

the words [" or such like  
 as shall from time to time  
 be fixed by the  
 Governor"] after the word  
 "and" in line 4

This alteration  
 will not be necessary  
 See notes below  
 JAB

If this is done the  
 provision to be made by the  
 Governor becomes superfluous  
 to be deleted from the  
 conditions.

[This note held  
 C.T.]

Paragraph G.

I approve of the proposed  
 amendment.

Paragraph H.

You will have learnt from  
 my despatch of the 12<sup>th</sup> of Jan.

that I have already authorized  
 the Controller to make  
 the alteration suggested.

[CA/23857/11]

Note  
 I am not quite clear  
 is intended to have  
 had an alternative  
 word. If it is intended  
 that the Governor shall  
 have a power of re-appointing  
 General and then to be  
 amended is sufficient  
 if however the limit of  
 payment is to be fixed  
 last time at the end  
 of the existing period  
 the amendment should  
 be made to the  
 in other lines of

This is  
 the alteration  
 JAB

EAST AFR. PROT.  
 4762

C O  
 4762  
 REC'D  
 16 FEB 12

Secy  
 25

Date.  
 1912  
 1 January

previous Paper.

1112

NON EUROPEAN CLERICAL STAFF  
 CONDITIONS OF SERVICE

The draft, which is agreed to by Uganda, together with a  
 memo. by the Treasurer explaining the various modifications.  
 The P.M.G. desires to deviate from the terms laid down in  
 certain particulars. Trusts that this will be agreed to.

W. Butler.

Uganda sent us a draft of these rules  
 on 20/1/12, but we deferred  
 action on that until we knew what  
 Govt would do.

Govt has sent us their rather  
 more elaborate draft without going  
 into the draft in great details.  
 The new rules seem to be very well  
 drawn up - but we must make  
 sure that they are well  
 uniformly seems to me to be very  
 important.

See para 2 of the evening dispatch.

C. O.  
4762

GOVERNMENT HOUSE,  
NAIROBI, KENYA  
BRITISH EAST AFRICA

EAST AFRICA PROTECTORATE.

January 12th 1912.

No. 25

(Incls. 2)

Sir,

*400*  
*34063*  
*W. H.*

With reference to your telegram of 30th October and previous correspondence relating to the terms of service for members of the Non-European Clerical Staff of this Protectorate, I have the honour to transmit herewith a draft embodying the various alterations suggested since the terms were first submitted to the Colonial Office together with a Memorandum by the Treasurer explaining the various modifications introduced.

Draft Terms

Memorandum  
Dec. 20th

2. Mr. Smallwood has gone into this matter very fully and carefully and I trust that the proposed draft, which is agreed to by the Governor of Uganda and will doubtless form the subject of an early communication to you from him, will meet with your approval.

3. The most important alteration is in Rule IV giving the Head of a Department authority to promote from the 6th to the 5th grade and also allowing him discretion as to the rates of increment in those two grades. The Treasurer has explained

THE RIGHT HONOURABLE

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

SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET, LONDON, S.W.

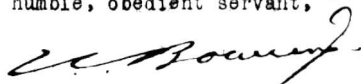
explained why it is thought advisable to permit some greater latitude in these respects and has shown that too strict an adherence to the existing regulation has proved detrimental to the interests of the service. I agree with the arguments which he has put forward and I hope that you will sanction what is now proposed.

4. The Postmaster General, whose Department is recruited under rather exceptional circumstances, has asked to be allowed to deviate from the terms laid down in certain particulars, vide paragraph 9 of the Treasurer's Memorandum, and I trust that you will not object to this.

I have the honour to be,

Sir,

Your humble, obedient servant,



*in the absence of*  
the GOVERNOR.

C O  
4752  
FEB 12

**Terms of Service for Members of the Non-Survey  
Clerical Staff of the East Africa and  
Uganda Protectorates.**

120

1. Appointments to the Clerical Staff of the East Africa or Uganda Protectorates will be made under the authority of the Governor in accordance with the Law and Regulations governing the subject.

Clerks will be liable for service at any place in either Protectorate, as the exigencies of the service may require. They will be subject to the regulations laid down or which may hereafter be promulgated.

2. All candidates for employment in the clerical staff must submit themselves for medical examination by a Medical Officer approved by the Government, and any medical examination fee must be paid by the candidate whether successful or unsuccessful; provided that candidates for situations carrying an initial salary of less than Rs.100 per annum shall be required to contribute towards the fee only 20 per cent of one month's salary. No fees for medical examination will be charged by Medical Officers in the service of the Protectorate.

