

4761

Recd orig
16 Feb 12

no.
and 24
Date
912
22
Paper
07

European Constables
Conditions of service.

Subjects amendments. Rules approved.

Mr Butler

As to paragraphs 1 & 4, we have already
a good deal of work better be worked upon
to get into the agreement about the
provision of discharge - see p 12 part a
of 22855 etc. - he was removed from
that desk that we have already made
the alteration suggested in para 4.

As to para 10 - it was not our intention to
suggest in the report of 30 June - Feb 1902
that the period of 3 years had been adopted
instead of 30 months. The Ord - (1871)
leaves it open to the Gov to fix the period
for the sake of uniformity I would
stick to a period of 30 months residential
service

except that he considers 30 months
but he substituted for 3 years,
that is, as he is advised,
the term must be altered to make
this legal, suggest the amendment
to § 29 (1) as above.

All

23/2
So moved - + pass the
Sjt. the Mr. Tennison.

at once.

H. J. R.

26/16

GOVERNMENT HOUSE,
NAIROBI.

BRITISH EAST AFRICA

January 12th 1912.

EAST AFRICA PROTECTORATE.

No.24

Sir,

With reference to your despatch No.519 of the 20th September 1911, I have the honour to submit the following amendments to the draft form of conditions of service for European Constables in the East Africa Protectorate Police Force for consideration.

1. Paragraph B

Until the receipt of your despatch No.356 of the 30th June 1911 the period of engagement was 30 months but after that it was altered to three years which is now also the period prescribed by law (vide Section 28 (1) East Africa Police Ordinance No.4 of 1911).

2. Paragraph C

The conditions set forth in this paragraph do not coincide with those laid down in Section 29 (1) of the Ordinance No.4 of 1911. The following amended paragraph securing pension rights to European Constables under Section 38 (1) of the Ordinance is suggested for consideration:-

Paragraph C

Re-engagement and Pension

"If of good character on completion of his engagement

RIGHT HONOURABLE

LEWIS HARCOURT, P.C., M.P.

SECRETARY OF STATE FOR THE COLONIES.

DOWNING STREET, LONDON, S.W.

"engagement or within six months of completing
 "the same he may, if he desires it and the
 "Government desires to retain his services, be
 "re-engaged for further service by periods of
 "three years until he attains the age of fifty
 "years. Continuous service shall be deemed to
 "be permanent service for the purpose of the
 "Pension rules laid down from time to time for
 "European Officials in the service of the Pro-
 "tectorate".

3. Paragraph 9 *G*

Ann- (e) on purchase of his charge at the
 following rates:-

£20 during the first year of service ✓
 £15 during the second year of service ✓
 £10 during the third or any subsequent ✓
 year of service ✓

... of ... the whole or a portion of
 ... of any, incurred by ... of ...
 ... of the Protectorate, at
 the Commission shall determine.

4. Paragraph 11 *H*

The words "Inspector General of Police"
 shall mean "Chief of Police".

For purposes of reference a copy of the
 East Africa Police Ordinance No. 4 of 1911 is
 attached herewith and you shall be glad to know if
 there are any other matters with approval.

I have, Sir, the honor to be,
 Your obedient servant,

C. B. Bony
 in command
 of GOVERNOR.

C O
30015

Agreement

made this 13 day of SEP 1891

Between
 The Crown Agents for the Colonies
 of Whitehall Gardens, London in the County
 of Middlesex acting for and on behalf of
 the Government of the East Africa Protectorate
 (hereinafter called the Government) of the
 one part and
 of _____
 in the County of _____ of the other
 part

Whereby it is agreed between the said
parties as follows

The said _____
 hereinafter called the Contractor hereby selected
 a willing and proper person to be enrolled
 in the European Police Force of the East
 Africa Protectorate hereinafter called the
 Police Force upon the terms and conditions
 set forth in this agreement

The said Contractor hereby undertakes and agrees
 to provide & furnish to such post as may be
 designated by the Crown Agents for the Colonies
 in a vessel to be indicated by them and that
 himself upon his arrival at such port proceed to
 the Head Quarters of the East Africa Protectorate
 European Police Force or to such other place as he
 may be directed by the Government or any
 duly authorized officer and will report himself
 at the Head Quarters or such other place as aforesaid
 in order that he may be attached as a Constable
 in the East Africa Protectorate European Police
 Force in accordance with any Proclamation, Ordinance

Regulations for the time being in force provided for the discipline and organization of His Majesty's

The Government shall provide the said Regiment with a free second class passage from England to the Protectorate together with those class tickets and fare to the port of embarkation.

