

1933.

Kenya

No. 3076.

(Part 1.)

SUBJECT

C0533/433

Terms of Service.

Previous

18078/32.

Subsequent

Loc 3531/35. Uganda

Part 2.

Shannon Registry
(Filed on 1/25/33)
in 507

Governor Byrnes 10 ^{Conf} 24 Jan 33
Trans via copies of report of Local Engineer C.S. Butler
or memorandum thereon & states that a Local Service Board
has been appointed giving details of terms of reference. State
further despatch will be sent when Board's report is received.

No action is called for at present
C.S.D. should see

H.P. Price

14/2/33

(I have not delayed this to study it at length
but be glad if it could be recommended to you
later)

H.P. Price
10/2/33

Shannon Registry
(Filed on 1/25/33)

Govt Secretary 6 6 Feb 33
Trans 12 copies of Sessional Paper No 1

3. Governor Agents 11 Feb 33
Trans a copy of a letter from Govt Agent, Mombasa
or wherever it is desired that steamship accommodation
for officers should be provided on the scale shown therein.

In form C.A. their terms in query
should be directed to the Colonial
Secretary of Kenya Colony

H.P. Price

24/2/33

R311 To 206 afterwards

The Circular from Kenya setting out the
revised terms of services did not take into
account the regrading of accommodation in the
British India Steamers. Details of this regrading

are given in 27005/9 P.A.

The rates are very little different from those given in the Kenya Circular, and since the Coast Agent doubtless received instructions from the Kenya Government the Crown Agents may be informed that the new grades may be adopted immediately if any passage arrangements that may already have been made should however be allowed to stand.

As regards the basis on which savings for family passages should be calculated the position is not quite so clear.

The point arises on 27005/9 P.A.

The effect of the ruling on that paper was briefly that the £80 (G) grade should remain the normal grade for first class officers and the £55 (M) should remain the normal grade for second class officers but that owing to shortage of "G" and "M" grade berths other accommodation should be utilised. There was therefore no objection to the £80 and £55 grade being regarded as the normal grades for the purpose of calculating savings.

The position in Kenya is however rather different as posts have been definitely placed in other categories for passage purposes. Unless therefore the position is made clear by a further regulation it is possible that an officer now privileged to travel by the £85 grade will claim that

under

under the regulations (section 19 of Act No. 1) he is entitled, if he travels by a lower grade, to apply the whole savings calculated on that figure towards the cost of his family's passages.

This might be avoided by the issue of a local circular to the effect that officers in category (a) (1) will be privileged to travel in Grade (G) £80 accommodation in British India Steamers but owing to shortage of accommodation in that grade will normally be allowed to travel in the higher grade F. that in any case savings towards the cost of family passages will be based on the cost (£80) of a Grade (G) passage; similarly that officers in category A (iii) and (iv) will be privileged to travel in grade "M" (£55) but will since accommodation in this grade is limited, normally be booked in grade "N" (£57); savings being calculated on grade "M" (£55).

The adoption of such a rule in Kenya might be suggested to the Governor, the reasons for its necessity being explained briefly.

Another matter which requires looking into is whether any difficulty is likely to arise over the grant of second class passage privileges to Nursing Sisters. Hitherto all Nurses in East Africa have been granted first class passage privileges. I have so far been unable to ascertain whether there are any special reasons for this. First class passages are stipulated in the pamphlet regarding the appointment of Nurses. The papers might be recirculated for this point to be looked up.

J.F. King

Mr. Verney has seen 28.2.33

Shannon Registry
(filed in file)
Jan 30/33

1. Governor Bygone 10 ^{Conf} 24 Jan 33
Trans via copies of report of Local Engineer C.S. Butler
or memorandum thereon & states that a Local Service Board
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further despatch will find when Board's report is received.
No action is called for at present
C.S.D. should see

H. P. Ross's file
14/2/33

(I have not delayed this to study it at length
but be glad if it could be recommended to you
later)

A. H. [Signature]
10/1/33

Shannon Registry
(filed in file)
10/1/33

2. Genl Secretary the _____ 6 Jan 33
Trans 12 copies of Sessional Paper No 1
3. Crown Agents _____ 11 Feb 33

Encs a copy of a letter from Govt Coast Agent, Mumbai
recommending that it is desired that steamship accommodation
for officers should be provided on the scale shown thereon

In former C.A. letter this inquiry
should be directed to the Colonial
Secretary of Kenya Colony

H. P. Ross's file
24/2/33

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The position in Kenya is however rather different as posts have been definitely placed in other categories for passage purposes. Unless therefore the position is made clear by a further regulation it is possible that an officer now privileged to travel by the £85 grade will claim that
under

under the regulations (section 15 of Article 3) he is entitled, if he travels on a lower grade, to apply the whole savings calculated on that figure towards the cost of his family's passages.

This might be avoided by the issue of a local circular to the effect that officers in category (a) (1) will be privileged to travel in Grade (F) £80 accommodation in British India Steamers but owing to shortage of accommodation in that grade will normally be allowed to travel in the higher grade F. that in any case savings towards the cost of family passages will be based on the cost (£80) of a Grade (G) passage; similarly that officers in category (a) (ii) and (ii) will be privileged to travel in grade "M" (£55) but will since accommodation in this grade is limited normally be booked in grade "G" (£80); savings being calculated on grade "M" (£55)

The adoption of such a rule in Kenya might be suggested to the Governor, the reasons for its necessity being explained briefly.

Another matter which requires looking into is whether any difficulty is likely to arise over the grant of second class passage privileges to Nursing Sisters. Hitherto all Nurses in East Africa have been granted first class passage privileges. I have so far been unable to ascertain whether there are any special reasons for this. First class passages are stipulated in the pamphlet regarding the appointment of Nurses. The papers might be recirculated for this point to be looked up.

*I think have
get your
done in
all cases*

J.F. King
Mr. Verrill has seen
28. 2. 33

M. Acheson

Any doubt as regards Nursing Sisters?

Adair
6/3

The circular will be found as the last enclosure to No. 3. So far as Nursing Sisters are concerned, the general effect is that they will travel second class instead of first, and will receive the same type of accommodation as is given to the more senior of the lower grades of European Officers such as Inspectors of Police, Overseers in the Public Works Department, etc.

The general view in this matter which has, so far as I am aware, always been observed, is that Nursing Sisters, although paid at rather low rates, should be treated in all other respects as first-class officers on the ground, I suppose, that it is hardly fair to call upon them to associate during the voyage with the lower grades of European Officers of the Foreman of Works and Junior Clerk type, and with some of the unofficial passengers who travel second class. Personally I should have preferred to see this principle retained in Kenya and to have put the Nursing Sisters, for passage purposes, into category A(2), in which event they would have been given the class of passage allotted to officers drawing salary between £400 and £640, and I suspect that, unless this is done, we shall have complaints probably voiced through the Overseas Nursing Association.

On the other hand, it is clear from para. 3 of the first enclosure to No. 3 that the Kenya

Kenya Government has given specific consideration to Nursing Sisters and in these times it is difficult for the Secretary of State to object to any measure of economy.

It may be that the Committee will be now considering the question of ~~leave~~ ^{leave} passages, and it is proposed to recommend that Nurses should travel second class in future. If so, we need say nothing to Kenya. Otherwise I should be disposed to put the point to Kenya and to say that if the ^{change} ~~governor~~ ^{has been made for reasons of economy,} ~~adheres to the view that Nurses should travel second class,~~ the Secretary of State would be glad to be furnished with an estimate of the additional expenditure which would be involved annually if they were placed in the £400 - £640 grade for passage purposes.

We might also observe that it is not clear to what extent the new instructions as regards passages would involve officers generally in the necessity of travelling by a lower grade than that to which they have been accustomed in the past, and that there seems no special reason why Nurses should be required to make sacrifices in this respect if others do not.

Adair
6/3

R. King

Pt. aft. on line suggested in your minute, leaving for later consideration the question of Nursing Sisters' accommodation

Adair
8/3

H. To B.A. (Sandra)

copy retained
4000/1/3168

to Ser. 210 (4/20 3+4) com

23 MAR 1933

Trans. six copies of Report of the Local Asiatic Civil Service Committee. Will submit comments in due course.

Para 7 is of interest. In this connection the local representative advisory C.C. in para 4 & 5 of their Report contemplate that with a few exceptions, all future recruitments to the Asiatic Civil Service of Kenya will be made locally and will not carry overseas privileges. The former's comments may be awaited but in the meantime C.S.D. should see.

H.A. Potts M.A.
25/3/33

J. Macdonald

253

See in section (or on p. 6) detailed notes previous ones not call for any comment at this time. (See section) etc.

See file not
303 614

P.H.
J. Macdonald
44 etc.

They will send a job to get enough good men in Kenya.

7. Paper circulated in connection with the 4. Gov. Conf. 1933

8. Extract from proceedings of 2. 4. 1933 conference 1933

Note
The Gov. of Kenya proposes amendment of the name of Service (to be not stated) (which was a not subject to Council 1933 conference)

9. Secretariat Circular No. 4. 28. 1933
"Terms of Service"

10. Govt Order 800 of 1932
"Local Service Board"

11. Governor's Order 347 (1. 1. 1933)

Trans. copies of Bulletin Report of the Local Service Board & stills has agreed to adopt Board's recommendations relating to scaling of salary & to obtain views of European Civil Servants Assn. when the latter is formed

Shankar Lal Nayak

No. 11. Transferred to 4005/11/33 EA

11. Governor's Order 347 - 6. 1. 1933
Enquires whether in view of Clause 13 the necessity of the issue of further local regulation regarding passages no longer exists.

12. Governor's Order 364 - 9. 1. 1933
Trans. copy of letter from the European Civil Servants Assn. enclosing a memorandum on records of the Empire, Adjoining Countries.

7-8. Local European Service
? No action is exact for at present
? C.S.D. should see with No. 1
9. ? Pat. by

(10) Local European Servics

The Foreman has agreed to adopt the recommendations of the Civil Servics Board relating to scale of salary, & to obtain the views of the European Civil Servants' Association on the Board's Interim Report, in general.

12A

This was mentioned at a Conference with Sir J. Byrne at the Co. on 13 July (See note No 13 on file)

? This may be put by.

(12)

This was also mentioned at the Conference on 13 July (See note on 3076/2/33)

? put by

C. A. Foreman
77/33

J. L. to Mr. Fitzgerald

Handwritten signature

113 To Fitzgerald etc. done 2/7/33

Handwritten note at bottom

6
13

C. O.

3076/32

- Mr. ~~Tracy~~ 7/1
- Mr. ~~Hood~~ 18.7/32
- Mr. ~~Parsons~~
- Mr. ~~Tomlinson~~
- Mr. ~~C. Bottomley~~
- Mr. ~~L. Shackburgh~~
- Exec. U.S. of S.
- Pres. U.S. of S.
- Secretary of State.

Keary

C. O.
 JUL 18 1933
 D

21 JUL 1933

DRAFT

Dear Fitzgerald

T. Fitzgerald Esq. 06/10
 6, Crisp Terrace
 DUBLIN
 G. Dublin
 IFS]

We have taken advantage
 of Sir Joseph Byrne's presence
 in London to discuss with him
 a number of points connected
 with the proposed European Coal
 & Steel Community, and our
 meeting has covered one which
 your opinion would be
 most helpful.

You will remember that
 the 1932 Committee, of which
 you were Chairman,
 recommended the adoption

(27)

of a Contributory Pension Scheme;
and the Civil Service Board, in
their Interim Report, endorsed this
recommendation, suggesting that "some
Dominion or semi-government scheme
should be applied in toto as an
interim measure."

Unfortunately, we have no
ready access to such Dominion or
semi-govt. schemes as may exist;
and even if the material were
collected, we anticipate that a
good deal of modification would
be required, in order to safely
satisfy the conditions before adoption
by Keweenaw. The all takes time,
and holds up the main decision which
are becoming more urgent than ever.

The alternative is a Provident Fund
Scheme, and here you have a complete
system in successful operation in the
Railway. We are strongly inclined therefore

para 15 of end
N^o 10.

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson

Mr. Tomlinson

Sir C. Bottomley

Mr. J. Shackleton

For the U.S. of S.

Party U.S. of S.

Secretary of State.

DRAFT.

7
to propose to Keweenaw that they should
adopt the Railway scheme for the Local
European Service. Sir Joseph, I
gather, is quite prepared to agree, if
you see no objection but before
committing himself finally he is
naturally anxious to know the
views of the Chairman of the two
Committees who went into the
question on the spot.

Our discussion with the
Governor are to be resumed on
the 28th of July, and I should
be very grateful if you could
let me have an indication
of your own views (and those
of your fellow-Committeemen), so
far as you feel able to
interferent them), before that

date:

Your sincerely

Signed J. E. W. FLOOR

Note of conclusions reached at a discussion in Mr. Tomlinson's room on 14th July, 1933, regarding the Kenya Local European Civil Service.

- Present
- Sir Joseph Byrne (Governor of Kenya.
 - Mr. Tomlinson
 - Mr. Flood
 - Mr. Jeffries
 - Mr. Freeston.

Position of officers recruited in England on agreement. (Kenya Secretariat Circular No. 48. 10th December, 1932)

a. Sir Joseph Byrne agreed that a person who had completed 2 ordinary tours or 6 years service, whichever is less, should not be required to accept the Local Civil Service terms on re-engagement.

b. Any person who has not completed 2 tours or 6 years service, whichever is less, will be required to accept the Local Civil Service terms on re-engagement. The Local Civil Service terms will apply to all new entrants, engaged on agreement.

Hard Cases.

Sir Joseph Byrne agreed that any hard cases arising out of (b) should be reviewed by the Governor in Council.

Salary Scales.

Sir Joseph Byrne pointed out that the Kenya Civil Service Board had submitted an Interim Report recommending the salary scales for the Local European Civil Service, but that the scales recommended, are based

based on the assumption that a 10% reduction from salary will be made to cover contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pension Scheme.

He thought that particulars of the Contributory Pensions Scheme would not be available for some time. The relative merits of a Contributory Pensions Scheme and a Provident Fund were discussed, it being pointed out that a model for a Provident Fund was already available.

Sir Joseph agreed to discuss this question further on the afternoon of 28th July. In the meantime a letter is to be sent to Mr. Fitzgerald to ascertain whether, in his opinion, his Committee would agree to the institution of a Provident Fund in place of the proposed Contributory Pensions Scheme.

10 176



KENYA.

No. 364

GOVERNMENT HOUSE,
NAIROBI,
KENYA

26 JUN 1933

9th June, 1933.

O. O. REGY

Sir,

9174/14/33
General
case

Lt. from E.C.S.A.
4/11.4.33 with encls.

With reference to Kenya despatch No. 249 of the 22nd April, on the subject of Terms of Service, I have the honour to transmit the accompanying copy of a letter dated the 11th April from the European Civil Servants' Association of Kenya enclosing a memorandum on the subject of recommendations contained in the Report of the Expenditure Advisory Committee.

2. The Association has recently requested that you may be supplied with a copy of the enclosures for your information. It is not proposed to comment on the memorandum as a whole but reference will be made to the views of the Association, where such a course seems desirable, when forwarding the views of the Government on the Committee's recommendations.

I have the honour to be,

Sir,

Your most obedient, humble servant

W. A. B. B. B.
for J. A. Byrnes.

BRIGADIER-GENERAL.
GOVERNOR.

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFFE-LISTER, F.C., G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S.W.

The Hon. Colonial Secretary,
Nairobi.

Sir,

Re: Report of Expenditure Advisory Committee.

I have the honour to inform you that the General Council of the Association has had under consideration the Report of the Expenditure Advisory Committee and has adopted a Memorandum, of which copies are enclosed.

2. Although my Council has not, on this matter, been directly referred to by Government, the hope is expressed that a statement of its views will not be unwelcome or too late for consideration. My Council respectfully ventures to express the hope that the assurances given on several occasions by His Excellency and by past governors that the Association would, whenever possible, be consulted on matters affecting the terms and conditions of the Service before decisions were reached, will not be overlooked. It is the earnest desire of my Council to cooperate with Government in the fullest possible manner in the development of an efficient and contented service.

3. With special reference to the comments in the Memorandum on para. 59 of the Report, details have been obtained of the terms of service in the Banks and other Companies operating in Kenya. A schedule is attached showing a comparison of these terms with those at present in force in Government service. It should be observed that these Companies recruit their staffs from the same class of public school men as that to which Government turns for its supply of Administrative Cadets, which in the Report are taken as the norm of Government Service. From the schedule it will be seen that in many respects the conditions of commercial service are distinctly more favourable than the existing conditions of Government Service and that the terms proposed by the Expenditure Advisory Committee fall short of the standard of reputable commercial firms.

4. It is understood that a Select Committee of the Legislative Council has been appointed to consider and report on the 1928 Estimates in relation to the Expenditure Advisory Committee's Report. My Council respectfully asks that copies of the enclosed Memorandum may be placed before the Select Committee.

I have the honour to be,

Sir,

Your Obedient Servant,

Sd. E. B. Armstrong

~~SECRET~~

11

COPY.

REPORT OF COMMITTEE APPOINTED TO CONSIDER
THE REPORT OF THE EXPENDITURE ADVISORY COMMITTEE.

The Committee has considered in detail the Sections of the Expenditure Advisory Committee's Report which have a bearing on conditions of service in general, and submits the following comments.

SECTION I - GENERAL.

Para. 57.

We are unable in general to agree with the conclusions set forth in view of the curtailment of privileges that has already taken place during the past two years.

Para. 59.

The last sentence of this paragraph is open to serious criticism in that the terms and conditions proposed and elaborated in the succeeding sections of this chapter do not compare favourably with the terms of service with such organisations as Banks, and Oil and Shipping Companies, with which Government service may fairly be considered to be comparable. It should be observed that the staff of these commercial firms are almost invariably stationed in places where living conditions are reasonably good and healthy, whereas Government servants are liable to be stationed in unhealthy and remote districts.

Further, the terms which it is proposed to offer to new entrants are not, in our opinion, sufficiently attractive to secure the best type of recruit for the Kenya Service, and are likely to place Kenya in an unfavourable position in relation to other Services where the conditions are more generous. It is essential for the future of Kenya that the terms of Government Service be made sufficiently attractive to secure the services of the best type of officer available. On the principle that efficiency is economy, the cost of such a service will prove to be a financially sound investment.

On general grounds we deprecate at the present stage any interference with the principal terms of service for overseas recruits until the conditions of the unified Colonial Service, which it is the aim of the Secretary of State to establish, are known and are ready for application.

Para. 49.

We support the proposals for the inauguration of a Local Civil Service for Europeans only in respect of new entrants to the Service, vide our comments on paragraphs 78 - 81. No definition has been given of a "local applicant", and it is not clear whether the term would be applied indiscriminately to any person who applies locally for a post, no matter from whence he comes, or only to residents in the Colony. Some steps should be taken by Government to protect the interests of young people growing up in the Colony who may be aspirants for Government Service from an influx of probable applicants from other parts of the world.

SECTION II - OVERSEAS SERVICE.

Para. 41.

Application of Revised Terms on Promotion.

We consider that in general a reasonable prospect of

- promotion -

promotion is a definite attraction and one that is taken into consideration by officers entering the Service. To rob them of this prospect, or materially to alter the conditions of service on promotion, would penalise the most competent officers, and is regarded as being just as much a breach of faith as robbing them of actual increments of salary; for most officers promotion is regarded more or less as a normal increment.

Para. 43 and 44 - Quarters.

We note the recommendation that the existing contractual privilege in respect of quarters be discontinued for new entrants to the service, and have already recorded our views as to the application of revised terms of service to officers on promotion. It is not clear, however, from the wording of this paragraph at what rate it is proposed to consolidate house allowance in salaries. If it is proposed to make the existing salaries attached to the posts concerned the consolidated salary, we submit that the proposal is inequitable.

Many officers, particularly in outstations, are occupying quarters of a very inferior type, the value of which does not reach even the figure mentioned, viz. 6% of salaries. It is suggested, therefore, that any rental be levied only in respect of occupation of buildings that are definitely "on charge". The position of officers who have purchased their own houses but who were unable for various reasons to participate in the Government aided Building Scheme, has also to be considered.

Para. 47 - Leave Overseas.

We would draw attention to the fact that the application of the terms here laid down in Secretariat Circular No. 46 of 1932 limited to a period of five years. The proposal in this paragraph is unlimited. We would urge that the existing limit be maintained and that, on the expiration of the period, the position be re-examined in the light of experience of recruits.

We would draw attention to the anomaly created by Joint Services such as the Postal and Customs Departments in which the officers serve in different East African Dependencies where differing conditions apply.

Para. 52 - Local Leave.

We have no comment to offer.

Para. 54 - 57. - Passages.

We would urge that no departure be made from the conditions laid down in the Secretariat Circular now in force.

Para. 57.

We consider that an exception should be made to the proposed restriction in respect of officers who are married at the time of their appointment and accepted as such.

Para. 63 - Cadre System.

The long scale salary system was introduced on the West African model after very careful consideration, and we consider that the reasons which justified its introduction are as forcible now as ever they were, and we can see no sound reason for departure from it, provided that the efficiency bars are made effective, thus opening the way to the accelerated promotion of efficient officers.

Para. 64 - Increments.

We are at one with the Committee in its desire to increase

the efficiency of the Service. We would, however, protest against the proposal to institute annual Efficiency Bars, and to vest in the Head of a Department the powers recommended in this paragraph, the operation of which may be unfair, ineffective, and dangerous. In our view the proper method of dealing with this problem is to make the Efficiency Bars more effective.

Para. 65 - Free Quarters.

See the comments on paragraph 45.

Para. 66 - Age of Retirement.

We have no comments to offer except to observe that there is in the Report no indication of the medical views on the subject, and to recommend that whilst leaving the normal age of retirement at 55 years, an option be given to retire at the age of 50 years on proportionate pension.

Paras. 65 - 76. - Pensions.

Again we would emphasise the extreme undesirability of interference on promotion with the pension terms of officers who are now in the pensionable service until the unified Colonial Service terms and conditions are known.

We would urge the importance of inaugurating a contributory pension scheme, for the benefit of officers who are at present non-pensionable, as early as possible.

SECTION III - LOCAL EUROPEAN SERVICE.

Para. 76 - 81.

We cannot agree that the proposal to give immediate notice of termination of contracts to all officers who have completed less than 10 years continuous service is either reasonable or just. We consider that as the service has now, through force of circumstances, been reduced to the smallest possible proportion compatible with keeping a reasonably efficient Government machine in being, and the presumption is that those who have weathered the storm have proved their worth, it is only equitable that those officers who are on agreement and who have completed their first tour of service should be admitted to the permanent and pensionable staff in accordance with the terms upon which they were engaged. The Local Service conditions would then apply only to new entrants and those at present on temporary terms, and would, in fact, be a "Local Service". We would most strongly urge that the confirmation of appointments which have been recommended and are awaiting acceptance should be completed forthwith on the existing terms. In any event, we would request that officers on agreement should be allowed to terminate their existing contracts of service before they are placed in the position of having to leave the service or accept revised terms.

We cannot agree with the last sentence of paragraph 81. If the officers to which this sentence refers must be regarded as being in the temporary employment of the Crown, both in theory and in fact, why is not an officer brought out on the minimum salary of his scale when every fresh agreement is signed?

SECTION IV - ALLOWANCES.

Para. 85 - Acting Allowances.

We consider that the existing regulations are equitable and should not be altered.

Para. 94 - Travelling Allowances.

We have no comment to offer on these proposals.

Para. 98. - Mileage Allowances.

We are far from satisfied that, taking into consideration the increased price of petrol and the increased cost of accessories for American cars (on account of the adverse rate of exchange), any reduction in the existing mileage allowance can be justified. Especially in respect of up-country districts (where the cost of petrol and accessories is up to 25% more than in Nairobi) and of areas where the roads are still in bad condition, a reduction appears to be unwarranted. We cannot understand the reason for proposing that after the first 3,000 miles in any calendar year, the rate should drop from 60 cents per mile to 40 cents. It is precisely at that stage that running costs increase by reason of heavier repair and replacement bills. The initial rate proposed is so low as to provide no inducement for unnecessary running. It is urged therefore that, if for reasons of Government economy, the revised scale be adopted, there should be no reduction throughout the year, and that a graduated allowance, rising up to the scale for the Northern Frontier and Turkana districts, be authorised for officers stationed in outlying districts.

Paras. 101 - 104 - Medical Attendance.

We would raise the strongest objection to the proposed abolition of free medical treatment for wives and families of officers. In the absence of provision for medical attendance and hospital treatment at low cost, such as can be found in even the smallest towns in Great Britain, we would urge the duty of Government as an employer to continue the existing provision for its staff and free service to families.

Para. 105.

We have no objection to this clause subject to the addition of the words "except when ordered by a Government Medical Officer".

Para. 106 - Office Hours.

We take strong exception to the proposal to add half an hour per day to Government office hours, and would point out that both European and non-European officers with the utmost willingness and loyalty, have always been ready to put in many hours of overtime, and are now very frequently doing so when pressure of work demands; that an increase in office hours would not make any effective difference either to the output of work or to the number of officers required to perform the same amount of work; that much of the most valuable work in districts is done out of office hours and regardless of a time schedule which is applicable more to the Nairobi offices with which the Committee is evidently more familiar; and as regards Nairobi that for the past 11 years the office hours of Civil Servants employed there have been half an hour longer than those of officers in other parts of the Colony and Protectorate. The adoption of the proposal would cause a feeling of grave irritation and would certainly not be conducive to the promotion of efficient and loyal services.

(Sd.) C. S. Mortimer

CONVENER.

SCHEDULE.

COMPARISON OF SERVICE WITH KENYA GOVERNMENT, BANKS AND OIL COMPANIES.

15

KENYA ADMINISTRATION.		BANK		OIL COMPANY
PUBLIC SCHOOL		EDUCATION UP TO		AGE OF 18/19
University: 4 to 5 years. B.A. with honours (?) Cost about £1,000.		Bank on salary. Matriculation. Banker's Institute. Junior and Senior Exams.		? University or business Training.
AGE 24. Cadet: Kenya Administration.		Bank: Overseas Service.		<u>Oil Company: Overseas Service.</u>
Existing terms:	Proposed terms:			
Initial salary £400.	£556	£300 + £120 = £420		£425 + £35 = £460
Housing: value + £60 Levy. - £24	- £21 - £21	+ £36		- £63
Pension contribution Nil				10% = - £45
Net Salary - House Allow. £456	£508	2456		£554
After 10 yrs. Service. £680	£690	£600 to £700		£800 to £1000
Housing. Levy. £40	+ £56 + £36	+ £36		
Net salary after 10 yrs. £716	£528	say £700		say £660

- 4 -

Para. 94 - Travelling Allowances.

We have no comment to offer on these proposals.

Para. 98. - Mileage Allowances.

We are far from satisfied that, taking into consideration the increased price of petrol and the increased cost of accessories for American cars (on account of the adverse rate of exchange), any reduction in the existing mileage allowance can be justified. Especially in respect of up-country districts (where the cost of petrol and accessories is up to 25% more than in Nairobi) and of areas where the roads are still in bad condition, a reduction appears to be unwarranted. We cannot understand the reason for proposing that after the first 3,000 miles in any calendar year, the rate should drop from 50 cents per mile to 40 cents. It is precisely at that stage that running costs increase by reason of heavier repair and replacement bills. The initial rate proposed is so low as to provide no inducement for unnecessary running. It is urged therefore that, if for reasons of Government economy, the revised scale be adopted, there should be no reduction throughout the year, and that a graduated allowance, rising up to the scale for the Northern Frontier and Turkana districts, be authorised for officers stationed in outlying districts.

Paras. 101 - 104 - Medical Attendance.

We would raise the strongest objection to the proposed abolition of free medical treatment for wives and families of officers. In the absence of provision for medical attendance and hospital treatment at low cost, such as can be found in even the smallest towns in Great Britain, we would urge the duty of Government as an employer to continue the existing provision for its staff and free service to families.

Para. 105.

We have no objection to this clause subject to the addition of the words "except when ordered by a Government Medical Officer".

Para. 108 - Office Hours.

We take strong exception to the proposal to add half an hour per day to Government office hours, and would point out that both European and non-European officers with the utmost willingness and loyalty, have always been ready to put in many hours of overtime, and are now very frequently doing so when pressure of work demands; that an increase in office hours would not make any effective difference either to the output of work or to the number of officers required to perform the same amount of work; that much of the most valuable work in districts is done out of office hours and regardless of a time schedule which is applicable more to the Nairobi offices with which the Committee is evidently more familiar; and as regards Nairobi that for the past 11 years the office hours of Civil Servants employed there have been half an hour longer than those of officers in other parts of the Colony and Protectorate. The adoption of the proposal would cause a feeling of grave irritation and would certainly not be conducive to the promotion of efficient and loyal service.

(Sd.) C.E. Mortimer

CONVENER.

(origa 4002/33KA)

(b) Report of the Local European Civil Service Committee.

A Civil Service Board which I appointed in December last has submitted an Interim Report, copies of which I transmit for your information.

Upon the advice of Executive Council I have agreed to adopt the Board's recommendations relating to scales of salary and to obtain the views of the European Civil Servants' Association upon the Interim Report in general.

It is intended that the Board shall now proceed to consider the introduction of a Contributory Pensions Scheme or Provident Fund and to make detailed recommendations, in accordance with its third term of reference, as to the points in the agreed scales of salary at which officers recommended for the Local Civil Service should transfer.

When the final report of the Board has been received and transmitted to you with my observations, I shall inform the neighbouring Governments of the steps which will be taken to implement its recommendations.

4 copies of Report.

INTERIM REPORT OF THE
CIVIL SERVICE BOARD

18

COLONY AND PROTECTORATE OF KENYA



INTERIM REPORT OF THE
CIVIL SERVICE BOARD

Price : Sh. 1/-

MADE IN
PRINTED BY THE GOVERNMENT PRINTER
1960

INTERIM REPORT OF THE
CIVIL SERVICE BOARD

20

INTERIM REPORT OF THE CIVIL SERVICE BOARD

YOUR EXCELLENCY,

The Civil Service Board appointed by Your Excellency on the 20th December last—

1. To examine and to report upon the inclusion of the posts scheduled in the Report of the Local European Civil Service Committee in the light of the comments received and the decision of Executive Council that officers with six years or more service should retain Overseas Service rights; Terms of reference.

2. To advise, assuming a 10 per cent reduction from salary will have to be made to cover contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pensions Scheme (or such modification thereof as the Board may recommend), whether the scales of salary set out in the Report of the Local European Civil Service Committee are reasonable, and, if not, what variations should be made; and

3. In the light of such advice, to make detailed recommendations as to points in the scales of salary on which officers recommended for a Local Civil Service should transfer;

has the honour to submit the following Report.

2. The Board held nine meetings between the dates of the 5th January and the 16th February, 1933.

On the 20th January, Mr. G. J. J. T. Barton, O.B.E., proceeded on leave to England and his place on the Board was taken by Mr. C. W. Hayes-Sadler.

3. For brevity of reference in this Report, the Report of the Terms of Service Committee, 1931, and that of the Local European Civil Service Committee will be referred to as the "Fitzgerald" Report and "Merrick" Report respectively.

4. In view of its terms of reference the Board concluded that it was a special body set up to deal only with the matters referred to it and was not the Civil Service Board contemplated in the Fitzgerald and Merrick Reports. It is assumed that a Board of the latter kind will be constituted in due course and will have assigned to it appropriate powers and duties.

5. At the outset of its deliberations the Board also came to the conclusion that until Government had considered the Board's recommendations under the first two terms of reference and had come to a definite decision thereon, time was likely to be lost if any attempt were made to deal with the cases of approximately 300 officers affected by the Board's final term of reference, seeing that effective action with regard to the transfer of the officers concerned to the new terms and conditions can only be taken in the event of Government sanction of—

- (a) the posts to be included in the "Local" Service;
- (b) scales of pay for such posts.

6. In the circumstances, the Board feels that the best course is to submit an interim report dealing only with its first two terms of reference.

7. Subject to the following modifications, the Board endorses the recommendations of the Merrick Report as to the posts which should be included in a "Local" Service.

Posts to be added.

- (1) Chief Clerk (Administration).
- (2) Fisheries Inspector (Administration).
- (3) Assistant Establishment Officer (Secretariat and Legislative Council).
- (4) Reporters (Secretariat and Legislative Council).
- (5) Deputy Inspector of Weights and Measures (Police).
- (6) Assistant Game Wardens (Game).

Notes:

(a) Posts 1-5 are of a class which correspond with posts already proposed for the "Local" Service; of these post No. 2 had not been created at the time of the Merrick Report; the omission of the remainder from that Report would seem to be an oversight.

(b) In regard to the post of Assistant Game Warden the Board is not convinced by the arguments advanced by the Game Warden and accepted by the Merrick Committee in support of its recommendation that these officers should be accorded "Overseas" status. The posts were listed as "Local" posts in the Fitzgerald Report and with this the Board agrees.

Posts to be deleted.

- (1) Superintendent (Prisons Department).
- (2) Chief Registrar of Natives.
- (3) Superintendent—Kabele Reformatory.

Notes:

(a) As to post (1): Notwithstanding that the Fitzgerald Committee also recommended that this post was suitable for inclusion in the "Local" Service, the Board after very careful consideration and in the light of representations from the Commissioner of Prisons recommends that the post should be on "Overseas" terms.

As to post (2): This post is not listed in the Fitzgerald Report as a "Local" post. The duties are of such a character and of such responsibility that the Board considers that the post should be on "Overseas" terms.

As to post (3): The Board considers that this is a post which calls for special qualifications and training in the correction of juvenile offenders at Borstal or other remedial institutions and should therefore be classed as an "Overseas" post.

(b) The Merrick Committee omitted the post of Officer-in-Charge, Finger Print Bureau, from the schedule of "Local" posts, but it appeared to be in some doubt as to whether its action was justified. The Board considers that this post should be an "Overseas" one.

8. The Board is very conscious of the responsibility thrown upon it in being required, by its second term of reference, to review the salary proposals of the Merrick Committee. This review, so far as the clerical staff is concerned, must include consideration also of the more general recommendations of the Fitzgerald Committee.

Review of the salary scales proposed by the Merrick Committee.

9. So far as the question is concerned of determining appropriate scales for the various grades, clerical and non-clerical, which it is proposed to place in the "Local" Service, it seemed to the Board that there were two methods of approach open. One was to assume that the service is at the moment in a state of reasonable equilibrium in regard to the emoluments attached to the various posts, and that all that was necessary was to agree on the adjustments which should be made in consideration of—

- (a) Loss of free pension privileges.
- (b) Loss of free quarters.
- (c) Loss of certain minor privileges.

Interim Report.

"Local" Service posts.

A simple mathematical calculation would then have determined the rate of pay, under the new conditions, for each grade. The other method of approach was to revise the value of certain posts, in relation to others, in addition to taking into consideration the loss of the privileges referred to above. The latter course obviously incurs the risk of creating apparent anomalies, but it is the course which appears to have been followed by the Merrick Committee, and the Board found itself in agreement with that Committee on this point.

10. On proceeding to consider the salary scales proposed by the Merrick Committee, the Board, in order to obtain as true a picture as possible of the then existing position, caused Columns 1 to 6 of Appendix I to be prepared. From these there emerged —

- (1) That apart from the loss of free pensions and free quarters, the clerical grades under the Merrick proposals suffer in cash salaries a heavy reduction, in the intermediate stages of service, as compared with present terms. Further, the scales proposed are inferior to those recommended by the Fitzgerald Committee.
- (2) That, compared with the non-clerical grades (vide Appendix III of the Merrick Report) the clerical grades appear to have suffered disproportionate reductions.

11. While the Board is satisfied that the clerical grades are, under existing regulations, relatively on better terms than the non-clerical grades and can therefore bear a proportionately greater reduction in present total emoluments, the Board is equally satisfied that, under the salary scales proposed by the Merrick Committee, the clerical grades not only suffer disproportionately but at certain points are assigned pay which is definitely inadequate. The Board, in view of the resources of the Colony, fully realizes the restrictive effect which unduly high emoluments for posts in the "Local" Service may have on the number of such posts which may, as times goes on, become available for local European youths. On the other hand, the Board feels that it would be most unwise and might well prove disastrous to the establishment and maintenance of a Local Civil Service if a scheme for such a service were launched on terms which failed to offer an attractive and assured career to officers entering it.

13. After full consideration of the various aspects of the subject, the Board recommends the following scales for the Clerical Service —

Scale of salary for Learner and Clerical Grades.

Learners (Male and Female) —

Grade II — £60 to £84 per annum with no set increments.

Grade I — £84 by £18 to £120.

Grade B (Minimum age of entry 18 years) —

(Male) — £150 by £15 to £210 by £30 to £340 by £20 to £420, with efficiency bars at £210 and £340.

(Female) — £150 by £15 to £210 by £15 to £300 by £15 to £360, with efficiency bars at £210 and £300.

Grade A —

(Male) — £440 by £90 to £530 by £10 to £600.

(Female) — £380 by £10 to £420.

Special Grade —

(Male) — £320 by £10 to £600.

(Female) — £440 by £10 to £500.

Note.—Reference to Appendix I shows that in the matter of grading, the Board has departed from the recommendations of the Fitzgerald and Merrick Committees. The Board considers that a simpler and more satisfactory arrangement would be to divide the service (apart from learners) into two grades only and abolish the over-lapping of grades in the matter of pay. At the same time, the Board realizes that there is much to be said, in favour of the proposals of the Fitzgerald and Merrick Committees.

Under the Board's proposals, learners, on qualifying to pass out of the learner grade, would proceed as Grade B clerks to a maximum of £420 per annum subject to passing the prescribed bars and to their possessing such additional qualifications for advancement in the grade as the permanent Civil Service Board may lay down. The Board feels that if the best material is to be attracted, it is necessary to afford a competent officer a prospect of proceeding without stoppage to at least a maximum of £420 per annum.

The Board agrees that promotion to Grade A should depend on vacancies occurring in the establishment and considers that for some time to come conditions will render it necessary to provide for direct entry into this grade and into Grade B.

18. Reference to Appendix I shows how, age for age, the foregoing scales compare with existing rates and with those recommended by the Fitzgerald and Merrick Committees assuming an officer proceeds normally by annual increments to the maximum open to him. Of the two latter, it will be observed that (as already stated) the Fitzgerald proposals are the more favourable, and that the Board's proposals are more favourable than either. Some explanation of the Board's reasons for this is perhaps desirable. The Board took as its starting point that at about the age of 30-32 an officer should, given normal progress and advancement, be in receipt of a salary on which he is a position practically to marry, and it has framed its proposals accordingly. Under these proposals an officer has a prospect of being in receipt of £35 per annum at the age of 33 and the Board suggests that this is the least amount on which he can maintain a home on a level appropriate to his position, particularly when it is remembered that out of the sum mentioned he has to find a 10 per cent contribution to a Provident or Pension Fund, and also his house rent.

The Board's recommendations in regard to non-clerical posts are set out in Appendix II, side by side with the Merrick Report proposals and the present scales. It will be observed that, generally speaking, the Board has accepted no reason to differ materially from the Merrick Report proposals. In the great majority of cases, only minor alterations or variations have been made, and this solely in order to conform with the Board's proposals in regard to the clerical staff.

15. In the time at its disposal the Board has not been able to gather any material which would justify it in putting forward any definite proposals under this head. On its appointment the Board found that an inquiry had been made of the Crown Agents for information on the subject. This inquiry and the reply received are shown in Appendix III. No communication has as yet been received from the Secretary of State, but it is obvious that the formulation of a suitable scheme for local application will require long and careful deliberation. The Board suggests that it is a point for consideration whether

some Dominion or semi-Government scheme should not be applied in this as an interim measure. The Board feels that it is essential to the establishment of a "Local" Service on a satisfactory basis to bring some scheme into effect without undue delay.

16. Though not strictly within its terms of reference, the Board has carefully studied the question of attracting local youths to the proposed "Local" Service. Under existing conditions and in view of the rates of pay proposed for Learners, it appears to the Board that at the present time the only candidates that Government can hope to obtain are those who are living with their relatives in Nairobi and in the larger centres. The Board therefore recommends that if the need arises and circumstances permit, Government should consider the adoption of some such scheme as that at present obtaining under the Kenya and Uganda Railways' and Harbours' Administration under which youths are lodged under supervision, a lodging allowance being provided in the case of those Learners whose parents cannot afford to make any contribution towards their maintenance.

The Board recognises, however, that the present time is premature for any more definite recommendation in this regard to be advanced.

17. The Board's salary proposals are based on the general terms and conditions of service suggested by the Merrick Report, including concessions at leave, passage allowances and free medical attendance. The Board, however, after full consideration, recommends a not unimportant departure from the Merrick Report (and also from the Fitzgerald Report) in connexion with free medical attendance, and that is the extension of the privilege to the officer's family. The Board feels that in view of the salary scales proposed, and of the absence in this Colony of health insurance schemes, ship hospital facilities and cheap nursing facilities such as are prevalent in England, the expenses entailed by any unexpected and severe illness in his family might prove an excessive drain on an officer's resources, and recommends therefore that free medical attendance be granted to all officers and their families on the same terms and conditions as for the Overseas Service. The Board believes that in practice the extension of the privilege would not involve the Medical Department in any very considerable additional expenditure, and is confident that it would prove a very substantial attraction to prospective candidates.

Comparison of scales.

Scales for non-clerical posts.

Provision for Pension Fund.

General observations.

18. The Board desires to express its appreciation of the very valuable assistance rendered to it by the Secretary, Mr. R. C. M. Wood.

We have the honour to be,

Sir,

Your Excellency's obedient servants,

T. FITZGERALD (Chairman),

A. DE V. WADE,

C. W. HAYES-SADLER, } (Members).

E. M. LEY.

R. C. M. WOOD, *Secretary.*

Nairobi,

16th February, 1933.

APPENDIX II—Contd.

Post	Present Scale	Merrick Proposals	Board's Proposals	Notes
AGRICULTURAL DEPARTMENT—(Contd.)				
Laboratory Assistant	£354-18-390-18-480 20-500	360-20-480-20-540	£360-20- 480 -20-540	
Stock Inspector	£300-18-390-18-480- 20-500	ditto	ditto	
Storekeeper	ditto	ditto	ditto	
Plant Inspector	ditto	ditto	ditto	
Librarian (Veterinary Laboratory)	£300-18-390	ditto	ditto	
Assistant Grader and Inspector	£300-15-354-18-390- 18-480	£300-20-480	£300-20-480	
Mechanic—Cool Stages	£300-18-390-18-426	£350-15-425*	£300-20-420	Board considers pro- posed scale adequate
Mechanic—Veterinary Research Lab.	ditto	ditto	ditto	
Yard Foreman	£300-18-372	ditto	ditto	
Overseer	ditto	ditto	ditto	
Assistant Storekeeper	£300-18-372	£200-15-290-18-350- 15-425	£240-20- 300 -20-420	
Junior Laboratory Assistant	£180-20-240-18-300- 18-354	£150-10-200-15-290- 15-350	£150-15- 210 -30-240- 20-360	
Junior Stock Inspector		ditto	ditto	
Learner (e.g., Laboratory Assistant)	£120, 144	£60-12-84-18-120	As for Learner in Clerical Scale.	

AUDIT DEPARTMENT—To consist of trained Overseas Officers and officers in the Clerical Scales.

COAST AGENCY

*Assistant Government Coast Agent

£500-20-600

£500-25-650

£500-20-660

*Indicates position in office at present.

Figures in heavy type indicate Efficiency Bar.

APPENDIX II—Contd.

Post	Present Scale	Merrick Proposals	Board's Proposals	Notes
EDUCATION DEPARTMENT—(Contd.)				
(Learners) (β) Male	Various	£ 64-18-120	(β) As for Grade I, Learners, Clinical Staff.	Director of Educa- tion agrees.
(") (β) Female	ditto	ditto		
(") (α) Male	ditto	£ 60-12-84-18-120	(α) As for Grade II, Learners, Clinical Staff.	
(") (α) Female	ditto	ditto		
*Matrons (β)	£ 220-18-300	£ 150-18-300	£ 225-18-300	Board considers proposed scale adequate.
*Matrons (α)	£ 146-18-220	£ 120-18-190	£ 180-18-210	
Matrons (Learners)	£ 60-12	£ 60-12-84-18-120	£ 60-12-84-18-120	
Leading Artisan	£ 300 fixed	£ 350-18-426	£ 300-20-420	
FOREST DEPARTMENT				
*Accountant	£ 426-18-480-20-600	£ 360-20-480-20-640	£ 360-20-480-20-600	14
*Forester, Grade A	£ 300-18-390-18-480- 20-500	ditto	£ 360-20-480-20-640	
Forester, Grade B		£ 245-18-350	£ 245-20-360	
" Apprentice		£ 180-10-200	£ 180-15-210	
" Learner		£ 64-18-120	Clinical Learner Scale	
GAME DEPARTMENT				
*Assistants	£ 260, 360, 500-20-600	Overhaul posts	£ 400, 400, 500-20-680	See Note in paragraph 7 of Report.
JUDICIAL DEPARTMENT				
Process Server	£ 240-18-300	£ 200-18-290-18-350	£ 240-20-360	
Shorthand Writer	£ 400-20-600	£ 360-20-480-20-600	£ 400-20-480-20-600	
LEGAL DEPARTMENT—Only Overseas and Clerical posts				

*Indicates posts to be filled at present.
Figures in heavy type indicate Efficiency fix.

APPENDIX III.

THE SECRETARIAT,

NAIROBI.

S/E. 37/1/5/18/1.

9th December, 1932.

Gentlemen,

I have the honour to state that proposals are under consideration in this Colony for the inauguration of a Contributory Pensions Scheme, or Fund, for certain Government employees and I should be grateful if you would kindly send any particulars that may be in your possession bearing upon this subject.

Perhaps you could transmit copies of the relative Regulations or Ordinances by Air Mail.

I should also be glad of your general opinion upon the possibility of combining a Contributory Pensions Scheme with the East African Widows' and Orphans' Scheme and whether you consider contribution to the latter is essential from all Government servants in East Africa. It is realized that the implications of this question are large and would be subject to further consideration, but if it is possible for you to reply to this paragraph by an early Air Mail it would be appreciated.

I have the honour to be,

Gentlemen,

Your obedient servant,

JUXON BARTON.

for Colonial Secretary.

THE CROWN AGENTS FOR THE COLONIES,
LONDON, S.W.

CROWN AGENTS FOR THE COLONIES.

4, MILLBANE,

WESTMINSTER,

LONDON, S.W. 1.

23rd December, 1932.

No. 530 0/Kenya 62.

AIR MAIL.

Sir,

I have the honour to acknowledge the receipt of your letter S/E 37/1/5/18/1 of the 9th December and to inform you that we know of no contributory pension scheme or fund in operation in any of the Colonies or Administrations for which we act as agents.

2. In regard to the question raised in the 2nd paragraph of your letter this, in our opinion, raises points which must be considered by the Secretary of State to whom we have, therefore, transmitted a copy of your letter.

I have the honour to be,

Sir,

Your obedient servant,

F. S. BLOOMFIELD,

for Crown Agents.

THE COLONIAL SECRETARY,

NAIROBI,

KENYA.

GOVERNMENT NOTICE NO. 810

CIVIL SERVICE BOARD

His Excellency the Governor has been pleased to appoint the following to be members of the Civil Service Board:

The Hon. T. Fitzgerald, O.F.S. (Chairman).
 The Hon. A. de V. Wade, O.F.S.
 C. J. J. T. Barton, Esq., O.A.S.
 Lt.-Col. E. M. Ley, O.A.S.

The Secretary to the Board will be the Establishment Officer, Secretariat.

with the following terms of reference:—

- I. To examine and to report upon the inclusion of the posts scheduled in the Report of the Local European Civil Service Committee in the light of the comments received and the decision of Executive Council that officers with six years or more service should retain Overseas Service rights.
- II. To advise, assuming a 10 per cent reduction from salary will have to be made to cover contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pensions Scheme (or such modification thereof as the Board may recommend), whether the scales of salary set out in the Report of the Local European Civil Service Committee are reasonable, and, if not, what variations should be made.
- III. In the light of such advice, to make detailed recommendations as to points in the scales of salary on which officers recommended for a Local Civil Service should transfer.

The appointment of an Asiatic member when matters affecting Asiatic Civil Servants are under discussion will be notified later.

Nairobi.

20th December, 1982.

H. M. M. MOORE

Colonial Secretary

31 9

COLONY AND PROTECTORATE OF KENYA

No. S/E. 28/1/1/24.

CIRCULAR No. 7

G—6

A—

D—1

THE SECRETARIAT,

NAIROBI, KENYA.

28th January, 1933.

TERMS OF SERVICE

Reference Secretariat Circular No. 48 of 1932

The following amendments to the above Circular are hereby notified:—

PARAGRAPH 3 (g), LINE 6.—Add “except those who joined the Colony’s service before the 1st April, 1911, as referred to in paragraph 189 of the Code of Regulations, and who are retiring from the service, at the end of their present tour. Such officers will be granted return leave calculated up to the 31st December, 1932, on the existing basis.”

PARAGRAPH 4, II, PRESENT AGREEMENTS.—After the words “Colonial Service” in the sixth line add “on the 1st January, 1933”.

PARAGRAPH 5, LINE 1.—Delete and substitute “Officers defined in paragraphs 600 and 601 (c) of the Code of Regulations.”

SUB-PARAGRAPH (d)—Delete.

PARAGRAPH 6.—Between the words “officers” and “will” in the first line add “save those defined in Paragraph 601 (a) and (b) of the Code of Regulations”.

H. M. M. MOORE,

Colonial Secretary.

To:

All Heads of Departments.

All Provincial Commissioners.

(b) Report of the Local European Civil Service Committee.

The Conference had under consideration a memorandum by the Government of Kenya, Paper No. GC(33)13, Section B.

SIR STEWART SYKES said that the Government of Tanganyika Territory was at present considering terms for a locally recruited service for all races, but the complete scheme would not be available in the near future.

THE CONFERENCE, having discussed the position as regards local service proposals in East Africa generally,

TOOK NOTE of the situation existing in Kenya and that details for the establishment of a local service were now under consideration by the Civil Service Board whose final recommendations would be communicated to the individual Governments and to the Governors' Conference with a view to encouraging the other East African Dependencies to recruit in Kenya.

G.C.(33)13 Sect. B.

*Extracts from Memos. circulated
by Government of Kenya.*

(B). LOCAL SERVICE.

In Kenya a special problem of what, for want of a better term, is at present designated a "Local Service", has arisen. It will be recollected that at the 1932 Governors' Conference it was recorded that the Conference:-

"Agreed generally with the views expressed by the Government of Uganda in paper GC(32)49 including the need for unified action; but considered that the time was not ripe to start any formal consultation for this purpose between the East African Territories."

The views of the Government of Uganda were that:-

"Conditions at present indicated that it is only in Kenya that the institution of a 'Local' service need be considered. The adjoining territories should, however, consider how far economy can be effected in their own services.....by recruitment in Kenya preferably to England. The terms of such recruitment, while making some allowance for unfavourable conditions etc., should not be such as to compete unfairly with the terms offered by the Kenya Government for admission to its Local Service."

Enclosure 4.

- 5.
6. Copies of the Reports of the Terms of Service Committee of October 1931, of the Local European Civil Service Committee of August 1932 and of a Memorandum examining the various proposals and containing the comments of the Heads of Departments etc. are attached.

The "Local Service" proposals are now under the consideration of a Civil Service Board which has been set up in Kenya and steps will be taken to communicate the final decisions taken to the individual Governments, and to the Governors' Conference, in order to encourage recruitment by the other East African Dependencies in Kenya both from strictly "local" and from "overseas" candidates who may be in Kenya.

Nairobi.
19.1.33

NOTE:

Copies of Enclosure 4 have already been circulated and further copies are not available.

G.C.(33)/13 Sect.B.

*Extract from Memo. circulated
by Government of Kenya.***(B). LOCAL SERVICE.**

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Nairobi.
19.1.33

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COLONY AND PROTECTORATE OF KENYA

REPORT

OF THE

LOCAL EUROPEAN CIVIL
SERVICE COMMITTEE

Long & Co. (Kenya) Ltd.

REPORT OF THE LOCAL EUROPEAN CIVIL SERVICE COMMITTEE

YOUR EXCELLENCY,

1. The Committee appointed by Your Excellency—

To examine, to report upon, to schedule posts and to draft Regulations, having regard to the principles laid down by Executive Council at its meeting of the 7th January, 1932, for the inauguration of:—

Terms of reference.

(a) a Local European Service; and

(b) a Local Asiatic Service

applicable to Government Servants not employed by the Kenya and Uganda Railways and Harbours Services."

has the honour to submit the following Report.

EUROPEAN SERVICE.

2. For facility of reference extracts from the Report of the Terms of Service Committee with the relevant recommendations of the Executive Council, in which Your Excellency has expressed concurrence, are attached at Appendix I.

Prefatory remarks.

Appendix I.

3. Your Excellency, in response to subsequent inquiries, caused the Committee to be informed through its Chairman that they were not debarred from reviewing and, if considered desirable, from submitting proposals for leave and passage conditions differing from those appearing in paragraphs 16 (ii) and (iii) of the Report of the Terms of Service Committee.

4. The Committee at the outset of its deliberations decided to ask the Government Statistician to collect particulars of salaries and conditions accorded by local firms to staff in similar categories to those cited on pages 20-22 of the report of the Terms of Service Committee. The Committee desires to express its thanks to those firms who furnished data to the Government Statistician for his co-operation in sending out the Committee's questionnaire and in supplying analyses and summaries of the replies received. The results which were not ready till the middle of April have proved distinctly disappointing, in that many of the larger firms and institutions failed to furnish the requisite data, and that the

Evidence from commercial firms.

particulars collated show a divergence of practice in commercial circles, a state of affairs borne out by the experience of such members of the Committee as are personally conversant with conditions prevailing outside Government Service.

General considerations governing the Report
Appendix II.

5. In reaching the conclusions, detailed below and in the accompanying draft Regulations (Appendix III), the Committee desires to emphasize the difficulty at the present juncture of laying down terms of service which can be regarded as likely to prove stable over any extended period of years. The general tendency to retrenchment, both in the public services and in private enterprises, which continues as the inevitable concomitant of the prevailing world-wide depression has materially reduced market rates for labour, both skilled and unskilled. Although the increased purchasing power of money at the present time is an important factor and liable to persist as an influence in determining wages, the Committee feels that its proposals may only be applicable to a period of transition though they have followed the assumption of the parent Committee that on emergence to more settled conditions emoluments will be on a lower level than at the time many of the existing terms of service (including salary scales) were introduced. It may be necessary for the position to be reviewed as soon as conditions become stabilized so that appropriate changes or modifications can be introduced before the Local Service has developed to its full proportions.

6. The proposals put forward in regard to clerical staff are suggested as representing suitable scales of salary, as far as can be judged, at the present time, within which remuneration can be provided for the various duties involved as offering a reasonable career in the lower branches of the Kenya Civil Service for local recruits who it is hoped will form more than a considerable proportion of new appointees. The conditions suggested moreover are not considered unsuitable if (at any rate at the inception of the Service) it may prove necessary to fill vacancies in the Local Service from outside East Africa.

Major Cavendish-Bentinck, however, who was unable to attend the meeting of the Committee at which these salaries were finally decided, is of the opinion that the scales of salary now recommended for the higher clerical grades are too high for the type of routine work contemplated bearing in mind the change in world conditions, and wishes to lay special stress on the fact that in his opinion the "changes and modifications" foreshadowed in paragraph 5 above will probably have to be introduced almost immediately.

7. In framing their recommendations the Committee were guided by the need for inaugurating a new service on reasonable lines rather than by the more short-sighted policy of attempting to attract existing personnel to transfer by the offer of more advantageous terms than circumstances warranted for the duties in question. The Committee recognizes that so long as financial stringency continues the recruitment of the Local Service may proceed but slowly and that in the meantime the interests of economy will render it imperative for Government to place as many as possible of its existing personnel upon revised terms of service. The terms now suggested should in the opinion of the Committee be readily adaptable for this purpose in cases where this course may be desirable on general grounds.

8. The conclusions of the Committee in detail are contained in the accompanying draft Regulations which follow generally the provisions of the present Code of Regulations in so far as they can be considered applicable. The following observations are merely intended to explain governing principles or the reasons for departing from any of the specific recommendations of the parent Committee. They also present the Committee's views on the question of Pensions and the Civil Service Board, which still require the consideration of Government and in consequence no provisions under these heads have been included in the draft Regulations.

Specific recommendations.

For the sake of convenience the sequence observed in the Report of the Terms of Service Committee has been adhered to:—

(i) Pay.

	Terms of Service Report	Committee's Proposals
(a) Learners (Male or Female)	£60 to £84: £84 to £108	£60 by £12 to £84 by £18 to £120

The Committee see no reason for two separate grades and prefer a single grade with definite increments, on the understanding that the £60 to £84 portion of the scale should be open to candidates roughly between the ages of sixteen and eighteen who have passed the Junior Cambridge Examination or an equivalent standard, but that older candidates with higher educational qualifications such as the School-leaving Certificate or Matriculation Standard or such other tests as may be recognized by the Civil Service Board should be

allowed to enter at £84 in the scale. The maximum is recommended for extension to £120 to provide for certain departments which demand a longer training than the usual clerical ranks and the Committee further suggests that the

Civil Service Board should be empowered to make special provision in respect of cadets in training for technical departments. A learner should not be admitted to either portion of the grade at a higher point than the initial pay suggested save in the most exceptional circumstances.

Heads of departments should have discretion to vary the number of learners employed provided that their sanctioned allocation for the learner establishment is not exceeded.

(b) Clerical Grades	Terms of Service Report		Committee Recommendations	
	Per annum		Per annum	
Grade C (Male or Female) (Minimum age 18 years)	£150 by £10 to £200		£150 by £10 to £240	
Grade B (Male)	£240 by £15 to £300 by £20 to £360 by £20 to £420		£220 by £15 to £280 by £15 to £350 by £15 to £425	
Grade B (Female)	£240 by £15 to £300 by £10 to £360		£200 by £15 to £290 by £15 to £350	
Grade A (Male)	£330 by £20 to £480 by £20 to £540		£360 by £20 to £480 by £20 to £600	
Grade A (Female)	£360 by £10 to £420		None	
Special Grade (Males)	£500 by £20 to £660		£500 by £25 to £650 by £25 to £725 (*)	
Special Grade (Females)	None		£380 by £20 to £420	

(*) The extension from £650 to £725 is subject to the proviso below.

In explanation of those variations the Committee consider it necessary that to prevent stagnation in the several grades longer scales should be adopted.

The above recommendations represent the unanimous views of members of the Committee present at its last meeting.

Since that date a sub-Committee has interviewed heads of departments with regard to appropriate scales of salary for the non-clerical posts recommended for inclusion in the Local Service, and on reviewing the scales put forward for these non-clerical posts, viz Appendix III, a majority of the Committee are inclined to consider that the maximum for the Grade A Clerical Service should be reduced to £540 per annum in accordance with the recommendations of the parent Committee.

It is not recommended that female clerks should ordinarily progress beyond an annual salary of £350, but that exceptional cases would be more fittingly included in a special grade rising to £420 per annum than in Grade A.

The Special Grade (Males) should be strictly limited in numbers and should be confined to duties connoting special responsibility or qualifications in addition to normal confidential or supervisory duties of a clerical nature, which would be adequately remunerated by the Grade A scale. The Special Grade (Males) has been extended to £725 but it is suggested that normal requirements would be met by the bar at £650, which should only be passed for posts of exceptional status or in instances of outstanding personal merit.

The Committee wishes to lay emphasis on the desirability as far as possible of selecting candidates for vacancies, more particularly in Grade A and upwards on a general roster rather than treating departmental personnel on a water-tight basis for purposes of advancement. It is suggested that for this purpose recommendations for filling such vacancies should be submitted for review by the Civil Service Board before any substantive appointment is agreed to.

The Civil Service Board should also prescribe specific tests qualifying for admission to the learner staff and the other grades for the guidance of heads of departments.

Entry into Grades B and C should presuppose passing in the necessary qualifying subjects as at present and subject to the existence of a vacancy a clerk in Grade C would be eligible for advancement once he had passed the higher test. He would enter the new grade at the minimum, unless he was already in receipt of higher salary, in which event he would enter at the next appropriate incremental step.

The Committee desire to point out that there are at present no fewer than fifty-three different scales of salary for posts suggested for inclusion in the Local Service and they did not feel competent on their own responsibility to fix appropriate scales for such a large number of different salary rates. The result of inquiries to heads of departments elicited the fact that these posts could be graded within the scales suggested for the Clerical Service. Appendix III contains the schedule of posts recommended for inclusion in the Local Service; the scale of remuneration at present paid in respect of each post and suggested scales for the same posts in the Local Service which have been put forward after consultation

Appendix III.

with heads of departments. These data are included in the hope that they may be of assistance and guidance when the salaries finally come to be decided, but the Committee feel that without careful study of the duties appertaining to the various posts it is not possible for them to recommend that they should be accepted as final; they follow generally the principles governing the Committee's recommendations for clerical posts and it is suggested that they should be very carefully reviewed by the Civil Service Board. The Committee desire to acknowledge the assistance received from heads of departments in response to their representations.

The Committee, in examining the schedule of posts, were impressed by the number of special designations for posts, the nature of which would appear to be appropriately covered by the usual clerical grading. They suggest that there is room for review in this respect in the interests of simplicity and the Service in general, as invidious distinctions not warranted by the functions performed are apt to lead to misunderstanding.

(ii) Leave.

The Committee (Captain Ward dissenting) are reservation on page 14 consider the recommendations of the parent Committee as adequate on the understanding that an annual holiday would be assured.

The Committee desire to emphasize the considerations put forward by the 19th Committee on Leave and Passages for European Servants of Government as regards the importance of an annual holiday, which read as follows:—

7. In the opinion of the Committee, only the most exceptional circumstances should be allowed to interfere with the grant to each European servant of Government of a substantial annual holiday. With a view to ensuring that annual holidays are taken, the Committee recommends that heads of departments should regularly prepare early in each year tentative schedules of annual leave to be taken by members of their staff and should be required to render a return each year showing which officers have taken leave during that year and the amount of leave taken, and which officers have not taken leave during the course of the year and giving reasons in each case where an officer has not taken his "annual leave" during the year. The Committee also recommends that in all cases where annual leave has not been taken, the causes should be investigated. The reasons will probably be either that there has been insufficient staff or that the head of

the department concerned has not been able to make proper arrangements. In either case the Committee holds that the position should be rectified and that the Government should have knowledge of the facts brought to its notice in this way.

Learners would not be entitled to "vacation" leave, but would be limited to eighteen days local leave.

In the opinion of the Committee proportionate vacation leave should be granted at the rate of seven days for each completed three months service an officer further being allowed to add the final period of local leave due, to the vacation leave for which he is eligible, for the purpose of overseas leave. The period of the voyages as to be included in the leave earned.

The Committee urge that for purposes of calculating leave in respect of the Local Service it will be sufficient if stations are placed under two categories of "healthy" and "unhealthy" following the present distribution for the Service in general, five months residence in an "unhealthy" station counting as six months in a "healthy" station, i.e. twenty-eight days vacation leave would be earned by ten instead of twelve months' residential service, and seven days every two-and-a-half instead of three months. It was agreed that the Director of Education must be granted latitude to arrange the leave of his teaching and matron staff in conformity with the requirements of the various schools. Such staff as was understood would not be entitled to "local" leave in addition to the normal school holidays.

(iii) Passages.

