



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 399₂ OF 1ST NOVEMBER, 1956.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 32 OF 1956.

**A LAW TO AMEND THE WIDOWS' AND ORPHANS' PENSIONS CAP. 291
LAW.**

JOHN HARDING,]

[27th October, 1956.

Governor.

BE it enacted by His Excellency the Governor and
Commander-in-Chief of the Colony of Cyprus as
follows :—

1. This Law may be cited as the Widows' and Orphans' Short title.
Pensions (Amendment) Law, 1956, and shall be read as one
with the Widows' and Orphans' Pensions Law (hereinafter Cap. 291
referred to as "the principal Law").

Amendment
of section 2
of the
principal
Law.

2. Section 2 of the principal Law is hereby amended as follows :—

(a) by the insertion of the following further proviso to the definition of “beneficiary” in sub-section (1) (the semicolon at the end thereof being substituted by a colon) :—

“ Provided further that a child shall not be a beneficiary in respect of more than one contributor; ”;

(b) by the insertion in sub-section (1) in its proper alphabetical place of the following definition :—

“ ‘Oversea Superannuation Scheme’ means the Oversea Superannuation Scheme established by the Secretary of State for the Colonies with effect from the 1st January, 1951 ; ”;

(c) by the insertion of the following proviso to sub-section (2) (the full stop at the end thereof being substituted by a colon) :—

“ Provided that a child who, at the date of the contributor’s death, is twenty-five years old or under and who, at that date is receiving full-time education at an educational institution approved by the Government, shall be deemed to be of pensionable age for the purposes of this Law. ”;

(d) by the addition immediately after sub-section (5) of the following new sub-section :—

“ Adoption.

(6)—(a) A child adopted by a contributor while he is married to any wife shall, for the purposes of this Law, be deemed to be the child of the contributor by that marriage if—

(i) the contributor adopted the child before he retired from the public service ;

(ii) the contributor was under the age of fifty-five at the time of the adoption ; and

(iii) the adoption was in accordance with the law of the place where the contributor was resident at the time of the adoption.

(b) The child of a contributor who is adopted by any other person in accordance with the law of the place where such person was resident at the time of the adoption shall not be entitled to benefit under this Law unless the contributor so elects by notice in writing to the Accountant-General or to the Crown Agents given within

twelve months of the date of the adoption order or within such longer period as the Governor may permit.

(c) Nothing in this sub-section shall entitle an adopted child to be paid a pension or a share in any pension where the payment to him of such pension or such share would diminish the pension or the share of any pension immediately payable or being paid at the date of the coming into operation of the Widows' and Orphans' Pensions (Amendment) Law, 1956, to the widow or to any child or children by marriage of the contributor."

3.—(1) Section 3 of the principal Law is hereby amended by the substitution for sub-section (6) of the following sub-section :—

Amendment
of section 3
of the
principal
Law.

"(6) Annual accounts of the transactions of the Fund during the year ended the preceding last day of December, and a statement of the assets of the Fund at that date shall be prepared by the Accountant-General 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 thirtieth day of June."

(2) This section shall be deemed to have come into operation on the first day of January, 1956.

4. Section 7 of the principal Law is hereby amended by the substitution for the word "less" (line 1) of the word "more".

Amendment
of section 7
of the
principal
Law.

5.—(1) Section 8 of the principal Law is hereby amended by the insertion therein immediately after paragraph (c) thereof of the following sub-paragraph (the full stop at the end thereof being substituted by a semicolon) :—

Amendment
of section 8
of the
principal
Law.

"(d) any officer who has claimed exemption from the obligation to become a contributor under section 8A and who subsequently becomes ineligible to continue as a contributor to the Oversea Superannuation Scheme, shall become a contributor under the provisions of this Law from the date on which he ceases to be a contributor in the said Scheme unless he is otherwise ineligible or not liable to do so."

(2) This section shall be deemed to have come into operation on the first day of January, 1951.

Amendment
of the
principal
Law by the
insertion of
a new section
8A.

