

G.



R.

OFFICIAL GAZETTE

OF THE
HIGH COMMISSIONER FOR SOUTH AFRICA.

PUBLISHED BY AUTHORITY OF HIS EXCELLENCY THE HIGH COMMISSIONER.

VOL. LXXXVII.]

PRETORIA, FRIDAY, 12TH SEPTEMBER, 1924.

[No. 1205.

No. 29 of 1924.]

PROCLAMATION

By His Excellency the High Commissioner.

Whereas it is expedient to consolidate and amend the rules and regulations concerning the granting of pensions and of superannuation and other allowances to persons employed in the service of the Government of Basutoland.

Now therefore, under and by virtue of the powers in me vested, I do hereby declare, proclaim and make known as follows:—

1. The proclamations mentioned in the First Schedule to this Proclamation shall be and are hereby repealed; provided always that such repeal shall not affect in any way whatsoever any pension, gratuity or allowance already granted under any law so repealed, or the conditions subject to which any such pension, gratuity or allowance is payable.

PART I.

PENSIONS.

2. Any officer who is named or described in the Second Schedule to this Proclamation or who shall either before or after the date of the taking effect of this Proclamation have held any office which is named in the Second Schedule to this Proclamation, or which is hereafter added by Proclamation to such Schedule shall be deemed to hold or to have held a pensionable office and shall be entitled subject to the provisions of this Proclamation to receive a pension upon his retirement therefrom.

3. (1) Save as is otherwise provided in this Proclamation no pension shall be granted to any officer.

(a) who shall be under sixty years of age, unless a Medical Board appointed by the Government shall report that such officer is incapable from infirmity of mind or body of discharging the duties of his office, and that such infirmity is likely to be permanent;

(b) who shall not have served for a period of ten years in a pensionable office.

(2) Service in an office which was pensionable under any prior law or regulation shall be deemed to be service in a pensionable office under this Proclamation.

(3) Any person appointed to the public service of Basutoland as Medical Officer who also exercises private practice as a physician, surgeon or accoucheur shall not be deemed to be or to have been the holder of a pensionable office unless and until he has signed an undertaking in a form approved by the Resident Commissioner to regard the claims of his private practice on his time as subordinate to those of his work for the Government of Basutoland and to hold himself liable without title to advance any claim for loss of private practice to be removed for the purposes of public service from any one place or station in the territory of Basutoland to any other.

4. Any officer who is entitled to pension under section two of this Proclamation may retire or be required to retire at the age of sixty and shall retire at the age of sixty-five.

5. The service of an officer in Basutoland shall, for the purposes of this Proclamation, ordinarily be reckoned from the date on which he commenced to draw salary from Basutoland funds in respect of his first permanent appointment; provided that no service shall be admitted as pensionable which was prior to the attainment of the age of eighteen years.

6. (1) Acting service in a pensionable office shall, when continuous with service in such an office, be reckoned as service for pension.

(2) Provisional or temporary service may, subject to the approval of the High Commissioner, be allowed to count for pension when such service shall have been immediately followed by a permanent appointment to a pensionable office.

(3) The period during which an officer is absent on leave without salary may, subject to the approval of the High Commissioner, be counted as service on full pay for pension, provided that such leave has been granted on grounds of public policy and further provided that it does not exceed one year in all.

7. Subject to the provisions of section nineteen of this Proclamation the service in respect of which pensions will be granted must be unbroken except in cases where the service has

been interrupted by absence on leave or by circumstances not arising from misconduct or voluntary resignation in which the High Commissioner may approve of service prior to a break of service being allowed to count for pension together with service subsequent to such break.

8. The pension to be granted in respect of any office under the authority of this Proclamation shall subject to the provisions of section twelve be calculated at the rate of one-sixtieth of the annual salary and emoluments of the office for each completed year of an officer's service; provided that in the case of any officer who on or prior to the 6th day of March 1908 held an office which under any previous Proclamation was a pensionable office a proportionate sum shall be allowed for any fraction of a year of service, and provided that no addition shall be made in respect of service beyond forty years.

9. If any officer holding a pensionable office be required to retire from the public service of Basutoland owing to the abolition of his office or any reduction in or reorganization or readjustment of departments or offices of the public service of Basutoland or if he be required to retire in order to facilitate improvements in the organization of the department or office to which he belongs a pension calculated as in the last preceding section provided shall be granted to such officer notwithstanding that he is not otherwise qualified for pension under this Proclamation and in any such case an addition of one year for every two completed years of his actual pensionable service shall be made to his actual period of service for the purpose of computing his pension; provided always that the number of years to be added to the actual service shall not exceed that which if added to the age of the retiring officer would bring that age up to sixty years, and that in any event the number of added years shall not exceed ten; and provided further that if in the opinion of the High Commissioner the fidelity and diligence of such an officer has fallen short of the first degree of merit such addition may be made at a lower rate than that of one year for every two completed years of pensionable service or may be withheld.

10. Where an officer has been permanently injured

(a) in the actual discharge of his duty; and

(b) without his own default; and

(c) by some injury specifically attributable to the nature of his duty;

and his retirement is thereby necessitated or materially accelerated a pension calculated as set out in section eight of this Proclamation shall be granted to him notwithstanding that he has not served a sufficient period to qualify him ordinarily for pension, and such pension shall be increased in proportion to the extent of his injury by the addition of an allowance equal to the proportion of his salary and emoluments hereunder indicated, viz.:—

Where it is proved to the satisfaction of the High Commissioner that his capacity to contribute to his support is—
slightly impaired—five-sixtieths of salary and emoluments;
impaired—ten-sixtieths of salary and emoluments;
materially impaired—fifteen-sixtieths of salary and emoluments;
totally destroyed—twenty-sixtieths of salary and emoluments;
provided that his pension increased by such allowance shall in no case exceed fifty-sixtieths of his salary and emoluments at the date of the injury; and provided further that such allowance may be reduced by such amount as the High Commissioner shall think reasonable in cases where the officer's retirement is due to infirmity not arising solely from the injury sustained by him.

11. For the purpose of calculating a pension

(1) The word "salary" shall include personal allowance and any fees paid out of the Treasury by way of salary; provided that the amount to be allowed for fees shall not exceed one-fourth of the actual salary of the office;

(2) The word "emoluments" shall include house allowance or the estimated value of free quarters rations and fuel, or any allowance of a permanent character given as an equivalent of salary, but shall exclude any forage or horse allowance or other travelling allowance and any temporary allowance such as acting or extra pay or bonus given as compensation for local disadvantages; provided that the amount to be allowed for house rent or for estimated value of free quarters shall be one-sixth of the salary and other pensionable emoluments of the office.

12. (1) If the officer retiring has been in receipt of the same salary and emoluments or has held a pensionable office of the same grade for not less than thirty-six months immediately preceding

the date of his retirement, his pension shall be calculated on the actual annual rate of salary and emoluments which he is drawing at the date of retirement.

(2) In other cases the pension shall be calculated on the average annual amount of salary and emoluments for the thirty-six months preceding the date of retirement, but if the whole period of service in Basutoland is less than three years then the pension shall be calculated on the average annual amount for such period of service.

13. Pensions shall commence from the date of retirement.

14. Every officer to whom a pension shall have been granted before he shall have attained the age of sixty years, shall until he has attained that age be liable to be called upon to serve in the public service of Basutoland or other public service in any office for which his previous experience in the opinion of the High Commissioner renders him eligible and the duties of which a Medical Board shall consider him physically fit to discharge; and if he shall decline to take upon himself such office or shall decline or neglect to execute the duties thereof being in the opinion of a Medical Board in a competent state of health he shall forfeit his right to the pension which has been granted to him.

15. If any officer to whom a pension has been granted under this Proclamation or under any previous law or regulation is appointed to another office in the public service of Basutoland, or other public service, then during his tenure of such office so much only (if any) of his pension shall be paid to him as, together with any pension received by him in respect of other public service and with the salary and emoluments of such office, makes up an amount not exceeding the highest pensionable salary and emoluments drawn by such officer at any time in the course of his service in Basutoland or other public service; provided that where the officer retired or was transferred from the public service of Basutoland prior to the first day of April 1922, the highest pensionable salary and emoluments drawn by such officer in the course of his service in Basutoland, shall for the purposes of this section be deemed to be the highest pensionable salary and emoluments actually so drawn by him plus fifty per cent. thereof; and also provided that any bonus or temporary increase, whether on pension or on the salary of the new office, granted in view of cost of living, shall be added to such pension or salary, as the case may be, for the purposes of this section.

16. Any officer who after serving for a period of at least one year in a pensionable office in Basutoland shall have been transferred to other public service shall on his final retirement after at least ten years' service receive such a pension from Basutoland funds in respect of each year and proportionately in respect of any fraction of a year of his service in Basutoland as he would have received if he had at the moment of his transfer received a pension calculated under this Proclamation notwithstanding that his service in Basutoland shall by itself have been less than ten years and that at his retirement he may be under sixty years of age.

17. Any officer who has been transferred from a pensionable office in other public service to a pensionable office in Basutoland and has served not less than ten years in all in a pensionable office shall on retirement receive under this proclamation in respect of his entire period of public service in a pensionable office such pension as would have been payable to him if the whole of such service had been in Basutoland notwithstanding that he may not have completed ten years actual service in Basutoland; provided however that the amount of any sum payable by the Government of any other portion of His Majesty's Dominions or of any other territory under the protection of His Majesty or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty towards the pension of any such officer may if such sum is not paid into Basutoland funds be deducted from the pension payable to such officer out of Basutoland funds.

18. For the purposes of sections *sixteen* and *seventeen* of this Proclamation service under the British South Africa Company in the administration of Southern or Northern Rhodesia shall be deemed to be other public service.

19. (1) Notwithstanding anything contained in this Proclamation where any officer holding a pensionable office served with the consent of the High Commissioner or the Secretary of State with His Majesty's armed forces or in any other capacity connected with the state of war at any time during the period from the 4th day of August 1914 to the 31st day of August 1921 the provisions of this Proclamation shall be deemed to apply to such officer as fully and in like manner as if his service with His Majesty's armed forces or in such other capacity had in fact been service on full pay in the office held by him in the public service of Basutoland.