In view of the considerations advanced in the Note appended to the relative section on page 13 of the parent Committee's Report, the Committee (Mr. D'Shea dissenting) strongly recommend the grant of more generous assistance on Government's part both in the interests of the individual himself and the attractiveness of the Local Service under prevailing conditions.

They suggest that a scheme on the following lines should prove both simple in operation and equitable in incidence. An officer to be considered to have earned in respect of each year of resident service 25 per cent of the cost of a return passage to the port nearest to the destination where his leave is to be spent the cost being calculated in accordance with the accommodation laid down under Category B in paragraph 11 (ii).

pages 8 and 9, of the Terms of Service Committee's Report and the maximum limit being fixed as the cost of a passage to London by the all-sea route, but no financial assistance should be granted unless the officer has given an undertaking to return for further service. It was understood that if an officer wished to make special arrangements for his holiday other than a direct sea voyage he would be at liberty to submit his proposals for consideration on their merits as qualifying for the monetary grants for which he was eligible.

No allowance towards family passage would be made but an officer would be able to travel by a lower grade or class than that for which he is eligible and apply the savings towards the cost of his family passages or accumulate the money due for more than four years on the understanding that no balance beyond that needed for ocean passages or other approved journeys would be paid over. No concession under this head should be granted normally for less than two years residential service. In illustration of this it may be stated that the effect of such an arrangement would be that at the end of forty-eight months (or forty months at an "unhealthy" station) an officer would be eligible for the cost of a passage for himself and at the end of six years (or five years at an "unhealthy" station) for half the cost of an additional passage.

The Committee submit that such an arrangement would entail less accounting than the contributory proposal of the parent Committee, and, though involving somewhat larger expenditure, would be justifiable on Government's part in inaugurating a Local Service at the present juncture.

Service in the learner grade should not be counted towards earning any percentage of the cost of a passage.

Mr. O'Shea dissents from the foregoing recommendations and adheres to the recommendations of the parent Committee.

(iv) Pensions.

The Committee desire to emphasize the imperative need, in their opinion, for some form of compulsory insurance as an integral part of any permanent Local Service, which may be inaugurated, with definite provision for State contributions to supplement an officer's premia. Regular deductions in respect of contributions would be effected from his monthly salary and credited with interest at a reasonable rate. In this connexion the Committee unanimously favour the principle of contributory pensions and advocate the introduction

of a scheme or fund for this purpose at the earliest opportunity considered practicable. Through the courtesy of one of its members the Committee were enabled to study particulars of a scheme actually in operation for the employees of an existing enterprise through a well-known insurance company. They had also before them legislation governing certain of the pension funds adopted by the Government of the Union of South Africa as well as the Report of the 1920-1931 Royal Commission which outlined leading principles for a suggested contributory pension scheme in respect of the Home Civil Service. The Committee incline to the view that for Government purposes a scheme on the last-mentioned lines would probably be preferable but they appreciate that a decision is impracticable until certain data and statistics have been collated and submitted for actuarial assessment.

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They would urge most strongly that early information be obtained as to the requirements in this connexion, so that the necessary particulars may be compiled from the outset and contributory pensions brought into force with the least possible delay for the Local Civil Service.

In the meantime the only alternative available appears to be a provident fund, for which many precedents can be obtained such as that in active operation in respect of the Kenya and Uganda Railways and Harbours Services. Pending a decision as to the adoption of their recommendations the Committee have not considered it necessary to examine the details of any such scheme or to draft regulations, particularly as they only envisage it as a temporary arrangement which should be established on as simple lines as practicable with a view to ultimate absorption of the funds collected in whatever fund or scheme of contributory pensions may be accepted.

They suggest that the contribution be fixed at 15 per cent of the substantive salary and that Government and the officer should be called upon to contribute in equal proportions, i.e., 7½ per cent. It was considered that an officer should have no claim on the Government contributions or interest thereon until he had completed five years as a contributor, unless his services were terminated on medical grounds or changed due to re-organization of staff.

The Committee examined the advisability of either allowing or compelling officers, during the interim period of the Provident Fund's continuance, to join the existing Widows' and Orphans' Scheme. On balance it was agreed that com-

option provided the only alternative, but that it would be best in view of the heavy liabilities entailed by such double subscriptions to make no additional imposition on officers pending the full review of the provisions which it might prove possible to incorporate to cover similar purposes in any contributory pensions scheme or fund. In this connexion the Committee noted from Appendix V of the Report of the Royal Commission cited above that favourable terms for widows were included in the contributory superannuation scheme outlined in respect of the Home Civil Service. It remained to be seen whether similar benefits could be justified actuarially under reasonable premises for the smaller membership which would comprise the Kenya Local Civil Service.

The Committee's recommendation may be summarized as follows: As far as can be foreseen there should be no need for a provident fund to run permanently in concurrence with a contributory pension scheme or fund, but some such arrangement would be essential for some years at the inception of the Local Service pending actuarial investigation and advice on the pension system, it being postulated that there should be no undue delay in collecting the necessary data and statistics for such an inquiry.

Should financial considerations permit, the Committee further venture to suggest that it would be a welcome gesture on the part of Government if in the case of personnel now under agreement, who might be offered transfer to the Local Service, it were made clear that Government would be prepared to place to their credit in the provident fund the amount of the Government contributions, which would have accrued, with or without interest as may be decided, had the fund been in operation at the time when they joined the Service for continuous employment.

The Committee desire to make it clear that they are not in a position to assess the monetary effect of such a proposal, but they submit it as a suggestion which in their view merits serious and early consideration.

The Committee would point out in regard to this section that it would be necessary to consider procedure in respect of officers who may be transferred from the Local to the Overseas Service as regards their contributions to any scheme of compulsory insurance so long as any alternative scheme of pensions remains in force for the Overseas Service.

(v) Quarters.

The Committee have embodied in the accompanying Regulations the principle of consolidated salaries, without the addition of free quarters or an allowance in lieu. They consider, however, that exceptions must be made in the rare cases, where an officer is required to occupy quarters at or adjoining particular institutions in view of the exigencies nature of his duties: it seems to the Committee only equitable that in such instances no rent should be charged and the quarters should be regarded as a temporary addition to the officer's non-pensionable emoluments.

In the Committee's view, acceptance of the principle that an officer will be responsible for his own housing arrangements means as a corollary that in areas, where private accommodation can be arranged, he should be free to suit his individual requirements and should not be forced to rent Government quarters, merely because such quarters happen to be unallocated or unoccupied. The question of the disposal of any surplus Government houses in the event of the adoption of these proposals is a matter which may require consideration. The Committee appreciate that an officer will be at liberty to rent Government quarters should he so desire and that such a course may be inevitable in many outstations at present. Where competition with private accommodation arises rents should be fixed at ruling market prices whilst at other stations quarters should be leased to officers either on a rental basis to be assessed administratively on the value of the house or on the basis of a percentage deduction from salary not exceeding 15 per cent the smaller amount governing procedure in any individual case.

(vi) Medical Attendance and Examination.

The Committee recommend in accordance with the views expressed by the parent Committee free medical attention for the officer but not for his family.

It is desired to record that a majority of the present Committee support the recommendation of the minority of the parent Committee in the second paragraph on page 10 of their Report to the effect that where drugs are readily obtainable from other than Government sources, they should not be supplied from Government stores. This provision, however, has not been included in the accompanying Regulations.

The Committee support the opinion of the representative of the Medical Department and the 1923 Committee on Leave and Passage Regulations that regular medical examination

of European servants of Government should take place at such periods of time as the Director of Medical and Sanitary Services may consider desirable.

(vii) **Travelling and Motor Allowances.**

The Committee consider that travelling and motor allowances should be governed by the general regulations ruling at the time.

(viii) **Acting Allowances.**

The Committee are opposed to the grant of acting allowances in respect of posts in the Local Service.

(ix) **Engagements and Terminations.**

The Committee have assumed that the Local Service will be under the control of the Governor, advised by a Civil Service Board, on the lines recommended by the parent Committee, and recommend that, if necessary for this purpose, steps be taken to obtain the Secretary of State's sanction to waive the requirements of Colonial Regulations, paragraphs 17-22. The Governor would then be the final arbiter in all matters affecting the Local Civil Service, though an officer would retain his inherent right of appeal to the Secretary of State against any decision reached locally.

As the term of service is not advocated for officers in the Local Service, the Committee is of opinion that engagements, whether temporary or permanent and whether in the capacity of learners or of probationary or substantive appointees, could be covered most suitably by letters of appointment, instead of agreements. These letters would vary according to the conditions governing a particular appointment, and should be counterbalanced in all cases by the appointee. Model forms are suggested to ensure uniformity of treatment.

It is suggested that persons engaged for specific periods or services might be engaged on agreements, subject generally to the regulations applicable to the Local Civil Service.

(x) **Disciplinary Provisions.**

Whilst agreeing that cases requiring investigation in the interests of discipline the method of such investigation must be left to the discretion of the Governor, the Committee were divided as to the desirability of prescribing the Civil Service Board as the proper body which should investigate serious cases involving intended dismissal. A majority then members urge that only in the most exceptional circumstances should any other body be appointed for such a purpose.

The Chairman, Major Cavendish-Bentick, Mr. Smith, and Mr. Webster, however, were not prepared to subscribe to this proviso. In the circumstances, the relative regulation, paragraph 88, has been drafted in general terms, without any restriction of the Governor's discretion.

(xi) **Age of Retirement.**

The appropriate age for normal retirement suggested is 55 years for males and 50 years for females, but the Committee appreciate that final decision on this point must remain for consideration with the provisions to govern whatever scheme of compulsory insurance may be adopted.

CIVIL SERVICE BOARD.

The Committee desire to invite special attention to the recommendations of the parent Committee in paragraph 18 of their Report, and to urge upon Government the importance of the early establishment of a Civil Service Board on the lines suggested. The Committee feel that the Civil Service Board would be the appropriate body for dealing with the question of transferring officers already employed to any new terms of service which may be introduced as contemplated in paragraph 19 of the parent Committee's Report.

The Chairman and Major Cavendish-Bentick, whilst agreeing that a Civil Service Board should be set up with its functions limited as suggested by the parent Committee, are entirely opposed to the principle of granting such a Board disciplinary or wide administrative powers. They desire to emphasize that His Excellency the Governor, as the Head of the Civil Service, should have absolute authority, though he would naturally have powers of delegation in the direction which he considered advisable.

The Committee considered it desirable to submit without further delay their recommendations as regards their first term of reference - a Local European Service. They propose to continue their inquiry in regard to a Local Asiatic Service as soon as circumstances permit, and would welcome any indication of Government's decisions on the various aspects covered in this Report, as a guide in dealing with similar problems under heading (b) of their terms of reference.

In conclusion, the Committee desire to record their appreciation of the valuable assistance rendered by their Secretary,

As known subject
must do
Secretary

Mr. A. J. Field, Acting Establishment Officer, of the Secretariat, more particularly in connexion with the compilation of the accompanying Regulations.

We have the honour to be,

Sir,

Your Excellency's obedient servants.

J. E. S. MERRICK, *Chairman*.

W. H. SMITH.

E. E. BISS.

F. J. CARLYLE-JOHNSTONE.

H. J. WEBSTER.

C. O. GILBERT.

THOS. J. O'SHEA.

H. F. WARD.

F. CAVENDISH-BENTINCK.

Members.

A. J. FIELD.

Secretary.

Nairobi.

26th August, 1933.

* I have signed this Report subject to the following reservation—

(i) Leave.—Page 7.

The recommendation by the Leave and Passages Committee of 1929 (para. 10, page 35) as to the period of service in Kenya requisite to earn six months' leave overseas was a divided one. The Official Members recommended three and a half years, and the Unofficial Members four years. The majority of this Committee now recommends six years, irrespective of previous contracts with Government or of the total period of service completed. I am sincerely of the opinion that any servant of Government who has served for an appreciable period on the current terms of service should not have the period of service in Kenya during which he can earn six months' leave overseas extended for more than a year, and that in respect of the Local Service generally that length of service calls for some shading down of the period below six years, on the lines of but not to the exact extent as is provided for in the Terms of Service Committee's Report of 1931, *vide* page 7, paragraph II.

H. F. WARD.

APPENDIX I.

Extracts from the Report of the Terms of Service Committee with relative recommendations of the Executive Council.

"1b. After much consideration, the Committee have come to the conclusion that the following rates of pay and conditions of service for a European clerical and general Local Service would be reasonably adequate:—

(i) Pay.

Learners (Male or Female).—Non-incremental; pay to depend on age and qualifications.

Grade II.—£60 to £84 per annum.

Grade I.—£84 to £108 per annum.

Grade C (Male or Female).—£150 by £10 to £200 per annum (minimum age, 18 years).

Grade B (Females).—£240 by £15 to £300 by £10 to £300 per annum.

Grade B (Males).—£240 by £15 to £300 by £20 to £360 by £20 to £420 per annum.

Grade A (Females).—£360 by £10 to £420 per annum.

Grade A (Males).—£360 by £20 to £480 by £20 to £540 per annum.

Special Grade (Chief Clerks and Office Superintendants).—£600 by £20 to £660 per annum.

In the clerical service, the Committee contemplate that Grade B would be the appropriate grade for fully competent stenographers and typists, Grade A being limited to posts of a more responsible character.

Executive Council Recommendations:

That the general approval given to the proposed scales by Council should not deter the Local Service Committee from submitting any variations which seemed to them desirable.

(ii) Leaves.

Local: 18 days annually.

Vacation: 30 days per annum, cumulative to six months. Officers under 18 years of age not to be eligible for vacation leave.

Note.—The Committee recommend that in respect of service at "unhealthy" stations, the same vacation leave allowances should be made on lines similar to those proposed in the case of the Overseas Service."

Executive Council Recommendations:

That general approval be given to the Committee's recommendations.

(iii) Passages.

If an officer earning vacation leave elects to save towards the cost of a holiday out of the Colony in connexion with this leave, the Committee recommend that he should be assisted to the extent that Government should open a passage account on his behalf, into which the officer would pay 2½ per cent of his salary (subject to a minimum of Sh. 10 and a maximum of Sh. 30 per annum) into which Government would contribute an equal amount. In view of the extent of Government's contribution, it is not considered that interest should be allowed on balances.

Note.—The foregoing recommendation in regard to contribution towards passages is based on the view that, although the kind of work which officers of this grade perform is not very exacting, it is desirable, even for the locally born, that they should periodically have a change out of the Colony, not altogether because of possible benefit to health, but also because of the experience and the broadening of view which may be gained from travel abroad. The Committee feel that, unless some practical encouragement is given towards saving for passage costs, the facility for accumulating vacation leave will largely fail in its object.

Executive Council Recommendations:

That general approval be given to the Committee's recommendations.

(iv) Pensions.

Pensions should definitely be on a contributory basis, and a Pensions Scheme on such lines should be introduced as early as possible for the fully permanent members of the Local Service. For members on less permanent terms a Provident Fund Scheme should be established. There are many schemes of each kind in operation throughout the Empire, and the lines on which such schemes operate have become more or less standardized. Cases will arise of officers moving from one scheme to the other, but no difficulty should be experienced in providing for such cases. The Committee, in fact, incline to the view that all officers in the Local Service should be under a Provident Fund Scheme until the age of, say, 25 years, so that they may be in a position up to that age to leave the service without too great a sacrifice of pension rights.

Executive Council Recommendations:

That the introduction of a Contributory Pension and or Provident Fund Scheme should be examined by the Local Service Committee.

(v) Quarters.

The Committee recommend that the same arrangements as have been proposed for officers of the Overseas Service in regard to quarters and to the occupation on a rental basis of Government-owned houses should be applied to the Local Service.

Executive Council Recommendations:

That general approval be given to the Committee's recommendations.

(vi) Age of Retirement and Medical Attendance.

The Committee recommend that the same principles should be observed for the Local Service as for the Overseas Service, vide paragraph 11, (iv) and (v).

Executive Council Recommendations:

That the recommendations of the Committee be approved as regards the age of retirement; and in principle as regards the question of medical attendance, subject to the Report of the Colonial Services Committee; but that consideration of this question should await the return from leave of the Colonial Secretary. It was realized that a question of salary consolidation would arise.

APPENDIX II

SUGGESTED REGULATIONS FOR THE KENYA
LOCAL CIVIL SERVICE.

The following Regulations are based on those contained in the "Code of Regulations", Third Edition, Part I, for European officers of the Government Service, "the Governor" being substituted for "the Secretary of State" as the controlling authority.

Necessity for report or reference to the Secretary of State is not contemplated except that an officer will retain his inherent right of appeal to the Secretary of State against any local decision.

An officer engaged from overseas for the Local Civil Service will receive the same privileges on first appointment as are accorded by the general Code of Regulations to other officers as regards date of appointment, salary for the period of the voyage, etc.

These Regulations are subject to variation from time to time at the discretion of the Governor to suit the requirements of the Service and in any case of doubt as to their meaning the decision of the Governor shall be final.

PART I.—EUROPEAN STAFF.

CHAPTER I.

APPOINTMENTS, TERMINATIONS AND TRANSFERS.

1. Appointments will be in the following categories:—
 - (a) In a temporary capacity (e.g., learners).
 - (b) In the Established Service (including a period of probation).

All appointments will be made by the Governor.

On first appointment an officer engaged within the Colony will be given a letter of temporary appointment as laid down in Appendix I.

2. On the expiry of not less than six months' service in a temporary capacity, the head of department may recommend an officer for appointment on probation, in which case the officer will be given a letter of appointment as laid down in Appendix II and his letter of temporary appointment will be cancelled.

3. On the expiry of a period of probation of not less than two years' service the head of department may recommend an officer for appointment to the Established Service or for reasons accepted by the Governor may require the officer to continue to serve in a probationary capacity.

4. On appointment to the Established Service an officer will be given a letter of appointment as laid down in Appendix III and any other letter of appointment on which he may be serving will be cancelled.

5. The Governor is not authorized to make any addition to the fixed establishment of any public department without the previous sanction of the Secretary of State, and reliefs should normally be provided from the fixed establishment. In exceptional circumstances requests for temporary additions to the establishment should be referred to the Colonial Secretary.

6. The Colonial Secretary should be informed of the home addresses of all officers, to which communications intended for their relatives or friends may be sent.

7. An officer of the Established Service may not resign except with the permission of the Governor which will only be granted if reasonable notice is given and an assurance obtained that satisfactory arrangements to refund outstanding liabilities have been effected.

8. Officers who resign their appointments at any time after returning to the Colony from overseas will be liable to refund such proportion of the cost of their outward passage as may be decided by the Governor.

9. An officer serving on probation may at any time determine his engagement on giving three months' notice in writing or on paying to the Government one month's salary.

10. It will be within the power of the Governor to give notice of the determination of the engagement at any time during the period of probation without assigning any reason on giving the officer leave of absence with full pay for the period of vacation leave at the rate laid down.

11. Notice of determination without assignment of a reason may also be given to an officer while on leave of absence, in which event he will be allowed to complete the leave of absence granted to him.

12. During the period of probation the Governor will further have full power to cancel the appointment at any time if the officer has been guilty of any misconduct, or if the Governor is satisfied that he is inefficient, and that his inefficiency is due to his own negligence or default, and in that event the officer will not be entitled to any privileges of leave or passage.

13. No officer will be admitted to the Established Service whose work is not thoroughly satisfactory and who does not succeed in passing such language examinations and other tests as may be prescribed.

14. Promotions will be made by selection as vacancies occur, and officers promoted to a higher post will as a general rule commence at the minimum pay of that post.

15. For the higher grade posts recommendations for filling such vacancies will be submitted for review by the Civil Service Board before any substantive appointment is made.

16. In cases where a head of department has cause to recommend that an officer should be passed over for promotion to any vacant post the fact should be noted in submitting the relative recommendation and full reasons should invariably be given in substantiation.

17. All applicants for employment should be required to fill up the prescribed form of application for Colonial Employment (P/1), (copies of which can be obtained from the Secretariat), which should contain a complete record of any employment which the applicant may have followed, whether public or private.

18. Heads of departments are required to satisfy themselves as to the record of previous service where a local firm or employer is concerned.

19. Full warning shall be given to any employer if it is desired to engage any of his employees so that he can take steps to enforce any contractual commitments and, further, it should be made clear to the applicant that he must settle any matters arising out of his contract with his previous employer before any appointment by Government can be made.

20. In cases where a local applicant for appointment has had previous employment in a Colonial Service outside Kenya it is necessary to obtain the sanction of the Secretary of State (by telegram, if necessary) before the person concerned can be engaged even on a temporary basis.

21. In cases where the applicant's previous service has been in the Union of South Africa or in other Dominions, application will be made direct by the Colonial Secretary to the country concerned for a report on the applicant's previous service.

22. In connexion with the appointment locally of an officer or other than a month to month basis it should be ascertained whether the candidate has previously submitted an application to the Colonial Office or Crown Agents for the Colonies for employment in the Colonial Service.

Heads of departments when submitting applications to the Secretariat should furnish this information.

23. No person who has previously resigned or been dismissed from Government Service may be reappointed locally without the sanction of the Colonial Secretary.

24. No candidate for employment who is in receipt of a pension from another Government should be engaged without the pensioning Government being consulted.

25. All candidates recommended for employment should undergo an examination by a medical officer approved by the Government, but such examination need not be insisted upon where the appointment is definitely only for a limited period.

26. Appointments on a temporary basis to posts for which provision exists in the Estimates may be made by heads of departments. When forwarding a recommendation for any such temporary appointment heads of departments should furnish a medical certificate of fitness (see Appendix 2, C.O.R.) and the usual vital statistics (see Appendix 3, C.O.R.) of the person to be appointed, together with information as to the proposed rate of pay, and a note as to the item in the Estimates from which the salary shall be paid.

27. Regular notification should be exchanged between Government departments requiring candidates of a school-leaving age and the Education Department, who will distribute the information as to vacancies, so that it may be available on application by the parents or guardians of children about to leave local schools. It will also help to this end if lists of openings in such junior posts as may be included under the above category are published in the Official Gazette from time to time by the departments concerned.

28. A medical certificate as to the fitness of the person concerned is required in the case of an officer serving on probation who is recommended for appointment to the Established Service.

29. An officer will not be placed on probation before the receipt of satisfactory reports from his referees.

30. Women who are appointed to the Established Service must understand that they will be called upon to resign their appointments in the event of their marrying, any employment subsequent to marriage being on a temporary footing or on the terms of probationary appointment.

31. Any officer on leaving the Service should, when practicable, be asked by the head of the department concerned

before he leaves the Service of the Colony whether he wishes to be furnished with a Certificate of Service or not. A copy of the form is shown in Appendix 5, C.O.R. and no other form of testimonial or commendatory letter shall be issued to him. The main purpose of such certificates is that they may be used as references covering the officer's period of service in the Colony when the time comes for him to seek employment elsewhere. Heads of departments who complete certificates should give in their information which they were they in the position of a prospective employer, might fairly expect to obtain from the person who had previously employed the officer. It is not desired that certificates should be so worded as to suppress information which prospective employers are entitled to expect, but there must be officers whose failure in the Colony was due to circumstances which would not necessarily obtain elsewhere, or who, though not successful in the Colony's Service have, nevertheless, qualities that fit them for other kinds of employment in England or abroad. Due weight should be given to these factors by the officer who completes the Certificate of Service and it is important that care should be taken to ensure that the certificate issued in any such case is carefully worded so as to give the officer credit for any good qualities which he may have shown, so that it does not, through a lack of precision or by the bare expression of a general adverse opinion, have the effect of prejudicing the holder's chances of obtaining subsequent employment of a kind for which he might in fact be qualified.

32. In the case of the death of an officer a report should be made by telegram or special messenger to the Colonial Secretary, stating the full name and title of the officer, together with particulars of the hour, date, place, cause of death, and the address, if known, of the deceased's nearest relative. This report should be furnished by the head of the deceased department, when the death occurs within his cognizance, or otherwise by the representative of the department in the locality, or, if there is no such representative, by the senior administrative officer of the district for the time being. In either of the latter alternatives a copy of the report should be sent to the head of the deceased department, who should submit a suitable obituary notice to the Colonial Secretary for publication in the Official Gazette.

24. No candidate for employment who is in receipt of a pension from another Government should be engaged without the pensioning Government being consulted.

25. All candidates recommended for employment should undergo an examination by a medical officer approved by the Government, but such examination need not be insisted upon where the appointment is definitely only for a limited period.

26. Appointments on a temporary basis to posts for which provision exists in the Estimates may be made by heads of departments. When forwarding a recommendation for any such temporary appointment heads of departments should furnish a medical certificate of fitness (see Appendix 2, C.O.R.) and the usual vital statistics (see Appendix 3, C.O.R.) of the person to be appointed, together with information as to the proposed rate of pay, and a note as to the item in the Estimates from which the salary will be paid.

27. Regular notification should be exchanged between Government departments requiring candidates of a school-leaving age and the Education Department, who will distribute the information as to vacancies, so that it may be available on application by the parents of guardians of children about to leave local schools. It will also help to this end if lists of openings in such junior posts as may be included under the above category are published in the Official Gazette from time to time by the departments concerned.

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29. An officer will not be placed on probation before the receipt of satisfactory reports from his referees.

30. Women who are appointed to the Established Service must understand that they will be called upon to resign their appointments in the event of their marrying, any employment subsequent to marriage being on a temporary footing or on the terms of probationary appointment.

31. Any officer on leaving the Service should, when practicable, be asked by the head of the department concerned

before he leaves the Service of the Colony whether he wishes to be furnished with a Certificate of Service or not. A copy of the form is shown in Appendix 8, C.O.R. and no other form of testimonial or commendatory letter shall be issued to him. The main purpose of such certificates is that they may be used as references covering an officer's period of service in the Colony when the time comes for him to seek employment elsewhere. Heads of departments who complete certificates should give in them information which they were in the position of a prospective employer, might fairly expect to obtain from the person who had previously employed the officer. It is not desired that certificates should be so worded as to suppress information which prospective employers are entitled to expect, but there may be officers whose failure in the Colony was due to circumstances which would not necessarily obtain elsewhere, or who, though not successful in the Colony's Service, have, nevertheless, qualities that fit them for other kinds of employment in England or abroad. Due weight should be given to these factors by the officer who completes the Certificate of Service and it is important that care should be taken to ensure that the certificate issued in any such case is carefully worded so as to give the officer credit for any good qualities which he may have shown, so that it does not, through a lack of precision or by the bare expression of a general adverse opinion, have the effect of prejudicing the holder's chances of obtaining subsequent employment of a kind for which he might in fact be qualified.

32. In the case of the death of an officer a report should be made by telegram or special messenger to the Colonial Secretary, stating the full name and title of the officer, together with particulars of the hour, date, place, cause of death, and the address, if known, of the deceased's nearest relative. This report should be furnished by the head of the deceased's department, when the death occurs within his cognizance, or otherwise by the representative of the department in the locality, or if there is no such representative, by the senior Administrative officer of the district for the time being. In either of the latter alternatives a copy of the report should be sent to the head of the deceased's department, who should submit a suitable obituary notice to the Colonial Secretary for publication in the Official Gazette.

CHAPTER II.

SALARIES AND ALLOWANCES.

43. The incidence of pay of an officer while on leave who has been transferred from one department to another should be borne by the department in which he is serving at the time he proceeds on leave and will be at the rate drawn by him immediately prior to his departure.

44. An officer who desires an advance on first appointment or return from leave must make application, if in England, to the Crown Agents for the Colonies.

Recovery will generally be effected by instalments of one-third of the amount of the salary payable to an officer each month until the full amount has been recovered but in certain cases the number of instalments may be increased with the Governor's sanction.

45. The Crown Agents for the Colonies are authorized to make an additional advance of salary to an officer who applies for it and who does not receive outfit allowance on first appointment up to the amount of £30.

46. An officer on leave in the Dominions or India may obtain an advance of one month's salary before sailing on return from leave on application to the authority by whom his leave salary is paid.

47. In no circumstances will advances be made in South Africa to an officer of this Colony travelling to or from any country through the Union of South Africa unless he holds written permission for such an advance either from the Colonial Secretary, the Crown Agents or the authority referred to in the preceding Regulation.

48. An officer in the Colony who desires an advance of salary should make application to the Colonial Secretary through the head of his department stating his reasons for such request.

49. The Treasury officer at Mombasa is authorized to advance up to half a month's salary to an officer arriving in the Colony on first appointment or from leave, to be recovered from his salary payable at the end of the same month.

50. An officer will be allowed to remit through the Crown Agents for the Colonies in equal monthly instalments a portion of his salary for the support of members of his

family. The sums thus remitted will not, as a rule, exceed half his salary in any one year, but in exceptional cases, the Governor may authorize remittances in excess of half salary. Duty pay or other allowances will not be included for the purpose of calculating the maximum amount of the remittances. Life insurance premia may be remitted by drafts on the Crown Agents.

51. All local applications in respect of family remittances should be made to the Treasurer who will make the necessary arrangements with the Crown Agents. Family remittances are not payable by the Crown Agents during any period of an officer's leave in England.

52. No acting allowance will be paid to an officer acting in any post in the Local Civil Service.

53. Additional remuneration for overtime or extraneous services will only be granted with the approval of the Governor and then only in exceptional circumstances and in respect of duties in addition to and absolutely distinct from those contemplated in a particular officer's substantive appointment. This Regulation is not intended to vary the procedure in departments where the rates for overtime work accorded to certain staff have been prescribed with the concurrence of the Secretary of State.

54. Uniform allowances have been authorized for the following posts:

Government House:

Chaufeur-Mechanic.

Customs Department:

Inspector, Preventive Service.

Examining Officers.

Medical Department:

Nursing Sisters.

Matron, Mental Hospital.

Assistant Matron, Mental Hospital.

Superintendent, Infectious Diseases Hospital.

Police Department:

Chief Inspectors.

Inspectors.

Inspector of Weights and Measures.

Assistant Inspectors.

Sergeant Instructor.

European Constables.

Prisons Department
 Assistant Superintendents
 Chief Officers
 Technical Instructors

Officers who, before the revision of salaries in 1933, drew the allowance plus local allowance will continue to be paid at the higher rate.

55. An outfit allowance of Sh. 600 is payable to Nursing Sisters of the Medical Department.

56. Non-commissioned officers of the Police promoted to commissioned rank receive an outfit allowance of Sh. 400.

57. An officer, to whom an outfit allowance has been paid, will be required to refund it, if he does not take up his appointment, or if he resigns, or leaves the Service, for any reason other than mental or physical infirmity, before completing two years' residential service.

58. An increment is an increase of salary of specified amount which, provided certain conditions are satisfied, is granted at regular intervals until a maximum is reached. The conditions may be merely (as in most cases) that the work and conduct of an officer during the past year (or other incremental period) have been satisfactory. But there may be a further condition, viz., that an officer must obtain an efficiency bar certificate or some other specified qualification, or there may be some special condition imposed after due notice has been given by the Government, such as passing of a language test or other examination.

59. When for any reason it is decided not to grant an increment on the date it is due, the following alternatives may be adopted:

- (a) The increment may be withheld.
- (b) The increment may be deferred.
- (c) The increment may be stopped.

An increment withheld means that an officer not having qualified for an increment on the due date cannot receive his increment on that date, and the increment must be withheld until the officer has fulfilled the necessary conditions of quality therefor. For example, an officer on the scale £500 to £550 per annum, who is due to receive his first increment on the 1st January, 1931, but does not pass some necessary test until the 1st June, 1931, would not be permitted to draw salary at the rate of £525 per annum

until the 1st June, 1931. His second increment, making his salary £550 per annum, would be due on the 1st January, 1932, and would be granted as from that date, subject to a certificate of satisfactory work and conduct and the passing of any examinations or tests laid down. The officer would thus revert to his original incremental date.

If the officer does not succeed in passing the necessary test before the 1st January, 1932, or subsequently passing he would ordinarily be granted one increment only. In an exceptional case, however, and with the approval of the Governor, on satisfying he might be given a double increment or such increments as would bring his salary to that point in his scale which he would have reached had his increments not been withheld.

An increment deferred means that the head of department is unable to grant the increment when due, and defers consideration thereof *pro tem*. If and when the increment is granted, it may be given with retrospective effect as from the date on which it was first due, or it may be treated as increment withheld. In either case, the officer would subsequently revert to his original incremental date.

An increment stopped means that an officer cannot be considered for the grant of an increment until another year (an incremental earning period) has been served. For example, an officer on the scale £500 to £550 is due for his first increment on the 1st January, 1931, but the increment is stopped for disciplinary or other reasons. He would not qualify for an increment until the 1st January, 1932. Ordinarily on that date he would be given only one increment, but he might, in an exceptional case, and with the approval of the Governor, be given a double increment, so as to receive the same salary in 1932 as he would have received had he normally been granted his increment due in 1931.

60. Increments should not be withheld by heads of departments unless an officer has already been warned in writing that such a course is meditated.

61. The head of department must satisfy himself that the officer concerned has discharged his duties satisfactorily in every way before certifying that he has earned his increment. In no case may an increment be granted unless a certificate is attached to the pay sheet on which such increment is first inserted.

62. The rate of salary of an officer who is promoted or placed on a different scale of salary is governed by section 59 of the Colonial Regulations.

In case of doubt as to the interpretation of this Regulation in any particular instance reference should be made to the Treasurer.

63. In certain scales of salary there are efficiency bars on reaching which an officer cannot receive further increments until he has been promoted to the higher part of the scale with the sanction of the Colonial Secretary.

An efficiency bar is not an automatic step in an officer's advancement, but rather a limitation thereto unless the requisite standard of work, conduct and qualifications has been attained.

In submitting recommendations for the passing of an efficiency bar, heads of departments should satisfy themselves that the officer recommended is—

- (a) efficient and in possession of the requisite qualifications;
- (b) zealous in all branches of his work;
- (c) a credit to his department in all respects.

The stage at which an officer should be regarded as having passed to the higher scale is when he receives the increment next beyond an efficiency bar point.

CHAPTER III.

DISCIPLINE.

73. Officers are required to discharge any duties upon which the Governor may think it desirable to employ them.

74. Officers whose remuneration is fixed on the assumption that their whole time is at the disposal of the Government are prohibited from engaging in trade, or employing themselves in any commercial or agricultural undertaking.

75. The chief consideration in deciding whether or no private employment may be undertaken by officers should be:—

- (1) Are there in the Colony, or reasonably available, private individuals capable of undertaking the particular work concerned?
- (2) Is it in the general public interest that an officer should be allowed to take private employment in any particular case?
- (3) Is the grant of the privilege in a particular case likely to lead to a claim for similar treatment from other officers who are equally qualified for the employment, but to whom it might not be desirable to accord the privilege?

76. All officers, whether or not their whole time is at the disposal of the Government, are prohibited from directly or indirectly making or holding any local investment, speculating in the shares of, or being connected with any company, occupation or undertaking which might bring their private interests into real or apparent conflict with their public duties, or in any way influence them in the discharge of their duties. In all cases of doubt as to the application of this regulation an officer is required to submit the case for the Governor's decision.

77. The relaxation of the rules laid down in Regulation No. 76 above, has been authorized in particular cases, subject to the following safeguards:—

- (i) Previous permission of the Governor in Council is necessary in all cases.
- (ii) Full particulars of the transactions must be disclosed.
- (iii) The Secretary of State must be notified of the name of the applicant and the nature of the pecuniary interest, together with the Governor's decision.

This concession applies only to holdings in land and the position, area and purchase price must be stated.

Mining interests and interests of a commercial and speculative nature cannot be regarded as being within the scope of the concession.

76. Regulation 76 applies not only to officers themselves but to their wives, and officers will be held responsible for its observance by them. The practice of registering a mortgage, for example, in the name of the wife of an officer without the Governor's permission is a direct violation of the regulation, and disciplinary action will be taken in any case which is brought to the Governor's notice.

79. No officer on leave of absence may accept any paid employment without previously obtaining the express sanction of the Secretary of State or, if his leave is spent in the Colony, of the Governor.

80. No officer may undertake any private agency in any matter connected with the exercise of his public duties.

81. Without the express permission of the Secretary of State or of the Governor, an officer may not act as the editor of any newspaper, or take part directly or indirectly in the management thereof, nor contribute anonymously thereto; nor publish in any manner anything which may be properly regarded as of a political or administrative nature.

He may, however, publish signed articles upon subjects of a general interest.

82. No officer, whether on duty or on leave of absence, is to allow himself to be interviewed on questions of public policy or on matter affecting the defence or military resources of any British possession.

83. Officers are entitled to their own views in matters of politics, but any public expression of these views is liable to violate the spirit, if not the actual letter, of Regulations 81 and 82.

Officers should accordingly confine themselves to recording their votes at the ballot and in no case publicly to indicate their support of a particular candidate or policy, either by signing nomination papers or in any other manner, such as making speeches or joining in demonstrations in favour of any political person, party or propaganda.

84. Officers are prohibited from receiving valuable presents (other than the ordinary gifts of personal friends) whether in the shape of money, goods, free passages or other personal benefits, and from giving such presents.

This regulation applies not only to the officers themselves, but also to their families, and officers will be held responsible for its observance by their families. It is not intended to apply to cases of remuneration for special services rendered and paid for with the consent of Government. This regulation may be relaxed upon an officer's final departure from the service of the Colony, but only with the special permission of the Secretary of State previously obtained. Such relaxations are, however, intended to be exceptional.

85. Officers who subscribe or organize subscriptions towards a present to another officer without having received the previous permission of the Secretary of State are committing a breach of Regulation No. 84 and the Secretary of State will not grant such permission unless the circumstances are fully explained to him in a despatch in time for a reply to be sent by mail. It is also generally desirable that the amount of individual contributions should be limited to a fixed maximum.

Money which has been subscribed with a view to marking approbation of an officer's conduct may be devoted to some public purpose and connected with the name of the person who has merited such a proof of general esteem.

86. Presents from rulers, chiefs, or other members of the population in or neighbouring to the Colony, which cannot be refused without giving offence, will be handed over to Government.

When presents are exchanged between Governors or other officers acting on behalf of the Colonial Government in ceremonial intercourse with rulers, chiefs, or others, the presents received will be handed over to Government and any return presents will be given at Government expense.

87. Any officer who is absent from the Colony without leave will be held thereby to have vacated his office.

88. An officer of the Established Service may be dismissed by the Governor provided that in every case where the officer has not been convicted on a criminal charge the grounds of intended dismissal are definitely stated in writing and communicated to the officer in order that he may have

full opportunity of exculpating himself. If in the opinion of the Governor the officer fails to exculpate himself an investigation shall be made into the charges in such manner as the Governor may direct.

If as a result of such investigation the Governor is of opinion that the allegation is proved, he may inflict such punishment upon the officer by way of dismissal or lesser punishment as may seem to him just.

This regulation is without prejudice to the under-mentioned regulations providing for the summary punishment of officers by the Governor or the head of a department:—

The Departmental Offences Ordinance, No. 35 of 1928.

The King's African Rifles Ordinance, No. 31 of 1930.

The Prisons Ordinance, No. 37 of 1930.

The Police Ordinance, No. 64 of 1930.

89. Notwithstanding the above provisions, if the Governor considers that any such officer should be removed from the service on grounds of general inefficiency, he must call for a full report from the heads of the departments in which the officer has served; and, if satisfied after considering that report that it is necessary in the interests of the public service, he may remove the officer. In every such case the question of pension will be dealt with under the laws or regulations of the Colony.

90. If in any case the Governor considers that the interests of the public service require that an officer should cease to exercise the powers and functions of his office instantly, he may interdict the officer from the exercise of the powers and functions of his office provided that proceedings for his dismissal are being taken or are about to be taken, or that criminal proceedings are being instituted against him. An officer who has been interdicted shall, unless and until he is suspended, be allowed to receive such proportion of the salary of his office, not being less than one-half, as the Governor shall think fit. If the proceedings against any such officer do not result in the dismissal or other punishment of the officer, he will be entitled to the full amount of salary which he would have received if he had not been interdicted.

91. If an officer is convicted on a criminal charge the Governor may cause the proceedings of the criminal court on such charge to be considered in Executive Council, and if he is of opinion that the officer should be dismissed or

subjected to some lesser penalty on account of the offence for which he has been convicted, the officer may thereupon be dismissed or otherwise punished.

92. An officer convicted on a criminal charge shall not receive any salary from the date of conviction, pending consideration of his case by the Governor.

93. An officer acquitted of a criminal charge shall not be dismissed on any charge upon which he has been acquitted, but nothing in this regulation shall prevent his being dismissed or otherwise punished on any other charges arising out of his conduct in the matter, provided that they do not raise substantially the same issues as those on which he has been acquitted, and the Governor if he thinks fit may take the usual proceedings for the purpose.

94. An officer who is under suspension or interdiction may not leave the Colony during the interval before he is reinstated or dismissed, without the leave of the Governor.

95. Serious pecuniary embarrassment is regarded as impairing the efficiency of an officer and rendering him less valuable than he would otherwise be.

Such embarrassment affects the respectability of the Service and the trustworthiness of the individual and may be held to be a bar to promotion or increment.

The mere fact, under whatever plea, of becoming a party to accommodation bills or promissory notes, whether for his own purpose or for another person will be regarded in the same light.

96. The Registrars of the Supreme Court and Magistrates will report to the Governor every case in which proceedings are taken against any officer in bankruptcy, and every case in which an officer becomes a judgment debtor, and will send copies of every such report to the Colonial Secretary and to the head of the department in which the officer is employed.

97. Heads of departments will, within one month from the date of the receipt of the report referred to in the last preceding regulation, transmit their observations upon each individual case of indebtedness to the Governor and to the Colonial Secretary. Such observations should indicate also whether in the opinion of the head of the department any disciplinary action is called for against the officer concerned and if so, of what nature.

98. The removal of stamps from official documents is prohibited and any officer offending against this rule will be liable to such disciplinary action as the Governor may consider desirable.

The removal of stamps from documents with intent to defraud is a criminal offence and officers responsible for the safe custody of official documents should take the necessary precautions to see that there is no possibility of removal of any stamps from such documents.

99. In cases where an officer wishes to dispose of any of his personal property or effects by sale to the Government, the sanction of the Governor must be first obtained in the transaction, and only in very special cases will sanction be accorded. Officers are not permitted to dispose of any of their personal property or effects by sale to natives or native reserves.

100. Any officer selling or distributing lottery tickets or coupons to natives renders himself liable to dismissal.

101. The extent to which officers may be permitted to express their opinion of the actions of a friendly foreign Government must necessarily be governed by the extent to which such expression may be likely to embarrass the British Government in its relations with the foreign power.

Civil servants hold their offices at the pleasure of the Crown, and, whilst it is not desired to interfere with their liberty of free speech, any lack of discretion likely to embarrass Government may result in serious consequences for the individual responsible.

CHAPTER IV

LEAVE

111. All leave is subject to the exigencies of the Service. An officer may not demand as a right to be granted leave.

112. Leave will be divided into two classes—

- (a) Local leave.
- (b) Vacation leave.

Local leave shall be granted by the head of departments at the rate of eighteen days in every calendar year of residential service but cannot be accumulated. On first appointment such leave should not be granted before an officer has completed six months' residential service. Leave may be taken in conjunction with vacation leave. Only the most exceptional circumstances will be allowed to interfere with the grant of local leave.

113. In very special circumstances the Governor may extend local leave with full pay on the understanding that any such extension will entail reduction of equal length in the vacation leave granted in an officer.

114. Subject to the exigencies of the Service an officer serving in a probationary capacity in the Established Service may be granted twenty-eight days' vacation leave for each year's residential service in a healthy station. Proportional leave may be granted at the rate of seven days for each completed three months' service.

115. If the case of an officer serving in an unhealthy station two and a half months' service will be reckoned as three months' service in a healthy station.

116. Vacation leave may be accumulated up to six months.

117. No vacation leave will be granted for service in the learner grade.

118. Temporary service, if followed without a break by probationary service, may be counted for vacation leave with the approval of the Colonial Secretary.

119. The following stations are classed as unhealthy—

All stations in the Coast, Northern Frontier and Turkana Provinces, and the districts of North Central, and South Kavirondo.

In the Ukamba Province: Kilim, Voi and Tsita.

In the Kiambu Province: Fort Hall and Thika.

In the Nzoia Province; Marakwet and Tainbach.
In the Rift Valley Province; Kabaret.

120. Deferred leave is vacation leave already earned and carried forward on return to duty after taking any portion of vacation leave.

121. An officer proceeding on leave to Europe must immediately report his arrival to the Crown Agents and the Colonial Secretary, Nairobi, on the forms attached to his last pay certificate, subsequently notifying any change of address.

122. An officer proceeding on leave elsewhere will report to the Colonial Secretary, Nairobi. If a communication to an officer at the address given fails to reach him promptly he will be held responsible for any inconvenience that may be caused.

123. Application for vacation leave will be made through the head of department to the Colonial Secretary on the form laid down in Appendix B of the Code of Regulations.

124. Special attention is drawn to the necessity for an officer not engaged through the Crown Agents to enter into the prescribed agreements in respect of passage prior to his departure.

125. If an officer is proceeding on leave overseas it is his duty to make his application for leave in sufficient time to enable arrangements to be made for his passage. Applications for accommodation on ships sailing between January and June should be submitted nine months in advance and, in the case of sailings between July and December at least six months' notice should be given to the Government Coast Agent. Provisional booking can always be arranged if the date of departure is uncertain.

126. When an officer is absent from duty owing to illness not caused by his own neglect or misconduct he may be granted full pay up to a maximum period of three months' absence in any one period of twelve months of residential service; half salary may be granted thereafter up to a maximum period of three months. The period during which an officer is actually under treatment will be covered by a certificate from a Government medical officer but local sick leave necessary for the purpose of recuperation after illness will require a recommendation from a medical officer, confirmed by the Director of Medical and Sanitary Services. All absence from duty, whether owing to illness or convalescence, will be classed as local sick leave.

127. When an officer is granted local sick leave, the medical officer who furnishes the certificate on which the sick leave is granted should state thereon the destination to which he recommends the invalid should proceed.

128. Should illness be caused through the officer's own impropriety of conduct his full salary may be forfeited for the whole period of absence from duty.

129. Vacation leave may be extended with full salary on the grounds of ill health for any period not exceeding six calendar months, and if necessary for a further period of six months with half salary.

130. The period of any sick leave spent outside the Colony will ordinarily be deducted from any vacation leave already earned.

131. Any extension of leave, however short which may be granted on any other grounds than those of ill health will be deducted from any period of vacation leave for which the officer may become eligible after his return to duty.

132. Every officer at least a fortnight before proceeding on leave to England, will present himself for examination to the medical officer at his station. If he is unable to do this he will make arrangements for the examination to take place before he sails. At such examination he must be prepared to give full information as to any ailments from which he may have suffered and medical treatment which he may have received during his tour of service. The medical officer will furnish the officer examined with a paper of advice in the proper form, which will contain directions as to the precautions he should take during the voyage home and after arrival in the United Kingdom, and also an expression of opinion as to the necessity or otherwise of his being seen by one of the medical advisers to the Colonial Office. Immediately after the examination the medical officer will himself post a certificate in the approved form direct to the Colonial Office, so that it will arrive in England by the same steamer as the officer examined. One copy of the certificate will be sent to the Secretariat. Officers after presenting themselves for medical examination should obtain from the medical officer a certificate to the effect that they have been examined according to the Colonial Office instructions, without which they will be unable to obtain their steamer tickets or passage money from the Government Coast Agent. All officers on being informed departmentally that their leave is sanctioned should be warned of this regulation.

CHAPTER V.

PASSENGERS.

142. An officer proceeding to England from the Colony should communicate with the Government Coast Agent through his department as to the booking of passages, giving, whenever necessary, full particulars as to class and grade of accommodation required; also children's ages (at time of proposed sailing date) and sex; together with information as to whether return or single passage tickets are required for his wife and family.

143. Passage tickets for all officers will be supplied by the Government Coast Agent, who will arrange payment making any necessary recoveries from the officers concerned.

144. Where any doubt exists as to whether it will be possible to grant leave to an officer on the date contemplated, provisional bookings should be made and confirmed at the first opportunity, not less than twenty days prior to the date of sailing. Once a booking has been confirmed, cancellation should only take place on grounds of extreme urgency, and in the event of a late booking or cancellation being necessary the Government Coast Agent should be notified by telegram which should be followed by a confirming letter.

145. In the event of a passage being cancelled to suit the convenience of an officer, Government will not be liable for any expense incurred thereby.

146. Return tickets must be taken when an officer is returning for further service irrespective of the grade, class or route in which his homeward passage is made; the return portion in the first instance must be taken in that grade or class only to which an officer is entitled. Any adjustment which it is desired to make is a matter for arrangement between the officer concerned and the Crown Agents whilst the officer is on leave in England.

This regulation does not apply to return tickets taken for the wife and/or family of an officer when the return portion is issued in accordance with the wishes of the officer concerned. The cost of return passage tickets for the wife and/or family of an officer must be paid for before the officer leaves the Colony.

147. Any extra expenditure on passages incurred by extension of leave or other cause, except on public grounds, will be at the charge of the officer concerned.

148. The accommodation for which officers will be considered eligible is on the following basis:—

- (i) Officers drawing over £450 per annum at the date of sailing: second class British India Line or B6 Union Castle Line.
- (ii) Officers drawing over £300 per annum and not more than £450 per annum: second class British India Line or B6 Union Castle Line.
- (iii) Officers drawing £300 per annum and under: third class Union, Castle Line or second class British India Line.

149. Officers will be expected to travel by British lines unless they have received permission to the contrary when the passage allowance will be based on British India Line rates except in cases under (iii), above when the allowance will be based on Union Castle Line rates.

150. For each year of residential service except in the learner grade, an officer will be considered to have earned 25 per cent of the cost of a return passage to the port nearest which his leave is to be spent by direct route and by the class to which he is eligible to travel up to the cost of a passage to London by the all-sea route, provided he is returning for further service.

151. No funds towards passages will be granted to an officer for less than two years' residential service.

152. No family passage allowance will be granted but an officer will be allowed to travel by a lower grade or class than that to which he is eligible and apply the savings towards the cost of family passages, and subject to medical fitness will be allowed to accumulate passage money for service beyond four years so as to provide towards the cost of family passages.

153. Passage privileges can in no case be converted into cash.

154. When a cash advance is made to an officer by Government or by the Crown Agents in respect of a passage, whether intended to cover the whole or part of a journey the amount so advanced is to be accounted for by the officer, who if called upon to do so, shall furnish supporting vouchers to the proper authority.

155. Savings realized on a passage in either direction may not be utilized towards the cost of a passage in the other direction. If an officer proceeding to England is provided with a return passage voucher, the "savings" in respect of the journey in either direction will be regarded as the difference between half the cost of a return passage by the class by which he travels and half the cost of a return passage by the class by which he is entitled to travel.

156. In the event of a married officer dying in the Colony, single passages, with appropriate transport privileges within the Colony, may be granted to his widow and family by the class to which the deceased officer would have been entitled.

CHAPTER VI

MEDICAL.

156. Regular medical examination of officers will take place at such periods of time as the Director of Medical and Sanitary Services may consider desirable.

167. Medical examination of local candidates for appointments will be carried out at the General Dispensary, Nairobi, between the hours of 9.30 a.m. and 11 a.m.

The medical certificate should include a statement that the candidate is not in need of dental treatment.

168. All officers other than those on temporary month-to-month appointments are entitled to free medical attendance by the medical staff in respect of themselves, but not in respect of members of their families or their servants.

Operations upon an officer will be performed free, provided that they are not necessitated by his own indiscretion.

169. The cost of any treatment which the Government medical service is unable to provide will be borne by the officer concerned. In cases, however, where such treatment is necessary and expensive the grant of *ex gratia* assistance may be considered. Expert radiological examinations of treatment would be included under this heading.

170. A charge will be made for medical appliances and medical comforts as distinguished from medicines, which latter will be supplied free of charge.

171. Prescriptions are made up at the Government Dispensary at any time during office hours. Prescriptions marked "urgent" by a medical officer will be dispensed at all hours.

Prescriptions should be accompanied by suitable bottles, as these are not usually supplied by the Medical Department.

Repeat prescriptions should be initiated by a medical officer.

172. The form of medical certificate to be used in the case of officers reporting sick is shown in Appendix 10 of the Code of Regulations.

A certificate furnished by a private practitioner should be countersigned by a Government medical officer.

173. All officers in Swirou, Mombasa or Kisumu requiring medical attention will arrange for an appointment with the medical officer in charge of the European Hospital between the hours of 9 a.m. and 11 a.m.

174. The medical officer will have absolute discretion to order a patient into hospital.

175. Hospital fees on the following scale will be chargeable for an officer lodged in a European hospital:—

	Per diem.
	Sh.
Officers drawing salaries of £300 per annum and under	4
Officers drawing salaries of £500 per annum and under	6
Officers drawing salaries of £700 per annum and under	8
Officers drawing salaries over £700	10

In the event of an officer failing to pay his hospital bill on discharge, an account will be submitted to the Treasury, and the sum deducted from the officer's salary.

176. If an officer falls ill so as to require medical attendance during the voyage home or during his leave of absence and remains ill for a week, he is required to report the fact to the Colonial Office, and at the same time forward a certificate from his medical attendant, stating the nature of the illness, and, if possible, its probable duration.

177. When an officer on leave is directed to present himself for examination by a consulting physician to the Colonial Office or any other medical authority in England or elsewhere, the fee will be paid by Government.

CHAPTER VII.

LOCAL TRANSPORT AND TRAVELLING.

182. Privileges in accordance with the various rules and scales which follow may be granted to an officer travelling in the Colony on duty, first appointment, leave and transfer.

183. In addition to these privileges, an officer on first appointment or vacation leave may be granted transport for his wife and children accompanying him or following him to his station, the class of accommodation being the same as that granted to the officer himself, but the combined allowance of transport of luggage of an officer and his wife and children must not exceed the allowance of the officer himself. Such transport for an officer's wife and children will only be granted provided an officer takes not less than 25 days' vacation leave at any one time, and once only for each time an officer is transferred.

184. An officer who is granted free transport on vacation leave will be allowed to break his journey, either forward or return, at intermediate stations or ports. The journey must be completed before the expiration of the period for which the ticket is available, and the route must not be travelled over more than once in the same direction.

190. An officer transferred from one station to another within the Colony will ordinarily be allowed free transport at Government expense up to a maximum of two tons, subject in every case to a certificate that such luggage contains no provisions or perishable goods.

Expenditure incurred under this Regulation is subject to challenge by the Treasurer, and the scale is liable to modification at any time. No claim in respect of luggage transported on local transfer in excess of the scale laid down will be entertained.

An officer on transfer will be allowed to include his baggage on a railway warrant up to the weight stated above.

191. No transport privileges at Government expense will be granted to officers travelling on local leave, but in such cases they will be granted concessionary tickets at a single fare for the double journey for themselves, their wives and minor children living with and dependent on their parents, but not for servants.

The concession is granted once only in each calendar year, and the return ticket will be available for one month between any two stations or ports on the Kenya and Uganda Railways and Harbours Services.

The holder of a ticket granted under this concession is entitled to break his journey either forward or return, at intermediate stations or ports. The journey must be completed before the expiration of the period for which the ticket is available, and the route must not be travelled over more than once in the same direction.

An officer who desires to avail himself of this privilege on local leave should present at the railway booking office prior to the commencement of the journey a certificate from the head of his department, a specimen form of which is shown as Appendix 13, Code of Regulations.

192. An officer granted local sick leave after a period of illness, not caused by his own neglect or misconduct, may be granted free transport within the Colony in accordance with the scale laid down in Regulation 194, and railway and steamer accommodation to and from the place at which such leave is to be spent, of the class by which he is entitled to travel. Family transport will only be granted on the specific recommendation of a medical officer that it is essential that the wife should accompany the officer.

All expenses in connexion with the transport of an officer during illness on sick leave will be met from the travelling vote of his own department.

The medical certificate must be attached to the railway warrant or to the relative voucher.

193. An officer requiring dental treatment may likewise be granted free transport within the Colony for himself, but not for his family, provided that he obtains a certificate signed by a dental surgeon to the effect that dental treatment was necessary and has been rendered.

194. Privileges in accordance with the following scale may be granted to an officer travelling on the Kenya and Uganda Railways and Harbours Services:

First appointment or leave : 500 lb.
Travelling on official duty or sick leave—
(a) On journeys by rail only : 120 lb.

(b) On journeys including also *safaris*, the authorized number of loads for *safaris*.

(c) When the use of camp equipment is necessary to enable an officer travelling by rail and road to reach his destination, luggage to the amount authorized for wheeled transport, vide Regulation 196, may be granted.

(ii) The amount carried free on each ticket by the Railway is additional to the allowance laid down in the preceding Regulations.

(iii) First class accommodation may be provided for all officers on lake steamers and certain coasting steamers.

(iv) No servants' tickets will be allowed.

195. An officer travelling on duty who wishes to be accompanied by members of his family may be granted the same reduction on the fares for his family as is given by the Railway Administration on the fares of Government passengers.

This concession will only be available in regard to journeys accounted for by railway warrant.

The railway warrants must show separate provision for the officer's fare and that of his family, and before the warrant is issued the price of the family fare must be paid and a note made on the warrant that this payment has been made.

196. Privileges in accordance with the following scale may be granted to an officer travelling by road in the Colony:

	Porters,	By wheeled
	including Headmen,	transport.
First appointment or leave	85	1,440 lb.
On tour of official duty or sick leave	21	840 lb.

(a) The above allowances of porters are inclusive of all the camp equipment, tents and personal effects of the officer himself, his sextuple, his porters and his horse or mule, if any, also of his despatch box and office furniture.

(b) Extra porters may be allowed for police escort, when required, at the rate of one porter to every three men or fraction thereof for equipment, *porho*, etc., and an extra porter for one tent for every six men.

197. Camp equipment on the following scale may be granted to an officer travelling on duty in the Colony:

- 1 tent, 7 ft. by 6 ft., with groundsheet, verandah and bathroom;
- 1 servant's tent;
- 1 chair;
- 1 table;
- 1 camp bed, with mattress and mosquito net.

198. (a) Where an officer travelling on duty is obliged to stay at an hotel or club, the normal tariff for board and lodging will be refunded, if supported by vouchers, up to a maximum charge of Sh. 12 per night.

(b) When an officer is travelling by train on duty or is proceeding on or returning from overseas leave, expenses in respect of meals and/or bedding will be refunded, if supported by vouchers, up to a maximum charge of Sh. 5 per night.

199. Stock Inspectors, other than those posted to the Northern Frontier Province, receive no travelling allowance when travelling within the districts in which they are stationed.

200. Travelling allowance is not admissible where a passage with food is provided at Government expense.

201. Advances for purchase of motor cars:—

- (a) In cases in which the performance of an officer's duties can best be facilitated by the use of a motor vehicle, Government is prepared to make an advance upon the recommendation of the head of the officer's department to the Treasurer, towards the cost of the requisite vehicle. The officer will be required to pay ten per cent of the cost of the vehicle, and the amount of the Government advance must not exceed £300 in the case of a motor car, £150 in the case of a motor cycle and sidecar, or £100 in the case of a solo motor cycle. In the case of motor cars, the concession will apply ordinarily to an officer in receipt of a salary of £500 per annum or over. In no case will an advance of more than half of the annual salary of the officer be made, but he may be advanced in addition the amount required to pay for an insurance policy covering the period during which the advance is outstanding. Applications for advances should be submitted on the form set out in Appendix 14, Code of Regulations.

(b) In making a recommendation to the Treasurer under the preceding sub-paragraph, heads of departments must certify in each case that the officer is required to undertake travelling in the course of his duties, and that such travelling can most advantageously be done by motor transport of the type and grade specified in the recommendation.

(c) No officer who is in possession of a motor vehicle purchased with Government assistance may debit against the relative travelling vote the cost of hiring any motor vehicle for his own transport without the previous consent of the head of his department.

(d) An officer who is granted an advance for the purchase of a motor cycle may, if he wishes, purchase instead a motor car, and although he will ordinarily be allowed to draw only the allowance allotted to motor cycles, he may be permitted to draw motor car allowance should he have occasion to perform a journey for which a motor car is necessary. The necessity must be clearly shown on the voucher on which the allowance is drawn.

(e) An officer in possession of a privately purchased motor vehicle may, when it is so recommended to the Treasurer by the head of the department concerned, draw the appropriate allowance when travelling on duty.

(f) A purchaser of a motor vehicle under sub-paragraph (e) above shall enter into an agreement with the Treasurer in form of Appendix 15, Code of Regulations.

202. An officer who desires to purchase a motor vehicle in England and who is about to proceed on or is on leave in England may, after prior reference to the Treasurer through the head of his department, obtain an advance up to the sums mentioned in Regulation 201 above from the Crown Agents for the Colonies for the purpose of purchasing a motor vehicle manufactured in Great Britain or elsewhere within the Empire to be imported into Kenya, and subject to his entering into the agreement detailed in Appendix 16, Code of Regulations. Application for this advance must be submitted before an officer proceeds on leave, through the head of his department to the Treasurer, who, if sanction is given to the purchase, will advise the Crown Agents.

203. An officer will be allowed to repay an advance thus granted in twenty-four equal and successive monthly instalments; payments will be continued during absence from the Colony if the advance has not been adjusted prior to the officer's departure.

Whenever an officer obtains an advance, whether in the Colony or in England, under the Government scheme, the first instalment in repayment will be recovered from the first completed month's salary after the vehicle has been delivered.

204. Allowances to cover running expenses and depreciation will be given in respect of journeys on Government service, according to the rates prescribed in the next paragraph. The rates so prescribed are liable to variation at any time at the discretion of Government.

205. Until further notice, the following allowances will be paid in respect of journeys undertaken on Government service:

- | | |
|--|--------------------|
| (a) For motor cars | 55 cents per mile. |
| (b) For motor cars in the Northern
Frontier and Turkana Provinces | 70 cents per mile. |
| (c) For motor cycles with sidecar | 25 cents per mile. |
| (d) For motor cycles without sidecar | 20 cents per mile. |

206. Claims in respect of journeys which do not exceed five miles in distance, measured out and back to claimant's normal place of work, will be left to the discretion of heads of departments or Provincial Commissioners for adjustment, either by way of payment at the rates indicated in Regulation 205 for specified journeys, or by means of commuted allowances if circumstances so justify, subject to the proviso that the claimant has been authorized in the past by the Colonial Secretary to draw a commuted allowance.

207. Allowances will not be payable in respect of journeys between an officer's house and his office.

208. No allowance or payments will be made for stores or labour used on the motor vehicles, renewals, breakdowns, depreciation or any other expenses or charges in connexion with the motor vehicle incurred by the officer, but in the case of an officer drawing the rate laid down in Regulation 205 special claims may be made for major damages, which are not covered by the requisite insurance policies, which arise directly from necessary journeys on duty and which are not due to negligence or to carelessness. Claims of this nature should be

investigated by the head of the officer's department. If he considers the claim reasonable he may refer it to the Treasurer, who has authority to make settlement from the relative travelling vote of the department or province concerned.

The mileage rates payable on all vehicles are based on the cost of running these vehicles fully loaded. No additional allowances will be payable for the conveyance of passengers.

209. An officer entitled to draw car allowance, who may be sent subsequently to a station where the holder of his office has been granted sanction by the head of the department to use a motor cycle on public business and not a motor car, will be allowed to draw the allowance provided for a motor car, if he uses his car instead of a motor cycle, for so long as he continues to own that car.

210. Every officer claiming allowance for the use of a State aided or privately owned motor vehicle shall furnish a certificate on the form appended in Appendix F, Code of Regulations, in duplicate to the head of his department or Provincial Commissioner with vouchers, who will, if he allows the claim, endorse it to the Treasurer. Claims in this respect will be submitted monthly. In this connexion, see Regulation 212.

211. It is to be clearly understood that the use of a motor conveyance on Government service is intended to be an economy of time and money.