6.—(1) The principal Law is hereby amended by the insertion therein, immediately after section 8, of the following new section —

“Contributors to the Oversea Superannuation Scheme.

8A.—(1) Any officer who is or becomes a contributor to the Oversea Superannuation Scheme may claim exemption from the obligation to become or to continue to be a contributor under this Law, provided that every such claim shall be made in writing and shall be received by the Accountant-General within three months from the date upon which such officer first became a contributor to the said Scheme or not later than three months after the appointed date, whichever shall be the later.

(2) Every such claim for exemption shall take effect from the date upon which the officer first became a contributor to the said Oversea Superannuation Scheme and the amount of any contributions which he shall have made under this Law since that date shall be refunded to him without interest.

(3) As from the date upon which any such claim to exemption shall take effect, the officer by whom the claim was made shall be deemed, in respect of all rights arising from his contributions made under this Law prior to that date, be subject to the provisions of sections 18 and 19 to the same extent as if he had left the service of the Government on that date.

(4) For the purposes of this section ‘appointed date’ means the date appointed by the Governor by a notice in the *Gazette*.”.

(2) This section shall be deemed to have come into operation on the first day of January, 1951.

Amendment
of section 9
of the
principal
Law.

7.—(1) Sub-section (1) of section 9 of the principal Law is hereby amended as follows :—

(a) by the substitution for paragraph (f) of the following paragraph :—

“(f) persons whose salary for the time being does not exceed four hundred and fifty pounds per annum ;”;

(b) by the deletion of the word “and” at the end of paragraph (g) and the substitution for the full stop at the end of paragraph (h) of a semicolon and the insertion immediately thereafter of the following new paragraphs :—

“(i) contributors to the Oversea Superannuation Scheme for so long as they are required to contribute thereto, unless already contributing under this Law ; and

(j) members of the Cyprus Police Force below the rank of Assistant Superintendent of Police and members of the Prison Service below the rank of Assistant Superintendent of Prisons.”.

(2) Paragraphs (f) and (j) as inserted in sub-section (1) of section 9 of the principal Law by paragraphs (a) and (b) respectively of sub-section (1) of this section shall be deemed to have come into operation on the first day of January, 1953 :

Provided that a person who, immediately prior to the date of the coming into operation of this Law, is a contributor shall continue to be such a contributor irrespective of whether his salary does or does not exceed four hundred and fifty pounds per annum.

8. Sub-section (1) of section 10 of the principal Law is hereby amended by the substitution for the words “ per annum of his annual salary or pension for the time being : ” (lines 3 and 4) of the words “ of the monthly salary or pension for the time being calculated to the nearest multiple of five mils : ”.

Amendment
of section 10
of the
principal
Law.

9.—(1) Section 11 of the principal Law is hereby amended as follows :—

Amendment
of section 11
of the
principal
Law.

(a) by the substitution in sub-section (1) for the words “ at the rate of four per centum per annum of his annual salary ” (lines 5 and 6) of the words “ equal to the contribution of the officer ” ;

(b) by the substitution in sub-section (3) for the words “ at the rate of four per centum per annum of the annual amount of such pension ” (lines 4 and 5) of the words “ equal to his contribution ” ;

(c) by the deletion of sub-section (5) and the re-numbering of sub-section (6) as sub-section (5).

(2) For the purpose of the calculation of any pension of any contributor who is a contributor under an approved scheme Government’s contribution in respect of the period between the first day of March, 1952, and the date of the coming into operation of this Law shall be deemed to have been the four-fifths of such contributor’s contribution to the Fund during that period.

10. Sub-section (2) of section 17 of the principal Law is hereby amended by the substitution for the words “ thirty-first day of March ” (line 3) of the words “ thirty-first day of December ”.

Amendment
of section 17
of the
principal
Law.

11. The First and Second Schedules to the principal Law are hereby repealed and the following Schedules substituted therefor :—

Repeal of the
First and
Second
Schedules to
the principal
Law and
substitution
of new
Schedules.