(2) Where an officer holding a pensionable office resigned his office in the public service of Basutoland at any time during the period from the 4th day of August 1914 to the 11th day of November 1918 in order to join or attempt to join the armed forces of His Majesty or to serve in any other capacity connected with the state of war then prevailing, and he joined or attempted to join those forces or served or attempted to serve in any other capacity connected with such state of war within three months from the date of the termination of his services by reason of such resignation and had after such attempt or within six months of his demobilization from those forces or of the 11th day of November 1918 been reappointed to the public service of Basutoland there shall notwithstanding anything contained in this Proclamation be taken into account in computing the pension or gratuity of such officer his service in Basutoland prior to the termination of such service by reason of such resignation and there shall further be taken into account as service in the office which he resigned or in any other pensionable office to which he had been reappointed the period from the date when he terminated his services by reason of such resignation to the date of his reappointment in the public service of Basutoland, in the same way as if such officer had during such period been serving in Basutoland on full pay. The provisions of this sub-section shall apply in the case of any officer who was temporarily employed in the public service of Basutoland at the date of his resignation notwithstanding that he did not hold a pensionable office prior to such date provided that he has fulfilled the other conditions set forth in this sub-section and provided that he is subsequently appointed to a pensionable office in the public service of Basutoland and that on such appointment he was allowed under sub-section (2) of section *six* of this Proclamation or any prior law to count for pension his provisional or temporary service.

20. Where any officer mentioned in the last preceding section became entitled under sections *ten* and *nineteen* of this Proclamation or any prior law to any benefits in respect of permanent injury sustained while serving with His Majesty's armed forces or in any other capacity connected with the state of war existing between the 4th day of August 1914 and the 31st day of August 1921, and where such officer in respect of the same injury has been awarded any pension or allowance under any law or regulation applicable to His Majesty's armed forces or to persons serving in any other capacity as aforesaid, such pension or allowance shall be deducted from any sum payable to him under section *ten* of this Proclamation or any prior law, so that the sum payable to him thereunder shall be the amount (if any) by which the pension or allowance to which he would have been entitled in respect of such injury under this Proclamation or any prior law exceeds any pension or allowance which he may receive in respect of the same injury under any other law or regulation affecting His Majesty's armed forces or persons serving in any other capacity as aforesaid.

21. Notwithstanding anything contained in sections *three* and *four* of this Proclamation any matron or staff nurse who is entitled to pension under section *two* of this Proclamation may retire or be required to retire at the age of fifty; provided however that no matron or staff nurse whose service as such commenced prior to the 19th day of August 1921 shall be required to retire under this provision before the age of sixty.

22. Notwithstanding anything contained in section *eight* of this Proclamation the pension to be granted to matrons and staff nurses shall be calculated at the rate of one-fiftieth of the annual salary and emoluments of the office for each completed year of service.

23. Sections *ten* and *fourteen* of this Proclamation so far as they relate to matrons and staff nurses shall for the purpose of this Proclamation be read as if "fiftieth" were substituted for "sixtieth" and "fifty" for "sixty" throughout, provided, however, that no pension increased by an allowance for permanent injury granted in terms of section *ten* of this Proclamation shall exceed forty-fiftieths of the salary and emoluments of any matron or staff nurse at the date of her injury.

PART II.

GRATUITIES.

24. (1) Any officer holding a pensionable office who is compelled to retire by reason of ill-health before he has completed ten years' service shall be granted a gratuity of one month's salary and emoluments for each year of service and half a month's salary and emoluments in respect of any fraction of a year amounting to six completed months.

(2) The computation of salary and emoluments for this purpose shall be governed by sections *eleven* and *twelve* of this Proclamation.

(3) Subject to the approval of the High Commissioner any person in the employment of the Government of Basutoland who does not hold a pensionable office may on the termination of his employment after not less than ten years' continuous good service be granted a gratuity of one month's salary in respect of each year of service, provided that the amount of such gratuity shall not exceed one year's salary.

25. In the case of any native holding permanent employment under the Basutoland Government whether or not in any of the offices specified in the Third Schedule to this Proclamation to whom the benefits conferred by section *thirty-three* of this Proclamation shall not have been extended the High Commissioner shall award—

- on retirement from the service after not less than ten years' or in the case of a native holding such permanent employment at the date of the taking effect of this Proclamation after not less than six years' continuous good service a gratuity calculated at the rate of one-half month's pay for every year of service not exceeding thirty years in all; or
- on retirement or discharge from the service in consequence of any injury or disease received or contracted in the actual discharge of his duty and without his own default such special gratuity, not being less than at the rate of one-half month's pay for every year of service, as the High Commissioner may deem reasonable; or
- in the event of his death a gratuity to his widow, minor children or parents, calculated at the rate of one-half month's pay for every year of service not exceeding thirty years in all.

26. In the computation of gratuities awarded under section *twenty-five* of this Proclamation the provisions of sections *eleven* and *twelve* of this Proclamation shall apply.

PART III.

GENERAL PROVISIONS.

27. Where an officer is removed from office on grounds of gross negligence, irregularity or misconduct or where in the event of his retirement on grounds of ill-health such ill-health is due to his own misconduct the grant of pension or other allowance or gratuity may either be withheld or granted at such lower rate than that prescribed in the preceding sections of this Proclamation as the High Commissioner may decide.

28. No pension granted under this Proclamation shall be assignable or transferable or capable of being hypothecated or liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever.

29. If any person to whom a pension has been granted under this Proclamation or under any prior law is convicted before any competent court, whether within or without His Majesty's dominions, of any crime or offence, then in every such case it shall be lawful for the High Commissioner to direct that such pension shall forthwith cease; provided always that the pension shall be restored with retrospective effect in the case of a person who, after conviction as above described, at any time receives a free pardon; and provided further that where a pension ceases by reason of the conviction of the pensioner as aforesaid it shall be lawful for the High Commissioner to cause all or any part of the moneys to which the pensioner would have been entitled by way of pension to be paid to or applied for the benefit of any wife, child or children of

the pensioner, or, after the expiration of his sentence, also for the benefit of the pensioner himself, in the same manner precisely and subject to the same qualifications and restrictions as in the case of insolvency hereinafter provided.

30. If any person to whom a pension has been granted under this Proclamation becomes insolvent then such pension shall forthwith cease; provided always that in any case where a pension ceases by reason of the insolvency of the pensioner it shall be lawful for the High Commissioner from time to time during the remainder of such pensioner's life or during such shorter period or periods either continuous or discontinuous as the High Commissioner shall think fit to cause all or any part of the moneys to which such pensioner would have been entitled by way of pension had he not become insolvent to be paid to or applied for the maintenance and personal support or benefit of all or any exclusive of the other or others of the following persons, namely such pensioner and any wife, child or children of his in such proportions and manner as to the High Commissioner appears proper.

31. If any person to whom a pension has been granted under this Proclamation becomes on his final retirement from the public service of Basutoland or from other public service either a director of any company the principal part of whose business is in any way directly concerned with Basutoland, or an officer or a servant employed in Basutoland by any such company, without in every such case the permission of the High Commissioner in writing first had and obtained, then in every such case it shall be lawful for the High Commissioner to direct that such pension shall forthwith cease; provided always that it shall be lawful for the High Commissioner on being satisfied that the person in respect of whose pension any such direction shall have been given has ceased to be a director of such company or to be employed as an officer or servant of such company in Basutoland, as the case may be, to give directions for the restoration of such pension with retrospective effect if he shall see fit to such a date as he shall specify.

32. If the death of the holder of an office in respect of which a pension or gratuity may be granted is caused by an injury occasioned without his own default in the actual discharge of his public duty and specifically attributable to the nature of his public duty the High Commissioner shall grant to the widow of the deceased, or if the deceased does not leave a widow and if his mother was at the time of the death wholly dependent upon him for her support to the mother of the deceased a pension of one-sixth of the deceased's salary and emoluments at the date of the injury and there shall further be granted to the children of the deceased a gratuity of the number of pounds sterling which is equal to the number obtained by subtracting the number of years completed by each of the children at the date of the father's death from fifteen and adding the remainders together, the total gratuity not to be less than £10 or unless there are in the opinion of the High Commissioner special circumstances to justify a larger gratuity more than £50, and in the case of motherless children the High Commissioner shall grant double the amount which would otherwise be given.

33. The High Commissioner may extend any of the benefits conferred by this Proclamation either wholly or in part to any person who shall, either before or after the date of the taking effect of this Proclamation, have held any office which is named in the Third Schedule to this Proclamation and may extend any benefits conferred by section *thirty-two* of this Proclamation to the widow, mother or children of any such person, and where such extension is granted the office held by such person shall for the purpose of such extension be deemed to be a pensionable office; provided that—

- (a) each case in which such extension is proposed shall be specially recommended to the High Commissioner both by the head of the department in which the person concerned shall have served and by the Resident Commissioner as a fit and proper case for such extension;
- (b) a pension may be granted under this Proclamation to any such person in favour of whom such extension is made though such person shall not have served more than eight years under the Government of Basutoland.

34. In this Proclamation—
the term "public service" shall mean service in a civil capacity under the Crown or under the Government of any portion of His Majesty's Dominions or of any territory under the protection of His Majesty or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and any such other service as the High Commissioner may determine to be public service for the purpose of any provision of this Proclamation;
the term "other public service" shall mean public service not under the Government of Basutoland.

35. This Proclamation may be cited as the Basutoland Pensions Proclamation 1924 and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Fourth day of September One thousand Nine hundred and Twenty-four.

ATHLONE,
High Commissioner.

By Command of His Excellency the
High Commissioner.

B. E. H. CLIFFORD,
Imperial Secretary.

FIRST SCHEDULE.

LAWS REPEALED.

- Proclamation No. 13 of 1908.
- Proclamation No. 60 of 1908.
- Proclamation No. 59 of 1910.
- Proclamation No. 16 of 1912.
- Proclamation No. 34 of 1913.
- Proclamation No. 38 of 1914.
- Proclamation No. 16 of 1916.
- Proclamation No. 1 of 1918.
- Proclamation No. 15 of 1919.
- Proclamation No. 21 of 1919.
- Proclamation No. 47 of 1921.

SECOND SCHEDULE.

Establishments—

- Resident Commissioner;
- Deputy-Resident Commissioners;
- Government Secretary;
- Chief Clerk, Master of Court and Registrar of the Resident Commissioner's Court whether these posts are vested in one officer or are separately held;
- Financial Secretary;
- Accountant;
- Assistant Commissioners;
- Deputy-Assistant Commissioners;
- European Gaolers;
- Comptroller of Stores;
- Storekeeper;
- Clerks to the Resident Commissioner (including any officer employed in the High Commissioner's Office and drawing his salary from the funds of the Basutoland Government);
- Clerks in the Basutoland Service whose appointment as such has been or shall hereafter be notified in the *Gazette*;
- European Interpreters;
- Assistant Imperial Secretary (in so far as his salary or emoluments has been or may be drawn from the funds of the Basutoland Government);
- Auditor (in so far as his salary or emoluments are drawn from the funds of the Basutoland Government).

Police—

- Inspectors of Police;
- Sub-Inspectors of Police;
- European Members of the Basutoland Mounted Police.

