ask Government if that is their definite intention? It was my hope when I heard that the Local Civil Service was to be started that, given capability, all posts would be open to suitable candidates.

THE HON. THE COLONIAL SECRETARY: Your Excellency, on a point of explanation, it may save the time of the hon. Member if he will turn to clause 7 (2) of the European Provident Fund Bill, which we shall take later, wherein he will see specific provision is made to allow in cases of suitability promotion from the Local Service to the Pensionable Service.

THE HON. F. A. BEMISTER: I am intensely obliged for that, Sir, and, now it is public, the public will know, and it will take away a great deal of the objections which are voiced among people intending to enter this Service. I am much obliged for this explanation, Sir, and that is all I have to say.

THE HON. THE COLONIAL SECRETARY: Your Excellency, I should like in the first place to thank the House for the generally very favourable reception that this measure has received. Except in one quarter of the House—in which I sincerely believe the opposition that has been voiced is due to a quite understandable misconception on their part—the only points to which I have to reply are of a rather unusual character. I have been asked on behalf of the Government to give an assurance that in certain respects we will be more liberal than the actual measures indicate. I welcome that evidence of the real feeling that there is abroad that the Service is doing good work for this country, and that where a man has worked hard for this country his interests ought to be properly safeguarded. I can assure hon. Members, if such assurance is necessary, that one of the reasons perhaps why there has been so much delay in dealing with some of these reports, was that we were scrupulously anxious to see that the proper interests of serving officers were not jeopardized by undue haste.

There are one or two points perhaps that I can refer to later in my reply, but I should like at the outset to thank the House for the very favourable reception which they have given to this measure. I would then like to turn for a moment, Sir,

to the point raised particularly by the hon. and reverend Member, Canon Burns, representing native interests. I should like to endorse all he says. I feel that all of us here regret very much that any question of racial discrimination should have been raised on a measure which I believe, and honestly believe, does not raise any discrimination at all. I think I am largely to blame myself that this misapprehension should have arisen. I stated when I opened the debate that for the reason that this matter had been so fully explored, so many reports written, I would be as brief as possible, and I assumed—I think possibly unwisely—in certain quarters the possession of certain elementary knowledge that apparently was non-existent.

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being asked to examine to-day is merely the schedule of posts and salaries and terms of service which are regarded as suitable for those Europeans who are at present holding those posts. Similarly, when the Asiatic terms of service are declared, the same will apply. As the hon. and reverend Canon Burns said, at any time when the annual Estimates are brought forward, it will be a matter for consideration whether this basis should be altered or not, in the interests, I suggest, not of racial discrimination but of efficiency and economy alone. In these circumstances, I feel that had I perhaps elaborated this at the outset, we should have been in the happy position of having quite unanimous support for these proposals, more particularly as it is clear that any strong opposition by the hon. Elected Indian Members towards such a measure would be in direct contravention of the interests of their own constituents, for the position is that at present and until these further terms of service of the Asians are settled, no more Indian pensionable posts are being made or created. Therefore the longer the delay in introducing proper measures for the Asiatic Service the longer possibly will hardship be done to those persons whom it is their duty to represent. For these reasons, I feel sure that the House will forgive me if, still further to mix the metaphor employed by the hon. Member for the Lake, I am not beguiled into poring over the leaves of Vallombrosa in a vain attempt, with the aid of a powerful "complex", to detect the virus of discrimination. (Laughter.)

To turn now to points of a practical nature that have been made in the course of this debate. The first point that I have been asked to reply to is of importance, and it is the matter of the Civil Service Board. I should certainly have made it quite clear in my introductory remarks that Government accepted the recommendations of all these Committees and of the Interim Civil Service Board for the creation of a permanent Board. The Board whose reports we are now considering was an *ad hoc* board selected for a special purpose. Now that their work has been done, we entirely agree that a permanent Civil Service Board should be set up, and the question of its personnel and the terms of reference will engage the very serious attention of Government.