The mileage traversed on Government service by an officer entitled to an allowance will be limited by the sanctioned provision for allowance in the several votes, and heads of departments will be responsible for this allocation not being exceeded.

212. Officers are expected to exercise every economy, and are warned that they must be prepared to defend the necessity of a journey for which allowance is claimed on its necessity being challenged by the head of the department or the Treasurer.

Several officers should arrange to travel together where this is feasible. Where a journey could be performed by train the railway should be used, unless travelling by motor car would better serve the interests of Government.

213. An officer using a motor vehicle under the conditions of these Regulations may be granted free transport for one motor vehicle when travelling on duty, transfer or new

appointment, provided that the head of his department is satisfied that it is in the interests of Government that the vehicle should be taken. The justification must be clearly shown on the voucher. In the case of an officer, whose duties can best be facilitated by the use of a motor vehicle, purchasing such vehicle at a place other than his own station, Government will, once in each tour of service, defray the cost of transport of a vehicle of the type and grade authorized, from the place of purchase, if this is within the Colony, or from Mombasa if the vehicle is purchased outside the Colony, to the nearest railway station to his post, provided that it is impracticable to use the vehicle for the journey in question.

Free transport for a horse, mule or bicycle may be granted under similar conditions.

214. (a) The Crown Agents for the Colonies will purchase a British-made motor vehicle in England for an officer on duty in Kenya.

(b) Arrangements have been made for the Government Coast Agent to clear as well as forward all motor vehicles consigned to Kenya officers by the Crown Agents.

(c) Customs duty and landing charges will be paid by the Government Coast Agent, who will debit these charges to the private account of the officer concerned.

(d) The above charges will be added to any sums already advanced to the officer for the initial cost of the machine, packing, insurance, shipping freight, etc., and recoveries of the total debit will be effected by the Treasury through salary vouchers in the usual manner.

215. If the need arises for hiring a car for an official journey an officer may hire a car from certain firms and individuals on favourable terms. A register of firms or individuals who have expressed their willingness to accept the special terms is kept by the Central Tender Board.

216. The class of vehicle to be used, weight to be carried, the charge per mile, and waiting charges, will be as notified from time to time.

217. Bicycle allowance at the rate of Sh. 1 per month may be sanctioned by the head of his department at his discretion for an officer who certifies that he has kept a bicycle for the period for which the allowance is claimed, and that it was in good order and available for Government service. Such allowance will be chargeable to the departmental local travelling notes.

CHAPTER VIII

MISCELLANEOUS.

217. No free quarters or allowance in lieu will ordinarily be granted to officers of the Local Civil Service, except that in cases where, owing to special duties, an officer has to occupy Government quarters at or adjoining particular institutions, such quarters may be regarded as part of the officer's emoluments.

218. In out-stations where no quarters other than Government quarters are available, such houses will be rented to an officer, either on a rental basis calculated administratively on the value of such house, or on the basis of 15 per cent of the officer's salary, whichever is the less.

219. No officer will be compelled to rent Government quarters except in places where no other quarters are available.

220. (i) Arrangements have been made for storing the effects of an officer while on vacation leave in a special building in the Public Works Department yard at Nairobi. The space available is not as a rule adequate for storing an officer's furniture.

(ii) Applications for this concession, giving full details of the space required, must be addressed to the Chief Storekeeper, Public Works Department, Nairobi, and no effects should be forwarded until notification has been received that space is available.

(iii) An officer will make his own arrangements for the transport of his effects, which must be handed in to the Public Works Department between the hours of 9 a.m. and 4.30 p.m. on week days, and 8 a.m. and 11.30 a.m. on Saturdays.

221. The following conditions must be complied with:—

(a) Effects must be neatly packed, preferably in stout wooden boxes, and labelled by the officer himself with his name, designation and department.

(b) No package will be accepted without its identifying label.

(c) No keys will be accepted.

(d) The storekeeper may refuse to take over any article if in his opinion it is unsuitable for storage, on account of its contents, packing, or for any other reason.

(e) In no circumstances will any explosive or inflammable article be accepted.

(f) It must be clearly understood that, while every reasonable care will be taken of these stored effects, Government will not hold itself responsible for any loss or damage.

232. The storekeeper may call upon an officer at any time to reinforce his effects after reasonable notice.

233. The storekeeper may refuse to hand over any package so deposited until he receives a full and sufficient discharge for the same on the counterfoil of the original receipt.

Examinations

234. An officer of the Local Civil Service will be expected to comply with the regulations laid down from time to time governing the language and other examinations so far as any post which he holds may be affected.

235. Police constables are also required to pass a departmental examination in law before being confirmed in their appointments.

Confidential Reports

236. Any requirements under this head will be considered administratively in consultation with the Civil Service Board.

Field service dress

237. An officer of the Local Civil Service will be expected to comply with the regulations laid down from time to time governing the wearing of field service dress so far as any post which he holds may be affected.

238. Any officer in the Colony has the right to address the Secretary of State, if he thinks proper, in which case he must transmit such communication, unsealed and in triplicate, through the head of his department and the Colonial Secretary to the Governor, requesting him to forward it in due course to the Secretary of State. Every letter, memorial, or other document which may be received by the Secretary of State from a Colony otherwise than through the Governor, will be referred back to the Governor for his report.

239. Heads of departments are requested invariably to note in their letters forwarding communications to Government their own opinions and recommendations.

240. Departmental officers should communicate with the Colonial Secretary through the heads of their departments.

241. No officer is allowed to take extracts or copies of minutes and correspondence for his own purpose unless such correspondence is expressly addressed to the officer personally and is not marked "Confidential".

242. A Widows and Orphans' Pension Scheme is in operation, the provisions of which are governed by Chapter 34 of the Laws of Kenya and the regulations made thereunder.

243. Government office hours are as follows:—

At Nairobi: From 8.30 a.m. to 4 p.m., with an interval of one hour; on Saturdays, from 8.30 a.m. to 1 p.m.

At all other Highland stations: From 9 a.m. to 4 p.m., with an interval of one hour. On Saturdays from 9 a.m. to 1 p.m.

At the Coast and Nyanza stations, office hours will be left to the discretion of the local authorities, on the understanding that offices are to be open for not less than four hours on Saturdays and six hours on week days.

These hours are subject to the exigencies of the Service.

244. The following are gazetted public holidays:—

New Year's Day.

Good Friday.

Easter Monday.

Empire Day.

The Anniversary of the Birthday of His Majesty.

The first Monday in August.

Christmas Day.

Boxing Day.

If any day gazetted as a public holiday falls on a Sunday, the day next following not being itself a public holiday shall be kept as such.

245. Heads of departments are at liberty to give leave without loss of pay to Jewish members of their staff on the following days:—

New Year (two days).

Day of Atonement (one day).

246. All officers on arrival in or departure from the Colony must report themselves to the Government Coast Agent.

APPENDIX I (REGULATIONS)
 COLONY AND PROTECTORATE OF KENYA

LETTER OF TEMPORARY APPOINTMENT.

Department

Station

Date 19.....

To:

Mr.

You are appointed as a
 in this Department with effect from the

2. The salary attached to your post is at the rate of
 per annum
 consolidated, i.e., inclusive of all allowances.

3. This appointment is purely temporary and can be
 terminated by notice on either
 side or payment of equivalent salary in lieu of notice.

4. You will be liable to instant dismissal in the event
 of incompetence, misconduct or insubordination.

5. Your appointment does not entitle you to privileges of
 leave or passage or other concessions enjoyed by members
 of the permanent staff of the Service.

.....
 Head of Department.

I agree to accept the conditions specified above.

.....
 Employee.

Date 19.....

Copies to: Employee; Department concerned; Hon. Colonial
 Secretary and Hon. Treasurer.

APPENDIX II (REGULATIONS)
 COLONY AND PROTECTORATE OF KENYA.
 LOCAL CIVIL SERVICE.

LETTER OF PROBATIONARY APPOINTMENT.

Department

Station

Date 19.....

No.

To:

Mr.

You are hereby appointed as a
 on probation in this Department with effect from the

2. The salary attached to your probationary post is at
 the rate of £.....

3. Your probationary appointment will be subject to the
 Regulations which are at present in force or which may be
 promulgated from time to time with the approval of the
 Governor, as laid down in the Regulations governing the
 Local Civil Service.

4. On the expiry of a probationary period, you may be
 recommended for confirmation in your appointment and ad-
 mission to the Established Service of the Colony.

.....
 Head of Department.

I agree to accept the conditions specified above.

.....
 Employee.

Date 19.....

Copies to: Employee, Hon. Colonial Secretary and Hon.
 Treasurer.

APPENDIX III (REGULATIONS)

COLONY AND PROTECTORATE OF KENYA.

LETTER OF APPOINTMENT TO THE ESTABLISHED SERVICE.

Department

Station

Date 19.....

No.

To:

Mr.

You are hereby appointed as a in the Established Service of the Local Civil Service of this Colony with effect from the 19.....

2. The salary attached to your post is at the rate of £.....

3. You must understand that you enter the service of this Colony and Protectorate subject to all Regulations affecting them which are now in force or which may be promulgated from time to time by the Government.

4. You are liable to be transferred at any time to another branch of the Colony and Protectorate service at the discretion of the Government.

Head of Department.

I agree to accept the conditions specified above.

Employee.

Date 19.....

Copies to: Employee, Hon. Colonial Secretary and Hon. Treasurer.

APPENDIX III

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE WERRICK COMMITTEE ON TERMS OF SERVICE.

Post	Present Scale *	Scale attached with Head of Department	Notes
GOVERNMENT HOUSE Chief Clerk	£100-20-400	£100-20-450	Free quarters. The Private Secretary may have new furniture by the Sub-committee.
Chief Clerk-Medic	£200 -18-30-16-800 -25-30-800	£360-20-800	Free quarters.
Superintendent of Gardens	£90	ditto	Free quarters.
Comptroller and Housekeeper	£190	£150-15-500	With free board and lodging.
Administrative Officer	£425-25-600-50-775	£500-25-650	Ag. C.J. £1. 3 s. confined.
Office Assistant	£200-30-500 (15 salary)	£480-20-600	Comparable with a Town Clerk.
Superintendent of Tribal Services	£300-15-375 (15 salary)	£700-15-300-15-425	Should be regarded as a Clerk at Nakuru.
Superintendent, Rabbit Breeding	£200-20-600	£480-20-600	Free quarters.
Technical Instructor, Rabbit Propagation	£300-15-395-18-425	£350-15-425	Free quarters.
AGRICULTURAL DEPARTMENT: Accountant	£300-20-600	£700-25-650	The Sub-committee agrees with the Director that this post will probably justify a scale going on to £750.
Office Superintendent	ditto	ditto	Great responsibility and acts for his Chief.
Officer and Inspector	£400-20-600	ditto	
Superintendent of Milk Farms, etc.	£375-15-450-480	ditto	
Laboratory Superintendent Instructor in Work	£200-15-300-15-400-20-500	£360-20-450-50-600	

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERICK COMMITTEE ON TERMS OF SERVICE—(Cont'd.)

Post	Present Scale	Scale agreed upon with Board of Department	Notes
Principal Engraver— Superintendent	\$500-\$850	\$700-\$840	
Assistant Superintendent	\$300-\$450 \$400-\$550	\$300-\$425 \$400-\$550	
Technical Instructor	\$240-\$300-\$375	\$240-\$300-\$375	With free quarters.
Chief Officer	\$240-\$300-\$375 \$375	\$240-\$300-\$375 \$375	
Printer Works Department— Workshops Manager	Post being abolished		
Other Superintendent	\$600-\$750	\$600-\$750	
Transport Officer	\$300-\$375	\$300-\$375	
Draftsman	\$240-\$300	\$240-\$300	
Assistant Accountant	\$425-\$450-\$475	\$425-\$450-\$475	Is really an Assistant Architect, acting during leave.
Senior Surveyor	\$375-\$450-\$525	\$375-\$450-\$525	
Senior Surveyor	\$300-\$375	\$300-\$375	
Assistant Surveyor	\$240-\$300	\$240-\$300	
Overseer	\$300-\$375	\$300-\$375	
Inspector: Water Supply	\$300-\$375	\$300-\$375	
Inspector: Fire	\$300-\$375	\$300-\$375	
Inspector: (Miscellaneous)	\$300-\$375	\$300-\$375	
Inspector (United)	\$300-\$375	\$300-\$375	

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERICK COMMITTEE ON TERMS OF SERVICE—(Cont'd.)

Post	Present Scale	Scale agreed upon with Board of Department	Notes
Senior Works Department—(Cont'd.)			
Senior Works Department— Inspector: Mason, Mechanical, Thermographer	\$272-\$425 Post being abolished \$300-\$375-\$450 \$250-\$300	\$272-\$425 \$272-\$425 \$272-\$425	
Electrician	\$300-\$375	\$300-\$375	
Senior Operator	\$180	\$180	
Senior Operator	\$180	\$180	
Inspector: (Apprentices)	\$180	\$180	
General Clerk	The Director makes such responsibilities should be each with by insurance and not by high pay.		
REQUIRE GENERAL'S DEPARTMENT— Mechanician	\$240-\$300-\$375	\$240-\$300-\$375	
SECRETARY AND LEGISLATIVE CLERK— Committee of Ordnance and General post only	\$240-\$300-\$375	\$240-\$300-\$375	
General Department	\$240-\$300-\$375	\$240-\$300-\$375	
Assistant Registrar & Native Officer: Change of Flight Post Bureau Inspector: Local Services	\$240-\$300-\$375 The duties are responsible, but should be within the approved & locally recruited man with some training.	\$240-\$300-\$375	
Survey and Engraving Department— Inspector: Survey and Engraving Lower Surveyor	\$240-\$300-\$375 \$240-\$300-\$375	\$240-\$300-\$375 \$240-\$300-\$375	

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERICK COMMITTEE ON TERMS OF SERVICE—(Contd.)

POST	Present Scale	Scale agreed upon with Head of Department	Name
Principal Deputy-Superintendent	7,500-90,000	7,000-25,400	
Assistant Superintendent	7,000-18,500-30,000-40,000-50,000	7,000-20,400-26,500	
Technical Inspector	7,000-11,500-16,000	7,500-15-425	
Chief Officer	7,000-11,500-16,000-18,500	7,750-15,250-18,500-18,500	With two quarters
Public Works Department—Workshops Manager	Post being abolished		
Chief Superintendent	6,000-30,700 (present 6,000 fixed)	7,500-25,650	Is really an Assistant Architect acting during leave
Transport Officer	6,125-18,400-21,600	ditto	
Transportman	6,300-10,400-20,600	ditto	
Assistant Accountant	6,500-20,800	ditto	
Senior Overseer	7,372-19,425-19,400-20,800	7,400-20,600	
Assistant Superintendent	7,500-18,500-19,425	7,500-15,350-18,425	
Overseer	6,500 fixed	ditto	
Foreman (Blacksmith)	6,500 fixed	ditto	
Foreman (Carter)			

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERICK COMMITTEE ON TERMS OF SERVICE—(Contd.)

POST	Present Scale	Scale agreed upon with Head of Department	Notes
Police Works Department—(Contd.) Inspection Man, Mechanical Inspector	7,372-18,000 Post being abolished 7,500-18,500-18,500-20,800	7,500-15,350-18,425	
Kit, Sewing Operator	7,000-15,900-15,350	ditto	
Stock Transfer	7,192	7,150-20,200	
Workshop Operator (Apprentice)	7,500	7,500-15,350-18,425	The Director agreed to bring in order to come into line with other Departments but thinks the pay rather high.
OFFICIAL SERVICES: The Director thinks such responsibilities should be dealt with by insurance and not by high pay.			
REGISTRAR GENERAL'S DEPARTMENT—Assistant	6,000-19,400-26,600	7,400-20,400-20,650	A small department, but with complicated duties involving a knowledge of bankruptcy law, etc.
SECRETARY AND LEGISLATIVE COUNSEL—Captains of Business and Clerical posts only	6,000-30,725 6,500-20,000	7,500-25,650 7,400-20,200	
SEAFARERS DEPARTMENT—Chief Superintendent of Marine Officers-Chief of Fleet, Port Bureau	The Subcommittee was of the opinion that the duties are responsible, but should be within the scope of a locally recruited man with some training.		
SURVEY AND REGULATIVE DEPARTMENT—Office Superintendent and Assistant Lower Officer	7,000-18,400-20,800 7,372-18,400-20,800	7,500-25,650 7,500-15,350-18,425-400-20,540	

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE JOINT BOARD COMMITTEE ON TERMS OF SERVICE (1934)

Post	Project Scale	Salary Range from which Head of Department	Grade
Secretary (One) - BUREAU OF RECORDS DEPARTMENT (Grade)	172-18-40-20-500-20-500	2,400-20-30	
Director/Assistant		ditto	
Survey Relations Officer	190-20-300		
Junior Clerkship	100, 100, 100, 240	1,650-18-300-18-300	
Lawyers (Survey Cadets)		ditto	

The Surveying General's grade provided (maximum of those posts is 2,600.

The Surveying General's grade is not to exceed the present arrangement.

REMARKS:—The Treasury will, if it is understood, in future contract of joint Officers (for the Officers and clerical staff only.

GENERAL NOTES TO THE SUBCOMMITTEE

- All Heads of Departments have accepted the standard standard scales for the standard points, with the reservation by the Director of Agriculture (see the Schedule on the Agricultural Department).
- The clerical and office literature has been taken as a basis for the classification in the case of non-clerical posts in all Departments, including in mind, as far as possible the training of local students for such posts.
- Wherever possible a maximum of 2,600 has been used as the dividing line between the Officers of the Local Services. Marginal posts have been (if necessary).
- Wherever few exceptions the upper part of the standard Special Scale (2,600-2,720) has been reserved for special recommendations of important branches in cases of extension, responsibility, or other.
- The positions requiring five years for special recommendations should be covered by Schedule of Civil Service, District. A few have been noted.

CLERKS, BURGERS—ALL DEPARTMENTS

Project Scale	Female	Male
Grade A.—2,300-16-500-18-390-18-400-20-500	Female—2,360-20-420	Male—2,500-20-460-20-500
Grade B.—1,100-20-240-18-300-18-360	Female—1,200-18-280-18-360	Male—1,300-17-360
Grade C.—1,180-20-260-18-300	Female—1,260-12-84-18-120	Male—1,360-12-84-18-120

(*) The positions from 2,680 to 2,720 are subject to the same conditions as those of the Bureau.

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REPORT OF THE LOCAL EUROPEAN CIVIL SERVICE COMMITTEE
(MERRICK REPORT).

Copies of the above report have been circulated and attached is an examination of the various proposals affecting the establishment of a Local Civil Service, it contains the comments received.

2. The main considerations appear to be :-

- (a) Is it feasible to attempt to introduce a scheme for a Local Civil Service until the details of a provident fund, or a contributory pensions scheme, have been worked out since the rates of contribution, etc., must necessarily have a bearing on the basic rates of salary proposed?
- (b) How is the case of serving officers to be dealt with? It is clear from the comments received that some of the posts tentatively scheduled for the Local Civil Service in the Merrick Report can only be filled by recruiting from Overseas for a long time to come, and it is therefore for consideration whether they should be included in any such scheme at all.

3. In view of the foregoing and of the detail which examination involves, the advice of Executive Council is asked whether the Civil Service Board referred to in both the Fitzgerald and Merrick Reports should be set up at once and, if so, as a first duty it should be asked:-

- I. To examine and to report upon the inclusion of the posts scheduled in the Merrick Report for the Local Civil Service in the light of the comments received and the decision of Executive Council that Officers with six years or more service should retain Overseas Service rights.
- II. To advise whether it is feasible for Government to adopt the Merrick Report scales of salary, or such variations as they may recommend for such Local Service, pending a decision on the question of a provident fund or a contributory pension scheme.
- III. If the answer to II is in the affirmative, to make detailed recommendations as to points in the scales of salary on which officers recommended for the Local Civil Service should transfer.
- IV. To review the interpretation of the Secretary of State's proviso "that officers recruited from outside the Colony should not be forced to accept conditions designed for local personnel, but as a personal arrangement should be treated in the same way as those holding posts assigned to the Overseas Service" and to advise whether this should include officers who, though not domiciled in Kenya, have actually been recruited in Kenya or officers who, though recruited locally, have their homes outside the Colony.

LOCAL EUROPEAN CIVIL SERVICE COMMITTEE (MERRICK COMMITTEE) REPORT.

The Report has been circulated. The comments of the Expenditure Advisory Committee, of Heads of Departments, of the Transport Administration and of the European Civil Service Association are summarised below. It does not appear that the Committee consulted Local Government Authorities, accordingly the comments of these bodies have not been invited.

A. GENERAL.

1) General comments by Heads of Departments etc. The Commissioner of Customs considers that the principle of appointment to Joint Service Departments of Members of a Local Civil Service must be agreed to by the Governments concerned before detailed discussion of the scheme as applied to the Customs Department is possible. A similar comment is made by the Officer Commanding the Northern Brigade.

The Commissioner for Local Government, Lands and Settlement considers the term "Local" a misnomer for the service in view of the small number of locally born officers at present employed in the posts scheduled for the "Local" Service and he considers it a matter for conjecture whether the terms proposed will be sufficiently attractive for posts which must, necessarily, be filled from home for many years to come.

The Chief Native Commissioner remarks that the parent Committee i.e. the Fitzgerald Committee, had recommended conditions of service which it believed would be adequate to attract local candidates of sufficient educational attainments for the duties of specified posts, and it believed that local educational facilities combined with increased immigration were such as to make this possible. Further, he states, in times of universal depression such as the present it is difficult to judge how far that Committee's expectations are likely to be realised, but there seems some reason to believe that in the year that has elapsed since the writing of their Report the rate of immigration has not advanced. In any case, he considers, it is at present at least doubtful whether the supply of locally educated candidates will be adequate to meet the demand and the probability is that for some time to come the so-called local service will continue to be recruited from overseas. This seems to be true particularly of appointments to technical posts scheduled for inclusion in the local service. He concludes that if the supply of local candidates is likely for some time to be inadequate it follows that the immediate introduction of terms of service suitable only to local candidates must be premature. If it is admitted that for some time to come we must rely, in the main, on overseas candidates to fill the "Local Civil Service" posts, then the question to be answered is "Are the terms offered sufficiently attractive to induce reasonably well qualified men and women from overseas to offer themselves as candidates?". Again as to the scales of salary proposed, he remarks, the main consideration should be that emoluments should be such as to compete with those offered by private firms for similar duties and responsibilities and it does not appear from paragraph 4 of the Report that the Committee has yet been able to satisfy itself on this important point.

The General Manager, Kenya and Uganda Railways and Harbours remarks that in most Departments it will be found that the great majority of the staff must continue to be recruited from home, difficulties will at once arise when two individuals doing exactly the same work are employed under different conditions. He observes that the Committee considers the conditions suggested not unsuitable if it proves necessary to fill vacancies from outside East Africa, but he is of opinion that the terms are entirely inadequate to attract staff from overseas. The terms suggested could only apply to the Railway Administration in a comparatively small way, and chiefly in connection with the junior clerical grades, because most of the Railway staff are technically trained and for many years recruitment must be from outside East Africa.

The Director of Agriculture considers it unwise to use the nomenclature "Overseas" and "Local" and understands that offence is taken to these terms in Civil Service circles as restoring the division to first and second class officials which was abolished by the Secretary of State in 1920. The proper desire to facilitate local recruitment can be met by an instruction that every endeavour should be made to recruit locally.

He notes that in the Schedule to the Report certain posts in the Treasury, Public Works, Post Office, Customs, Secretariat and Registration Departments are reserved for recruitment from overseas and he submits that it would give satisfaction to the service if it were indicated that an officer in the "Local" service might be promoted to the "Overseas" section provided he has the necessary qualifications and ability.

He does not consider sufficient stress has been placed upon the importance of a satisfactory educational standard for entrants particularly in the case of clerks and similar officers who, for advancement to the higher grades, must possess a good education. Indeed, in the absence of facilities for technical and commercial education, he does not see how local youths can acquire the qualifications reasonably necessary to perform clerical duties.

The Government Printer reiterates the statement he made to the Committee "that there are no possible opportunities for local recruitment of these posts (in the Government Press) at present, or likely to be for many years." He adds that the proposed emoluments are too low, and will not induce the right type of candidate from overseas especially when the adverse comparison with emoluments in neighbouring territories is realised.

The Statistician remarks that there is no clear justification for changes and modifications being introduced in the near future and still less "almost immediately".

He continues that the increased purchasing power of money in Kenya has definite limitations determined by the two main factors of (a) the geographical position of Nairobi and (b) Government policy in relation to tariffs and railway freights. He states that the cost of all articles, except those of local produce, will remain from 80 to 100 per cent above English prices, and that the present increase over pre-war prices in Kenya is definitely between 50 and 80 per cent. He adds that he cannot visualise any existing method by which local boys and girls can obtain the training available in England and South Africa. The locally trained girl is hopelessly incompetent and, if an efficient local service is to be built up, some training facilities must be afforded.

The Conservator of Forests remarks that the scheme for a

Local Civil Service is as yet incomplete owing to the absence of definite Pensions and Provident Fund proposals.

The Government Coast Agent considers the standard of education so low, and the field for local recruitment so small, that it would be unwise to fetter Government's discretion even to the extent of filling the posts enumerated in the Schedule. He remarks upon the low educational standard suggested by the Committee in paragraph 8 of the Report.

The European Civil Service Association remarks on the lack of facilities to enable genuinely local recruits to obtain qualifications and considers that an examination of the posts scheduled makes it clear that a considerable time must elapse before the Colony can hope to provide the training necessary to produce efficient candidates to fill the posts. Many of the posts scheduled require specialised technical training and because the local technical training of recruits cannot be visualised within any reasonable period it is a grave error to include the specialised posts in a local service. The type required can scarcely be recruited from those who are unemployed in depressed times.

(II) Nomenclature of Service.

Para 1-7. The terms of reference to the Committee were "to
Page 1-3. examine, to report upon, to schedule posts and to draft Regulations having regard to the principles laid down by Executive Council at its Meeting of the 7th January, 1932, for the inauguration of a Local European Civil Service" applicable to Civil Servants not employed by the Kenya and Uganda Railways and Harbours Service.

Para 5. The Committee found a difficulty in laying down at the
Page 2. present juncture terms of service which can be regarded as "likely to prove stable over any extended period of years".
Para 6. They consider that, "as far as can be judged at the present
Page 2. time", the scales of salary they suggest provide "a reasonable career in the lower branches of the Kenya Civil Service for local recruits who it is hoped will form more than a considerable proportion of new appointees".

The Merrick Report was intended to affect some 662 posts, of which some 46 are estimated to be held by locally educated Europeans. It is thus clear that the term "Local European Civil Service" is a misnomer at present.

Moreover, both the terms "Overseas" and "Local" as applied to Civil Servants, besides being incorrect in a large majority of cases - a fact realised in the Fitzgerald and Merrick Reports - are thought to imply a restoration of the division of the service into First and Second Class Officials, a distinction which was removed by the Secretary of State in 1920.

Various other terms have been considered - Senior and Junior, First Division and Second Division, Covenantant and Uncovenantant, Executive and Subordinate etc. All give rise to the same objection and imply a barrier which, if restored, is unlikely to persist in a Colony and in a service where it is, and should be, increasingly possible for junior officers of merit to obtain promotion.

The fact is that certain conditions and terms of service are applicable to certain groups of posts and officers and certain other conditions and terms to other posts and officers; and because it does not seem necessary to invent a term descriptive of a very wide range of public service activities it is suggested the term "Local" should disappear.

(III) Numbers of posts likely to be affected by the Report.

As stated the Report is thought to affect some 662
European

15

European posts, of which some 46 are held by locally educated Europeans.

Of these 662 posts 350 are held on agreements and of the remaining 312 posts 250 Officers have been confirmed in their appointments. The balance of 62 officers are serving on a month to month basis.

Of the 350 Officers on agreements:-

254 have less than 6 years service.

40 have between 6 and 7 years service.

15 have between 7 and 8 years service.

10 have between 8 and 9 years service.

4 have between 9 and 10 years service.

31 have more than 10 years service.

350

In this connection it is remarked that of the foregoing 350 Officers on agreements a large number have much more service than many of the 250 Officers who have been confirmed because their posts happen to be pensionable e.g. 23 European Police Constables with less than 5 years service have been confirmed while 12 Stock Inspectors each with over 5 years service are still unconfirmed. Instances of this anomaly occur in every Department and not only in the European staff but also between European and Asiatic staff.

The equity of the application of new terms of service in connection with the junior ranks was considered by Executive Council, the Minute, No.391 of 1932, recording:-

"That:-

- (1) Of the present posts for which modified terms of service have been recommended in the Report of the Local European Civil Service Committee, those holders who are at present serving on agreements or on a month to month basis should, unless they have had six or more years continuous service, or have completed two tours, whichever shall be greater, be warned that any offer of re-engagement which may be made to them upon the expiration of their present agreements may be on revised terms of service and that, in cases in which existing agreements expire before the new terms of service have been approved, they will, if they wish, be retained on a month to month basis until the new terms are ready for their examination.
- (2) Individual cases which may be recommended for special consideration should be submitted to the Governor-in-Council."

In consequence the recommendation has been made to the Secretary of State:-

Confidential
despatch No.125
of 30th September,
1932, to the Secretary
of State.

"That officers who had had six years or more satisfactory service on agreements should not, by reason of the fact that they happened to be serving on agreements be put in a less favourable

favourable category than others who have possibly been confirmed in their appointments after a shorter period of service. Generally speaking, however, it was considered that a six years test was a reasonable one, and as provision has been made for any special cases of hardship I consider that the interests of the officers will be adequately safeguarded."

The Secretary of State's telegraphic reply states: -

Confidential telegram No.236 of the 14th November, 1932, from the Secretary of State.

"I accept the proposal ... concerning officers on agreement in posts assigned to the Local Service subject to the proviso that officers recruited outside the Colony should not be forced to accept conditions designed for local personnel, but as a personal arrangement should be treated on the same way as those holding posts assigned to the Overseas Service".

In view of the foregoing it appears that at present approximately 254 Officers on agreement may be affected by the Report.

(IV) Prospects of Local Recruitment. In the 1931 Census Report of the 4,692 Europeans aged 20 or below, 39 did not specify their precise age, 1,532 were returned as aged 4 or below, leaving 3,121 Europeans definitely of school-going age. Of these 1,843 were receiving instruction, leaving 1,278 who were either not receiving instruction or whose parents failed to state that they were.

In 1931 in the Aboomic age group of 16 - 19 years there were 601 boys and 801 girls. Between the ages of 16 and 19, the suggested age margin for recruitment for learner staff, there were 337 boys and 370 girls.

Of the total youth of 627 persons of 16 - 19 years, 558 either were not at school, were not stated to be at school or had left school and only 69 (35 boys and 34 girls) were receiving instruction of any sort.

In 1931 there were 9,404 European males and 7,408 females in Kenya. Of these 1,529 males and 206 females were engaged in Public Administration and Defence, exclusive of Transport Services but inclusive of Local Government services.

Of these: -

<u>Males.</u>	<u>Females.</u>	
67	26	were of or under the age of 19.
1,358	174	were between the ages of 20 - 49.
108	6	were between the ages of 50 - 59.
6	-	were aged 60 or over.
<hr/> 1,529	<hr/> 206	

The total of 35 boys and 34 girls who were between 16 - 19 years old in 1931 who were receiving education in Kenya speaks for itself in estimating the supply, even supposing

supposing all were suitable for, and all were willing to enter Government service. It will also be realised that for some years young persons 16 - 19 would not be of great assistance in a Department.

Para 6 (1).
Page 3.

The question of a supply of junior recruits is not, however, only one of statistics. The Report lays down the minimum qualifications for candidates of roughly 16 to 18 years of age as the Junior Cambridge Examination, or an equivalent standard, and for older candidates the School Leaving Certificate or London Matriculation Examination, or other recognisable tests. The first examination is generally taken at an earlier age than 16 to 18 in the United Kingdom and the second and third examinations, or their equivalents, at the age of 16 or thereabouts.

It is essential that there should be standard qualifications for entry if the public service is not to fall in to disrepute and it will be seen that the Report sets this as low as possible, indeed perhaps too low. Apart from the low education age statistics which have been given, and which raise a separate set of problems, it is disquieting to note that the following is the examination record of European education in Kenya during the past five years:-

	Entered.	Passed.
Cambridge Junior Local	157	106 (47 boys, 59 girls).
Cambridge School Certificate	49	35 (14 boys, 21 girls)
London Matriculation	15	1 (1 boy)
Cambridge Higher Certificate	1	1 (1 boy)

A total of only 63 boys and 80 girls successful during a period of 5 years, in attaining what can be called general intelligence qualifications.

Apart from the poor examination record of the past five years, in estimating the supply for a genuine local European Civil Service the total of 69 boys and girls between 16 - 19 years of age now receiving education must be discounted by the following factors:-

- (a) That a number now receiving education in Kenya will complete their education elsewhere.
- (b) That of those now receiving education in Kenya a number will not reach the requisite standards for entry to the Civil Service.
- (c) That of those now receiving education in Kenya a number, who have reached the requisite standard, will seek employment other than Government Service.

(d) That of the posts listed in Appendix III to the Merrick Report the very great majority can be definitely regarded as closed to girls.

(e) That there are no facilities for European vocational training in Kenya or for evening or continuation classes with the result that the training of the European Junior Civil Servants in the rudiments of his, or her, post would be at the expense of Departmental efficiency.

Doubtless European education in Kenya will progress and a supply of educated youth be obtainable, if only in small numbers, but the only conclusion which can now be drawn is that the prospects of obtaining locally educated recruits are poor in the extreme.

Accordingly it is submitted that neither now, nor in the readily ascertainable future, can a genuine local service materialise and that the very great majority of the posts reviewed in the Merrick Report must be definitely recruited either from persons recruited overseas, or from persons from overseas in Kenya who are suitable, and qualified, for the employment they seek.

(V). Comparison between the position of European and Asiatic officers holding junior appointments.

(V) Comparison between the position of European and Asiatic officers holding junior appointments.

It should be noted that the Asiatic staff in the service are in a much more favourable position than the Europeans whom the Report proposes to include under revised terms, because of approximately 1150 Asian officers about 870 will remain on free pension conditions while on the European side of 662 officers only 250 have been confirmed in their appointments.

(VI) Conditions of Service in Local businesses and Companies.

The Report remarks that the evidence received was disappointing because many of the larger firms and institutions failed to furnish the requisite data and the particulars obtained show a divergence of practice in commercial circles. The comparison with present and proposed Government terms is important and an opportunity has been taken of examining the confidential data submitted for the Committee and of obtaining, verbally and confidentially, the data not furnished, ~~to~~ to the Committee from the larger firms. This is summarised below and the summary covers instances of European shops, agencies, lawyers' firms, transport and transport commodity companies, and banks, both large and small. Generally speaking all the larger institutions are included:-

Paragraph 4
Page 1.

FIRM I.

Accountant (m) - 20 years' service. £500-£600. Increments in good times. No housing. No medical expenses. No definite periods for leave. Passage period included in leave. Low First Class passage.

Typist (f) - 4 years' service. £180-£260. As above.

No pension or provident fund. No cut in salaries.

FIRM II.

Clerk (m) - 5 years' service. At £120 in scale of £60-£120. Increment on quality of work. No housing. No medical expenses. Leave 4 months every 4 years. No passage given.

" (m) - 1½ years' service. At £720 in scale of £600-£1000. Annual increment of £60. Allowances £60. No housing. No medical expenses. Leave 6 months every 4 years. First Class passage.

" (m) - 1 year's service. At £480 in scale £480-£720. As above.

Typist (f) - 5 years' service. At £240 in scale of £120-£300. As in first quoted instance in this firm.

No pension or provident fund. No cut in salaries.

FIRM III.

Head Clerk (m) - 10 years' service. At £420 in scale £300-£420. Increment according to merit.

Commission

Commission on business introduced. Allowances \$35. No housing. No medical expenses. Leave 4 months every 4 years. \$40 passage allowance.

Clerk (a) - 2 years' service. At \$165 in scale \$150-\$165. Increment on merit. Commission on business introduced. No allowance. No medical expenses. No housing. No leave. No passage.

Typist (f) - 2 years' service. As above.

No pension or provident fund. No cut in salaries.

FIRM IV.

Mechanics (a) - 6 years' service. \$32. No increments, allowances, medical expenses, housing or passages. Leave given without pay, out at no stated periods.

No pension or provident fund. No cut in salaries.

FIRM V.

Salesman (a) - 4 years' service. \$750 on scale \$600-\$750. No allowances, no medical expenses, no housing or passage. Local leave given.

No pension or provident fund. No cut in salaries.

FIRM VI.

Mechanics (a) - 2 1/2 years' service. \$138 in scale \$120-\$138. Bonus when profits permit. No increments. \$20 allowances. No housing or medical expenses. Leave 6 months in 4 years. Second class passage.

Typist (f) - 1 year's service. \$240 in scale \$240-\$300. No housing, medical expenses, leave or passage.

No pension or provident fund. No cut in salaries.

FIRM VII.

Asst. Manager (a) - 1 year's service. \$380 in scale \$380-\$400. Annual increment. No allowances, housing, medical expenses, leave or passage.

Typist (f) - 3 years' service. \$180 in scale \$120-\$250. As above.

No pension or provident fund. No cut in salaries.

FIRM VIII.

Book-keeper (f) - 5 years' service. \$390 in scale \$300-\$390. No housing or medical expenses. Leave 4 months after 4 years. Second Class passage.

Typist (f) - 3 years' service. \$270 in scale \$240-\$270. No other arrangements made.

No pension or provident fund. No cut in salaries.

FIRM IX.

FIRM IX.

Accountant (m) - 12 years' service. £600 in scale £450-£600. No housing. No medical expenses. Leave 6 months in 4 years. Half salary on leave. Second Class passage.

Accountant (m) - 6 years' service. £520 in scale £450-£520. As above.

Typist (f) - 5 years' service. £300 in scale £300-£360. As above.

No pension or provident fund. Ten per cent cut in salaries recently.

FIRM X.

Mechanics (a) - 2 years' service and under. 1 at £600, 4 at £400, 5 at £270. No housing, medical expenses, increments. Leave 6 months in 4 years, two-thirds salary on leave. Third Class passage.

Accountant (a) - 12 years' service. £600. As above. Second Class passage.

Cashier (m) - 6 years' service. £480. As above.

Clerk (f) - 6 years' service. £285. As above.

Provident fund recently suspended. No cut in salaries.

FIRM XI.

Accountant (a) - 5 years' service. £420 in scale £360-£420. £60 house allowance. Leave 6 months in 3 years. Medical attendance. First Class passage.

Stenographer (f) - 5 years' service. £270 in scale £270-£300. As above.

No pension or provident fund. Ten per cent cut in salaries.

FIRM XII.

Accountant (a) - 6 years' service. £456. Ten per cent on net profits. No housing, medical attendance, leave or passages.

Typist (f) - 6 years' service. £300. As above.

Employers Liability Insurance against accidents. Fifteen per cent cut in salaries.

FIRM XIII.

Accountant (a) - 2 years. £452. Increment on merit. No housing. No medical expenses. Leave 5 months in 5 years. First Class passage.

Typist (f) - 2 years. £270. As above.

No pension or provident fund. No cut in salaries.

FIRM XIV.

FIRM XIV.

- Clerks (m) - On being posted to Kenya £400 (£200 pensionable). Increments stopped during last two years owing to world conditions. Bonus in good years. No housing, save for senior staff. Medical attendance for tropical diseases. Leave 5 months after 4 years for those under 40 years of age, ditto after 3 years for those over 40 years of age. First Class passages.
- Clerks (f) - £300 per annum. Otherwise as above except leave is given after 3 years.
- pensions at 50-60 years of age. No cuts in salaries, but for two years there have been no increments.

FIRM XV.

- Cashier (f) - £600 per annum. Guaranteed bonus on profits. No housing, no medical attention. Leave 6 months after 5 years. Second Class passage.
- Clerks (m) - £300-£420. Otherwise as above.
- Clerks (f) - £360 per annum. Otherwise as above.
- No pension or provident fund. No cuts in salaries.

FIRM XVI.

- Clerk (a) - On joining £360-£420 per annum. Increments on merit. No housing. Medical attention for tropical diseases. Leave 5 months every 3 years. First Class passage for self and wife to country of headquarters of Company, extension of this privilege under consideration.
- Clerks (f) - On joining £240-£300. Otherwise as above.
- No pension or provident fund, but practice appears to be to give a lump sum gratuity on retirement which is usually at 60 years of age. No cuts in salaries.

FIRM XVII.

- Clerks (a) - On being posted to Kenya £200-£300 per annum plus £120 local allowance. Increments £15 per annum. £36 per annum house allowance. Bonus in periods of prosperity. Medical attention for tropical diseases. Leave 5 months after 4 years for those under 40 years of age, ditto after 3 years for those over 40 years of age. First Class passages.
- Clerks (f) - £300 per annum to competent woman. Otherwise much the same as the above.
- No cuts in salaries.

FIRM XVIII.

- Foreman (a) - 2 years' service. £480. No increment. Bonus

-12-

Bonus £20. No housing. Medical expenses in illnesses due to duty. Leave 6 months in 4 years. Second Class passage.

Linotype Operator (a) - 18 years' service. £430. As above.

Accountant (m) - 2 years' service. £720 in £660-£720 scale. Bonus £30. As above.

Provident Fund. No cuts in salaries.

FIRM XII.

Clerks (a) - On being posted to Kenya £420 per annum. Increment of £45 after first 2 years, of £60 after next two years, of £30 after next two years, of £17 after next two years. Ten per cent cost of living allowance reducible in the senior staff. Furnished quarters or £60 per annum house allowance, £90 after ten years' service. Medical attendance. Leave 6 months after 5 years. Salary reduced while on leave. 1st Class passage.

Clerks (f) - £300. Leave after 3 years. 1st Class passage.

Pension. No cuts in salaries.

FIRM IX.

Accountant (m) - 5½ years' service. £1,028. Annual increment normally. £40 allowance. Acting allowance. Furnished housing provided at rental of 15% on salary. Medical expenses, but not for operations on family. Leave 6 months in three years. First Class passages for self and family.

Asst. accountant (m) - 4 years' service. £500. No Acting Allowance. Otherwise as above.

Engineer (m) - 5½ years' service. £634. Acting Allowance. Otherwise as above.

Asst. Engineer (m) - 2½ years' service. £560. No Acting allowance. Otherwise as above.

Assistant (m) - 5 years' service. £634. No Acting allowance. Otherwise as above.

Assistant (m) - 3 months' service. £450. No Acting Allowance. Otherwise as above.

Stenographer (f) - 5 years' service. £382. No increment. No allowances. Otherwise as above.

Stenographer (f) - 9 months' service. £354. As above.

Provident Fund. Graduated cut on salaries above £240 per annum beginning at 5%.

It should, perhaps, be added that, with one exception,

exception, the business houses where verbal inquiries were made expressed grave doubts as to the employability of locally educated recruits.

General deductions are difficult to make from the foregoing summaries, briefly it is thought the evidence shows :-

- (a) A tour is usually 4 years.
- (b) A passage is given.
- (c) Housing or allowance is not usually given.
- (d) Medical expenses are not usually given but in the better known tropical diseases a rate for tropical diseases is given.
- (e) Prosperous times are shared in by employees either by way of bonus or of increments.
- (f) The salaries of male employees vary considerably and, generally, are higher after a few years' service than in Government.
- (g) A typist can command £240 - £360 per annum as soon as she is competent.

It is submitted, as a general principle, that the British system of remunerating its civil services a little better than the comparative junior ranks in commerce has justified itself in the United Kingdom and throughout the Empire.

E. PAY.

Para. 8
Page 5.

The Committee point out that there are at present no less than 53 different scales of salary attached to the posts covered by its Report and state that the result of the inquiries to Heads of Departments showed that the posts could be graded within the scales suggested for the Clerical Service. It should, however, be stated that various alterations in the scales proposed in the Report have since been received from Heads of Departments.

The Clerical service scales are:-

(1) Learners, or equivalents.

Present Scale, Fitzgerald Report	£120, £144 for second and subsequent years. £60 to £84, £84 to £108 per annum.
Merrick Report	£60 x 12 x £84 by 18 to £120 per annum. 5 years.
Kenya-Uganda Railway.	£96 consolidated first year, £108 second year. 2 years.
Southern Rhodesia.	There appear only to be learners in the Post and Telegraphs paid £60 x £30 x £180 in six-monthly increments. In Southern Rhodesia a male officer who has not matriculated is paid at the rate of £150 per annum and a female £135 per annum.
Northern Rhodesia.	£60 per annum.
Uganda.	None.
Tanganyika.	None.
Kenya Asiatic.	Up to £89.8 per annum for ungraded clerks, then £90 x £110 x £120. Promotion after 1 year.
Kenya-Uganda Railway Asiatic.	£90 x £9 x £114. 7 years.

The Statistician considers the scale proposed not a living wage for young people residing away from their parents and suggests that Government must provide hostel accommodation and facilities for training.

The European Civil Servants Association state it would be impossible for learners who had no parents, or relatives in Nairobi, to live on the salaries proposed, they do not consider that an increased rate of pay for Learners would meet the case as adequately as the provision of hostel accommodation for youths and young girls who were forced to live away from their homes. It is, the Association states, clear that Learners would be unable to afford the full cost of their board and lodging without assistance from parents or relatives, which may or may not be forthcoming, and the Association recommends that hostels should be subsidised by Government, but some contribution should be made by the Learners themselves. With the hostels the Association considers should be associated some organisation through which educational facilities would be available to enable young people to improve their qualifications.

The Northern Rhodesia rules state that vacancies for learners occur most frequently in the Posts and Telegraphs, though vacancies occur in other Departments it is considered that the employment of untrained clerks is uneconomic and permission to employ learners is rarely granted. Applicants must be between 16 and 18 years of age and must be living with their parents or guardians. Learners are, generally,

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eligible for promotion to the next grade as soon as they have passed a typewriting test and have obtained a certificate from their Head of Department, subject to the Chief Secretary's approval.

The considerations arising from the Merrick Report recommendations appear to be:-

- (a) Normal progress through the scale would take 5 years, is it reasonable that so long a period should be taken in learning, say, clerical work at the expense of Government? It is admitted that certain technical training may require so long a period.

It will be observed that in Southern Rhodesia Learners are only found in the specialised work of the Posts and Telegraphs and that there the period of training is 2½ years or thereabouts. It may be added also that in Southern Rhodesia a clerk who has not matriculated is expected to do so in 2 years.

The Committee envisage entry into the Learner scale at 16-18 years of age and consider the Junior Cambridge a sufficient qualification, the late age as compared with the low standard of the examination required has already been remarked upon.

agg 4.

The Committee also definitely contemplate older entry than 18 years at £84 in the scale and with it the higher qualification of the School Leaving Certificate or the London Matriculation. In Southern Rhodesia the rule is that no person under the age of 16 or over the age of 18½ years shall be eligible for engagement as a Learner.

It is suggested that the 5 year scale proposed should be kept, in order to meet what demand there is for longer periods of training in certain of the technical departments, but that for the Learners who are engaged on clerical work:-

1. Entry should be between the ages of 17 and 18½ years at £84 in the scale, and be
2. Conditional on a good report from the school and having passed the School Leaving Certificate or the London Matriculation or a recognised equivalent and that
3. Promotion to the next grade should be allowed when the Government Junior Shorthand, typing and language examinations have been passed, and that
4. Failure to pass those examinations within 3 years should entail discharge, and
5. No leave, (other than local leave), or passage should be given to a Learner.

In this fashion it is submitted Government would avoid an unduly long period of clerical training at its expense, avoid burdening Departments with juveniles, ensure efficiency within 3 years at the most and offer the chance of accelerated promotion.

- (b) At no stage in the £60 x £120 scale can it be supposed that the Learner can support himself and Government cannot be expected to pay a living-wage salary to a Learner out of charity, but 5 years, or even 3 years, is a long period for a parent, possibly in poor circumstances, to continue to support a child unless he happens to live in, or have relatives at, the place of employment.

Suggestions have been made that Government should provide and/or subsidise hostel accommodation, it is submitted that this demand can not reasonably be made of Government at any time. No easy solution presents itself and it seems that the advantage which a boy or girl with a home in Nairobi has must remain.

If, however, facilities can be arranged at the schools, and by evening classes, there is no reason why an intelligent boy or girl, should remain more than, say, a year in the Learner grade. It should then be possible for him, or

her, to move into the next grade and, provide the initial salary of that grade gives a living wage, the problem solves itself.

If, however, it is found that the initial stage of the next grade does not give a reasonable living wage the obvious result will be that the best Learners will leave Government service for work in commercial firms, where, as has been shown, a competent employee can at once obtain a decent wage with prospects. Generally, it seems doubtful whether a Learner is worth more than £34 per annum.

(11) Clerical Grades.

Grade C, or equivalent.

Present Scale. £180 x 20 x £240 x 18 x £300 per annum.
8 years.

Fitzgerald Report. £150 x 10 x £200 per annum. 6 years.

Merrick Report. £150 x 10 x £240 per annum. 10 years.

Kenya-Uganda Railway. Up to £180, then £180 x 15 x £225 for Clerks. 6 years.
£120 x 12 x £180, then £195 x 15 x £250 for Typists. 11 years.
£144 x 12 x £240 for Shorthand typists. 9 years.

Southern Rhodesia. Men. £180 first year, £200 second year, £240 third year, provided he has matriculated. 3 years.

Women. £150 x 12 x £210 and it appears that a woman who has matriculated enters at £165 per annum. 4 or 5 years.

Northern Rhodesia. £120 x 12 £144 per annum. 5 years.

Uganda. No equivalent.

Tanganyika Territory. No equivalent.

Kenya Asiatic. £126 x 6 x £162, then £168 x 9 x £216. 14 years.

Kenya-Uganda Railway. Asiatic. £150 x 9 x £177, then £186 x 12 x £210. 10 years.

The Statistician considers the Grade C salary scale too low for young people living away from their parents, he points out e.g. the wages of a competent girl typist in England is not less than £144 per annum. The difference in cost of living at say, 50 per cent, transposes this salary into £216 per annum.

The European Civil Service Association, take an officer aged 20 of average, of no exceptional ability, entering Grade C at £150 and who, progressing through the stages, reaches the maximum of £240 at 29 or 30 years of age. The Association then invites attention to the Postmaster General's note on Page 65 of the Report, that he:-

"wishes to emphasise his opinion that a man should reach a marrying scale of about £35 per month at the age of 28 to 30 years and that this should be brought about by a system of double increments if not otherwise arranged".

A view which the Report states its Sub-Committee endorsed.

A salary of £20 a month is not, and is not likely to be, a marrying salary in the Colony. Generally it is less than a competent man can obtain in local firms and, taking £35 a month, or £420 per annum, as a marrying salary, it will be seen from examination of the proposed scales that on normal progress it will take 23 years to reach this salary by which time the officer will be between 40-43 years of age.

The marriage age is generally earlier in the Colonies than in the United Kingdom and it is suggested that in a young European Colony public policy demands that marriage should be encouraged.

The 1931 Census shows:-

Census year	Males	Females	Females to Males
1911.	2,022	1,153	57 per cent.
1921.	5,800	3,851	66 per cent.
1926.	7,199	5,350	74 per cent.
1931.	9,104	7,408	79 per cent.

and: Years of age last Birthday.	No. of Males.	No. of married Males.	No. of Females.	No. of Married Females.
20	176	3	27	27
21	125	1	47	47
22	173	11	77	77
23	192	9	64	64
24	239	29	99	99
25	233	18	91	91
26	243	17	121	121
27	243	73	119	119
28	252	76	121	121
29	219	107	127	127
30	252	122	136	136
31	205	117	128	128
32	196	117	158	158
33	206	137	160	160
34	226	114	178	178
35	209	116	183	183

It has been shown that whereas in 1911 there were 57 females to 100 males they had increased to 79 per 100 males in 1931. Not only is the disparity between the sexes being decreased by natural increase, but also there appears to be an influx of female migrants. During the two years 1930 and 1931 for which detailed migration returns are available, the excess has been:-

1930. + 193
1931. + 102

whereas the male Europeans had decreased:-

1930. - 17
1931. - 89.

A large employer, and Government will probably remain the largest employer of Europeans of all grades, cannot afford to disregard this problem. It is generally held that early marriage in the Administration and the Police is not conducive to efficiency and is embarrassing to Government, accordingly special rules exist in those cases which are not applied to any other branches of the service. The posts to which the Merrick Report relates are generally speaking, not posts which would be held in outstations. The solutions which present themselves are:-

- (a) To follow the suggestion of double increments. Apart from the fact that an increment depends upon good work, examination of the scale suggested in the Report shows that by no possible interpretation of the suggestion could the result be arrived at within the scale. If £420 per annum or thereabouts is regarded as marrying salary then it is not double increments

but almost double salary which would be required to meet the situation arising from the G-ado C proposals.

Again, as the European Civil Service Association points out the principle of double increments is open to objection. The grant, even though in the hands of Government, would largely depend upon the recommendations of individual Heads of Departments, some of whom would be more, and some less, exacting than others. The Royal Commission 1929-31 on the Civil Service remark:-

" 86. The pre war practice of awarding in each year a limited number of special additional increments to specially deserving second division clerks was an attempt to overcome the defects of a scale system of payment. The arrangement was discontinued after the war and we do not recommend its restoration".

(b) To enable an officer to move out of the grade into the next grade if he has obtained, say:-

- (1) Consistently good reports from his Department, and
- (2) Has passed the examinations laid down for promotion to Grade B which, it is suggested, should be paid down by Government for conduct by the Civil Service Board c.g.:-

- (i) The Senior Shorthand and Typing Examination.
- (ii) A general Intelligence Test consisting of a short written general knowledge paper and a viva voce examination on, say, the Code of Regulations, Legislation specially affecting the Department in which the officer is serving, etc. This viva voce examination would serve as a personality test.

These suggestions are similar to the Northern Rhodesia regulations, which remark that a clerk in this grade is to all intents and purposes qualifying for a livelihood at the expense of Government.

(c) To increase the amount of the increments in the scale for this Grade.

It is suggested that the good reasons which have been found to exist against double increments when they have been tried prohibit acceptance of the proposal.

Difficulties which would be experienced in adopting solution (b) above are that the salary for Grade C overlaps, in the Merrick Report, with that for Grade B; and that the requisite financial provision may not be available in the current year estimates. The financial result of securing special efficiency and at the same time providing reasonable promotion would only be a few hundreds of £ per annum, this difficulty is not insuperable.

Generally it seems that the solution of the set of problems which arise will be found in a combination of solutions (b) and (c) above.

Grade B, or equivalent.

Present scale	-£180x20-£240x18-£300x18-£390	-13 year
Fitzgerald Report (men)	£240x15-£300x20-£360x20-£420	-11 year
" (women)	£210x15-£300x10-£360	-11 years
Merrick Report (men)	£200x15-£290x15-£350x15-£425	-15 years
" (women)	£200x15-£290x15-£350	-15 years
Kenya-Uganda Railway	-£250x18-£340 for Shorthand typists	-16 years
	-£240x15-£300, then £315x18	
	-£405 for clerks	-11 years

S. Rhodesia

Grade B, or equivalent	continued
S. Rhodesia	men) 2260x20-2300, plus 250 per annum for married men at 2300 on grade
"	women) 2230x10-2260
N. Rhodesia	2185x15-240x15-2300
Uganda	none
Tanganyika	none
Kenya Asiatic	2228x12-2300
Kenya-Uganda Railway	2216x12-2240, then 2246x12
Asiatic	2258 and 2261, 2300, 300 per 5 years special posts.

The existing rates of salary make no differentiation between the salaries of men and women, in the Fitzgerald Report differentiation was advised and the principle is followed in the Merrick Report. The Royal Commission 1929-31 on the Civil Service was equally divided, although the principle of equal pay had been endorsed by the House of Commons in 1921 despite the accepted English business practice of differentiation. In Australia, Canada, the Irish Free State, the United States of America, the League of Nations, the London County Council and in nearly every country in Europe the pay of men and women Civil Servants is equal for the same work. The arguments are well known and in Kenya the principle of differentiation has been endorsed by the Governor in Council.

Page 5.

The Report recommends that entry into Grades B and C should presuppose passing in the necessary qualifying subjects, as at present, and, subject to the existence of a vacancy, a clerk in Grade C would enter Grade B at the minimum, unless he was already in receipt of a higher salary in which event he would enter at the next appropriate incremental step. At the same time the Report lays emphasis on the desirability of selecting candidates for vacancies on a general roster rather than treating Departmental appointments on a watertight basis for the purposes of advancement.

This, and the preceding recommendation, are contradictory and occasion a real problem which will be dealt with later.

In this connection the Director of Agriculture considers that the salary scales are not well devised and that it would be much more satisfactory were there a distinct salary advancement to mark promotion from grade to grade. This, it will be observed, the Merrick Report does not propose, whereas the Fitzgerald Report did so propose. Moreover promotion from Grade C to Grade B, under both Reports, and present practice, depends on the fortuitous circumstance of departmental vacancies.

The suggestion has been made above that the passing of certain examinations coupled with efficiency certificates should determine promotion into Grade C and from Grade C to Grade B. Taking into consideration the periods of 10 and 11 years respectively which the Merrick Report envisages for Grades C and B and the fact that an officer may be as much as 38 - 43 years of age before reaching the maximum of Grade B, it is clear

that

that if Government Service is to have any attraction for the clerical, and similar, grades some method of progress to the deserving officer must be devised to prevent complete stagnation in Grades C and B.

It will be realised that Grade B must be regarded as the basic Grade of the junior ranks of the Civil Service and it is also true that whilst it is generally impossible, and probably inadvisable, to give higher salaries for clerical work in different Departments the fact remains that the work of the Department, from the nature of the departmental functions, does vary considerably in value.

If this is accepted, then it seems clear that the Director of Agriculture's point must be taken and promotion from Grade C 1 to Grade B be definite promotion and that the salaries should not overlap for 4 years. In any case, a reconsideration of the Grade C scale and, if seems, an amalgamation of the Grade C and B scales.

It may be remarked that in Northern Rhodesia promotion to this grade is, as suggested above, by examination and an efficiency certificate. There a man enters the Grade at a higher scale than a woman, but the Grade ends for both at the same point.

Grade A or equivalent.

Present Scale	- £240x18-£300x18-£340x18-£380x18	12 years
Extraordinary Report (men)	- £380x20-£450x20-£540	12 years
" (women)	- £380x18-£420	12
Married Report (men)	- £350x20-£480x20-£600	12
" (women)	- 18ms	12
Kenya-Uganda Railway	- £200x2 - £250x2 - £300x2	12
S. Rhodesia (men)	- £400x1 - £500x1 - £600x1	12
" (women)	- £370x1 - £300	12
N. Rhodesia	- £300x18 - £480	12
Uganda (men)	- £300x18 - £500	12
" (women)	- £300x18 - £426	12
Tanganyika	- £300x18 - £390x18 - £480	12
Kenya Asiatic	- £360	
Kenya-Uganda Railway Asiatic,	- £420 for special posts.	

Page 5.

The Report emphasises the desirability of selecting candidates for vacancies, particularly in this Grade, and the next, on a general roster rather than treating departmental personnel on a water-tight basis for purposes of advancement.

It appears that there was a difference of opinion on the Committee after investigation of the technical posts which appear in Appendix III, and which the Committee desired, as far as possible, to assimilate to the Clerical Grades, which has resulted in a majority recommendation that the maximum should be reduced from £600 to £540 per annum.

It is submitted that selection for Grade A should not be confined to serving officers alone and that specially qualified persons should be eligible for this Grade. For newcomers, it is submitted, the qualifications should be a good record, previous experience and a degree of any University in the British Empire. A similar rule exists in Northern Rhodesia.

Page 5.

The Report, differing from the Fitzgerald Report, recommends that women clerks should not ordinarily progress beyond an annual salary of £350 and that exceptional cases can be met by allowing women entry into the Special Grade. It will, however, be realised that a natural result of this limit would be that, having gained experience and qualifications in Government, a competent woman would be able to obtain a salary approximately £350 per annum in a much shorter time elsewhere. This salary limit recommendation for women is not agreed by the Commissioner for Local Government, Lands and Settlement, who remarks that the Committee gives no reason for its recommendation, that it is contrary to the recommendation of the Fitzgerald Committee and that it will not be to Government's interest to prevent itself from attracting the services of specially qualified women.

The Chief Native Commissioner also disagrees with the abolition of Grade A for women, the actual number of present Grade A women is very small and it would, he says, pay Government to allow entry to women to provide a stimulus to ambition.

The Treasurer states it is not clear to him why the Report makes no provision for posts for women in Grade A, he suggests the reasons for making this change should be elaborated.

The European Civil Servants Association considers the deletion of Grade A female posts a hardship and remarks that there are several women occupying these Grade A posts with credit and that there should be opportunities for efficient women to obtain promotion.

It is submitted that there is a strong case for reinstating a Grade A for women whose service, merit, experience and qualifications warrant their admission.

Special Grade, or equivalent.

Present Scale	- None.	
Fitzgerald Report (men)	- £500x20-£660	- 3 years.
" " (women)	- None	-
Merrick Report (men)	- £560x25-£650x25-£725	- 10 "
" " (women)	- £360x20-£420	- 4 "
Kenya-Uganda Railway	- £500x20-£600	- 6 "
S. Rhodesia (men)	- £560x25-£575x30-£605	- 5 "
" (women)	- £315x15-£360	- 4 "
N. Rhodesia	- £480x20-£600	- 7 "
Uganda	- £600x30-£720	- 5 "
Tanganyika	- £600x30-£720	- 5 "

Page 5.

The Report recommends that the Special Grade (men) should be strictly limited in numbers and be confined to duties connoting special responsibility or qualifications in

In addition to the normal confidential or supervisory duties which would be adequately remunerated by Grade A. Further, that the bar next before the final stage in the scale should be a barrier save in regard to exceptional status or outstanding personal merit. Presumably the same remarks should be applied to women in the Special Grade. This Special Grade is evidently intended, as elsewhere, for Chief Clerks, Office Superintendents in large Departments and like posts to which promotion is by efficiency and no other consideration.

In connection with this Grade the Treasurer says he is inclined to doubt the justice of making so large a difference as £300 per annum between the highest salary which can be obtained by men and the highest salary which can be drawn by women. He continues, that because it is clearly intended that few, if any, of the men employed in these posts should proceed to £725 per annum he does not wish to press for any amendment.

The fact remains that £420 per annum is not a salary which will attract, say, a woman graduate as the most she can attain; neither, it is submitted, is it a salary which will suffice to retain a woman of merit already in the service.

It is again submitted that entry to the Grade should be open to exceptionally qualified men and women.

At this stage in this commentary certain general conclusions are submitted:-

1. The term "Local Service" can in no sense be applied either to the existing personnel covered by the Report, or to future entrants, within a period which need now be taken into consideration. Consequently the lower rates of pay and terms which can justifiably be given to junior Civil Servants who have their homes in the country cannot yet be applied with justice.
2. The Report has the avowed object of establishing rates of pay and terms for a genuine Local Civil Service and, assuming that the setting up of such a service is possible within any ascertainable time, there are grave doubts whether the salaries proposed at various points are sufficient to attract, and to retain, an entrant of the type usually recruited by British Civil Services, whether the recruits are obtained from home or in Kenya.
3. Assuming that there is no intention of reducing what may be termed, for want of a better description, the British standard of junior Civil Servant; assuming also it is accepted that Civil Service salaries and terms should, in the junior ranks at any rate, be equal to, and a little better than, those given in businesses of repute it is unfortunate that the Report fell to be made during a period of unprecedented depression.

