

officer is entitled to receive a pension under the said Ordinance, such number of years, not exceeding ten, as to the High Commissioner in Council shall seem fit, in respect of his service in Cyprus under the Ottoman Government.

Provided that no such addition shall be made unless it shall appear to the High Commissioner in Council that such officer's service in Cyprus under the Ottoman Government and under Her Majesty the Queen has been one continuous service, without interruption or interval.

3. This Law may be cited as the Pensions Ordinance Amendment Law, 1890. Short title.

2 OF 1905.

TO CONSOLIDATE AND AMEND THE LAWS REGULATING PENSIONS,
GRATUITIES, AND OTHER ALLOWANCES TO BE GRANTED IN
RESPECT OF OFFICES HELD IN THE PUBLIC SERVICE OF CYPRUS.

C. A. KING-HARMAN.]

[May 1, 1905.]

1. This Law may be cited as the Pensions Law, 1905. Short title.

2. The Laws specified in the First Schedule are hereby repealed: Repeal.
Provided that nothing in this Law shall either diminish the rights acquired by any persons under the repealed Laws or affect the pensions granted to any persons who have retired from the public service before the coming into operation of this Law. Otherwise the provisions of this Law shall apply to all public officers now or hereafter serving in Cyprus, and to those who having so served have been transferred to public service elsewhere.

3. There shall be charged on and paid out of the revenue of Cyprus all such sums of money as may, with the sanction of the Secretary of State for the Colonies, from time to time be granted by way of pension, gratuity, or other allowance, in accordance with this Law and with any regulations made thereunder, to persons who have been in the service of Cyprus. Pensions to be charged on revenue of Cyprus.

4. From and after the coming into operation of this Law the Regulations contained in the Second Schedule for the granting of pensions, gratuities, and other allowances to persons who have been in the service of Cyprus shall be in force. Regulations contained in Second Schedule.

Age from which pension earned.

As amended by 5, 1918, 2.

Age at which pension may be granted.

Certificates as to conduct, etc.

Maximum pension grantable.

Maximum pension where officer entitled to pension from another source.

Age for compulsory retirement.
3, 1920, 2.

5. No public officer shall be entitled to a retiring allowance in respect of any service while under the age of sixteen years.

6. Save as provided in Section 14, except in cases of abolition or re-organization of office, no pension, gratuity, or other allowance shall be granted to any public officer who has not attained the age of sixty years, unless on medical evidence to the satisfaction of the High Commissioner in Council or the Secretary of State for the Colonies 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; nor in any case without a certificate from the High Commissioner that he has discharged the duties of his office with such diligence and fidelity as to justify the grant to him of a pension; provided that, if a public officer, though not suffering from any particular illness or infirmity of mind or body likely to be permanent, becomes unfit, in the opinion of the High Commissioner in Council, for the discharge of the duties of the office to which he has been appointed, and such unfitness is not attributable to misconduct or gross negligence, and when the High Commissioner in Council considers that the special circumstances of the case justify the grant to him of a pension, he may be pensioned at the rate not exceeding that for which he would be qualified if he were suffering from an illness or infirmity likely to be permanent.

7. No pension granted under this Law shall exceed two-thirds of the highest salary drawn by an officer at any time in the course of his service.

8. Where an officer eligible for a pension under this Law is also eligible for a pension from Imperial funds, or from the funds of some Colonial or Protectorate Government, the maximum pension which may be granted under this Law shall in ordinary cases be such as, when added to the other pension, does not exceed two-thirds of the highest salary drawn by the officer at any time in the course of his service.

9. A public officer shall retire from the public service of Cyprus on attaining the age of sixty years: Provided that the High Commissioner in Council may, subject to the approval of the Secretary of State, and with the consent of the public officer, extend the period of the service of such public officer.

10. No officer shall have an absolute right to compensation for past services, or to any pension, gratuity, or other allowance under this Law or under any regulations made thereunder; nor shall anything herein or in such regulations contained limit the right of the Crown to dismiss any officer without compensation.

Pensions not
of right.

11. No pension granted under this Law, or under any regulations made thereunder, shall be assignable or transferable, or liable to be attached, sequestered, or levied upon, for or in respect of any debt or claim whatsoever.

Pensions
not to be
assignable.

12. If any person to whom a pension has been granted under this Law, or under any regulations made thereunder, is convicted before any Court in His Majesty's Dominions or in Cyprus of any crime or offence for which he is sentenced to death or penal servitude or transportation, or any term of imprisonment with or without hard labour exceeding twelve months, and does not within two months after the conviction receive His Majesty's free pardon, his pension shall forthwith cease: Provided always that the High Commissioner in Council, with the consent of the Secretary of State, may, if he thinks fit, restore the pension in the case of a person who, after conviction as above described, receives His Majesty's free pardon at any time.

Pensions to
cease on
conviction.