The only criticism perhaps of an adverse character was on the question of medical attendance. That, I think, has already been dealt with pretty fully by my hon. friend the Director of Medical Services. I think, however, that the hon. Member for the Lake particularly drew attention to the fact that he saw no reason why a parent body, with such a chairman as my friend the Postmaster General, which had recom-

lightly set aside. I also believe that on a more recent occasion the hon. Member has publicly stated that he holds no brief for slavish consistency; he regards slavish consistency as characteristic of an inferior mind. In that respect the hon. the Postmaster General clearly agrees with him, because if you refer to the first interim report of the Civil Service Board, of which my hon. friend the Postmaster General was chairman, you will find in paragraph 17 of that report the following:

"The Board, however, recommends a not unimportant departure from the Merrick Report (and also from the Fitzgerald Report) in connexion with free medical attendance, and that is the extension of the privilege to the officer's family." The hon. Member therefore has very clearly claimed the right of all strong-minded men to change his mind. (Laughter.)

The hon. Member for Nairobi South drew my attention to certain specific questions which he would like an answer to. One dealt with the question of quarters and whether officers who were not in possession of quarters, but lived in caravans or *bandas*, would still have to pay rent. On that point, Sir, I would refer him to page 12 of the fourth interim report of the Civil Service Board. That Board recommended, under Recommendation No. IV, that "when an officer is issued with a tent or caravan he shall not receive a personal consolidation allowance, nor shall any rent be charged for the use of a tent or caravan issued to him. When such an officer is posted to a station where the conditions of his employment do not involve the use of a tent or caravan, he shall be given the personal consolidation allowance, and be required to pay rent for any Government quarters which may then be allocated to him."

That recommendation I do not think was specifically considered by Government or incorporated in this report, as it was considered a matter of minor detail, but it seems to me the recommendation of that Board is a perfectly sensible way of dealing with the question.

I do not think I should weary the House really by going into details.

Another question was that of the Public Works Department and Survey Department appointments, draughtsmen, clerks, and so on. That again, if he turns to the fourth interim report, he will find fully covered in paragraph 6. In fact, because it was realized that it raised a matter of considerable difficulty, the departments employing such staff—namely, the Posts and Telegraphs Department, the Public Works, Government Press, Forests and Survey Departments—met together

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lightly set aside. I also believe that on a more recent occasion the hon. Member has publicly stated that he holds no brief for slavish consistency; he regards slavish consistency as characteristic of an inferior mind. In that respect the hon. the Postmaster General clearly agrees with him, because if you refer to the first interim report of the Civil Service Board, of which my hon. friend the Postmaster General was chairman, you will find in paragraph 17 of that report the following:—
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under the chairmanship of the Postmaster General, and they went into this question very fully, and the recommendations now appearing in this paper reflect what were called the agreed recommendations of the Heads of Departments concerned.

Reference has been made, I think, by more than one speaker to the question of laboratory assistants. I think that to do so is a misapprehension. The case of those laboratory assistants whose length of service was considered to be such as to justify their claims for being placed on a pensionable basis in the Overseas Service has been considered by Government and certain decisions taken in the case of certain officers. Of the remainder, provision is made under Appendix II for Legation Laboratory Assistants, Junior Laboratory Assistants, etc. I do not want to go into details or personalities. I believe it is the case at the moment that, while there is a post of Junior Laboratory Assistant in the Veterinary Laboratories at Kabete, there is no such post in the Plant Industry Section of the Agricultural Department. Should, however, a case be made out to the satisfaction of Government for creating such a post and the creation of such a post be approved by the Legislative Council in the annual Estimates, there will be no difficulty in inserting it in the appropriate place in the list of appointments scheduled for the Local Civil Service, so I think the point made is really covered.

I think the only matter raised which I have not dealt with at any length is the question of Assistant Game Wardens. There, again, I would say that matter has received very careful consideration by this committee and by Government. If you turn to the first interim report, page 2, you will find the following:

In regard to the post of Assistant Game Warden the Board is not convinced by the arguments advanced by the Game Warden and accepted by the Merrick Committee in support of its recommendation that these officers should be accorded Overseas' status. The posts were listed as Local posts in the Fitzgerald Report, and with this the Board agrees.

