

1925

E. AFRICA

300

21890

REC'D
REL 14 MAY 25

DATE

12th May, 1925

Area Agents

REGULATION -
Atlas
Accounts
Business
General
Orders
Forms
U.S. of S.
U.S. of S.
U.S. of S.

Dear Officer Adams & Officers, Pension Scheme
Lump sum contributions

Notes for confirmation of ruling that officers who became compulsory contributors between the 1st April, 1920 & 1st Oct, 1922 are not eligible to have a lump sum contribution

Previous Paper

MINUTES

The case of compulsory contributors is not discussed in the minutes of 1924. It is true, as the A. says, that the despatch in that paper refers to officers who elected to contribute. The draft order relates to officers who became contributors, but as it goes on to refer to an act which only those who elected to contribute could perform under 55(2) of the principal Order, I think it must be ruled that compulsory officers who became compulsory contributors between (Apr 1920) & (Oct 1922) are not eligible to

60 10630
S. Packering 24 June 1925
And (copy value) 10 JUL 1925
S. Packering 24 June 1925
And (copy value) 10 JUL 1925

Subsequent Paper

21891

pay the lump sum contribution anticipated by the
was before
inf/25/25

An officer who is engaged between
the 1st of April 1921 and the 1st of Oct
1922, was regarded as a new entrant
for the purpose of the Ordinance, & was
compelled to contribute as from the
date when his new agreement took
effect. But having been already in
the service on the 1st of April 1921, he
then used an option of contributing
which he did not exercise. He
therefore falls within category A in
the Schedule & minute of 18/4/24, &
18/24/25, and it is clearly the
intention that he should not have
a second chance.

If it is desired to put the
matter beyond a doubt, we have
to telegraph to the Govt.
burying the allegation of the
word "became" in the 1st Ord.
in 18/4/25 to "elected to become".

Mr. Ehrhardt will perhaps advise whether this should
be done or whether we can let the draft stand and
give a ruling to Crown Agents as proposed.

(Initia) C.J.J. 27/5/1926.

(I attach a letter which I have received from
Mr. Pickering and which has been waiting for these
papers. It would be polite to reply, and I think
there can be no harm in saying that a draft Ordinance
has now been sent out)

(Initia) X.J.J.

(Initia) H.F.D. 27/5/25.

I think we had better telegraph as proposed by
Mr. Jeffries. Otherwise we shall probably have
applications from those whom it is intended to exclude
which may be difficult to deal with.

(Initia) A.S. 26/8.

I think that what I meant in my minute of 8.4.24 on
18324/25 is explained by my minute of 28.6.24 in the
same paper, i.e. the man who uses the new Ordinance
(still in force) to make a l.s. contribution should not
also use the new Ordinance to increase his l.s.
contribution later.

I did not intend to shut out anybody altogether, and
my minute did not touch the present point.
As between "became" and "elected to become", the
former phrase is used in the 1924 amendment (2.2(b)
of Ordinance in 46143/24 Kenya), but that does not in
West African practice debar the man (a related first
entrant) from making a l.s. contribution, and the
practical distinction must be whether entry was
voluntary or compulsory. But we do not want to
multiply rulings on Ordinances, and I agree that we
should

should telegraph as proposed.

A re-engaged man, who ranks as a compulsory contributor, pays forfeit for his failure to join before re-engagement because it is impossible to say whether he would ever have joined voluntarily.

[A much more important point is that the regulations limit the privilege of i.e. contribution to people who became contributors before 1.1.22. The West African papers should be looked up later.]

As proposed?

(Incl) F.A.P. 2.2.22.

2.6.

1/27/25

1/27/25

1/27/25

I have added a dt

to C.A.

C.P. 1/27/25

1/27/25

Due to the... by... was that... permission for the... 6...

... contribution... 1/27/25... That... 1-1

difficultly

July 1st 1925

M. A. J. Harding

I think Mr. Boscawley's point at the end of his minute on 2/29/25 B.A.

then -

X joined the scheme voluntarily at the start, but did not make a lump sum contribution (or made one less than the maximum permissible). He is now allowed in certain conditions, to make a lump sum contribution, & to exercise his contribution in the case may be

Y was eligible to join the scheme at the start but did not elect to do so. Subsequently he obtained special permission to join and did so but did not make a lump sum contribution. The wording of the Ordinance prohibits him now from changing his mind and making a lump sum contribution (assuming that he can fulfil the conditions).