Post Office—

- Postmasters;
- European Postal Assistants.

Public Works—

- Director of Public Works;
- Assistant Engineers;
- Clerk of Works;
- Sanitary Inspector;

Medical—

- Principal Medical Officer;
- Deputy-Principal Medical Officer;
- Medical Officers;
- Matrons;
- Staff Nurses;

Education—

- Director of Education;
- Inspector of Schools;
- Director of the Industrial School.

Agriculture—

- Principal Veterinary Surgeon (exclusively employed by Government);
- Agricultural Officer;
- Europeans in charge of Government Tree Nursery (exclusively employed by Government);
- Stock Inspectors.

Leper Settlement—

- Superintendent;
- Medical Officer;
- Chief Clerk;
- Compound Manager;
- Assistant Compound Manager;
- Mechanic;
- Matron;
- Nurses;
- Farm Bailiff.

Miscellaneous—

- Europeans in charge of Government Ferry Boats (exclusively employed by Government).

THIRD SCHEDULE.

- Native Non-Commissioned Officers and Men of the Basutoland Mounted Police.
- Native Interpreters, Clerks, Postal Assistants, Postal Messengers, Postal Linemen, Dispensers, Veterinary Assistants, School Inspectors, Gaolers, Warders, Leper Guards, Messengers, Nurses, Ward Attendants, Storemen, Caretakers, Mechanics, Grooms, Pumpmen, Drivers, Rangers, Engine Attendants, Boiler Attendants and Fencers.
- Natives in charge of Government Ferry Boats.

(Printed by the Government Printer, Pretoria.)

No. 30 of 1924.]

PROCLAMATION

By HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to amend the law governing appointments to and promotions in the Public Service of Basutoland;

Now therefore under and by virtue of the powers in me vested I do hereby declare proclaim and make known as follows:—

1. The Public Service (Basutoland) Proclamation No. 5 of 1915 shall be and is hereby repealed.
2. In this Proclamation and in any regulation issued thereunder unless the context otherwise requires—

"the territory" shall mean the territory of Basutoland;
"pensionable office" shall mean any office in the territory which is included in the Second Schedule to the Basutoland Pensions Proclamation No. 29 of 1924 or which shall be added thereto by subsequent Proclamation;
"other public service" shall mean public service, as defined in the Basutoland Pensions Proclamation No. 29 of 1924, not under the Government of Basutoland.

3. Except in the case of an officer already holding a pensionable office in the territory or transferred with pension rights from other public service no person shall be appointed to a pensionable office until he shall have served for a period of at least six months on probation.

4. The Resident Commissioner may recommend any person who has served for the prescribed period on probation for appointment to a pensionable office where such person shall have—
 (a) satisfied the Resident Commissioner by examination or by the production of certificates or otherwise that his general knowledge and education are of the standard desirable and proper for the performance of the duties of the office to which it is proposed to appoint him; and
 (b) attained the third grade of proficiency in the local native language; and
 (c) satisfied the Resident Commissioner as to his general fitness for retention in the service; and
 (d) appeared before a medical board consisting of not less than two qualified medical officers and obtained from the board a certificate of good health and physical fitness to serve under the climatic conditions of the territory.

5. Subject to the provisions of section three of this Proclamation the High Commissioner may appoint to a pensionable office any officer recommended for such appointment by the Resident Commissioner and such appointment shall be notified in the *Gazette*, and shall take effect from the commencement of the probationary period served by such officer or from such other date as may be notified in the *Gazette*.

6. The High Commissioner may exempt from one or more of the conditions laid down in section four any probationer in whose case he is of opinion that the fulfilment of the conditions from which exemption is given is not essential to the proper performance of the duties which such probationer will if appointed to a pensionable office be expected to discharge.

7. The High Commissioner may from time to time by notice in the *Gazette* make alter and repeal regulations not inconsistent with the provisions of this Proclamation on all matters relating to the public service and generally for the efficient carrying out of the objects and purposes of this Proclamation.

8. The scales of salary and other pensionable emoluments of the pensionable offices in the public service of Basutoland shall be as set out in the Schedule to this Proclamation; provided that the High Commissioner may from time to time amend that Schedule by notice in the *Gazette* whereupon such amendment shall be deemed to be part of that Schedule; and provided further that nothing in this Proclamation contained shall be deemed to prevent the High Commissioner from granting to any officer a pensionable personal salary in excess of the maximum of the scale of the office in which such officer is serving.

9. This Proclamation may be cited as the Basutoland Public Service Proclamation 1924 and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Fourth day of September One thousand Nine hundred and Twenty-four.

ATHLONE,
High Commissioner.

By Command of His Excellency the
High Commissioner.

B. E. H. CLIFFORD,
Imperial Secretary.

SCHEDULE.

	EMOLUMENTS.			Other Emoluments.
	Scale of Salary.			
	Com- mencing Salary. £	Annual Incre- ment. £	Maxi- mum Salary. £	
Resident Commissioner.....	—	—	1,650	Free quarters.
Deputy-Resident Commissioner	—	—	1,050	Free quarters.
Government Secretary.....	850	50	1,000	Free quarters.
Principal Medical Officer.....	900	25	1,000	Free quarters.
Auditor (a).....	750	50	1,000	—
Financial Secretary.....	650	30	900	Free quarters.
Superintendent, Leper Settle- ment	800	25	850	Free quarters.
Assistant Commissioners.....	600	30	850	Free quarters.
Medical Officers.....	550-20	800-50	850	Free quarters.
Principal Veterinary Surgeon.	700	25	800	Free quarters.
Assistant Imperial Secretary and Chief Clerk, High Com- missioner's Office	650	25	800	—
Medical Officer, Leper Settle- ment	550	25	800	Free quarters.
Director of Public Works....	550	25	750	Free quarters.
Director of Education.....	500	25	700	Free quarters.
Chief Clerk, Master of Court, and Registrar of the Resi- dent Commissioner's Court	500	25	650	Free quarters.
Comptroller of Stores.....	—	—	—	—
Assistant Engineer.....	—	—	—	—
Director of Industrial School.	450	20	650	Free quarters.
Deputy-Assistant Commissioner	500	25	600	Free quarters.
Accountant.....	450	20	600	Free quarters.
Inspectors, Basutoland Moun- ted Police.....	400-20	550-50	600	Free quarters.
Sub-Inspectors, Basutoland Mounted Police.....	—	—	—	—
Agricultural Officer.....	—	—	—	—
Inspector of Schools.....	400	20	550	Free quarters.
Clerks, Grade I.....	—	—	—	—
Postmaster.....	400	20	500	Free quarters.
Second Assistant Engineer...	—	—	—	—
Chief Clerk, Leper Settlement..	300	15	500	Free quarters.
Postmasters.....	350	20	450	Free quarters.
Compound Manager, Leper Settlement	250	15	400	Free quarters.
Clerk of Works.....	250	10	400	Free quarters.
Mechanic, Leper Settlement..	250	15	380	Free quarters.
Postmasters.....	240	15	380	Free quarters.

(a) The salary of this office is paid jointly by Basutoland, the Bechuanaland Protectorate, and Swaziland.

	EMOLUMENTS.			Other Emoluments.
	Scale of Salary.			
	Com- mencing Salary. £	Annual Incre- ment. £	Maxi- mum Salary. £	
Postal Assistants.....	144-12	240-15	380	Free quarters.
Gaoler.....	—	—	—	—
Chief Constables.....	300	15	360	Free quarters.
Stock Inspectors.....	—	—	—	—
Clerks, Grade II.....	—	—	—	—
Storekeeper and Auctioneer of old Government Stores...	200	15	360	Free quarters.
Clerk in High Commissioner's Office	200	15	360	—
Sanitary Inspector.....	250	15	350	Free quarters.
Farm Bailiff, Leper Settlement	—	—	—	—
Matron, Leper Settlement...	250	10	300	Free quarters, sustenance £72, uniform £24, free laundry, fuel, light, at- tendance, with pensionable value £36 per annum.
Gaolers.....	240	15	300	Free quarters.
European Constables.....	180	10	300	Free quarters.
Drill Instructor.....	—	—	—	—
Assistant Compound Manager, Leper Settlement	200	15	280	Free quarters.
Lady Clerks and Typists....	200	10	250	—
Pont Overseer.....	—	—	—	—
Caretaker of Government Tree Nursery.....	180	10	240	Free quarters.
Matron.....	160	15	220	Free quarters, sustenance £72, uniform £24, free laundry, fuel, light, at- tendance, with pensionable value £36 per annum.
Staff Nurses, Leper Settlement	140	10	190	Free quarters, sustenance £72, uniform £24, free laundry, fuel, light, at- tendance, with pensionable value £36 per annum.
Matrons.....	130	15	190	Free quarters, sustenance £72, uniform £24, free laundry, fuel, light, at- tendance, with pensionable value £36 per annum.
Staff Nurses.....	110	10	150	Free quarters, sustenance £72, uniform £24, free laundry, fuel, light, at- tendance, with pensionable value £36 per annum.

(Printed by the Government Printer, Pretoria.)

No. 31 of 1924.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to consolidate and amend the rules and regulations concerning the granting of pensions and of superannuation and other allowances to persons employed in the service of the Government of the Bechuanaland Protectorate;

Now therefore, under and by virtue of the powers in me vested, I do hereby declare, proclaim and make known as follows:—

1. The proclamations mentioned in the First Schedule to this Proclamation shall be and are hereby repealed: provided always that such repeal shall not affect in any way whatsoever any pension, gratuity or allowance already granted under any law so repealed, or the conditions subject to which any such pension, gratuity or allowance is payable.

PART I.

PENSIONS.

2. Any officer who is named or described in the Second Schedule to this Proclamation or who shall either before or after the date of the taking effect of this Proclamation have held any office which is named in the Second Schedule to this Proclamation or which is hereafter added by Proclamation to such Schedule shall be deemed to hold or to have held a pensionable office and shall be entitled subject to the provisions of this Proclamation to receive a pension upon his retirement therefrom.

3. (1) Save as is otherwise provided in this Proclamation, no pension shall be granted to any officer—

- (a) who shall be under sixty years of age unless a medical board appointed by the Government shall report that such officer is incapable from infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent;
- (b) who shall not have served for a period of ten years in a pensionable office.

(2) Service in an office which was pensionable under any prior law or regulation shall be deemed to be service in a pensionable office under this Proclamation.

