

1925

E. AFRICA  
Circular  
TANGANYIKA

340

30363

DATE

REC  
REV 4 JUL 25

Gouvernet  
Cameron

358

29 May

ULATION: -

Pension Calculations

U.S. of S.

Submits observations and suggestions regarding calculation of pension for service under more than one Government

Permt U.S. of S.

Permt U.S. of S.

Secretary of State

Circular 19 March 25

Previous Paper

MINUTES

Noted

General Dept.

Eqm 6/2/25

M. Omsby more wishes to be kept informed with regard to this pension question. Will be in pp before a final decision is taken.

N. Jeffries for Bottanley

20/11

Mr Gent

See me in minutes within. Perhaps I could have ... U.S. ...

See Thanks

2 attach ... on 42758/25 ...

will find ... up to date statement of the ... prepared to reciprocate with ...

Subsequent Paper

1 A.G. 35622



Sir D. Cameron's proposals have been discussed to-day from the point of view of the new E. A. financial Ordinance, Mr Green, Mr Bottomley, Mr A. J. Harding & Mr Gent being present. After some discussion of general principles it was agreed

(a) That the general question raised should be taken up when all the replies to the circular of 19/3/25 were in

(b) That in regards the E. A. Order, we should begin by scheduling W. Africa and any other Dependencies which were ready to reciprocate and where there was good prospect of the necessary legislation being introduced without delay,

(c) that the W. A. Depts should be asked to initiate legislation in W. Africa with a view to the E. A. Dependencies being scheduled there

C. J. Jones  
19.7.26

Subject to  
Consent &  
sanction of  
Secy  
W.A.  
23.7.

and E. A. Depts were  
to go ready to discuss  
opinion officers in the  
of representatives of  
in Depts

at the had no fault  
M. Hall  
taken by (L.M.E.)  
AF

Mr. H. H. H. H.  
Mr. B. B. B. B.

313

I find that the question raised  
by Sir D. Cameron in Gov/30363/25 has  
not been taken up in connection with  
the drafting of the S.A. Pension Ordinance.

It will however be necessary to reply to  
him when the draft is sent out, &  
his views should be considered before the  
terms of the draft are finally settled.

What he urges is that the  
transitional system of awarding pension in  
cases of mixed service, rather than that  
which had been embodied in the  
draft, should be adopted. Under  
that system the pension granted by T.T.  
to a man with service in T.T. &  
elsewhere would be the same whether  
there was a reciprocal arrangement with  
the other service or not. But under the  
draft ordinance, if the other service is  
not in the group the officer gets a  
separate pension based on his T.T. service and  
final T.T. emoluments.

The Governors of Nigeria, S Leone  
and Nyasaland have had copies  
of Sir D. Cameron's despatch and agree  
with it.

All these Governors approve  
that the transitional system is



30363

RECEIVED  
GOVERNMENT HOUSE 4 JUL 25

DARES SALAAM 341

FANGASIKY TERRITORY

7 May, 1925.

No 358.

Sir,

I have the honour to acknowledge the receipt of your Circular despatch of the 19th March with further reference to the system of basing pension for service under more than one Government on the officer's final salary and total service. The whole subject has been carefully considered in Executive Council and I submit the following observations as the result of those deliberations.

2. If the scheme is devised for the benefit of the dependency concerned, i.e. to attract trained men to its service, then there is, we submit, no reason to differentiate between Colonies when preparing the schedule. From this point of view it would be illogical to extend the benefit to an officer from Sierra Leone, for example, and deny it to an officer from the Eastern Civil Service, who would undoubtedly be more highly trained than the former.

3. I have been told in conversation with a member of the Colonial Office (who signed the report) that it is not necessary to examine the

scheme

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L. C. W. H. H. H. H. H.

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scheme from this point of view inasmuch as officers seem to be quite willing to transfer now without any such attraction of a special nature. This may be so at present, but I have little doubt that if one set of Colonies offers this form of benefit and another set refuses it the effect of this policy will eventually be felt when it is desired to recruit officers in the Service for the latter. The view we have formed therefore is that the scheme will benefit Tanganyika (unless it is abandoned altogether throughout the Colonial Service) and that it should not be regarded as being intended to benefit the individual merely.