Accordingly it is submitted that the dominant factor is not that of present (1932) economics, but first that of ensuring a healthy public service and second that of providing a reasonable career for the qualified youth of the Colony.

4. Facilities for obtaining qualifications scarcely exist in the Colony and their provision is a primary consideration if the ideal of a genuine Local Service is to materialise in any form.
5. Generally, it will have been observed, that the scales proposed compare unfavourably with those given to Asiatics, despite the wide difference in standards and cost of living.

C. LEAVE.

Page 6. The Report, one Member dissenting, considers the recommendations of the Fitzgerald Report adequate on this head.

That Report recommended.

Local Leave, 18 days per annum.

Vacation Leave, 28 days per annum, and so by inference a 6 years tour, cumulative to 6 months. Also an appropriate allowance in respect of service at unhealthy stations, the object in view being to enable the vacation leave to be earned in a shorter time and not longer vacation leave in the same time. In accordance with this principle the Merrick Report recommends 5 months in an "unhealthy" station should count as 6 months in a "healthy" station. In this connection the Director of Medical and Sanitary Services suggests that stations might be divided into three categories.

The Commissioner of Local Government, Lands and Settlement considers that the privilege leave conditions should be improved and that this could conveniently be done by providing that the period occupied by the voyages will be counted as leave.

The General Manager comments that while he has some sympathy with the suggestion that the length of service should be controlled by the time in which it is possible to earn the cost of a passage the most economical method of arranging relief can only be enforced if tours are of a fixed period, strictly enforced so that the minimum relief can be provided. Any variation or relaxation of a fixed tour is bound to lead to additional expense.

The Director of Agriculture remarks that vacation leave should not be taken locally unless a medical certificate is obtained. There is evidence in his Department that, even among those who were born in Kenya, fitness and efficiency suffers if leave is taken in the Colony.

The Treasurer, despite the different conclusion expressed in paragraph 74 of the scheme for the unification of the Colonial Administrative Service, agrees that the passage period should be included in the leave earned and remarks that conditions are different between an "Overseas" and a "Local" service.

The European Civil Servants' Association instance the difference between the present and proposed terms by:-

Healthy Stations.

150 days
56 days, voyage period
206 days

Unhealthy Stations.

180 days
56 days, voyage period
236 days

Proposed 48 months tour

Healthy Stations

112 days
18 days, local leave.
130 days

Unhealthy Stations

136 days
18 days local leave.
154 days

That is, taking into consideration the longer tour, the new proposals are less than one half the present terms. The Association considers overseas leave should be granted at the

the rate of one month for each year of service, exclusive of the time spent on the voyage. Moreover that in unhealthy districts the tour should be shortened instead of the leave allowance being increased; this is, of course the intention of the Merrick Committee.

The Expenditure Advisory Committee agrees with the Report.

It is noteworthy that in the various reports which have been made upon this subject, no evidence is given of the subject is one on which, it is understood, there is a divergence of local medical opinion. Neither the Merrick Report mentions the possibility that men are affected by the length of the tour, in that the amount of leave in Department is greater than that of the other.

side of the... adequate local leave. At the same time... local leave... this is not... have scarcely... leave... many officers... whose... on the... reason of... for... leave.

Agree with a... more than the quarters... taken into... account. The fact that... with... Government.

Since the Report was written, and the comments received, certain representations have been made to the Secretary of State affecting the entire service in the matter of leave. It is suggested, his decision should apply to the Service as a whole. It has been shown that the "Local Service" of the Merrick Report is a misnomer.

D. PASSAGES

The Fitzgerald Report advocated that the grading of passage recommendation should be according to the two categories of officers advocated by the 1929 Committee on Leave and Passage Regulation. The Merrick Report adopts the second category, Category B, in the "Local Service".

Page 7.

- (i) Officers drawing over £450 per annum - Second Class British India, or B.5 Union Castle Line.
- (ii) Officers drawing over £300 per annum and not more than £450 per annum - Second Class British India Line or B. 6 Union Castle Line.
- (iii) Officers drawing £500 per annum and under - Third Class Union Castle Line or Second Class British India Line.

Whereas the Fitzgerald Committee recommended that the "Local Service Officer should be assisted in his passage to the extent that Government should open a passage account into which the officer would pay 25 per cent of his salary (subject to a minimum of Sh.10/- and a maximum of Sh.20/- per mensem) and into which Government would pay an equal amount.

The Merrick Report recommends that the "Local" Service Officer should be considered to have earned 25 per cent of the cost of a return passage in respect of each year of resident service, the maximum being the cost of a passage to London, and that no financial assistance should be given unless the officer has given an undertaking to return for further service. In this connection it may be remarked that the usual rule is a passage to the place of engagement.

The Merrick Report considers no assistance should be given towards family passages, but would allow an officer, as now, to travel by a lower grade of accommodation than that to which he is entitled and to put the savings towards family passages. In this fashion it will be seen that at the end of four years an officer could earn a passage for himself and at the end of eight years an additional passage if stationed at a "Healthy" station.

The Commissioner for Local Government, Lands and Settlement does not agree that assistance towards family passages should be denied.

The Director of Medical and Sanitary Services considers a full passage should be earned by 6 years' service, and that no assistance should be granted towards family passages by performing longer periods of service. He maintains that the cost to Government of the services of an officer should not vary in accordance with his married or unmarried state.

The Treasurer prefers the more generous Merrick Report to the Fitzgerald Report.

The European Civil Servants Association say that a large number of married men with families will find it impossible to save their family passages by the end of a four year tour and will find it necessary to serve an extra two years to earn the allowance towards family expenses. This, the Association says, will result in a loss of efficiency. As an alternative a contributory scheme is suggested.

The Expenditure Advisory Committee are of opinion that it should be made clear that passage privileges should only be given to the port nearest to the place where the leave is to be spent, the maximum being that advocated by the Merrick Report.

Further, as regards family passage allowances, the Expenditure Advisory Committee consider that existing concessions should be maintained, but suggest that an officer, who is not transferred from elsewhere, should not be allowed, in normal circumstances, to bring his wife to Kenya during his first tour of service and if he does he should be regarded as "married off the strength" and not eligible for any passage privileges.

In Northern Rhodesia it appears that free passages are not granted to officers who are not returning for further service and that the family allowance is £60 and £80 respectively for senior and junior Civil Servants, in Kenya it is £40 and £30.

Recently the question of passage privileges has been under consideration by Government, the matter is complicated by Empire agreements, by the Conference Lines understanding, by the extent of the accommodation available in East Coast steamers and by the demands of the general East Coast public and of other East African Governments for the cheaper accommodation.

Generally, it is suggested that the Merrick Report recommendations should be followed, but that the grant of a family passage allowance is justifiable on grounds of general policy.

3. PENSIONS.

Page 13.

The Fitzgerald Report advised that pensions should be definitely on a contributory basis for the Local Service and stated that a Pension Scheme on such lines should be introduced as early as possible for the "fully permanent members of the Local Service". For members "on less permanent terms" a Provident Fund Scheme should be established. The Fitzgerald Committee inclined to the view that all officers in the Local Service should be under a Provident Fund Scheme until the age of say, 25 years, so that they may be in a position, up to that age, to leave the service without too great a sacrifice of pension rights.

Page 8.

The Merrick Report emphasises the imperative need for some form of compulsory insurance as an integral part of the inauguration of any permanent local service, with definite provision for state contributions to supplement an officer's premium. The principle of contributory pensions is unanimously favoured for introduction at the earliest possible moment, to be financed by regular deductions in respect of contributions from salary plus interest at a reasonable rate.

C.W.D. 3909
page 236
et seq.

The Report refers with approval to the scheme outlined in the Report of the 1927-1931 Royal Commission on the Civil Service. The general provisions are set out at great length in the Royal Commission's Report and a brief analysis is :-

Membership.

Confined to whole time Civil Servants over 18 years and under 50. Medical examination on admission.

Contributions.

- Scheme A. 5 per cent of salary.
- Scheme B. 1d in every complete Sh.2/6.
- Scheme C. 1d in every complete Sh.2/6 of wages in excess of £1.

Including acting allowances, value of quarters, etc.

Schemes A and B to begin when a Civil Servant has completed 2 years continuous service running from not earlier than the age of 18.

Calculations of benefits.

(All benefits to be calculated upon the last 5 years average emoluments of contributory service.

In all cases where provision is made for the return of contributions with interest, this is to be at compound interest at 3 per cent with yearly rests.

Commutation or allocation of pension.

Commutation not to be allowed. On retirement :-

- (a) Part of the pension may be allocated for payment of a pension to the wife should she survive the pensioner; or
- (b) A joint pension for the life of the pensioner and his wife with reversion to the survivor of a reduced amount.

amount.

Special provisions.

(a) Unhealthy climates, 2 years contributory service to count as three.

(Note. East Africa would count as unhealthy in the Royal Commission's Report.)

(b) Regarding "approved" employment.

(c) Regarding reciprocity with Local Government Services.

(d) Regarding injury on duty.

Points to be dealt with in Rules.

Payment of pensions to lunatics; ditto to bankrupts; identity of pensioners; rule against assignment of pensions; death certificates.

Scheme A above covers what is called the "salaried" Class and it appears from Paragraph 735 of the Royal Commission's Report that Scheme A would apply to Civil Servants whose salary would pass £250 per annum. The Royal Commission was strongly in favour of the contributory system and was greatly impressed by the modern industrial tendency to set up superannuation schemes. Some of the benefits of the Royal Commission's Scheme A are :-
Retirements

On reaching the age limit, after completion of not less than 10 years contributory service.

Annual pension calculated at the rate 1/80 of pensionable emoluments for each year of contributory service subject to a maximum of 40/80 together with an additional allowance of 3/80 for each year of contributory service subject to a maximum of 120/80.

Note. This additional allowance is a lump sum gratuity, vide paragraph 618 of the Report.

Health in service.

(a) During first 5 years contributory service.

Return of Contributions with interest.

(b) After completion of not less than 5 years contributory service.

One year's pensionable emoluments with an additional 1/12 of such emoluments for each further year of contributory service, subject to a maximum of 2 years pensionable emoluments after completion of not less than 17 years contributory service.

Death after retirement.

The excess, if any, of the sum which would have been payable had the employee died on the last day of contributory service over the sum received

Voluntary retirement.

Marriage Allotments, for women only.

Retirement on grounds of ill health or abolition of office.

(a) During first 5 years contributory service.

(b) After completion of not less than 5 but less than 10 years contributory service.

(c) After completion of not less than 10 years contributory service.

Retirement for inefficiency.

(a) During first 20 years of contributory service and before attaining the age of 50.

(b) After completion of not less than 10 years contributory service and after attaining the age of 50; or

(c) After completion of not less than 20 years contributory service.

received since retirement by way of pension and any additional allowance.

Return of contributions as interest.

Return of contributions paid, without interest.

Return of contributions with interest.

One year's pensionable amounts.

Contributor, as on completion of not less than 10 years contributory service, of one year's pensionable amounts.

Return of contributions with interest.

Pension and additional allowance, as on retirement on reaching the age limit after completion of not less than 10 years contributory service.

" " "

Pending investigation of a contributory system, the Merrick Report advises the temporary inauguration of a provident fund.

The Merrick Report suggests a 15 per cent contribution, equal proportions being paid by Government and the Officer. It will be noted that in what is called scheme A by the 1929-1931 Royal Commission, contribution is 5 per cent on the part of the officer.

It will be agreed that the compulsory insurance which the grant of a free or contributory pension contemplates is an essential part of any civil service conditions.

The inequalities and difficulties of the present state of affairs are many, instances are :-

(a)

- (a) Of the estimated 662 posts covered by the Merrick Report some 250 posts and/or individuals have attained free pension status.
- (b) There are many individuals also holding posts covered by the Report who have longer service than those who have achieved free pensionable status.
- (c) The pensionability of Civil Servants in junior posts in Kenya compares unfavourably with the position in other East African countries.
- (d) Whether or not contribution to the Widows' and Orphans' Pension Scheme should be compulsory and if so whether the salary proposed can, when this and other contributions are considered, be accounted a living wage.
- Page 10. (e) The transfer of officers at present un-pensionable to a contributory Scheme. This the Merrick Report suggests could be met by Government placing the amount of the contributions it would have made during the whole of the officer's service, had the scheme been in operation, with or without interest, to the credit of the officer.
- (f) The advantageous position of the serving Asiatic Civil Servant when compared with that of the serving European in junior posts.
- (g) The cost to Government of the Scheme and of meeting the cases of transferred officers.
- (h) Whether a contributory Pension Fund should form part of the Colony's revenue.

The Statistician states that the present arrangements for the Widows' and Orphans' Pension Scheme causes such dissatisfaction throughout the Service, he sees no reason why the proposed contributory scheme and the Widows' and Orphans' Pension Scheme should not be combined and considers a comprehensive scheme could be applied on an insurance basis; his Department could collect data for an actuary.

In this connection it will have been seen that the 1929-31 Royal Commission's Scheme does comprise to a large extent a provident fund a pension and a widows', but not an orphans', scheme.

The Treasurer thinks it important that a Local Civil Service should start with a system in force by which a compulsory contribution is made to some pensions or provident fund even if, at the outset, it is nothing more than a lump sum on a cumulative basis which is expressed as the ultimate benefit. Such a provident fund scheme is easily devised and it would, in his opinion, be a mistake to start the Local Civil Service without insisting on the contributory principle, it would also, however, in his view be a mistake to defer the inauguration of a Local Civil Service until such details as this had been settled.

The Treasurer also refers to the very difficult question of compulsory contributions to the Widows' and Orphans' Pension Scheme. On this matter the Secretary of State may be expected to have definite views, because, up to a point, the operation of the Widows' and Orphans'

Pensions scheme in East Africa (*Italics inserted*) depends upon the number of contributors being as large as possible. This, the Treasurer states, is another case in which it is virtually impossible to reach a firm conclusion before the new service is constituted unless undue delay is to take place before it is inaugurated."

Again the Treasurer is unable to comment on the Report's suggestion that Government should, as a "welcome gesture", place what would have been Government's contributions to a contributory scheme to the credit of officers now in the service. Some 662 posts are concerned, the amount might be considerable and its provision depend upon the financial position of the Colony.

The European Civil Servants' Association prefers the principle of a contributory pension scheme to a provident fund.

From the foregoing the following conclusions are adduced :-

- (1) The Merrick Report advocates a contributory pension scheme and states that the collection of data and the actuarial investigation will take time. As a temporary and interim measure a provident fund is suggested. It is a matter for consideration whether it would be practicable to introduce both a provident fund and a contributory pension scheme at almost the same time with the avowed intention of adopting the latter. Moreover, a reference to the summary of the Royal Commission's Scheme, which the Merrick Report endorses in general terms, shows that it combines some of the features of a provident fund.
- (2) When the total effect of the Merrick Report reductions in emoluments is considered it will be seen that the contributions to the East African Widows' and Orphans' Pensions scheme must be reviewed. This scheme, however, applies to East Africa, its finance is actuarial, there is a continuing obligation upon the Government's concerned who use an officer's compulsory and voluntary contributions as revenue. These contributions are paid by all European males who are on the permanent staff, or on agreement, of over the age of 18.
- (3) The transfer of the serving officer from an expectant free pension to a contributory scheme presents grave financial difficulties.
- (4) Officers are serving in posts gazetted as pensionable with the reasonable expectancy, unfulfilled in many cases for years, that they will become pensionable.
- (5) It is virtually impossible to introduce new terms of service for officers with less than 6 years service, for future entrants and for a genuine local service until the superannuation scheme is ready; and
- (6) Only the preliminary calculations can be made in this country.

F. QUARTERS.

Pages 9 & 13.

The recommendations which have been made for the "Local" Service relate to those for the "Overseas" Service.

The Fitzgerald Committee recommended that the "Local" and the "Overseas" Services should be similarly treated and was strongly of opinion that the privilege of free quarters should be abolished and that when an officer occupies Government quarters he should pay a rent based on a percentage of his salary, or on the cost of the house as may be determined administratively. In outstations officers should be required to occupy Government Quarters, and pay appropriate rent therefor, when such are available.

Generally, the Fitzgerald Report favoured consolidation of privileges in the emoluments of the office, but the Report definitely disregarded the framing of recommendations in respect of adjustments which, on the abolition, or modification, of privileges, may be necessary in the emoluments of officers already in the "Overseas" Service. The Report remarks that "many factors must be taken into account before equitable adjustment can be made" and states that the question of adjusting emoluments by the grant of consolidated allowances payable whilst on resident service, and not pensionable, is one which will require attention. The Report next says that it "by no means follows that consolidated non-pensionable allowances will have to extend to anything approaching the full present value of the privileges whose abolition or modification as a matter of principle is now recommended". The assertion raises another matter of principle.

The Merrick Report states the principle of consolidated salaries for the "Local" Service, without the addition of free quarters or an allowance in lieu, is embodied in its recommendations. The Report, however, says that exceptions must be made in rare cases, where an officer is required to occupy quarters adjoining particular institutions. Police, Prison, Education, Medical and certain Agricultural and Veterinary Officers are instances of officers required to live close to their work and the cases seem likely to be fairly common.

The Report adds that acceptance of the principle that an officer will be responsible for his own housing arrangements means that, in centres where private accommodation can be arranged, he should be free to suit his individual requirements and should not be forced to rent Government quarters, merely because such quarters happen to be unallocated or unoccupied. This may give rise to the disposal of any surplus Government quarters, and land. The next difficulty is rate fixation, this the Report recommends should be at ruling market prices.

The Commissioner of Prisons considers that Assistant Superintendents of Prisons should be granted free quarters because these officers usually occupy quarters in, or adjoining, first class prisons.

The Treasurer feels considerable doubt of the wisdom of the Committee's suggestion that exception to the principle of consolidated salaries should be admitted even in rare instances.

The Expenditure Advisory Committee remark that as regards future entrants, whether on first appointment or transfer to Kenya, housing should be consolidated in salary and that officers should be called upon to pay rent.

rent in respect of Government Quarters based on a salary percentage. Fixtures should be provided, but no other furniture from Government stocks. Moreover, that the pension legislation should be amended so that for the categories specified no addition should be conceded to salary in respect of House Allowance.

From this results:-

(a) Fitzgerald Report:-

1. Existing "Overseas" Service.
The status quo.
2. Future "Overseas" Service.
Abolition of housing and house allowances, rent to be paid with apparently a consolidation of this and other privileges into a non-pensionable allowance to be drawn during residence.
3. Existing "Local" Service.
As in 1 above.
4. Future "Local" Service.
Nothing.

(b) Marrier Report:-

5. Existing "Local" Service.
Consolidated into salary as stated to have been made in the scheme recommended, certain exceptions being allowed.
6. Future "Local" Service.
As in 5 above.

(c) Expenditure Advisory Committee:-

7. Existing "Overseas" Service.
The status quo.
8. Future "Overseas" Service.
Abolition of housing and house allowances. Consolidation into salaries, payments of rents, amendment of pensions legislation to exclude house allowance.
9. Existing "Local" Service.
As in 7. above.
10. Future "Local" Service.
As in 8. above.

(d). Executive Council Minute, No.391 of 1932 which preserves the terms of officers on agreement who have 6 years service and thus, by inference, places them in a better position than future entrants into the "Overseas" service.

(e). Rent fixation at the current market rate which fluctuates and is generally higher than the house allowance paid. (In this connection it should be noted that the 15% figure is an actuarial one calculated for pension purposes).

(f). The probability that Government might find that it had surplus houses and land to maintain and to dispose of, with a certainty of loss, and possibly of considerable loss.

(g). The probability of an increase in the emoluments of officers now in the service who may be transferred to the revised terms of service. In this connection the position of officers who have built their own houses, whether or not with Government advances, should be borne in mind.

G. MEDICAL ATTENDANCE.

Page 10.

The Fitzgerald Committee, as regards both the "Overseas" and "Local" Service, were "reluctantly compelled to reject a proposal that the privilege of free medical attendance should be withdrawn." The evidence they received of exploitation of the privilege led them to recommend revision and they recommended -

- (a) Medical attendance and reduced hospital rates to the officer.
- (b) Payment for drugs and dressings by the officer.
- (c) No medical attendance or reduced hospital rates to wives and children.

A minority held that where drugs, etc. are readily obtainable they should not be supplied from Government stores.

Page 11.

The Merrick committee follows the Fitzgerald Committee.

The Commissioner for Local Government, Lands and Settlements disagrees with the withdrawal of free medical attention and reduced hospital charges for wives and families but he agrees that when drugs can be procured from shops they should not be supplied by Government.

The European Civil Servants Association state

that in the absence of health insurance and cheap hospital facilities the outcome of the withdrawal of free medical attention would be the neglect of symptoms of illness.

The Expenditure Advisory Committee endorse the Fitzgerald Report and add that any fees payable to a Government Medical Officer in respect of attendance on Officers' wives and families should be credited to the Colony's revenue.

Summarised the existing Regulations are:-

- (a) All officers, other than those on month to month Agreements, are entitled to free medical attendance.
- (b) Operations free for the officer unless due to his indiscretion, but operations on the wives and families, and attendance at accouchements, may be charged.
- (c) Wives and families of officers appointed before the 1st September, 1926 - free medical attendance for those up to 21 years of age and dependent on the officer. Wives and families of officers appointed after the 1st September, 1926 - as above, if salary does not exceed £800 per annum.
- (d) Hospital fees for officers' wives and children:

Officer's salary	£300 and under	Sh. 4.00 per day.
"	" 2500 " "	6.00 " "
"	" 2700 " "	8.00 " "
"	" over £700	10.00 " "

It is understood that officials are increasingly availing themselves of the services of private practitioners, especially in the case of their families. At the same time it is generally recognised that an employer has a vital interest in the well-being, as well as the individual health, of the employee.

Other points in this connection are the practice in some commercial houses of giving medical attendance for tropical diseases only, the payment of private practice fees by Medical Officers into General Revenue, and the possibility of reduced privileges to officials enabling a reduction in Medical Staff and Stores.

Code of Regulations
275-282.

As a basis for a decision the following is suggested:-

- (a) Free medical attendance for the Officer.
- (b) Free operations for the officer, if not due to his indiscretion.
- (c) Free medical attendance, but not free operations to the wife and children of an officer who is in receipt of a salary less than £500 per annum. Accouchements may be charged for.
- (d) Payment for drugs and dressings by the officer and for his wife and children in all cases.
- (e) Payment of full hospital fees for wives and children by officers drawing over £500 per annum.

H. TRAVELLING AND MOTOR MILEAGE ALLOWANCES.

Page 12.

The Committee recommend the general regulations of the time should apply.

I. ACTING ALLOWANCE.

Page 12.

The Merriak Report opposes the grant of acting allowances in respect of posts in the Local Service. The general question is under consideration by Government at the present time.

J. ENGAGEMENTS AND TERMINATIONS OF APPOINTMENTS.

Page 12.

The Committee recommend that the Secretary of State's sanction be obtained to waive the requirements of Colonial Regulations Nos. 17-22 relating to the appointment of officers and reporting vacancies etc. to the Secretary of State.

The Committee, however state that an officer would retain his right of appeal to the Secretary of State.

The Committee also recommend that Letters of Appointment should be substituted for Agreements (See Appendices I- III to the Report) and this the European Civil Servants Association consider inadequate and that the main terms and conditions should be set out, the simple letters show only salaries. Letters of Appointment are given by the Secretary of State and these include descriptive terms of service.

K. AGE OF RETIREMENT.

Page 13.

The present rule is 50 years of age, or 20 years East African Service, whichever comes earlier, for officers appointed prior to the introduction of the Pensions Ordinance and 50 years of age for officers appointed after the 1st April, 1927.

x ?

Page 9.

The FitzGerald Report recommended :-

- (a) 55 years, or after 30 years service, whichever comes earlier, subject to the right of Government to retire an officer who has reached the age of 50 years.
- (b) That ordinarily women should be required to resign on marriage. This is the rule in Southern and Northern Rhodesia.
- (c) Otherwise the retiring age for women should be 50 years. In this connection the Director of Education commented that a woman should have the option of retiring at 50 years of age or after 25 years service whichever is earlier.

Page 13.

The Merrick Report endorses the recommendations of the previous report, but considers a final decision must remain for consideration with the provisions of a contributory pension scheme.

The Executive Advisory Committee favour the provisions proposed in paragraph 102 of the Colonial Administrative Staff Pension Scheme which are :-

- (a) That the normal age of retirement should be fixed at 55, at which age officers would retire automatically except in the circumstances detailed below.
- (b) That when, in exceptional circumstances, an officer remains in the service beyond the age of 55, he should in no case be allowed to serve after the age of 60.
- (c) That officers between the age of 50 and 55 might, in special circumstances, retire on pension with the consent of the Secretary of State.
- (d) That, in very special circumstances, officers between the age of 50 and 55 might be compulsorily retired with the approval of the Secretary of State, but without resort to the inefficiency clause of the Colonial Regulations.

Subject to the fixing of the minimum retiring age in respect of women at 50 years.

L. CIVIL SERVICE BOARD AND DISCIPLINARY PROVISIONSPages 12, 13
and 14.

The FitzGerald Report recommended that a Civil Service Board should be set up :-

- (a) To regulate admission to the "Local" Service.
- (b) To determine the standard of education required for the various grades.

necessary

- (c) To determine the qualifications for promotion from one grade to another.
- (d) To bring about co-operation between the Education Department and other Departments as to courses of training for candidates.
- (e) To have as wide executive powers as possible.
- (f) To be Government's principal adviser on all matters of policy relating to the "Local" Service.

The Merrick Report urges the importance of the early establishment of a Civil Service Board on the lines suggested above, and the majority (the Chairman, the Auditor, Chief Accountant, Public Works Department, and Major Cavendish Bentinck dissenting) that the Board should be the proper body to investigate serious cases of indiscipline involving dismissal.

The Report also considered that the Civil Service Board would be the appropriate body for dealing with the question of transferring officers already employed to any new terms of service.

The Chairman and Major Cavendish Bentinck were entirely opposed to the principle of granting the Civil Service Board disciplinary or wide administrative powers. They emphasize that the Governor should have absolute authority, though he would naturally have powers of delegation.

(16)

In comment upon the Merrick Report, the Attorney General states that the proposals regarding discipline would deprive officers of the right of full legal investigation under Colonial Regulation 42 but provided that discipline is enforced by the Governor and not by the proposed Civil Service Board he has no objection.

(18)

The Chief Native Commissioner doubts if Government would be justified in off-loading its responsibilities regarding the transfer of officers to new terms by a Local Civil Service Board and would substitute Executive Council.

The Treasurer agrees with the minority of the Merrick Committee regarding the disciplinary powers of the Board and entirely endorses the view that the Board should not have wide disciplinary or administrative powers. He considers the Board the best machinery for dealing with the transfer of officers to new terms.

The European Civil Servants Association consider the Board should be given wide powers including that of investigating serious cases involving dismissal and that the Association should have substantial representation on the Board. Moreover, that the questions affecting the transfer of officers to new conditions should not be hurried through as a result of present financial difficulties. The Association ask to be consulted in the composition of the Board.

Difficulties have been encountered regarding the terms of reference to a Civil Service Board whenever the proposal has been mooted. It is submitted, and indeed it is the case :-

- (a). That the authority in Staff matters is in the Governor.
- (b). That the powers of Heads of Departments in Staff matters, under the Governor, should not be undermined.
- (c). That the individual officers rights, and liabilities under the terms of his engagement, Colonial Regulations, the Regulations and orders of Government are matters for Government and the Secretary of State.

and that the terms of reference to a Civil Service Board should be:-

1. To advise Government upon the applications for entry, the promotion and the transfer of officers within the Colony to posts normally filled by local recruitment.
2. To arrange for the setting of papers, the control and the marking of Civil Service examinations, other than the Language and Law Examinations, within the Colony.
3. To advise Government upon such matters as it may specifically refer for the opinion of the Board.

It will be observed that the foregoing does not include executive powers, these it is submitted must remain with Government; nor the setting of standards for entry or promotion, these it is submitted are for Government to lay down in the interests of maintaining a standard; nor advising upon appointments made by the Secretary of State, nor upon disciplinary and personal matters, unless a specific reference is made by Government.

The following composition is suggested for the Board:-

- The Head of a Joint Service Department (Chairman).
- The Attorney General or the Solicitor General.
- The Principal Assistant Colonial Secretary.
- A European Unofficial resident in Nairobi.
- A Representative of the European Civil Service Association.
- (Alternate in Asiatic matters a Representative of the Asiatic Civil Service Association.)
- The Establishment Officer (Secretary).

It is further suggested that meeting should be monthly and that whatever allowances are given to Members of Central Committees should only be drawn by the Unofficial Member.

M. REGULATIONS.

Pages 19-55.

These are shown in Pages 19 - 55 of the Report. They are based on existing Regulations, but in them "Governor" is substituted for the "Secretary of State". Numerous comments have been received, these are not, however, reproduced pending decisions on main issues.

O. SCHEDULE OF POSTS.

Pages 59-69.

Numerous posts, other than those of Clerks, are shown in Appendix III to the Report. The scales of salary suggested fall within the run of the proposed clerical scales. It will be noticed that in many cases the existing scales are increased on account of the consolidating principles of the Report. It is therefore possible that the

the proposed new scales must be revised in the light of the approved decisions on the main issues.

The comments which have been received are:-

The Chief Native Commissioner. "I do not know whether there are facilities for training such officers as Stock Inspectors, Stock Instructors, Plant Inspectors, Dispensers, Sanitary Inspectors, but surely "locally trained and certificated Education Officers" are non-existent. If the supply of local candidates is likely for some time to be inadequate it would seem to follow that the immediate introduction of terms of service suitable only to local candidates must be premature".

The Chief Registrar of Natives considers his post should be regarded as an "Oversers" appointment. In the past, he says, the duties of the post warranted the appointment of a Senior District Commissioner. He points out that the present scale is £600 x 30 x £720 and the proposed £500 x 25 x £650.

The Postmaster General compares existing and proposed scales for:-

Librarian (Agricultural) and Postal Clerks and Telegraphists; Primary Education Officer (female) and Postmistress and Supervisor; Dispenser, Wardmaster, Chief Instructor and Postal Clerks and Telegraphists; Junior Computer and Postal Clerks and considers them likely to lead to anomalies.

The Game Warden agrees for the reasons given on page 62 of the Report that Assistant Game Wardens should not be recruited locally, a recommendation which seems open to some doubt.

The Surveyor General recommends the scale for Draughtsmen should be £290 x 15 x £350 x £360 x 20 x £480 x 20 x £540 instead of £480 x 20 x £540 in the Report and the same for a Junior Computer.

The Commissioner for Local Government, Lands and Settlement states he did not agree to the scale £500 x 25 x £650 for Office Assistants. He expressed the opinion that posts having the present maxima of £720 or £725 should not be included in the "Local" Service, but that if it was decided to include such posts, the maximum of the scale for both Office (Land) Assistants and Registrars of Titles should be the same at £750.

The Private Secretary considers that the highly confidential post of Chief Clerk should not be filled by local recruitment for the Chauffeur-Mechanic he considers the proposed scale of £360 x 20 x £480 plus quarters too generous and that the recruitment of a man from well-known English motor works who can do major, as well as running, repairs is a saving.

The Superintendent of Gardens, he considers, could be locally recruited and he suggests £260 x 18 x £350 x 18 x £400, plus quarters, a more suitable scale than the proposed

£360 x 20 x £480.

In the case of the Caretaker and Housekeeper he suggests that the Governor must be given an unfettered choice and that a fixed remuneration of not less than £300 rather than the scale £150 x 15 x £300 should be given.

The Director of Education comments upon the difficulties which arise from difference in the Education Officer Scales proposed by the Advisory Committee to the Secretary of State, and the proposals in the Fitzgerald and the Martineau Reports.

The Director in Charge states he was advised by the Director of Prisons and that in view of the fact that the post should be filled by a specially recruited man with some training in the work of an expert, there are over 1,000,000 finger print records and the

Home Bureau is the fourth largest in the world.

The Registrar General states he did not agree that the scale for the Accountant in his Department should be £400 x 20 x £480 x 20 x £600, the scale proposed to him was £500 x 25 x £600 x 25 x £725 and he did not consider this suitable. He sees no reason why the Accountant's scale in his Department should be the lowest, in 1931 £64,141 was received and £71,634 paid out and funds to the value of £72,708 were handled. The Accountant has various technical duties to perform in connection with bankruptcy etc. He does not agree the post should be within a Local Civil Service, and, if it is, he considers the scale should be £500 x 25 x £600.

The Staff Officer, Defence Force, does not consider that the Armoury and Musketry Instructor are posts which can be filled locally because the former must have been through Military Workshops or an Arsenal and the latter must be up-to-date.

The Government Printer states that there are no possible opportunities for local recruitment for the posts enumerated or likely to be for some years. Moreover, he considers the proposed emoluments are too low and will not induce the right type of candidate to apply especially when it is realised that the comparison with neighbouring West African Territories is so adverse.

The Conservator of Forests states that in his self-accounting Department the Accountants scale should be £360 x 20 x 480 x 20 x 600 instead of £360 x 20 x 480 x 20 x 2540.

The Director of Medical and Sanitary Services states that if the negotiations for transferring the European Hospital Nairobi breakdown it may be found desirable to reconsider the salaries proposed for Nursing Sisters.

His Honour the Chief Justice remarks on the difference in scale proposed for Shorthand writers when compared with that for "Herald" Reporters viz: - 240 x 20 x 360 x 20 x 600 and 240 x 20 x 600. He adds that he tried to make it clear that the Shorthand-writers should be Overseas appointments and that there should be no distinction between them and the Reporters.

The Treasurer considers the Chief Clerk at Government House should have a 225 increment and doubts if quarters should be free, that the close of the Agricultural Department Accountant's scale at £225 should be considered when the occasion arises, he similarly remarks upon the scale for the Primary Education Officer (g). He also says that he doubts whether in practice a maximum of £600 is enough for a Shorthand Writer in the Judicial Department and that he would like to examine the alternate proposals of the Director of Public Works who considers the scale proposed for Public Works Department Apprentices high.

The Government Coast Agent, considers his Assistant cannot be recruited locally, he must have a knowledge of the Merchant Shipping Act, passage and freight work, Marine Insurance and claims, customs regulations etc. and is best recruited from the Crown Agents staff.

The European Civil Servants Association states the inclusion in the local service of officers whose training is specialised is premature and an error. It is obvious that a considerable time must elapse before the Colony can provide the necessary training. The present time of world depression renders recruitment easy but it is not a suitable time, unless recruitment is to be from those who have fallen out of employment.

KENYA.

No. 26

CONFIDENTIAL



RECEIVED
24 MAR 1933
COL. OFFICE

113 / 6
GOVERNMENT HOUSE,
NAIROBI,
KENYA

28 February, 1933.

Sir,

*Not on
16079/32*

With reference to paragraph 6 of my Confidential despatch No. 15 of the 28th of February, 1932, informing you of the appointment of a Committee to examine the question of the incorporation of a Special Constabulary Service for Europeans and Asiatics, I have the pleasure to transmit six printed copies of the Report of that Committee in regard to the proposed Special Constabulary Service and the Special Constabulary Service are concerned.

2. I shall submit in due course my comments when the Report has received consideration.

I have the honour to be,

Sir,
Your most obedient, humble servant,

H. G. L.
BRIGADIER-GENERAL,
GOVERNOR.

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON S.W.



COLONY AND PROTECTORATE OF KENYA

REPORT
OF THE
LOCAL ASIATIC CIVIL
SERVICE COMMITTEE

NAIROBI
PRINTED BY THE GOVERNMENT PRINTER
1932

REPORT OF THE LOCAL ASIATIC CIVIL SERVICE COMMITTEE

YOUR EXCELLENCY,

1. The Committee appointed by Your Excellency—

To examine, to report upon, to schedule posts and to draft Regulations, having regard to the principles laid down by Executive Council at its meeting of the 7th January, 1932, for the inauguration of:—

- (a) a Local European Service; and
- (b) a Local Asiatic Service

applicable to Government Servants not employed by the Kenya and Uganda Railways and Harbours Services

on the 26th August, 1932, submitted a Report on (a) a Local European Service.

2. Before proceeding to report on (b) a Local Asiatic Service the personnel of the Committee was modified in accordance with Your Excellency's orders of 23rd September, 1932, by the substitution of Mr. E. E. Biss as Chairman for Mr. J. E. S. Merrick who has left the Colony, by the addition of Mr. Nariman D. Mehta of the Judicial Department, and Mr. R. B. Patel of the Police Department, as representing the view of the Asiatic Civil Servants employed by the Government of Kenya, and by the appointment of Colonel E. M. Ley in the place of Major F. Cavendish Bentinck who was no longer able to serve. Mr. C. H. Bloomfield, representing the Kenya and Uganda Railways and Harbours Services attended the last meeting of the Committee.

3. For facility of reference the original Committee appointed on 16th July, 1931, is referred to as "the Fitzgerald Committee," that which reported on 26th of August, 1932, as the "Merrick Committee;" and this Committee, now modified, as the "present Committee." The present Committee has the honour to submit the following report

4. (a) The Fitzgerald Committee recommended the division of the European members of the Civil Service of Kenya into two groups to be known respectively as the "Overseas

Service" and the "Local Service." They did not deal with the Asiatic members of the Civil Service, and only made slight reference to them on pages 3, 4 and 18 of their Report.

6) In paragraph 27 of their Report they recommended that an enquiry similar to their own should be prosecuted without delay into the terms and conditions on which Asian Civil Servants are engaged.

5. The Members of the Committee, keeping in mind the results of the enquiry, suggested to some extent and work out a form of Regulations and a Schedule of posts for the Indian Service and the principles enunciated by the Fitzgould Committee. They also suggested scales of pay for various posts.

6. It has remained for the present Committee to consider and report as to how far in their opinion the accepted principles and proposed Regulations can be applied to the Asiatic Civil Service, to suggest scales of pay and to schedule posts which can be included in our Asiatic Service.

7. It was considered the Indian members dissenting that there was no need for the constitution of an Asiatic Overseas Service, but it was recognized that Government would, of course, be free to recruit from any source Asiatic officers on special rates of pay for special work if such action proved to be necessary. The Committee therefore recommends that the Service should be called "The Asiatic Civil Service of Kenya" without the introduction of the word "Local" into its title. The probable necessity for the continued recruitment from India for some time of a certain number of members of this Service was realized. For such recruits some provision will have to be made in respect of passages.

Appendix I.

8. The Committee offers for the consideration of Government the draft Regulations for the proposed Asiatic Civil Service which are contained in Appendix I of this Report. These have not been considered in detail by the whole Committee but indicate the lines upon which it is expected that the recommendations of the present Committee can be brought into practice. They follow the form of the present Regulations as far as possible.

9. It has been thought desirable to include below Tables A, B and C for Asiatics as worked out by the Fitzgould Committee for Europeans on pages 3 and 4 of their Report.

TABLE A
SHOWING THE ESTIMATED COST TO KENYA OF ASIATIC PENSIONABLE OFFICERS AT VARIOUS RY POINTS

	Salary per annum	Home Allowance	Passage for Officer and Family	Medical Allowance	Pension per annum for 1/60 of year	Other Charges	Percentage increase represented by emoluments over that of British
	£	£	£	£	£	£	£
Grade 1	126	24	33	7	16	3	80%
Grade 2	162	24	13	7	20	3	41%
Grade 3	216	28	13	7	27	3	35%
Grade 4	300	34	13	7	37	3	31%
Grade 5	360	54	13	7	45	3	34%

TABLE B
ANALYSIS OF PERSONAL EMOLUMENTS AS PROVIDED IN THE ESTIMATES

	Number of posts	£
Asiatic	214,000	
European	38,000	
Total	252,000	

Note: All pensionable posts are held by officers in pensionable status.

The above figures do not include the Military, Northern Brigade, and the establishments of the Kenya and Uganda Railways and Harbours Service.

TABLE C
SHOWING PROVISION MADE IN ANNUAL ESTIMATES FOR PAYMENT OF PENSIONS AND GRATUITIES DURING THE PERIOD 1906-32

Year	Annual Pensions	Year	Annual Pensions
1906-7	63	1925	14,839
1909-10	322	1926	15,832
1914-15	537	1927	17,961
1919-20	1,484	1928	18,806
1920-21	2,081	1929	19,972
1921	4,035	1930	21,521
1922	5,008	1931	22,999
1923	7,524	1932	25,816
1924	11,405		

10. So far as the Asiatic Staff is concerned the question may be broadly summarized as follows:

A. PERSONNEL OFFICERS

(1) Salaries

(2) Other emoluments and business transactions
Total Salaries for number of posts

Total £ 996,300

Total £ 41,800

Total £ 1,038,100

11. These data are applicable to the staff as provided in the Asiatic Service of Officers may be compared with that of the European Staff. The time assumption is made that the Fitzgerald Committee (Report para. 28) and the Merrick Committee (Report para. 5) has been accepted here, and that, though the present time is recognized as one of depression and especially low salaries and prices, salaries in general will be at a higher level when the depression has passed and that they were formerly.

12. The present Committee is not concerned with the transfer of officers at present serving on long leave terms or on agreements not amounting to confirmation in the permanent service from their present positions to the new service. It recommends that such cases be dealt with by the proposed Civil Service Board.

13. The only branch of Government Service in which Indian women are employed on any large scale is the Education Department. Qualified women are not easy to find, it is therefore not the case at present that market rates would justify lower scales for Indian women than those for men. The Committee is, however, of the opinion that a female officer on marriage should forfeit any right to pension or gratuity beyond what has been earned at the date of marriage. They should not ordinarily be retained in the Service after fifty years of age.

14. The present Committee had the advantage of considering statements made by several of its members who were either employers of Asiatics or who had consulted such employers on the subject of the remuneration paid for various classes of work done.

15. The following recommendations represent the conclusions arrived at after this consideration. They are set out in the order observed by the Fitzgerald and the Merrick Committees:

(i) Pay

(a) Clerical Officers

Leavers £45 by £46 to £72

Regular £90 by £96 to £135

Special £144 by £90 to £240

Grade 1 £240 by £135 to £500

Special Grade £318 by £18 to £372 by £18 to £408

NOTE (1).—The passage of the bar at £372 in the Special Grade and promotion from one grade to another should be made strictly a matter of efficiency after the required qualifications have been obtained, and should be recognized as marking movement to positions entailing increased responsibility. The two Asiatic members of the Committee wished the Grades to be regarded as very long scale with bars.

NOTE (2).—Leavers should ordinarily be of the standard required for matriculation into recognized universities. Such leavers should commence at £60. Those who have passed the Junior Cambridge Local Examination, or an equivalent standard, or such other test as may be recognized by the Civil Service Board, might be admitted at £48 per annum.

NOTE (3).—The Special Grade should be strictly limited in numbers and should be confined to posts the duties of which entail unusual qualifications and responsibilities in addition to normal confidential and supervisory duties of a clerical nature. Mr. Smith wished the view recorded that the Special Grade should be on fixed pay of £406 per annum.

(b) Non-Clerical Posts

The Schedule of non-clerical posts which appears as Appendix II to this Report contains the recommendations of a Sub-Committee appointed to draw it up after consultation with the Heads of Departments which employ such Asiatic officers. The result of this Sub-Committee's enquiries elicited the fact that nearly all these posts could be graded within the scales suggested for the Clerical branch of the Service. The Schedule shows the scale of remuneration at present paid in respect of each post and suggested scales for the same posts in the new Asiatic Service. These data are included in the hope that they may be of assistance and guidance when the

salaries finally come to be decided, but the Committee feel that without careful study of the duties appertaining to the various posts it is not possible for them to recommend that they should be accepted as final; they follow generally the principles governing the Committee's recommendations for clerical posts and it is suggested that they should be very carefully reviewed by the Civil Service Board. The Committee desire to acknowledge the assistance received from heads of departments in response to their representations.

(c) Agreeing with the Merrick Report the present Committee wishes to lay emphasis on the desirability as far as possible of selecting candidates for vacancies, more particularly in Grade A and upwards, on a general roster rather than treating departmental personnel on a water-tight basis, for purposes of advancement.

(ii) Leave.

It is recommended that twenty-four days' leave should be granted annually, of which seventeen might be accumulated. Messrs. Mehta and Patel requested that their opinion that these figures ought to be at least thirty-one and twenty-one respectively should be recorded. The yearly leave should therefore be divisible into seven days "local" and seventeen days "vacation" leave, officers being allowed to add local to vacation leave in any years in which they proceed on vacation leave. It should be possible for vacation leave to be taken annually, but it should not be allowed to accumulate to a period longer than four months.

(iii) Passages.

A majority of the Committee recommends that no allowance in respect of passages should be granted to members appointed locally to the Asiatic Civil Service, the transfer from India to many parts of Kenya being regarded as beneficial rather than derogatory to health, so making overseas journeys for health purposes less necessary than in the case of Europeans. Three members voted for Government assistance towards passages on the lines laid down for Europeans by the Merrick Committee. Messrs. Mehta and Patel have made a reservation on this matter at the end of the Report.

(iv) Pensions and Provident Fund.

A majority of the Committee is in favour of the contribution to the Provident Fund being fixed at 10 per centum of the substantive salary, Government and the officer each contributing one-half of this amount, viz. 5 per centum. With

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this exception, the Committee decided to adopt for members of the Asiatic Civil Service the recommendations already put forward for members of the proposed Local European Civil Service (see pages 8, 9 and 10 of the Merrick Committee's Report). The minority opinion was that 15 per centum would be more equitable than 10 per centum.

(v) Quarters.

The Committee is unanimous in recommending for adoption in the case of Asiatic officers the same principle as was laid down for Europeans in the Merrick Committee's Report (page 11), namely that of consolidated salaries without the addition of free quarters or an allowance in lieu. They also consider, however, that exceptions must be made in the rare cases where an officer is required to occupy quarters at or adjoining particular institutions in view of the continuous nature of his duties; it seems to the Committee only equitable that in such instances no rent should be charged and the quarters should be regarded as a temporary addition to the officer's non-pensionable emoluments.

In the Committee's view, acceptance of the principle that an officer will be responsible for his own housing arrangements means as a corollary that in centres where private accommodation can be arranged he should be free to suit his individual requirements and should not be forced to rent Government quarters merely because such quarters happen to be unallocated or unoccupied. The question of the disposal of any surplus Government houses in the event of the adoption of these proposals is a matter which may require consideration. The Committee appreciate that an officer will be at liberty to rent Government quarters should he so desire and that such a course may be inevitable in many outstations at present. Where competition with private accommodation arises rents should be fixed at ruling market prices whilst at other stations quarters should be leased to officers either on a rental basis to be assessed administratively at the value of the house or on the basis of a percentage deduction from salary not exceeding 15 per cent, the smaller amount governing procedure in any individual case.

(vi) Medical Attendance.

(a) The Committee recommends free medical attendance for officers, but not for their families.

(b) The Committee is opposed to the free provision of drugs and dressings for officers except at outstations where,

in the opinion of the Director of Medical and Sanitary Services, they are not readily obtainable from sources other than Government stores. In such cases it is felt that any advantage that might be derived from selling drugs and dressings to officers would be more than counterbalanced by the disadvantages connected with accounting for sales.

(vii) Travelling and Motor Allowances.

The Committee consider that travelling and motor allowances should be governed by the general regulations ruling at the time.

(viii) Acting Allowances.

The Committee are opposed to the grant of acting allowances in respect of posts in the Asiatic Service.

(ix) Engagements and Terminations.

The Committee have assumed that the Asiatic Service will be under the control of the Governor, advised by a Civil Service Board, on the lines recommended by the Fitzgerald Committee. The Governor would then be the final arbiter in all matters affecting the Civil Service, though an officer would retain his inherent right of appeal to the Secretary of State against any decision reached locally.

As the term of service is not advocated for officers in the Service, the Committee is of opinion that engagements, whether temporary or permanent and whether in the capacity of learners or of probationary or substantive appointees, could be covered most suitably by letters of appointment, instead of agreements. These letters would vary according to the conditions governing a particular appointment, and should be countersigned in all cases by the appointer. Model forms are suggested to ensure uniformity of treatment.

It is suggested that persons engaged for specific periods or services might be engaged on agreements, subject generally to the regulations applicable to the Civil Service.

(x) Disciplinary Provisions.

Whilst agreeing that in cases requiring investigation in the interests of discipline the method of such investigation must be left to the discretion of the Governor, the Committee were divided as to the desirability of prescribing the Civil Service Board as the proper body which should investigate serious cases involving intended dismissal. A majority urge that only in the most exceptional circumstances should any other body be appointed for such a purpose.

Mr. Smith and Mr. Webster, however, were not prepared to subscribe to this proviso. In the circumstances, the relative regulation has been drafted in general terms without any restriction of the Governor's discretion.

(xi) Age or Retirement.

The Committee recommends that officers should be able voluntarily to retire and that Government should be able to call upon officers to retire at the age of fifty years. Officers should in any case retire not later than the age of fifty-five years. This recommendation was based on the view that Asiatics generally age rather more quickly than Europeans.

16. The present Committee desires again to draw attention to the importance, already emphasized by the two earlier Committees, of the early establishment of a Civil Service Board.

17. In conclusion, the Committee wishes to place on record its appreciation of the valuable assistance rendered by its Secretary, Mr. A. J. Field.

We have the honour to be

Sir,

Your Excellency's obedient servants.

EVAN E. BISS, *Chairman.*

THOS. J. O'SHEA.

W. H. SMITH.

T. J. CARLYLE-JOHNSTONE

C. O. GILBERT.

*NARIMAN MEHTA.

*R. B. PATEL.

E. M. LEY.

H. J. WEBSTER.

H. F. WARD.

Members

A. J. FIELD,

Secretary.

Nairobi,

16th November, 1932.

*We have signed this report subject to the following reservation—

Passage Regulations—Paragraph (ii).

From our personal experience we feel that the climate of this Colony is deleterious to Asians and it has not yet been established by medical statistics or other scientific evidence

that such is not the case. We, therefore, are of the opinion that free passage allowance of 50 per cent per annum should be made to all members of the Service, as it is necessary they should periodically have a change out of the Colony to recoup their health and at the same time broaden their views and gain experience by travel abroad. This principle has already been accepted by the Merrick Committee. The cost of the officer's passage would be very insignificant to Government whereas it would be a great financial strain to the officer concerned.

NARIMAN MEHTA

R. D. PATIL

APPENDIX

SUGGESTED PROVISIONS FOR THE CIVIL SERVICE

Notwithstanding that the Civil Service of the Kenya Colony is being re-organised by the Government Service Commission with the assistance of a special body, the present provisions should be maintained after the proposed numbers.

CHAPTER I (XVI)

APPOINTMENTS, DIMINUTIONS AND TRANSFERS

690. For Clerical Staff "Senior" the Service shall be higher than those in the "Learned Trade".
691. For fourth grade "Senior" "Grade C" in two places.
692. i. Omit "Other than Clerks".
- ii. Omit "No scales, "normal" and "special" Grades by Managers who hold the Junior Cambridge Local Certificate or its equivalent shall be appointed to the minimum of the grade. Those who hold the Matriculation Certificate of an approved University may be entered at £60 per annum.
693. After "Departments" insert "Other than the Education Department." (This Department always has a special item in the Estimates for "Reliefs".)
694. Omit "in the case of confirmation".
695. Substitute "Holders of posts are entitled to the permanent establishment on confirmation and/or qualify for pensionable salary or gratuity under a provident fund."
696. Substitute "Promotions from one grade to a superior post in a higher grade will be strictly dependent on the grant by a Head of Department of a certificate of efficiency after any prescribed qualifications have been attained and should be recognized as marking a movement to a position entailing increased responsibility."
- "A recommendation for the passing of an efficiency bar, supported by a certificate (in duplicate) in the form shown by Appendix 33, should be submitted by the Head of a Department to the Colonial Secretary, through the Treasurer, for approval."
697. Substitute "All promotions are dependent on specific provisions being available in the annual estimates."

CHAPTER II (XVII).

SALARIES AND ALLOWANCES.

644. *Substitute*: "An officer proceeding on vacation leave will advise the Head of his Department of the manner in which he desires his leave salary to be paid. In the case of officers on leave overseas salary should be paid up to and including the day prior to sailing."

645. *Substitute*: "If an officer proceeds on leave to India he should make application for a form on which to draw his salary through the Colony's Agents in Bombay, to whom a copy of his Leave and Last Pay Certificate must be produced if required."

646 to 649. *Omit*.

650. *Omit* (no Short-hand Allowances).

651. *Substitute*: "Colonial Secretary" for "Secretary of State" in two places. (Local control.)

662 to 665. *Omit* (no House Allowances).

CHAPTER III (III).

DISCIPLINE.

NOTE.—Chapter III of the Third Edition of the Kenya Code of Regulations runs from Regulation No. 136 to 171 and is applicable to Kikuyu under Regulation 841. The Regulations of the Code are recommended to stand except in so far as they are altered here.

142. *Omit* "of the Secretary of State or."

144. For "Secretary of State" *substitute* "the Governor."

145. *Idem*.

150. *Idem*.

151. *Substitute*: "An officer of the Established Service may be dismissed by the Governor provided that in every case where the officer has not been convicted on a criminal charge the grounds of dismissal are definitely stated in writing and communicated to the officer in order that he may have full opportunity of exculpating himself. If in the opinion of the Governor the officer fails to exculpate himself an investigation shall be made into the charges in such manner as the Governor may direct."

If as a result of such investigation the Governor is of opinion that the allegation is proved, he may inflict such punishment upon the officer by way of dismissal or lesser punishment as may seem to him just.

This regulation is without prejudice to the undermentioned regulations providing for the summary punishment of officers by the Governor or the Head of a Department:—

The Departmental Offences Ordinance, No. 35 of 1928;

The King's African Rifles Ordinance, No. 31 of 1930;

The Prison Ordinance, No. 37 of 1930;

The Police Ordinance, No. 64 of 1930."

153. *Omit*.

157. *Omit* all words after "punished."

161 and 162. *Omit*.

CHAPTER IV (XVIII).

LEAVE.

667. *Substitute*: "Unless otherwise stated all leave will be on full pay."

668. *Substitute*: "An officer may be granted twenty-four days leave for every completed year of service. These are divisible into seven days "local" and seventeen days "vacation" leave. Vacation leave may be taken annually or may be accumulated, subject to a maximum of four months. Local leave may be taken in conjunction with vacation leave."

680. *Omit* (unnecessary).

670. After "absence" in line 2 insert "to India or outside the Colony"; after "Bombay" insert "or other authorized places."

671. *Omit* (unnecessary).

672. *Substitute*: "No vacation leave will be granted for service in the Learner Grade."

673 to 676. *Omit* (unnecessary).

679. *Substitute*: "Any vacation leave remaining unexpired on an officer's return to duty will be carried forward."

680. *Substitute*: "An officer may be allowed a short extension of leave to enable him to arrive at Mombasa by a steamer later than the expiration of his leave if the required extension is shorter than the period of leave which he would have to defer by sailing by the steamer next before the expiration of his leave. Any such period will be deducted from the leave for which he may become eligible in respect of his future service."

681. "In the case of an officer detained in quarantine on return from leave his period of detention will be regarded as additional leave."

682. "Full pay may be granted for such portion of the leave as represents the vacation leave earned together with the local leave for the current year if not already taken."

683 to 685. *Omit*.

686. *Substitute*: "Sick leave may be granted to an officer up to a maximum period of three months in any one period of twelve months residential service and thereafter half pay for a further period of three months."

689. "Seven days local leave may be granted in any calendar year but cannot be accumulated. On first appointment such leave should not be granted until an officer has completed six months service. Only the most exceptional circumstances will be allowed to interfere with the grant of local leave."

690. *Omit* (unnecessary).

691. *Substitute* "Vacation" for "privilege."

CHAPTER V (XIX AND XX)

LOCAL TRANSPORT AND TRAVELLING

715. *Omit* (unnecessary).

717. *Omit* (unnecessary).

720. *Substitute*: "An officer proceeding on vacation leave will be granted free transport by rail to any one station in the Colony for himself, his wife and children, by the class of accommodation to which the officer himself is entitled to travel provided he takes not less than seventeen days

vacation leave. He will be granted a similar concession on his return to duty. No allowance for incidental expenses on luggage will be granted."

723. *Omit* "or from leave or proceeding on leave."

726. *Omit* "Departure or return from leave."

727. *Omit* (unnecessary).

PASSAGES

740 to 767. *Omit* (unnecessary).

CHAPTER VI (XXI)

EXAMINATION

775 to 777. To be reconsidered by the Civil Service Board.

CHAPTER VII (XXII)

PENSIONS, PROVIDENT FUNDS, GRATUITY

786 to 807. To be drawn up by the Civil Service Board after consultation with the Secretary of State.

CHAPTER VIII (XXIII)

MISCELLANEOUS

817. *Substitute*: "No free quarters or allowance in lieu will ordinarily be granted to officers of the Asiatic Civil Service except that in cases where, owing to special duties an officer has to occupy Government quarters at or adjoining particular institutions, such quarters may be regarded temporarily as part of the officer's emoluments."

818. *Substitute*: "In out-stations where no quarters are available, such quarters will be rented to officers either on a basis calculated administratively on the value of the houses, or at 15 per cent of the officers' salaries, whichever is less."

819. *Substitute*: "No officer will be compelled to rent Government quarters except in places where no other quarters are available."

821. Omit.

823. All officers other than those on temporary appointments are entitled to free medical attendance by the medical staff in respect of themselves, but not in respect of members of their families or of their servants. Operations upon officers will be performed free, provided that they are not necessitated by their own indiscretion. The cost of any treatment which the Government Medical Service is unable to provide will be borne by the officer concerned.

825. The cost of all medical appliances, medical comforts, drugs and dressings will be charged to the officer concerned, except that in outstations where, in the opinion of the Director of Medical and Sanitary Services, they are not readily obtainable from other than Government stores, drugs and dressings may be supplied free of charge to officers, but not to members of their families.

830, 831, 833, 834, 835, 836, 841. Omit (unnecessary).

APPENDIX II.

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE ASIATIC CIVIL SERVICE BY THE SUBCOMMITTEE OF THE PRESENT COMMITTEE ON THE TERMS OF SERVICE.

Department and Post	Present Scale	Hour or Allowance	Additional Emoluments			Scale rank recommended after consultation with the Head of Department	Notes
			Pension	Passage	Medical Attendance		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
GOVERNMENT HORSES							
1 Drover and Telephone Boy (Item 13)	£120	£	£	£	£	£	£ 30-4-102
1 Carpenter (Item 14)	£186		4	7	7	3	£ 14-9-171
1 Saddler (Item 15)	£186		4	7	7	3	£ 14-9-171
AGRICULTURE							
1 Master (Item 7)	£102		4	7	7	3	£ 102 fixed
ARTISANS							
2 Mechanics (Item 8)	£138-9-204	24		7	7	3	£ 144-9-225
1 Veterinary Inspector (Item 9)	£300-18-420	45	44	7	7	3	£ 318-18-372
1 Veterinary Assistant (Item 10)	£100-12-360	45	44	7	7	3	£ 118-4-308
4 Artisans (Item 12)	1 post—£200-12-360 3 posts—£180-12-360 Market rates (average £150 p.a.)	27	44	7	7	3	£ 318-18-372 £ 240-12-300
CROSS							
2 Sergeants (Item 19)	£99-7-120		4	7	7	3	£ 144-9-225
3 Sergeants (Item 20)	Average £62/13/4		4	7	7	3	£ 60 fixed

SCHEDULE 34 for posts in various Departments recommended for inclusion in the Atlantic Civil Service by the Subcommittee of the present Committee on the Terms of Service—*Contd.*

Department and Post	Present Scale	Additional Emoluments					Scale now in effect after substitution with the Heads of Departments	Notes
		House Allowance	Pension Passages	Medical Attendance	Other			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
POST AND TELEGRAMS— 1. Parcel (Item 29) 2. Mail Clerk (Item 20) 3. Sub-Inspector, N. G. (Item 33) 4. Sub-Inspector, S. G. (Item 34) 5. Librarian, N. C. Class (Item 35) 6. Librarian, S. C. Class (Item 36) 7. Tracer (Item 55 (17))	N. C. scale £228-12-300 £168-9-216 £128-6-162 £70-14-120 M. C. scale ditto £128-6-162-6-168- 9-216	4 4 34 25 24 24 24	3 4 13 13 5 6 4	4 7 3 7 7 7 7	4 3 3 3 3 3 3	£240-12-300 £144-6-168- 9-225 £90-6-132 £144-9-168- 9-225	One line vote to remain.	
PRINTING AND STATIONERY— 1. Compositor (Item 19) 2. Bookbinder (Item 29) ditto Headlines (Compositors, Bookbinders, etc.)	£172 £228-12-300 £150-12-216 £228-12-264	47 34 24 34	10 12 12 13	7 7 7 7	3 3 3 3	Clerical grades except three headman at £219 p.a. fixed.	Reductions from one grade together to be subject to specific certificate of efficiency from Head of Dept.	

SCHEDULE 35 of the posts in various Departments recommended for inclusion in the Atlantic Civil Service by the Subcommittee of the present Committee on the Terms of Service—*Contd.*

Department and Post	Present Scale	Additional Emoluments					Scale now in effect after substitution with the Heads of Departments	Notes
		House Allowance	Pension Passages	Medical Attendance	Other			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
PRINTING AND STATIONERY— 1. Compositor (Item 19) 2. Bookbinder (Item 29) ditto Headlines (Compositors, Bookbinders, etc.) Apprentices	£ £168-9-216 £128-6-162 £90-4-120 N. C. scale	4 25 24 24	4 4 13 13	4 7 7 7	4 3 3 3	Clerical grades	Reductions from one grade to another to be subject to specific certificate of efficiency from Head of Dept.	
PRINTING AND STATIONERY— 3. Master Tailor (Item 23) 4. Master Carpenter (Item 24) 5. Master Mason (Item 25) 6. Sub-Inspector (Item 33) 7. Sub-Inspector (Item 34) 8. Master Mechanic (Item 44) 9. Sub-Inspector (Item 45) 1. Sub-Inspector (Item 44)	£168-9-216 £128-6-162 £128-6-162 £168-9-216-228-12-300 £228-12-300	25 24 24 25 34	13 5 5 13 13	7 7 7 7 7	3 3 3 3 3	£144-9-225 £48-6-225 £90-6-132 £144-9-225 £144-9-225 £144-9-225 £240-12-300	With prospects of promotion to Special Grade.	

SCHEDULE of the posts in various Departments recommended for inclusion in the Asiatic Civil Service by the Subcommittee of the present Committee on the Terms of Service—(Contd.)

Department and Post	Present Scale	Additional Emoluments				Scale now recommended after consultation with the Heads of Departments	Notes
		House or Allowance	Pension	Passages	Medical Attendance		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
SURVEY AND REGISTRATION							
Senior Draughtsman (Item 19)	£ 300-12-360	45	£	13	£	£	
10 Junior Draughtsman (7 pensionable (Item 20)	£ 228-12-300	34	374	13	7	3	} £ 240-12-300 £ 144-9-228
Junior Draughtsman (Item 20)	ditto	34		13	7	3	
1 Tracer (Item 21)	£ 168-9-216	28	26	13	7	3	
2 Over-embossing Operator (Item 38)	£ 126-6-162	24		13	7	3	Cannot be recruited locally.
CLERICAL—							
Special Posts	£ 360 p.a.	54	45	13	7	3	£ 318-19-372 18-408
1st Grade	£ 228-12-300	34	37	13	7	3	To be called Special Grade.
2nd Grade	£ 168-9-216	28	27	13	7	3	To be called Grade A.
3rd Grade	£ 126-6-162	24	20	13	7	3	To be called Grade B.
4th Grade	£ 90-4-120	24		13	7	3	To be called Grade C.
						3	To be called Grade Learners.