(3) Any person appointed to the public service of the Bechuanaland Protectorate subsequent to the date of the taking effect of this Proclamation as medical officer who also exercises private practice as a physician, surgeon or accoucheur shall not be deemed to be or to have been the holder of a pensionable office unless and until he has signed an undertaking in a form approved by the Resident Commissioner to regard the claims of his private practice on his time as subordinate to those of his work for the Government of the Bechuanaland Protectorate and to hold himself liable without title to advance any claim for loss of private practice to be removed for the purposes of public service from any one place or station in the Protectorate to any other.

4. Any officer who is entitled to pension under section *two* of this Proclamation may retire or be required to retire at the age of sixty and shall retire at the age of sixty-five.

5. The service of an officer in the Bechuanaland Protectorate shall for the purposes of this Proclamation ordinarily be reckoned from the date on which he commenced to draw salary from Protectorate funds in respect of his first permanent appointment; provided that no service shall be admitted as pensionable which was prior to the attainment of the age of eighteen years.

6. (1) Acting service in a pensionable office shall when continuous with service in such an office be reckoned as service for pension.

(2) Provisional or temporary service may subject to the approval of the High Commissioner be allowed to count for pension when such service shall have been immediately followed by a permanent appointment to a pensionable office.

(3) The period during which an officer is absent on leave without salary may, subject to the approval of the High Commissioner, be counted as service on full pay for pension, provided that such leave has been granted on grounds of public policy and further provided that it does not exceed one year in all.

7. Subject to the provisions of section *nineteen* of this Proclamation the service in respect of which pensions will be granted must be unbroken except in cases where the service has been interrupted by absence on leave or by circumstances not arising from misconduct or voluntary resignation in which the High Commissioner may approve of service prior to a break of service being allowed to count for pension together with service subsequent to such break.

8. The pension to be granted in respect of any office under the authority of this Proclamation shall, subject to the provisions of section *twelve* be calculated at the rate of one-sixtieth of the annual salary and emoluments of the office for each completed year of an officer's service; provided that no addition shall be made in respect of service beyond forty years.

9. If any officer holding a pensionable office be required to retire from the public service of the Bechuanaland Protectorate owing to the abolition of his office or any reduction in or reorganization or readjustment of departments or offices of the public service of the Bechuanaland Protectorate or if he be required to retire in order to facilitate improvements in the organization of the department or office to which he belongs a pension calculated as in the last preceding section provided shall be granted to such officer notwithstanding that he is not otherwise qualified for pension under this Proclamation and in any such case an addition of one year for every two completed years of his actual pensionable service shall be made to his actual period of service for the purpose of computing his pension; provided always that the number of years to be added to the actual service shall not exceed that which if added to the age of the retiring officer would bring that age up to sixty years and that in any event the number of added years shall not exceed ten; and provided further that if in the opinion of the High Commissioner the fidelity and diligence of such an officer has fallen short of the first degree of merit such addition may be made at a lower rate than that of one year for every two completed years of pensionable service or may be withheld.

10. Where an officer has been permanently injured—

- (a) in the actual discharge of his duty; and
- (b) without his own default; and
- (c) by some injury specifically attributable to the nature of his duty;

and his retirement is thereby necessitated or materially accelerated a pension calculated as set out in section *eight* of this Proclamation shall be granted to him notwithstanding that he has not served a sufficient period to qualify him ordinarily for pension and such pension shall be increased in proportion to the extent of his injury by the addition of an allowance equal to the proportion of his salary and emoluments hereunder indicated, viz.:—

Where it is proved to the satisfaction of the High Commissioner that his capacity to contribute to his support is—

- slightly impaired—five-sixtieths of salary and emoluments;
- impaired—ten-sixtieths of salary and emoluments;
- materially impaired—fifteen-sixtieths of salary and emoluments;
- totally destroyed—twenty-sixtieths of salary and emoluments;

provided that his pension increased by such allowance shall in no case exceed fifty-sixtieths of his salary and emoluments at the date of the injury; and provided further that such allowance may be reduced by such amount as the High Commissioner shall think reasonable in cases where the officer's retirement is due to infirmity not arising solely from the injury sustained by him.

11. For the purpose of calculating a pension—

- (1) the word "salary" shall include personal allowance and any fees paid out of the Treasury by way of salary; provided that the amount to be allowed for fees shall not exceed one-fourth of the actual salary of the office;
- (2) the word "emoluments" shall include house allowance or the estimated value of free quarters rations and fuel or any allowance of a permanent character given as an equivalent of salary but shall exclude any forage or horse allowance or other travelling allowance and any temporary allowance such as acting or extra pay or bonus given as compensation for local disadvantages; provided that the amount to be allowed for house rent or for estimated value of free quarters shall be one-sixth of the salary and other pensionable emoluments of the office.

12. (1) If the officer retiring has been in receipt of the same salary and emoluments or has held a pensionable office of the same grade for not less than thirty-six months immediately preceding the date of his retirement his pension shall be calculated on the actual annual rate of salary and emoluments which he is drawing at the date of retirement.

(2) In other cases the pension shall be calculated on the average annual amount of salary and emoluments for the thirty-six months preceding the date of retirement but if the whole period of service in the Bechuanaland Protectorate is less than three years then the pension shall be calculated on the average annual amount for such period of service.

13. Pensions shall commence from the date of retirement.

14. Every officer to whom a pension shall have been granted before he shall have attained the age of sixty years shall until he has attained that age be liable to be called upon to serve in the public service of the Bechuanaland Protectorate or other public

service in any office for which his previous experience in the opinion of the High Commissioner renders him eligible and the duties of which a medical board shall consider him physically fit to discharge; and if he shall decline to take upon himself such office or shall decline or neglect to execute the duties thereof being in the opinion of a medical board in a competent state of health he shall forfeit his right to the pension which had been granted to him.

15. If any officer to whom a pension has been granted under this Proclamation or under any previous law or regulation is appointed to another office in the public service of the Bechuanaland Protectorate, or other public service, then during his tenure of such office so much only (if any) of his pension shall be paid to him as, together with any pension received by him in respect of other public service and with the salary and emoluments of such office, makes up an amount not exceeding the highest pensionable salary and emoluments drawn by such officer at any time in the course of his service in the Bechuanaland Protectorate or other public service; provided that where the officer retired or was transferred from the public service of the Bechuanaland Protectorate prior to the 1st day of April 1922, the highest pensionable salary and emoluments drawn by such officer in the course of his service in the Bechuanaland Protectorate shall for the purposes of this section be deemed to be the highest pensionable salary and emoluments actually so drawn by him plus fifty per cent. thereof; and also provided that any bonus or temporary increase, whether on pension or on the salary of the new office, granted in view of cost of living, shall be added to such pension or salary, as the case may be, for the purposes of this section.

16. Any officer who after serving for a period of at least one year in a pensionable office in the Bechuanaland Protectorate shall have been transferred to other public service shall on his final retirement after at least ten years' service receive such a pension from Protectorate funds in respect of each year and proportionately in respect of any fraction of a year of his service in the Protectorate as he would have received if he had at the moment of his transfer received a pension calculated under this Proclamation notwithstanding that his service in the Protectorate shall by itself have been less than ten years and that at his retirement he may be under sixty years of age.

17. Any officer who has been transferred from a pensionable office in other public service to a pensionable office in the Bechuanaland Protectorate and has served not less than ten years in all in a pensionable office shall on retirement receive under this Proclamation in respect of his entire period of public service in a pensionable office such pension as would have been payable to him if the whole of such service had been in the Bechuanaland Protectorate notwithstanding that he may not have completed ten years actual service in the Protectorate; provided however that the amount of any sum payable by the Government of any other portion of His Majesty's Dominions or of any other territory under the protection of His Majesty or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty towards the pension of any such officer may if such sum is not paid into Protectorate funds be deducted from the pension payable to such officer out of Protectorate funds.

18. For the purposes of sections *sixteen* and *seventeen* of this Proclamation service under the British South Africa Company in the administration of Southern or Northern Rhodesia shall be deemed to be other public service.

19. (1) Notwithstanding anything contained in this Proclamation where any officer holding a pensionable office served with the consent of the High Commissioner or the Secretary of State with His Majesty's armed forces or in any other capacity connected with the state of war at any time during the period from the 4th day of August 1914 to the 31st day of August 1921 the provisions of this Proclamation shall be deemed to apply to such officer as fully and in like manner as if his service with His Majesty's armed forces or in such other capacity had in fact been service on full pay in the office held by him in the public service of the Bechuanaland Protectorate.

(2) Where an officer holding a pensionable office resigned his office in the public service of the Bechuanaland Protectorate at any time during the period from the 4th day of August 1914 to the 11th day of November 1918, in order to join or to attempt to join the armed forces of His Majesty or to serve in any other capacity connected with the state of war then prevailing and he joined or attempted to join those forces or served or attempted to serve in any other capacity connected with such state of war within three months from the date of the termination of his services by reason of such resignation and had after such attempt or within six months of his demobilization from those forces or of the 11th day of November 1918 been reappointed to the public service of the Bechuanaland Protectorate there shall notwithstanding anything contained in this Proclamation be taken into account in computing the pension or gratuity of such officer his service in the Bechuanaland Protectorate prior to the termination of such service by reason of such resignation and there shall further be taken into account as service in the office which he resigned or in any other pensionable office to which he had been reappointed, the period from the date when he terminated his services by reason of such resignation to the date of his reappointment in the public service of the Bechuanaland Protectorate, in the same way as if such officer had during such period been serving in the Bechuanaland Protectorate on full pay. The provisions of this sub-section shall apply in the case of any officer who was temporarily employed in the public service of the Bechuanaland Protectorate at the date of his resignation notwithstanding that he did not hold a pensionable office prior to such date provided that he has fulfilled the other conditions set forth in this sub-section and provided that he is subsequently appointed to a pensionable office in the public service of the Bechuanaland Protectorate and that on such appointment he was allowed under sub-section (2) of section *six* of this Proclamation or any prior law to count for pension his provisional or temporary service.

20. Where any officer mentioned in the last preceding section became entitled under sections *ten* and *nineteen* of this Proclamation or any prior law to any benefits in respect of permanent injury sustained while serving with His Majesty's armed forces or in any other capacity connected with the state of war existing between the 4th day of August 1914 and the 31st day of August 1921 and where such officer in respect of the same injury has been awarded any pension or allowance under any law or regulation applicable to His Majesty's armed forces or to persons serving in any other capacity as aforesaid, such pension or allowance shall be deducted

from any sum payable to him under section *ten* of this Proclamation or any prior law so that the sum payable to him thereunder shall be the amount (if any) by which the pension or allowance to which he would have been entitled in respect of such injury under this Proclamation or any prior law exceeds any pension or allowance which he may receive in respect of the same injury under any other law or regulation affecting His Majesty's armed forces or persons serving in any other capacity as aforesaid.

PART II.

GRATUITIES.

