

The following Bill, which will in due course be presented to the House of Representatives for enactment, is published for general information.

A BILL
FOR

AN ORDINANCE TO AMEND THE WIDOWS AND ORPHANS' PENSIONS ORDINANCE (CHAPTER 231 OF THE REVISED EDITION), FOR THE PURPOSE OF LIMITING THE APPLICATION OF THAT ORDINANCE TO CONTRACT OFFICERS.

Title.

[

]

Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria as follows—

Enactment.

1. This Ordinance may be cited as the Widows' and Orphans' Pensions Ordinance (Amendment) Ordinance, 1958.

Citation.

Amendment
of section 4.
Cap. 231.

2. Section 4 of the Widows' and Orphans' Pensions Ordinance (herein-after referred to as the principal Ordinance) is amended by the addition after paragraph (g) of subsection (1) of the following new paragraph—

“(h) any person appointed to the service of the Government of the Federation, or of the Government of a Region which has adopted the Ordinance, on terms that his appointment is for a specified period or periods and that on the expiration of that period a gratuity is payable, if—

(i) the appointment is made after a date to be appointed by the Minister by notification in the Gazette,
or if—

(ii) such person was appointed on or before the date appointed in accordance with sub-paragraph (i), and shall have elected by written notice addressed to the Crown Agents and received by them on or before the 31st day of December, 1958, not to contribute or continue to contribute, in which case that person shall cease to be a contributor with effect from the 1st day of the month after that in which such notice is received by the Crown Agents.”.

Refund of
contributions
to contract
officers
electing to
cease con-
tributions.

3. In respect of a person who is a contributor and who has been appointed to the service of the Government of the Federation, or of the Government of a Region which has adopted the Ordinance, on terms that his appointment is for a specified period or periods and that on the expiration of that period a gratuity is payable, and who elects in accordance with paragraph (h) (ii) of section 4 of the principal Ordinance not to continue to contribute, there shall be payable to him the total amount of his contributions together with compound interest thereon calculated with annual rests at the rate *per annum* of two and one half *per cent*.

Contract
officers and
pending
appoint-
ments.

4. If the Chairman of the Public Service Commission of the Federation or of any Region shall certify that in his opinion a person appointed after the date appointed in accordance with the amendment effected by section 2 of this Ordinance was appointed in pursuance of an offer made before that date on the understanding that such person would be entitled to contribute under the principal Ordinance, and such person elects to contribute by notice in writing addressed to the Crown Agents within two months of taking up his appointment or within two months of the coming into operation of this Ordinance (whichever is later, such appointment shall be deemed for the purpose of paragraph (h) (i) of subsection (1) of section 4 of the principal Ordinance not to have been made after that appointed date.

Re-appoint-
ment.

5. For the avoidance of doubt, it is hereby declared that for the purposes of this Ordinance and the amendment to the principal Ordinance effected hereby, the re-appointment of a person temporarily following previous temporary or permanent service whether or not with the same employing authority without break of service, shall not be construed as a new appointment but a continuance of his former appointment.

Application
in respect
of contract
officers in
certain
other public
service in
Nigeria.
Schedule.

6. Where the provisions of the principal Ordinance apply to any person by virtue of the provisions of the enactments specified in the Schedule, such provisions shall apply as amended by section 2 of this Ordinance and the remainder of this Ordinance shall apply in respect of such person, and the Chairman of the Public Service Commission may give a certificate in accordance with section 4 upon such information from an appropriate employing authority as he may consider satisfactory.

SCHEDULE (Section 6)

(1) Section 7 (4) of the West African Institute for Trypanosomiasis Research Ordinance, 1950 (No. 36 of 1950).

(2) Section 7 (3) of the West African Institute for Oil Palm Research Ordinance, 1951 (No. 21 of 1951).

(3) Paragraph 3 of the Third Schedule to the Nigerian College of Arts, Science and Technology Ordinance, 1952 (No. 12 of 1952).

(4) Section 19 of the West African Council of Medical Research Ordinance (No. 18 of 1954).

(5) Section 7 (3) of the Nigerian Navy Ordinance, 1956 (No. 28 of 1956).

Objects and Reasons

The object of the Ordinance is to provide that in the future officers temporarily employed to whom a gratuity is payable shall not be eligible to contribute to the Widows' and Orphans' Pensions Ordinance. Such contract officers have been in the minority in the past and have been contributors, but an increase in their number would change the actuarial basis of the scheme. In respect of many contract officers the limited contributions payable are insufficient to ensure adequate benefits for their dependants, and the increased salary which is payable together with their contract gratuity gives them freedom to make whatever other appropriate financial provision they prefer.

There is also provision for present contract officers to elect (during a limited period) to cease to contribute and to be repaid their contributions.

The principal Ordinance has been applied in respect of certain non-Government public service in Nigeria. Clause 6 extends the scope of the present amendment to persons in such other public service.

F. S. OKOTIE-EBOH,
Minister of Finance,
Federation of Nigeria

(Bills 533)