The Government in Executive Council endorsed that view, and my personal view is that if there is a post which is a local post, for which local experience is required, it is the post of Assistant Game Warden. In actual fact, the present officers were all locally recruited. The individual position is not in any way jeopardized because those of them who were eligible for pensionable position have already got it. We are only here dealing with future entrants, and if for the post we obtain a man with special knowledge and love of the wide open spaces,

who has spent many years here perhaps on a farm or somewhere of that sort, I think hon. Members themselves could not consistently argue that such an officer could be more suitably recruited by the Crown Agents and sent home every two or three years on leave.

There is just a final point on the question of procedure. As I indicated in my opening remarks, the schedules to this Sessional Paper and the salary grades have been gone into *ad nauseam*, and by and large the Government consider that they are fair and reasonable. It always may be that some very minor adjustment may be required. This equally applies in the case of pensionable officers and is brought to the notice of hon. Members in connexion with the Estimates. Therefore, though I would not like to say that every letter and every word of these schedules may be incorporated, I can give an assurance that there is going to be no departure in principle or in any great degree from these proposals which will not be brought to the attention of this House.

I beg, Sir, formally to move the motion.

HIS EXCELLENCY: The question is—

"That it be resolved that the proposals for the inauguration of the European Local Civil Service contained in Sessional Paper No. 1 of 1934 be approved."

The question was put and carried by 30 votes to 5.

Ayes: Mr. Feunster, Mr. Bruce, Canon Burns, Major Cavendish-Bentack, Messrs. Fitzgerald, La Fontaine, Hamp, Harrigan, Harvey, Hensted, Hoey, Horne, Hosking, Col. Kirkwood, Messrs. Lallywate, Montgomery, Moore, Dr. Paterson, Mr. Pilling, Major Piddell, Capt. Schwartz, Lord Francis Scott, Mr. Scott, Sir Robert Shaw, Messrs. Stronach, Walsh, Waters, Welby, Col. Wilkinson, Mr. Wright.

Noes: Messrs. Isher Dass, N. S. Mangat, J. B. Pandya, Shamsud-Deen, Dr. de Souza.

Declined to vote: Sheriff Abdulla bin Salim.

under the chairmanship of the Postmaster General, and they went into this question very fully, and the recommendations now appearing in this paper reflect what were called the agreed recommendations of the Heads of Departments concerned.

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The Governor in Executive Council endorsed that view, and my personal view is that if there is a post which is a local post, for which local experience is required, it is the post of Assistant Game Warden. In actual fact, the present officers were all locally recruited. Their individual position is not in any way jeopardized because those of them who were eligible for pensionable position have already got it. We are only here dealing with future entrants, and if for the post we obtain a man with special knowledge and love of the wide open spaces,

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I beg, Sir, fondly to move the motion.

HIS EXCELLENCY: The question is—

Be it resolved that the proposals for the reorganization of the European Local Civil Service contained in Sessional Paper No. 1 of 1934 be approved?

The question was put and agreed by 50 votes to 5.

Ayes: Mr. Bevansteyn, Mr. Bruce, Canon Barris, Major Cavendish-Bentley, Messrs. Fitzgerald, La Fontaine, Hanop, Harragin, Harty, Heald, Hoey, Home, Hosking, Col. Kirkwood, Messrs. Lallywally, Mountbatten, Moore, Dr. Paterson, Mr. Pilling, Major Reddy, Capt. Schatz, Lord Francis Scott, Mr. Scott, Sir Robert Shaw, Messrs. Stranich, Walsh, Waters, Welby, Col. Wilkinson, Mr. Wright.

Noes: Messrs. Isher Dass, N. S. Mangat, J. B. Lindley, Shams-ud-Deen, Dr. de Souza.

Declined to vote: Sheriff Abdullah bin Salim.

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Reference has been made, I think, by more than one speaker to the question of laboratory assistants. I think that is due to a misapprehension. The case of those laboratory assistants whose length of service was considered to be such as to justify their claims for being placed on a pensionable basis in the Overseas Service has been considered by Government and certain decisions taken in the case of certain officers. Of the remainder, provision is made under Appendix II for Learners, Laboratory Assistants, Junior Laboratory Assistants, etc. I do not want to go into details or personalities. I believe it is the case at the moment that, while there is a post of Junior Laboratory Assistant in the Veterinary Laboratories at Kabete, there is no such post in the Plant Industry Section of the Agricultural Department. Should, however, a case be made out to the satisfaction of Government for creating such a post and the creation of such a post be approved by the Legislative Council in the annual Estimates, there will be no difficulty in inserting it in the appropriate place in the list of appointments scheduled for the Local Civil Service, so I think the point made is really covered.