3. Clerks will be classified in 3 grades according to the pay drawn by them, as under:-

- 1st Grade. Salaries of over Rs.200 per annum (Rs.200 per annum).
- 2nd Grade. Salaries of from Rs.150 p.m. (Rs.150 p.m.) to Rs.200 p.m. (Rs.200 p.m.)
- 3rd Grade. Salaries of from Rs.100 p.m. (Rs.100 p.m.) to Rs.150 p.m. (Rs.150 p.m.)

2.

- 4th Grade. Salaries of from Rs. 60 p.m. to Rs. 120 p.m.  
120 p.m.
- 5th Grade. Salaries of from Rs. 50 p.m. to Rs. 60 p.m.  
60 p.m.
- 6th Grade. Salaries of under Rs. 50 p.m.  
50 p.m.

4. 1st Grade. As a general rule appointments in this grade will not be on an incremental scale.

2nd Grade. Appointments in this grade will carry an annual increment of Rs. 120 (20), until the maximum pay of the grade (Rs. 200 p.m. or 2100 p.a.) is attained.

3rd, 4th, 5th, and 6th Grades. Appointments in these grades will carry annual increments of Rs. 60 (24) until the maximum of the grade is attained; provided that in the cases of the 6th and 5th grades the question of promotion from the 6th grade to the 5th grade shall be in the discretion of the Head of the Department concerned, and also provided that the rates of increment in the 6th and 5th grades shall also be left to the discretion of the Head of the Department concerned, on the strict understanding that the maximum of either grade shall in no case be exceeded.

The annual increment of any clerk may be withheld at the discretion of the Governor.

5.

5.

5. Clerks on first appointment will not necessarily be placed on the lowest grade. All appointments should, as far as possible, be made on the minimum salary of the incremental scale of any grade.

6. Promotions from one grade to another will be made by selection as vacancies occur, and Clerks promoted to a higher grade will, as a general rule, commence at the minimum pay of that grade.

7. All first appointments will be on probation until expressly confirmed, and confirmation will not be given until after at least three years' approved service, and during such probationary service Clerks will be liable to dismissal on one month's notice in writing.

8. On first appointment Clerks will receive passages from the port of departure to Bombay and allowances for travelling from their homes to the port of embarkation on the following scales:-

1st and 2nd grade Clerks.

2nd class steamer passages if travelling by Indian Ocean line and 3rd class if travelling by lines sailing to and from European ports; 12 cents per mile for journeys by road and double railway fares 2nd class.

3rd and 4th grade Clerks.

2nd class steamer passages if travelling by Indian Ocean line and 3rd class if travelling by lines sailing to and from European ports;

12 cents per mile for journeys by road and double railway fares intermediate class.

8th and 9th Grade Clerks.

Book passages; 12 cents per mile for journeys by road and double railway fares intermediate class.

9. If engaged outside the Protectorate Clerks will receive half pay from the date of embarkation, and full pay from the date of arrival at Mombasa. If engaged within the Protectorate they will receive full pay from the date of leaving their place of engagement to take up their duties.

10. All leave of absence is subject to the exigencies of the public service.

(a) Clerks will receive one month's leave of absence per annum on half pay, or five months' leave on half pay after 45 months continuous service. If specially detained by the Governor on public grounds after 45 months continuous service they may be granted three days extra leave on half pay for each completed calendar month of such detention.

(b) Clerks entitled to not less than three months accumulated leave will be allowed their travelling expenses from and to their posts to and from Mombasa, and a steamer ticket from and to Mombasa to and from Goa, Bombay, Cochin Malindi or Karachi, if domiciled in British or Portuguese

India:- in the case of Clerks drawing salaries of Rs.80 p.m. or over, 2nd class passages, and if drawing less than Rs.80 per mensem, deck passages.

Incidental expenses at usual scale are only allowed when proceeding on or returning from leave in cases where such a privilege has been previously granted; but in no case will incidental expenses be allowed after promotion to a higher grade.

If domiciled elsewhere, the steamer passage to be granted will be specially considered in each case, but shall not exceed the cost of a second class return passage to London.

Leave will count from date of departure from Mombasa to date of return thereto.

(c) Extension of leave may be granted on approved medical certificate for a period not exceeding three months on quarter pay.

(d) Extensions of ordinary leave may be granted by the Governor in special cases without pay.

(e) A Clerk granted sick leave to be spent in the Protectorate will be granted Railway or steamer fares from his station to the place at which such sick leave is to be spent; but no incidental expenses will be allowed.

(f) A Clerk who elects to spend his accumulated leave in the Protectorate may be granted Railway or steamer fare from station to the place in which such leave is to be spent; but no incidental expenses will be allowed.



(g) On the termination of a Clerk's ordinary leave his salary ceases, unless (1) he is granted sick leave in which case he is placed on quarter pay, or (2) unless he has been delayed by circumstances over which he had no control (e.g. the breakdown of a steamer, or quarantine) in which case the payment of his salary in ordinary circumstances at the coast may be sanctioned.