21. (1) Any officer holding a pensionable office who is compelled to retire by reason of ill-health before he has completed ten years' service shall be granted a gratuity of one month's salary and emoluments for each year of service and half a month's salary and emoluments in respect of any fraction of a year amounting to six completed months.

(2) The computation of salary and emoluments for this purpose shall be governed by sections *eleven* and *twelve* of this Proclamation.

(3) Subject to the approval of the High Commissioner any person in the employment of the Government of the Bechuanaland Protectorate who does not hold a pensionable office may on the termination of his employment after not less than ten years' continuous good service be granted a gratuity of one month's salary in respect of each year of service, provided that the amount of such gratuity shall not exceed one year's salary.

22. In the case of any native holding permanent employment under the Bechuanaland Protectorate Government whether or not in any of the offices specified in the Third Schedule to this Proclamation to whom the benefits conferred by section *thirty* of this Proclamation shall not have been extended the High Commissioner shall award—

- (a) on retirement from the service after not less than ten years' continuous good service a gratuity calculated at the rate of one-half month's pay for every year of service not exceeding thirty years in all; or
- (b) on retirement or discharge from the service in consequence of any injury or disease received or contracted in the actual discharge of his duty and without his own default such special gratuity not being less than at the rate of one half-month's pay for every year of service as the High Commissioner may deem reasonable; or
- (c) in the event of his death a gratuity to his widow, minor children or parents calculated at the rate of one-half month's pay for every year of service not exceeding thirty years in all.

23. In the computation of gratuities awarded under section *twenty-two* of this Proclamation the provisions of sections *eleven* and *twelve* of this Proclamation shall apply.

PART III.

GENERAL PROVISIONS.

24. Where an officer is removed from office on grounds of gross negligence, irregularity or misconduct or where in the event of his retirement on grounds of ill-health such ill-health is due to his own misconduct the grant of pension or other allowance or gratuity may either be withheld or granted at such lower rate than that prescribed in the preceding sections of this Proclamation as the High Commissioner may decide.

25. No pension granted under this Proclamation shall be assignable or transferable or capable of being hypothecated or liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever.

26. If any person to whom a pension has been granted under this Proclamation or under any prior law is convicted before any competent court, whether within or without His Majesty's Dominions, of any crime or offence, then in every such case it shall be lawful for the High Commissioner to direct that such pension shall forthwith cease; provided always that the pension shall be restored with retrospective effect in the case of a person who, after conviction as above described, at any time receives a free pardon; and provided further that where a pension ceases by reason of the conviction of the pensioner as aforesaid it shall be lawful for the High Commissioner to cause all or any part of the moneys to which the pensioner would have been entitled by way of pension to be paid to or applied for the benefit of any wife, child, or children of the pensioner; or, after the expiration of his sentence, also for the benefit of the pensioner himself, in the same manner precisely and subject to the same qualifications and restrictions as in the case of insolvency herein after provided.

27. If any person to whom a pension has been granted under this Proclamation becomes insolvent then such pension shall forthwith cease; provided always that in any case where a pension ceases by reason of the insolvency of the pensioner it shall be lawful for the High Commissioner from time to time during the remainder of such pensioner's life or during such shorter period or periods either continuous or discontinuous as the High Commissioner shall think fit to cause all or any part of the moneys to which such pensioner would have been entitled by way of pension had he not become insolvent to be paid to or applied for the maintenance and personal support or benefit of all or any exclusive of the other or others of the following persons, namely such pensioner and any wife child or children of his in such proportions and manner as to the High Commissioner appears proper.

28. If any person to whom a pension has been granted under this Proclamation becomes on his final retirement from the public service of the Bechuanaland Protectorate or from other public service either a director of any company the principal part of whose business is in any way directly concerned with the Protectorate, or an officer or a servant employed in the Protectorate by any such company, without in every such case the permission of the High Commissioner in writing first had and obtained, then in every such case it shall be lawful for the High Commissioner to direct that such pension shall forthwith cease; provided always that it shall be lawful for the High Commissioner on being satisfied that the person in respect of whose pension any such direction shall have been given has ceased to be a director of such company or to be employed as an officer or servant of such company in the Protectorate, as the case may be, to give directions for the restoration of such pension with retrospective effect if he shall see fit, to such a date as he shall specify.

29. If the death of the holder of an office in respect of which a pension or gratuity may be granted is caused by an injury occasioned without his own default in the actual discharge of his public duty and specifically attributable to the nature of his public duty the High Commissioner shall grant to the widow of the deceased, or if the deceased does not leave a widow and if his mother was at the time of the death wholly dependent upon him for her support to the mother of the deceased a pension of one-sixth of the deceased's salary and emoluments at the date of the injury and there shall further be granted to the children of the deceased a gratuity of the number of pounds sterling which is equal to the number obtained by subtracting the number of years completed by each of the children at the date of the father's death from fifteen and adding the remainders together the total gratuity not to be less than £10 or unless there are in the opinion of the High Commissioner special circumstances to justify a larger gratuity more than £50 and in the case of motherless children the High Commissioner shall grant double the amount which would otherwise be given.

30. The High Commissioner may extend any of the benefits conferred by this Proclamation either wholly or in part to any person who shall, either before or after the date of the taking effect of this Proclamation, have held any office which is named in the Third Schedule to this Proclamation and may extend any benefits conferred by section *twenty-nine* of this Proclamation to the widow, mother or children of any such person, and where such extension is granted the office held by such person shall for the purpose of such extension be deemed to be a pensionable office; provided that—

- (a) each case in which such extension is proposed shall be specially recommended to the High Commissioner both by the head of the department in which the person concerned shall have served and by the Resident Commissioner as a fit and proper case for such extension;
- (b) a pension may be granted under this Proclamation to any such person in favour of whom such extension is made though such person shall not have served more than eight years under the Government of the Bechuanaland Protectorate.

31. In this Proclamation—
the term "public service" shall mean service in a civil capacity under the Crown or under the Government of any portion of His Majesty's Dominions or of any territory under the protection of His Majesty or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and any such other service as the High Commissioner may determine to be public service for the purpose of any provision of this Proclamation;
the term "other public service" shall mean public service not under the Government of the Bechuanaland Protectorate.

32. This Proclamation may be cited as the Bechuanaland Protectorate Pensions Proclamation 1924 and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Fourth day of September One thousand Nine hundred and Twenty-four.

ATHLONE,
High Commissioner.

By Command of His Excellency the
High Commissioner.

B. E. H. CLIFFORD,
Imperial Secretary.

FIRST SCHEDULE.

LAWS REPEALED.

Proclamation No. 26 of 1906.
Proclamation No. 51 of 1907.
Proclamation No. 6 of 1908.
Proclamation No. 61 of 1908.
Proclamation No. 60 of 1910.
Proclamation No. 15 of 1912.
Proclamation No. 35 of 1913.
Proclamation No. 39 of 1914.
Proclamation No. 65 of 1914.
Proclamation No. 17 of 1916.
Proclamation No. 2 of 1918.
Proclamation No. 30 of 1919.
Proclamation No. 43 of 1921.

SECOND SCHEDULE.

Resident Commissioner.
Assistant Resident Commissioner.
Government Secretary.
Financial Secretary, Master of the Resident Commissioner's Court and Registrar of Deeds whether these posts are held by one officer or are separately held.
Accountant.
Chief Clerk to the Resident Commissioner.
Clerks to the Resident Commissioner (including any officer employed in the High Commissioner's Office and drawing his salary from the funds of the Bechuanaland Protectorate).
Resident Magistrates.
Assistant Resident Magistrates.
Clerks in the Bechuanaland Protectorate Service whose appointment as such has been or shall hereafter be notified in the *Gazette*.
Principal Medical Officer.
Medical Officers.
European Hospital Assistants and Dispensers.
Chief Veterinary Officer.
Veterinary Officers.
Stock Inspectors.
Scab Inspectors.
Controller of Stores.
European Customs Officers.
European Gaolers.
European Warders.
European Gaol Matrons.
Fence Foremen.

Assistant Imperial Secretary (in so far as his salary or emoluments has been or may be drawn from the funds of the Bechuanaland Protectorate Administration).
 Auditor (in so far as his salary or emoluments has been or may be drawn from the funds of the Bechuanaland Protectorate Administration).
 Inspector of Education (in so far as his salary or emoluments has been or may be drawn from the funds of the Bechuanaland Protectorate Administration).

THIRD SCHEDULE.

Carpenters.
 Native Non-Commissioned Officers and Men of the Bechuanaland Protectorate Police.
 Native Clerks, Interpreters, Warders (Gaal Guards), Hospital Orderlies, Drivers, Leaders, Messengers, Gaol Cooks, Labourers, Gardeners.

(Printed by the Government Printer, Pretoria.)

No. 32 of 1924.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to amend the law governing appointments to and promotions in the Public Service of the Bechuanaland Protectorate;

Now therefore under and by virtue of the powers in me vested, I do hereby declare proclaim and make known as follows:—

1. The Public Service (Bechuanaland Protectorate) Proclamation, 1915, shall be and is hereby repealed.

2. In this Proclamation and in any regulation issued thereunder unless the context otherwise requires—

“the territory” shall mean the territory of the Bechuanaland Protectorate;

“pensionable office” shall mean any office in the territory which is included in the Second Schedule to the Bechuanaland Protectorate Pensions Proclamation No. 31 of 1924 or which shall be added thereto by subsequent Proclamation;

“other public service” shall mean public service, as defined in the Bechuanaland Protectorate Pensions Proclamation No. 31 of 1924, not under the Government of the Bechuanaland Protectorate.

3. Except in the case of an officer already holding a pensionable office in the territory or transferred with pension rights from other public service no person shall be appointed to a pensionable office until he shall have served for a period of at least six months on probation.

4. The Resident Commissioner may recommend any person who has served for the prescribed period on probation for appointment to a pensionable office where such person shall have—

- (a) satisfied the Resident Commissioner by examination or by the production of certificates or otherwise that his general knowledge and education are of the standard desirable and proper for the performance of the duties of the office to which it is proposed to appoint him; and
- (b) attained the third grade of proficiency in the local native language; and
- (c) satisfied the Resident Commissioner as to his general fitness for retention in the service; and
- (d) appeared before a medical board consisting of not less than two qualified medical officers and obtained from the board a certificate of good health and physical fitness to serve under the climatic conditions of the territory.

5. Subject to the provisions of section three of this Proclamation the High Commissioner may appoint to a pensionable office any officer recommended for such appointment by the Resident Commissioner and such appointment shall be notified in the *Gazette*, and shall take effect from the commencement of the probationary period served by such officer or from such other date as may be notified in the *Gazette*.