4. I would venture to suggest, out of that my experience, the scheme has little chance of being adopted in any Colony with a Legislative Council if the doctrine is preached that the State will benefit nothing in participating in it. My strong personal opinion is that a Colony which does not adopt the scheme in a generous manner will suffer just as the Services in some of the smaller Colonies have suffered generally because the terms they offer are not sufficiently liberal to attract men from other Colonies, or because competition from outside has deliberately been stifled.

5. Viewed as a scheme to benefit the individual alone, without any reference to the benefit to the State to which I have alluded above, it is, we believe, true to say that all previous attempts to solve the difficult problem have broken down because they were based on the principle of reciprocity. For half a century the habit of mind has been that the officer could not receive any benefit

benefit unless all the Governments under which he had served agreed to accept the scheme approved. The recent Committee cleverly solved the problem by pointing out that reciprocity was not necessary, and although it did not in terms recommend that principle it very clearly recommended the adoption of the Mauritius system which is non-reciprocal (paragraph 26 of the report). Moreover, the draft legislation prepared by the Committee, read in conjunction with their recommendation for the adoption of the Mauritius system, suggested that the principle of reciprocity was not to be regarded as vital. The draft legislation is indeed modelled on the Mauritian legislation. Ceylon has non-reciprocal legislation as well as Mauritius, we understand.

6. Officers interested in this matter have accordingly been led to believe that the 'simple means of calculating a pension for mixed service' (based on the arrangements embodied in the Mauritius Ordinance) referred to in paragraph 24 of the report - the solution of this longstanding problem found by the Committee after more than fifty years of controversy - was receiving favourable consideration. Nothing to the contrary has been said since the report was issued and sent out to the Colonies on the 14th May last until your Circular despatch under acknowledgment, wherein the principle of non-reciprocity is for the first time thrown out of the scheme on the grounds (1) that the Committee did not make a specific recommendation for its adoption - a point with which I have already dealt, and (2) because you have decided that it is not desirable that a Colony should assume the financial burden of such a non-reciprocal

arrangement.



arrangement. The financial burden could apparently be assumed if the arrangement was reciprocal.

7. My advisers and I have had some difficulty in regard to the second of these points inasmuch as if Tanganyika scheduled another Colony which did not reciprocate the financial burden assumed by Tanganyika would be precisely the same as if the other Colony did reciprocate. We suggest that this aspect of the question should be re-examined and we venture to submit an earnest plea that, in view of the circumstances explained above, you may be able to see your way to reconsider the decision that reciprocity is vital to the scheme. The Colonial Civil Service formed from the report of the Committee and the Circular despatch covering it a reasonable belief that a working solution of this difficult problem had at last been found; your Circular despatch of the 19th March puts the question back in its main principles very nearly where it stood before the Committee reported.

8. Regarding the scheme once more from the point of view of benefit to the officer only we see no sufficient reason why an officer who comes to Tanganyika from West Africa, for example, should get a benefit denied to an officer who comes here from Ceylon or the Straits Settlements. It is not in the interests of the Service that such discrimination should be made, and as advised by my Executive Council I am strongly of the view that all Colonies or none should be scheduled. It would be particularly unsatisfactory if an individual obtained or did not obtain the benefit from Tanganyika by the mere accident whether or not his former Colony had scheduled Tanganyika inasmuch as the benefit from this Dependency would, as I have already pointed out, be precisely the same whether or not the former Colony had scheduled

Tanganyika. The action taken by the former Colony seems to us, therefore, to have little or nothing to do with the attitude which Tanganyika should adopt in fixing the retiring allowance of its own servant at its own charges. If the principle of continuous service for mixed pensions is a good one then Tanganyika should adopt it as 'a good employer' and should not refuse to be a good employer because the officer's former Colony decided to be a bad employer.

9. If the principle of reciprocity must be insisted on then the best plan will be to take power by ordinance to schedule by Order in Council any Colony that schedules Tanganyika; but we should prefer to stand out of the scheme altogether for the present if it is to be narrowed down so as to benefit only a few individual officers of a particular class, the <sup>Tanganyika</sup> benefit accruing to them at our charges not at our will but at the will of some other Government.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

*W. G. Stewart*

G O V E R N O R .

L/EA.