Mr. King
Mr. Kent
Mr. Freelon
Mr. Parkinson
Mr. Tomlinson
Sir C. Bottomley
Sir J. Shuckburgh
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.

Downing Street.

23 March, 1933.

Answered by Noll

Sir,

DRAFT

REPLY:

No. 210

Gov.

I have the honour to enclose herewith a copy of correspondence with the Green Agents of the Colonies regarding the application of the new accommodation rates for India steamer between the various ports of call serving in Kenya. It is assumed that the letter above, as to the Green Agents of the Coast Agent at Mombasa was based on instructions received from your Government.

2. With regard to the basis on which savings to be applied to the cost of family passages should in future be calculated I notice that although officers

in category 1.(i) are to be provided with grade 2. accommodation, costing £85 for

27/3/33
C.A. (with office) (3)
Myl (with office) (2)

on the cost of grade "3" accommodation
via 1800 and that similarly in the case of
officers in categories ~~1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11~~ (1)
savings are in future to be calculated on a
lower grade of accommodation than that by
which they are actually privileged to travel.
In this connection I would mention that when
the accommodation in the British India
steamers was re-graded it became necessary
owing to shortage of accommodation in what
had hitherto been the normal first and second
class grades, to give the Crown Agents for
the Colonies authority to make use of
accommodation outside those grades. It
was not though necessary however to
make any alterations in the existing arrange-
ments as the savings in the case of officers
entitled to first class passages are based
on the cost of ~~the berth~~ *a passage as £50 cost for the single journey* and in the
case of officers entitled to second class
a passage as £35 cost for the single journey

normal grades by which officers are privileged to travel.

3. If, as appears to be the case in Kenya, posts have been definitely passed in other categories for passage purposes it is ^{not unlikely} possible that officers may claim that under the regulations (section 15 of ~~Memorandum~~ African 973) they are entitled to apply the whole amount of the savings effected by their travelling by a lower grade of accommodation than that to which they are privileged to travel towards the cost of their families' passages. In order to obviate such claims it seems to me that it should be made clear by the issue of a local regulation, that officers in category A/1 will be regarded as privileged to travel in Grade "O" accommodation, but owing to shortage of accommodation in that grade, will, themselves, be permitted to travel in

Accommodation

the higher grade "F" at Government expense,

but that in any case, savings towards the

cost of family passages will be calculated

on the cost of a grade "G" passage, viz. £80;

and that officers in categories A/III and

B/I will normally be privileged to travel

by Grade M accommodation, costing £55

for a single berth, but will themselves

be allowed to travel in grade L accommodation

at Government expense, savings in their

cases being calculated on the cost of a

grade M. berth, viz. £55.

~~Answer, etc.~~

4. I shall address you further
on the question of the accommodation
to be provided for European Nursing
Sisters. In the meantime I shall be
glad to receive your views on the
points raised in the report.

(Sgd.) P. OUNLIFFE-LISTER

Accommodation

the higher grade "M" at Government expense,
but that in any case, savings towards the
cost of family passages will be calculated
on the cost of a grade "G" passage, viz. 280;
and that officers in categories A/III and
B/1 will normally be privileged to travel
by Grade M accommodation, costing 255
for a single berth, but will themselves
be allowed to travel in grade L accommodation
at Government expense, savings in their
cases being calculated on the cost of a
grade M. berth, viz. 255.

~~Reference is made to~~

4. I shall address you further
on the question of the accommodation
to be provided for European Nursing
Sisters. In the meantime I shall be
glad to receive your views on the
points raised in this despatch.

(Sgd.) P. OUNLIFFE-LISTER

C. O.

3076/33 Kenya
129 H

23 March 1933

Mr. King 20/3
Mr. Inceston v/p
Mr.

- Mr. Parkinson
- Mr. Tomlinson
- Sy. C. Bottomley
- Sir J. Shackburch
- Permit U.S. & S.
- Party U.S. & S.
- Secretary of State

Gentlemen

I am

to ack. the letter of the 11th February

DRAFT.

the P.A. for the balance

copy to the Coast

under the provisions of the Kenya Government with steamship accommodation on the scale shown in the letter of the 21st January from the Government Coast Agent at Mombasa.

The

procedure should be
adopted for Newell, but
any passage arrangement
that may already
have been made
may be allowed to
stand.

J. E. W. Flood

(Signed) J. E. W. FLOOD



ALL COMMUNICATIONS
TO BE ADDRESSED TO THE
CROWN AGENTS FOR THE COLONIES
THE FOLLOWING REFERENCE AND THE
DATE OF THIS LETTER BEING QUOTED

M/S. A.

TELEGRAMS: CROWN, LONDON
TELEPHONE: 7730 VICTORIA

4. MILLBANK,
WESTMINSTER,
LONDON, S.W.1.

11th February 1933.



Sir,

No 18

21.1.33.

*Mr (4)
copy to Mr (5)*

In reference to Colonial Office
letter No. 18078/32 of the 31st. January, I have
the honour to attach a copy of a letter dated
21st. January, which we have received from the
Government Coast Agent, Mombasa. I have to
enquire whether it is desired that we should
provide steamship accommodation for officers
of the Kenya Government on the scale shown in
the Coast Agent's letter, and, if so, from
what date the new procedure should come into
force.

I have the honour to be,

Sir,

Your obedient servant,

P. C. Mansfield

for CROWN AGENTS.

THE UNDER SECRETARY OF STATE,
COLONIAL OFFICE.

COPY OF LETTER FROM THE GOVERNMENT COAST AGENT, MOMBASA, KENYA.
TO CROWN AGENTS.

AIR MAIL.

No. E.24/1.33/301.

GOVERNMENT COAST AGENCY,
 P.O. Box No.40,
 MOMBASA.

21 January, 1933.

Dear Sir,

PASSAGE RATES.

Wide Secretariat Circular No. 45 of 17.1.32.

I have the honour to refer to the Kenya Secretariat Circular No. 45 of 17.1.32, and in amplification of that portion relating to Grades of passages, please to inform you that the above Line, I am directed to advise you that the following rates are directed to be observed:-

2. The Classes and rates of the British and other steamers, referred to in part 1 of the above circular "B" and "C" and Second Class can be substituted by the following:-

- Officials in Category A(1) to receive ^(£80) Grade "P" accommodation.
- Officials in Category A(11) to receive Grade "H" accommodation.
- Officials in Category A(111) to receive Grade "L" accommodation.
- Officials in Category B(1) to receive Grade "L" accommodation.
- Officials in Category B(11) to receive Grade "M" accommodation.
- Officials in Category B(111) to receive Grade "N" accommodation.

In the case of A(1), savings towards the cost of family passages will be calculated on £80 as hitherto;
 Category A(11), savings will be calculated on £73;
 Categories A(111) and B(1) and B(11), savings to be calculated on £55.

COPY OF LETTER FROM THE GOVERNMENT COAST AGENT, MOMBASA, KENYA,
TO CROWN AGENTS.

AIR MAIL.

No. K.24/1/3s/301.

GOVERNMENT COAST AGENCY,
P.O. Box No.40,
MOMBASA.

21st January, 1938.

Gentlemen,

PASSAGE RATES.

Vide Secretariat Circular No.48 of 10.12.32.

I have the honour to invite your attention to Kenya Secretariat Circular No.48 of 10th December 1932, and in amplification of that portion dealing with grades of passages, particularly that of the British India Line, I am directed to advise you on the following points:

2. The Classes and Grades in the British India Line steamers, referred to in para. 2 of the above Circular as "B" and "C" and Second Class should be substituted by the following:-

Officials in Category A(i) to receive Grade "F" accommodation.	(180)	£ 85
Officials in Category A(ii) to receive Grade "H" accommodation.	27	£ 73
Officials in Category A(iii) to receive Grade "L" accommodation.	55	£ 57
Officials in Category B(i) to receive Grade "L" accommodation.	55	£ 57
Officials in Category B(ii) to receive Grade "H" accommodation.	(150)	£ 57
Officials in Category B(iii) to receive Grade "H" accommodation.	(55)	£ 57

In the case of A(i), savings towards the cost of family passages will be calculated on £80 as hitherto;

Category A(ii), savings will be calculated on £73;

Categories A(iii) and B(i) and B(ii), savings to be calculated on £55.

3. In regard to Nursing Sisters, the rates under Category A(iii) will apply, i.e. B5 Union Castle Line and Second Class (L rate) British India Line.

4. Artisans, Education Department, hitherto entitled to Third Class privileges only, should, in future, be granted B(iii) when travelling by British India Line steamers, but when possible, arrangements should be made for such personnel to travel by Union Castle Line steamers.

5. When Officers are allowed to make their own passage arrangements, the following schedules will apply:-

(1) Officers for whom return tickets would normally be issued:

- Category A(i): Officials to be advanced an amount not exceeding £64.
- Category A(ii): Officials to be advanced an amount not exceeding £58.8.0.
- Category A(iii): Officials to be advanced an amount not exceeding £44.
- Category B(i): Officials to be advanced an amount not exceeding £44.
- Category B(ii): Officials to be advanced an amount not exceeding £44.
- Category B(iii): Officials to be advanced an amount not exceeding £28.16.0.

(2) Officers for whom only single tickets would normally be taken out, or who are domiciled and spend their leave outside Europe, i.e. Australia, New Zealand:

- Category A(i): Officials to be advanced an amount not exceeding £80.
- Category A(ii): Officials to be advanced an amount not exceeding £78.
- Category A(iii): Officials to be advanced an amount not exceeding £55.

- Category B(1): Officials to be advanced an amount not exceeding £55.
- Category B(ii): Officials to be advanced an amount not exceeding £55.
- Category B(iii): Officials to be advanced an amount not exceeding £36.

I have the honour to be,
Gentlemen,

Your obedient Servant,
(Signed) J. Doherty.

GOVERNMENT COAST AGENT.



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THE SECRETARIAT,
NAIROBI,
KENYA.

WHEN REPLYING
PLEASE QUOTE
No. S. D. Reg. Co. 11/32.
AND DATE

RECEIVED
- 4 FEB 1933
COL. OFFICE

6th January, 1933.

gc

The Colonial Secretary of the Colony and Protectorate of Kenya presents his compliments to the Under Secretary of State for the Colonies and has the honour to transmit for information twelve copies of the following documents :-

SEPARATE

Sessional Paper No. 1 - Copies of correspondence with the Secretary of State concerning Terms of Service, and of Secretariat Circular No. 48 of the 10th December, 1932.

307/33

Schedule of Additional Provision No. 2 of 1932.

1893/32

Return of Land Grants, etc., 1.4.32. to 30.6.32. and 1.7.32. to 30.9.32.

Report of Select Committee on :-

9013/33

The Widows' and Orphans' Pensions (Amendment) Bill.

9002/33

The Non-European Officers' Pensions Bill.

2736/33

The King's African Rifles Bill.

3023/33

The Mining (Amendment) (No. 2) Bill.

3050/33

The Game (Amendment) Bill.

3071/33

Second Supplementary Estimates, 1932.

COLONY AND PROTECTORATE OF KENYA.

LEGISLATIVE COUNCILSESSIONAL PAPER - No. 1 of 1932.

Contents

1. Despatch No. 18 of the 8th February, 1932, from the Governor to the Secretary of State.
2. Despatch of the 16th August, 1932, from the Secretary of State to the Governor.
3. Despatch No. 125 of the 30th September, 1932, from the Governor to the Secretary of State.
4. Interim Recommendation No. 3 of the 21st December, 1932, of the Expenditure Advisory Committee.
5. Air Mail Despatch No. 153 of the 20th December, 1932, from the Governor to the Secretary of State.
6. Interim Recommendation No. 4 of the 27th September, 1932, of the Expenditure Advisory Committee.
7. Interim Recommendation No. 9 of the 5th September, 1932, of the Expenditure Advisory Committee.
8. Telegram No. 258 of the 14th November, 1932, from the Secretary of State to the Governor.
9. Secretariat Circular No. 48 of the 10th December, 1932.

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COPIES OF DESPATCHES RE TERMS OF
SERVICE

KENYA.

No. 18.

[CONFIDENTIAL.]

GOVERNMENT HOUSE,

NAIROBI.

5th February, 1932.

Sir,

With reference to my despatch No. 614 of the 23rd of October last, forwarding three copies of the Report of the Terms of Service Committee, I have the honour to state that I have now had an opportunity of considering this Report in Executive Council and to submit the following comments and recommendations.

2. The relative papers enclosed with this despatch are:—

- (i) Six further copies of the Committee's Report.
 - (ii) Copy of the Legislative Council debate on the Report.
 - (iii) Collation of the Comments of Heads of Departments on the Report.
 - (iv) Copy of Executive Council Minute dated 7th January.
 - (v) Copy of a letter from the Director of Medical and Sanitary Services dated 9th November, 1931, classifying the various stations in the Colony for the purposes of leave.
 - (vi) Extracts from the Report of Informal Conference of East African Treasurers held in Nairobi in October, 1931.
 - (vii) Extracts from the Report of a Uganda Committee.
- and I invite your especial attention to enclosures (iii) and (iv).

3. Generally I am confident that the time has arrived when certain modifications of the present terms of service on the lines suggested in this Report could be introduced for future entrants to the Service without detriment and with a saving in expenditure. At the same time, in view of the ruling contained in Lord Passfield's despatch No. 16 of the 6th January, 1930, I cannot see how in equity any change in terms of service on less advantageous lines could be extended to existing staff and so effect immediate economies.

In connexion with the possibility of assimilating the conditions in East Africa for future entrants into what is termed the Overseas Service in the Report, I may state that copies of the Report were forwarded to the Governments of Uganda and the Tanganyika Territory in October last. No reply has been received from the Government of Uganda, but the Government of Tanganyika has stated that, in view of the salary cuts and other curtailments of privileges which have recently been imposed, it is considered that the terms of leave pension, etc. of the officers of that Government should remain for the present.

4. I have received from the Government of Uganda two reports of a Committee appointed to consider and advise on the means to be adopted to keep the Protectorate's annually recurrent expenditure within anticipated revenue. The second of these reports, relative extracts from which are attached, contains recommendations which are pertinent to the Kenya Report now transmitted. I am aware of the action, if any, which the Government of Uganda proposes to take on the proposals of its Committee, but it would appear that such recommendations amplify the contention that it may be possible to introduce regulations which could be assimilated by all the East African Territories.

3. There is, however, one direction in which it is certain that Kenya at present must proceed alone, and that is in the creation of a Local European Service to include posts which it is considered could be filled by the local youth of the Colony, i.e. not only those born in the Colony but also those who have come to Kenya from other countries.

5. I agree with the statement in paragraph 9 of the Report that it is not necessary (or possible) to offer to prospective members of the Local Service such terms as might be offered to persons engaged from overseas, and that the creation of a service distinct and separate from the Overseas Service is most desirable. The following extract from the Treasurers' Conference Report on this subject indicates that neither Uganda nor Tanganyika are likely to be affected by the introduction of such a scheme.

26. Local Civil Service.—The Treasurers of Tanganyika and Uganda consider it improbable that a Local Civil Service for Europeans can for the present prove feasible in those territories, but they would support the idea if the occasion were to arise, and add if a Local Civil Service is instituted in Kenya there is reason to suppose that suitable vacancies might be found to exist in Tanganyika and Uganda which would open further fields of employment to members of the Kenya Local Service.

At the same time I decided, with the advice of my Executive Council, to take similar action with regard to the Asian Service, recruitment for which is almost entirely confined to local candidates, and I have therefore approved the appointment of a further Committee with the following terms of reference:

To examine, to report upon, to schedule posts and to draft regulations, having regard to the principles laid down by Executive Council at its meeting of the 7th of January, 1932, for the inauguration of—

- (a) A Local European Service, and
- (b) A Local Asiatic Service,

applicable to Government servants not employed by the Kenya and Uganda Railways and Harbours Services.

His report will be transmitted to you with my comments in due course.

7. Dealing now with the recommendations for future entrants to the "Overseas" Service, I desire first of all to invite your attention to the recommendation contained in paragraph 11 (i) of the Report, which recommends a variation of the tours of service as an officer becomes older and more senior, while at the same time, *vide* the Note on page 7 of the Report, it is intended that service at an unhealthy station should earn leave in a shorter period than service at a healthy station. This is a departure from the present procedure by which the tours in all areas are the same.

I consider the new proposal sound in principle. In conformity with this proposal the stations in the Colony have been classified by the Director of Medical and Sanitary Services into three categories. A copy of his letter showing the proposed classification is enclosed, and, subject to further examination in matters of detail, I agree with his recommendations as to the amount of leave which should be granted in respect of each month's resident service at any particular station, as well as to the limits of time prescribed by him in general for service in the less healthy localities. It is, however, evident that under this arrangement the calculation of a tour of service must be based on the amount of leave earned by an officer, and in these circumstances I am definitely of the opinion that leave should consequently be calculated on the same basis of leave earned at every stage. I therefore recommend that an officer's tour of service should be regarded as complete when he has earned 180 days' leave. It will be noted that in the proposals now submitted, the existing differentiation between "vacation" and "return" leave has been removed, and that it is suggested that the period of the voyages should not be an additional concession but should form part of ordinary leave earned.

You will observe that the recommendations in so far as the lengthening of the tour of service is concerned are not such as to create any wide divergence from those which at present apply in the neighbouring territories, since the great majority of the stations in those territories would, I understand, be classified under Categories B and C if applied to the service of this Colony. Furthermore, the existence in this Colony of a number of healthy stations classified under Category A makes it possible to transfer officers from the less healthy stations to a more healthy climate for a portion of their tour, an arrangement which is not so easy to make in the other East African territories.

In this connexion, I invite attention to the note on page 19 of the Report. No doubt the question of the application of the proposed new leave regulations to future entrants and its effect on recruitment will receive your consideration.

The recommendation for a variation in the tours of service follows the principle recently approved in the case of officers appointed to the service of the Federated Malay States, *vide* Mr. Amery's despatch, Straits Settlements, Federated Malay States, No. 192 of the 22nd May, 1930, which the Committee had before them when considering their Report.

As I have stated, I am satisfied that the principle is a sound one, and that not only the question of the length of time that an officer has been in a tropical climate, but also the nature of his duties should be taken into account in defining the length of a tour of service. It must obviously be conceded that a newly appointed officer is not called upon to exercise the responsibility that rests upon a more senior officer, except on transfer to higher office, in which event it would only be equitable to place him in the category to which his total period in the Colonial Service entitles him.

I need only add that this question of an extension of the tour of service has been under consideration for a number of years, *vide* the Report of the Committee on Leave and Passage Regulations for European Servants of Government, dated the 18th July, 1929, which was forwarded for the consideration of your predecessor under cover of Kenya despatch No. 598 of the 18th September, 1929, and which Lord Passfield was unable to approve for the reasons stated in his despatch No. 990 of the 17th December, 1930.

6. I regret that copies of the Report of the Colonial Office Committee appointed to consider a scheme of unification of the Colonial Services referred to in Lord Passfield's despatch were not available for consideration when the drafting of the last Committee's Report was in progress, and I have concurred in the advice of my Executive Council that questions regarding Quarters, Medical Attendance and Pensions should be approved in principle only, and that further consideration of these matters should be deferred until the revised Colonial Office proposals have been received. In the meantime it follows that a comprehensive review of the principle of consolidation of salaries, as far as the Overseas Service is concerned, must be similarly postponed.

9. I support the further recommendation of the Committee contained in paragraph 11 (ii) in so far as the regrading of passage accommodation is concerned. In this connexion the recent informal Conference of Treasurers was unanimous in recommending the regrading of passage accommodation in a manner closely allied to the present proposals, in so far as future entrants to the Service are concerned. I enclose extracts from their Report, but would state that in the opinion of my Executive Council, in which I concur, the Committee's proposals appeared to give wider discretion in the event of a paucity of accommodation of any particular grade.

10. It will be observed that I have concurred with the advice of Executive Council that the age of retirement should be considered to be—

"Fifty-five years or after thirty years' service, whichever comes the earlier, subject to the right of Government to retire an officer who has reached the age of fifty years."

In this connexion I would invite your attention to my predecessor's despatch Confidential No. 62 of the 6th May, 1960, in which the principles followed by this Government in regard to compulsory retirements are fully set out. It will be seen that the Committee's recommendations follow broadly the existing practice in this Colony, though this has not received statutory authorization. Unless neighbouring Governments are prepared to adopt this amendment, I suggest that the practice be allowed to continue without varying the existing law, which in effect coincides with the recommendation in paragraph 12 of this despatch as regards women officers.

11. A further paragraph to which I desire to invite your attention in the Report is paragraph No. 19, which deals with the important question of the transfer of officers at present serving on agreement to the new terms. While I realize that it would be within the terms of their employment to offer them a transfer to the new terms either after due notice of the termination of their present agreement or alternatively on their signing a new agreement, I consider that there are many officers at present serving who would have reason for dissatisfaction if the new terms were applied to them. In this connexion I have concurred with the advice of my Executive Council in recommending that this question, as also the proposal for the creation of a Civil Service Board, should be dealt with after the Committee on the Local Services has submitted its recommendations.

12. A point of especial interest in the Report is paragraph 20, the proposed differentiation between the salaries paid to male and female employees. I am satisfied that this differentiation should be made in this Colony, and have concurred with the advice of my Executive Council in approving this principle.

You will also observe, paragraph 21 of the Report, that I have concurred with my advisers that the existing rule requiring female officers ordinarily to retire on marriage should be retained, and that the retiring age for women should otherwise be fifty years of age.

13. I shall address you separately in regard to the recommendation in the Executive Council Minute contained in paragraph J.3 that officers signing a new agreement should be given to understand that the terms of their appointment may be revised during the course of their service under such agreement. This matter is at present under consideration by my legal advisers.

14. It will be appreciated that I am at present able to submit definite recommendations only in regard to sub-paragraphs (i), (ii) and (iv) of paragraph 11 of the Report regarding the Overseas Service, and, if you agree, I suggest that my recommendations should be approved with effect from such date as you may decide.

I have the honour to be,

Sir,

Your most obedient, humble servant,

J. BYRNE,

Brigadier-General,
Governor.

KENYA.

[CONFIDENTIAL.]

138
DOWNING STREET,
16th August, 1962.

Sir,

I have the honour to refer to your Confidential Despatch No. 18 of the 5th February, furnishing your comments and recommendations in respect of the Report on the Terms of Service Committee dated October, 1961.

1. I am prepared to accept the principle that conditions of service in Kenya must be dictated by local circumstances, and I agree that it is proper to differentiate between the "local" and the "overseas" services. I see no reason to suppose that, with minor adjustments, the proposals in your despatch under reply should not be acceptable. But, while the present is in some ways a convenient time to take stock of the situation and to draw up schemes for application when recruitment revives, the fact that recruitment is practically at a standstill makes it unnecessary to attempt to reach a decision before the questions at issue have been fully explored. In this connexion, it is desirable to guard against the formulation of conditions in a period of financial depression which in the future may prove to be a source of discontent.

2. In the circumstances, I propose, before expressing a final judgment on the recommendation now before me, to await the expression of your views on the Colonial Administrative Service Scheme. When this has been received and collated with the replies from other Governors it will be possible to see to what extent and in what form the scheme can be adopted as a working standard not only for the Administrative Service but for all branches of the Colonial Service normally staffed by persons not ordinarily resident in the Colony concerned, and to consider what adaptation the Kenya proposals may require to bring them into conformity with that standard.

I have the honour to be,

Sir,

Your most obedient, humble servant,

R. W. HAMILTON,

for the Secretary of State.

GOVERNOR,

BRIGADIER GENERAL SIR JOSEPH A. BYRNE, K.C.M.G., K.B.E., C.B.

BYRNE, ETC., ETC.

THE RIGHT HONOURABLE

MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.1.

In this connexion I would invite your attention to my predecessor's despatch Confidential No. 62 of the 6th May, 1960, in which the principles followed by this Government in regard to compulsory retirements are fully set out. It will be seen that the Committee's recommendations follow broadly the existing practice in this Colony, though this has not received statutory authorization. Unless neighbouring Governments are prepared to adopt this amendment, I suggest that the practice be allowed to continue without varying the existing law, which in effect coincides with the recommendation in paragraph 12 of this despatch as regards women officers.

11. A further paragraph to which I desire to invite your attention in the Report is paragraph No. 19, which deals with the important question of the transfer of officers at present serving on agreement to the new terms. While I realize that it would be within the terms of their employment to offer them a transfer to the new terms either after due notice of the termination of their present agreement or alternatively on their signing a new agreement, I consider that there are many officers at present serving who would have reason for dissatisfaction if the new terms were applied to them. In this connexion I have concurred with the advice of my Executive Council in recommending that this question, as also the proposal for the creation of a Civil Service Board, should be dealt with after the Committee on the Local Services has submitted its recommendations.

12. A point of especial interest in the Report is paragraph 20, the proposed differentiation between the salaries paid to male and female employees. I am satisfied that this differentiation should be made in this Colony, and have concurred with the advice of my Executive Council in approving this principle.

You will also observe, paragraph 21 of the Report, that I have concurred with my advisers that the existing rule requiring female officers ordinarily to retire on marriage should be retained, and that the retiring age for women should otherwise be fifty years of age.

13. I shall address you separately in regard to the recommendation in the Executive Council Minute contained in paragraph J.3 that officers signing a new agreement should be given to understand that the terms of their appointment may be revised during the course of their service under such agreement. This matter is at present under consideration by my legal advisers.

14. It will be appreciated that I am at present able to submit definite recommendations only in regard to sub-paragraphs (i), (ii) and (iv) of paragraph 11 of the Report regarding the Overseas Service, and, if you agree, I suggest that my recommendations should be approved with effect from such date as you may decide.

I have the honour to be,

Sir,

Your most obedient, humble servant,

J. BYRNE,

Brigadier-General,
Governor.

THE RIGHT HONOURABLE

MAJOR SIR PHILIP CENLIFF LISTER, P.C., G.B.E., M.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.1.

KENYA.

[CONFIDENTIAL.]

Downing Street,
16th August, 1962.

Sir,

I have the honour to refer to your Confidential Despatch No. 18 of the 5th February, furnishing your comments and recommendations in respect of the Report on the Terms of Service Committee dated October, 1961.

1. I am prepared to accept the principle that conditions of service in Kenya must be dictated by local circumstances, and I agree that it is proper to differentiate between the 'local' and the 'overseas' services. I see no reason to suppose that, with minor adjustments, the proposals in your despatch under reply should not be acceptable. But, while the present is in some ways a convenient time to take stock of the situation and to draw up schemes for application when recruitment revives, the fact that recruitment is practically at a standstill makes it unnecessary to attempt to reach a decision before the questions at issue have been fully explored. In this connexion, it is desirable to guard against the formulation of conditions in a period of financial depression which in the future may prove to be a source of discontent.

2. In the circumstances, I propose, before expressing a final judgment on the recommendation now before me, to await the expression of your views on the Colonial Administrative Service Scheme. When this has been received and collated with the replies from other Governors it will be possible to see to what extent and in what form the scheme can be adopted as a working standard not only for the Administrative Service but for all branches of the Colonial Service normally staffed by persons not ordinarily resident in the Colony concerned, and to consider what adaptation the Kenya proposals may require to bring them into conformity with that standard.

I have the honour to be,

Sir,

Your most obedient, humble servant,

R. W. HAMILTON,

for the Secretary of State.

GVERNOR,

BRIGADIER GENERAL SIR JOSEPH V. BYRNE, K.C.M.G., K.B.E., C.B.,

etc., etc., etc.

20th September, 1932.

Sir,

I have the honour to refer to your confidential despatch of the 16th August, 1932, from which I note that, while you are prepared to accept the principle that conditions of service in Kenya must be dictated by local circumstances, and that it is proper to differentiate between the local and the overseas service, you propose, before expressing a final judgment on the recommendations forwarded to you, to await the expression of my views on the Colonial Administrative Service Scheme.

2. In view of the present financial position of the Colony, and of the long and not uncontentious Terms of Service in Kenya, of which you are well aware, I cannot but express my disappointment in the terms of your despatch. It will be observed from paragraph 14 of my confidential despatch No. 18 of the 5th February, 1932, that I was only submitting definite recommendations in regard to sub-paragraphs (i), (ii) and (4) of paragraph 11 of the Report regarding the Overseas Service. I had, however, hoped that, as those recommendations did not fundamentally conflict with the proposals proposed under the Colonial Administrative Service Scheme, I was justified in interpreting the long delay which has ensued as being due to the fact that these proposals were being considered on their merits and that my final decision on those points would not be reached.

3. If, however, I interpret the third paragraph of your despatch correctly, it would appear that no alterations in the Kenya terms of service, at least for overseas posts, can be considered until replies received from all the other Governors on the Colonial Administrative Service Scheme have been collated and a standard scheme evolved for the administrative service as a whole. This may well mean indefinite postponement of any decision on Kenya terms of service.

4. I note that you are prepared to accept the principle that conditions of service in Kenya must be dictated by local circumstances, and, with the above respect, I must submit, with all the emphasis at my command, that local circumstances in Kenya at present are such that it is in my opinion imperative to obtain a definite settlement on such of the proposals under the Terms of Service Committee Report, 1931, as can be reasonably dealt with without prejudicing the Colony's adherence to the Colonial Administrative Service Scheme.

5. In justification of this opinion I enclose for your information a copy of Interim Recommendation No. 5, dated 21st September, 1932, from the Expenditure Advisory Committee, in the third paragraph of which the Committee suggests that the present holders of all posts which had been proposed by the recent Report of the Local European Civil Service Committee for inclusion in the Local Service should be given three months' notice of their present contracts and warned that on the expiry of that period they would be offered re-employment on such revised conditions as the Government may consider advisable.

6. I have already forwarded to you a typewritten copy of the Report of the Local European Civil Service Committee and now enclose two printed copies of the Report. The Report has been referred to Heads of Departments for their comments. Their observations are now coming in, and when they have all been received my observations upon it will be forwarded to you at a very early date. I wish, however, to make it quite clear that the recommendations of the Expenditure Advisory Committee only refer to the posts included in that Report.

7. Interim Recommendation No. 6 of the Expenditure Advisory Committee was considered at a special meeting of Executive Council on the 26th September, and I enclose for your information a copy of the Executive Council minute recording the decision ultimately arrived at.

8. It will be observed that Executive Council were not prepared to accept in full the recommendations of the Expenditure Advisory Committee, and, indeed, they reaffirmed the principle already enunciated in paragraph 11 of my confidential despatch No. 18 of the 5th February, 1932, that to take the

drastic step of offering officers a transfer to new terms of service after giving them three months' notice of termination of their present agreements would not be justifiable. I observe from the terms of his confidential despatch of the 21st June, 1932, that a similar view was held by the Duke of Devonshire, who wrote *vide* paragraph 7 of that despatch.

As regards officials at present serving on agreement, I am strongly of opinion that the existing agreements should be allowed to run their course, and that no endeavour should be made to secure an immediate economy by terminating the agreements with the prescribed notice and offering re-employment at a reduced rate of pay. That it would be strictly legal to do so I do not deny, but I think that the Government would lay itself open to justifiable criticism if it used the power of determining agreements merely for the sake of effecting reductions of salary.

9. The principal reasons actuating the Executive Council in arriving at its decision were that, owing to the failure to obtain any decision in Kenya on the question of terms of service and to the undertaking given not to add to the pensionable establishment until those terms were settled, officers have been required to serve in Kenya on agreements for longer periods than in other Colonies. In this connexion, I would invite attention to Mr. Moore's despatch No. 456 of the 27th June, 1931, in reply to Lord Dunsford's circular despatch No. 4 of the 7th April, 1931. For this reason, it was considered that officers who had had six years or more satisfactory service on agreements should not, by reason of the fact that they happened to be serving on agreements, be put in a less favourable category than others who have possibly been confirmed in their appointments after a shorter period of service. Generally speaking, however, it was considered that a six years' test was a reasonable one, and as provision has been made for any special cases of hardship to be examined on their merits by Executive Council, I consider that the interests of officers will be adequately safeguarded.

10. In normal circumstances I would have preferred to delay giving the warnings now proposed until I had been able to forward my recommendations on the Report of the Local European Civil Service Committee and obtained your approval to them. I have, however, already stated that I hope to forward my recommendations to you on this subject at a very early date, and in the meantime, if economies are to become effective during 1933, it is imperative that officers should be given as long notice as possible that altered terms of service are going to be introduced.

11. It will be observed that the present proposals deal only with the section of the non-pensionable staff which it is considered might be called upon to serve on local terms of service. I have, however, also received recommendations from the Expenditure Advisory Committee to the effect that the present terms of service should be increased, not only for future entrants, as proposed by Mr. Fitzgerald's Committee, but also for members of the existing service. These recommendations I hope to be in a position to forward to you at a very early date. I have delayed for wording them at the moment in view of the terms of the last paragraph of your despatch, in my reply from which it would appear desirable that any proposals for extending terms, whether for existing officers or for future entrants, should conform as closely as possible to the terms proposed for the Colonial Administrative Service Scheme.

11. I should be glad to receive by telegram your approval to the course proposed in the Executive Council minute forwarded with this despatch.

I have the honour to be

Sir,

Your most obedient, humble servant,

J. BYRNE,

Brigadier-General,
Governor.

THE RIGHT HONOURABLE MAJOR

SIR PHILIP CUNLIFFE-LISTRE, P.C., G.B.E., M.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.1.

BY AIR MAIL.

(No. 183.)

[CONFIDENTIAL.]

20th October, 1932.

[CONFIDENTIAL.]

No. E.C. 1676.

THE SECRETARIES,

NAIROBI, KENYA.

21st September, 1932.

THE HON'BLE THE COLONIAL SECRETARY,

NAIROBI.

SIR,

INTERIM RECOMMENDATION NO. 3

APPLICATION OF REPORT OF LOCAL EUROPEAN CIVIL SERVICE COMMITTEE.

I have the honour to inform you that my Committee are anxious in the interests of economy to ensure the earliest possible application of any modified conditions of service which it may be decided to introduce as the result of the recent Report of the Local European Civil Service Committee.

From a schedule prepared by the Acting Establishment Officer it appears that of the 662 posts which are suggested for scheduling under such modified Terms of Service, the present holders of sixty posts are serving in a temporary capacity while some 361 others are serving on agreement but have completed under ten years' continuous service.

My Committee suggest that it would not be unreasonable to warn officers in the above two categories forthwith that it is proposed to terminate their present contracts on three months' notice, and that on the expiry of that period they may be offered re-engagement but only on such revised conditions as Government may consider advisable.

My Committee trusts that this recommendation will receive early and favourable consideration so that, if possible, notice can be effective as from the 1st October next.

They further suggest that similar action should be considered in respect of such of the Asian staff as are engaged on agreement and have completed less than ten years' service.

Finally my Committee desire to invite attention to the desirability of officers who elect or are called upon to serve under any revised local service conditions being granted preferential treatment in the event of a levy upon official salaries continuing to be imposed after the 1st of January next.

I have the honour to be,

Sir,

Your obedient servant,

J. E. S. MERRICK,

Secretary,

Expenditure Advisory Committee.

Sir,
I have the honour to refer to paragraph 11 of my confidential despatch No. 125 of the 30th September, 1932, in which I informed you that I hoped to be in a position to forward to you at a very early date the recommendations which I had received from the Expenditure Advisory Committee to the effect that present hours of service should be increased, both for future entrants and also for members of the existing service.

I forward as enclosure to this despatch copies of Interim Recommendations Nos. 4 and 9 of the Expenditure Advisory Committee, dated the 8th and 10th September respectively. A copy of a paper circulated to Executive Council on the subject of those recommendations, and a copy of a report of Executive Council, dated the 14th October, 1932, recording the advice tendered to me by Executive Council in respect of them.

You will observe that in Interim Recommendation No. 4 of the 8th September, the Expenditure Advisory Committee confined itself to the proposal that the present hours of service should be extended to four years and three years respectively, without modifying the present conditions governing the rate of leave earned. It was pointed out in Executive Council when this proposal was discussed in a preliminary way, that its adoption would result in very long periods of leave being due to officers when they had completed their extended tours and that, despite the difficulties pointed out by the Committee in the second paragraph of their letter of reducing the rate of leave at present granted, the Government would welcome any recommendations the Committee had to make on this point in the light of the general principles laid down in the Colonial Administrative Service Scheme of Unification.

The Committee accordingly reconsidered their recommendations in the light of this intimation, and have recorded their views in Interim Recommendation No. 9 of the 30th September, 1932, on which the advice tendered to me by the Executive Council in the minute enclosed with this despatch is based.

So far as future entrants are concerned, I have nothing to add to what I have already stated in the fourth paragraph of my confidential despatch No. 125 of the 30th September, 1932, as to the urgency and importance of a decision being taken on the question of revising the leave conditions in this Colony without further delay.

The proposals of the Expenditure Advisory Committee, in so far as they differ from those of the Terms of Service Committee Report, 1931, have been made—as explained in the Executive Council minutes—with the object of bringing their recommendations as closely as possible into conformity with the general principles laid down in the Colonial Administrative Service Scheme, in the hope that such modifications would assist you in arriving at an immediate decision.

It will be observed that the principal difference between the Expenditure Advisory Committee's proposals and those of the Terms of Service Committee's Report is that the period of the voyage, in conformity with the principle laid down in the Colonial Administrative Service Scheme, may be counted as additional to full-pay leave earned. The total period of absence from the Colony is substantially the same under both schemes. The principal departure from the Colonial Administrative Service Scheme is that, in the case of officers required to do a four years' tour, the ratio of leave to months of service falls below the four days laid down in the Scheme. This is unavoidable if the principle advocated locally that an officer should not be more than approximately six months absent from the Colony on leave at any one

time is to be maintained. The differentiation made between healthy and unhealthy stations in the terms of Service Committee's Report is retained, ten months in an unhealthy station counting as twelve months in a healthy station, the leave-earning rate being varied proportionately with the number of months actually spent in each. Subject to the above, the proposals appear to be generally in conformity with the Colonial Administrative Scheme, and I trust therefore that you may see your way to accepting them for future entrants at a very early date.

8. The question as to whether the above proposals, or such modification of them as you may see fit to approve for future entrants, should be compulsorily applied to officers at present in the Service now falls to be considered. I am advised that the legal position is that the length of tours and rate of leave are, in the case of officers serving on agreements, governed by those agreements, and that during their currency it is not competent for the Government to call upon any officer serving on agreement to serve for a longer period than thirty-six months, or to vary the rate of leave which he can earn by such service. In the case of officers serving on the permanent and pensionable staff the same considerations do not apply, and it is, I am advised, legally competent for the Government to introduce less favourable leave conditions for serving officers, subject always to the general considerations laid down in Lord Passfield's despatch No. 16 of the 6th January, 1930, that the alteration of regulations to an officer's disadvantage could only be justified by reason of a change in the conditions since the date when the regulation was made.

9. In conformity with that ruling, the first point in my judgment for decision is whether the conditions of the Colony have altered since the date of inauguration of the present leave regulations to such an extent as to justify the introduction of less favourable terms.

10. It is, I think, undeniable that, with the progress which has been made in recent years in housing accommodation and in means of transport, the general living conditions of all officers, except those stationed in some of the more outlying districts of Turkana and the Northern Frontier Province, are radically different from those prevailing in the earlier pioneering days, and that with the improvement of medical facilities and the gradual disappearance of one-man stations, the strain, both physical and psychological, to which officers are now subjected is less severe than it used to be. It is, indeed, owing to a recognition of these changes that the persistent efforts to alter the terms of service, culminating in the Terms of Service Committee's Report of 1931, owe their origin. To this extent therefore I am inclined to agree that a case can be made out for altering leave conditions for the Service as a whole, provided adequate notice is given to those affected.

11. If this point be conceded, the further question arises as to whether the present financial position of the Colony is such as to warrant the immediate introduction of revised conditions in the manner proposed by the Expenditure Advisory Committee, and, if so, whether it is equitable or administratively desirable to apply regulations to members of the permanent and pensionable staff which, by reason of their agreements, it is not possible to enforce in the case of agreement officers. It will be observed that on this point Executive Committee were divided, and I must frankly admit my own personal reluctance to interfere with the leave conditions of existing members of the Service except on the most cogent financial grounds. Further, while I must accept the advice of the Expenditure Advisory Committee that, in their view, immediate action is called for, I cannot but regret that their recommendations were not accompanied by a fuller statement of the savings to be obtained in 1933 and the next four years by the immediate adoption of their proposals. I would personally have preferred, both on general grounds of equity and for practical administrative reasons, that if revised leave conditions are to be applied to serving officers, the change-over should have taken effect from the beginning of an officer's next tour of service. This would have avoided any possible hardship involved in calling upon officers who have already had their

tours extended under the moratorium, again to extend their tours and, possibly, domestic commitments already made; and it would have the additional advantage of eliminating any differentiation in treatment between agreement and permanent and pensionable officers, and of reducing to a minimum the individual anomalies which must inevitably arise in the introduction of new leave conditions. The majority of Executive Council, however, considered that if the principle of modifying leave conditions to present pensionable members of the Service were accepted, the considerations in favour of postponing any such modification to the next four were not sufficiently weighty to outweigh the economies which would be effected, particularly in the Passage Vote in 1933, by the introduction of the new conditions in January next.

12. In view of the difficulty of settling the details of departmental expenditure votes for 1933 until your decision on this matter is known, I should be glad if it could be conveyed to me by telegram as early as possible.

13. Time did not permit consideration by Executive Council of the length of tours for Asiatic Civil Servants, but I am of opinion that any variation in the tours of Europeans should be accompanied by a variation in that of Asiatics on the lines of the recommendation of the Expenditure Advisory Committee, viz. five-year tours earning two-and-a-half days' leave per month; more especially so if it is the case, that, to all intents and purposes, the Asiatic staff is recruited in Kenya.

I have the honour to be,

Sir,

Your most obedient, humble servant,

J. BYRNE,

Brigadier-General,
Governor.

THE RIGHT HONOURABLE MAJOR

SIR PHILIP GUNLETT-LISTER, P.C., G.B.E., M.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.1.

[CONFIDENTIAL]

No. 8/E.C. 16/4.

THE SECRETARIAT,

NAIROBI, KENYA.

8th September, 1932.

THE HONOURABLE THE COLONIAL SECRETARY,

NAIROBI.

SIR,

INTERIM RECOMMENDATION NO. 4.

EXTENSION OF NORMAL TOURS.

I am directed by my Committee to invite the attention of Government to the recommendations of the Terms of Service Committee in regard to leave privileges as affecting members of the European Service.

2. My Committee trust that these proposals will be brought into effect at an early date so as to allow of their application, at any rate, to any new entrants. My Committee, however, consider that at the same time, early modification of the terms accorded to officers now in the Service is highly desirable in the interests of economy. My Committee are given to understand that such variation requires the prior approval of the Secretary of State and that a proposal to reduce the rate of leave at present granted would be likely to require prolonged consideration as affecting the uniformity at present obtaining with other East African Administrations.

4. My Committee consider it imperative to avoid undue delay and, as a temporary measure pending further review of Terms of Service as a whole, put forward the following recommendation for extending tours of service in respect of European officers:

(i) Normal tour to be extended to four years in respect of the first eight years' resident service and thereafter to be extended to three years, subject to appropriate allowances in respect of residence in "unhealthy" areas.

5. This recommendation, which of course only partially covers the suggestions of the Terms of Service Committee, comes within the maximum periods envisaged in paragraph 11 of the Scheme of Unification for the Colonial Administrative Service, and it is hoped the circumstances will receive favourable consideration both from the Kenya Government and the Secretary of State.

6. My Committee further propose that knowledge of these findings by interested persons in respect of the Asian Service and if it is suggested should be required annually to complete two tours of three years' each with subsequent reduction to tours of four years' each.

7. In submitting this interim proposal my Committee are aware that officers serving on agreement must continue to be treated within the terms of such agreements, but they accept that it is within the competence of the local Government to vary the provisions of any agreement entered into in future so as to conform with the above recommendations.

8. My Committee express the hope that steps necessary for these recommendations will be taken immediately and that the Officers and Members of Staff will be duly advised, if necessary by telegram, to take similar action in any cases of new agreements being entered into by them.

I have the honour to be,

Sir,

Your obedient servant,

J. E. S. MERRICK,
Secretary.

Expenditure Advisory Committee.

[CONFIDENTIAL]

No. S/E.C. 16/3.

THE SECRETARIAT,

NAIROBI, KENYA.

30th September, 1952.

THE HONOURABLE THE COLONIAL SECRETARY,
NAIROBI.

Sir,

INTERIM RECOMMENDATION NO. 9
EXTENSION OF NORMAL TOURS

In continuation of Interim Recommendation No. 4, as contained in my letter No. S/E.C. 15/4 of the 24th September last, my Committee have now considered the longer period which, in their opinion, is appropriate in respect of the longer tours suggested by them and I am instructed to submit the following proposals which have received the unanimous approval of the members of my Committee:

(a) European Officers.—Both present personnel and future entrants who are or may be eligible for Overseas privileges other than such officers as may

be placed on any revised conditions which may be approved in respect of the projected "Local European Civil Service".

(i) In the case of four year tours full pay leave at the rate of three days for each month of residential service, with the addition of full pay in respect of the periods of voyages in accordance with the provisions of existing Regulations.

(ii) In the case of three year tours full pay leave at the rate of four days for each month of residential service with the addition of full pay in respect of the periods of voyages in accordance with the provisions of existing Regulations.

It will be noted that the period of absence under the above recommendations will be limited to a maximum of two hundred days under each category unless an officer's residential service exceeds the limits laid down in each case, and is approximately of equal length to the period under existing Regulations after a tour of thirty months.

It will further be appreciated that the above proposal involves the appearance of the return leave fraction. As voyage period is now included and the period of absence suggested may be as much as twenty days in excess of that advocated by the Terms of Service Committee, my Committee are in favour of allowing officers to take the final period of local leave due in conjunction with vacation leave less part 7 of the Report of the Terms of Service Committee).

My Committee contemplate two tours of four years each in the case of future entrants and for present personnel on re-employment suggest that, where the completion of nine years' continuous service may be a preferable criterion to eight years' residential service, etc., the tour in which an European officer completes nine years' continuous service should be confined to three years.

As stated in my letter under reference the tours suggested should be subject to appropriate allowances in respect of residence in "unhealthy" areas as contemplated by the Terms of Service Committee, ten months say counting as twelve months service.

(b) Asian Officers.—On review my Committee are prepared to support a tour of five years' generally for all present personnel of the Asian Service who are eligible for Overseas privileges, leave to be calculated at the rate of two and a half days full pay leave for every month of residential service with the addition of full pay in respect of voyage periods in accordance with existing Regulations.

The terms of service for future entrants are under reference to a specific Committee but I am to state that my Committee have in mind for the future an Asian Service recruited locally without Overseas privileges.

I have the honour to be,

Sir,

Your obedient servant,

J. E. S. MERRICK,
Secretary.

Expenditure Advisory Committee.

TELEGRAM FROM THE COLONIAL OFFICE
TO HIS EXCELLENCY THE GOVERNOR, NAIROBI.

Despatched 14th November, 1932.

Received and typed 15th November.

No. 236.—*Confidential*.—Reference your confidential Despatches Nos. 125 of the 30th September and 130 of the 20th October.—*European Terms of Service*.—The consideration underlying my despatch of the 16th August, *Confidential*, was that after study of replies of Governors on Unification Scheme it might be possible to lay down standard terms, not necessarily for immediate adoption, but as a model to which any permanent change in existing conditions in any Colony would be related. Since terms finally laid down may differ from those in original Unification Scheme, and since recruitment is virtually suspended, it seemed preferable to wait. At that time there was no question of applying new terms to officers already in the Service, and immediate financial effect of any change would have been negligible. I have now reviewed the whole question in the light of your latest representations and of the financial situation, and have decided as follows:

1. *Leave*.—I accept the proposal in your despatch of the 30th September concerning officers on agreements in posts assigned to the Local Service, subject to the proviso that officers recruited outside the Colony should not be forced to accept conditions designed for local personnel, but as a personal arrangement should be treated in the same way as those holding posts assigned to the Overseas Service. As regards the Overseas Service, I agree that some permanent revision of conditions may be justified, but I am not prepared to commit myself to the form which it should take without full consideration of relevant factors, including the effect upon recruitment, which cannot be judged under the present abnormal conditions. I have set up a small Committee here to deal with the question of tours of service and leave for the Colonial Service generally and shall wish to await their Report. But as an emergency measure I am willing to agree to the terms proposed in the enclosure to your despatch of the 20th October being introduced for five years from the 1st January, 1933. Period of five years is selected as covering a complete cycle maximum tour and leave, but arrangement will be without prejudice to such ultimate permanent settlement as may be effected in connection with modification or otherwise at the end of that time, or earlier if circumstances justify it. As regards application of terms to officers already in the Service, I agree with your views expressed in paragraph 11 of your despatch of the 20th October that, in applying revised leave conditions to serving officers it would be preferable that the change over should have taken effect from the beginning of an officer's next tour of service. I am not clear to what extent you associate yourself with the views of those who consider that immediate application of the new conditions to serving officers necessary on financial grounds, and I note that no estimate of savings expected in 1933 and future years is available. I do not wish to run counter to any views which you may hold, but in my opinion economy must be the determining factor, and unless you object I consider that strictly as an emergency measure the new arrangements should apply to existing staff for the period of five years from the 1st of January next on the lines recommended by the majority of Executive Council. I think, however, that consideration should be given to cases of officers to whom in view of domestic commitments full application of the new conditions would cause genuine hardship and that the new tour should be regarded as a maximum rather than as a fixed period. Moreover, I consider officers should be medically examined before being required to serve over thirty-six months, and that statistical record of results of those examinations should be kept. As regards officers on agreement, I am advised they cannot be compelled to serve longer than thirty-six months under the existing agreements, but that it is competent for Government to insist as a condition of re-engagement they must take leave under the new regulations instead of those appended to agreement. Moreover, it would be reasonable that re-engagement terms should take account of any advantage which an officer has gained over those of similar standing on the permanent staff by his insisting on limitation of tour to thirty-six months.

2. *Passages*.—I agree re grading proposed in paragraph 9 of your confidential despatch of the 5th February.

3. *Pensions*.—I accept for future entrants into the Overseas Service proposals as to retiring age made in paragraph 10 of the same despatch. I am also prepared, if you so recommend, to agree to pension fraction for new entrants being altered to six-hundredths as proposed in Unification Scheme.

I assume I shall receive separate proposal in due course regarding Annuity. (See paragraph 13 of your despatch of the 20th October.)

There is no objection to your publishing my despatch of the 16th August and this telegram, together, if you so desire, with your despatches to which they refer.

Secretary of State.

111

COLONY AND PROTECTORATE OF KENYA

CIRCULAR No. 48

THE SECRETARIAT

G—42.

NAIROBI, KENYA

A—5.

10th December 1952

D—1.

TERMS OF SERVICE

With the approval of the Secretary of State the following alterations in the terms of service will be introduced as from the 1st January, 1953, as an emergency measure for a period of five years. The period of five years has been selected by the Secretary of State as covering a complete cycle maximum tour and leave, but the arrangement is without prejudice to such ultimate permanent settlement as may be effected in connexion with the Colonial Administrative Unification Scheme or otherwise at the end of that time or earlier if circumstances justify it.

EUROPEANS

2. *Future Entrants to the Service*

Tour of service

(a) The tour of residential service will be from thirty to forty-eight months.

(b) Five months' service in a station classed as unhealthy will be treated as six months' service in a healthy station.

(c) The normal tour in a station classed as healthy will be forty-eight months for the first two tours. Subsequent normal tours in a station classed as healthy will be thirty-six months.

(d) When an officer completes more than nine years' continuous Colonial Service at the end of thirty-six months in any tour, his normal tour will be deemed to be completed on the expiration of his thirty-sixth month of residential service.

The case of an officer transferred from other Colonial Service will be treated as follows—

(e) If at the end of thirty-six months in a tour the officer has completed less than nine years' continuous Colonial Service, his tour of service will be deemed to be completed on the expiration of his forty-eighth month of residential service.

(f) In the event of the officer having completed more than nine years' continuous Colonial Service at the end of thirty-six months in any tour, such tour will be deemed to be completed on the expiration of his thirty-sixth month of residential service.

All leave, other than local leave, will in future be known as vacation leave. Leave the old distinction between vacation leave and return leave being abolished.

The basis of calculation of vacation leave will be—

(g) Three days for each completed month of residential service where the normal tour is forty-eight months.

(h) Four days for each completed month of residential service where the normal tour is thirty-six months.

For passage purposes, the Service has been divided into two categories A and B—*vide* Schedules attached.

The accommodation for officers holding the posts shown in Categories A and B will be as follows—

Category A

(i) Officers drawing £640 per annum or over—Grade B, British India Line or B 3 Union Castle Line.

(ii) Officers drawing £400 per annum and under £640 per annum—Grade C, British India Line or B 4 Union Castle Line.

(iii) Officers drawing less than £400 per annum—Second-class British India Line or B 5 Union Castle Line.

3
Category B.

- (i) Officers drawing over £430 per annum—Second-class British India Line or B 5 Union Castle Line.
- (ii) Officers drawing over £300 per annum and not more than £450 per annum—Second-class British India Line or B 6 Union Castle Line.
- (iii) Officers drawing £300 per annum and under—Third-class Union Castle Line or Second-class British India Line.

Family passage allowances will be continued at existing rates, i.e. £40 for officers graded in Category A (i) and (ii), £30 for officers graded in Categories A (iii), B (i) and (ii), £20 for officers graded in Category B (iii).

3. Existing Pensionable or Probationary Officers.

- (a) As in Paragraph 2 (a) above.
- (b) As in Paragraph 2 (b) above.

(c) If at the end of thirty-six months in a tour an officer has completed less than nine years' continuous Colonial Service, his normal tour of service will be deemed to be completed on the expiration of forty-eight months' residential service; except that any officer who has completed twenty months or more in his present tour on the 31st December, 1932, will be deemed to have completed a normal tour on the expiration of the thirty-sixth month of residential service, irrespective of his total length of service.

- (d) As in Paragraph 2 (d) above.

(e) The terms of the moratorium on leave as laid down in Secretariat Circulars 19 and 34 of 1932 will be cancelled in so far as the carrying forward of leave for the moratorium period is concerned, and an officer will be allowed to take the whole of the leave for which he is eligible in respect of his service.

(f) In all cases the vacation leave of officers will be calculated on the existing basis, shown in paragraph 182 of the Code of Regulations, in respect of service up to the 31st December, 1932; any fraction of a month remaining at that date will be added to subsequent service for the purpose of the calculation of leave, which will be computed at the rates specified in paragraphs 2 (g) or (h) above.

(g) In the case of officers who are returning to the Colony for further service, return leave will be granted in respect of service calculated up to the 31st December, 1932, on the existing basis, shown in paragraph 182 of the Code of Regulations.

No return leave will be granted to officers who are not returning for a further tour of service.

(h) For future tours, the basis of calculation of leave will be as stated in paragraphs 2 (g) and (h) above.

(i) To meet the special case of officers who, as explained in paragraph 3 (e) above, are only being required to serve for thirty-six months during their present tour of service, any vacation leave earned in respect of service after 1st January, 1933, will, for this period only, be calculated at the rate of four days for each completed month of residential service.

As in Paragraph 2 above.

In cases where officers have completed twenty months' residential service by the 31st December, 1932, the passage regulations enumerated in paragraph 2 will be applied in respect of their return journey to Kenya for a further tour of service.

Note.—The officers referred to in paragraph 3 of Secretariat Circular No. 26 of 1928 will continue to enjoy first class passage privileges as personal to themselves, the grades of passage being governed by the terms of this Circular.

4. Officers Serving on Agreements.

1.—New Agreements.

(a) The future engagement of officers on agreement will be for a tour of from thirty to forty-eight months' service.

(b) Five months' service in a station classed as unhealthy will be treated as six months' service in a healthy station.

(c) The normal tour in a station classed as healthy will be forty-eight months for the first two tours. Subsequent tours in a station classed as healthy will be thirty-six months.

(d) If at the end of thirty-six months in a tour the officer has completed less than nine years' continuous Colonial Service his normal tour of service will be deemed to be completed on the expiration of forty-eight months' residential service.

(e) When an officer completes more than nine years' continuous Colonial Service at the end of thirty-six months in any tour his normal tour will be deemed to be completed on the expiration of his thirty-sixth month of residential service.

The basis of calculation of leave will be as stated in paragraphs 2 (g) Leave and (h) above.

11.—Present Agreements

Notice is hereby given to all officers serving on agreement that on the termination of their present agreements any offer of future employment will include the terms set out above, subject to the further proviso that any officers who are serving on agreement in posts which have been scheduled in the Report of the Local European Civil Service Committee and who have less than six years' continuous Colonial Service, may be required to serve under different conditions from those enumerated below.

In accordance with existing agreements the tour of an officer serving on agreement cannot be extended beyond thirty-six months residential service. This period includes the period of the moratorium, and subject to the exigencies of the service will normally be insisted upon.

The terms of the moratorium on leave as laid down in Secretariat Circulars 19 and 34 of 1932 will be cancelled in so far as the carrying forward of leave for the moratorium period is concerned and an officer will be allowed to take the whole of the leave for which he is eligible in respect of his service.

All leave earned in respect of service previous to the 1st January, 1933, will be granted at the rate laid down in the terms of the officer's agreement.

Where an officer wishes to renew his agreement the offer of re-engagement will be conditional upon all service in his present tour subsequent to the 1st January, 1933, qualifying for leave at the rate of four days vacation leave for each completed month of residential service in accordance with the basis laid down in paragraph 2 (h) of this Circular.

As in paragraph 2 above.

In cases where officers have completed twenty months' residential service by the 31st of December, 1932, the passage regulations in paragraph 2 will be applied in respect of their return journey to Kenya for a further tour of service.

12.—Passages

5. Officers defined in paragraphs 601 and 601 (c) of the Code of Regulations.

(a) The tour of residential service will be from forty-eight to sixty months.

(b) If at the end of forty-eight months in a tour an officer has completed less than eleven years' continuous Colonial Service his tour of service will be deemed to be completed on the expiration of sixty months.

Category B.

- (i) Officers drawing over £430 per annum—Second-class British India Line or B 6 Union Castle Line.
- (ii) Officers drawing over £300 per annum and not more than £450 per annum—Second-class British India Line or B 6 Union Castle Line.
- (iii) Officers drawing £300 per annum and under—Third-class Union Castle Line or Second-class British India Line.

Family passage allowances will be continued at existing rates, i.e. £40 for officers graded in Category A (i) and (ii), £30 for officers graded in Categories A (iii), B (i) and (ii), £20 for officers graded in Category B (iii).

3. Existing Pensionable or Probationary Officers.

- (a) As in Paragraph 2 (a) above.
- (b) As in Paragraph 2 (b) above.
- (c) If at the end of thirty-six months in a tour an officer has completed less than nine years' continuous Colonial Service, his normal tour of service will be deemed to be completed on the expiration of forty-eight months' residential service; except that any officer who has completed twenty months or more in his present tour on the 31st December, 1932, will be deemed to have completed a normal tour on the expiration of his thirty-sixth month of residential service, irrespective of his total length of service.

(d) As in Paragraph 2 (d) above.

(e) The terms of the moratorium on leave as laid down in Secretariat Circulars 19 and 34 of 1932 will be cancelled in so far as the carrying forward of leave for the moratorium period is concerned, and an officer will be allowed to take the whole of the leave for which he is eligible in respect of his service.

(f) In all cases the vacation leave of officers will be calculated on the existing basis, shown in paragraph 182 of the Code of Regulations, in respect of service up to the 31st December, 1932; any fraction of a month remaining at that date will be added to subsequent service for the purpose of the calculation of leave, which will be computed at the rates specified in paragraphs 2 (g) or (h) above.

(g) In the case of officers who are returning to the Colony for further service, return leave will be granted in respect of service calculated up to the 31st December, 1932, on the existing basis, shown in paragraph 184 of the Code of Regulations.

No return leave will be granted to officers who are not returning for a further tour of service.

(h) For future tours, the basis of calculation of leave will be as stated in paragraphs 2 (g) and (h) above.

(i) To meet the special case of officers who, as explained in paragraph 3 (e) above, are only being required to serve for thirty-six months during their present tour of service, any vacation leave earned in respect of service after 1st January, 1933, will, for this period only, be calculated at the rate of four days for each completed month of residential service.

As in Paragraph 2 above.

In cases where officers have completed twenty months' residential service by the 31st December, 1932, the passage regulations enumerated in paragraph 2 will be applied in respect of their return journey to Kenya for a further tour of service.

Note.—The officers referred to in paragraph 3 of Secretariat Circular No. 26 of 1932 will continue to enjoy first class passage privileges as personal to themselves, the grades of passage being governed by the terms of this Circular.

4. Officers Serving on Agreements.

1.—New Agreements.

- (a) The future engagement of officers on agreement will be for a tour of from thirty to forty-eight months' service.
- (b) Five months' service in a station classed as unhealthy will be treated as six months' service in a healthy station.
- (c) The normal tour in a station classed as healthy will be forty-eight months for the first two tours. Subsequent tours in a station classed as healthy will be thirty-six months.
- (d) If at the end of thirty-six months in a tour the officer has completed less than nine years' continuous Colonial Service his normal tour of service will be deemed to be completed on the expiration of forty-eight months' residential service.
- (e) When an officer completes more than nine years' continuous Colonial Service at the end of thirty-six months in any tour his normal tour will be deemed to be completed on the expiration of his thirty-sixth month of residential service.

The basis of calculation of leave will be as stated in paragraphs 2 (g) Leave and (h) above.

11.—Present Agreements

Notice is hereby given to all officers serving on agreement that on the termination of their present agreements any offer of future employment will include the terms set out above, subject to the further proviso that any officers who are serving on agreement in posts which have been scheduled in the Report of the Legal European Civil Service Committee and who have less than six years' continuous Colonial Service, may be required to serve under different conditions from those enumerated below.

In accordance with existing agreements the tour of an officer serving on agreement cannot be extended beyond thirty-six months residential service. This period includes the period of the moratorium, and subject to the exigencies of the service will normally be insisted upon.

The terms of the moratorium on leave as laid down in Secretariat Circulars 19 and 34 of 1932 will be cancelled in so far as the carrying forward of leave for the moratorium period is concerned and an officer will be allowed to take the whole of the leave for which he is eligible in respect of his service.

All leave earned in respect of service previous to the 1st January, 1933, will be granted at the rate laid down in the terms of the officer's agreement.

Where an officer wishes to renew his agreement the offer of re-engagement will be conditional upon all service in his present tour subsequent to the 1st January, 1933, qualifying for leave at the rate of four days vacation leave for each completed month of residential service in accordance with the basis laid down in paragraph 2 (h) of this Circular.

As in paragraph 2 above.

In cases where officers have completed twenty months' residential service by the 31st of December, 1932, the passage regulations in paragraph 2 will be applied in respect of their return journey to Kenya for a further tour of service.

ASIANIC

5. Officers defined in paragraphs 601 and 601 (c) of the Code of Regulations.

- (a) The tour of residential service will be from forty-eight to sixty months.
- (b) If at the end of forty-eight months in a tour an officer has completed less than eleven years' continuous Colonial Service his tour of service will be deemed to be completed on the expiration of sixty months.

residential service: except that when an officer has completed thirty-three months or more in his present tour by the 31st December, 1932, such present tour will be limited to one of forty-eight months irrespective of his total length of service.

(c) In the event of an officer having completed more than eleven years' continuous Colonial Service at the end of forty-eight months in any tour such tour will be deemed to be completed on the expiration of his forty-eighth month of residential service.

