



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3290 OF 20TH FEBRUARY, 1947.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 3 OF 1947.

**A LAW TO ESTABLISH A PENSION FUND FOR WIDOWS
AND ORPHANS OF PENSIONABLE OFFICERS OF THE
GOVERNMENT.**

R. E. TURNBULL,] [18th February, 1947.

Officer Administering the Government.

BE it enacted by His Excellency the Officer Adminis-
tering the Government and Commander-in-Chief of
the Colony of Cyprus as follows:—

PART I.—PRELIMINARY.

1. This Law may be cited as the Widows' and Orphans' Short title.
Pensions Law, 1947.

Interpreta-
tion.

2.—(1) In this Law, unless the context otherwise requires—

“actuary” means a Fellow of the Institute of Actuaries in England or of the Faculty of Actuaries in Scotland, or any other institute, faculty or society of actuaries approved by the Governor by notice in the *Gazette* ;

“approved scheme” means a scheme or fund for the granting of pensions to the widows and children of officers in the public service, which has been declared by the Secretary of State to be an approved scheme for the purposes of this Law ;

“beneficiary” means—

(a) the widow of a contributor ;

(b) the child of pensionable age of a contributor, by his marriage with any wife who has died or is not entitled to pension under this Law : Provided that when there are two or more such children of one marriage such children shall constitute one beneficiary ;

“Board” means the Board of Management of the Fund, appointed under the provisions of this Law ;

“contributor” means a person who is contributing to the Fund and, save as otherwise provided in this Law, includes a person who has ceased to contribute or who is exempted from contributing under sub-section (2) of section 9 ;

“expatriation allowance” means a special addition to salary which is granted in accordance with the general regulations of the Government governing such allowance ;

“Fund” means the Fund established under this Law ;

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

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

“pensionable office” means an office which is, as respects the holder thereof, a pensionable office under the Cyprus Pensions Orders and Laws, 1929 to (No. 2) 1946 ;

“public service” means service in a civil capacity under the Government or the Government of any part of His Majesty’s dominions, or of any British Protected State or Protectorate, or of any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty, or of the Anglo-Egyptian Sudan, or under the High Commissioner for Transport in Kenya and Uganda, or any other service which the Secretary of State may determine to be public service for the purposes of this Law ;

“ salary ” means the gross salary attached to the office of which the officer is substantive holder and includes expatriation allowance but does not include any allowance or other emolument or the value of any other advantage which the officer may receive or enjoy.

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

Pensionable age of child.

(3) When the marriage of any contributor has been annulled or dissolved by the decree of any competent court, or otherwise in accordance with the personal law applicable, the female party to such marriage shall, for the purposes of this Law, be deemed to have died, and the contributor shall be deemed to have become a widower, at the date of such annulment or dissolution.

Presumption of death of widow in certain cases.

(4) Where in accordance with the law governing his personal status a contributor is or becomes lawfully married to more than one woman at one and the same time, the words “ wife ” and “ child ” in relation to such contributor shall mean for the purposes of this Law the wife whose marriage was the earliest of such contributor and the child of such contributor by such wife :

Application of Law in case of polygamous marriage.

Provided that in the event of any wife eligible for a pension under this Law ceasing to be so eligible and at the time of such cessation the contributor was lawfully married as aforesaid to another wife or other wives the contributor shall be deemed for the purposes of this Law to have become a widower at the time of such cessation as aforesaid and simultaneously to have married the woman who at such time was his wife and whom he married earliest after his marriage to the wife who has ceased to be eligible as aforesaid.

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

Legitimation

PART II.—ESTABLISHMENT OF FUND AND MANAGEMENT.

3.—(1) A Fund, to be known as the Cyprus Widows' and Orphans' Pension Fund, shall be established for providing pensions for the widows and orphans of contributors to the Fund.

The Fund.

(2) The Fund shall be under the control of a Board of Management. The Treasurer shall be Chairman of the Board, and the remaining members of the Board shall be appointed from time to time by the Governor and shall include a representative or representatives of the contributors.

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

(4) All contributions made by contributors and by the Government under this Law, all interest on investments of the Fund and all sums paid under sub-section (1) of section 6 shall be paid into the Fund.

(5) All moneys belonging to the Fund shall be deposited with the Treasurer and except as regards such part thereof as the Board shall consider it expedient to retain for making payments out of the Fund under this Law, shall, so far as practicable, be invested on behalf of the Fund in such securities, or employed at interest in such manner, as may be approved by the Governor. Any such investment may be at any time changed into securities so approved, and any sums required for making payments out of the Fund under this Law may be raised by the sale or realization of any investments of the Fund :

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

(6) Annual accounts of the transactions of the Fund during the year ended the preceding last day of February, and a statement of the assets of the Fund at that date shall be prepared by the Treasurer and shall be audited and certified every year by the Government Auditor and shall thereafter be laid before the Governor, together with a report by the Board on the working of the Fund, not later than the ensuing thirty-first day of August.

4. Registers shall be kept in which shall be entered the date of the birth of every contributor, and of every wife and child who may become, or shall be, entitled to pension under this Law, and particulars of all contributions paid into the Fund by or on behalf of each contributor, and the pension or pensions for the time being payable in respect of each contributor in the event of his death, and all other dates and particulars respecting contributors and their families material to be recorded for the purposes of this Law.

Registers
of contri-
butors to
be kept.

5.—(1) Every contributor shall within three months of his first becoming a contributor notify to the Board in writing the date of his birth and, if he is then married or a widower with children of pensionable age, the dates of his marriage and of the births of his wife and children, if any.

Information to be furnished by contributors and widows.

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

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

(a) the birth of any child born to him and the date thereof ;

(b) the marriage of any female child of his under the age of twenty-one years ;

(c) the death of his wife or of any of his children of pensionable age occurring while he is a contributor ;

(d) the annulment or dissolution of his marriage and the date thereof.

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

(a) the date of the death of such contributor, if he was not at the time in the service of Government ;

(b) the birth of any posthumous child of such contributor and herself and the date thereof ;

(c) the marriage of any female child of such contributor under the age of twenty-one years ;

(d) the death of any child of such contributor while of pensionable age ;

(e) her own re-marriage or bankruptcy.

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

(6) This section shall not apply to any marriage to which sub-section (1) of section 29 applies or to the wife, widow or child of any such marriage.

6.—(1) A contributor or widow who fails or neglects to comply with any of the requirements of section 5 shall, for each default, be liable, at the discretion of the Governor, to pay to the Board a sum not exceeding two pounds, which may be deducted from his or her salary or pension, as the case may be.

Penalties