

1923-24

KENYA

1691
11 JAN 24

Sous. Depty
Denham

DATE

14 December 1923

REGULATION

Jeffries
Caldwell
Battistone
H. C. S.

480

Calculation of Pensions
Inclusion of Climatic Allowance

Raises question of cases of return
officials who were residing in an unhealthy
place at the time of their original engagement
requests pensions as to procedure in relation

Previous Paper

Information

Have you any idea which would be the
right on the question as to what reasons, if
any, are accepted by the Treasury as
justifying their withdrawal of climatic
allowance in the case of officers who were
residing in an unhealthy place when
they entered the permanent service of the
State

20.1.24

to Govt

There may

to the Govt

Officers who were

residence in an unhealthy
~~general~~ climate before entering
God's service have no claim
to the "climatic allowance".
The fact not having been the
cause of inducing them
to take up residence there.

(2) Any one who was born
in a "healthy climate" finds
service in an unhealthy climate
arduous, & therefore all officers
except those born in the unhealthy
climate should automatically
be made eligible for the climatic
allowance when they enter
the permanent service of the
Govt. whether they were at the
time residing in a healthy or an
unhealthy climate.

(3) In the or the Govt. Treasury
view, presumably but
the cause of the difficulties with
application in practice. It may
be that a man is sent out

to serve on agreement in a post
which is ~~the~~ ^{the} ~~best~~ ^{best} ~~or~~ ^{or} ~~the~~ ^{the} ~~most~~ ^{most} ~~healthy~~ ^{healthy}
While in the Colony is transferred
to a post which is less healthy, or
which is of a different nature, so
that his former service cannot
count for pension. Such a
man would enter the permanent
service of the Colony while
residing in an unhealthy
climate.

In view of such difficulties
and having regard to the fact
that similar cases will
arise in Treasury controlled
dependencies, I do not think
that we can say more than
that ~~any~~ ^{every} ~~such~~ ^{such} ~~case~~ ^{case} should
be referred to S.G.S. immediately
an officer who is residing in
an ~~unhealthy~~ unhealthy climate
is appointed (on probation or
agreement) to a post or (in
permanent staff of the
Colony) back case which is

be considered on its merits.

It may, however,
be possible before replying
to send a copy of the despatch
to the Treasury. I ~~propose~~
saying that we propose
to refer the question to ~~the~~ the
S. of S. at once when a
person residing in an
unhealthy climate is ~~not~~
attached to the permanent
staff of the Colony; but
asking what would be the
likely attitude in the
case of a man who went out
to the Colony with a temporary
contract either private or under
the Government, and while there
obtained permanent employment?

81

24/1/24

I do not know of
a case in which the
Treas. have refused to
allow climate allow-
ances on the ground
that the official was
locally

locally engaged and
do not feel inclined
to stir the matter up
with them. We might
get a decision we
didn't like.

The locally engaged
man is chiefly a
Kenya problem, but
not altogether ~~and~~
the number of such
officials is likely to
increase in all the
Dependencies where
there is European
settlement. Kenya
are quite right in
having called
attention to the
point, but it should
I think be thrashed

be considered on its merits

It may, however,

be possible, before replies

to send a copy of the despatch

to the Treasury. ~~to the Treasury~~

~~to the Treasury~~

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26/1/74

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int

out in connection with
the S.A. Peruvian Order
when action of that is
required - and not
in connection with the
present regulations

Reply that the
matter will be considered
in connection with the
Peruvian Order - 9
note accordingly -

As this, so far as the
existing regns. are
concerned the S. of S.
does not propose to
recognise any dis-
tinction between officers
locally engaged & those
engaged in England
in this matter

25/1/24

I agree with Mr. Jeff
that for the last part of his report
I would substitute that so long as
the existing regulations are in
force, the procedure suggested by the
D.C.A. should be followed.

26/1/24

Mr. The first thing we shall have
to decide when we get down to
the Peruvian Order is whether
we have two Orders (one in S.A.)
or one, & the second is what
is to be the description of cases
- for 1 - West African
- Europe

26/1/24

28/1/24

1-1/24

KENYA.

No. 1841.



1691

GOVERNMENT HOUSE,

NAIROBI,

KENYA

17th December, 1923.

481

My Lord Duke,

I have the honour to address Your Grace on a question that has been raised by the Auditor regarding the authorisation necessary for the inclusion of climatic allowance in assessing the pensionable service of retiring officials who were residing in an unhealthy place at the time of their original engagement.

2. Paragraph 1 sub-section 2 (2) of Africa No. 839 dated May, 1922, rules that climatic allowance shall not without the consent of the Treasury apply for pensionable purposes to a person who was residing in an unhealthy place when he entered the permanent Civil Service of the State.

3. As this Colony is no longer subject to the financial control of the Treasury, the sanction of the Lords Commissioners to each individual pension is no longer sought.

4. The Auditor has referred the question to the Director of Colonial Audit, who has expressed the opinion that in all cases where the retiring Officer was residing in an "unhealthy place" at the time he entered the

Public

GRACE

THE DUKE OF DEVONSHIRE, K.G., P.C., G.C.M.G., G.C.V.O.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S. W.

Public Service, this circumstance should be reported to Your Grace with a view to obtain Your Grace's prior authority before the addition of climatic allowance is inserted in paragraph 19 of the prescribed pension forms.

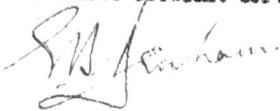
I am of the opinion, however, that it is desirable that all officers should know at the time of their engagement ^{to} what pensionable rights they will subsequently be entitled to.

The point does not appear to have been previously raised, and as it affects the pensionable service of many officials and pensioners, such as Europeans engaged locally and subsequently placed on the pensionable staff, I shall be glad to receive Your Grace's instructions as to the procedure to be adopted in both past and future cases of this nature.

I have the honour to be,

My Lord Duke,

Your Grace's most devoted
and most obedient servant,



GOVERNOR'S DEPUTY.

O. D.
R 29 JAN
D 30

DOWNING STREET,

30 January, 1924.

Sir,

I have etc. to ack. the
of your despatch No. 1941 of the 1st
of December on the subject of the
authorisation necessary for the imple-
mention of climatic allowance in assuring
the pensionable services of retir-
ing officers who were residing in an
unhealthy place at the time of their
original engagement.

2. I propose to consider this
question in connection with the prepar-
ation of legislation dealing with
pensions in the E. Africa Dependencies.
In the meantime, so long as the exist-
ing regulations are in force, I
consider that the procedure suggested
by the Director of Colonial Audit, as
indicated in para.4 of your despatch,
should be observed.

I have, etc.

(SIGNED) J. H. THOMAS

DRAFT.

KENYA.

D: 1/12
BY G. GRYNDON,

MINUTE.

Mr. Beel - 29. 1.24.

Mr. Calder 29.1.24

Mr. Sir C. Davis

Sir G. Grindle

Sir H. Read

Sir J. Merton Smith

Mr. Omsby-Gore

Duke of Devonshire