6. The High Commissioner may exempt from one or more of the conditions laid down in section four any probationer in whose case he is of opinion that the fulfilment of the conditions from which exemption is given is not essential to the proper performance of the duties which such probationer will if appointed to a pensionable office be expected to discharge.

7. The High Commissioner may from time to time by notice in the *Gazette* make alter and repeal regulations not inconsistent with the provisions of this Proclamation on all matters relating to the public service and generally for the efficient carrying out of the objects and purposes of this Proclamation.

8. The scales of salary and other pensionable emoluments of the pensionable offices in the public service of the Bechuanaland Protectorate shall be as set out in the Schedule to this Proclamation; provided that the High Commissioner may from time to time amend that Schedule by notice in the *Gazette* whereupon such amendment shall be deemed to be part of that Schedule; and provided further that nothing in this Proclamation contained shall be deemed to prevent the High Commissioner from granting to any officer a pensionable personal salary in excess of the maximum of the scale of the office in which such officer is serving.

9. This Proclamation may be cited as the Bechuanaland Protectorate Public Service Proclamation 1924 and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Fourth day of September One thousand Nine hundred and Twenty-four.

ATHLONE,
 High Commissioner.

By Command of His Excellency the
 High Commissioner.

B. E. H. CLIFFORD,
 Imperial Secretary.

SCHEDULE.

EMOLUMENTS.

Office.	Scale of Salary.			Other Emoluments.
	Com-mencing Salary.	Annual Incre-ment.	Maxi-mum Salary.	
	£	£	£	
Resident Commissioner.....	—	—	1,350	Free quarters.
Assistant Resident Commis-sioner	850	50	1,000	Free quarters.
Government Secretary.....	850	50	1,000	Free quarters.
Auditor (a).....	750	50	1,000	—
Principal Medical Officer.....	800	25	900	Free quarters.
Chief Veterinary Officer.....	700	25	800	Free quarters.
Financial Secretary, Master of the Resident Commissioner's Court, and Registrar of Deeds	600	25	800	Free quarters.
Resident Magistrates, Grade I.	500	25	750	Free quarters.
Medical Officers.....	500	20	700	Free quarters.
Veterinary Officers.....				
Resident Magistrates, Grade II	500	25	650	Free quarters.
Inspectors of Police.....	500	20	600	Free quarters.
Chief Clerks.....	400	20	550	Free quarters.
Assistant Resident Magistrates				
Accountant.....	400	20	500	Free quarters.
Clerk, High Commissioner's Office	350	20	500	—
Sub-Inspectors of Police.....	400	15	480	Free quarters.
Controller of Stores.....	350	15	480	House allowance.
Warrant Officers of Police ..	320	15	400	Free quarters.
	300	15	380	Free quarters.
Sergeants of Police (1st Class)	300	15	360	Free quarters.
Hospital Assistants and Dis-pensers.....				
Stock Inspectors.....	200	15	360	Free quarters.
Scab Inspectors.....				
Clerks.....	250	10	300	Free quarters.
Sergeants of Police (2nd Class)				
Fence Foremen.....	240	15	300	Free quarters.
European Gaolers.....				
Clerk and Storeman.....	200	15	300	Free quarters.
Gaal Matrons.....	—	—	60	Free quarters.
Inspector of Education Allow-ance	—	—	70	—

(a) The salary of this office is paid jointly by Basutoland, Swaziland, and the Bechuanaland Protectorate.

(Printed by the Government Printer, Pretoria.)

No. 33 of 1924.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to amend the rules and regulations concern- ing the granting of pensions and of superannuation and other allowances to European members of the Bechuanaland Protectorate Police Force:

Now therefore under and by virtue of the powers in me vested I do hereby declare, proclaim and make known as follows:—

1. The Bechuanaland Protectorate Police Pensions Proclamation 1921 (No. 42 of 1921) shall be and is hereby repealed: provided always that such repeal shall not affect in any way whatsoever any pension, gratuity or allowance already granted under that Proclamation or the conditions subject to which any such pension, gratuity or allowance is payable

PART I.

PENSIONS.

2. Any police officer who shall have served as such either before or after the date of the taking effect of this Proclamation shall be deemed to hold or to have held a pensionable office and shall be entitled subject to the provisions of this Proclamation to receive a pension upon his retirement therefrom.

3. Save as is otherwise provided in this Proclamation no pension shall be granted to any police officer—

- (a) who shall be under fifty years of age unless a medical board appointed by the Government shall report that such officer is incapable from infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent;
- (b) who shall not have served for a period of ten years in a pensionable office.

4. (1) Any police officer who is entitled to pension under section two of this Proclamation shall retire on reaching the age of fifty.

(2) Any police officer who is transferred from the police force to another department of the service, and any member of another department who is transferred to the police force, shall be subject to the pension regulations governing that department of the service to which he belongs at the time of his retirement, in like manner as if the whole term of his service had been spent in that department.

5. The service of a police officer in the Bechuanaland Protec- torate shall for the purposes of this Proclamation ordinarily be reckoned from the date on which he commenced to draw salary from Protectorate funds in respect of his first permanent appointment; provided that no service shall be admitted as pensionable which was prior to the attainment of the age of eighteen years.

6. (1) Acting service in a pensionable office shall when con- tinuous with service in such an office be reckoned as service for pension.

(2) Provisional or temporary service may subject to the approval of the High Commissioner be allowed to count for pension when such service shall have been immediately followed by a permanent appointment to a pensionable office.

(3) The period during which a police officer is absent on leave without salary may, subject to the approval of the High Commissioner, be counted as service on full pay for pension; provided that such leave has been granted on grounds of public policy and further provided that it does not exceed one year in all.

7. Subject to the provisions of section *nineteen* of this Proclamation the service in respect of which pensions will be granted must be unbroken except in cases where the service has been interrupted by absence on leave or by circumstances not arising from misconduct or voluntary resignation in which the High Commissioner may approve of service prior to a break of service being allowed to count for pension together with service subsequent to such break.

8. The pension to be granted to any police officer under the authority of this Proclamation shall subject to the provisions of section *twelve* be calculated at the rate of one-fiftieth of his annual salary and emoluments for each completed year of service.

9. If any police officer be required to retire owing to the abolition of his office or any reduction in or reorganization or readjustment of the police force or if he be required to retire in order to facilitate improvements in the organization of the police force a pension calculated as in the last preceding section provided shall be granted to such officer notwithstanding that he is not otherwise qualified for pension under this Proclamation and in any such case an addition of one year for every two completed years of his actual pensionable service shall be made to his actual period of service for the purpose of computing his pension; provided always that the number of years to be added to the actual service shall not exceed that which if added to the age of the retiring police officer would bring that age up to fifty years and that in any event the number of added years shall not exceed ten; and provided further that if in the opinion of the High Commissioner the fidelity and diligence of such a police officer has fallen short of the first degree of merit such addition may be made at a lower rate than that of one year for every two completed years of pensionable service or may be withheld.

10. Where a police officer has been permanently injured—

- (a) in the actual discharge of his duty; and
- (b) without his own default; and
- (c) by some injury specifically attributable to the nature of his duty;

and his retirement is thereby necessitated or materially accelerated a pension calculated as set out in section *eight* of this Proclamation shall be granted to him notwithstanding that he has not served a sufficient period to qualify him ordinarily for pension and such pension shall be increased in proportion to the extent of his injury by the addition of an allowance equal to the proportion of his salary and emoluments hereunder indicated, viz.:—

Where it is proved to the satisfaction of the High Commissioner that his capacity to contribute to his support is—

- slightly impaired—five-fiftieths of salary and emoluments;
- impaired—ten-fiftieths of salary and emoluments;
- materially impaired—fifteen-fiftieths of salary and emoluments;
- totally destroyed—twenty-fiftieths of salary and emoluments;

provided that his pension increased by such allowance shall in no case exceed forty-fiftieths of his salary and emoluments at the date of the injury; and provided further that such allowance may be reduced by such amount as the High Commissioner shall think reasonable in cases where the officer's retirement is due to infirmity not arising solely from the injury sustained by him.

11. For the purpose of calculating a pension—

- (1) the word "salary" shall include personal allowance and any fees paid out of the Treasury by way of salary; provided that the amount to be allowed for fees shall not exceed one-fourth of the actual salary of the office;
- (2) the word "emoluments" shall include house allowance or the estimated value of free quarters rations and fuel or any allowance of a permanent character given as an equivalent of salary but shall exclude any forage or horse allowance or other travelling allowance and any temporary allowance such as acting or extra pay or bonus given as compensation for local disadvantages; provided that the amount to be allowed for house rent or for estimated value of free quarters shall be one-sixth of the salary and other pensionable emoluments of the police officer.

12. (1) If the police officer retiring has been in receipt of the same salary and emoluments or has held a pensionable office of the same grade for not less than thirty-six months immediately preceding the date of his retirement his pension shall be calculated on the actual annual rate of salary and emoluments which he is drawing at the date of retirement.

(2) In other cases the pension shall be calculated on the average annual amount of salary and emoluments for the thirty-six months preceding the date of retirement but if the whole period of service in the Bechuanaland Protectorate is less than three years then the pension shall be calculated on the average annual amount for such period of service.

13. Pensions shall commence from the date of retirement.

14. Every police officer to whom a pension shall have been granted before he shall have attained the age of fifty years shall until he has attained that age be liable to be called upon to serve in the public service of the Bechuanaland Protectorate or other public service in any office for which his previous experience in the opinion of the High Commissioner renders him eligible and the duties of which a medical board shall consider him physically fit to discharge; and if he shall decline to take upon himself such office or shall decline or neglect to execute the duties thereof being in the opinion of a medical board in a competent state of health he shall forfeit his right to the pension which had been granted to him.

15. If any police officer to whom a pension has been granted under this Proclamation or under any previous law or regulation is appointed to another office in the public service of the Bechuanaland Protectorate or other public service then during his tenure of such office so much only (if any) of his pension shall be paid to him as, together with any pension received by him in respect of other public service and with the salary and emoluments of such office, makes up an amount not exceeding the highest pensionable salary and emoluments drawn by such officer at any time in the course of his service in the Bechuanaland Protectorate or other public service; provided that where the police officer retired or was

transferred from the public service of the Bechuanaland Protectorate prior to the 1st day of April 1922, the highest pensionable salary and emoluments drawn by such police officer in the course of his service in the Bechuanaland Protectorate shall for the purposes of this section be deemed to be the highest pensionable salary and emoluments actually so drawn by him plus fifty per cent. thereof; and also provided that any bonus or temporary increase, whether on pension or on the salary of the new office, granted in view of cost of living, shall be added to such pension or salary, as the case may be, for the purposes of this section.