13. If any person to whom a pension has been granted under this Law becomes a bankrupt, the pension shall forthwith cease: Provided always that in any case where a pension ceases by reason of the bankruptcy of the pensioner it shall be lawful for the Secretary of State for the Colonies, or, if the pensioner is resident in Cyprus, then for the High Commissioner in Council, from time to time during the remainder of the pensioner's life, or during such shorter period or periods, either continuous or discontinuous, as the Secretary of State or High Commissioner in Council shall think fit, to pay all or any part of the moneys to which the pensioner would have been entitled by way of pension had he not become a bankrupt to, or apply the same for the maintenance and personal support or benefit of, all or any, exclusive of the other or others, of the following persons, namely, the pensioner and any wife, child or children of his, in such proportions and manner as the Secretary of State or High Commissioner in Council thinks proper.

Pensions to
cease on
bankruptcy.

14. Where an officer who has been in the service of Cyprus and is subsequently transferred to other public service retirement from which is permitted at an earlier age than sixty years retires in conformity with the law and regulations governing such service,

Pensions of
officers
transferred
from Cyprus
retiring before
attaining
sixty.
3, 1917, 2.

such officer may receive pension from Cyprus funds in respect of his Cyprus service as though he had reached the age of sixty years.

FIRST SCHEDULE. (S. 2.)

15 of 1882.

2 of 1883 (Ordinance).

10 of 1895.

9 of 1898.

16 of 1901.

SECOND SCHEDULE. (S. 4.)

REGULATIONS FOR THE GRANTING OF PENSIONS, GRATUITIES, AND OTHER ALLOWANCES, TO PERSONS WHO HAVE BEEN IN THE SERVICE OF THE GOVERNMENT OF CYPRUS.

Definitions.

1. In these regulations the term "pensionable office" means an office which has been declared by the High Commissioner, with the sanction of the Secretary of State, by publication in the *Cyprus Gazette*, to be pensionable: Provided that any office declared to be pensionable under this section may be declared at any time by the High Commissioner, with the sanction of the Secretary of State, by publication in manner aforesaid to be no longer pensionable, due regard being had to existing rights.

The term "salary" includes personal allowance, house allowance or the estimated value of free quarters: Provided that the amount to be allowed for house rent or for estimated value of free quarters shall not exceed one-sixth of the actual salary of the office.

Pensions to whom and at what rates to be granted.

2. Subject to the provisions of the Pensions Law, 1905, and of these Regulations, every public officer holding a pensionable office in Cyprus who has been in the service of Cyprus for ten years or upwards may be granted on his retirement a pension at the rate of ten-sixtieths of his salary with an addition of one-sixtieth in respect of each complete year of such service in excess of ten until forty years' service is reached when a pension of two-thirds of his salary may be granted.

Gratuities.

3. Every officer, otherwise qualified for a pension, who has not completed the minimum period of service qualifying for a pension, may be granted a gratuity, which will be at the rate of half a month's salary for each complete six months of service.

4. If any person holding a pensionable office retire or be removed from the public service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organization of the department to which he belongs, by which greater efficiency and economy can be effected, he may be granted a temporary pension, subject to the condition that he shall hold himself ready to be re-called to service: Provided that if he is not qualified for other employment, or if there is no reason, in the opinion of the High Commissioner, to expect that he can be shortly re-employed, a pension may be granted to him free from the above-mentioned condition.

Abolition of office.

5. In the case of an officer whose office is abolished, his pension may be increased by the addition of a certain number of sixtieths of his salary; that is to say:—

Rates of pension when offices are abolished.

(a.) In the case of an officer who has served twenty years ... 7

(b.) In the case of an officer who has served less than twenty years, but not less than fifteen years ... 5

(c.) In the case of an officer who has served less than fifteen years, but not less than ten years ... 3

No addition shall be made under this section so as to entitle an officer to a higher pension than the maximum of two-thirds, or to a higher pension than that to which he would have been entitled by length of service on reaching the age of sixty years.

6. In the case of an officer whose office is abolished and whose length of service is not such as to entitle him to a pension, a special gratuity not exceeding one and a half month's salary for every year of service may be granted.

Rate of gratuity on abolition when service less than ten years.

7. Where an officer has been permanently injured:—

(a.) In the actual discharge of his duty; and

(b.) Without his own default; and

(c.) By some injury specifically attributable to the nature of his duty,

Officers retiring on account of injuries.

and his retirement is thereby necessitated or materially accelerated, any pension granted to him under these Regulations may be increased in proportion to the extent of his injury, as follows:—

When his capacity to contribute to his support is:—

Slightly impaired	...	...	...	...	Five-sixtieths.
Impaired	...	...	...	...	Ten-sixtieths.
Materially impaired	...	...	...	...	Fifteen-sixtieths.
Totally destroyed	...	...	...	...	Twenty-sixtieths.