(d) The terms of the moratorium on leave as laid down in Secretariat Circulars 19 and 34 of 1932 will be cancelled in so far as the carrying forward of leave for the moratorium period is concerned and an officer will be allowed to take the whole of the leave for which he is eligible in respect of his service.

(e) The leave of officers will be calculated up to the 31st December, 1932, on the existing basis shown in section 571 of the Code of Regulations, and thereafter at the rate of two and a half days for each completed month of residential service.

Officers defined in paragraphs 601 (a) and (b) of the Code of Regulations.
(a) The term of residential service will remain sixty months.

The leave of the above officers will be calculated up to the 31st December, 1932, at the rate of three days on full pay for each completed month of residential service and thereafter, at the monthly rate of two and a half days on similar conditions.

6. General. All officers will be medically examined before being required to serve over thirty-six months, in the case of Europeans, and forty-eight months in the case of Asiatics and a statistical record of these examinations will be kept by the Medical Department.

The leave of all officers which has already been approved will be re-estimated in accordance with the terms of this Circular.

H. M. M. MOORE,
Colonial Secretary.

To:—
All Heads of Departments.
All Provincial Commissioners.

SCHEDULE.

CATEGORY A.

Department.	Office
Government House	Private Secretary. Aide-de-Camp.
Administration	Provincial Commissioner, I and II Class. His Britannic Majesty's Consul for Southern Abyssinia. Frontier Agent, Major. District Officer. Labour Officer. Office Assistant. Chief Native Commissioner. Principal Assistant Secretary.
Native Affairs Department	
Local Government, Lands and Settlement	Commissioner for Local Government, Lands and Settlement. Principal Assistant Municipal and Town Planning Engineer. Local Government Inspector. Secretary. Director of Agriculture. Assistant to Director of Agriculture. Agricultural Economist. Deputy Director (Plant Industry). Senior Coffee Officer. Agricultural Officer. Senior Entomologist. Entomologist. Senior Mycologist. Mycologist. Senior Agricultural Chemist. Soil Chemist. Senior Plant Breeder. Plant Breeder. Chief Grader and Inspector. Deputy Director (Animal Industry) and Chief Veterinary Officer. Senior Veterinary Officer. Veterinary Officer. Chief Veterinary Research Officer. Assistant Chief Veterinary Research Officer. Veterinary Research Officer. Livestock Officer.
Agricultural	
Audit	Auditor. Deputy Auditor. Senior Assistant Auditor. Assistant Auditor.
Government Coast Agency Customs	Government Coast Agent. Commissioner of Customs. Deputy Commissioner of Customs. Senior Collector of Customs. Collector of Customs. Assistant. Accountant and Statistical Officer. Director of Education. Chief Inspector of Schools. Superintendent of Technical Education. Inspector of Schools. Education Officer (male) whose maximum is more than £300 per annum). Education Officer (female) whose salaries combine at not less than £330 per annum).
Education	

CATEGORY A—Contd.

Department	Office
Forest	Conservator of Forests. Senior Assistant Conservator of Forests. Assistant Conservator of Forests.
Game	Warden. Senior Assistant.
Judicial	Chief Justice. Puisne Judge. Resident Magistrate. Registrar, Supreme Court. Deputy Registrar, Supreme Court.
Legal	Attorney General. Solicitor General. Crown Counsel.
Medical	Director of Medical and Sanitary Services. Deputy Director of Medical Service. Deputy Director of Sanitary Service. Senior Medical Officer. Senior Health Officer. Chief Sanitary Inspector. Medical Officer. Matron. Nursing Sister. Senior Sanitary Inspector. Deputy Director of Laboratory Services. 1st Assistant Bacteriologist. Assistant Bacteriologist. Government Analyst. Bio-Chemist. Entomologist.
Military	Officer Commanding, Northern Brigade. Officer Commanding Battalion. Adjutant and Quartermaster. Staff Officer, G. Staff Officer, P. Staff Officer, Q. Captain. Subaltern.
Police	Commissioner of Police. Assistant Commissioner. Superintendent. Assistant Superintendent.
Post and Telegraphs	Postmaster General. Deputy Postmaster General. Assistant Postmaster General. Senior Postmaster. Chief Telegraph Engineer. Assistant Telegraph Engineer. Chief Accountant. Telegraph Engineer.
Printing and Stationery	Government Printer. Assistant Government Printer.
Prisons	Commissioner of Prisons. Assistant Commissioner of Prisons. Senior Superintendent of Prisons.

CATEGORY A—Contd.

Department	Office
Public Works Department	Director of Public Works. Superintending Engineer. Hydraulic Engineer. Assistant to Hydraulic Engineer. Architect. Senior Assistant Quantity Surveyor. Chief Accountant. Deputy Chief Accountant. Chief Storekeeper. Executive Engineer. Senior Assistant Engineer. Assistant Engineer. Transport Officer. Hydrographic Surveyor.
Registrar General	Registrar General. Assistant to Registrar General.
Secretariat and Legislative Council	Colonial Secretary. Principal Assistant Colonial Secretary. Senior Assistant Colonial Secretary. Secretary. Establishment Officer. Clerk to Legislative Council.
Statistical Department	Chief Registrar of Native Officer-in-Charge, Finger Print Bureau
Survey and Registration	Surveyor General. Assistant Surveyor General. District Surveyor. Staff Surveyor. Chief Computer and Examiner of Diagrams. Computer. Principal Registrar of Titles. Registrar of Titles.
Treasury	Treasurer. Deputy Treasurer. Principal Assistant Treasurer. Senior Assistant Treasurer. Assistant Treasurer.
All Departments	Office Superintendents. Chief Clerks. Accounts Clerks. Clerks, A, B, and C. Storekeepers and Assistant Storekeepers.
Government House	Chauffeur-Mechanic. Superintendent, Government House Gardens. Caretaker and Housekeeper.
Administration (General)	Superintendent of Conservancy, Nyanza Province. Superintendent of Conservancy, Rift Valley Province.
Kabete Reformatory	Superintendent. Technical Instructor. Clerk and Storekeeper.

CATEGORY B.

CATEGORY B—Contd.

Department.	Office.
Agriculture	Plant Inspector. Laboratory Assistant. Manager of Insectaries. Grader and Inspector. Assistant Grader and Inspector. Superintendent, Maize and Conditioning Plant and Cool Stores. Mechanic. Stock Inspector. Laboratory Superintendent. Yard Foreman. Overseer. Librarian. Instructor in Stock.
Audit	Examiner of Accounts.
Government Coast Agency	Assistant Government Coast Agent.
Customs	Assistant Accountant. Operator, Statistical Department. Inspector, Preventive Service. Examining Officer. Cadet.
Education	Accountant. Education Officer (male) (whose maximum is £600 per annum or less). Education Officer (female) (whose salary commences at less than £390 per annum). Caretaker. Matron Staff. Leading artisan.
Forest	Forester. Accountant.
Game	Assistant.
Judicial	Shorthand Writers. European Process Server.
Medical Department	Assistant Surgeons. Accountant. Dispenser. Male Nursing Orderly. Wardmaster. Chief Instructor. Superintendent, Mental Hospital. Matron, Mental Hospital. Assistant Matron, Mental Hospital. Warder, Mental Hospital. Sanitary Inspector. Superintendent, Infectious Diseases Hospital. Laboratory Superintendent. Laboratory Assistant. Malaria Overseer.
Military (K.D.F.)	Musketry Instructor.
Military	Bandmaster. Regimental Sergeant Major. Mechanist Sergeant Major. Staff Sergeant Mechanist. Company Quartermaster Sergeant.

CATEGORY B—Contd.

Department.	Office.
Police	Chief Inspector. Inspector. Assistant Inspector. Sergeant Instructor. European Constables. Deputy Inspector Weights and Measures.
Post and Telegraphs	Postmaster. Junior Postmaster. Postal Clerk and Telegraphist. Female Clerk and Telegraphist. Supervisor (Female) Telephones. Postmistress. Accountant. Senior Wireless Telegraph Engineer Operator. Electrical Mechanician. Electrician. Sub-Engineer. Telegraph Inspector.
Printing and Stationery	Press Engineer. European Reader. European Copyholder. Linotype Operator. Assistant Linotype Operator. Monotype Operator. Foreman, Composing Section. Foreman, Machine Section.
Prisons	Superintendent of Prisons. Assistant Superintendent of Prisons. Chief Officer. Carpentry and Masonry Instructor.
Public Works Department	Draughtsman. Assistant Accountant. Stock Verifier. Senior Storekeeper. Senior Overseer. Overseer. Surveyor. Foreman. Inspector, Water Supply. European Supervisor. Kiln Seasoning Operator. Drill Foreman.
Registrar General	Accountant.
Secretariat and Legislative Council	Assistant Establishment Officer Reporter.
Statistical Department	Assistant Registrar of Natives.
Survey and Registration	Forest Surveyor. Draughtsman. Surveyor Records Officer. Junior Compiler.

KENYA.

No. 10

CONFIDENTIAL



1401
GOVERNMENT HOUSE

NAIROBI

KENYA

27 January, 1933.

Sir,

With reference to paragraph 6 of my confidential despatch No. 125 of the 30th September last, I have the honour to transmit a further six copies of the Report of the Local European Civil Service Committee.

2. This Report was circulated to Heads of Departments, to the Transport Administration, and to the European Civil Servants' Association; the comments received were examined in the accompanying memorandum, of which I enclose six copies, and submitted to my Executive Council.

3. I have concurred with the following minute of Executive Council:-

* Council discussed the proposed formation of a Local European Civil Service. The Postmaster General gave as his opinion that for some time to come there would not be a sufficient number of local candidates to fill all the posts scheduled in the Reports of the Merrick Committee and that posts of the same kind would be filled partly by persons on local terms and partly by persons on overseas terms of service.

* The relative merits of a Provident Fund and a Contributory Pensions Scheme were discussed and the feeling of Council was that the latter was to be preferred and that the Local European Civil Service should be initiated on that basis.

* Finally Council advised that a Civil Service Board be appointed to consider the Report of the Fitzgerald and Merrick Committees and the Memorandum submitted to Council, and that as its first duty it be asked:-

I. To examine and to report upon the inclusion of the posts scheduled in the Merrick Report for the Local Civil Service in the light of the comments received and the decision of Executive Council that officers with six years or more service should retain Overseas Service rights.

II.

MEMORANDUM
NOY
18078/32
Report.
Memorandum.
THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S.W.

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" II. To advise, assuming a 10% reduction
" from salary will have to be made to
" cover contributions to a Contributory
" Pensions Scheme and obligations in
" respect of the Widows' and Orphans'
" Pensions Scheme, (or such modification
" thereof as the Board may recommend)
" whether the Merrick Report scales of
" salary are reasonable, and, if not, what
" variations should be made.

III. In the light of such advice, to make
" detailed recommendations as to points
" in the scales of salary on which officers
" recommended for the Local Civil Service
" should transfer."

I have appointed individually a Civil Service
Board composed of:-

Mr. T. Fitzgerald, O.B.E., Postmaster General,
(Chairman)
Mr. C. J. J. T. Barton, O.B.E., Acting Principal
Assistant Colonial Secretary,
Mr. A. de V. Wade, O.B.E., Chief Native
Commissioner,
Lieutenant Colonel E.M. Ley

with the Establishment Officer of the
Secretariat as Secretary

with the terms of reference as laid down by my
Executive Council. Mr. Wade, who is a member of
the Board, is also President of the European Civil
Servants' Association, and as Mr. Barton proceeded
on leave on the 21st January, Mr. C.W. Hayes-Sadler,
who has assumed the duties of Acting Principal
Assistant Colonial Secretary, has been appointed a
member of the Board during Mr. Barton's absence. At
a later date I propose to define the general terms
of reference to the Board.

I shall address you further upon this
subject when I have received the report of the
Board upon the present terms of reference.

I have the honour to be,

Sir,

Your most obedient, humble servant,


BRIGADIER-GENERAL,
GOVERNOR.

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COLONY AND PROTECTORATE OF KENYA

REPORT
OF THE
LOCAL EUROPEAN CIVIL
SERVICE COMMITTEE

PRINTED BY THE GOVERNMENT PRINTER
1932

REPORT OF THE LOCAL EUROPEAN CIVIL SERVICE COMMITTEE

YOUR EXCELLENCY,

1. The Committee appointed by Your Excellency—

To examine, to report upon, to schedule posts and to draft Regulations, **Terms of reference,** having regard to the principles laid down by Executive Council at its meeting of the 7th January, 1932, for the inauguration of —

- (a) a Local European Service and
- (b) a Local Asiatic Service

applicable to Government Servants not employed by the Kenya and Uganda Railways and Harbours Services has the honour to submit the following Report:

EUROPEAN SERVICE.

2. For facility of reference extracts from the Report of the Terms of Service Committee with the relevant recommendations of the Executive Council, in which Your Excellency has expressed concurrence, are attached at Appendix I. **Preliminary remarks.** Appendix I.

3. Your Excellency, in response to subsequent inquiries, caused the Committee to be informed through its Chairman that they were not debarred from reviewing and, if considered desirable, from submitting proposals for leave and passage conditions differing from those appearing in paragraphs 15 (ii) and (iii) of the Report of the Terms of Service Committee.

4. The Committee at the outset of its deliberations decided to ask the Government Statistician to collect particulars of salaries and conditions accorded by local firms to staff in similar categories to those cited on pages 20-22 of the Report of the Terms of Service Committee. The Committee desires to express its thanks to those firms who furnished data and to the Government Statistician for his co-operation in sending out the Committee's questionnaire and in supplying analyses and summaries of the replies received. The results which were not ready till the middle of April have proved distinctly disappointing, in that many of the larger firms and institutions failed to furnish the requisite data, and that the **Evidence from commercial firms.**

particulars collated show a divergence of practice in commercial circles, a state of affairs borne out by the experience of such members of the Committee as are personally conversant with conditions prevailing outside Government Service.

5. In reaching the conclusions, detailed below and in the accompanying draft Regulations (Appendix II), the Committee desires to emphasize the difficulty at the present juncture of laying down terms of service which can be regarded as likely to prove stable over any extended period of years. The general tendency to retrenchment, both in the public services and in private enterprises, which continues as the inevitable concomitant of the prevailing world-wide depression has materially reduced market rates for labour, both skilled and unskilled. Although the increased purchasing power of money at the present time is an important factor and liable to persist as an influence in determining wages, the Committee feels that its proposals may only be applicable to a period of transition though they have followed the assumption of the parent Committee that on emergence to more settled conditions emoluments will be on a lower level than at the time many of the existing terms of service (including salary scales) were introduced. It may be necessary for the position to be reviewed as soon as conditions become stabilized so that appropriate changes or modifications can be introduced before the Local Service has developed to its full proportions.

6. The proposals put forward in regard to clerical staff are suggested as representing suitable scales of salary, as far as can be judged at the present time, within which remuneration can be provided for the various duties involved as offering a reasonable career in the lower branches of the Kenya Civil Service for local recruits who it is hoped will form more than a considerable proportion of new appointees. The conditions suggested moreover are not considered unsuitable if (at any rate at the inception of the Service) it may prove necessary to fill vacancies in the Local Service from outside East Africa.

Major Cavendish-Bentinck, however, who was unable to attend the meeting of the Committee at which these salaries were finally decided, is of the opinion that the scales of salary now recommended for the higher clerical grades are too high for the type of routine work contemplated bearing in mind the change in world conditions, and wishes to lay special stress on the fact that in his opinion the "changes and modifications" foreshadowed in paragraph 5 above will probably have to be introduced almost immediately.

7. In framing these recommendations the Committee were guided by the need for inaugurating a new service on reasonable lines rather than by the more short-sighted policy of attempting to attract existing personnel to transfer by

the offer of more advantageous terms than circumstances warranted for the duties in question. The Committee recognizes that so long as financial stringency continues the recruitment of the Local Service may proceed but slowly and that in the meantime the interests of economy will render it imperative for Government to place as far as possible its existing personnel upon revised terms of service. The terms now suggested should in the opinion of the Committee be readily adaptable for this purpose in cases where this course may be desirable on general grounds.

8. The conclusions of the Committee in detail are contained in the accompanying draft Regulations which follow generally the provisions of the present Code of Regulations in so far as they can be considered applicable. The following observations are merely intended to explain governing principles or the reasons for departing from any of the specific recommendations of the parent Committee. They also present the Committee's views on the question of Pensions and the Civil Service Board, which still require the consideration of Government and in consequence no provisions under these heads have been included in the draft Regulations.

Specific recommendations.

For the sake of convenience the sequence observed in the Report of the Terms of Service Committee has been adhered to:—

(i) Pay.

Terms of Service Report Committee's Proposal

(a) Learners (Male)	£50 to £84	£84 to £60	£12 to £84
Female)	£108	£18 to £120	

The Committee see no reason for two separate grades and prefer a single grade with definite increments, on the understanding that the £60 to £84 portion of the scale should be open to candidates roughly between the ages of sixteen and eighteen who have passed the Junior Cambridge Examination or an equivalent standard, but that older candidates with higher educational qualifications such as the School-leaving Certificate or Matriculation Standard or such other tests as may be recognized by the Civil Service Board should be

allowed to enter at £94 in the scale. The maximum is recommended for extension to £120 to provide for certain departments which demand a longer training than the usual clerical ranks and the Committee further suggests that the

Civil Service Board should be empowered to make special provision in respect of cadets in training for technical departments. A learner should not be admitted to either portion of the grade at a higher point than the initial pay suggested save in the most exceptional circumstances.

Heads of departments should have discretion to vary the number of learners employed provided that their sanctioned allocation for the learner establishment is not exceeded.

(F) Clerical Grades	Terms of Service Report	Committee Recommendations
	Per annum	Per annum
Grade C (Male or Female) (Minimum age 18 years)	£150 by £10 to £200	£150 by £10 to £240
Grade B (Male)	£240 by £15 to £300 by £20 to £420	£200 by £15 to £250 by £15 to £350 by £15 to £425
Grade B (Female)	£240 by £15 to £300 by £20 to £360	£200 by £15 to £290 by £15 to £350
Grade A (Male)	£380 by £20 to £460 by £20 to £540	£360 by £20 to £480 by £20 to £600
Grade A (Female)	£380 by £20 to £420	None
Special Grade (Males)	£300 by £20 to £660	£500 by £25 to £650 by £25 to £725 (*)
Special Grade (Females)	None	£360 by £20 to £420

(*) The extension from £650 to £725 is subject to the proviso below

In explanation of these variations the Committee consider it necessary that to prevent stagnation in the several grades longer scales should be adopted.

The above recommendations represent the unanimous views of members of the Committee present at its last meeting.

Since that date a sub-Committee has interviewed heads of departments with regard to appropriate scales of salary for the non-clerical posts recommended for inclusion in the Local Service, and on reviewing the scales put forward for these non-clerical posts, *vide* Appendix III, a majority of the Committee are inclined to consider that the maximum for the Grade A Clerical Service should be reduced to £540 per annum in accordance with the recommendations of the parent Committee.

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It is not recommended that female clerks should ordinarily progress beyond an annual salary of £350, but that exceptional cases would be more fittingly included in a special grade ranging to £420 per annum than in Grade A.

The Special Grade (Males) should be strictly limited in numbers and should be confined to duties involving special responsibility or qualifications in addition to normal confidential or supervisory duties of a clerical nature, which would be adequately remunerated by the Grade A scale. The Special Grade (Males) has been extended to £725 but it is suggested that normal requirements would be met by the bar at £650, which should only be passed for posts of exceptional status or in instances of outstanding personal merit.

The Committee wish to lay emphasis on the desirability as far as possible of selecting candidates for vacancies, more particularly in Grade A and upwards on a general roster rather than treating departmental personnel on a water-tight basis for purposes of advancement. It is suggested that for this purpose recommendations for filling such vacancies should be submitted for review by the Civil Service Board before any substantive appointment is agreed to.

The Civil Service Board should also prescribe specific tests qualifying for admission to the learner staff and the other grades for the guidance of heads of departments.

Entry into Grades D and C should presuppose passing in the necessary qualifying subjects as at present and subject to the existence of a vacancy a clerk in Grade C would be eligible for advancement once he had passed the higher test. He would enter the new grade at the minimum, unless he was already in receipt of higher salary, in which event he would enter at the next appropriate incremental step.

The Committee desire to point out that there are at present no fewer than fifty-three different scales of salary for posts suggested for inclusion in the Local Service and they did not feel competent on their own responsibility to fix appropriate scales for such a large number of different salary rates. The result of inquiries to heads of departments elicited the fact that these posts could be graded within the scales suggested for the Clerical Service. Appendix III contains the schedule of posts recommended, for inclusion in the Local Service, the scale of remuneration at present paid in respect of each post and suggested scales for the same posts in the Local Service which have been put forward after consultation

Appendix III.

with heads of departments. These data are included in the hope that they may be of assistance and guidance when the salaries finally come to be decided, but the Committee feel that without careful study of the duties appertaining to the various posts it is not possible for them to recommend that they should be accepted as final; they follow generally the principles governing the Committee's recommendations for clerical posts and it is suggested that they should be very carefully reviewed by the Civil Service Board. The Committee desire to acknowledge the assistance received from heads of departments in response to their representations.

It is suggested in examining the schedules of posts were impressed by the number of special designations for posts of a particular grade which would appear to be inappropriately covered by the normal grading. They suggest that there is room for review in this respect in the interests of simplicity and that the Service in general, as invidious distinctions not warranted by the nature of the work performed are apt to lead to unsatisfactory results.

(H) Leave

The Committee, Captain Ward dissenting, in reservation on page 14 consider the recommendations of the parent Committee as adequate on the understanding that an annual holiday would be assured.

The Committee desire to emphasize the considerations put forward by the 1929 Committee on Leave and Passages for European Servants of Government as regards the importance of an annual holiday which read as follows:

7. In the opinion of the Committee, only the most exceptional circumstances should be allowed to interfere with the grant to each European servant of Government of a substantial annual holiday. With a view to ensuring that annual holidays are taken, the Committee recommends that heads of department should regularly prepare early in each year tentative schedules of annual leave to be taken by members of their staff and should be required to render a return each year showing which officers have taken leave during that year and the amount of leave taken, and which officers have not taken leave during the course of the year and giving reasons in each case where an officer has not taken his annual leave during the year. The Committee also recommends that in all cases where annual leave has not been taken, the causes should be investigated. The reasons will probably be either that there has been insufficient staff or that the head of

the department concerned has not been able to make proper arrangements. In either case the Committee holds that the position should be rectified and that the Government should have knowledge of the facts brought to its notice in this way.

Earners would not be entitled to "vacation" leave, but would be granted eighteen days local leave.

In the opinion of the Committee proportionate vacation leave should be granted at the rate of seven days for each completed three months service an officer further being allowed to add the final period of local leave due, to the vacation leave for which he is eligible for the purposes of overseas leave. The period of the voyage is to be included in the leave earned.

The Committee urge that for purposes of accumulating leave in respect of the Local Service it will be sufficient if stations are placed under two categories of "healthy" and "unhealthy" following the present distribution for the Service in general, five months residence in an "unhealthy" station counting as six months in a "healthy" station, i.e., twenty-eight days vacation leave would be earned by ten instead of twelve months' residential service, and seven days every two-and-a-half instead of three months. It was agreed that the Director of Education must be granted latitude to arrange the leave of his teaching and master staff in conformity with the requirements of the various schools. Such staff it was understood would not be entitled to "local" leave in addition to the normal school holidays.

(III) Passage.

In view of the considerations advanced in the Note appended to the relative section on page 13 of the parent Committee's Report, the Committee (Mr. O'Shea dissenting) strongly recommend the grant of more generous assistance on Government's part both in the interests of the individual himself and the attractiveness of the Local Service under prevailing conditions.

They suggest that a scheme on the following lines should prove both simple in operation and equitable in incidence. An officer to be considered to have earned in respect of each year of resident service 25 per cent of the cost of a return passage to the port nearest to the destination where his leave is to be spent, the cost being calculated in accordance with the accommodation laid down under Category B in paragraph 11. (ii).

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page 8 and 9, of the Terms of Service Committee's Report and the maximum limit being fixed at the cost of a passage to London by the all-sea route, but no financial assistance should be granted unless the officer has given an undertaking to return for further service. It was understood that if an officer wished to make special arrangements for his holiday other than a direct sea voyage he would be at liberty to submit his proposals for consideration on their merits as qualifying for the proprietary grants for which he was eligible.

No allowance towards family passage would be made but an officer would be able to travel by a lower grade or class than that for which he is eligible and apply the savings towards the cost of his family passages or accumulate the money due for more than four years on the understanding that no balance beyond that needed for ocean passages or other approved journey would be paid over. No concession under this head should be granted normally for less than two years' residential service. In illustration of this it may be stated that the effect of such an arrangement would be that at the end of forty-eight months an officer would be eligible for the cost of a passage for himself and at the end of six years or five years at an "unhealthy" station for half the cost of an additional passage.

The Committee submit that such an arrangement would entail less accounting than the contributory proposal of the parent Committee, and, though involving somewhat larger expenditure, would be justifiable on Government's part in inaugurating a Local Service at the present juncture.

Service in the learner grade should not be counted towards earning any percentage of the cost of a passage.

Mr. O Shea dissents from the foregoing recommendations and adheres to the recommendations of the parent Committee.

(iv) Pensions.

The Committee desire to emphasize the imperative need, in their opinion, for some form of compulsory insurance as an integral part of any permanent Local Service, which may be inaugurated, with definite provision for State contributions to supplement an officer's premia. Regular deductions in respect of contributions would be deducted from his monthly salary and credited with interest at a reasonable rate. In this connexion the Committee emphatically favour the principle of compulsory insurance and advocate the introduction

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of a scheme or fund for this purpose at the earliest opportunity considered practicable. Through the courtesy of one of its members the Committee were enabled to study particulars of a scheme actually in operation for the employees of an existing enterprise through a well-known insurance company. They had also before them legislation governing certain of the pension funds adopted by the Government of the Union of South Africa as well as the Report of the 1929-1931 Royal Commission which outlined leading principles for a suggested contributory pension scheme in respect of the Home Civil Service. The Committee incline to the view that for Government purposes a scheme on the last-mentioned lines would probably be preferable but they appreciate that a decision is impracticable until certain data and statistics have been collated and submitted for actuarial assessment.

They would urge most strongly that early information be obtained as to the requirements in this connexion, so that the necessary particulars may be compiled from the outset and contributory pensions brought into force with the least possible delay for the Local Civil Service.

In the meantime the only alternative available appears to be a provident fund, for which many precedents can be obtained such as that in active operation in respect of the Kenya and Uganda Railways and Harbours Services. Pending a decision as to the adoption of their recommendations the Committee have not considered it necessary to examine the details of any such scheme or to draft regulations, particularly as they only envisage it as a temporary arrangement which should be established on as simple lines as practicable with a view to ultimate absorption of the funds collected in whatever fund or scheme of contributory pensions may be accepted.

They suggest that the contribution be fixed at 15 per cent of the substantive salary and that Government and the officer should be called upon to contribute in equal proportions, i.e. 7 1/2 per cent. It was considered that an officer should have no claim on the Government contributions or interest thereon until he had completed five years as a contributor, unless his services were terminated on medical grounds or changes due to re-organization of staff.

The Committee examined the advisability of either allowing or compelling officers, during the interim period of the Provident Fund's continuance, to join the existing Widows' and Orphans' Scheme. On balance it was agreed that con-

pulsion provided the only alternative, but that it would be best in view of the heavy liabilities entailed by such double subscriptions to make no additional imposition on officers pending the full review of the provisions which it might prove possible to incorporate to cover similar purposes in any contributory pensions scheme or fund. In this connexion the Committee noted from Appendix V of the Report of the Royal Commission cited above that favourable terms for widows were included in the contributory superannuation scheme outlined in respect of the Home Civil Service. It remained to be seen whether similar benefits could be justified actuarially under reasonable premises for the smaller membership which would comprise the Kenya Local Civil Service.

The Committee's recommendation may be summarized as follows: As far as can be foreseen there should be no need for a provident fund to run permanently in concurrence with a contributory pension scheme or fund, but some such arrangement would be essential for some years at the inception of the Local Service pending actuarial investigation and advice on the pension system, it being postulated that there should be no undue delay in collecting the necessary data and statistics for such an inquiry.

Should financial considerations permit, the Committee further venture to suggest that it would be a welcome gesture on the part of Government if in the case of personnel now under agreement, who might be offered transfer to the Local Service, it were made clear that Government would be prepared to place to their credit in the provident fund the amount of the Government contributions, which would have accrued, with or without interest as may be decided, had the fund been in operation at the time when they joined the Service for continuous employment.

The Committee desire to make it clear that they are not in a position to assess the monetary effect of such a proposal, but they submit it as a suggestion which in their view merits serious and early consideration.

The Committee would point out in regard to this section that it would be necessary to consider procedure in respect of officers who may be transferred from the Local to the Overseas Service as regards their contributions to any scheme of compulsory insurance so long as any alternative scheme of pensions remains in force for the Overseas Service.

(v) Quarters.

The Committee have embodied in the accompanying Regulations the principle of consolidated salaries, without the addition of free quarters or an allowance in lieu. They consider, however, that exceptions must be made in the rare cases, where an officer is required to occupy quarters at or adjoining particular institutions in view of the continuous nature of his duties: it seems to the Committee only equitable that in such instances no rent should be charged and the quarters should be regarded as a temporary addition to the officer's non-pensionable emoluments.

In the Committee's view, acceptance of the principle that an officer will be responsible for his own housing arrangements means as a corollary that in centres, where private accommodation can be arranged, he should be free to suit his individual requirements and should not be forced to rent Government quarters, merely because such quarters happen to be unallocated or unoccupied. The question of the disposal of any surplus Government houses in the event of the adoption of these proposals is a matter which may require consideration. The Committee appreciate that an officer will be at liberty to rent Government quarters should he so desire and that such a course may be inevitable in many outstations at present. Where competition with private accommodation arises rents should be fixed at ruling market prices whilst at other stations quarters should be leased to officers either on a rental basis to be assessed administratively on the value of the house or on the basis of a percentage deduction from salary not exceeding 15 per cent the smaller amount governing procedure in any individual case.

(vi) Medical Attendance and Examination.

The Committee recommend in accordance with the views expressed by the parent Committee free medical attention for the officer but not for his family.

It is desired to record that a majority of the present Committee support the recommendation of the minority of the parent Committee in the second paragraph on page 10 of their Report to the effect that where drugs are readily obtainable from other than Government sources, they should not be supplied from Government stores. This provision, however, has not been included in the accompanying Regulations.

The Committee support the opinion of the representative of the Medical Department and the 1926 Committee on Leave and Passage Regulations that regular medical examination

of European servants of Government should take place at such periods of time as the Director of Medical and Sanitary Services may consider desirable.

(vii) **Travelling and Motor Allowances.**

The Committee consider that travelling and motor allowances should be governed by the general regulations ruling at the time.

(viii) **Acting Allowances.**

The Committee are opposed to the grant of acting allowances in respect of posts in the Local Service.

(ix) **Engagements and Terminations.**

The Committee have assumed that the Local Service will be under the control of the Governor, advised by a Civil Service Board, on the lines recommended by the parent Committee, and recommend that, if necessary for this purpose, steps be taken to obtain the Secretary of State's sanction to waive the requirements of Colonial Regulations, paragraphs 17-22. The Governor would then be the final arbiter in all matters affecting the Local Civil Service, though an officer would remain his inherent right of appeal to the Secretary of State against any decision reached locally.

As the tour of service is not advocated for officers in the Local Service, the Committee is of opinion that engagements, whether temporary or permanent and whether in the capacity of learners or of probationary or substantive appointees, could be covered most suitably by letters of appointment, instead of agreements. These letters would vary according to the conditions governing a particular appointment, and should be countermanded in all cases by the appointee. Model forms are suggested to ensure uniformity of treatment.

It is suggested that persons engaged for specific periods or services might be engaged on agreements, subject generally to the regulations applicable to the Local Civil Service.

(x) **Disciplinary Provisions.**

While agreeing that in cases requiring investigation in the interests of discipline the method of such investigation must be left to the discretion of the Governor, the Committee were divided as to the desirability of instituting the Civil Service Board as the proper body which should investigate serious cases involving intended dismissal. A majority (five members) were that only in the most exceptional circumstances should any other body be appointed for such a purpose.

The Chairman, Major Cavendish-Bentley, Mr. Smith, and Mr. Webster, however, were not prepared to subscribe to this proviso. In the circumstances, the relative regulation, paragraph 88, has been drafted in general terms, without any restriction of the Governor's discretion.

(xi) **Age of Retirement.**

The appropriate age for normal retirement suggested is 55 years for males and 50 years for females, but the Committee appreciate that final decision on this point must remain for consideration with the provisions to govern whatever scheme of compulsory insurance may be adopted.

CIVIL SERVICE BOARD.

The Committee desire to invite special attention to the recommendations of the parent Committee in paragraph 18 of their Report, and to urge upon Government the importance of the early establishment of a Civil Service Board on the lines suggested. The Committee feel that the Civil Service Board would be the appropriate body for dealing with the question of transferring officers already employed to any new terms of service which may be introduced as contemplated in paragraph 19 of the parent Committee's Report.

The Chairman and Major Cavendish-Bentley, whilst agreeing that a Civil Service Board should be set up with its functions limited as suggested by the parent Committee, are entirely opposed to the principle of granting such a Board disciplinary or wide administrative powers. They desire to emphasize that His Excellency the Governor, as the head of the Civil Service, should have absolute authority, though he would naturally have powers of delegation in any direction which be considered advisable.

The Committee considered it desirable to submit without further delay their recommendations as regards their first term of reference—a Local European Service. They propose to continue their inquiry in regard to a Local Asiatic Service as soon as circumstances permit, and would welcome any indication of Government's decisions on the various aspects covered in the Report, as a guide in dealing with similar problems under heading (b) of their terms of reference.

In conclusion, the Committee desire to record their appreciation of the valuable assistance rendered by their Secretary.

Acknowledgment to Secretary.

Mr. A. J. Field, Acting Establishment Officer, of the Secretariat, more particularly in connexion with the compilation of the accompanying Regulations.

We have the honour to be,

Sir,

Your Excellency's obedient servants,

J. E. S. MERRICK, *Chairman*.

W. H. SMITH.

E. S. BISS.

F. J. CARLYLE-JOHNSTONE.

H. J. WEBSTER.

C. O. GILBERT.

THOS. J. O'SHEA.

H. P. WARD.

F. CAVENDISH-BENTINCK.

Members.

A. J. FIELD.

Secretary.

Nairobi.

26th August, 1932.

*I have signed this Report subject to the following reservation—

(i) *Leave.—Page 7.*

The recommendation by the Leave and Passages Committee of 1920 (para. 10, page 5) as to the period of service in Kenya requisite to earn six months' leave overseas was a divided one. The Official Members recommended three and a half years, and the Unofficial Members four years. The majority of this Committee now recommends six years, irrespective of previous connection with Government or of the total period of service completed. I am sincerely of the opinion that any servant of Government who has served for an appreciable period on the current terms of service should not have the period of service in Kenya during which he can earn six months' leave overseas extended for more than a year, and that in respect of the Local Service generally that length of service calls for some scaling down of this period below six years, on the lines of but not to the exact extent as is provided for in the Terms of Service Committee's Report of 1931, vide page 7, paragraph III.

H. P. WARD.

APPENDIX I.

Extracts from the Report of the Terms of Service Committee with relative recommendations of the Executive Council.

15. After much consideration, the Committee have come to the conclusion that the following rates of pay and conditions of service for a European clerical and general Local Service would be reasonably adequate:—

(i) *Pay.*

Learners (Male or Female).—Non-incremental; pay to depend on age and qualifications.

Grade II.—£60 to £84 per annum.

Grade I.—£84 to £108 per annum.

Grade C (Male or Female).—£150 by £10 to £200 per annum (maximum age, 35 years).

Grade B (Females).—£240 by £15 to £300 by £10 to £360 per annum.

Grade B (Males).—£240 by £15 to £300 by £10 to £360 by £20 to £420 per annum.

Grade A (Females).—£380 by £10 to £420 per annum.

Grade A (Males).—£380 by £20 to £480 by £20 to £540 per annum.

Special Grade (Chief Clerks and Office Superintendents).—£500 by £20 to £660 per annum.

In the clerical service, the Committee contemplate that Grade B would be the appropriate grade for fully competent stenographers and typists, Grade A being limited to posts of a more responsible character.

Executive Council Recommendations.

That the general approval given to the proposed scales by Council should not deprive the Local Service Committee from submitting any variations which seemed to them desirable.

(ii) Leave.

Local—18 days annually.

Vacation—28 days per annum, cumulative to six months. Officers under 18 years of age not to be eligible for vacation leave.

Note.—The Committee recommend that in respect of service at 'unhealthy' stations, the same vacation leave allowances should be made on lines similar to those proposed in the case of the Overseas Service."

Executive Council Recommendations :

That general approval be given to the Committee's recommendations.

(iii) Passage.

If an officer earning vacation leave elects to save towards the cost of a holiday out of the Colony in connexion with this leave, the Committee recommend that he should be assisted to the extent that Government should open a passage account on his behalf, into which the officer would pay 2½ per cent of his salary (subject to a minimum of Sh. 10 and a maximum of Sh. 20 per mensem), into which Government would contribute an equal amount. In view of the extent of Government's contribution, it is not considered that interest should be allowed on balances.

Note.—The foregoing recommendations in regard to contribution towards passage is based on the view that, although the kind of work which officers of this grade perform is not very exacting, it is desirable, even for the locally born, that they should periodically have a change out of the Colony, not altogether because of possible benefits to health, but also because of the experience and the broadening of view which may be gained from travel abroad. The Committee feel that, unless some practical encouragement is given towards saving for passage costs, the facility for accumulating vacation leave will largely fail in its object."

Executive Council Recommendations :

That general approval be given to the Committee's recommendations.

(iv) Pensions.

Pensions should definitely be on a contributory basis, and a Pensions Scheme on such lines should be introduced as early as possible for the fully permanent members of the Local Service. For members on less permanent terms a Provident Fund Scheme should be established. There are many schemes of each kind in operation throughout the Empire and the lines on which such schemes operate have become more or less standardized. Cases will arise of officers moving from one scheme to the other, but no difficulty should be experienced in providing for such cases. The Committee, in fact, incline to the view that all officers in the Local Service should be under a Provident Fund Scheme until the age of, say, 25 years, so that they may be in a position up to that age to leave the service without too great a sacrifice of pension rights."

Executive Council Recommendations :

That the introduction of a Contributory Pension and/or Provident Fund Scheme should be examined by the Local Service Committee.

(v) Quarters.

The Committee recommend that the same arrangements as have been proposed for officers of the Overseas Service in regard to quarters and to the occupation on a rental basis of Government-owned houses should be applied to the Local Service."

Executive Council Recommendations :

That general approval be given to the Committee's recommendations.

(vi) Age of Retirement and Medical Attendance.

The Committee recommend that the same principles should be observed for the Local Service as for the Overseas Service, *vide* paragraph 11, (iv) and (v)."

Executive Council Recommendations :

That the recommendations of the Committee be approved as regards the age of retirement; and in principle as regards the question of medical attendance, subject to the Report of the Colonial Services Committee, but that consideration of this question should await the return from leave of the Colonial Secretary. It was realized that a question of salary consolidation would arise.

APPENDIX II.

SUGGESTED REGULATIONS FOR THE KENYA
LOCAL CIVIL SERVICE.

The following Regulations are based on those contained in the "Code of Regulations" Third Edition, Part I, for European officers of the Government Service, the Governor being substituted for "the Secretary of State" as the controlling authority.

Necessity for report or reference to the Secretary of State is not contemplated except that an officer will retain his inherent right of appeal to the Secretary of State against any local decision.

An officer engaged from overseas for the Local Civil Service will receive the same privileges on first appointment as are accorded by the general Code of Regulations to other officers as regards date of appointment, salary for the period of the voyage, etc.

These Regulations are subject to variation from time to time at the discretion of the Governor to suit the requirements of the Service and in any case of doubt as to their meaning the decision of the Governor shall be final.

PART I. EUROPEAN STAFF.

CHAPTER I.

APPOINTMENTS, TERMINATIONS AND TRANSFERS.

1. Appointments will be in the following categories—

- (a) In a temporary capacity (e.g. learners).
- (b) In the Established Service (including a period of probation).

All appointments will be made by the Governor.

On first appointment an officer engaged within the Colony will be given a letter of temporary appointment as laid down in Appendix I.

2. On the expiry of not less than six months' service in a temporary capacity the head of department may recommend an officer for appointment on probation, in which case the officer will be given a letter of appointment as laid down in Appendix II and his letter of temporary appointment will be cancelled.

3. On the expiry of a period of probation of not less than two years' service the head of department may recommend an officer for appointment to the Established Service or for reasons accorded by the Governor may require the officer to continue to serve in a probationary capacity.

4. On appointment to the Established Service an officer will be given a letter of appointment as laid down in Appendix III and any other letter of appointment on which he may be serving will be cancelled.

The Governor is not authorized to make any addition to the fixed establishment of any public department without the previous sanction of the Secretary of State, and relief should normally be provided from the fixed establishment. In exceptional circumstances requests for temporary additions to the establishment should be referred to the Colonial Secretary.

5. The Colonial Secretary should be informed of the home addresses of all officers, to which communications intended for their relatives or friends may be sent.

7. An officer of the Established Service may not resign except with the permission of the Governor which will only be granted if reasonable notice is given and an assurance obtained that satisfactory arrangements to refund outstanding liabilities have been effected.

8. Officers who resign their appointments at any time after returning to the Colony from overseas will be liable to refund such proportion of the cost of their outward passage as may be decided by the Governor.

9. An officer serving on probation may at any time determine his engagement on giving three months' notice in writing or for paying to the Government one month's salary.

10. It will be within the power of the Governor to give notice of the determination of the engagement at any time during the period of probation without assigning any reason on giving the officer leave of absence with full pay for the period of vacation leave at the rate laid down.

11. Notice of determination without assignment of a reason may also be given to an officer while on leave of absence, in which event he will be allowed to complete the leave of absence granted to him.

12. During the period of probation the Governor will further have full power to cancel the appointment at any time if the officer has been guilty of any misconduct, or if the Governor is satisfied that he is inefficient, and that his inefficiency is due to his own negligence or default; and in that event the officer will not be entitled to any privileges of leave or passages.

13. No officer will be admitted to the Established Service whose work is not thoroughly satisfactory and who does not succeed in passing such language examinations and other tests as may be prescribed.

14. Promotions will be made by selection as vacancies occur, and officers promoted to a higher post will as a general rule commence at the minimum pay of that post.

15. For the higher grade posts recommendations for filling such vacancies will be submitted for review by the Civil Service Board before any substantive appointment is made.

16. In cases where a head of department has cause to recommend that an officer should be passed over for promotion to any vacant post the fact should be noted in submitting the relative recommendation and full reasons should invariably be given in substantiation.

17. All applicants for employment should be required to fill up the prescribed form of application for Colonial Employment (P.11) (copies of which can be obtained from the Secretariat), which should contain a complete record of any employment which the applicant may have followed, whether public or private.

18. Heads of departments are required to satisfy themselves as to the record of previous service where a local firm or employer is concerned.

19. Full warning shall be given to any employer if it is desired to engage any of his employees so that he can take steps to enforce any contractual commitments and, further, it should be made clear to the applicant that he must settle any matters arising out of his contract with his previous employers before any appointment by Government can be made.

20. In cases where a local applicant for appointment has had previous employment in a Colonial Service outside Kenya it is necessary to obtain the sanction of the Secretary of State (by telegram, if necessary) before the person concerned can be engaged even on a temporary basis.

21. In cases where the applicant's previous service has been in the Union of South Africa or in other Dominions, application will be made direct by the Colonial Secretary to the country concerned for a report on the applicant's previous service.

22. In connexion with the appointment locally of an officer on other than a month to month basis it should be ascertained whether the candidate has previously submitted an application to the Colonial Office or Crown Agents for the Colonies for employment in the Colonial Service.

Heads of departments when submitting applications to the Secretariat should furnish this information.

23. No person who has previously resigned or been dismissed from Government Service may be reappointed locally without the sanction of the Colonial Secretary.

24. No candidate for employment who is in receipt of a pension from another Government should be engaged with-out the pensioning Government being consulted.

25. All candidates recommended for employment should undergo an examination by a medical officer approved by the Government, but such examination need not be insisted upon where the appointment is definitely only for a limited period.

26. Appointments on a temporary basis to posts for which provision exists in the Estimates may be made by heads of departments. When forwarding a recommendation for any such temporary appointment heads of departments should furnish a medical certificate of fitness (see Appendix 2, C.O.R.) and the usual vital statistics (see Appendix 3, C.O.R.) of the person to be appointed, together with information as to the proposed rate of pay, and a note as to the item in the Estimates from which the salary will be paid.

27. Regular notification should be exchanged between Government departments requiring candidates of a school-leaving age and the Education Department, who will distribute the information as to vacancies, so that it may be available on application by the parents or guardians of children about to leave local schools. It will also help to this end if lists of openings in such junior posts as may be included under the above category are published in the Official Gazette from time to time by the departments concerned.

28. A medical certificate as to the fitness of the person concerned is required in the case of an officer serving on probation who is recommended for appointment to the Established Service.

29. An officer will not be placed on probation before the receipt of satisfactory reports from his referees.

30. Wives who are appointed to the Established Service must understand that they will be called upon to resign their appointments in the event of their marrying, any employment subsequent to marriage being on a temporary footing or on the terms of probationary appointment.

31. Any officer on leaving the Service should, when practicable, be asked by the head of the department concerned

before he leaves the Service of the Colony whether he wishes to be furnished with a Certificate of Service or not. A copy of the form is shown in Appendix 8, C.O.R. and no other form of testimonial or commendatory letter shall be issued to him. The main purpose of such certificates is that they may be used as references covering the officer's period of service in the Colony when the time comes for him to seek employment elsewhere. Heads of departments who complete certificates should give in their information which they, were they in the position of a prospective employer, might fairly expect to obtain from the person who had previously employed the officer. It is not desired that certificates should be so worded as to suppress information which prospective employers are entitled to expect, but there may be officers whose failure in the Colony was due to circumstances which would not necessarily obtain elsewhere, or who, though not successful in the Colony's Service have, nevertheless, qualities that fit them for other kinds of employment in England or abroad. Due weight should be given to these factors by the officer who completes the Certificate of Service and it is important that care should be taken to ensure that the certificate issued in any such case is carefully worded so as to give the officer credit for any good qualities which he may have shown, so that it does not, through a lack of precision or by the bare expression of a general adverse opinion, have the effect of prejudicing the holder's chances of obtaining subsequent employment of a kind for which he might in fact be qualified.

32. In the case of the death of an officer a report should be made by telegram or special messenger to the Colonial Secretary, stating the full name and title of the officer, together with particulars of the hour, date, place, cause of decease, and the address, if known, of the deceased's nearest relative. This report should be furnished by the head of the deceased's department, when the death occurs within his cognizance, or otherwise by the representative of the department in the locality, or, if there is no such representative, by the senior Administrative officer of the district for the time being. In either of the latter alternatives a copy of the report should be sent to the head of the deceased's department, who should submit a suitable obituary notice to the Colonial Secretary for publication in the Official Gazette.

In addition to the above report the following reports should be furnished to the Colonial Secretary as soon as practicable after the funeral has taken place:—

(a) By the medical officer through the Director of Medical and Sanitary Services:

(i) A report of a professional character giving full details of the cause and circumstances of death.

(ii) A report suitable for communication to the relatives of the deceased omitting any details of a revolting or painful nature.

(iii) A Death Report.

(b) By the officer responsible for reporting the death in the first place, a report of a personal and sympathetic nature. Relatives especially value any reference to the deceased officer's good qualities or work and the esteem in which he was held. Reference to any last wishes of the deceased and the funeral arrangements can be made in this letter, or in the medical officer's report. The report should be sent to the head of the department, who can either embody the information given in a personal letter to the nearest relative, or forward the report as it stands, if he is unable to amplify the report from his own individual knowledge. Care should be taken to address the letter personally and couch it in sympathetic terms. If it is addressed direct to the relatives of the deceased a copy in triplicate should be sent to the Colonial Secretary for transmission to the Secretary of State.

(c) By the Principal Registrar of Births and Deaths: a Death Certificate.

A copy of the obituary notice should also be forwarded for transmission to the Secretary of State.

33. The following are the scales of salary for the European clerical staff:—

(a) Learners: £60 x £12 x £84 x £18 to £120.

Note.—The £60 to £84 portion of the scale is open to candidates between the age of 16 to 18 years who have passed the Junior Cambridge Examination or an equivalent standard. Older candidates with higher educational qualifications such as School Leaving Certificate or Matriculation Standard or such other tests as may be recognized by the Civil Service Board, may be allowed to enter at £84 in the scale.

(b) Clerical grades:—

	<i>Per annum.</i>
Grade C (male or female) (minimum age 18 years)	£150 x £10 to £240.
Grade B (male)	£200 x £15 to £290 x £15 to £350 x £15 to £425.
Grade B (female)	£200 x £15 to £290 x £15 to £360.
Grade A (male)	£360 x £20 to £480 x £20 to £600.
Grade A (female)	None.
Special Grade (males)	£800 x £25 to £950 x £25 to £795*.
Special Grade (females)	£360 x £20 to £20.

* The extension from £800 to £795 will be confined to cases of special merit.

CHAPTER II.

SALARIES AND ALLOWANCES.

43. The incidence of pay of an officer while on leave who has been transferred from one department to another should be borne by the department in which he is serving at the time he proceeds on leave and will be at the rate drawn by him immediately prior to his departure.

44. An officer who desires an advance on first appointment or return from leave must make application, if in England, to the Crown Agents for the Colonies.

Recovery will generally be effected by instalments of one-third of the amount of the salary payable to an officer each month until the full amount has been recovered but in certain cases the number of instalments may be increased with the Governor's sanction.

45. The Crown Agents for the Colonies are authorized to make an additional advance of salary to an officer who applies for it and who does not receive outfit allowance on first appointment up to the amount of £30.

46. An officer on leave in the Dominions or India may obtain an advance of one month's salary before sailing on return from leave on application to the authority by whom his leave salary is paid.

47. In no circumstances will advances be made in South Africa to an officer of this Colony travelling to or from any country through the Union of South Africa unless he holds written permission for such an advance either from the Colonial Secretary, the Crown Agents or the authority referred to in the preceding Regulation.

48. An officer in the Colony who desires an advance of salary should make application to the Colonial Secretary through the head of his department stating his reasons for such request.

49. The Treasury officer at Mombasa is authorized to advance up to half a month's salary to an officer arriving in the Colony on first appointment or from leave, to be recovered from his salary payable at the end of the same month.

50. An officer will be allowed to remit through the Crown Agents for the Colonies in equal monthly instalments a portion of his salary for the support of members of his

family. The sums thus remitted will not, as a rule, exceed half his salary in any one year, but in exceptional cases, the Governor may authorize remittances in excess of half salary. Duty pay or other allowances will not be included for the purpose of calculating the maximum amount of the remittances. Life insurance premia may be remitted by drafts on the Crown Agents.

51. All local applications in respect of family remittances should be made to the Treasurer who will make the necessary arrangements with the Crown Agents. Family remittances are not payable by the Crown Agents during any period of an officer's leave in England.

52. No acting allowance will be paid to an officer acting in any post in the Local Civil Service.

53. Additional remuneration for overtime or extraneous services will only be granted with the approval of the Governor and then only in exceptional circumstances and in respect of duties in addition to and absolutely distinct from those contemplated in a particular officer's substantive appointment. This Regulation is not intended to vary the procedure in departments where the rates for overtime work accorded to certain staff have been prescribed with the concurrence of the Secretary of State.

54. Uniform allowances have been authorized for the following posts:—

Government House:
Chauffeur-Mechanic.

Customs Department:
Inspector, Preventive Service,
Examining Officers.

Medical Department:
Nursing Sisters,
Matron, Mental Hospital,
Assistant Matron, Mental Hospital,
Superintendent, Infectious Diseases Hospitals.

Police Department:
Chief Inspectors,
Inspectors,
Inspector of Weights and Measures,
Assistant Inspectors,
Sergeant Instructor,
European Constables.

Prisons Department

Assistant Superintendents

Chief Officers

Technical Instructors

Officers who, before the revision of salaries in 1930, drew the allowance plus local allowance will continue to be paid at the higher rate.

55. An outfit allowance of Sh. 600 is payable to Nursing Sisters of the Medical Department.

56. Non-commissioned officers of the Police promoted to commissioned rank receive an outfit allowance of Sh. 400.

57. An officer, to whom an outfit allowance has been paid, will be required to refund it, if he does not take up his appointment, or if he resigns, or leaves the Service, for any reason other than mental or physical infirmity, before completing two years' residential service.

58. An increment is an increase of salary of specified amount which, provided certain conditions are satisfied, is granted at regular intervals until a maximum is reached. The conditions may be merely (as in most cases) that the work and conduct of an officer during the past year (or other incremental period) have been satisfactory. But there may be a further condition, viz., that an officer must obtain an efficiency bar certificate or some other specified qualification, or there may be some special condition imposed after due notice has been given by the Government, such as passing of a language test or other examination.

59. When for any reason it is decided not to grant an increment on the date it is due, the following alternatives may be adopted:

(a) The increment may be withheld.

(b) The increment may be deferred.

(c) The increment may be stopped.

An increment "withheld" means that an officer not having qualified for an increment on the due date cannot receive his increment on that date, and the increment must be withheld until the officer has fulfilled the necessary conditions to qualify therefor. For example, an officer on the scale £500 by £25 to £550 per annum, who is due to receive his first increment on the 1st January, 1931, but does not pass some necessary test until the 1st June, 1931, would not be permitted to draw salary at the rate of £525 per annum

until the 1st June, 1931. His second increment, making his salary £550 per annum, would be due on the 1st January, 1932, and would be granted as from that date, subject to a certificate of satisfactory work and conduct and the passing of any examinations or tests laid down. The officer would thus revert to his original incremental date.

If the officer does not succeed in passing the necessary test before the 1st January, 1932, on subsequently passing he would ordinarily be granted one increment only. In an exceptional case, however, and with the approval of the Governor, on qualifying he might be given a double increment or such increments as would bring his salary to that point in his scale which he would have reached had his increments not been withheld.

An increment "deferred" means that the head of department is unable to grant the increment when due, and defers consideration thereof *pro tem*. If and when the increment is granted it may be given with retrospective effect as from the date on which it was first due, or it may be treated as increment withheld. In either case, the officer would subsequently revert to his original incremental date.

An increment "stopped" means that an officer cannot be considered for the grant of an increment until another year (an incremental earning period) has been served. For example, an officer on the scale £500 by £25 to £680 is due for his first increment on the 1st January, 1931, but the increment is stopped for disciplinary or other reasons. He would not qualify for an increment until the 1st January, 1932. Ordinarily on that date he would be given only one increment, but he might, in an exceptional case, and with the approval of the Governor, be given a double increment, so as to receive the same salary in 1932 as he would have received had he normally been granted his increment due in 1931.

60. Increments should not be withheld by heads of departments unless an officer has already been warned in writing that such a course is meditated.

61. The head of department must satisfy himself that the officer concerned has discharged his duties satisfactorily in every way before verifying that he has earned his increment. In no case may an increment be granted unless a certificate is attached to the pay sheet in which such increment is first inserted.

62. The rate of salary of an officer who is promoted or placed on a different scale of salary is governed by section 59 of the Colonial Regulations.

In case of doubt as to the interpretation of this Regulation in any particular instance reference should be made to the Treasurer.

63. In certain scales of salary there are efficiency bars on reaching which an officer cannot receive further increments until he has been promoted to the higher part of the scale with the sanction of the Colonial Secretary.

An efficiency bar is not an automatic step in an officer's advancement, but rather a limitation thereto unless the requisite standard of work, conduct and qualifications has been attained.

In submitting recommendations for the passing of an efficiency bar, heads of departments should satisfy themselves that the officer recommended is—

- (a) efficient and in possession of the requisite qualifications;
- (b) zealous in all branches of his work;
- (c) a credit to his department in all respects.

The stage at which an officer should be regarded as having passed to the higher scale is when he receives the increment next beyond an efficiency bar point.

CHAPTER III.

DISCIPLINE.

73. Officers are required to discharge any duties upon which the Governor may think it desirable to employ them.

74. Officers whose remuneration is fixed on the assumption that their whole time is at the disposal of the Government are prohibited from engaging in trade, or employing themselves in any commercial or agricultural undertaking.

75. The chief consideration in deciding whether or no private employment may be undertaken by officers should be—

- (1) Are there in the Colony, or reasonably available, private individuals capable of undertaking the particular work concerned?
- (2) Is it in the general public interest that an officer should be allowed to take private employment in any particular case?
- (3) Is the grant of the privilege in a particular case likely to lead to a claim for similar treatment from other officers who are equally qualified for the employment, but to whom it might not be desirable to accord the privilege?

76. All officers, whether or not their whole time is at the disposal of the Government, are prohibited from directly or indirectly making or holding any local investment, speculating in the shares of, or being connected with any company, occupation or undertaking which might bring their private interests into real or apparent conflict with their public duties, or in any way influence them in the discharge of their duties. In all cases of doubt as to the application of this regulation an officer is required to submit the case for the Governor's decision.

77. The relaxation of the rules laid down in Regulation No. 76 above, has been authorized in particular cases, subject to the following safeguards:—

- (i) Previous permission of the Governor in Council is necessary in all cases.
- (ii) Full particulars of the transactions must be disclosed.
- (iii) The Secretary of State will be notified of the name of the applicant and the nature of the pecuniary interest, together with the Governor's decision.

This concession applicable to holdings in land and the position, area and purchase price must be stated.

Mining interests and interests of a commercial and speculative nature cannot be regarded as being within the scope of the concession.

78. Regulation 76 applies not only to officers themselves but to their wives, and officers will be held responsible for its observance by them. The practice of registering a mortgage, for example, in the name of the wife of an officer without the Governor's permission is a direct violation of the regulation, and disciplinary action will be taken in any case which is brought to the Governor's notice.

79. No officer on leave of absence may accept any paid employment without previously obtaining the express sanction of the Secretary of State or, if his leave is spent in the Colony, of the Governor.

80. No officer may undertake any private agency in any matter connected with the exercise of his public duties.

81. Without the express permission of the Secretary of State or of the Governor, an officer may not act as the editor of any newspaper, or take part directly or indirectly in the management thereof, nor contribute anonymously thereto, nor publish in any manner anything which may be properly regarded as of a political or administrative nature.

He may, however, publish signed articles upon subjects of a general interest.

82. No officer, whether on duty or on leave of absence, is to allow himself to be interviewed on questions of public policy or on matter affecting the defence or military resources of any British possession.

83. Officers are entitled to their own views in matters of politics, but any public expression of these views is liable to violate the spirit, if not the actual letter, of Regulations 81 and 82.

Officers should accordingly confine themselves to recording their votes at the ballot and in no case publicly to indicate their support of a particular candidate or policy, either by signing nomination papers or in any other manner, such as making speeches or joining in demonstrations in favour of any political person, party or propaganda.

84. Officers are prohibited from receiving valuable presents (other than the ordinary gifts of personal friends) whether in the shape of money, goods, free passages or other personal benefits, and from giving such presents.

This regulation applies not only to the officers themselves, but also to their families, and officers will be held responsible for its observance by their families. It is not intended to apply to cases of remuneration for special services rendered and paid for with the consent of Government. This regulation may be relaxed upon an officer's final departure from the service of the Colony, but only with the special permission of the Secretary of State previously obtained. Such relaxations are, however, intended to be exceptional.

85. Officers who subscribe or organize subscriptions towards a present to another officer without having received the previous permission of the Secretary of State are committing a breach of Regulation No. 84 and the Secretary of State will not grant such permission unless the circumstances are fully explained to him in a despatch in time for a reply to be sent by mail. It is also generally desirable that the amount of individual contributions should be limited to a fixed maximum.

Money which has been subscribed with a view to marking approbation of an officer's conduct may be devoted to some public purpose and connected with the name of the person who has merited such a proof of general esteem.

86. Presents from rulers, chiefs, or other members of the population in or neighbouring to the Colony, which cannot be refused without giving offence, will be handed over to Government.

When presents are exchanged between Governors or other officers acting on behalf of the Colonial Government in ceremonial intercourse with rulers, chiefs, or others, the presents received will be handed over to Government and any return presents will be given at Government expense.

87. Any officer who is absent from the Colony without leave will be held thereby to have vacated his office.

88. An officer of the Established Service may be dismissed by the Governor provided that in every case where the officer has not been convicted of a criminal charge the grounds of intended dismissal are definitely stated in writing and communicated to the officer in order that he may have

full opportunity of exculpating himself. If in the opinion of the Governor the officer fails to exculpate himself an investigation shall be made into the charges in such manner as the Governor may direct.

If as a result of such investigation the Governor is of opinion that the allegations are proved, he may inflict such punishment upon the officer by way of dismissal or lesser punishment as may seem to him just.

This regulation is without prejudice to the under-mentioned regulations providing for the summary punishment of officers by the Governor or the head of a department:

The Departmental Offences Ordinance, No. 45 of 1928.

The King's African Rifles Ordinance, No. 31 of 1930.

The Prisons Ordinance, No. 37 of 1930.

The Police Ordinance, No. 64 of 1930.

89. Notwithstanding the above provisions, if the Governor considers that any such officer should be removed from the service on grounds of general inefficiency, he must call for a full report from the heads of the departments in which the officer has served; and, if satisfied after considering that report that it is necessary in the interests of the public service, he may remove the officer. In every such case the question of pension will be dealt with under the laws or regulations of the Colony.

90. If in any case the Governor considers that the interests of the public service require that an officer should cease to exercise the powers and functions of his office instantly, he may interdict the officer from the exercise of the powers and functions of his office provided that proceedings for his dismissal are being taken or are about to be taken, or that criminal proceedings are being instituted against him. An officer who has been interdicted shall, unless and until he is suspended, be allowed to receive such proportion of the salary of his office, not being less than one-half, as the Governor shall think fit. If the proceedings against any such officer do not result in the dismissal or other punishment of the officer, he will be entitled to the full amount of salary which he would have received if he had not been interdicted.

91. If an officer is convicted on a criminal charge the Governor may cause the proceedings of the criminal court on such charge to be considered in Executive Council, and if he is of opinion that the officer should be dismissed or

subjected to some lesser penalty on account of the offence for which he has been convicted the officer may thereupon be dismissed or otherwise punished.

92. An officer convicted on a criminal charge shall not receive any salary from the date of conviction, pending consideration of his case by the Governor.

93. An officer acquitted of a criminal charge shall not be dismissed on any charge upon which he has been acquitted, but nothing in this regulation shall prevent his being dismissed or otherwise punished on any other charges arising out of his conduct in the matter, provided that they do not raise substantially the same issues as those on which he has been acquitted; and the Governor if he thinks fit may take the usual proceedings for the purpose.

94. An officer who is under suspension or interdiction may not leave the Colony during the interval before he is reinstated or dismissed, without the leave of the Governor.

95. Before pecuniary consideration is given to the impairment of the efficiency of an officer and whether this is valuable than he would otherwise be.

Such embarrassment affects the respectability of the Service and the trustworthiness of the individual and may be held to be a bar to promotion or increment.

The mere fact, under whatever plea, of becoming a party to accommodation bills or promissory notes, whether for his own purpose or for another person will be regarded in the same light.

96. The Registrars of the Supreme Court and Magistrates will report to the Governor every case in which proceedings are taken against any officer in bankruptcy, and every case in which an officer becomes a judgment debtor, and will send copies of every such report to the Colonial Secretary and to the head of the department in which the officer is employed.