The Regiment hereby undertakes and agrees in the event of his not presenting himself for attestation as aforesaid on his arrival in the Protectorate or in the event of his resigning his Majesty's service before the expiration of this agreement for any other reason than ill health not caused by his own misconduct he will refund on demand to the Government of the Protectorate or to the Crown Agents for the Colonies the amount paid for his passage to the Protectorate together with any other money in England or elsewhere which he may have received as a soldier or as a private soldier in the service of His Majesty's Government since he was engaged in the said voyage by means of ill health within the meaning of this clause.

If the Government shall at any time be obliged to call upon the said Regiment for service in any part of His Majesty's Colonies or in any other place where the Government shall think fit to employ the said Regiment the Government shall demand the amount paid for the passage of the said Regiment to the place of destination and shall be entitled to deduct the same from any money payable to the said Regiment for the said passage.

The agreement is subject to the conditions set forth in the conditions of service hereby annexed and the conditions of service shall be read and construed as a part of the agreement.

7. The Crown Agents for the Colonies shall not be personally liable for anything arising out of this agreement.

In witness whereof the said parties have hereunto set their hands this day and year above written.

Signed by

on behalf of the Crown Agents for the Colonies as aforesaid in the presence of

Whitehall Garden

Signed by the said

in the presence of

Signature
Address
Occupation

Conditions of Service for European Constables in the East Africa Protectorate Police Force

Conditions of engagement
 A. Candidates must fulfil the following conditions
 I. They must not be under 23 or over 30 years of age, not under 5'6" in height or under 34 inches in chest measurement.
 II. They must be unmarried

Term of engagement
 B. The term of engagement will be for 30 months dating from the day of enlistment in East Africa or from the date of disembarkation in the case of overseas recruits

Re engagement
 C. If of good character on the completion of his engagement the recruit may if he desires it and if the Government desires to return his services either (a) be re engaged for such further period as the Government shall determine or (b) if his services and conduct are considered to be in all respects satisfactory as to which the Government shall be the sole judge (and its decision final) be placed on the permanent and pensionable establishment of the Protectorate and he shall then under the regulations and practice of the permanent staff as regards retiring allowance on his quitting the public service

Pay and promotion
 D. I. 4/6 per diem plus 4/6 per diem uniform allowance i.e. consolidated pay @ 9/ per diem
 II. On promotion to 2nd Class Constable. Pay 5/6 per diem plus 4/6 per diem uniform allowance i.e. consolidated pay @ 10/ per diem
 III. On promotion to 1st Class Constable. Pay

4/6 per diem plus 4/6 per diem uniform allowance i.e. consolidated pay @ 9/ per diem

IV. Full pay at the consolidated rate will be paid from the date of embarkation on first engagement. Full pay will begin from the date of disembarkation on the African Coast.

Notes (a) Opportunity will be given for the promotion of suitable men to the ranks of Assistant Inspector and Inspector.

(b) Quarters free of rent (but not of rates or other similar outgoings) will be provided if available or Constables will be granted an allowance in lieu of quarters. Those (if required for duty) forage arms and service equipment will be supplied free.

Passages

E. In accordance with the rules from time to time laid down for European subordinate officials in the Protectorate

Leave of absence

F. (a) On the completion of thirty months continuous residential service the recruit may if the exigencies of the service permit be granted (a) leave of absence on full pay (known as vacation leave) for the time necessarily spent on the voyage home and for two and a half days in respect of each completed month of continuous residential service together with a free passage home, and (b) if he is returning to the Protectorate further leave of absence on full pay (known as return leave) for two and a half days in respect of each completed month of continuous residential service and for the time necessarily spent on the voyage out together with

*Where two and a half days are mentioned in this paragraph 3 days may at the discretion of the Governor be substituted in respect of recruits at any station which is classed by the Government as an unhealthy station.

a free passage out and the recruit hereby agrees that if he should fail to return to the British India at the expiration of his return leave he will repay on demand the amount which may have been paid to him in respect of such return leave. If invalidly home before completing the tour of service he will be subject to the same rules in respect of duration of leave as officers on the permanent establishment.