16. Any police officer who after serving for a period of at least one year in a pensionable office in the Bechuanaland Protectorate shall have been transferred to other public service shall on his final retirement after at least ten years' service receive such a pension from Protectorate funds in respect of each year and proportionately in respect of any fraction of a year of his service in the Protectorate as he would have received if he had at the moment of his transfer received a pension calculated under this Proclamation notwithstanding that his service in the Protectorate shall by itself have been less than ten years and that at his retirement he may be under fifty years of age.

17. Any police officer who has been transferred from a pensionable office in other public service to a pensionable office in the Bechuanaland Protectorate and has served not less than ten years in all in a pensionable office shall on retirement receive under this Proclamation in respect of his entire period of public service in a pensionable office such pension as would have been payable to him if the whole of such service had been in the Bechuanaland Protectorate notwithstanding that he may not have completed ten years actual service in the Protectorate provided however that the amount of any sum payable by the Government of any other portion of His Majesty's Dominions or of any other territory under the protection of His Majesty or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty towards the pension of any such officer may if such sum is not paid into Protectorate funds be deducted from the pension payable to such police officer out of Protectorate funds.

18. For the purposes of sections *sixteen* and *seventeen* of this Proclamation service under the British South Africa Company in the administration of Southern or Northern Rhodesia shall be deemed to be other public service.

19. (1) Notwithstanding anything contained in this Proclamation where any police officer holding a pensionable office served with the consent of the High Commissioner or the Secretary of State with His Majesty's armed forces or in any other capacity connected with the state of war at any time during the period from the 4th day of August 1914 to the 31st day of August 1921 the provisions of this Proclamation shall be deemed to apply to such police officer as fully and in like manner as if his service with His Majesty's armed forces or in such other capacity had in fact been service on full pay in the office held by him in the public service of the Bechuanaland Protectorate.

(2) Where a police officer holding a pensionable office resigned his office in the public service of the Bechuanaland Protectorate at any time during the period from the 4th day of August 1914 to the 11th day of November 1918, in order to join or to attempt to join the armed forces of His Majesty or to serve in any other capacity connected with the state of war then prevailing and he joined or attempted to join those forces or served or attempted to serve in any other capacity connected with such state of war within three months from the date of the termination of his services by reason of such resignation and had after such attempt or within six months of his demobilization from those forces or of the 11th day of November, 1918, been reappointed to the public service of the Bechuanaland Protectorate there shall notwithstanding anything contained in this Proclamation be taken into account in computing the pension or gratuity of such police officer his service in the Bechuanaland Protectorate prior to the termination of such service by reason of such resignation and there shall further be taken into account as service in the office which he resigned or in any other pensionable office to which he had been reappointed, the period from the date when he terminated his services by reason of such resignation to the date of his reappointment in the public service of the Bechuanaland Protectorate, in the same way as if such officer had during such period been serving in the Bechuanaland Protectorate on full pay. The provisions of this sub-section shall apply in the case of any police officer who was temporarily employed in the public service of the Bechuanaland Protectorate at the date of his resignation notwithstanding that he did not hold a pensionable office prior to such date provided that he has fulfilled the other conditions set forth in this sub-section and provided that he is subsequently appointed to a pensionable office in the public service of the Bechuanaland Protectorate and that on such appointment he was allowed under sub-section (2) of section *six* of this Proclamation or any prior law to count for pension his provisional or temporary service.

20. Where any police officer mentioned in the last preceding section became entitled under sections *ten* and *nineteen* of this Proclamation or any prior law to any benefits in respect of permanent injury sustained while serving with His Majesty's armed forces or in any other capacity connected with the state of war existing between the 4th day of August 1914 and the 31st day of August 1921 and where such police officer in respect of the same injury has been awarded any pension or allowance under any law or regulation applicable to His Majesty's armed forces or to persons serving in any other capacity as aforesaid, such pension or allowance shall be deducted from any sum payable to him under section *ten* of this Proclamation or any prior law so that the sum payable to him thereunder shall be the amount (if any) by which the pension or allowance to which he would have been entitled in respect of such injury under this Proclamation or any prior law exceeds any pension or allowance which he may receive in respect of the same injury under any other law or regulation affecting His Majesty's armed forces or persons serving in any other capacity as aforesaid.

PART II.

GRATUITIES.

21. (1) Any police officer who is compelled to retire by reason of ill-health before he has completed ten years' service shall be granted a gratuity of one month's salary and emoluments for each year of service and half a month's salary and emoluments in respect of any fraction of a year amounting to six completed months.

(2) The computation of salary and emoluments for this purpose shall be governed by sections *eleven* and *twelve* of this Proclamation.

PART III.

GENERAL PROVISIONS.

22. Where a police officer is removed from office on grounds of gross negligence, irregularity or misconduct or where in the event of his retirement on grounds of ill-health such ill-health is due to his own misconduct the grant of pension or other allowance or gratuity may either be withheld or granted at such lower rate than that prescribed in the preceding sections of this Proclamation as the High Commissioner may decide.

23. No pension granted under this Proclamation shall be assignable or transferable or capable of being hypothecated or liable to be attached, sequestrated or levied upon for or in respect of any debt or claim whatsoever.

24. If any person to whom a pension has been granted under this Proclamation or under any prior law is convicted before any competent court, whether within or without His Majesty's Dominions, of any crime or offence, then in every such case it shall be lawful for the High Commissioner to direct that such pension shall forthwith cease; provided always that the pension shall be restored with retrospective effect in the case of a person who, after conviction as above described, at any time receives a free pardon; and provided further that where a pension ceases by reason of the conviction of the pensioner as aforesaid it shall be lawful for the High Commissioner to cause all or any part of the moneys to which the pensioner would have been entitled by way of pension to be paid to or applied for the benefit of any wife, child, or children of the pensioner, or, after the expiration of his sentence, also for the benefit of the pensioner himself, in the same manner precisely and subject to the same qualifications and restrictions as in the case of insolvency herein after provided.

25. If any person to whom a pension has been granted under this Proclamation becomes insolvent then such pension shall forthwith cease; provided always that in any case where a pension ceases by reason of the insolvency of the pensioner it shall be lawful for the High Commissioner from time to time during the remainder of such pensioner's life or during such shorter period or periods either continuous or discontinuous as the High Commissioner shall think fit to cause all or any part of the moneys to which such pensioner would have been entitled by way of pension had he not become insolvent to be paid to or applied for the maintenance and personal support or benefit of all or any exclusive of the other or others of the following persons, namely such pensioner and any wife child or children of his in such proportions and manner as to the High Commissioner appears proper.

26. If any person to whom a pension has been granted under this Proclamation becomes on his final retirement from the public service of the Bechuanaland Protectorate or from other public service either a director of any company the principal part of whose business is in any way directly concerned with the Protectorate, or an officer or a servant employed in the Protectorate by any such company, without in every such case the permission of the High Commissioner in writing first had and obtained, then in every such case it shall be lawful for the High Commissioner to direct that such pension shall forthwith cease; provided always that it shall be lawful for the High Commissioner on being satisfied that the person in respect of whose pension any such direction shall have been given has ceased to be a director of such company or to be employed as an officer or servant of such company in the Protectorate, as the case may be, to give directions for the restoration of such pension with retrospective effect if he shall see fit, to such a date as he shall specify.

27. If the death of a police officer is caused by an injury occasioned without his own default in the actual discharge of his public duty and specifically attributable to the nature of his public duty the High Commissioner shall grant to the widow of the deceased, or if the deceased does not leave a widow and if his mother was at the time of the death wholly dependent upon him for her support to the mother of the deceased a pension of one-sixth of the deceased's salary and emoluments at the date of the injury and there shall further be granted to the children of the deceased a gratuity of the number of pounds sterling which is equal to the number obtained by subtracting the number of years completed by each of the children at the date of the father's death from fifteen and adding the remainders together, the total gratuity not to be less than £10 or unless there are in the opinion of the High Commissioner special circumstances to justify a larger gratuity more than £50 and in the case of motherless children the High Commissioner shall grant double the amount which would otherwise be given.

28. The provisions of the Bechuanaland Protectorate Public Service Proclamation 1924 shall apply *mutatis mutandis* to police officers to whom this Proclamation applies, and the office of a police officer shall for the purposes of the said Proclamation be deemed to be a pensionable office.

29. The provisions of this Proclamation shall not apply to any police officer who, under section *twenty-six* of the Bechuanaland Protectorate Police Pensions Proclamation, 1921, (No. 42 of 1921), notified the Resident Commissioner in writing that he did not desire to come under the provisions of the said Proclamation No. 42 of 1921 but any such police officer shall be subject to the provisions of the Bechuanaland Protectorate Pensions Proclamation 1924 as if this Proclamation had not been issued.

30. In this Proclamation—

the term "public service" shall mean service in a civil capacity under the Crown or under the Government of any portion of His Majesty's Dominions or of any territory under the protection of His Majesty or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and any such other service as the High Commissioner may determine to be public service for the purpose of any provision of this Proclamation;

the term "other public service" shall mean public service not under the Government of the Bechuanaland Protectorate;

the term "police officer" shall mean any European member of the Bechuanaland Protectorate Police Force.

31. This Proclamation may be cited as the Bechuanaland Protectorate Police Pensions Proclamation 1924 and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Fourth day of September One thousand Nine hundred and Twenty-four.

ATHLONE,

High Commissioner.

By Command of His Excellency the
High Commissioner.

B. E. H. CLIFFORD,
Imperial Secretary.

(Printed by the Government Printer, Pretoria.)

No. 34 of 1924.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to consolidate and amend the rules and regulations concerning the granting of pensions and of superannuation and other allowances to persons employed in the service of the Government of Swaziland;

Now therefore under and by virtue of the powers authorities and jurisdiction conferred upon and committed to me by His Majesty under the Swaziland Order-in-Council 1903 as amended by the Swaziland Order-in-Council 1906 and the Swaziland Order-in-Council 1909 I do hereby declare proclaim and make known as follows:—

1. The proclamations mentioned in the First Schedule to this Proclamation shall be and are hereby repealed; provided always that such repeal shall not affect in any way whatsoever any pension, gratuity or allowance already granted under any law so repealed, or the conditions subject to which any such pension, gratuity or allowance is payable.

PART I.

PENSIONS.

2. Any officer who is named or described in the Second Schedule to this Proclamation or who shall either before or after the date of the taking effect of this Proclamation have held any office which is named in the Second Schedule to this Proclamation or which is hereafter added by Proclamation to such Schedule shall be deemed to hold or to have held a pensionable office and shall be entitled subject to the provisions of this Proclamation to receive a pension upon his retirement therefrom.