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The Governor in Executive Council endorsed that view and my personal view is that if there is a post which is a local post, for which local experience is required, it is the post of Assistant Game Warden. In actual fact, the present officers were all locally recruited. Their individual position is not in any way jeopardized because those of them who were eligible for pensionable position have already got it. We are only here dealing with future entrants, and if for the post we obtain a man with special knowledge and love of the wide open spaces,

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I beg, Sir, formally to move the motion.

HIS EXCELLENCY: The question is—

"Be it resolved that the proposals for the inauguration of the European Local Civil Service contained in Sessional Paper No. 1 of 1934 be approved."

The question was put and carried by 30 votes to 5.

Ayes: Mr. Benister, Mr. Bruce, Canon Burns, Major Cavendish-Bentinck, Messrs. Fitzgibbon, La Fontaine, Harp, Harrigan, Harvey, Hemsted, Hoey, Hoare, Hosking, Col. Kirkwood, Messrs. Lallywhite, Montgomery, Moore, Dr. Patterson, Mr. Pilling, Major Riddell, Capt. Schwartz, Lord Francis Scott, Mr. Scott, Sir Robert Shaw, Messrs. Stronach, Walsh, Waters, Welby, Col. Williamson, Mr. Wright.

Noes: Messrs. Isher Dass, N. S. Mungat, J. B. Pandya, Shamsud-Deen, Dr. de Souza.

Declined to vote: Sheriff Abdullah bin Said.

under the chairmanship of the Postmaster General, and they went into this question very fully, and the recommendations now appearing in this paper reflect what were called the agreed recommendations of the Heads of Departments concerned.

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I beg, Sir, fondly to move the motion.

HIS EXCELLENCY: The question is—

"Be it resolved that the proposals for the inauguration of the European Local Civil Service contained in Sessional Paper No. 1 of 1934 be approved."

The question was put and carried by 30 votes to 5.

Ayes: Mr. Minister, Mr. Bruce, Canon Funnell, Major Cavendish-Bentock, Messrs. Fitzgerald, La Fontaine, Hampe, Harragin, Harvey, Heinsted, Hoey, Hoare, Hocking, Col. Kirkwood, Messrs. Lallywhite, Mount, Mervin, Moore, Dr. Paterson, Mr. Pilling, Major Reddell, Capt. Schwartzke, Lord Francis Scott, Mr. Scott, Sir Robert Shaw, Messrs. Stenche, Walsh, Waters, Welby, Col. Wilkinson, Mr. Winfield.

Noes: Messrs. Fisher Pass, N. S. Mungat, J. B. Pridley, Shamsud-Deen, Dr. de Souza.

Declared to be a Speech: Aobulla bin Salim.

EUROPEAN PRIMARY EDUCATION.

226

Scales Proposed for Education Officers.I. Assistants and Principals of Schools of less than 100 pupils.

<u>Qualifications</u>	<u>Scale.</u>				
	<u>Academic.</u>	<u>Professional.</u>	<u>Experience.</u>	<u>Men.</u> £	<u>Women.</u> £
1. Matriculation or School Certificate or equivalent.		nil.	-	150-210	150-210
2. Higher School Certificate or Intermediate or equivalent.		nil.	-	180-210	180-210
3. Matriculation or School Certificate or equivalent.		Certificate recognised as less than Board of Education certificate	4 years	240-360	225-315
4. Higher School Certificate or Intermediate or equivalent.		ditto.	2 years		
5. Graduate of recognised University.		nil.	-	360-520	315-420
6.		Certificate recognised as equivalent to Board of Education Certificate	-	360-520-600.	315-420-500.
7. Graduate of recognised University.		ditto.	-	420-520-600.	360-420-500.

II. Principals.

1. Schools of 100-199 pupils.	520-660*	400-520*
2. Schools of 200 pupils and over.	660x15-720.	-

* to receive one irregular promotion/increment if in receipt of salary of 520 (men) or 400 (women) or over on appointment as principal.

AIR MAIL.