11. In the event of a Clerk being compelled through illness to proceed on leave on approved Medical Certificate he may be allowed half pay for a period not exceeding six months. He will be allowed the cost of his journey from his post to and from Mombasa, but full steamer passages will only be granted if he has become entitled to three months accumulated leave. If he has qualified for three months accumulated leave one half of the cost of such passages and incidental expenses may be granted by the Governor. In the case of extension on sick leave in the 4th, 5th and 6th Grade one half of the medical examination fee will be paid by the Government. In all other cases such fees must be paid by the person examined.

12. Clerks may be suspended from duty or dismissed under the provisions of the Colonial Regulations. If dismissed they may be granted the cost of their passages to the place of original engagement, but will forfeit all claim to Leave, Pension or Gratuity.

The salary of a clerk who is dismissed ceases after the date of letter in which he is informed of his dismissal.

13. Should a Clerk resign before he has become entitled to at least three months accumulated leave he may be called upon to repay to the Government any sums which may have been paid on account of his passage to Mombasa in the case of the East Africa Protectorate, or to Entebbe in the case of the Uganda Protectorate, on first appointment or last return from leave, unless such resignation is due to ill-health (not caused by his own misconduct).

14. A Clerk may be called upon to furnish such security as the Government may decide for the faithful discharge of his duties, and should any premium be payable in respect of such security it shall be a charge against his salary.

15. The Regulations, approved by the Foreign Office with the concurrence of the Treasury, relating to "Pensions and Gratuities for the Subordinate Staff" and dated Foreign Office, 15th of May 1903, shall apply to all clerks.

The following is only applicable to Uganda -

Clerks serving at 24th April, 1911 in the 1st, 2nd and 3rd Grades will be allowed to count the value of their free quarters as pensionable even on promotion. The value of quarters of Clerks after that date to any grade will not be reckoned as part of their pensionable emolument, and for Clerks other than those in the 1st, 2nd and 3rd Grades at 24th April, 1911, it will be a condition of promotion that quarters will not be reckoned as a pensionable emolument.

13. Should a Clerk resign before he has become entitled to at least three months accumulated leave he may be called upon to repay to the Government any sums which may have been paid on account of his passage to Bombay in the case of the East Africa Protectorate, or to Entebbe in the case of the Uganda Protectorate, on first appointment or last return from leave, unless such resignation is due to ill-health (not caused by his own misconduct).

14. A Clerk may be called upon to furnish such security as the Government may decide for the faithful discharge of his duties, and should any premium be payable in respect of such security it shall be a charge against his salary.

15. The Regulations, approved by the Foreign Office with the concurrence of the Treasury, relating to "Pensions and Gratuities for the Subordinate Staff" and dated Foreign Office, 18th of May 1903, shall apply to all clerks.

The following is only applicable to Uganda:-

Clerks serving at 24th April, 1911 in the 1st, 2nd and 3rd Grades will be allowed to count the value of their free quarters as pensionable even on promotion appointed. The value of quarters of Clerks after that date to any Grade will not be reckoned as part of their pensionable emolument, and for Clerks other than those in the 1st, 2nd and 3rd Grades at 24th April, 1911, it will be a condition of promotion that quarters will not be reckoned as a pensionable emolument.

16. During the absence on leave of the holder of a distinct post, such savings on his leave pay as the Governor may decide may be granted as a bonus to his substitute, provided that the combined pay and bonus of the person acting shall in no case exceed the full pay of the person for whom he is acting.

17. Clerks travelling within the Protectorate shall be subject when travelling on the Uganda Railway on appointment, leave (including sick leave) or transfer, to the local transport and travelling regulations.

18. Clerks are forbidden to accept employment or emolument from any person or association or to hold land or engage in trade without the consent of the Governor.

19. Clerks are forbidden to make communications to the press on any subject connected with the service. Any breach of this rule may entail dismissal.

20. These regulations do not apply to the Subordinate Staff of the Uganda Railway.

**Terms of Service for Non-European Subordinate Officials other than Clerks in the East Africa and Uganda Protectorates.**

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1. Except as provided hereinafter the "Terms of Service for Members of the Non-European Clerical Staff" shall apply to all other Subordinate Officials in the East Africa and Uganda Protectorates.

2. Subordinate Officials other than Clerks will not as a general rule, be graded nor appointed on an incremental scale of pay.

