

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 MILITARY PENSIONS ORDINANCE, 1955 (No. 12 OF 1955).

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 Military Pensions (Amendment) Ordinance, 1958, and shall be deemed to have come into operation on the 1st day of January, 1956.

Citation and  
commence-  
ment.

Amendment  
of section 7  
No. 12 of  
1955.

2. Section 7 of the Military Pensions Ordinance, 1955 (hereinafter referred to as the principal Ordinance) is amended by the repeal of subsection (2) and the substitution thereof of the following—

“(2) No pension or gratuity shall be granted under this Ordinance to an officer holding a short service commission except—

(a) to such an officer who has been injured without his own default in circumstances specifically attributable to the nature of his duty, the Governor-General being satisfied on medical evidence that as a result of such injury he is incapable of discharging his military duties and that the injury is likely to be permanent; or

(b) to such an officer who was granted such commission without break of service after service in the ranks, on retirement from the military service in one of the cases specified in subsection (1).”

Amendment  
of section 8.

3. Section 8 of the principal Ordinance is amended by—

(a) the deletion of the words “holding a regular commission”;

(b) the insertion after the words “paragraph (d) of subsection (1)” of the following—

“or paragraph (a) of subsection (2).”

Amendment  
of section 14.

4. Section 14 of the principal Ordinance is amended by—

(a) the deletion from subsection (1) of the words “holding a regular commission”;

(b) the insertion in subsection (2) after the words “paragraph (d) of subsection (1),” of the following—

“paragraph (a) of subsection (2).”

Amendment  
of Schedule.

5. The Schedule to the principal Ordinance is amended by—

(a) the re-numbering of regulation 3 as paragraph (1) of regulation 3 and the addition thereto of the following new paragraph—

“(2) Subject to the provisions of the Ordinance and of these regulations an officer holding a short service commission whose total service including service in the ranks is eighteen years or more may be granted on retirement a pension calculated under paragraph (1) as in the case of an officer holding a regular commission, and for the purpose of the calculation of such pension one half of his period of service in the ranks shall count as pensionable service.

(b) the re-numbering of regulation 4 as paragraph (1) of regulation 4 and the addition thereto of the following new paragraph—

“(2) An officer holding a short service commission who is otherwise qualified for a pension but whose total service including service in the ranks does not qualify him for a pension may be granted on retirement a gratuity not exceeding one-eighth of a month's pensionable emoluments for each complete month in the military service, and for the purpose of such calculation one half of his period of service in the ranks shall be counted.”;

(c) the addition after regulation 4 of the following new regulation—

“Benefits to  
exclude  
normal  
gratuity.

4A. Any pension or gratuity granted under paragraph (2) of regulation 3 or paragraph (2) of regulation 4 shall be in lieu of any other gratuity payable in respect of service while holding a short service commission.”;

(d) the deletion from regulation 10 of the words "holding a regular commission";

(e) the revocation of paragraph (1) of regulation 11;

(f) the deletion from sub-paragraph (i) of paragraph (b) of regulation 14 of the words "under a short service commission" and the substitution therefor of the following -

" , and for the purpose of such calculation one half of his period of service in the ranks shall be counted".

#### *Objects and Reasons*

This Bill amends the Military Pensions Ordinance (No. 12 of 1955) and the regulations contained in the Schedule thereto to allow for the grant of pensions and gratuities to short service commission officers. At present such officers' retirement benefits are confined to disability pensions. The calculation of these pensions and gratuities will be as in the case of regular officers but one half only of any previous service in the ranks will be taken into account.

J. M. JOHNSON,  
Minister temporarily authorised to  
perform the functions of the  
Prime Minister