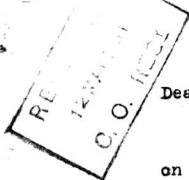


THE SECRETARIAT,
NAIROBI,
KENYA.

WHEN REPLYING
PLEASE QUOTE
AND DATE

E.7/1/10/12/28.

May, 1934.



Dear Tomlinson,

With reference to our recent conversations on the proposed European Local Civil Service, I now send you advance copies of a Sessional Paper which shows you in a concise form the result of Executive Council's decisions on the various Reports of the Local Civil Service Board. This Paper was laid on the 27th April and next week when Council reassembles I shall move its adoption. I also send you copies of the Provident Fund Bill which will be read a second time next week and will probably be referred to a Select Committee. Copies of the Third and Fourth Interim Reports of the Civil Service Board are also enclosed.

No doubt the proposals will be debated at some length, but I hope that they will prove generally acceptable and go through in their present form without any substantial modification.

As you know these proposals are the outcome of several Committees who have devoted much time and thought to the whole question, and I hope that it will be possible for them to be finally approved by the Secretary of State in time for them to be reflected in the 1935 Draft

Estimates

Sir G. J. Tomlinson, K.C.M.G., C.B.E.,

Colonial Office.

Copy of Bill sent on 29/05/34 General

Estimates which are already being prepared. A further reason for getting the scheme through as quickly as possible is that, as you know, there has been considerable agitation amongst the un-official community for the creation of this Local Service and for political reasons undue delay in approval is undesirable.

We shall, of course, send a formal despatch after the debate has taken place.

As soon as the European Local Civil Service is inaugurated we shall turn our attention to the creation of an Asian Local Civil Service.

Yours sincerely,

Wm. Williams



A BILL TO ESTABLISH A PROVIDENT FUND
FOR MEMBERS OF THE LOCAL EUROPEAN
CIVIL SERVICE OF THE COLONY AND TO
PROVIDE FOR CONTRIBUTIONS TO SUCH
FUND BY MEMBERS OF THE SAID SERVICE
AND BY GOVERNMENT

A Bill to Establish a Provident Fund for Members of the Local European Civil Service of the Colony and to Provide for Contributions to such Fund by Members of the said Service and by Government.

BE IT ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the European Civil Service Provident Fund Ordinance, 1934, and shall come into operation upon such date as the Governor may by notice in the Gazette appoint. Short title and commencement

2. In this Ordinance, unless the context otherwise requires— Interpretation

“common service” means a service (common to the Colony and to the Tanganyika Territory or the Uganda Protectorate or to both the Tanganyika Territory and the Uganda Protectorate) part of the cost of which is reimbursed to the Colony by one or both of such dependencies;

“contributor” means a person who is not prohibited from being a contributor by the provisions of section 5 of this Ordinance, and who holds an office which has been declared by the Governor by notice to be a post in the Local European Civil Service of the Colony, or such other post in the Civil Service of the Colony or in a common service as the Governor may by notice direct. All such posts are hereinafter referred to as “the service”;

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

“interest” shall include compound interest;

“salary” means the substantive salary payable to a contributor, but does not include any allowance or other benefit or emoluments whatsoever.

Establishment of provident fund.

3. (1) From the date of commencement of this Ordinance there shall be established a fund to be known as "the European Civil Service Provident Fund", which shall consist of—

- (a) contributions made by contributors;
- (b) amounts payable from general revenue in accordance with the provisions of section 6 of this Ordinance.

(2) All amounts contributed or paid to the fund shall be lodged with the Treasurer to the credit of the fund in a separate deposit account. The Treasurer shall, so far as may be practicable, invest such amounts on account of the Colonial Government in trustee stocks or in securities approved by the Governor in Council.

(3) The Treasurer shall submit to the Governor as soon as possible after the thirty-first day of December in each year a full statement showing the working of the fund and all claims thereon, and containing full particulars of all transactions connected with the working of the fund.

