

1924

E. AFRICA
NYASALAND PROT.

69

C.O.
9114
24

By *Gov*
Rankin

57

Date
25th Jan, 1924

IN CONSULTATION
With *Domine*
With
With
With U.S. of S.
With U.S. of S.
Secretary of State

Proceedings of officers who
have served in two
or more Colonies

submit petitions from
civil servants' associations,
praying that whole services
may be regarded as
contributory for pension purposes

Enclosure Paper
1748
7260

MINUTES

Rankin
C. C. W. O.

This has come from, & if any
more minutely if I say that
the Pension Committee report
is practically ready for circulation
& Dept. & (if approved by
S. G. S.) to Governor

On that board the 16th wait

C. C. W. O.
26.2.

The S. G. S. replied to the Gov's department
regarding Mr. Balch's application. Can
it was not possible to vary the
conditions laid down in § 27 of
the Nyasaland W. & O. Pensions Ordinance
(S. G. S. Dep. No. 52 under 7297 files)

Subsequent Paper
500/197/24

W. Stedley

I agree with the
proposed reply as to W. &
D. Pension - but we
had better defer reply
until we can reply
on the Pension point.

As to the re W.
Pension's incidents
overleaf.

! Bring up no a
result

note
re

W.D.

12.3.24

25th January, 1924.

Sir,

I have the honour to transmit for your favourable consideration, a petition addressed to you by the Nyasaland Civil Servants' Association in which they pray that, subject to certain reservations, officers' service in two or more Colonies or Protectorates may be continuous for pension purposes and that the provision in section 28 sub-section 1 of the Widows and Orphans Pensions Ordinance (No. 5 of 1921) may be amended so as to remove the disability under which contributors who are transferred before having qualified for a pension in East Africa now suffer.

2. It is with some diffidence that I support the first request because I am personally interested. My case may serve, however, as an illustration of the case which the petitioners desire to place before you. I served in Fiji from the 1st February, 1894, until July, 1920, when I was offered and accepted transfer to Nyasaland. My final salary, exclusive of war bonus of £170 which may or may not be pensionable, was £700. My pensionable emoluments in Nyasaland are at present £1,560. Should I elect to retire now my Fiji pension would be calculated on some thirty years' service (including climatic allowance) and on my final salary there of £700 or £870 as the case may be and my Nyasaland pension on my service here and my pensionable emoluments of £1,560. If, however, I had been appointed

Right Honourable,

The Secretary of State for the Colonies,

Ac..

Ac..

Ac..

to a West Indian or other Colony with which, I understand, Fiji has now entered into reciprocal relations as regards pensions my pension would be calculated on my total service, including climatic allowance, and my final salary, and my pension would be practically doubled. There are many instances, known no doubt to the Colonial Office, in which officers whose whole service has been spent in the same Colony and who have retired from comparatively unimportant offices are drawing pensions at a much higher rate than officers who have served in several Colonies and have held for some considerable time and have eventually retired from senior appointments.

3. I understand that this question has long occupied the attention of the Colonial Office but that there are so many difficulties in the way of bringing about the change which the petitioners desire that it has not been found possible to devise a scheme which could be applied in all the Crown Colonies and Protectorates. I can, therefore, only express the hope that these difficulties may not prove insurmountable and that some scheme equitable alike to the officers and to the territories concerned may be devised.

4. In regard to the suggested amendment of the Widows and Orphans Pension Fund, I invite reference to my despatch No. 9 of the 2nd January, 1924, dealing with the case of Mr. C.F. Belcher, O.B.E. I hope it may be found possible to meet the wishes of the petitioners in this respect as the present provisions

of.....

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in case

of the Bill interfere with the natural desire of
 an officer, who may have joined the Force and
 have served in an East African Protectorate for
 the time necessary to secure his rights under it,
 to accept transfer which may be offered to him,
 or penalise him if he accepts such an offer.

I have the honour to be,

Sir,

Your most obedient,

humble Servant,

R. R. ...

ACTING GOVERNOR.

Telegrams:—

Associate, Zomba.

ZOMBA,
NYASALAND PROTECTORATE

16th January, 1924.

Our Lord Duke,

Our Committee have the honour to make an appeal on behalf of the Civil Servants not only of this Colony but in the interests of the Colonial Service generally in the matter of the calculation of the Pensions of Officers who have served in two or more Colonies.

2. It is believed that this matter has long engaged the attention of the Colonial Office, since it is recognised that on transfer or on promotion to another Colony an officer usually loses very heavily in pension prospects and has to consider seriously whether a temporary increase of pay is a sufficient set off against the loss in pension. This acts as a restriction on the movement of capable officers who have deserved promotion and is not in the interests either of the individual officer or of the Service.

3. Many instances could be quoted of officers of high rank and long service, whose pension on retirement has been in no way commensurate with the rank and responsibility to which they have attained, owing to the fact that their service

The Right Honourable,

The Secretary of State for the Colonies.

has.....

has been spread over two or more Colonies. On the other hand officers of less distinction and capacity who have not been offered transfer or promotion, or who may have refused it under the present pension regulations, have retired with pensions equal or superior to those of their colleagues whose duties towards the end of their careers have been much more responsible.

4. This principle seems to have been admitted in that a step towards improvement has been already effected in the amalgamation for pension calculations of certain groups of Colonies.

5. It is for the extension of this principle to include the whole service that we make our appeal for Your Grace's favourable consideration.

6. We do not contend that an officer transferred from a healthy to an unhealthy Colony, and serving in the latter for perhaps a few years, should calculate his full pension on his retiring pay at the rate prevalent in that unhealthy Colony. We suggest that his period in the healthy Colony should be pensionable on his retiring pay but at the rate prevailing in that healthy Colony.

7. The reverse case of an officer transferring on medical grounds from an unhealthy to a healthy Colony at a lower rate of pay and finding himself after a year or two unfit to carry on even there, would we think be rare and

might.....

might be the subject of a special proviso or left to the sense of justice of the authorities, since the amendment we desire would very adversely affect him, while the existing regulations are in his favour.

8. We are aware that certain financial difficulties exist in apportioning pensions fairly between the Colonies involved, the final Colony bearing what may be held to be an unfair proportion. But it has to be remembered that the final Colony obtains the services of a man who has gained the experience which has earned his promotion at the expense of the earlier Colonies in which he has served and it is not unreasonable that it should bear a larger share of the burden. The principle for which we contend has been admitted in the recent case of an officer transferred from this Colony to Ceylon some years ago and Ceylon is a Colony from which on the average, few officers would wish to transfer, so that it would stand to lose by the desired amendments. It is believed that it is this difficulty which has delayed the amendment of the regulations for so long and we submit that this delay has ensued and is still causing very great injustice to individuals. We crave therefore that Your Grace may be pleased to direct that a solution be attempted.

9. Section 28, 1. of the Widows and Orphans Pension Scheme also bears upon this matter in that an officer by accepting a transfer from say the West African to the West

African.....

frican group before he has completed 10 years service forfeits all contributions and benefits under the Ordinance and thus it is rendered practically impossible for an officer of under 10 years service to accept a transfer out of his group. Many officers apply for, or accept, transfers not fully comprehending this grave disability.

10. In submitting this petition we feel sure that we are voicing the opinions of the Colonial Civil Service generally and earnestly commend it to Your Grace's sympathetic consideration.

We have the honour to be,

Our Lord Duke,

Your most obedient humble servants,

[Handwritten signature]

[Handwritten signature]

JOINT SECRETARIES,

Nyasaland Civil Servants' Association.