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EAST AFR. PROT.
UGANDA
ZANZIBAR
12922

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12922
REC'D
APR 17 1913

Foreign Office

1913

16 Apr.

Last previous Paper.

9513

Retirement of Dr. Spencer

Contract Co view as to liability of E.A.P. and Uganda funds to contribution towards pension

W. B. G. G. G.

The contract committee on 70/3202/12 from the FO view - but I still feel that in this case Zanzibar should bear the whole cost of pension. The FO argue that in the absence of any stipulation to the contrary, E.A. must share the pension charges. The East argues that in the absence of any stipulation that part of the pension should fall on East funds, Zanzibar

And (copy above of encl.) 29 June 1913
Copy sent for 509 - 30 June 1913

48,101, W. 20, 207-03
4,000, 1112, A.R.W.

Next subsequent Paper.

2117

what way the whole. It was never intended, as they observe, that the liability of the F.O. should extend beyond a yearly contribution to be utilized mainly in case of interest on capital expⁿ the balance devoted to upkeep.

What authority the F.O. have for thinking the Treasury will agree to not paying a share, I do not know - but I would suggest that we now go to the Treasury - and then all the correspondence - say that J.P. does not share Sir E. Sug's view & regrets that he cannot recommend that any part of Sir Spence's pension should be a charge on E. & P. or Uganda funds - submit that it was never intended etc. as in para 4 of Mr Bannings Rep. in 9513/13 -

Accd
25/4/13

Probably the work
to the Treasury
for the

Mr G. Fisher
After going through the 90. of the 1883
I have only one definite impression on the
subject, that the 90. was for the work
occupied at the time in continuing the
long term proposals as to contribution
in respect of capital charges to think
of eventual pension charges. Now their
point of view is changed as their only
interest is on behalf of L'bar.

I think we should go to Treasury as
proposed. On the point of principle there
seems to be something to be said for the
20 argument, but so far as I can
make out Sir S. Spence would in
any case have received the salary on
which he is to be pensioned, and therefore
L'bar is likely to have had a
contribution to salary and cannot with
much conscience claim a contribution
opinion which was not in the bond.

W. G. F.
29.4.13

W. G. F. 29.4.13

In any further communication
on this subject, please quote
No. 13950/13.
and address—
The Under-Secretary of State,
Foreign Office,
London.

~~SECRET~~

CO
FOREIGN OFFICE
12922
April 16 1913.
REC
PS 17 APR 13

Sir:

I am directed by Secretary Sir E. Grey to acknowledge the receipt of the letter from the Colonial Office of the 26th ultimo, No. 9513, relative to the retirement of Dr. Spurrier, Health and Quarantine Officer at Zanzibar, in which it is stated that Mr. Secretary Harcourt does not feel satisfied that either the East Africa Protectorate or Uganda should be called upon to contribute towards the pension of that officer.

I am to point out in reply that the claim was put forward in accordance with the well established principle that pension is computed on salary, and that if the salary is derived from various sources, in the absence of any express stipulation to the contrary, the pension also is divisible between the various contributors of the salary in due proportion. No such stipulation exists in Dr. Spurrier's case: neither does it seem material

to

The Under-Secretary of State,
Colonial Office.

(13950/13)

to argue that one or other of the parties to the joint arrangement receives more or less benefit. Such a point is only of importance as helping to regulate the proportions of the salary to be paid, and, as pointed out in the last paragraph of the letter from the Colonial Office under reply, it has so been taken into consideration in the recent increase of the Zanzibar contribution to the joint salary in question: but the liability to pension remains, in Sir E. Grey's opinion, intact on either side.

50. 6. 8.

The pension to which Dr. Spurrer is entitled is Two hundred and ninety pounds six shillings and eight pence and Sir E. Grey does not doubt that the Lords Commissioners of the Treasury will be ready to accept a due proportion of this sum as a charge against the votes of the Protectorates administered by your Department.

I am,

Sir,

Your most obedient,
 humble servant,

M. Mallet

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East
Zanzibar

Handwritten vertical text, possibly a name or title.

DRAFT.

Mr Sec. to the Treasury

7 May 1913

MINUTE

Mr. *de la* 27/5/13
Mr. *Attorney* 3-5-13

- Sir G. Fiddes.
- Sir H. Just.
- Sir J. Anderson.
- Lord Egmott.
- Mr. Harcourt.

Dear Sir,

I have etc. to transmit to you for the course of the R.C. of the Treasury, the accompanying copy of correspondence with the Foreign Office on the subject of the pension of Mr. H. Spurrice, Health Quarantine Officer at Zanzibar.

70. 10 Oct 1912
 (encl. 1 + 2) 30.1.1913
 Lab. 27 Nov 1912
 51023/12
 20. 27 Nov 1911
 51023/12
 Lab. 27 Feb
 9513/13
 20. 26 Nov
 9513/13
 20. 16 Dec
 12924/13

Copy of J. G. G. June 1913
 509
 30 June 1913

2. It will be seen that the Foreign Office

Office maintain that
the E. Africa Uganda
Pte are liable for part
payment of ^{the} pension
which may be granted
to Mr. Purvis on his

retirement in the absence
of any stipulation to the
contrary at the time
when the arrangement was
made for a contribution
to be paid by the E.A.P.
towards the maintenance
of the Sanitary Station at
Zanzibar.

3. Mr. Harcourt is unable
to accept this view of the
matter & regrets that
he cannot recommend
that

fully concern in the
opinion expressed
in Mr. Bowring's rep.
No. 29 of the 27th Feb
February, 1913

that my part of Mr. Purvis's
pension should be a
charge upon E.A.P. or
Uganda funds. He is

~~substantiated~~ that it was
never intended that
the liability of the
E.A.P. should extend further
than a yearly contribution
to be utilised mainly
on account of interest
on the capital exp^d
& the balance devoted
to upkeep, that it
was never considered
part of the arrangement
that the Pte should be
held liable in any degree
for pensions of the
staff employed.