

1922-23

KENYA

C. O.

1683

Re-

9 JAN 23

FROM GOVERNOR

DATE

CORYDON

1671

11th DECEMBER 1922

FOR CIRCULATION :-

Mr. *Boltanley*

Mr.

Mr.

Mr. Grindle

Sir H. Lambert

Sir H. Kool

Sir J. Musterton Smith

Mr. Wood

Mr. Churchill

SUBJECT

MR. A. J. DA COSTA FERNANDES

430

Submits proposals as to liability for pension between Kenya Govt and E.A. Currency Board. Requests approval.

Previous Paper

(Delayed for 11) MINUTES

Please see last para. of minutes of Currency Board meeting of 2/8/22 (flagged in file below). What is proposed here follows what was agreed to at the meeting. The Kenya deft - Ests. for 1923 provide for Mr. Fernandez salary (£298) under Head VII of expenditure, item 12, and for the reimbursement under Head V of revenue, item 14.

*Recd - 20/1 - 11/4 Feb 23
copy wms. to E.A.C.B. 16/2/23 B.S.*

Subsequent Paper

*m.6
39334*

? Approve + send copy of detn. + reply to Currency Board L.F. C.P. 2/23

Mr. Bottauley

The Currency Board
were consulted on Monday,
as to their interpretation
of the phrase "proportionate
pension". They agreed that
it would be reasonable
to proceed as if Mr.
Fernandez had been
transferred e.g. to Uganda,
i.e. the Board will be
liable for pension in
respect of total service band
on final emoluments, less
the Kenya share which will
be equivalent to the pension
which would have been
earned had Mr Fernandez
retired on pension from the
Kenya service at the date
of transfer.

? make this clear in the
resp. to the Gov.

(J) 2.23

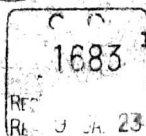
WAS 8/2/23
a tonic

KENYA.

No. 1671.



GOVERNMENT HOUSE,
NAIROBI,
KENYA.



11th December, 1922.

431

My Lord Duke,

I have the honour to inform Your Grace that provision has been inserted in the Colonial Estimates for 1923, for the post held by Mr. A. J. da Costa Fernandes, whose case, to report briefly, is as follows :-

2. Mr. Costa Fernandes was first appointed as Clerk to the Currency Commissioners on the 12th October, 1908, and was paid from the funds of this Colony until the first August, 1920, when he was taken over by the East African Currency Board. It is the rule that officers and clerks employed by the Board are not entitled to pension rights, but Mr. Costa Fernandes was placed on the permanent and pensionable staff of this Colony prior to his transfer to the establishment of the East African Currency Board and it seemed hardly fair that the fact of his having been taken over by the Currency Board should entail forfeiture of pension to which he may ultimately qualify. This view was placed before the East African Currency Board in London, who have agreed to the proposals that Mr. Costa Fernandes' salary should be provided for in the Colonial Estimates,

the

HIS GRACE

THE DUKE OF DEVONSHIRE, K.G., P.C., G.C.M.G., G.C.V.O.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S. W.

the monthly payments on account of which would be recoverable from the East African Currency Board; that he shall be put into the same position as regards pay and pension as he would have been if he had remained in the service of this Government and that when he retires the Board accept liability for proportionate pension in respect of Costa Fernandes' service from the 1st January, 1920, with the proviso that should at the date the East African Currency Board be set up the liability for the whole of his pension should be a charge on the funds of this Colony.

3. I shall be glad to receive Your Grace's approval of the proposals which have my entire support.

My Lord

Your Grace's most devoted and most obedient servant,

G. G. M. R. N. O. R.

16/3/23 Kenya

W

114
114 Feb 1923

DRAFT.

107
Dr. Conyngham
MINUTE.

- Mr. Burt
- Mr. Griffiths
- Mr. Dutton
- Mr. G. Grindle.
- Mr. H. Read.
- Mr. J. Musterton Smith.
- Mr. Ormsby-Gore.
- Duke of Devonshire.

copy to A.A. & B. 1923 B/A

Sir,

I have to ack the recd of your desp, No 1071, of the 11th of Dec^r, ~~relative to~~ ~~concerning~~ the ~~case~~ of ~~M. A. da Costa~~ ~~Fernandes~~, and to inform you that I approve the ~~Cherim~~ ^{Cherim} ~~submits~~ ~~proposals~~ ~~with~~ ~~respect~~ ~~to~~ ~~expanding~~ ~~the~~ ~~business~~ ~~after~~ ~~the~~ ~~officer's~~ ~~permission~~, of ~~M. A. da Costa Fernandes~~ & The Ed. Currenson Board, who have been consulted, have agreed

to accept liability for
pension in respect of
his total service based on his
final emoluments, less the
share of the pool of Kenya,
which will be equivalent
to the pension which would
have been earned had
Mr. Fernandes retired on
pension from the Kenya
service at the date of his
transfer to ^{service} ~~establishment~~
of the Board.

IF

(Signed) DEVONSHIRE