

THE PENSIONS ORDINANCE

(Cap. 189)

IN EXERCISE of the powers conferred by section 3 of the Pensions Ordinance, the Governor, with the sanction of the Secretary of State, hereby makes the following Regulations:—

THE PENSIONS (AMENDMENT) (No. 2) REGULATIONS, 1963

1. (1) These Regulations may be cited as the Pensions (Amendment) (No. 2) Regulations, 1963.

(2) Regulation 3 hereof shall come into operation on 1st January 1964 and regulation 8 hereof shall be deemed to have come into operation on 1st January 1961.

First Schedule
to Cap. 189.

2. Regulation 8 of the Pensions Regulations, hereinafter referred to as the principal Regulations, is amended, in the definition of "scheduled Government" by—

(a) deleting the word "and" at the end of paragraph (f) thereof;

(b) substituting a semi-colon for the full stop at the end of paragraph (g) thereof, and inserting immediately thereafter the word "and";

(c) adding two new paragraphs as follows—

(h) the East African Common Services Organization in respect of any person appointed or deemed to have been appointed to service as President, Vice-President, Justice of Appeal, Registrar, officer or servant of the Court of Appeal for Eastern Africa by or under the Eastern Africa Court of Appeal Order in Council, 1961;

(i) the Interim Commissioner for the West Indies in respect of any person appointed or deemed to have been appointed to service as Judge, Registrar, officer or servant of the British Caribbean Court of Appeal by or under the British Caribbean Court of Appeal Order in Council, 1962.

3. Regulation 9 (3) of the principal Regulations is amended by substituting for the proviso thereto a new proviso as follows—

Provided that—

(i) in calculating the aggregate amount of his pensionable emoluments, no account shall be taken of any service under the Government or a scheduled Government in respect of which no pension or gratuity is granted to him by the Government or scheduled Government, as the case may be;

- (ii) where any service in a civil capacity otherwise than in a pensionable office is taken into account as pensionable service, the officer's aggregate pensionable emoluments during that service shall be taken into account to the same extent as that service is taken into account as pensionable service.

4. Regulation 12 of the principal Regulation is amended by inserting at the end thereof a proviso thereto as follows—

Provided that where such an officer retires or is deemed to have retired from the service of the Government of Uganda, Tanganyika or Zanzibar or from the service of the East African Common Services Organization, the East African Railways and Harbours Administration or the East African Posts and Telecommunications Administration under any written law which permits him to receive a pension thereunder, he may be granted, in respect of his service under the Government of Kenya and in lieu of any gratuity under the provisions of this regulation, a pension calculated in accordance with the provisions of regulation 9 or regulation 11 of these Regulations notwithstanding that he has not completed in the aggregate the minimum period of qualifying service.

5. Regulation 16 (2) of the principal Regulations is amended—

- (a) by renumbering subparagraph (c) as subparagraph (d) thereof; and
- (b) by inserting next after subparagraph (b) a new subparagraph as follows—
 - (c) who, being a female officer has retired from the public service without pension or with a view to marriage and has subsequently been re-employed in the public service; or.

6. Regulation 20 of the principal Regulations is amended—

- (a) by substituting for the words "be taken", in proviso (i) to paragraph (1) (c) thereof, the words " , subject to paragraph (iii) of this proviso, be taken";
- (b) by substituting for the words "be taken", in proviso (ii) to paragraph (1) (c) thereof, the words " , subject to paragraph (iii) of this proviso, be taken";
- (c) by inserting in the proviso to the said paragraph (1) (c) thereof, a new paragraph as follows—
 - (iii) unless the Governor otherwise directs, in no circumstances shall the emoluments to be taken exceed the full annual pensionable emoluments enjoyed by the officer at the date of his retirement in respect of the office then held by him.; and
- (d) by substituting for the words "revision of salaries" where they appear in paragraphs 2 (b) and 3 (c) thereof, in each case, the words "general revisions".

7. Regulation 21 (1) of the principal Regulations is amended by inserting next after paragraph (vii) of the proviso thereto a new paragraph as follows—

(viii) where an officer has been granted a gratuity under any contract, or where a female officer has been granted a marriage gratuity under regulation 6 or regulation 14 of these Regulations, and such gratuity has not been refunded the ~~period of service in respect of which the gratuity was granted~~ shall not be taken into account as pensionable service.

8. Regulation 28 (1) of the principal Regulations is amended by substituting for the words "paragraphs (c), (d) and (e)" which appear in subparagraph (a) thereof, the words "paragraphs (c), (d), (e) and (f)".

9. The Schedule to the principal Regulations is amended by inserting therein in their appropriate alphabetical positions the following items—

East African Common Services Organization.

Interim Commissioner for the West Indies.

Made this 30th day of November 1963.

By Command of the Governor.

J. S. GICHURU,
*Minister for Finance
and Economic Planning.*

LEGAL NOTICE NO. 732

THE CHILDREN AND YOUNG PERSONS ORDINANCE, 1963
(No. 8 of 1963)

IN EXERCISE of the powers conferred by section 1 of the Children and Young Persons Ordinance, 1963, the Governor hereby makes the following Order:—

THE CHILDREN AND YOUNG PERSONS ORDINANCE
(COMMENCEMENT) ORDER, 1963

1. This Order may be cited as the Children and Young Persons Ordinance (Commencement) Order, 1963.

2. The Children and Young Persons Ordinance, 1963, shall come into operation on the 31st December 1963.

Made this 5th day of December 1963.

By Command of the Governor.

A. OGINGA ODINGA,
Minister for Home Affairs.