97. Heads of departments will, within one month from the date of the receipt of the report referred to in the last preceding regulation, transmit their observations upon each individual case of indebtedness to the Governor and to the Colonial Secretary. Such observations should indicate also whether in the opinion of the head of the department any disciplinary action is called for against the officer concerned and if so, of what nature.

98. The removal of stamps from official documents is prohibited and any officer offending against this rule will be liable to such disciplinary action as the Governor may consider desirable.

The removal of stamps from documents with intent to defraud is a criminal offence and officers responsible for the safe custody of official documents should take the necessary precautions to see that there is no possibility of removal of any stamps from such documents.

99. In cases where an officer wishes to dispose of any of his personal property or effects by sale to the Government, the sanction of the Governor must be first obtained to the transaction, and only in very special cases will sanction be accorded. Officers are not permitted to dispose of any of their personal property or effects by sale to natives in native reserves.

100. Any officer selling or distributing lottery tickets or coupons to natives renders himself liable to dismissal.

101. The extent to which officers may be permitted to express their opinion of the actions of a friendly foreign Government must necessarily be governed by the extent to which such expression may be likely to embarrass the British Government in its relations with the foreign power.

Civil servants hold their offices at the pleasure of the Crown, and, whilst it is not desired to interfere with their liberty of free speech, any lack of discretion likely to embarrass Government may result in serious consequences for the individual responsible.

CHAPTER IV

LEAVE.

111. All leave is subject to the exigencies of the Service. An officer may not demand as a right to be granted leave.

112. Leave will be divided into two classes:—

- (a) Local leave.
- (b) Vacation leave.

Local leave shall be granted by the head of department at the rate of eighteen days in every calendar year of residential service but cannot be accumulated. On first appointment such leave should not be granted before an officer has completed six months' residential service. Local leave may be taken in conjunction with vacation leave. Only the most exceptional circumstances will be allowed to interfere with the grant of local leave.

113. In very special circumstances the Governor may extend local leave with full pay on the understanding that any such extension will entail reduction of equal length in the vacation leave granted to an officer.

114. Subject to the exigencies of the Service an officer serving in a probationary capacity or in the Established Service may be granted twenty-eight days' vacation leave for each year's residential service in a healthy station. Proportionate leave may be granted at the rate of seven days for each completed three months' service.

115. In the case of officers serving in an unhealthy station two and a half months' service will be reckoned as three months' service in a healthy station.

116. Vacation leave may be accumulated up to six months.

117. No vacation leave will be granted for service in the learner grade.

118. Temporary service, if followed without a break by probationary service, may be counted for vacation leave with the approval of the Colonial Secretary.

119. The following stations are classified as unhealthy:—
All stations in the Coast, Northern Frontier and Turkan Provinces, and the districts of North, Central, and South Kavirondo.

In the Ukamba Province: Kitui, Voi and Teita.

In the Kikuyu Province: Fort Hall and Thika.

In the Nzoia Province : Marakwet and Tambach.
In the Rift Valley Province : Kabarnet.

120. Deferred leave is vacation leave already earned and carried forward on return to duty after taking any portion of vacation leave.

121. An officer proceeding on leave to Europe must immediately report his arrival to the Crown Agents and the Colonial Secretary, Nairobi, on the forms attached to his last pay certificate, subsequently notifying any change of address.

122. An officer proceeding on leave elsewhere will report to the Colonial Secretary, Nairobi. If a communication to an officer at the address given fails to reach him promptly he will be held responsible for any inconvenience that may be caused.

123. Application for vacation leave will be made through the head of department to the Colonial Secretary on the form laid down in Appendix 9 of the Code of Regulations.

124. Special attention is drawn to the necessity for an officer not re-engaged through the Crown Agents to enter into the prescribed agreements in respect of passage prior to his departing.

125. If an officer is proceeding on leave overseas it is his duty to make his application for leave in sufficient time to enable arrangements to be made for his passage. Applications for accommodation on ships sailing between January and June should be submitted nine months in advance and in the case of sailings between July and December at least six months' notice should be given to the Government Coast Agent. Provisional booking can always be arranged if the date of departure is uncertain.

126. When an officer is absent from duty owing to illness not caused by his own neglect or misconduct he may be granted full pay up to a maximum period of three months' absence in any one period of twelve months of residential service; half salary may be granted thereafter up to a maximum period of three months. The period during which an officer is actually under treatment will be covered by a certificate from a Government medical officer but local sick leave necessary for the purpose of recuperation after illness will require a recommendation from a medical officer, confirmed by the Director of Medical and Sanitary Services. All absence from duty, whether owing to illness or convalescence, will be classed as local sick leave.

127. When an officer is granted local sick leave, the medical officer who furnishes the certificate on which the sick leave is granted should state thereon the destination to which he recommends the invalid should proceed.

128. Should illness be caused through the officer's own impropriety of conduct his full salary may be forfeited for the whole period of absence from duty.

129. Vacation leave may be extended with full salary on the grounds of ill health for any period not exceeding six calendar months, and if necessary for a further period of six months with half salary.

130. The period of any sick leave spent outside the Colony will ordinarily be deducted from any vacation leave already earned.

131. Any extension of leave, however short, which may be granted on any other grounds than those of ill-health will be deducted from any period of vacation leave for which the officer may become eligible after his return to duty.

132. Every officer at least a fortnight before proceeding on leave to England, will present himself for examination to the medical officer at his station. If he is unable to do this he will make arrangements for the examination to take place before he sails. At such examination he must be prepared to give full information as to any ailments from which he may have suffered and medical treatment which he may have received during his term of service. The medical officer will furnish the officer examined with a paper of advice in the proper form, which will contain directions as to the precautions he should take during the voyage home and after arrival in the United Kingdom, and also an expression of opinion as to the necessity or otherwise of his being seen by one of the medical advisers to the Colonial Office. Immediately after the examination the medical officer will himself post a certificate in the approved form direct to the Colonial Office, so that it will arrive in England by the same steamer as the officer examined. One copy of the certificate will be sent to the Secretariat. Officers after presenting themselves for medical examination should obtain from the medical officer a certificate to the effect that they have been examined according to the Colonial Office instructions, without which they will be unable to obtain their steamer tickets, or passage money from the Government Coast Agent. All officers on being informed departmentally that their leave is sanctioned should be warned of this regulation.

CHAPTER V.

PASSAGES.

142. An officer proceeding to England from the Colony should communicate with the Government Coast Agent through his department as to the booking of passages, giving, whenever necessary, full particulars as to class and grade of accommodation required; also children's ages (at time of proposed sailing date) and sex, together with information as to whether return or single passage tickets are required for his wife and family.

143. Passage tickets for all officers will be supplied by the Government Coast Agent, who will arrange payment making any necessary recoveries from the officers concerned.

144. Where any doubt exists as to whether it will be possible to grant leave to an officer on the date contemplated, provisional bookings should be made and confirmed at the first opportunity, not less than twenty days prior to the date of sailing. Once a booking has been confirmed, cancellation should only take place on grounds of extreme urgency, and in the event of a late booking or cancellation being necessary the Government Coast Agent should be notified by telegram which should be followed by a confirming letter.

145. In the event of a passage being cancelled to suit the convenience of an officer, Government will not be liable for any expense incurred thereby.

146. Return tickets must be taken when an officer is returning for further service irrespective of the grade, class or route in which the homeward passage is made; the return portion in the first instance must be taken in that grade or class only to which an officer is entitled. Any adjustment which it is desired to make is a matter for arrangement between the officer concerned and the Crown Agents whilst the officer is on leave in England.

This regulation does not apply to return tickets taken for the wife and/or family of an officer when the return portion is issued in accordance with the wishes of the officer concerned. The cost of return passage tickets for the wife and/or family of an officer must be paid for before the officer leaves the Colony.

147. Any extra expenditure on passages incurred by extension of leave or other cause, except on public grounds, will be at the charge of the officer concerned.

148. The accommodation for which officers will be considered eligible is on the following basis:—

- (i) Officers drawing over £450 per annum at the date of sailing; second class British India Line or B5, Union Castle Line.
- (ii) Officers drawing over £300 per annum and not more than £450 per annum; second class British India Line or B6 Union Castle Line.
- (iii) Officers drawing £300 per annum and under; third class Union Castle Line or second class British India Line.

149. Officers will be expected to travel by British lines unless they have received permission to the contrary when the passage allowance will be based on British India Line rates except in cases under (iii) above when the allowance will be based on Union Castle Line rates.

150. For each year of residential service except in the learner grade, an officer will be considered to have earned 25 per cent of the cost of a return passage to the port nearest which his leave is to be spent by direct route and by the class to which he is eligible to travel up to the cost of a passage to London by the all-sea route, provided he is returning for further service.

151. No funds towards passages will be granted to an officer for less than two years' residential service.

152. No family passage allowance will be granted but an officer will be allowed to travel by a lower grade or class than that to which he is eligible and apply the savings towards the cost of family passages, and subject to medical fitness will be allowed to accumulate passage money for service beyond four years so as to provide towards the cost of family passages.

153. Passage privileges can in no case be converted into cash.

154. When a cash advance is made to an officer by Government or by the Crown Agents in respect of a passage, whether intended to cover the whole or part of a journey the amount so advanced is to be accounted for by the officer, who if called upon to do so, shall furnish supporting vouchers to the proper authority.

CHAPTER VI.

MEDICAL.

155. Savings realized on a passage in either direction may not be utilised towards the cost of a passage in the other direction. If an officer proceeding to England is provided with a return passage voucher, the "savings" in respect of the journey in either direction will be regarded as the difference between half the cost of a return passage by the class by which he travels and half the cost of a return passage by the class by which he is entitled to travel.

156. In the event of a married officer dying in the Colony, single passages, with appropriate transport privileges within the Colony, may be granted to his widow and family by the class to which the deceased officer would have been entitled.

166. Regular medical examination of officers will take place at such periods of time as the Director of Medical and Sanitary Services may consider desirable.

167. Medical examination of local candidates for appointments will be carried out at the General Dispensary, Nairobi, between the hours of 9.30 a.m. and 11 a.m.

The medical certificate should include a statement that the candidate is not in need of dental treatment.

168. All officers other than those on temporary month-to-month appointments are entitled to free medical attendance by the medical staff in respect of themselves, but not in respect of members of their families or their servants.

Operations upon an officer will be performed free, provided that they are not necessitated by his own indiscretion.

169. The cost of any treatment which the Government medical service is unable to provide will be borne by the officer concerned. In cases, however, where such treatment is necessary and expensive the grant of *ex gratia* assistance may be considered. Expert radiological examinations or treatment would be included under this heading.

170. A charge will be made for medical appliances and medical comforts as distinguished from medicines, which latter will be supplied free of charge.

171. Prescriptions are made up at the Government Dispensary at any time during office hours. Prescriptions marked "urgent" by a medical officer will be dispensed at all hours.

Prescriptions should be accompanied by suitable bottles, as these are not usually supplied by the Medical Department.

Repeat prescriptions should be initiated by a medical officer.

172. The form of medical certificate to be used in the case of officers reporting sick is shown in Appendix 10 of the Code of Regulations.

A certificate furnished by a private practitioner should be countersigned by a Government medical officer.

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173. All officers in Nairobi, Mombasa or Kisumu requiring medical attention will arrange for an appointment with the medical officer in charge of the European Hospital between the hours of 9 a.m. and 11 a.m.

174. The medical officer will have absolute discretion to order a patient into hospital.

175. Hospital fees on the following scale will be chargeable for an officer lodged in a European hospital:

	<i>Per diem.</i>
	<i>Sh.</i>
Officers drawing salaries of £300 per annum and under	4
Officers drawing salaries of £500 per annum and under	6
Officers drawing salaries of £700 per annum and under	8
Officers drawing salaries over £700	10

In the event of an officer failing to pay his hospital bill on discharge, an account will be submitted to the Treasury, and the sum deducted from the officer's salary.

176. If an officer falls ill so as to require medical attendance during the voyage home or during his leave of absence and remains ill for a week, he is required to report the fact to the Colonial Office, and at the same time forward a certificate from his medical attendant, stating the nature of the illness, and, if possible, its probable duration.

177. When an officer on leave is directed to present himself for examination by a consulting physician to the Colonial Office or any other medical authority in England or elsewhere, the fee will be paid by Government.

CHAPTER VII.

LOCAL TRANSPORT AND TRAVELLING.

187. Privileges in accordance with the various rules and scales which follow may be granted to an officer travelling in the Colony on duty, first appointment, leave and transfer.

188. In addition to these privileges, an officer on first appointment or vacation leave may be granted transport for his wife and children accompanying him or following him to his station, the class of accommodation being the same as that granted to the officer himself, but the combined allowance of transport of luggage of an officer and his wife and children must not exceed the allowance of the officer himself. Such transport for an officer's wife and children will only be granted provided an officer takes not less than 28 days' vacation leave at any one time, and once only for each time an officer is transferred.

189. An officer who is granted free transport on vacation leave will be allowed to break his journey either forward or return, at intermediate stations or ports. The journey must be completed before the expiration of the period for which the ticket is available, and the route must not be travelled over more than once in the same direction.

190. An officer transferred from one station to another within the Colony will ordinarily be allowed free transport at Government expense up to a maximum of two tons, subject in every case to a certificate that such luggage contains no provisions or perishable goods.

Expenditure incurred under this Regulation is subject to challenge by the Treasurer, and the scale is liable to modification at any time. No claim in respect of luggage transported on local transfer in excess of the scale laid down will be entertained.

An officer on transfer will be allowed to include his luggage on a railway warrant up to the weight stated above.

191. No transport privileges at Government expense will be granted to officers travelling on local leave, but in such cases they will be granted concessionary tickets at a single fare for the double journey for themselves, their wives and minor children living with and dependent on their parents, but not for servants.

The concession is granted once only in each calendar year, and the return ticket will be available for one month between any two stations or ports on the Kenya and Uganda Railways and Harbours Services.

The holder of a ticket granted under this concession is entitled to break his journey, either forward or return, at intermediate stations or ports. The journey must be completed before the expiration of the period for which the ticket is available, and the route must not be travelled over more than once in the same direction.

An officer who desires to avail himself of this privilege on local leave should present at the railway booking office prior to the commencement of the journey a certificate from the head of his department, a specimen form of which is shown as Appendix 13, Code of Regulations.

192. An officer granted local sick leave after a period of illness, not caused by his own neglect or misconduct, may be granted free transport within the Colony in accordance with the scale laid down in Regulation 194, and railway and steamer accommodation to and from the place at which such leave is to be spent, of the class by which he is entitled to travel. Family transport will only be granted on the specific recommendation of a medical officer that it is essential that the wife should accompany the officer.

All expenses in connexion with the transport of an officer during illness or on sick leave will be met from the travelling vote of his own department.

The medical certificate must be attached to the railway warrant or to the relative voucher.

193. An officer requiring dental treatment may likewise be granted free transport within the Colony for himself, but not for his family, provided that he obtains a certificate signed by a dental surgeon to the effect that dental treatment was necessary and has been rendered.

194. Privileges in accordance with the following scale may be granted to an officer travelling on the Kenya and Uganda Railways and Harbours Services:—

First appointment or leave : 800 lb.

Travelling on official duty or sick leave—

(a) On journeys by rail only : 120 lb.

- (b) On journeys including also *sajaris*, the authorized number of loads for *sajaris*.
- (f) When the use of camp equipment is necessary to enable an officer travelling by rail and road to reach his destination, luggage, to the amount authorized for wheeled transport, vide Regulation 196, may be granted.
- (ii) The amount carried free on each ticket by the Railway is additional to the allowance laid down in the preceding Regulations.
- (iii) First class accommodation may be provided for all officers on lake steamers and certain coasting steamers.
- (iv) No servants' tickets will be allowed.

195. An officer traveling on duty who wishes to be accompanied by members of his family may be granted the same reduction on the fares for his family as is given by the Railway Administration on the fares of Government passengers.

This concession will only be available in regard to journeys accounted for by railway warrant.

The railway warrant must show separate provision for the officer's fare and that of his family, and before the warrant is issued the price of the family fare must be paid and a note made on the warrant that this payment has been made.

196. Privileges in accordance with the following scale may be granted to an officer travelling by road in the Colony:—

	Porters,	By wheeled
	including Headmen,	transport
First appointment or leave	35	1,449 lb.
On tour of official duty or sick leave	21	840 lb.

(a) The above allowances of porters are inclusive of all the camp equipment, tents and personal effects of the officer himself, his servants, his porters and his horse or mule, if any, also of his dispatch box and office furniture.

(b) Extra porters may be allowed for police escort, when required, at the rate of one porter to every three men or fraction thereof for equipment, horse, etc., and an extra porter for one tent for every six men.

197. Camp equipment on the following scale may be granted to an officer travelling on duty in the Colony:

- 1 tent, 7 ft. by 6 ft., with groundsheet, verandah and bathroom.
- 1 servant's tent.
- 1 chair.
- 1 table.
- 1 camp bed, with mattress and mosquito net.

198. (a) Where an officer travelling on duty is obliged to stay at an hotel or club, the normal tariff for board and lodging will be refunded, if supported by vouchers, up to a maximum charge of Sh. 15 per night.

(b) When an officer is travelling by train on duty or is proceeding on or returning from overseas leave, expenses in respect of meals and/or bedding will be refunded, if supported by vouchers, up to a maximum charge of Sh. 5 per night.

199. Stock inspectors, other than those posted to the Northern Frontier Province, receive no travelling allowances when travelling within the districts in which they are stationed.

200. Travelling allowance is not admissible where a passage with food is provided at Government expense.

201. Advances for purchase of motor cars.

(a) In cases in which the performance of an officer's duties can best be facilitated by the use of a motor vehicle, Government is prepared to make an advance upon the recommendation of the head of the officer's department to the Treasurer, towards the cost of the requisite vehicle. The officer will be required to pay ten per cent of the cost of the vehicle, and the amount of the Government advance must not exceed £100 in the case of a motor car; £150 in the case of a motor cycle and sidecar, or £100 in the case of a solo motor cycle. In the case of motor cars, the concession will apply ordinarily to an officer in receipt of a salary of £500 per annum or over. In no case will an advance of more than half of the annual salary of the officer be made, but he may be advanced in addition the amount required to pay for an insurance policy covering the period during which the advance is outstanding. Applications for advances should be submitted on the form set out in Appendix 14, Code of Regulations.

(b) In making a recommendation to the Treasurer under the preceding sub-paragraph, heads of departments must certify in each case that the officer is required to undertake travelling in the course of his duties, and that such travelling can most advantageously be done by motor transport of the type and grade specified in the recommendation.

(c) No officer who is in possession of a motor vehicle purchased with Government assistance may debit against the relative travelling vote the cost of hiring any motor vehicle for his own transport without the previous consent of the head of his department.

(d) An officer who is granted an advance for the purchase of a motor cycle may, if he wishes, purchase instead a motor car, and although he will ordinarily be allowed to draw only the allowance allotted to motor cycles, he may be permitted to draw motor car allowance should he have occasion to perform a journey for which a motor car is necessary. The necessity must be clearly shown on the voucher on which the allowance is drawn.

(e) An officer in possession of a privately purchased motor vehicle may, when it is recommended to the Treasurer by the head of the department concerned, draw the appropriate allowance when travelling on duty.

(f) A purchaser of a motor vehicle under sub-paragraph (a) above shall enter into an agreement with the Treasurer in form of Appendix 15, Code of Regulations.

202. An officer who desires to purchase a motor vehicle in England and who is about to proceed on or is on leave in England may, after prior reference to the Treasurer through the head of his department, obtain an advance up to the amount mentioned in Regulation 201 above from the Crown Agents for the Colonies for the purpose of purchasing a motor vehicle manufactured in Great Britain or elsewhere within the Empire to be imported into Kenya, and subject to his entering into the agreement detailed in Appendix 16, Code of Regulations. Application for this advance must be submitted before an officer proceeds on leave, through the head of his department to the Treasurer, who, if sanction is given to the purchase, will advise the Crown Agents.

203. An officer will be allowed to repay an advance thus granted in twenty-four equal and successive monthly instalments; payments will be continued during absence from the Colony if the advance has not been adjusted prior to the officer's departure.

Whenever an officer obtains an advance, whether in the Colony or in England, under the Government scheme, the first instalment in repayment will be recovered from the first completed month's salary after the vehicle has been delivered.

204. Allowances to cover running expenses and depreciation will be given in respect of journeys on Government service, according to the rates prescribed in the next paragraph. The rates so prescribed are liable to variation at any time at the discretion of Government.

205. Until further notice, the following allowances will be paid in respect of journeys undertaken on Government service:

- (a) For motor cars 55 cents per mile.
- (b) For motor cars in the Northern Frontier and Turkana Provinces 70 cents per mile.
- (c) For motor cycles with sidcar 25 cents per mile.
- (d) For motor cycles without sidcar 30 cents per mile.

206. Claims in respect of journeys which do not exceed five miles in distance, measured out and back to claimant's normal place of work, will be left to the discretion of heads of departments or Provincial Commissioners for adjustment, either by way of payment at the rates indicated in Regulation 204 for specified journeys, or by means of commuted allowances if circumstances so justify, subject to the proviso that the claimant has been authorized in the past by the Colonial Secretary to draw a commuted allowance.

207. Allowances will not be payable in respect of journeys between an officer's house and his office.

208. No allowance or payments will be made for stores or labour used on the motor vehicles, renewals, breakdowns, depreciation or any other expenses or charges in connexion with the motor vehicle incurred by the officer, but in the case of an officer drawing the rate laid down in Regulation 205 special claims may be made for major damages, which are not covered by the requisite insurance policies, which arise directly from necessary journeys on duty and which are not due to negligence or to carelessness. Claims of this nature should be

investigated by the head of the officer's department. If he considers the claim reasonable he may refer it to the Treasurer, who has authority to make settlement from the relative travelling vote of the department or province concerned.

The mileage rates payable on all vehicles are based on the cost of running these vehicles fully loaded. No additional allowances will be payable for the conveyance of passengers.

209. An officer entitled to draw car allowance, who may be sent subsequently to a station where the holder of his office has been granted sanction by the head of the department to use a motor cycle or public business and not a motor car, will be allowed to draw the allowance provided for a motor car, if he uses his car instead of a motor cycle, for so long as he continues to own that car.

210. Every officer claiming allowance for the use of a State aided or privately owned motor vehicle shall furnish a certificate on the form appended in Appendix 17, Code of Regulations, in duplicate, to the head of his department or Provincial Commissioner with vouchers, who will, if he allows the claim, endorse it to the Treasurer. Claims in this respect will be submitted monthly. In this connexion, see Regulation 212.

211. It is to be clearly understood that the use of a motor conveyance on Government service is intended to be an economy of time and money.

The mileage traversed on Government service by an officer entitled to an allowance will be limited by the sanctioned provision for allowance in the several votes, and heads of departments will be responsible for this allocation not being exceeded.

212. Officers are expected to exercise every economy, and are warned that they must be prepared to defend the necessity of a journey for which allowance is claimed on its necessity being challenged by the head of the department or the Treasurer.

Several officers should arrange to travel together where this is feasible. Where a journey could be performed by train the railway should be used, unless travelling by motor car would better serve the interests of Government.

213. An officer using a motor vehicle under the conditions of these Regulations may be granted free transport for one motor vehicle when travelling on duty, transfer or new

appointment, provided that the head of his department is satisfied that it is in the interests of Government that the vehicle should be taken. The justification must be clearly shown on the voucher. In the case of an officer, whose duties can best be facilitated by the use of a motor vehicle, purchasing such vehicle at a place other than his own station, Government will, once in each tour of service, defray the cost of transport of a vehicle of the type and grade authorized, from the place of purchase, if this is within the Colony, or from Mombasa if the vehicle is purchased outside the Colony, to the nearest railway station to his post, provided that it is impracticable to use the vehicle for the journey in question.

Free transport for a horse, mule or bicycle may be granted under similar conditions.

214. (a) The Crown Agents for the Colonies will purchase a British-made motor vehicle in England for an officer on duty in Kenya.

(b) Arrangements have been made for the Government Coast Agent to clear as well as forward all motor vehicles consigned to Kenya officers by the Crown Agents.

(c) Customs duty and landing charges will be paid by the Government Coast Agent, who will debit those charges to the private account of the officer concerned.

(d) The above charges will be added to any sums already advanced to the officer for the initial cost of the machine, packing, insurance, shipping (freight, etc.), and recovery of the total debt will be effected by the Treasury through salary vouchers in the usual manner.

215. If the need arises for hiring a car for an official journey an officer may hire a car from certain firms and individuals on favourable terms. A register of firms or individuals who have expressed their willingness to accept the special terms is kept by the Central Tender Board.

216. The class of vehicle to be used, weight to be carried, the charge per mile, and waiting charges, will be as notified from time to time.

217. Bicycle allowance at the rate of Sh. 7 per month may be sanctioned by the head of his department at his discretion for an officer who certifies that he has kept a bicycle for the period for which the allowance is claimed, and that it was in good order and available for Government service. Such allowance will be chargeable to the departmental local travelling votes.

CHAPTER VIII.

MISCELLANEOUS.

227. No free quarters or allowance in lieu will ordinarily be granted to officers of the Local Civil Service, except that in cases where, owing to special duties, an officer has to occupy Government quarters at or adjoining particular institutions, such quarters may be regarded as part of the officer's emoluments.

228. In out-stations where no quarters other than Government quarters are available, such houses will be rented to an officer, either on a rental basis calculated administratively on the value of such house, or on the basis of 15 per cent of the officer's salary, whichever is the less.

229. No officer will be compelled to rent Government quarters except in places where no other quarters are available.

230. (a) Arrangements have been made for storing the effects of an officer whilst on vacation leave in a special building in the Public Works Department yard at Nairobi. The space available is not as a rule adequate for storing an officer's furniture.

(b) Applications for this concession, giving full details of the space required, must be addressed to the Chief Storekeeper, Public Works Department, Nairobi, and no effects should be forwarded until notification has been received that space is available.

(c) An officer will make his own arrangements for the transport of his effects, which must be handed in to the Public Works Department between the hours of 9 a.m. and 5.30 p.m. on week days, and 9 a.m. and 11.30 a.m. on Saturdays.

231. The following conditions must be complied with:—

- (a) Effects must be securely packed, preferably in stout wooden boxes and labelled by the officer himself with his name, designation and department.
- (b) No package will be accepted without its identifying label.
- (c) No keys will be accepted.
- (d) The storekeeper may refuse to take over any article if, in his opinion, it is unsuitable for storage, on account of its condition, packing, or for any other reason.

appointment, provided that the head of his department is satisfied that it is in the interests of Government that the vehicle should be taken. The justification must be clearly shown on the voucher. In the case of an officer whose duties can best be facilitated by the use of a motor vehicle, purchasing such vehicle at a place other than his own station, Government will, once in each tour of service, defray the cost of transport of a vehicle of the type and grade authorized, from the place of purchase, if that is within the Colony, or from Mombasa if the vehicle is purchased outside the Colony, to the nearest railway station to his post, provided that it is impracticable to use the vehicle for the journey in question.

Free transport for a horse, mule or bicycle may be granted under similar conditions.

214. (a) The Crown Agents for the Colonies will purchase a second-hand motor vehicle in England for an officer on duty in Kenya.

(b) Arrangements have been made for the Government Coast Agent to clear as well as forward all motor vehicles consigned to Kenya officers by the Crown Agents.

(c) Customs duty and landing charges will be paid by the Government Coast Agent, who will debit those charges to the private account of the officer concerned.

(d) The above charges will be added to any sums already advanced to the officer for the initial cost of the machine, packing, insurance, shipping freight, etc., and recovery of the total debt will be effected by the Treasury through salary vouchers in the usual manner.

215. If the need arises for hiring a car for an official journey an officer may hire a car from certain firms and individuals on a weekly basis. A register of firms or individuals who have expressed their willingness to accept the special terms is kept by the Central Tender Board.

216. The class of vehicle to be used, weight to be carried, the charge per mile, and waiting charges, will be as notified from time to time.

217. Bicycle allowance at the rate of Sh. 2 per month may be sanctioned by the head of his department at his discretion for an officer who certifies that he has kept a bicycle for the period for which the allowance is claimed, and that it was in good order and available for Government service. Such allowance will be chargeable to the departmental local travelling notes.

CHAPTER VIII

MISCELLANEOUS

227. No free quarters or allowance in lieu will ordinarily be granted to officers of the Local Civil Service, except that in cases where, owing to special duties, an officer has to occupy Government quarters at or adjoining particular institutions, such quarters may be regarded as part of the officer's emoluments.

228. In out-stations where no quarters other than Government quarters are available, such houses will be rented to an officer, either on a rental basis calculated administratively on the value of such house, or on the basis of 15 per cent of the officer's salary, whichever is the less.

229. No officer will be compelled to rent Government quarters except in places where no other quarters are available.

230. (a) Arrangements have been made for storing the effects of an officer whilst on vacation leave in a special building in the Public Works Department yard at Nairobi. The space available is not as a rule adequate for storing an officer's furniture.

(b) Applications for this concession, giving full details of the space required, must be addressed to the Chief Storekeeper, Public Works Department, Nairobi, and no effects should be forwarded until notification has been received that space is available.

(c) An officer will make his own arrangements for the transport of his effects, which must be handed in to the Public Works Department between the hours of 9 a.m. and 1.30 p.m. on week days, and 9 a.m. and 11.30 a.m. on Saturdays.

231. The following conditions must be complied with—
 (a) Effects must be securely packed, preferably in stout wooden boxes, and labelled by the officer himself with his name, designation and department.

(b) No package will be accepted without its identifying label.

(c) No keys will be accepted.

(d) The dockkeeper may refuse to take over any article if, in his opinion it is unsuitable for storage, on account of its contents, packing, or for any other reason.

(e) In no circumstances will any explosive or inflammable article be accepted.

(f) It must be clearly understood that, while every reasonable care will be taken of these stored effects, Government will not hold itself responsible for any loss or damage.

232. The storekeeper may call upon an officer at any time to remove his effects after reasonable notice.

233. The storekeeper may refuse to hand over any package so deposited until he receives a full and sufficient discharge for the same on the counterfoil of the original receipt.

Examinations.

234. An officer of the Local Civil Service will be expected to comply with the regulations laid down from time to time governing the language and other examinations so far as any post which he holds may be affected.

235. Police constables are also required to pass a departmental examination in law before being confirmed in their appointments.

Confidential Reports.

236. Any requirements under this head will be considered administratively in consultation with the Civil Service Board.

Field service dress.

237. An officer of the Local Civil Service will be expected to comply with the regulations laid down from time to time governing the wearing of field service dress so far as any post which he holds may be affected.

238. Any officer in the Colony has the right to address the Secretary of State if he thinks proper, in which case he must transmit such communication, unsealed and in triplicate, through the head of his department and the Colonial Secretary to the Governor, requesting him to forward it in due course to the Secretary of State. Every letter, memorial or other document which may be received by the Secretary of State from a Colony otherwise than through the Governor, will be referred back to the Governor for his report.

239. Heads of departments are requested invariably to note in their letters forwarding communications to Government their own opinions and recommendations.

240. Departmental officers should communicate with the Colonial Secretary through the heads of their departments.

241. No officer is allowed to take extracts or copies of minutes and correspondence for his own purpose unless such correspondence is expressly addressed to the officer personally and is not marked "Confidential".

242. A Widows and Orphans Pension Scheme is in operation, the provisions of which are governed by Chapter 34 of the Laws of Kenya and the regulations made thereunder.

243. Government office hours are as follows:

At Nairobi: From 8.30 a.m. to 4 p.m. with an interval of one hour; on Saturdays, from 8.30 a.m. to 1 p.m.

At all other Highland stations: From 9 a.m. to 4 p.m. with an interval of one hour; on Saturdays from 9 a.m. to 1 p.m.

At the Coast and Nyanza stations, office hours will be left to the discretion of the local authorities, on the understanding that offices are to be open for not less than four hours on Saturdays and six hours on week days.

These hours are subject to the exigencies of the Service.

244. The following are gazetted public holidays:

New Year's Day.

Good Friday.

Easter Monday.

Empire Day.

The Anniversary of the Birthday of His Majesty.

The first Monday in August.

Christmas Day.

Boxing Day.

If any day gazetted as a public holiday falls on a Sunday, the day next following not being itself a public holiday shall be kept as such.

245. Heads of departments are at liberty to give leave without loss of pay to several members of their staff on the following days:

New Year (two days).

Day of Atonement (one day).

246. All officers on arrival in or departure from the Colony must report themselves to the Government's Coast Agent.

APPENDIX I (REGULATIONS)
 COLONY AND PROTECTORATE OF KENYA

LETTER OF TEMPORARY APPOINTMENT

Department

Station

Date 19

To:

Mr

You are appointed as a
 to this Department with effect from the

2. The salary attached to your post is at the rate of
 £ per annum
 consolidated, i.e. inclusive of all allowances.

3. This appointment is purely temporary and can be
 terminated by notice on either
 side or payment of equivalent salary in lieu of notice.

4. You will be liable to instant dismissal in the event
 of incompetence, misconduct or insubordination.

5. Your appointment does not entitle you to privileges of
 leave or passage or other concessions enjoyed by members
 of the permanent staff of the Service.

.....
 Head of Department.

I agree to accept the conditions specified above.

.....
 Employee.

Date 19

Copies to: Employee; Department concerned; Hon. Colonial
 Secretary and Hon. Treasurer.

APPENDIX II (REGULATIONS)
 COLONY AND PROTECTORATE OF KENYA
 LOCAL CIVIL SERVICE

LETTER OF PROBATIONARY APPOINTMENT

Department

Station

Date 19

No.

To:

Mr

You are hereby appointed as a
 on probation in this Department with effect from the

2. The salary attached to your probationary post is at
 the rate of £

3. Your probationary appointment will be subject to the
 Regulations which are at present in force or which may be
 promulgated from time to time with the approval of the
 Governor, as laid down in the Regulations governing the
 Local Civil Service.

4. On the expiry of a probationary period, you may be
 recommended for confirmation in your appointment and ad-
 mission to the Established Service of the Colony.

.....
 Head of Department.

I agree to accept the conditions specified above.

.....
 Employee.

Date 19

Copies to: Employee, Hon. Colonial Secretary and Hon.
 Treasurer.

APPENDIX III (REGULATIONS).

COLONY AND PROTECTORATE OF KENYA.

LETTER OF APPOINTMENT TO THE ESTABLISHED SERVICE.

Department

Station

Date No. 19.....

To:

Mr.

You are hereby appointed as a
 in the Established Service
 of the Local Civil Service of this Colony with effect from the
 19.....

2. The salary attached to your post is at the rate of

3. You must understand that you enter the service of
 this Colony and Protectorate subject to all Regulations affecting
 them which are now in force or which may be promulgated
 from time to time by the Government.

4. You are liable to be transferred at any time to another
 branch of the Colony and Protectorate service at the discretion
 of the Government.

Head of Department

I agree to accept the conditions specified above.

Employee

Date 19.....

Copies to: Employee, Hon. Colonial Secretary and Hon.
Treasurer.

APPENDIX III

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERIT COMMITTEE ON TERMS OF SERVICE

Posts	Present Scale	Scale agreed upon with Head of Department	Notes
Governatory Messes— Chief Clerk	£500-20-000	£500-20-000	Free quarters.
Chief-Mechanic	£200-18-500-18-480 20-500 ditto	£200-21-800	The private Secretary was not consulted by the Subcommittee
Superintendent of Children	£240	£480-15-500	Free quarters. With free board and lodging.
Caretaker and Housekeeper	£120-20-000-50-720	£500-20-650	As E.L.G.L. & S. consulted.
Administrative— Office Assistants	£400-50-600 (Maximum) £300-20-500 (Minimum) £350-20-500	£400-20-600 £350-20-600	Comparable with a Town Clerk's Assistant as a Clerk at Nairobi Free quarters
Superintendent of Inland Revenue.	£300-18-500-18-400	£200-15-420	Free quarters
Apprenticeship, Kikuyu Reformatory	£200-18-400	£500-25-600	The Subcommittee agrees with the Head of Department that the present salary is a scale position in £720.
Technical Instructors, Kikuyu Reformatory	ditto	ditto	Cannot responsibility and acts for his Chief.
Administrative DEPARTMENT— Accountant	£400-20-600 £225-18-420-18-480 20-400-20-600 £300-20-500 20-500	ditto ditto ditto ditto £300-20-600-20-600	
Office Superintendent Clerk and Inspector Superintendent of Main Farm, etc.			
Laboratory Superintendent Inspector in Stock			

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERIT COMMITTEE ON TERMS OF SERVICE—(Contd.)

Post	Present Scale	Scale agreed upon with Head of Department	Notes
RECEPTION DEPARTMENT (Contd.)			
Machine Operator	£220-18-300	£156-18-300	With free board and lodging in term time.
Machine Operator	£180-18-300	£120-18-190	ditto.
Machine Operator	£160-18-300	£100-18-190	ditto.
Leading Assistant	£100-18-300	£80-15-425	Adults (2) & 12 with the Prison.
Caretaker	£80-18-300	£70-15-206-15-30	With free entrance.
FOREST DEPARTMENT			
Assistant Forester Grade A	£205-18-400-20-600	£160-20-400-20-540	10 years and over.
Assistant Forester Grade B	£150-18-300-18-400-20-600	ditto	Maintained also in Agriculture Class at Prince of Wales school.
Grade B Assistant Forester	£100-18-300	£80-15-300	
Assistant Forester	£80-18-300	£60-15-200	
Forester	£60-18-300	£44-15-12	

GAME DEPARTMENT—GENERAL NOTES—

The Subcommittee agreed with the Game Warden that, though on the pay Assistant Game Warden should be Overseas officers, they are, respectively, not recommended officers in the fighting branch and the police. They have to possess personality and a certain status in the City and are not recommended for a class of people with complete qualifications of social class.

Game and Forest Officers are partly temporary. Their work is sometimes arduous piece work. They have therefore not been included here.

JUDICIAL DEPARTMENT

Process Server
Sheriff's Writer

£240-18-300
£400-20-600

£200-15-200-15-550
£300-20-400-20-600

LEGAL DEPARTMENT—Only Overseas and Clerical posts.

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERIT COMMITTEE ON TERMS OF SERVICE—(Contd.)

Post	Present Scale	Scale agreed upon with Head of Department	Notes
MARINE DEPARTMENT			
Chief Sanitary Inspector	£770-30-640		
MEDICAL DEPARTMENT			
Accommodator	£300-20-600	£190-20-600	These two posts liable as to whether this officer should be in the Overseas or in the Local Service. He is proposed from among the Sanitary Inspectors.
Sanitary Superintendent	ditto	£155-28-60	
Senior Sanitary Inspector	£140-20-660	£100-25-600	Formed from Sanitary Inspector whose maximum is £240.
Medical Superintendent	£300-20-600	£190-25-600	The Subcommittee agrees with the Director that this officer may have to go to Z.F.S.
Laboratory Assistant	£34-18-390-18-460-20-500-500-600	£20-30-400-20-540	These recommendations are for a value category of qualifications and market value.
Dispenser	20-300	ditto	
Wardmaster	£200-18-300	ditto	
Chief Clerk	£200-18-300	ditto	
Chief Clerk	ditto	ditto	
Superintendent, Mental Hospital	£372-18-400-20-540	£290-20-480	Free quarters. Market value junior education. Qualification higher than Nursing Sister.
Superintendent, Infectious Diseases Hospital	£372-18-400-20-500	ditto	
Marine	£300-18-390-18-426	£290-18-300	
Nursing Sisters (Health Visitors)	£240-18-300	ditto	
Male Overseer	2000	ditto	
Male Sanitary Orderly	£240-18-300-18-372	£200-15-300-15-360	
Mental Hospital Warden	£240-18-300	ditto	
Mental Hospital Assistant	£200-18-372	£160-15-300	
Nursing Sister	£240-18-300	£200-15-300	
Lecturers and Juniors			
		As in Civilian Scale	

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERICK COMMITTEE ON TERMS OF SERVICE—(Contd.)

Post	Present Scale	Scale agreed upon by Head of Department	Notes
MILITARY DEPARTMENT (Defence Force)— Armourer	£40-11-6-0 £39 fixed	£40-3-6-0 £40 fixed	Market price. At maximum efficiency on recruitment which is only for five years. I.C.A.C.
Military Instructor			
POLICE DEPARTMENT— Assistant Superintendent	£360, 360, 425-25-600		On contribution the Subcommittee agreed with the Commissioner that those officers should be in the Overseas Service as contemplated.
Chief Inspector	£160-25-6-0	£155-25-6-0	
Inspector	£77-10-16-0	£75-25-6-0	
Assistant Inspector	£30-19-3-72	£30-20-6-0	
European Constable	£26-18-3-00	£26-15-3-00	
POST AND TELEGRAPHS DEPARTMENT—			
Postmaster	£300-20-400	£350-25-6-0	
Chief Electrical Mechanician	ditto	ditto	
Assistant	ditto	£300-25-6-0	
Sub-intendant	ditto	£350-30-6-0-3-6-00	
Inspector	£400-25-00-2-00	£350-20-46-30-5-40	
Postal Clerk, Telegraphic (Male)	£375-11-6-18-4-00	ditto	
Electrical Mechanician	2-6-00	ditto	
Postmistress and Supervisor of Telegraphs	£375-10-25-16-40-00	£360-30-3-33	

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERICK COMMITTEE ON TERMS OF SERVICE—(Contd.)

Post	Present Scale	Scale agreed upon by Head of Department	Notes
POST OFFICE AND TELEGRAPHS—(Contd.) Postal Clerk and Telegraphist: Female Male	£240-18-3-72 £180-20-3-40	£237-15-25-15-350 £180-15-50-25-350	The Subcommittee would have preferred the standard scale.
Junior Female Letterman	ditto £120-1-44	£150-10-2-00 £60-12-24-16-120	The Postmaster General agreed on the understanding that promotion could take place on qualifications, and the attainment of 15 years of age.
GENERAL NOTE— The Postmaster General wishes to emphasize the opinion that a man should reach a marrying age of about £25 a month at the age of 25 or 30, and that this should be brought about by a system of double increments if not otherwise arranged. The Subcommittee agreed with this view.			
PRINTING AND STATIONERY DEPARTMENT— Press Engineer	£600 fixed	£500-25-6-00	Compare eight European year.
Foreman (Printing)	£50-20-6-0	ditto	Would be £40 a month in England.
Foreman (Machine)	£50-15-6-0-2-50-00	£40-20-6-0	
Linotype Operator	£375-10-25-15-40-00	ditto	
Monotype Operator	£350	ditto	
Reader (Male)	£300-15-25-16-60	£260-20-43-20-5-60	
Reader (Female)	£180-20-3-40	ditto	
Compositor (Bachel)	£48-72-30-120-150	£120-20-15-2-90	
Letterman (Apprentice)		£60-1-24-15-120	To be treated as a clerk.

SCHEDULE OF THE POSTS IN VARIOUS DEPARTMENTS RECOMMENDED FOR INCLUSION IN THE LOCAL CIVIL SERVICE BY THE SUBCOMMITTEE OF THE MERRICK COMMITTEE ON TERMS OF SERVICE—(Contd.)

Post	Present Scale	Scale agreed upon with Head of Department	Notes
SURVEY AND INVESTIGATION DEPARTMENT (Contd.)			
Divisional Officer	£372-18-400-20-500-20-600 ditto	£60-20-950 ditto	The Survey General's salary, provided that one of those posts is £600
Survey Records Officers	£240-30-300	ditto	
Junior Computer	£200-100-100-100-90	£200-100-100-100-90	The Survey General's salary, provided that one of those posts is £600
Inspectors (Survey) (Contd.)			

REMARKS—The Treasury will, it is understood, in future continue to fund Overseas Service Officers and clerical staff only.

GENERAL NOTES BY THE SUBCOMMITTEE

1. Heads of Departments have accepted the suggested scales for their clerical posts, except for a reservation in the Director of Agriculture (see the Schedule on the Agricultural Department).
2. The central bodies have themselves been taken as a basis for making recommendations in the case of non-specified posts in all Departments, bearing in mind, so far as possible, the principle of local equivalence for such posts.
3. In nearly speaking a maximum of £600 has been taken as the ceiling for the lowest pay Overhead of the Local Services. Marginal posts have been fully discussed.
4. With very few exceptions, the upper part of the standard "Special Scale" (£550-25-725) had been reserved for special reclassification by departmental heads in cases of outstanding responsibility or merit.
5. The decision regarding these quarters for special responsibilities, included in general, to be decided by the Local Services Board. A few have been noted.

CLERKS, GENERAL—ALL DEPARTMENTS

PRESENT SCALES—

Special Grade—None

Grade A—£240-18-300-18-390-18-480-20-500.

Grade B—£180-20-240-18-300-18-390.

Grade C—£120-20-240-18-300.

Leaves of 10, £144 for annual and subsequent years.

PROPOSED SCALES—

Male—£500-25-650-25-725 (*) Female—£340-30-420.

Male—£360-30-450-30-440 Female—None

Male—£200-15-290-15-350-15-425. Female—£200-15-290-15-350.

Male—£150-10-240 Female—£150-10-240.

Male—£60-12-84-12. Female—£60-12-84-12-120.

(*) The scale from £60 to £725 is subject to the process mentioned on page 5 of the Report.

REPORT OF THE LOCAL EUROPEAN CIVIL SERVICE COMMITTEE
(MERRICK REPORT).

Copies of the above Report have been circulated and attached is an examination of the various proposals affecting the establishment of a Local Civil Service, it contains the comments received.

2. The main considerations appear to be :-

(a). Is it feasible to attempt to introduce a scheme for a Local Civil Service until the details of a provident fund, or a contributory pensions scheme, have been worked out since the rates of contribution, etc., must necessarily have a bearing on the basic rates of salary proposed?

(b). How is the case of serving officers to be dealt with? It is clear from the comments received that some of the posts tentatively scheduled for the Local Civil Service in the Merrick Report can only be filled by recruiting from Overseas for a long time to come, and it is therefore for consideration whether they should be included in any such scheme at all.

3. In view of the foregoing and of the detail which examination involves, the advice of Executive Council is asked whether the Civil Service Board referred to in both the Fitzgerald and Merrick Reports should be set up at once and, if so, as a first duty it should be asked:-

- I. To examine and to report upon the inclusion of the posts scheduled in the Merrick Report for the Local Civil Service in the light of the comments received and the decision of Executive Council that Officers with six years or more service should retain Overseas Service rights.
- II. To advise whether it is feasible for Government to adopt the Merrick Report scales of salary, or such variations as they may recommend for such Local Service, pending a decision on the question of a provident fund or a contributory pension scheme.
- III. If the answer to II is in the affirmative, to make detailed recommendations as to points in the scales of salary on which officers recommended for the Local Civil Service should transfer.
- IV. To review the interpretation of the Secretary of State's proviso "that officers recruited from outside the Colony should not be forced to accept conditions designed for local personnel, but as a personal arrangement should be treated in the same way as those holding posts assigned to the Overseas Service" and to advise whether this should include officers who, though not domiciled in Kenya, have actually been recruited in Kenya or officers who, though recruited locally, have their homes outside the Colony.

LOCAL EUROPEAN CIVIL SERVICE COMMITTEE (MERRICK COMMITTEE) REPORT.

The Report has been circulated. The comments of the Expenditure Advisory Committee, of Heads of Departments, of the Transport Administration and of the European Civil Service Association are summarised below. It does not appear that the Committee consulted Local Government Authorities, accordingly the comments of those bodies have not been invited.

A. GENERAL.(1) General comments by Heads of Departments etc. The

Commissioner of Customs considers that the principle of appointment to Joint Service Departments of Members of a Local Civil Service must be agreed to by the Governments concerned before detailed discussion of the scheme as applied to the Customs Department is possible. A similar comment is made by the Officer Commanding the Northern Brigade.

The Commissioner for Local Government, Lands and Settlement considers the term "Local" a misnomer for the service in view of the small number of locally born officers at present employed in the posts scheduled for the "Local" Service and he considers it a matter for conjecture whether the terms proposed will be sufficiently attractive for posts which must, necessarily, be filled from Home for many years to come.

The Chief Native Commissioner remarks that the parent Committee i.e. the Fitzgerald Committee, had recommended conditions of service which it believed would be adequate to attract local candidates of sufficient educational attainments for the duties of specified posts, and it believed that local educational facilities combined with increased immigration were such as to make this possible. Further, he states, in times of universal depression such as the present it is difficult to judge how far that Committee's expectations are likely to be realised, but there seems some reason to believe that in the year that has elapsed since the writing of their Report the rate of immigration has not advanced. In any case, he considers, it is at present at least doubtful whether the supply of locally educated candidates will be adequate to meet the demand and the probability is that for some time to come the so-called local service will continue to be recruited from overseas. This seems to be true particularly of appointments to technical posts scheduled for inclusion in the local service. He concludes that if the supply of local candidates is likely for some time to be inadequate it follows that the immediate introduction of terms of service suitable only to local candidates must be premature. If it is admitted that for some time to come we must rely, in the main, on overseas candidates to fill the "Local Civil Service" posts, then the question to be answered is "Are the terms offered sufficiently attractive to induce reasonably well qualified men and women from overseas to offer themselves as candidates?". Again as to the scales of salary proposed, he remarks, the main consideration should be that emoluments should be such as to compete with those offered by private firms for similar duties and responsibilities and it does not appear from paragraph 4 of the Report that the Committee has yet been able to satisfy itself on this important point.

The General Manager, Kenya and Uganda Railways and Harbours remarks that in most Departments it will be found that the great majority of the staff must continue to be recruited from home, difficulties will at once arise when two individuals doing exactly the same work are employed under different conditions. He observes that the Committee considers the conditions suggested not unsuitable if it proves necessary to fill vacancies from outside East Africa, but he is of opinion that the terms are entirely inadequate to attract staff from overseas. The terms suggested could only apply to the Railway Administration in a comparatively small way, and chiefly in connection with the junior clerical grades, because most of the Railway staff are technically trained and for many years recruitment must be from outside East Africa.

The Director of Agriculture considers it unwise to use the nomenclature "Overseas" and "Local" and understands that offence is taken to these terms in Civil Service circles as restoring the division to first and second class officials which was abolished by the Secretary of State in 1920. The proper desire to facilitate local recruitment can be met by an instruction that every endeavour should be made to recruit locally.

He notes that in the Schedule to the Report certain posts in the Treasury, Public Works, Post Office, Customs, Secretariat and Registration Departments are reserved for recruitment from overseas and he submits that it would give satisfaction to the service if it were indicated that an officer in the "Local" service might be promoted to the "Overseas" section provided he has the necessary qualifications and ability.

He does not consider sufficient stress has been placed upon the importance of a satisfactory educational standard for entrants particularly in the case of clerks and similar officers who, for advancement to the higher grades, must possess a good education. Indeed, in the absence of facilities for technical and commercial education, he does not see how local youths can acquire the qualifications reasonably necessary to perform clerical duties.

The Government Printer reiterates the statement he made to the Committee "that there are no possible opportunities for local recruitment of these posts (in the Government Press) at present, or likely to be for many years." He adds that the proposed emoluments are too low, and will not induce the right type of candidate from overseas especially when the adverse comparison with emoluments in neighbouring territories is realised.

The Statistician remarks that there is no clear justification for changes and modifications being introduced in the near future and still less "almost immediately".

He continues that the increased purchasing power of money in Kenya has definite limitations determined by the two main factors of (a) the geographical position of Nairobi and (b) Government policy in relation to tariffs and railway freights. He states that the cost of all articles, except those of local produce, will remain from 80 to 100 per cent above English prices, and that the present increase over pre-war prices in Kenya is definitely between 50 and 60 per cent. He adds that he cannot visualise any existing method by which local boys and girls can obtain the training available in England and South Africa. The locally trained girl is hopelessly incompetent and, if an efficient local service is to be built up, some training facilities must be afforded.

The Conservator of Forests remarks that the scheme for a

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Local Civil Service is as yet incomplete owing to the absence of definite Pensions and Provident Fund proposals.

The Government Coast Agent considers the standard of education so low, and the field for local recruitment so small, that it would be unwise to fetter Government's discretion even to the extent of filling the posts enumerated in the Schedule. He remarks upon the low educational standard suggested by the Committee in paragraph 8 of the Report.

The European Civil Service Association remarks on the lack of facilities to enable genuinely local recruits to obtain qualifications and considers that an examination of the posts scheduled makes it clear that a considerable time must elapse before the Colony can hope to provide the training necessary to produce efficient candidates to fill the posts. Many of the posts scheduled require specialised technical training and because the local service training as it is a grave error to include the specialised posts in a local service. The type required can scarcely be recruited from those who are unemployed in depressed times.

(II) Nomenclature of Service.

Para 1-7. The terms of reference to the Committee were "to examine, to report upon, to schedule posts and to draft Regulations having regard to the principles laid down by Executive Council at its Meeting of the 7th January, 1932, for the inauguration of a Local European Civil Service" applicable to Civil Servants not employed by the Kenya and Uganda Railways and Harbours Service.

Para 5. The Committee found a difficulty in laying down at the present juncture terms of service which can be regarded as "likely to prove stable over any extended period of years".
Page 2. They consider that, "as far as can be judged at the present time", the scales of salary they suggest provide "a reasonable career in the lower branches of the Kenya Civil Service for local recruits who it is hoped will form more than a considerable proportion of new appointees".

Para 6. The Merrick Report was intended to affect some 662 posts, Page 2. of which some 46 are estimated to be held by locally educated Europeans. It is thus clear that the term "Local European Civil Service" is a misnomer at present.

Moreover, both the terms "Overseas" and "Local" as applied to Civil Servants, besides being incorrect in a large majority of cases - a fact realised in the Fitzgerald and Merrick Reports - are thought to imply a restoration of the division of the service into First and Second Class Officials, a distinction which was removed by the Secretary of State in 1920.

Various other terms have been considered - Senior and Junior, First Division and Second Division, Covenanted and Uncovenanted; Executive and Subordinate etc. All give rise to the same objection and imply a barrier which, if restored, is unlikely to persist in a Colony and in a service where it is, and should be, increasingly possible for junior officers by merit to obtain promotion.

The fact is that certain conditions and terms of service are applicable to certain groups of posts and officers and certain other conditions and terms to other posts and officers; and because it does not seem necessary to invent a term descriptive of a very wide range of public service activities it is suggested the term "Local" should disappear.

(III) Numbers of posts likely to be affected by the Report.

As stated the Report is thought to affect some 662 European

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European posts, of which some 46 are held by locally educated Europeans.

Of these 662 posts 350 are held on agreements and of the remaining 312 posts 250 Officers have been confirmed in their appointments. The balance of 62 officers are serving on a month to month basis.

Of the 350 Officers on agreements:-

254 have less than 6 years service.

40 have between 6 and 7 years service.

15 have between 7 and 8 years service.

10 have between 8 and 9 years service.

4 have between 9 and 10 years service.

31 have more than 10 years service.

350

In this connection it is remarked that of the foregoing 350 Officers on agreements a large number have much more service than many of the 250 Officers who have been confirmed because their posts happen to be pensionable e.g. 23 European Police Constables with less than 5 years service have been confirmed while 12 Stock Inspectors each with over 5 years service are still unconfirmed. Instances of this anomaly occur in every Department and not only in the European staff but also between European and Asiatic staff.

The equity of the application of new terms of service in connection with the junior ranks was considered by Executive Council, the Minute, No. 391 of 1932, recording:-

"That:-

(1) Of the present posts for which modified terms of service have been recommended in the Report of the Local European Civil Service Committee, those holders who are at present serving on agreements or on a month to month basis should, unless they have had six or more years continuous service, or have completed two years, whichever shall be greater, be warned that any offer of re-engagement which may be made to them upon the expiration of their present agreements may be on revised terms of service and that, in cases in which existing agreements expire before the new terms of service have been approved, they will, if they wish, be retained on a month to month basis until the new terms are ready for their examination.

(2) Individual cases which may be recommended for special consideration should be submitted to the Governor-in-Council."

In consequence the recommendation has been made to the Secretary of State:-

Confidential
despatch No. 125
of 30th September,
1932, to the Secretary
of State.

"That officers who had had six years or more satisfactory service on agreements should not, by reason of the fact that they happened to be serving on agreements be put in a less favourable

favourable category than others who have possibly been confirmed in their appointments after a shorter period of service. Generally speaking, however, it was considered that a six years test was a reasonable one, and as provision has been made for any special cases of hardship I consider that the interests of the officers will be adequately safeguarded."

The Secretary of State's telegraphic reply states: -

Confidential telegram No. 236 of the 14th November, 1932, from the Secretary of State.

"I accept the proposal ... concerning officers on agreement in posts assigned to the Local Service subject to the proviso that officers recruited outside the Colony should not be forced to accept conditions designed for local personnel, but as a personal arrangement should be treated in the same way as those holding posts assigned to the Overseas Service".

In view of the foregoing it appears that at present approximately 254 Officers on agreement may be affected by the Report.

(IV) Prospects of Local Recruitment. In the 1931 Census Report, of the 4,692 Europeans aged 20 or below, 39 did not specify their precise age, 1,532 were returned as aged 4 or below, leaving 3,121 Europeans definitely of school-going age. Of these 1,543 were receiving instruction, leaving 1,278 who were either not receiving instruction or whose parents failed to state that they were.

In 1931 in the economic age group of 10 - 19 years there were 801 boys and 801 girls. Between the ages of 16 and 19, the suggested age margin for recruitment for learner staff, there were 337 boys and 290 girls.

Of the total youth of 627 persons of 16 - 19 years, 558 either were not at school, were not stated to be at school or had left school and only 69 (35 boys and 34 girls) were receiving instruction of any sort.

In 1931 there were 9,404 European males and 7,408 females in Kenya. Of these 1,529 males and 206 females were engaged in Public Administration and Defence, exclusive of Transport Services but inclusive of Local Government services.

Of these: -

<u>Males.</u>	<u>Females.</u>	
57	26	were of or under the age of 19.
1,358	174	were between the ages of 20 - 49.
108	6	were between the ages of 50 - 59.
6	-	were aged 60 or over.
<hr/> 1,529 <hr/>	<hr/> 206 <hr/>	

The total of 35 boys and 34 girls who were between 16 - 19 years old in 1931 who were receiving education in Kenya speaks for itself in estimating the supply, even supposing

supposing all were suitable for, and all were willing to enter, Government service. It will also be realised that for some years young persons of 16 - 19 would not be of great assistance in a Department.

Para 8 (1).
Page 3.

The question of a supply of junior recruits is not, however, only one of statistics. The Report lays down the minimum qualifications for candidates of roughly 16 to 18 years of age as the Junior Cambridge Examination, or an equivalent standard, and for older candidates the School Leaving Certificate or London Matriculation Examination, or other recognisable tests. The first examination is generally taken at an earlier age than 16 to 18 in the United Kingdom and the second and third examinations, or their equivalents, at the age of 16 or thereabouts.

It is essential that there should be standard qualifications for entry if the public service is not to fall in to disrepute and it will be seen that the Report sets this as low as possible, indeed perhaps too low. Apart from the low education age statistics which have been given, and which raise a separate set of problems, it is disquietening to note that the following is the examination record of European education in Kenya during the past five years:-

	<u>Entered.</u>	<u>Passed.</u>
Cambridge Junior Local	157	106 (47 boys, 59 girls)
Cambridge School Certificate	49	35 (14 boys, 21 girls)
London Matriculation	15	1 (1 boy)
Cambridge Higher Certificate	1	1 (1 boy)

A total of only 65 boys and 80 girls successful, during a period of 5 years, in attaining what can be called general intelligence qualifications.

Apart from the poor examination record of the past five years, in estimating the supply for a genuine local European Civil Service the total of 69 boys and girls between 16 - 19 years of age now receiving education must be discounted by the following factors:-

- (a) That a number now receiving education in Kenya will complete their education elsewhere.
- (b) That of those now receiving education in Kenya a number will not reach the requisite standards for entry to the Civil Service.
- (c) That of those now receiving education in Kenya a number, who have reached the requisite standard, will seek employment other than Government Service.

(d) That of the posts listed in Appendix III to the Merrick Report the very great majority can be definitely regarded as closed to girls.

(e) That there are no facilities for European vocational training in Kenya or for evening or continuation classes with the result that the training of the European Junior Civil Servants in the rudiments of his, or her, post would be at the expense of Departmental efficiency.

Doubtless European education in Kenya will progress and a supply of educated youth be obtainable, if only in small numbers, but the only conclusion which can now be drawn is that the prospects of obtaining locally educated recruits are poor in the extreme.

Accordingly it is submitted that neither now, nor in the readily ascertainable future, can a genuine local service materialise and that the very great majority of the posts reviewed in the Merrick Report must be definitely recruited either from persons recruited overseas, or from persons from overseas in Kenya who are suitable, and qualified, for the employment they seek.

(V). Comparison between the position of European and African officers holding junior appointments.

(V) Comparison between the position of European and Asiatic officers holding junior appointments.

It should be noted that the Asiatic staff in the service are in a much more favourable position than the Europeans whom the Report proposes to include under revised terms, because of approximately 1150 Asian officers about 870 will remain on free pension conditions while on the European side of 662 officers only 250 have been confirmed in their appointments.

(VI) Conditions of Service in Local Businesses and Companies.

Paragraph 4
Page 1.

The Report remarks that the evidence received was disappointing because many of the larger firms and institutions failed to furnish the requisite data and the particulars obtained show a divergence of practice in commercial circles. The comparison with present and proposed Government terms is important and an opportunity has been taken of examining the confidential data submitted for the Committee and of obtaining, verbally and confidentially, the data not furnished in to the Committee from the larger firms. This is summarised below and the summary covers instances of European shops, agencies, lawyers' firms, transport and transport commodity companies, and banks, both large and small. Generally speaking all the larger institutions are included :-

FIRM I.

- Accountant (a) - 20 years' service, £500-£600. Increments in good times. No housing. No medical expenses. No definite periods for leave. Passage period included in leave. Low First Class passage.
 - Typist (f) - 4 years' service, £180-£260. As above.
- No pension or provident fund. No cut in salaries.

FIRM II.

- Clerk (a) - 3 years' service. At £120 in scale of £60-£120. Increment on quality of work. No housing. No medical expenses. Leave 4 months every 4 years. No passage given.
 - " (a) - 1 1/2 years' service. At £720 in scale of £600-£1000. Annual increment of £60. Allowances £50. No housing. No medical expenses. Leave 6 months every 4 years. First Class passage.
 - " (a) - 1 year's service. At £480 in scale £480-£720. As above.
 - Typist (f) - 5 years' service. At £240 in scale of £120-£300. As in first quoted instance in this firm.
- No pension or provident fund. No cut in salaries.

FIRM III.

- Head Clerk (a) - 10 years' service. At £420 in scale £300-£420. Increment according to merit.

Commission on business introduced. Allowances £35. No housing. No medical expenses. Leave 4 months every 4 years. £40 passage allowance.

Clerk (m) - 2 years' service. At £165 in scale £150-£165. Increment on merit. Commission on business introduced. No allowance. No medical expenses. No housing. No leave. No passage.

Typist (f) - 2 years' service. As above.

No pension or provident fund. No cut in salaries.

FIRM IV.

Mechanics (m) - 6 years' service. £432. No increments, allowances, medical expenses, housing or passages. Leave given without pay, out at no stated periods.

No pension or provident fund. No cut in salaries.

FIRM V.

Salesman (m) - 4 years' service. £750 on scale £600-£750. No allowances, no medical expenses, no housing or passage. Local leave given.

No pension or provident fund. No cut in salaries.

FIRM VI.