It is clear that this discussion is intended to be informational.

25/7/25

W Bottomley

I has had one
special permission. I dont
see any need to give
any special permission to
make a large sum contribution

W. Harding
24/40/25

Ward - to July 1, 1925 in this file

SRC (P)

EAST AFRICAN DEPARTMENT
COLONIAL OFFICE.

RECEIVED -
8 JUL 1925
COL OFFICE

303

Can you please furnish me with a reply to
our minute of the 12th May (copy attached)

Subs

CP DEPARTMENT
CROWN AGENTS
2.7.25.

East African Department.

With reference to Colonial Office letter No. 18324/25 of the 4th May, 1925, regarding the enactment of an Ordinance to provide for the payment of lump sum contributions under the East African Widows' & Orphans' Pension Scheme, we shall be glad if you will confirm that re-engaged officers who became compulsory contributors between the 1st April, 1921 and the 1st October, 1922, are not eligible to pay a lump sum contribution.

It appears to us that the wording of the draft Ordinance, enclosed with your letter, would permit this although your covering Despatch refers only to officers who elected to become contributors.

(Sgd.) J. W. POTTER.

P. DEPARTMENT
CROWN AGENTS.
12.5.25.

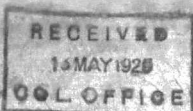
Law Courts
Mombasa

21/2/36

Dear Mr. Jeffries

It is possible that you will have forgotten our conversation about extending facilities & rent contributions to the widows & orphan school, but permitting further land contributions. If so my recollection is a bit vague, but I then understood that the intention had been put on the statute book in Nigeria that you prepared & send out the ordinance as a draft to the Colony. I am enquiring from the Secretariat here in Law Dept. that no reference to such legislation has been contained in any despatch.

I trust that you have not abandoned



East African Department,
Colonial Office.

21890

14 MAY 25

With reference to C.O. letter no. 16324/25 of the 4th May 1925 regarding the enactment of an Ordinance to provide for the payment of lump sum contributions under the East African Widows and Orphans Pension Scheme we shall be glad if you will confirm that re-engaged officers who became compulsory contributors between the 1st April 1921 and the 1st October 1922, are not eligible to pay a lump sum contribution.

It appears to us that the wording of the draft ordinance, enclosed with your letter, would permit this, although your covering Dispatch refers only to officers who elected to become contributors.

Colonial Office,
Crown Agents.

12th May, 1925.

CA. EA SRG

June 8. 6. 25
Jeffre 46 above

20890/25

307

Tracy
Auckland
Lima
Christchurch
Colonial Office
London
New York

Coded 9 level
6.50/June 25
8 June 25

6.50
8 June 25
D 11

~~Handwritten scribbles and signatures~~

8 June 1925

AFT. Telegram

last

10 JUL 1925

- Kanaka
- Intell
- Indonesian
- Banarasi
- Barbara
- Zangher

My despatch of 2 May

Widias and Giffens ~~Ordinance~~

Word "~~was~~" became

in draft Ordinance should be

attached to "elected to become"
Secar

copy to Giffens

CA/21890/25

24 JUN 1955

2. Africa

Jeffries
23/6/55

303

Pls for my signature

26 June 1955

DRAFT

Pickering Esq

Dear Mr Pickering

Courts
Mombasa

I am afraid that a
very considerable number of
your letters of the 11th of March
about the 10 day and
expansion scheme
You will probably know before
you get this that a draft
orderance has been sent
out providing that officers
who were in the service
when the scheme started
& who decided to remain
in the service will also be
not

Wines 7/7/45

A/21870/45

E. Afr.

O. D.
R 7 JUL
D. CA

DRAFT.

10 July

1945

Gentlemen

With ref to your minute,

P/501 of the 12th of May,

I am to be pleased to you

a copy of a list of the

Officers Administering the

Parts of the various E. African

Dependencies, from which

you will see that the wording

of the draft Ordinance

enclosed in the letter post

the

By A. H. [unclear]
(21870)

with
A. H. referred
at end of
Mr. Bottomley's
minute

this Dept. No. 18324/25

of the 4th of May has

been allowed as to

disposal of the debt

referred to in your

minutes

Signed W. G. SUTTONLEY.