3. The accommodation by steamer or rail on first appointment or leave will be decided in each case by the Governor.

4. Persons not domiciled in the East Africa, Uganda, Nyasaland or Somaliland Protectorates, nor in Zanzibar, nor in the German, French, Italian, or Portuguese territories in East Africa will be subject to the same rules regarding leave and leave pay as members of the Non-European Clerical Staff. Persons who are domiciled in the above mentioned territories will be entitled to leave on half pay at the rate of two months in three years, which cannot be accumulated beyond two months.

December 1908 amended  
December 1911.

MEMORANDUM

C O  
4732

12/29

I have gone into the question of "Terms of Service for Non-European Clerical Staff" and I have also had a lengthy interview with the Treasurer of the Uganda Protectorate.

3. In the typewritten copy, I attach herewith, I have embodied all the additions and amendments sanctioned from time to time, and have also inserted certain modifications to meet the wishes of the Treasurer of Uganda.

3. The alterations called for by Colonial Office despatch No. 462 of 10th September 1908 have, so far as necessary, been incorporated, and I think the "Terms of Service" as now revised cover every question that has been raised since the commencement.

4. The Treasurer of Uganda concurred in the form and substance of the "Terms of Service" as now submitted, and I understand that there will be no objection to adopt them for Uganda as they now stand.

5. I would therefore venture to suggest that His Excellency approve the "Terms of Service" and forward them to the Secretary of State and a copy sent to Uganda with reference to Mr. Jackson's despatch No. 1259 of 28th September 1911.

6. In paragraph 4 of the "Terms of Service" provision has been made allowing for the Head of a Department to use his discretion as to the promotion of a 6th grade clerk to the 5th grade and also as to the rates of increment in those two grades. Many representations have been made by Heads of Departments on the impossibility of adhering strictly to the existing

existing regulation when clerks in these two grades are concerned, and instances have occurred where Government has lost the services of very promising clerks who would not stay and work up by the small annual increment to the maximum. On the other hand there are cases where less competent clerks who had to be kept on owing to the vacancies caused by those who would not remain, and who really were not worth the increment, but who had performed their duties sufficiently competently to allow of their being granted the usual increment.

It is considered that the 6th and 5th grades should be looked on to a certain extent as trial grades, and, if the discretion suggested be given, it will undoubtedly remove many causes of justifiable representations now made by Heads of Departments:

7. Under paragraph 15 will be seen a section typed in red, and I would suggest that when printed it should also be in red, so that the fact that it does not apply to East Africa may be as patent as possible.

8. I do not think there is anything else calling for particular comment.

9. There is however one point that should be brought to the notice of the Secretary of State: that is as to the special sanction that has been given to the Postmaster General to deviate, in certain instances, from the existing provisional regulations so far as his Department is concerned, and for which the covering approval of the Secretary of State should, I submit, be obtained. The deviations are not of major importance, and it would be better, I think,

not

not to include them in the printed "Terms of Service". They are as follows:-

(1) that the original dates of increments remain unchanged. (The "Terms of Service" when first promulgated provided for all increments commencing from 1st April 1910);

(2) that granting of increments in grades should not be automatic (provision, so far as regards the 6th and 5th grades, has been made in the "Terms of Service" so as to allow of increments being in the discretion of the Head of the Department, but the Postmaster General wishes this to apply to all grades in his Department).

(3) that in the case of probationary appointments special increments may be given in deserving cases where the salary is not increased to more than Rs.80 per mensem by such special increments. (The Postmaster General points out in this connection that the salary value of a clerk who enters for training as telegraphist, at say Rs.50 p.m., increases much more rapidly on his becoming qualified than is represented by the scale of annual increments of £4).

(4) that the combined bonus and substantive pay of a clerk acting for another clerk shall not exceed the minimum salary of the grade of the absent officer. (In the "Terms of Service" para.16, the bonus and pay of the acting clerk shall in no case exceed the full pay of the person for whom he is acting. The distinction pressed for by the Postmaster General is on principle that is adopted in other Colonies where increments drawn by an absent officer are not reckoned



in allowing half pay to the acting officer, and there seems to be no objection to the Postmaster General's request being now formally sanctioned, in it is in fact in force, and has been for some years, in the Post Office Department).

I would add that the revision of the "Terms of Service" has taken considerable time and care; I trust that everything necessary has been included and that they may now be considered in state for final approval.

Nairobi,

December 20th 1911.

Sd/- H.A. Smallwood

TREASURER.

Govt 4762 East

C.D.  
24 FEB  
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AFT.

Telegram

Governor.

Enkebbe

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Packinson 23/2

Lead 23 / (Govt 3001) cut

G. Fiddes.

H. Just.

J. Anderson.

I. Emmott.

Harcourt.

Your disp. of 23 September

unfurling

confidential

complete

do you concur in

contribution

draft terms of  
stipulation

service submitted by

Govt of East

of which

governors

officers

it is understood that

terminable