Mechanics (m) - 2 1/2 years' service. £438 in scale £420-£438. Bonus when profits permit. No increments. £20 allowances. No housing or medical expenses. Leave 6 months in 4 years. Second class passage.

Typist (f) - 1 year's service. £240 in scale £240-£330. No housing, medical expenses, leave or passage.

No pension or provident fund. No cut in salaries.

FIRM VII.

Asst. Manager (m) - 1 year's service. £380 in scale £380-£400. Annual increment. No allowances, housing, medical expenses, leave or passage.

Typist (f) - 3 years' service. £180 in scale £120-£250. As above.

No pension or provident fund. No cut in salaries.

FIRM VIII.

Book-keeper (f) - 5 years' service. £390 in scale £300-£390. No housing or medical expenses. Leave 4 months after 4 years. Second Class passage.

Typist (f) - 3 years' service. £270 in scale £240-£270. No other arrangements made.

No pension or provident fund. No cut in salaries.

FIRM IX.

FIRM IX.

- Accountant (a) - 12 years' service. £600 in scale £450-£600. No housing. No medical expenses. Leave 6 months in 4 years. Half salary on leave. Second Class passage.
- Accountant (a) - 6 years' service. £520 in scale £450-£520. As above.
- Typist (f) - 5 years' service. £300 in scale £300-£360. As above.

No pension or provident fund. Ten per cent cut in salaries recently.

FIRM X.

- Mechanics (a) - 2 years' service and under. 1 at £600, 4 at £480, 3 at £270. No housing, medical expenses, increments. Leave 6 months in 4 years, two-thirds salary on leave. Third Class passage.
- Accountant (a) - 12 years' service. £600. As above. Second Class passage.
- Cashier (a) - 6 years' service. £480. As above.
- Clerk (f) - 6 years' service. £285. As above.
- Provident fund recently suspended. No cut in salaries.

FIRM XI.

- Accountant (a) - 3 years' service. £420 in scale £360-£420. £60 house allowance. Leave 6 months in 5 years. Medical attendance. First Class passage.
- Stenographer (f) - 3 years' service. £270 in scale £270-£300. As above.
- No pension or provident fund. Ten per cent cut in salaries.

FIRM XII.

- Accountant (a) - 6 years' service. £456. Ten per cent on net profits. No housing, medical attendance, leave or passages.
- Typist (f) - 6 years' service. £308. As above.

Employers Liability Insurance against accidents. Fifteen per cent cut in salaries.

FIRM XIII.

- Accountant (a) - 2 years. £432. Increment on merit. No housing. No medical expenses. Leave 5 months in 5 years. First Class passage.
- Typist (f) - 2 years. £270. As above.

No pension or provident fund. No cut in salaries.

FIRM XIV.

FIRM XIV.

Clerks (n) - On being posted to Kenya £400 (£200 pensionable). Increments stopped during last two years owing to world conditions. Bonus in good years. No housing, save for senior staff. Medical attendance for tropical diseases. Leave 5 months after 4 years for those under 40 years of age, ditto after 3 years for those over 40 years of age. First Class passages.

Clerks (f) - £300 per annum. Otherwise as above except leave is given after 3 years.

Pensions at 50-60 years of age. No cuts in salaries, but for two years there have been no increments.

FIRM XV.

Cashier (f) - £600 per annum. Guaranteed bonus on profits. No housing, no medical attention. Leave 6 months after 5 years. Second Class passage.

Clerks (m) - £300-£420. Otherwise as above.

Clerks (f) - £360 per annum. Otherwise as above.

No pension or provident fund. No cuts in salaries.

FIRM XVI.

Clerk (n) - On joining £360-£420 per annum. Increments on merit. No housing. Medical attention for tropical diseases. Leave 5 months every 3 years. First Class passage for self and wife to country of headquarters of Company, extension of this privilege under consideration.

Clerks (f) - On joining £240-£300. Otherwise as above.

No pension or provident fund, but practice appears to be to give a lump sum gratuity on retirement which is usually at 60 years of age. No cuts in salaries.

FIRM XVII.

Clerks (n) - On being posted to Kenya £200-£300 per annum plus £120 local allowance. Increments £15 per annum. £36 per annum house allowance. Bonus in periods of prosperity. Medical attention for tropical diseases. Leave 5 1/2 months after 4 years for those under 40 years of age, ditto after 3 years for those over 40 years of age. First Class passages.

Clerks (f) - £300 per annum to competent woman. Otherwise much the same as the above.

No cuts in salaries.

FIRM XVIII.

Foreman (n) - 2 years' service. £450. No increment. Bonus

Bonus £20. No housing. Medical expenses in illnesses due to duty. Leave 6 months in 4 years. Second Class passage.

Linotype Operator (a) - 18 years' service. £480. As above.

Accountant (a) - 2 years' service. £720 in £660-£720 scale. Bonus £30. As above.

Provident Fund. No cuts in salaries.

FIRM XIX.

Clerks (a) - On being posted to Kenya £420 per annum. Increment of £45 after first 2 years, of £60 after next two years, of £30 after next two years, of £17 after next two years. Ten per cent cost of living allowance reducible in the senior staff. Furnished quarters or £60 per annum house allowance, £90 after ten years' service. Medical attendance. Leave 9 months after 5 years. Salary reduced while on leave. 1st Class passage.

Clerks (f) - £300. Leave after 3 years. 1st Class passage.

Pension. No cuts in salaries.

FIRM XX.

Accountant (a) - 5 1/2 years' service. £1,028. Annual increment normally, £40 allowance. Acting allowance. Furnished housing provided at rental of 15% on salary. Medical expenses but not for operations on family. Leave 6 months in three years. First Class passages for self and family.

Asst. Accountant (a) - 4 years' service. £500. No Acting Allowance. Otherwise as above.

Engineer (a) - 5 1/2 years' service. £634. Acting Allowance. Otherwise as above.

Asst. Engineer (a) - 2 1/2 years' service. £560. No Acting allowance. Otherwise as above.

Assistant (a) - 5 years' service. £634. No Acting Allowance. Otherwise as above.

Assistant (a) - 9 months' service. £450. No Acting Allowance. Otherwise as above.

stenographer (f) - 5 years' service. £382. No increment. No allowances. Otherwise as above.

stenographer (f) - 9 months' service. £354. As above.

Provident Fund. Graduate cut on salaries above £240 per annum beginning at 5%.

It should, perhaps, be added that, with one

exception,

exception, the business houses where verbal inquiries were made expressed grave doubts as to the employability of locally educated recruits.

General deductions are difficult to make from the foregoing summaries, briefly it is thought the evidence shows :-

- (a) A tour is generally 4 years.
- (b) A passage is given.
- (c) Pousing or house allowance is not usually given.
- (d) Medical expenses are not usually given, but in the better known firms medical expenses, at any rate for tropical diseases, are given.
- (e) Prosperous times are shared in by employees either by way of bonus or of increments.
- (f) The salaries of male employees vary considerably and, generally, are higher after a few years' service than in Government.
- (g) A typist can command £240 - £360 per annum as soon as she is competent.

It is submitted, as a general principle, that the British system of remunerating its civil services a little better than the comparative junior ranks in commerce has justified itself in the United Kingdom and throughout the Empire.

B. PAY.

Para. 8
Page 5.

The Committee point out that there are at present no less than 53 different scales of salary attached to the posts covered by its Report and state that the result of the inquiries to Heads of Departments showed that the posts could be graded within the scales suggested for the Clerical Service. It should, however, be stated that various alterations in the scales proposed in the Report have since been received from Heads of Departments.

The Clerical service scales are:-

(1) Learners, or equivalents.

- Present Scale. £120, £144 for second and subsequent years.
- Fitzgerald Report £60 to £84, £84 to £108 per annum.
- Merrick Report. £60 x 12 x £84 by 18 to £120 per annum. 5 years.
- Kenya-Uganda Railway. £96 consolidated first year, £108 second year. 2 years.
- Southern Rhodesia. There appear only to be learners in the Post and Telegraphs paid £60 x £30 x £180 in six-monthly increments. In Southern Rhodesia a male officer who has not matriculated is paid at the rate of £150 per annum and a female £135 per annum.
- Northern Rhodesia. £60 per annum.
- Uganda. None.
- Tanganyika. None.
- Kenya Asiatic. Up to £89.8 per annum for ungraded clerks, then £90 x £110 x £120. Promotion after 1 year.
- Kenya-Uganda Railway Asiatic. £90 x £9 x £144. 7 years.

The Statistician considers the scale proposed not a living wage for young people residing away from their parents and suggests that Government must provide hostel accommodation and facilities for training.

The European Civil Servants Association state it would be impossible for learners who had no parents, or relatives in Nairobi, to live on the salaries proposed, they do not consider that an increased rate of pay for Learners would meet the case as adequately as the provision of hostel accommodation for youths and young girls who were forced to live away from their homes. It is, the Association states, clear that Learners would be unable to afford the full cost of their board and lodging without assistance from parents or relatives, which may or may not be forthcoming, and the Association recommends that hostels should be subsidised by Government, but some contribution should be made by the Learners themselves. With the hostels the Association considers should be associated some organisation through which educational facilities would be available to enable young people to improve their qualifications.

The Northern Rhodesia rules state that vacancies for learners occur most frequently in the Posts and Telegraphs, though vacancies occur in other Departments it is considered that the employment of untrained clerks is uneconomic and permission to employ learners is rarely granted. Applicants must be between 16 and 18 years of age and must be living with their parents or guardians. Learners are, generally,

eligible for promotion to the next grade as soon as they have passed a typewriting test and have obtained a certificate from their Head of Department, subject to the Chief Secretary's approval.

The considerations arising from the Merrick Report recommendations appear to be:-

- (a) Normal progress through the scale would take 5 years, is it reasonable that so long a period should be taken in learning, say, clerical work at the expense of Government? It is admitted that certain technical training may require so long a period.

It will be observed that in Southern Rhodesia Learners are only found in the specialised work of the Posts and Telegraphs and that there the period of training is 2½ years or thereabouts. It may be added also that in Southern Rhodesia a clerk who has not matriculated is expected to do so in 2 years.

The Committee envisage entry into the Learner scale at 16-18 years of age and consider the Junior Cambridge a sufficient qualification, the late age as compared with the low standard of the examination required has already been remarked upon.

The Committee also definitely contemplate older entry than 18 years at £34 in the scale and with it the higher qualification of the School Leaving certificate or the London Matriculation. In Southern Rhodesia the rule is that no person under the age of 16 or over the age of 18½ years shall be eligible for engagement as a Learner.

It is suggested that the 5 year scale proposed should be kept, in order to meet what demand there is for longer periods of training in certain of the technical departments, but that for the Learners who are engaged on clerical work:-

1. Entry should be between the ages of 17 and 18½ years at £34 in the scale, and be
2. Conditional on a good report from the school and having passed the School Leaving Certificate or the London Matriculation or a recognised equivalent and that
3. Promotion to the next grade should be allowed when the Government Junior Shorthand, typing and language examinations have been passed, and that
4. Failure to pass these examinations within 3 years should entail discharge, and
5. No leave, (other than local leave), or passage should be given to a Learner.

In this fashion it is submitted Government would avoid an unduly long period of clerical training at its expense, avoid burdening Departments with juveniles, ensure efficiency within 3 years at the most and offer the chance of accelerated promotion.

- (b) At no stage in the £60 x £120 scale can it be supposed that the Learner can support himself and Government cannot be expected to pay a living-wage salary to a Learner out of charity, but 5 years, or even 3 years, is a long period for a parent, possibly in poor circumstances, to continue to support a child unless he happens to live in, or have relatives at, the place of employment.

Suggestions have been made that Government should provide and/or subsidise hostel accommodation, it is submitted that this demand can not reasonably be made of Government at any time. No easy solution presents itself and it seems that the advantage which a boy or girl with a home in Nairobi has must remain.

If, however, facilities can be arranged at the schools, and by evening classes, there is no reason why an intelligent boy or girl, should remain more than, say, a year in the Learner grade. It should then be possible for him, or

her, to move into the next grade and, provide the initial salary of that grade gives a living wage, the problem solves itself.

If, however, it is found that the initial stage of the next grade does not give a reasonable living wage the obvious result will be that the best Learners will leave Government service for work in commercial firms, where, as has been shown, a competent employee can at once obtain a decent wage with prospects. Generally, it seems doubtful whether a Learner is worth more than 34 per annum.

(ii) Clerical Grades.

Grade C, or equivalent.

Present Scale. £180 x 20 x £240 x 18 x £300 per annum.
8 years.

Fitzgerald Report. £150 x 10 x 200 per annum. 6 years.

Merrick Report. £150 x 10 x 240 per annum. 10 years.

Kenya-Uganda Railway. Up to £180, then £180 x 15 x £225 for Clerks. 6 years.

£120 x 12 x £180, then £195 x 15 x £250 for Typists. 11 years.

£144 x 12 x 240 for Shorthand typists. 9 years.

Southern Rhodesia. Men. £180 first year, £200 second year, £240 third year, provided he has matriculated. 3 years.

Women. £150 x 15 x £210 and it appears that a woman who has matriculated enters at £165 per annum. 4 or 5 years.

Northern Rhodesia. £120 x 12 £144 per annum. 3 years.

Uganda. No equivalent.

Tanganyika Territory. No equivalent.

Kenya Asiatic. £126 x 6 x £162, then £168 x 9 x £216, 14 years.

Kenya-Uganda Railway. Asiatic. £150 x 9 x £177, then £186 x £12 x £210, then £216 x £12 x £240. 10 years.

The Statistician considers the Grade C salary scale too low for young people living away from their parents. He points out e.g. the wages of a competent girl typist in England is not less than £144 per annum. The difference in cost of living at say, 50 per cent, transposes this salary into £216 per annum.

The European Civil Service Association take an officer aged 20 of average or no exceptional ability, entering Grade C at £150 and who, progressing through the stages, reaches the maximum of £240 at 29 or 30 years of age. The Association then invites attention to the Postmaster General's note on Page 65 of the Report, that he:-

wishes to emphasize his opinion that a man should reach a marrying scale of about £35 per month at the age of 28 to 30 years and that this should be brought about by a system of double increments if not otherwise arranged.

A view which the Report states its Sub-Committee endorsed.

A salary of £20 a month is not, and is not likely to be, a marrying salary in the Colony. Generally it is less than a competent man can obtain in local firms and, taking £35 a month, or £420 per annum, as a marrying salary, it will be seen from examination of the proposed scales that on normal progress it will take 23 years to reach this salary by which time the officer will be between 40-43 years of age.

The marriage age is generally earlier in the Colonies than in the United Kingdom and it is suggested that in a young European Colony public policy demands that marriage should be encouraged.

The 1931 Census shows:-

Census year.	Males.	Females.	Females to Males.
1911.	2,022	1,153	57 per cent.
1921.	2,800	2,851	66 per cent.
1926.	7,199	5,330	74 per cent.
1931.	9,404	7,108	79 per cent.

Years of age last Birthday.	No. of Males.	No. of married males.	No. of Females.	No. of Married Females.
20	126	3	72	27
21	125	4	100	27
22	173	11	89	47
23	192	9	114	64
24	239	29	127	79
25	253	48	135	91
26	243	174	173	124
27	233	73	185	119
28	231	76	174	121
29	219	107	187	127
30	252	122	184	136
31	205	117	173	128
32	196	117	204	158
33	208	137	205	160
34	226	141	224	178
35	209	146	221	183

It has been shown that whereas in 1911 there were 57 females to 100 males they had increased to 79 per 100. males in 1931. Not only is the disparity between the sexes being decreased by natural increase, but also there appears to be an influx of female migrants. During the two years 1930 and 1931 for which detailed migration returns are available, the excess has been:-

1930. ± 193
1931. ± 102

whereas the male Europeans had decreased:-

1930. - 17
1931. - 89.

A large employer, and Government will probably remain the largest employer of Europeans of all grades, cannot afford to disregard this problem. It is generally held that early marriage in the Administration and the Police is not conducive to efficiency and is embarrassing to Government, accordingly special rules exist in these cases which are not applied to any other branches of the service. The posts to which the Merrick Report relates are generally speaking, not posts which would be held in outstations. The solutions which present themselves are:-

(a) To follow the suggestion of double increments. Apart from the fact that an increment depends upon good work, examination of the scale suggested in the Report shows that by no possible interpretation of the suggestion could the result be arrived at within the scale. If £20 per annum or thereabouts is regarded as marrying salary then it is not double increments

but almost double salary which would be required to meet the situation arising from the Grade C proposals.

Again, as the European Civil Service Association points out the principle of double increments is open to objection. The grant, even though in the hands of Government, would largely depend upon the recommendations of individual Heads of Departments, some of whom would be more, and some less, exacting than others. The Royal Commission 1929-31 on the Civil Service remark:-

" 86. The pre war practice of awarding in each year a limited number of special additional increments to specially deserving second division clerks was an attempt to overcome the defects of a scale system of payment. The arrangement was discontinued after the war and we do not recommend its restoration".

(b) To enable an officer to move out of the grade into the next grade if he has obtained, say:-

- (1) Consistently good reports from his Department, and
- (2) Has passed the examinations laid down for promotion to Grade B which, it is suggested, should be paid down by Government for conduct by the Civil Service Board e.g.:-

- (i) The Senior Shorthand and Typing Examination.
- (ii) A general Intelligence Test consisting of a short written general knowledge paper and a viva voce examination on, say, the Code of Regulations, Legislation specially effecting the Department in which the officer is serving, etc. This viva voce examination would serve as a personality test.

These suggestions are similar to the Northern Rhodesia regulations, which remark that a clerk in this grade is to all intents and purposes qualifying for a livelihood at the expense of Government.

(c) To increase the amount of the increments in the scale for this Grade.

It is suggested that the good reasons which have been found to exist against double increments when they have been tried prohibit acceptance of the proposal.

Difficulties which would be experienced in adopting solution (b) above are that the salary for Grade C overlaps, in the Merrick Report, with that for Grade B; and that the requisite financial provision may not be available in the current year estimates. The financial result of securing special efficiency and at the same time providing reasonable promotion would only be a few hundreds of £ per annum, this difficulty is not insuperable.

Generally it seems that the solution of the set of problems which arise will be found in a combination of solutions (b) and (c) above.

Grade B. or equivalent.

Present scale	-£180x20-£240x18-£300x18-£390	-13 year
Fitzgerald Report (men)	£240x15-£300x20-£360x20-£420	- 11 year
" (women)	£240x15-300x10-360	- 11 years
Merrick Report (men)	£200x15-290x15-£350x15-£425	- 15 years
" (women)	£200x15-290x15-£350	- 11 years
Kenya-Uganda Railway	-£250x18-540 for Shorthand typists	- 6 years
	-£240x15-£300, then £315x18	
	-£405 for clerks	- 11 years

Grade B, or equivalent (continued)	
S. Rhodesia	(men) -£260x20-£380, plus 250 per annum-7 years
"	for married men at £300 onwards
N. Rhodesia	(women) -£230x10-£260 -4 years
	-£186x15-246x18-£300 -8 years
Uganda	none
Tanganyika	none
Kenya Asiatic	-£228x12-£300 -7 years

Kenya-Uganda Railway Asiatic -£216x12-£240, then £246x12-£258 and £264, £300, £380 for-5 years special posts.

The existing rates of salary make no differentiation between the salaries of men and women, in the Fitzgerald Report differentiation was advised and the principle is followed in the Merrick Report. The Royal Commission 1929-31 on the Civil Service was equally divided, although the principle of equal pay had been endorsed by the House of Commons in 1921 despite the accepted English business practice of differentiation. In Australia, Canada, the Irish Free State, the United States of America, the League of Nations, the London County Council and in nearly every country in Europe the pay of men and women Civil Servants is equal for the same work. The arguments are well known and in Kenya the principle of differentiation has been endorsed by the Governor in Council.

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The Report recommends that entry into Grades B and C should presuppose passing in the necessary qualifying subjects, as at present, and, subject to the existence of a vacancy, a clerk in Grade C would enter Grade B at the minimum, unless he was already in receipt of a higher salary in which event he would enter at the next appropriate incremental step. At the same time the Report lays emphasis on the desirability of selecting candidates for vacancies on a general roster rather than treating Departments on a watertight basis for the purposes of advancement.

This, and the preceding recommendation, are contradictory and occasion a real problem which will be dealt with later.

In this connection the Director of Agriculture considers that the salary scales are not well devised and that it would be much more satisfactory were there a distinct salary advancement to mark promotion from grade to grade. This, it will be observed, the Merrick Report does not propose, whereas the Fitzgerald Report did so propose. Moreover promotion from Grade C to Grade B, under both Reports, and present practice, depends on the fortuitous circumstance of departmental vacancies.

The suggestion has been made above that the passing of certain examinations coupled with efficiency certificates should determine promotion into Grade C and from Grade C to Grade B. Taking into consideration the periods of 10 and 11 years respectively which the Merrick Report envisages for Grades C and B and the fact that an officer may be as much as 38 - 43 years of age before reaching the maximum of Grade B, it is clear

that

that if Government Service is to have any attraction for the clerical, and similar, grades some method of progress to the deserving officer must be devised to prevent complete stagnation in Grades C and B.

It will be realised that Grade B must be regarded as the Basic Grade of the junior ranks of the Civil Service, and it is also true that while it is generally impossible, and probably inadvisable, to give higher salaries for clerical work in different Departments the fact remains that the work of the Department, from the nature of the departmental functions, does vary considerably in calibre.

If this is accepted, then it seems clear that the Director of Agriculture's point must be taken and promotion from Grade C into Grade B be definite promotion and that the salaries should not overlap for 4 years. This, of course, entails reconsideration of the Grade C scale and, it seems, an amalgamation of the Grade C and B scales.

It may be remarked that in Northern Rhodesia promotion to this Grade is, as suggested above, by examination and on efficiency certificates. There a man enters the Grade at a higher scale than a woman, but the Grade ends for both at the same point.

Grade A. or equivalent.

Present Scale	- £240x18-£300x18-£390x18-£480x20-£500	- 16 years
Fitzgerald Report (men)	- £380x20-£480x20-£540	- 9 years
" " (women)	- £380x10-£420	- 5 "
Merrick Report (men)	- £360x20-£480x20-£600	- 13 "
" " (women)	- None	- -
Kenya-Uganda Railway	- £420x20-£480, then £500x20-£540	- 7 "
S. Rhodesia (men)	- £400x25-£450x34-£484, plus £50 for married men	- 4 "
" (women)	- £270x10-£300	- 4 "
N. Rhodesia	- £300x18-£480	- 12 "
Uganda (men)	- £300x18-£500	- 12 "
" (women)	- £300x18-£426	- 8 "
Tanganyika	- £300x18-£390x18-£480	- 17 "
Kenya Asiatic	- £360	
Kenya-Uganda Railway Asiatic.	- £480 for special posts.	

Page 5.

The Report emphasises the desirability of selecting candidates for vacancies, particularly in this Grade, and the next, on a general roster rather than treating departmental personnel on a water-tight basis for purposes of advancement.

It appears that there was a difference of opinion on the Committee after investigation of the technical posts which appear in Appendix III, and which the Committee desired, as far as possible, to assimilate to the Clerical Grades, which has resulted in a majority recommendation that the maximum should be reduced from £600 to £540 per annum.

It is submitted that selection for Grade A should not be confined to serving officers alone and that specially qualified persons should be eligible for this Grade. For newcomers, it is submitted, the qualifications should be a good record, previous experience and a degree of any University in the British Empire. A similar rule exists in Northern Rhodesia.

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The Report, differing from the Fitzgerald Report, recommends that women clerks should not ordinarily progress beyond an annual salary of £350 and that exceptional cases can be met by allowing women entry into the Special Grade. It will, however, be realised that a natural result of this limit would be that, having gained experience and qualifications in Government, a competent woman would be able to obtain a salary approximately £350 per annum in a much shorter time elsewhere. This salary limit recommendation for women is not agreed by the Commissioner for Local Government, Lands and Settlement, who remarks that the Committee gives no reason for its recommendation, that it is contrary to the recommendation of the Fitzgerald Committee and that it will not be to Government's interest to prevent itself from attracting the services of specially qualified women.

The Chief Native Commissioner also disagrees with the abolition of Grade A for women, the actual number of present Grade A women is very small and it would, he says, pay Government to allow entry to women to provide a stimulus to ambition.

The Treasurer states it is not clear to him why the Report makes no provision for posts for women in Grade A, he suggests the reasons for making this change should be elaborated.

The European Civil Servants Association considers the abolition of Grade A female posts a hardship and remarks that there are several women occupying these Grade A posts with credit and that there should be opportunities for efficient women to obtain promotion.

It is submitted that there is a strong case for reinstating a Grade A for women whose service, merit, experience and qualifications warrant their admission.

Special Grade, or equivalent.

Present Scale	- None.	
Fitzgerald Report (men)	-£500x20-£660	- 2 years.
" " (women)	- None	
Merrick Report (men)	-£500x25-£660x25-£725	- 10 "
" " (women)	-£360x20-£420	4 "
Kenya-Uganda Railway	-£500x20-£600	6 "
S. Rhodesia (men)	-£500x25-£575x30-£605	- 5 "
" (women)	-£315x15-£360	- 4 "
N. Rhodesia	-£480x20-£600	- 7 "
Uganda	-£600x30-£720	- 5 "
Tanganyika	-£600x30-£720	- 5 "

Page 5.

The Report recommends that the Special Grade (men) should be strictly limited in numbers and be confined to duties connoting special responsibility or qualifications in

in addition to the normal confidential or supervisory duties which would be adequately remunerated by Grade A. Further, that the bar next before the final stage in the scale should be a barrier save in regard to exceptional status or outstanding personal merit. Presumably the same remarks should be applied to women in the Special Grade. This Special Grade is evidently intended, as elsewhere, for Chief Clerks, Office Superintendents in large Departments and like posts to which promotion is by efficiency and no other consideration.

In connection with this Grade the Treasurer says he is inclined to doubt the justice of making so large a difference as £300 per annum between the highest salary which can be obtained by men and the highest salary which can be drawn by women. He continues, that because it is clearly intended that few, if any, of the men employed in these posts should proceed to £725 per annum he does not wish to press for any amendment.

The fact remains that £420 per annum is not a salary which will attract, say, a woman graduate, as the most she can attain; neither, it is submitted, is it a salary which will suffice to retain a woman of merit already in the service.

It is again submitted that entry to the Grade should be open to exceptionally qualified men and women.

At this stage in this commentary certain general conclusions are submitted:-

1. The term "Local Service" can in no sense be applied either to the existing personnel covered by the Report, or to future entrants, within a period which need now be taken into consideration. Consequently the lower rates of pay and terms which can justifiably be given to Junior Civil Servants who have their homes in the country cannot yet be applied with justice.
2. The Report has the avowed object of establishing rates of pay and terms for a genuine Local Civil Service and, assuming that the setting up of such service is possible within any ascertainable time, there are grave doubts whether the salaries proposed at various points are sufficient to attract, and to retain, an entrant of the type usually recruited by British Civil Services, whether the recruits are obtained from home or in Kenya.
3. Assuming that there is no intention of reducing what may be termed, for want of a better description, the British standard of Junior Civil Servants; assuming also it is accepted that Civil Service salaries and terms should, in the junior ranks at any rate, be equal to, and a little better than, those given in businesses of repute it is unfortunate that the Report fell to be made during a period of unprecedented depression.

Accordingly it is submitted that the dominant factor is not that of present (1932) economics, but first that of ensuring a healthy public service and second that of providing a reasonable career for the qualified youth of the Colony.

4. Facilities for obtaining qualifications scarcely exist in the Colony and their provision is a primary consideration. The ideal of a genuine Local Service is to materialise in any form.
5. Generally, it will have been observed, that the scales proposed compare unfavourably with those given in Asia, despite the wide difference in standards and cost of living.

C. LEAVE.

Page 6. The Report, one Member dissenting, considers the recommendations of the Fitzgerald Report adequate on this head.

That Report recommended.

Local Leave. 18 days per annum.

Vacation Leave. 28 days per annum, and so by inference a 6 years tour, cumulative to 6 months. Also an appropriate allowance in respect of service at unhealthy stations, the object in view being to enable the vacation leave to be earned in a shorter time and not longer vacation leave in the same time. In accordance with this principle the Merrick Report recommends 5 months in an "unhealthy" station should count as 6 months in a "healthy" station. In this connection the Director of Medical and Sanitary Services suggests that stations might be divided into three categories.

The Commissioner of Local Government, Lands and Settlement considers that the privilege leave conditions should be improved and that this could conveniently be done by providing that the period occupied by the voyages will be counted as leave.

The General Manager comments that while he has some sympathy with the suggestion that the length of service should be controlled by the time in which it is possible to earn the cost of a passage the most economical method of arranging relief can only be enforced if tours are of a fixed period strictly enforced so that the minimum relief can be provided. Any variation or relaxation of a fixed tour is bound to lead to additional expense.

The Director of Agriculture remarks that vacation leave should not be taken locally unless a medical certificate is obtained. There is evidence in his Department that, even among those who were born in Kenya, fitness and efficiency suffers if leave is taken in the Colony.

The Treasurer, despite the different conclusion expressed in paragraph 74 of the scheme for the unification of the Colonial Administrative Service, agrees that the passage period should be included in the leave earned and remarks that conditions are different between an "Overseas" and a "Local" service.

The European Civil Servants' Association instance the difference between the present and proposed terms by:-

Present 30 months tour.

Healthy Stations.

150 days
56 days, voyage period
206 days

Unhealthy Stations.

180 days
56 days, Voyage period
236 days

Proposed 48 months tour

Healthy Stations

118 days
18 days, local leave.
136 days

Unhealthy Stations

138 days
18 days local leave.
156 days

That is, taking into consideration the longer tour, the new proposals are less than one half the present terms. The Association considers overseas leave should be granted at

the rate of one month for each year of service, exclusive of the time spent on the voyage. Moreover that in unhealthy districts the tour should be shortened instead of the leave allowance being increased; this is, of course the intention of the Merrick Committee.

The Expenditure Advisory Committee agrees with the Report.

It is noteworthy that in the various reports which have been made upon this subject no detail is given of the medical evidence on which the varying recommendations have been based. The subject is one on which, it is understood, there may be a divergence of local medical opinion. Neither the Fitzgerald nor the Merrick Reports mention the possibility that men and women are differently affected by the length of the tour, it is a fact that the sickness rate in Departments is greater in the case of women.

It is also remarked that the various reports attach considerable importance to adequate local leave. At the same time it must be admitted that local leave cannot be taken unless the officer's work can be done by someone else and this is not always possible - there are many officers who have scarcely ever been able to take local leave, and there are many officers whose duties call them away from their headquarters and whose need for local leave is less. There are also officers on the scholastic staff of the Education Department who, by reason of school holidays, it is submitted, should not be eligible for local leave.

Again when a service is not "Local", and has no other home than its quarters in the Colony, the considerable cost of taking a holiday in an expensive country must be taken into account. The fact that an officer might be able to stay with personal friends is not, it is submitted, a consideration for Government.

Since the Report was written, and the comments received, certain representations have been made to the Secretary of State affecting the entire service in the matter of leave and, it is suggested, his decision should apply to the Service as a whole. It has been shown that the "Local Service" of the Merrick Report is a misnomer.

D. PASSAGES.

The Fitzgerald Report advocated that the grading of passage accommodation should be according to the two categories of officers advocated by the 1929 Committee on Leave and Passage Regulations. The Merrick Report adopts the second category, Category B, for the "Local" Service, viz:-

- (i) Officers drawing over £450 per annum - Second Class British India, or B.5 Union Castle Line.
- (ii) Officers drawing over £300 per annum and not more than £450 per annum - Second Class British-India Line or B. 6 Union Castle Line.
- (iii) Officers drawing £300 per annum and under - Third Class Union Castle Line or Second Class British India Line.

Whereas the Fitzgerald Committee recommended that the "Local" Service Officer should be assisted in his passage to the extent that Government should open a passage account into which the officer would pay 2½ per cent of his salary (subject to a minimum of Sh.10/- and a maximum of Sh.20/- per mensem) and into which Government would pay an equal amount.

Page 7.

The Merrick Report recommends that the "Local" Service Officer should be considered to have earned 25 per cent of the cost of a return passage in respect of each year of resident service, the maximum being the cost of a passage to London, and that no financial assistance should be given unless the officer has given an undertaking to return for further service. In this connection it may be remarked that the usual rule is a passage to the place of engagement.

The Merrick Report considers no assistance should be given towards family passages, but would allow an officer, as now, to travel by a lower grade of accommodation than that to which he is entitled and to put the savings towards family passages. In this fashion it will be seen that at the end of four years an officer could earn a passage for himself and at the end of eight years an additional passage if stationed at a "Healthy" station.

The Commissioner for Local Government, Lands and Settlement does not agree that assistance towards family passages should be denied.

The Director of Medical and Sanitary Services considers a full passage should be earned by 6 years' service and that no assistance should be granted towards family passages by performing longer periods of service. He maintains that the cost to Government of the services of an officer should not vary in accordance with his married or unmarried state.

The Treasurer prefers the more generous Merrick Report to the Fitzgerald Report.

The European Civil Servants Association say that a large number of married men with families will find it impossible to save their family passages by the end of a four year tour and will find it necessary to serve an extra two years to earn the allowance towards family expenses. Thus, the Association says, will result in a loss of efficiency. As an alternative contributory scheme is suggested.

The Expenditure Advisory Committee are of opinion that it should be made clear that passage privileges should only be given to the port nearest to the place where the leave is to be spent, the maximum being that advocated by the Merrick Report.

Further, as regards family passage allowances, the Expenditure Advisory Committee consider that existing concessions should be maintained, but suggest that an officer, who is not transferred from elsewhere, should not be allowed, in normal circumstances, to bring his wife to Kenya during his first tour of service and if he does he should be regarded as "married off the strength" and not eligible for any passage privileges.

In Northern Rhodesia it appears that free passages are not granted to officers who are not returning for further service and that the family allowance is £60 and £50 respectively for senior and junior Civil Servants, in Kenya it is £40 and £30.

Recently the question of passage privileges has been under consideration by Government, the matter is complicated by Empire agreements, by the Conference Lines understanding, by the extent of the accommodation available in East Coast Africa and by the demands of the general East Coast public and of other East African Governments for the cheaper accommodation.

Generally, it is suggested that the Merrick Report recommendations should be followed, but that the grant of a family passage allowance is justifiable on grounds of general policy.

Page 13.

The Fitzgerald Report advised that pensions should be definitely on a contributory basis for the Local Service and stated that a Pension Scheme on such lines should be introduced as early as possible for the "fully permanent members of the Local Service". For members "on less permanent terms" a Provident Fund Scheme should be established. The Fitzgerald Committee inclined to the view that all officers in the Local Service should be under a Provident Fund Scheme until the age of say, 25 years, so that they may be in a position, up to that age, to leave the service without too great a sacrifice of pension rights.

Page 8.

The Horriek Report emphasises the imperative need for some form of compulsory insurance as an integral part of the inauguration of any permanent Local Service, with definite provision for State contributions to supplement an officer's premia. The principle of contributory pensions is unanimously favoured for introduction at the earliest possible moment, to be financed by regular deductions in respect of contributions from salary plus interest at a reasonable rate.

C.M.D. 3909

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et seq.

The Report refers with approval to the Scheme outlined in the Report of the 1929-1931 Royal Commission on the Civil Service. The general provisions are set out at great length in the Royal Commission's Report and a brief analysis is :-

Membership.

Confined to whole time Civil Servants over 18 years and under 50. Medical examination on admission.

Contributions.

Scheme A.	5 per cent of salary.
Scheme B.	1d in every complete sh. 2/-.
Scheme C.	1d in every complete sh. 2/6 of wages in excess of £1.

including acting allowances, value of quarters, etc.

Schemes A and B to begin when a Civil Servant has completed 2 years continuous service running from not earlier than the age of 18.

Calculations of benefits.

All benefits to be calculated upon the last 5 years average emoluments of contributory service.

In all cases where provision is made for the return of contributions with interest, this is to be at compound interest at 3 per cent with yearly rests.

Commutation or allocation of pension.

Commutation not to be allowed. On retirement :-

- (a) Part of the pension may be allocated for payment of a pension to the wife should she survive the pensioner, or
- (b) A joint pension for the life of the pensioner and his wife with reversion to the survivor of a reduced amount.

amount.

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Special provisions.

(a) Unhealthy climates, 2 years contributory service to count as three.

(Note. East Africa would count as unhealthy in the Royal Commission's Report.)

(b) Regarding 'approved' employment.

(c) Regarding reciprocity with Local Government Services.

(d) Regarding injury on duty.

Points to be dealt with in Rules.

Payment of pensions to lunatics; ditto to bankrupts, identity of pensioners; rule against assignment of pensions; death certificates.

Scheme A above covers what is called the 'salaried' Class and it appears from paragraph 735 of the Royal Commission's Report that Scheme A would apply to Civil Servants whose salary would pass £250 per annum. The Royal Commission was strongly in favour of the contributory system and was greatly impressed by the modern industrial tendency to set up superannuation schemes. Some of the benefits of the Royal Commission's Scheme A are :-
Retirement.

On reaching the age limit, after completion of not less than 10 years contributory service.

Annual pension calculated at the rate 1/80 of pensionable emoluments for each year of contributory service subject to a maximum of 40/80 together with an additional allowance of 3/80 for each year of contributory service subject to a maximum of 120/80.

Note. This additional allowance is a lump sum gratuity, vide paragraph 618 of the Report.

Health in Service.

(a) During first 5 years contributory service.

Return of Contributions with interest.

(b) After completion of not less than 5 years contributory service.

One year's pensionable emoluments with an additional 1/12 of such emoluments for each further year of contributory service, subject to a maximum of 2 years pensionable emoluments after completion of not less than 17 years contributory service.

Death after retirement.

The excess, if any, of the sum which would have been payable had the employee died on the last day of contributory service over the sum received

received since retirement by way of pension and any additional allowance.

Voluntary retirement.

Return of contributions with interest.

Marriage allowance, for women only.

Return of twice the contributions paid, without interest.

Retirement on grounds of ill health or abolition of office.

(a) During first 5 years contributory service.

Return of contributions with interest.

(b) After completion of not less than 5 but less than 10 years contributory service.

One year's pensionable emoluments.

(c) After completion of not less than 10 years' contributory service.

At option of contributor either a pension as on Retirement on reaching the age limit after completing not less than 10 years contributory service, or one year's pensionable emoluments.

Dismissal for inefficiency.

(a) During first 20 years of contributory service and before attaining the age of 50.

Return of contributions with interest.

(b) After completion of not less than 10 years contributory service and after attaining the age of 50; or

A pension and additional allowance, as on retirement on reaching the age limit after completion of not less than 10 years contributory service.

(c) After completion of not less than 20 years contributory service.

" " "

Pending investigation of a contributory system, the Merrick Report advises the temporary inauguration of a provident fund.

The Merrick Report suggests a 15 per cent contribution, equal proportions being paid by Government and the Officer. It will be noted that in what is called Scheme A by the 1929-1931 Royal Commission, contribution is 5 per cent on the part of the officer.

It will be agreed that the compulsory insurance which the grant of a free or contributory pension connotes is an essential part of any civil service conditions.

The inequalities and difficulties of the present state of affairs are many, instances are :-

- (a) Of the estimated 662 posts covered by the Merrick Report some 250 posts and/or individuals have attained free pension status.
- (b) There are many individuals also holding posts covered by the Report who have longer service than those who have achieved free pensionable status.
- (c) The pensionability of Civil Servants in junior posts in Kenya compares unfavourably with the position in other East African countries.
- (d) Whether or not contribution to the Widows' and Orphans' Pension Scheme should be compulsory and if so whether the salary proposed can, when this and other contributions are considered, be accounted a living wage.
- (e) The transfer of officers at present unpensionable to a contributory Scheme. This the Merrick Report suggests could be met by Government placing the amount of the contributions it would have made during the whole of the officer's service, had the scheme been in operation, with or without interest, to the credit of the officer.
- (f) The advantageous position of the serving Asiatic Civil Servant when compared with that of the serving European in junior posts.
- (g) The cost to Government of the Scheme and of meeting the cases of transferred officers.
- (h) Whether a contributory Pension Fund should form part of the Colony's revenue.

Page 10.

The Statistician states that the present arrangements for the widows and Orphans' Pension Scheme causes such dissatisfaction throughout the Service, he sees no reason why the proposed contributory scheme and the Widows' and Orphans' Pension Scheme should not be combined and considers a comprehensive scheme could be applied on an insurance basis, his Department could collect data for an actuary.

In this connection it will have been seen that the 1929-31 Royal Commission's scheme does combine to a large extent a provident fund a pension and a widows', but not an orphans', scheme.

The Treasurer thinks it important that a Local Civil Service should start with a system in force by which a compulsory contribution is made to some pensions or provident fund even if, at the outset, it is nothing more than a lump sum on a cumulative basis which is expressed as the ultimate benefit. Such a provident fund scheme is easily devised and it would, in his opinion, be a mistake to divert the Local Civil Service without insisting on the contributory principle, it would also, however, in his view be a mistake to defer the inauguration of a Local Civil Service until such details as this had been settled.

The Treasurer also refers to the very difficult question of compulsory contributions to the Widows' and Orphans' Pension Scheme. On this matter the Secretary of State may be expected to have definite views, because up to a point, the operation of the Widows' and Orphans'

pensions Scheme in East Africa (Italics inserted) depends upon the number of contributors being as large as possible. This, the Treasurer states, is another case in which it is virtually impossible to reach a firm conclusion before the new Service is constituted unless undue delay is to take place before it is inaugurated."

Again the Treasurer is unable to comment on the Report's suggestion that Government should, as a "welcome gesture", place what would have been Government's contributions to a contributory scheme to the credit of officers now in the service. Some 662 posts are concerned, the amount might be considerable and its provision depend upon the financial position of the Colony.

The European Civil Servants' Association prefers the principle of a contributory pension scheme to a Provident fund.

From the foregoing the following conclusions are adduced :-

- (1) The Merrick Report advocates a contributory pension Scheme and states that the collection of data and the actuarial investigation will take time. As a temporary and interim measure a provident fund is suggested. It is a matter for consideration whether it would be practicable to introduce both a provident fund and a contributory pension scheme at almost the same time with the avowed intention of adopting the latter. Moreover, a reference to the summary of the Royal Commission's Scheme, which the Merrick Report endorses in general terms, shows that it combines some of the features of a provident fund.
- (2) When the total effect of the Merrick Report reductions in emoluments is considered it will be seen that the contributions to the East African Widows' and Orphans' Pensions scheme must be reviewed. This scheme, however, applies to East Africa, its finance is actuarial, there is a continuing obligation upon the Government's concerned who use an officer's compulsory and voluntary contributions Revenue. These contributions are paid by all European males who are on the permanent staff, or on agreement, of over the age of 18.
- (3) The transfer of the serving officer from an expectant free pension to a contributory scheme presents grave financial difficulties.
- (4) Officers are serving in posts gazetted as pensionable with the reasonable expectancy, unfulfilled in many cases for years, that they will become pensionable.
- (5) It is virtually impossible to introduce new terms of service for officers with less than 6 years service, for future entrants and for a genuine Local Service until the superannuation scheme is ready; and
- (6) Only the preliminary calculations can be made in this country.

Pages 9 & 13.

F. QUARTERS.

The recommendations which have been made for the "Local" Service relate to those for the Overseas Service.

The Fitzgerald Committee recommended that the "Local" and the "Overseas" Services should be similarly treated and was strongly of opinion that the privilege of free quarters should be abolished and that when an officer occupies Government quarters he should pay rent based on a percentage of his salary, or on the cost of the house as may be determined administratively. In outstations officers should be required to occupy Government Quarters, and pay appropriate rent therefor, when such are available.

Generally, the Fitzgerald Report favoured consolidation of privileges in the emoluments of the office, but the Report definitely disregarded the framing of recommendations in respect of adjustments which, on the abolition, or modification, of privileges, may be necessary in the emoluments of officers already in the "Overseas" Service. The Report remarks that "many factors must be taken into account before equitable adjustment can be made" and states that the question of adjusting emoluments by the grant of consolidated allowances payable while on resident service, and not pensionable, is one which will require attention. The Report next says that it "by no means follows that consolidated non-pensionable allowances will have to extend to anything approaching the full present value of the privileges whose abolition or modification as a matter of principle is now recommended". The quotation raises another matter of principle.

The Merrick Report states the principle of consolidated salaries for the "Local" Service, without the addition of free quarters or an allowance in lieu, is embodied in its recommendations. The Report, however, says that exceptions must be made in rare cases, where an officer is required to occupy quarters adjoining particular institutions. Police, Prisons, Education, Medical and certain Agricultural and Veterinary Officers are instances of officers required to live close to their work and the cases seem likely to be fairly common.

The Report adds that acceptance of the principle that an officer will be responsible for his own housing arrangements means that, in centres where private accommodation can be arranged, he should be free to suit his individual requirements and should not be forced to rent Government Quarters, merely because such quarters happen to be unallocated or unoccupied. This may give rise to the disposal of any surplus Government quarters, and land. The next difficulty is rate fixation, this the Report recommends should be at ruling market prices.

The Commissioner of Prisons considers that Assistant Superintendents of Prisons should be granted free quarters because these officers usually occupy quarters in, or adjoining, first class prisons.

The Treasurer feels considerable doubt of the wisdom of the Committee's suggestion that exception to the principle of consolidated salaries should be admitted even in rare instances.

The Expenditure Advisory Committee remark that as regards future entrants, whether on first appointment or transfer to Kenya, housing should be consolidated in salary and that officers should be called upon to pay rent

rent in respect of Government Quarters based on a salary percentage. Fixtures should be provided, but no other furniture from Government stocks. Moreover, that the pension legislation should be amended so that for the categories specified no addition should be conceded to salary in respect of House Allowance.

From this results:-

(a). Fitzgerald Report:-

1. Existing "Overseas" Service.
The status quo.
2. Future "Overseas" Service.
Abolition of housing and house allowances, rent to be paid with apparently a consolidation of this and other privileges into a non-pensionable allowance to be drawn during residence.
3. Existing "Local" Service.
As in 1 above.
4. Future "Local" Service.
Nothing.

(b). Merriek Report:-

5. Existing "Local" Service.
Consolidation into salaries is stated to have been made in the scales recommended, certain exceptions being allowed.
6. Future "Local" Service.
As in 5. above.

(c). Expenditure Advisory Committee:-

7. Existing "Overseas" Service.
The status quo.
8. Future "Overseas" Service.
Abolition of housing and house allowances. Consolidation into salaries, payments of rents, amendment of pensions legislation to exclude house allowance.
9. Existing "Local" Service.
As in 7. above.
10. Future "Local" Service.
As in 8. above.

(d). Executive Council Minute, No. 391 of 1932 which preserves the terms of officers on agreement who have 6 years service and thus, by inference, places them in a better position than future entrants into the "Overseas" service.

(e). Rent fixation at the current market rate which fluctuates and is generally higher than the house allowance paid. (In this connection it should be noted that the 15% figure is an actuarial one calculated for pension purposes).

(f). The probability that Government might find that it had surplus houses and land to maintain and to dispose of, with a certainty of loss, and possibly of considerable loss.

(g). The probability of an increase in the emoluments of officers now in the service who may be transferred to the revised terms of service. In this connection the position of officers who have built their own houses, whether or not with Government advances, should be borne in mind.

Page 10.

The Fitzgerald Committee, as regards both the "Overseas" and "Local" Service, were "reluctantly compelled to reject a proposal that the privilege of free medical attendance should be withdrawn." The evidence they received of exploitation of the privilege led them to recommend revision and they recommended -

- (a) Medical attendance and reduced hospital rates to the officer.
- (b) Payment for drugs and dressings by the officer.
- (c) No medical attendance or reduced hospital rates to wives and children.

A minority held that where drugs, etc. are readily obtainable they should not be supplied from Government stores.

Page 11.

The Merrick committee follows the Fitzgerald Committee.

The Commissioner for Local Government, Lands and Settlements disagrees with the withdrawal of free medical attention and reduced hospital charges for wives and families but he agrees that when drugs can be procured from shops they should not be supplied by Government.

The European Civil Servants Association state

that in the absence of health insurance and cheap hospital facilities the outcome of the withdrawal of free medical attention would be the neglect of symptoms of illness.

The Expenditure Advisory Committee endorse the Fitzgerald Report and add that any fees payable to a Government Medical Officer in respect of attendance on Officers' wives and families should be credited to the Colony's revenue.

Code of
Regulations
275-282.

Summarised the existing Regulations are:-

- (a) All officers, other than those on month to month Agreements, are entitled to free medical attendance.
- (b) Operations free for the officer unless due to his indiscretion, but operations on the wives and families, and attendance at accouchements, may be charged.
- (c) Wives and families of officers appointed before the 1st September, 1926 - free medical attendance for those up to 21 years of age and dependent on the officer. Wives and families of officers appointed after the 1st September, 1926 - as above, if salary does not exceed £600 per annum.
- (d) Hospital fees for officers' wives and children:-

Officer's salary	£300 and under	Sh. 4.00 per day.
"	" " £500 " "	6.00 " "
"	" " £700 " "	8.00 " "
"	" " over £700	10.00 " "

It is understood that officials are increasingly availing themselves of the services of private practitioners, especially in the case of their families. At the same time it is generally recognised that an employer has a vital interest in the well-being, as well as the individual health, of the employee.

Other points in this connection are the practice in some commercial houses of giving medical attendance for tropical diseases only, the payment of private practice fees by Medical Officers into General Revenue, and the possibility of reduced privileges to officials enabling a reduction in Medical Staff and Stores.

As a basis for a decision the following is suggested:- 272

- (a) Free medical attendance for the Officer.
- (b) Free operations for the officer, if not due to his indiscretion.
- (c) Free medical attendance, but not free operations to the wife and children of an officer who is in receipt of a salary less than 3500 per annum. Accouchements may be charged for.
- (d) Payment for drugs and dressings by the officer and for his wife and children in all cases.
- (e) Payment of full hospital fees for wives and children by officers drawing over 3500 per annum.

H. TRAVELLING AND MOTOR MILEAGE ALLOWANCES.

Page 12.

The Committee recommend the general regulations of the time should apply.

I. ACTING ALLOWANCE.

Page 12.

The Merrick Report opposes the grant of acting allowances in respect of posts in the Local Service. The general question is under consideration by Government at the present time.

J. ENGAGEMENTS AND TERMINATIONS OF APPOINTMENTS.

Page 12.

The Committee recommend that the Secretary of State's sanction be obtained to waive the requirements of Colonial Regulations Nos. 17-22 relating to the appointment of officers and reporting vacancies etc. to the Secretary of State.

The Committee, however state that an officer would retain his right of appeal to the Secretary of State.

The Committee also recommend that Letters of Appointment should be substituted for Agreements (See Appendices I- III to the Report) and that the European Civil Servants Association consider inadequate and that the main terms and conditions should be set out, the simple letters show only salaries. Letters of Appointment are given by the Secretary of State and those include descriptive terms of service.

K. AGE OF RETIREMENT.

Page 13.

The present rule is 50 years of age, or 20 years East African Service, whichever comes earlier, for officers appointed prior to the introduction of the Pensions Ordinance and 50 years of age for officers appointed after the 1st April, 1927.

x ?

Page 9.

The Fitzgerald Report recommended :-

- (a) 55 years, or after 30 years service, whichever comes earlier, subject to the right of Government to retire an officer who has reached the age of 50 years.
- (b) That ordinarily women should be required to resign on marriage. This is the rule in Southern and Northern Rhodesia.
- (c) Otherwise the retiring age for women should be 50 years. In this connexion the Director of Education commented that a woman should have the option of retiring at 50 years of age or after 25 years service whichever is earlier.

Page 13.

The Merrick Report endorses the recommendations of the previous Report, but considers a final decision must remain for consideration with the provisions of a contributory pensions scheme.

The Expenditure Advisory Committee favour the provisions proposed in paragraph 102 of the Colonial Administrative Unification Scheme which are :-

- (a) That the normal age of retirement should be fixed at 55, at which age officers would retire automatically except in the circumstances detailed below.
- (b) That when, in exceptional circumstances, an officer remains in the service beyond the age of 55, he should in no case be allowed to remain after the age of 60.
- (c) That officers between the age of 50 and 55 might, in special circumstances, retire on pension with the consent of the Secretary of State.
- (d) That, in very special circumstances, officers between the age of 50 and 55 might be compulsorily retired with the approval of the Secretary of State, but without resort to the inefficiency clause of the Colonial Regulations.

Subject to the fixing of the minimum retiring age in respect of women at 50 years.

L. CIVIL SERVICE BOARD AND DISCIPLINARY PROVISIONS

The Fitzgerald Report recommended that a Civil Service Board should be set up :-

- (a) To regulate admission to the "Local" Service.
- (b) To determine the standard of education required for the various grades.

Pages 13, 13A and 14.

NECESSARY

- (c) To determine the qualifications for promotion from one grade to another.
- (d) To bring about co-operation between the Education Department and other Departments as to courses of training for candidates.
- (e) To have as wide executive powers as possible .
- (f) To be Government's principal adviser on all matters of policy relating to the "Local" Service.

The Merrick Report urges the importance of the early establishment of a Civil Service Board on the lines suggested above, and the majority (the Chairman, the Auditor, the Chief Accountant, Public Works Department, and Major Cavendish Bentinck dissenting) that the Board should be the proper body to investigate serious cases of indiscipline involving dismissal.

The Report also considered that the Civil Service Board would be the appropriate body for dealing with the question of transferring officers already employed to any new terms of service.

The Chairman and Major Cavendish Bentinck were entirely opposed to the principle of granting the Civil Service Board disciplinary or wide administrative powers. They emphasize that the Governor should have absolute authority, though he would naturally have powers of delegation.

In comment upon the Merrick Report, the Attorney General states that the proposals regarding discipline would deprive officers of the right of full legal investigation under Colonial Regulation 42 but provided that discipline is enforced by the Governor and not by the proposed Civil Service Board he has no objection.

The Chief Native Commissioner doubts if Government would be justified in off-loading its responsibilities regarding the transfer of officers to new terms by a Local Civil Service Board and would substitute Executive Council.

The Treasurer agrees with the minority of the Merrick Committee regarding the disciplinary powers of the Board and entirely endorses the view that the Board should not have wide disciplinary or administrative powers. He considers the Board the best machinery for dealing with the transfer of officers to new terms.

The European Civil Servants Association consider the Board should be given wide powers including that of investigating serious cases involving dismissal and that the Association should have substantial representation on the Board. Moreover, that the questions affecting the transfer of officers to new conditions should not be hurried through on account of present financial difficulties. The Association ask to be consulted in the composition of the Board.

Difficulties have been encountered regarding the terms of reference to a Civil Service Board whenever the proposal has been mooted. It is submitted, and indeed it is the case :-

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- (a). That the authority in Staff matters is in the Governor.
- (b). That the powers of Heads of Departments in Staff matters, under the Governor, should not be undermined.
- (c). That the individual officers rights, and liabilities under the terms of his engagement, Colonial Regulations, the Regulations and orders of Government are matters for Government and the Secretary of State.

and that the terms of reference to a Civil Service Board should be:-

1. To advise Government upon the applications for entry, the promotion and the transfer of officers within the Colony to posts normally filled by local recruitment.
2. To arrange for the setting of papers, the control and the marking of Civil Service examinations, other than the Language and Law Examinations, within the Colony.
3. To advise Government upon such matters as it may specifically refer for the opinion of the Board.

It will be observed that the foregoing does not include executive powers, these it is submitted must remain with Government; nor the setting of standards for entry or promotion, these it is submitted are for Government to lay down in the interests of maintaining a standard; nor advising upon appointments made by the Secretary of State, nor upon disciplinary and personal matters, unless a specific reference is made by Government.

The following composition is suggested for the Board:-

- The Head of a Joint Service Department (Chairman).
- The Attorney General or the Solicitor General.
- The Principal Assistant Colonial Secretary.
- A European Unofficial resident in Nairobi.
- A Representative of the European Civil Service Association.
- (Alternate in Asiatic matters a Representative of the Asiatic Civil Service Association.)
- The Establishment Officer (Secretary).

It is further suggested that meeting should be monthly and that whatever allowances are given to Members of Central Committees should only be drawn by the Unofficial Member.

M. REGULATIONS.

Pages 19-55.

These are shown in Pages 19 - 55 of the Report. They are based on existing Regulations, but in them "Governor" is substituted for the "Secretary of State". Numerous comments have been received, these are not, however, reproduced pending decisions on main issues.

O. SCHEDULE OF POSTS.

Pages 59-69.

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the proposed new scales must be revised in the light of the approved decisions on the main issues.

The comments which have been received are:-

The Chief Native Commissioner. "I do not know whether there are facilities for training such officers as Stock Inspectors, Stock Instructors, Plant Inspectors, Dispensers, Sanitary Inspectors, but surely "locally trained and certificated Education Officers" are non-existent. If the supply of local candidates is likely for some time to be inadequate it would seem to follow that the immediate introduction of terms of service suitable only to local candidates must be premature".

The Chief Registrar of Natives considers his post should be regarded as an "Overseas" appointment. In the past, he says, the duties of the post warranted the appointment of a Senior District Commissioner. He points out that the present scale is £600 x 30 x £720 and the proposed £500 x 25 x £650.

The Postmaster General compares existing and proposed scales for:-

Librarian (Agricultural) and Postal Clerks and Telegraphists; Primary Education Officer (female) and Postmistress and Supervisor; Dispenser, Wardmaster, Chief Instructor and Postal Clerks and Telegraphists; Junior Computer and Postal Clerks and considers them likely to lead to anomalies.

The Game Warden agrees for the reasons given on page 63 of the Report that Assistant Game Wardens should not be recruited locally, a recommendation which seems open to some doubt.

The Surveyor General recommends the scale for Draughtsman should be £290 x 15 x £350 x £360 x 20 x £480 x 20 x £540 instead of £480 x 20 x £540 in the Report and the same for a Junior Computer.

The Commissioner for Local Government, Lands and Settlement states he did not agree to the scale £500 x 25 x £650 for Office Assistants. He expressed the opinion that posts having the present maxima of £720 or £725 should not be included in the "Local" Service, but that if it was decided to include such posts, the maximum of the scale for both Office (Land) Assistants and Registrars of Titles should be the same at £750.

The Private Secretary considers that the highly confidential post of Chief Clerk should not be filled by local recruitment. For the Chauffeur-Mechanic he considers the proposed scale of £360 x 20 x £480 plus quarters too generous and that the recruitment of a man from well-known English motor works who can do major, as well as running, repairs is a saving.

The Superintendent of Gardens, he considers, could be locally recruited and he suggests £260 x 18 x £350 x 18 x £400, plus quarters, a more suitable scale than the proposed

£360 x 20 x £480.

In the case of the Caretaker and Housekeeper he suggests that the Governor must be given an unfettered choice and that a fixed remuneration of not less than £200 rather than the scale £150 x 15 x £300 should be given.

The Director of Education comments upon the difficulties which arise from difference in the Education Officer scales proposed by the Advisory Committee to the Secretary of State, and the proposals in the Fitzgerald and the Merrick Reports.

The Officer in Charge of the Finger Print Bureau states he was not consulted by the Merrick Committee and that he disagrees that the post should be "within the powers of a locally recruited man with some training". The work is that of an expert, there are over 1,000,000 finger print records and the Kenya Bureau is the fourth largest in the world.

The Registrar General. states he did not agree that the scale for the Accountant in his Department should be £400 x 20 x £480 x 20 x £600, the scale proposed to him was £500 x 25 x £600 x £25 x £725 and he did not consider this suitable. He sees no reason why the Accountant's scale in his Department should be the lowest, in 1931 £64,141 was received and £71,634 paid out and funds to the value of £72,708 were handled. The Accountant has various technical duties to perform in connection with bankruptcy etc. He does not agree the post should be within a Local Civil Service, and, if it is, he considers the scale should be £500 x 25 x £650.

The Staff Officer, Defence Force, does not consider that the Armourer and Musketry Instructor are posts which can be filled locally because the former must have been through Military Workshops or an Arsenal and the latter must be up-to-date.

The Government Printer states that there are no possible opportunities for local recruitment for the posts enumerated or likely to be for some years. Moreover, he considers the proposed emoluments are too low and will not induce the right type of candidate to apply especially when it is realised that the comparison with neighbouring East African Territories is so adverse.

The Conservator of Forests states that in his self-Accounting Department the Accountants scale should be £360 x 20 x 480 x 20 x £600 instead of £360 x 20 x 480 x 20 x £540.

The Director of Medical and Sanitary Services states that in the negotiations for transferring the European Hospital Nairobi breakdown it may be found desirable to reconsider the salaries proposed for Nursing Sisters.

His Honour the Chief Justice remarks on the difference in scale proposed for Shorthand writers when compared with that for "Hansard" Reporters viz:- £360 x 20 x £480 x 20 x £600 and £400 x 20 x £600. He adds that he tried to make it clear that the Shorthand writers should be Overseas appointments and that there should be no distinction between them and the Reporters.

The Treasurer considers the Chief Clerk at Government House should have a £25 increment and doubts if quarters should be free, that the close of the Agricultural Department Accountant's scale at £725 should be considered when the occasion arises, he similarly remarks upon the scale for the Primary Education Officer (g). He also says that he doubts whether in practice a maximum of £600 is enough for a Shorthand Writer in the Judicial Department and that he would like to examine the alternate proposals of the Director of Public Works who considers the scale proposed for Public Works Department Apprentices high.

The Government Coast Agent, considers his Assistant cannot be recruited locally, he must have a knowledge of the Merchant Shipping Act, passage and freight work, Marine Insurance and claims, customs regulations etc. and is best recruited from the Crown Agents staff.

The European Civil Servants Association states the inclusion in the local service of officers whose training is specialised is premature and an error. It is obvious that a considerable time must elapse before the Colony can provide the necessary training. The present time of world depression renders recruitment easy but it is not a suitable time, unless recruitment is to be from those who have fallen out of employment.

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END

P. CONCLUSIONS.

The following general conclusions are submitted:-

1. That the posts with which the Merrick Report deals cannot yet be regarded as forming a Local Service.
2. That the establishment of a Local Service in the accepted sense of the term will be a matter of years.
3. That every encouragement should be given to ensuring an adequate, and suitably qualified, supply of local recruits to form a Local Service giving a reasonable career.
4. That unless, and until, a provident fund or a contributory pensions scheme exists action on the Report should not be taken.
5. That the salary scales are too low at various points and the adjustments too stringent; that both will have a harmful effect upon the recruitment of suitable officers from within and without the Colony.
6. That with a view to reaching finality the Civil Service Board should be set up and that the comments which have been made should be referred to it for advice bearing in mind the Secretary of State's remark in his Confidential despatch of the 16th August upon the Fitzgerald Report"in this connection it is desirable to guard against the formulation of conditions in a period of financial depression, which in the future may prove a source of discontent."
7. Finally, it should be noted that the 1932 Governors' Conference "Agreed generally with the views expressed by the Government of Uganda in paper G.C.(32) 49 including the need for unified action; but considered that the time was not ripe to start any formal consultation for this purpose between the East African Territories".

The views of the Government of Uganda were that "Conditions at present indicated that it is only in Kenya that the institution of a "Local" service need be considered. The adjoining territories should, however, consider how far economy can be effected in their own services....by recruitment in Kenya preferably to England. The terms of such recruitment, while making some allowance for unfavourable conditions etc., should not be such as to compete unfairly with the terms offered by the Kenya Government for admission to its Local Service."

It, therefore, appears desirable that the final decision on the rates of salary taken in Kenya should be communicated to the Governors' Conference in order to encourage recruitment in Kenya by the other East African territories.