(c) In this paragraph full pay means full pay at the consolidated rate mentioned in paragraph 3 of these conditions of service.

(d) The period of any voyage shall be reckoned as commencing on the day of embarkation and ending on the day previous to the day of disembarkation of the recruit, both days inclusive.

Discharge 10. A Constable may be discharged at any time

(a) When pronounced by a medical officer to be physically unfit for further service.

(b) When sentenced to be dismissed from the force for misconduct.

(c) If the Commissioner shall consider that he is unlikely to become an efficient Constable.

(d) On reduction of establishment.

Resignation 11. A Constable is not at liberty to resign his office without the leave of the Inspector General of Police.

Discipline 12. In accordance with the regulations prescribed for their allowance in the Police Ordinances.

Examinations 13. Language and Promotional examinations from time to time prescribed.

Course of training.

14. Candidates may be required to undergo a course of training at the local depot Police Headquarters.

Marriage.

15. A European Non-Commissioned Officer or Constable is not allowed to marry unless permission is first obtained from the Commissioner. Before permission can be granted to a Constable he must have served at least 2 years in the Force with a good record and have attained the 2nd Class Grade. No exception will be made to this rule unless the applicant can prove to the satisfaction of the Commissioner that he is in receipt of sufficient private income over and above his pay which will enable him to support a wife.

Any Non-Commissioned Officer or Constable who marries without permission will be severely dealt with.

(Signature of Constable)

Signature of Witness

Customs Agents in the
Customs

and

Trade from India
Company. John Jones
and John Jones

Agreement

in completion of his
engagement or within six
months of completing
the same. He may, if
he desires it, after Govt.
desires to retain his
services, be re-engaged
for further service by
periods of 30 months
until he attains the
age of fifty years.

Continuous service shall
be deemed to be permanent
service for the purpose of
the Pension Rules laid
down from time to time
for Indian Officials in
the service of the P.G.

(2) Paragraph (c) should be
amended to read the
purchase of discharge

by the addition of a 115
new sub-paragraph in
the following terms:-
(c) On purchase of
discharge at the following
rates:-
" £20 during the first year of service
" £15 during the second year of service
" £10 during the third or any
subsequent year of
service
" and in repaying the whole
or such portion of the
cost, if any, incurred
by the Govt. in bringing
the Constable to the P.G.
with the Commission
shall determine."

L
H

9 of 4761 Cal



JS

DRAFT.

Cal. No. 128

~~Gen. Sir B. G. ...~~

de O.A.G.

27/2

Wemyss 27.

W Butler 28

W Reed. 28

Ans 20815

Li. In

4 had
4 Subscipil.

I have the honor to acknowledge the receipt of Mr. Bourne's dispatch No. 24 of the 12th of January relating to the form of agreement in which European vessels are engaged for service in the E.A.F., and to make the following observations on the amendments ~~which~~ proposed.

2. Paragraph B.

It was not my intention

in my report N. 556
of the 26th of June 1911

[SM 1907/11]

to suggest that the
period of engagement be
fixed at 3 years
instead of 30 months.

Under Section 28(1)
of the East Africa Police
Ordinance 1911 it is
laid down that Constables
shall be enlisted for the
first term of their engage-
ment to serve for 3 years,
"or such less period as
shall from time to time
be fixed by the Governor."

Other officials who are
serving on agreement in
the Col are engaged for
a period of 30 months
residential service, and
for the sake of uniformity
~~it is~~ I am of opinion
that

that a change should be
made in the wording of
this paragraph.

Paragraph C

Upon the proposed
amendment to this paragraph,
except that "periods of
30 months" should be
substituted for "periods
of 3 years".

I am advised that the
Governor has not the
power under Section
29(1) of the East Africa
Police Ordinance 1911 to
vary the term of
an engagement, as he
has of varying the
term of engagement under
Section 28(1).

Under 29(1) should
therefore be inserted
in a brief Ordinance
that should be enacted amending
Section 29(1) by