4. Subject to the provisions of section 5 of this Ordinance—

(1) every male contributor shall, as from the date of commencement of this Ordinance, or in the case of a contributor appointed after that date as from the date of his appointment, make contributions to the fund at the rate of five per centum per annum of his salary;

(2) every female contributor shall, as from the date of commencement of this Ordinance, or in the case of a contributor appointed after that date as from the date of her appointment, make contributions to the fund at the rate of seven and one-half per centum per annum of her salary;

(3) such contributions shall be deducted monthly by the Treasurer from the salary payable to the contributor, and on being so deducted by the Treasurer shall be considered as paid into the fund on the last day of the month for which the salary was due and shall bear interest as from the first day of the month next following;

(4) a contributor shall, except when on leave prior to retirement or to the termination of his services, make contributions to the fund while on leave of

Contributions to fund from contributors.

absence whether on full salary or on half salary; and while on leave on half salary such contributions shall be made as if the contributor were on leave of absence on full salary. A contributor may elect to contribute in respect of any period of leave of absence without pay, and any such contributions if paid otherwise than by deduction from salary shall bear interest as from the first day of the month next following the month in which such contributions are received into the funds.

5. No contributions to the fund shall be made by an officer—

- (a) who has completed less than twelve months continuous service; or
- (b) who is under the age of eighteen years; or
- (c) who is a learner, or an apprentice, or who is on probation, or who is serving in an appointment which is subject to notice not exceeding one month on either side; or
- (d) whose age on appointment or at the commencement of this Ordinance is fifty years or over; or
- (e) who has attained the age of fifty-five years; or
- (f) whose salary amounts to less than one hundred and fifty pounds per annum; or
- (g) who is pensionable under the European Officers' Pensions Ordinance, 1927, or is otherwise eligible for pension under any other law of the Colony; or
- (h) who is a married woman.

6. From and after the commencement of this Ordinance there shall be paid to the fund from the general revenue of the Colony to the credit of each contributor—

- (a) on the 30th June and 31st December in each year a contribution in accordance with the scale laid down in the Schedule to this Ordinance;
- (b) in the case of contributors who, prior to the date of commencement of this Ordinance, were in the service and on the said date became contributors without break of service, such sum as would have been paid to the fund from the general revenue in respect of each such contributor under paragraph (a) of this section if this Ordinance had been in force at the date on which such contributors first joined the service;

Who are not contributors.

No. 11 of 1927

Contributions to fund from public revenue

- (c) on the 31st day of December in each year interest calculated on the amount standing in the fund to the credit of each contributor on the last day of each month during the period of twelve months immediately preceding. Such interest shall be at the rate of not less than three per centum per annum, to be fixed by order of the Governor in Council for the first year of the operation of this Ordinance within three months from the date of commencement of this Ordinance and thereafter not later than the 31st day of March in each year, and shall on the 31st day of December in each year be added to and become part of the principal:

Provided that such interest shall not be allowed for broken periods of a month:

Provided further that when a contributor's account is closed during the course of any year such interest shall be calculated to the end of the month preceding the date on which the account is so closed.

Rights of contributors against fund.

7. (1) A contributor who retires or resigns from or is removed on grounds other than misconduct from the service shall, on such retirement, resignation, or removal, as the case may be, be paid from the fund a sum equal to the aggregate of the contributions which he has made to the fund together with interest thereon, and shall in addition be entitled to any contributions made to the fund from general revenue under section 6 of this Ordinance on his behalf, together with interest thereon:

Provided that a contributor who leaves the service before he has completed four years' continuous service as a contributor, unless he so leaves the service—

- (a) on the abolition of his office;
- (b) on compulsory retirement for the purpose of facilitating improvement in the organization of the Department to which he belongs, by which greater efficiency or economy can be effected; or
- (c) on medical evidence to the satisfaction of the Governor that he is incapable by reason of some infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent.

shall have no claim to receive from the fund a greater sum than the aggregate of the contributions made by him, with interest thereon, together with such amounts as have been

placed to his credit in the fund under the provisions of section 6 (b) of this Ordinance and interest thereon from the date of the commencement of this Ordinance.

(2) A contributor who, having been a contributor to the fund, is subsequently appointed to a pensionable office without break of service, shall be paid from the fund the aggregate amount of the contributions made by him to the fund with interest thereon but shall not receive any part of the contributions made from general revenue on his behalf or interest thereon. The amount of such contributions from general revenue, with interest thereon, shall be repaid to general revenue.

(3) A female contributor who marries while in the service shall on such marriage be paid from the fund a sum equal to the aggregate of the contributions which she has made to the fund together with interest thereon, and shall in addition be entitled to any contributions made to the fund from general revenue under section 6 of this Ordinance on her behalf together with interest thereon. Such female contributor shall cease to be a contributor to the fund with effect from the end of the month immediately preceding her marriage.

(4) On the death of a contributor there shall be paid from the fund to his legal personal representative a sum equal to the aggregate contributions made to the fund by the contributor with interest thereon together with any contributions made from general revenue under section 6 of this Ordinance on his behalf together with interest thereon.

Provided that the Treasurer may make advances not exceeding fifty pounds in any one case to meet the expenses of the funeral of the deceased, or to give immediate relief to the widow or children or other dependants of the deceased, if in the opinion of the Treasurer such relief is required; and any such payment made by the Treasurer shall be valid and effectual against any demand made upon the Treasurer or the Government by any other person in connexion with such payment.

- (5) (a) On the death of a contributor; or
- (b) on the termination of the service of a contributor, whether by retirement, transfer to the public service of another dependency, or otherwise; or
- (c) on the marriage of a female contributor,

his account shall be credited with interest up to the end of the month previous to the date of such death, termination, retirement, transfer, or marriage, and a notice stating the amount standing to the credit of the contributor shall be given to the person entitled to receive payment or to the contributor, as the case may be.

Dismissal of contributor.

8. If a contributor is dismissed from the service for misconduct or if he shall leave the service otherwise than in accordance with the regulations for the time being in force governing his appointment in the service, the Governor may withhold all or any part of the contributions made to the fund from general revenue or the interest thereon.

Sums due to Government.

9. Any sums due to Government by a contributor—

(a) on his death, or

(b) on the termination of his services, whether by retirement, transfer to the public service of another dependency or otherwise, or

(c) on the appointment of the contributor to a pensionable office,

may be deducted from the amount then standing to his credit in the fund.

Gratuities to contributors.

10. In addition to any payment from the fund to which a contributor may have a claim under the foregoing provisions of this Ordinance it shall be lawful for the Governor in Council to grant from the public revenues of the Colony to a contributor who retires after continuous satisfactory service of not less than fifteen years a gratuity not exceeding the amount of one week's salary, based on the salary drawn at the date of retirement, for each completed year of service.

Payment from fund not assignable.

11. No moneys while in the fund and no rights acquired by a contributor under this Ordinance shall, while such contributor is in the service, be assignable or transferable or liable to be attached, sequestered, or levied upon or in respect of any debt or claim whatsoever other than a debt due to the Government of the Colony.

Power to make regulations.

12. The Governor in Council may make regulations for the management of the fund and generally for carrying into effect the provisions of this Ordinance.

SCHEDULE.
CONTRIBUTIONS TO BE MADE FROM GENERAL REVENUE ON THE 30TH DAY OF JUNE AND THE 31ST DAY OF DECEMBER IN EACH YEAR.
(Section 6 (a) of the Ordinance.)

MALE CONTRIBUTORS.

- A.—In respect of continuous service up to and including the tenth year: A sum equal to the aggregate of the contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.
- B.—In respect of continuous service after the tenth year of service and up to and including the twentieth year: A sum equal to 150 per centum of the aggregate of the contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.
- C.—In respect of continuous service after the twentieth year: A sum equal to twice the aggregate contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.

Provided in cases B and C that, if the length of continuous service of a contributor reaches ten or twenty years, as the case may be, during the course of the period of six months immediately preceding the date of the next payment, the higher rate of contribution to be made from general revenue shall apply only to contributions made by the contributor in respect of service subsequent to the completion of ten or twenty years' continuous service, as the case may be.

FEMALE CONTRIBUTORS.

An amount equal to the aggregate of the contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.

OBJECTS AND REASONS.

This Bill is a necessary complement to the inauguration of the Local Civil Service.

The Bill, in short, provides for contributions to be made by officers of the Local Service to a fund into which will also be paid Government contributions and interest.

It is not possible at the present moment to calculate what expenditure of public moneys will be involved if the provisions of this Bill become law. Such expenditure will include the contributions to be paid from General Revenue in accordance with the provisions of this Bill, together with the costs of administration.