3. (1) Save as is otherwise provided in this Proclamation no pension shall be granted to any officer—

- (a) who shall be under sixty years of age unless a medical board appointed by the Government shall report that such officer is incapable from infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent;
- (b) who shall not have served for a period of ten years in a pensionable office.

(2) Service in an office which was pensionable under any prior law or regulation shall be deemed to be service in a pensionable office under this Proclamation.

(3) Any person appointed to the public service of Swaziland as medical officer who also exercises private practice as a physician, surgeon or accoucheur shall not be deemed to be or to have been the holder of a pensionable office unless and until he has signed an undertaking in a form approved by the Resident Commissioner to regard the claims of his private practice on his time as subordinate to those of his work for the Government of Swaziland and to hold himself liable without title to advance any claim for loss of private practice to be removed for the purposes of public service from any one place or station in the territory of Swaziland to any other.

4. Any officer who is entitled to pension under section *two* of this Proclamation may retire or be required to retire at the age of sixty and shall retire at the age of sixty-five.

5. The service of an officer in Swaziland shall for the purposes of this Proclamation ordinarily be reckoned from the date on which he commenced to draw salary from Swaziland funds in respect of his first permanent appointment; provided—

- (a) that no service shall be admitted as pensionable which was prior to the attainment of the age of eighteen years;
- (b) that the services of officers who were appointed under the Swaziland Administration Proclamation of 1907 but were employed in the administration of Swaziland previous to the issue of the said Proclamation shall be reckoned from the commencement of such previous employment.

6. (1) Acting service in a pensionable office shall when continuous with service in such an office be reckoned as service for pension.

(2) Provisional or temporary service may subject to the approval of the High Commissioner be allowed to count for pension when such service shall have been immediately followed by a permanent appointment to a pensionable office.

(3) The period during which an officer is absent on leave without salary may, subject to the approval of the High Commissioner, be counted as service on full pay for pension, provided that such leave has been granted on grounds of public policy and further provided that it does not exceed one year in all.

7. Subject to the provisions of section *nineteen* of this Proclamation the service in respect of which pensions will be granted must be unbroken except in cases where the service has been interrupted by absence on leave or by circumstances not arising from misconduct or voluntary resignation in which the High Commissioner may approve of service prior to a break of service being allowed to count for pension together with service subsequent to such break.

8. The pension to be granted in respect of any office under the authority of this Proclamation shall subject to the provisions of section *twelve* be calculated at the rate of one-sixtieth of the annual salary and emoluments of the office for each completed year of an officer's service; provided that no addition shall be made in respect of service beyond forty years.

9. If any officer holding a pensionable office be required to retire from the public service of Swaziland owing to the abolition of his office or any reduction in or reorganization or readjustment of departments or offices of the public service of Swaziland or if he be required to retire in order to facilitate improvements in the organization of the department or office to which he belongs a pension calculated as in the last preceding section provided shall be granted to such officer notwithstanding that he is not otherwise qualified for pension under this Proclamation and in any such case an addition of one year for every two completed years of his actual pensionable service shall be made to his actual period of service for the purpose of computing his pension; provided always that the number of years to be added to the actual service shall not exceed that which if added to the age of the retiring officer would bring that age up to sixty years and that in any event the number of added years shall not exceed ten; and provided further that if in the opinion of the High Commissioner the fidelity and diligence of such an officer has fallen short of the first degree of merit such addition may be made at a lower rate than that of one year for every two completed years of pensionable service or may be withheld.

1.0 Where an officer has been permanently injured—

- (a) in the actual discharge of his duty; and
- (b) without his own default; and
- (c) by some injury specifically attributable to the nature of his duty;

and his retirement is hereby necessitated or materially accelerated a pension calculated as set out in section *eight* of this Proclamation shall be granted to him notwithstanding that he has not served a sufficient period to qualify him ordinarily for pension and such pension shall be increased in proportion to the extent of his injury by the addition of an allowance equal to the proportion of his salary and emoluments hereunder indicated viz.:—

Where it is proved to the satisfaction of the High Commissioner that his capacity to contribute to his support is—

- slightly impaired—five-sixtieths of salary and emoluments;
- impaired—ten-sixtieths of salary and emoluments;
- materially impaired—fifteen-sixtieths of salary and emoluments;
- totally destroyed—twenty-sixtieths of salary and emoluments;

provided that his pension increased by such allowance shall in no case exceed fifty-sixtieths of his salary and emoluments at the date of the injury; and provided further that such allowance may be reduced by such amount as the High Commissioner shall think reasonable in cases where the officer's retirement is due to infirmity not arising solely from the injury sustained by him.

11. For the purpose of calculating a pension—

- (1) the word "salary" shall include personal allowance and any fees paid out of the Treasury by way of salary; provided that the amount to be allowed for fees shall not exceed one-fourth of the actual salary of the office;
- (2) the word "emoluments" shall include house allowance or the estimated value of free quarters rations and fuel or any allowance of a permanent character given as an equivalent of salary but shall exclude any forage or horse allowance or other travelling allowance and any temporary allowance such as acting or extra pay or bonus given as compensation for local disadvantages; provided that the amount to be allowed for house rent or for estimated value of free quarters shall be one-sixth of the salary and other pensionable emoluments of the office.

12. (1) If the officer retiring has been in receipt of the same salary and emoluments or has held a pensionable office of the same grade for not less than thirty-six months immediately preceding the date of his retirement his pension shall be calculated on the actual annual rate of salary and emoluments which he is drawing at the date of retirement.

(2) In other cases the pension shall be calculated on the average annual amount of salary and emoluments for the thirty-six months preceding the date of retirement but if the whole period of service in Swaziland is less than three years then the pension shall be calculated on the average annual amount for such period of service.

13. Pensions shall commence from the date of retirement.

14. Every officer to whom a pension shall have been granted before he shall have attained the age of sixty years shall until he has attained that age be liable to be called upon to serve in the public service of Swaziland or other public service in any office for which his previous experience in the opinion of the High Commissioner renders him eligible and the duties of which a medical board shall consider him physically fit to discharge; and if he shall decline to take upon himself such office or shall decline or neglect to execute the duties thereof being in the opinion of a medical board in a competent state of health he shall forfeit his right to the pension which had been granted to him.

15. If any officer to whom a pension has been granted under this Proclamation or under any previous law or regulation is appointed to another office in the public service of Swaziland or other public service then during his tenure of such office so much only (if any) of his pension shall be paid to him as, together with any pension received by him in respect of other public service, and with the salary and emoluments of such office, makes up an amount not exceeding the highest pensionable salary and emoluments drawn by such officer at any time in the course of his service in Swaziland or other public service; provided that where the officer retired or was transferred from the public service of Swaziland prior to the 1st day of April 1922, the highest pensionable salary and emoluments drawn by such officer in the course of his service in Swaziland, shall for the purposes of this section be deemed to be the highest pensionable salary and emoluments actually so drawn by him plus fifty per cent. thereof; and also provided that any bonus or temporary increase, whether on pension or on the salary of the new office, granted in view of cost of living, shall be added to such pension or salary, as the case may be, for the purposes of this section.

16. Any officer who after serving for a period of at least one year in a pensionable office in Swaziland shall have been transferred to other public service shall on his final retirement after at least ten years' service receive such a pension from Swaziland funds in respect of each year and proportionately in respect of any fraction of a year of his service in Swaziland as he would have received if he had at the moment of his transfer received a pension calculated under this Proclamation notwithstanding that his service in Swaziland shall by itself have been less than ten years and that at his retirement he may be under sixty years of age.

17. Any officer who has been transferred from a pensionable office in other public service to a pensionable office in Swaziland and has served not less than ten years in all in a pensionable office shall on retirement receive under this Proclamation in respect of his entire period of public service in a pensionable office such pension as would have been payable to him if the whole of such service had been in Swaziland notwithstanding that he may not have completed ten years actual service in Swaziland; provided however that the amount of any sum payable by the Government of any other portion of His Majesty's Dominions or of any other territory under the protection of His Majesty or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty towards the pension of any such officer may if such sum is not paid into Swaziland funds be deducted from the pension payable to such officer out of Swaziland funds.

18. For the purposes of sections *sixteen* and *seventeen* of this Proclamation service under the British South Africa Company in the administration of Southern or Northern Rhodesia shall be deemed to be other public service.

19. (1) Notwithstanding anything contained in this Proclamation where any officer holding a pensionable office served with the consent of the High Commissioner or the Secretary of State with His Majesty's armed forces or in any other capacity connected with the state of war at any time during the period from the 4th day of August 1914 to the 31st day of August 1921 the provisions of this Proclamation shall be deemed to apply to such officer as fully and in like manner as if his service with His Majesty's armed forces or in such other capacity had in fact been service on full pay in the office held by him in the public service of Swaziland.

(2) Where an officer holding a pensionable office resigned his office in the public service of Swaziland at any time during the period from the 4th day of August 1914 to the 11th day of November 1918 in order to join or to attempt to join the armed forces of His Majesty or to serve in any other capacity connected with the state of war then prevailing and he joined or attempted to join those forces or served or attempted to serve in any other capacity connected with such state of war within three months from the date of the termination of his services by reason of such resignation and had after such attempt or within six months of his demobilization from those forces or of the 11th day of November 1918 been reappointed to the public service of Swaziland there shall notwithstanding anything contained in this Proclamation be taken into account in computing the pension or gratuity of such officer his service in Swaziland prior to the termination of such service by reason of such resignation and there shall further be taken into account as service in the office which he resigned or in any other pensionable office to which he had been reappointed, the period from the date when he terminated his services by reason of such resignation to the date of his reappointment in the public service of Swaziland in the same way as if such officer had during such period been serving in Swaziland on full pay. The provisions of this sub-section shall apply in the case of any officer who was temporarily employed in the public service of Swaziland at the date of his resignation notwithstanding that he did not hold a pensionable office prior to such date provided that he has fulfilled the other conditions set forth in this sub-section and provided that he is subsequently appointed to a pensionable office in the public service of Swaziland and that on such appointment he was allowed under sub-section (2) of section *six* of this Proclamation or any prior law to count for pension his provisional or temporary service.

20. Where any officer mentioned in the last preceding section became entitled under sections *ten* and *nineteen* of this Proclamation or any prior law to any benefits in respect of permanent injury sustained while serving with His Majesty's armed forces or in any other capacity connected with the state of war existing between the 4th day of August 1914 and the 31st day of August 1921 and where such officer in respect of the same injury has been awarded any pension or allowance under any law or regulation applicable to His Majesty's armed forces or to persons serving in any other capacity as aforesaid such pension or allowance shall be deducted from any sum payable to him under section *ten* of this Proclamation or any prior law so that the sum payable to him thereunder shall be the amount (if any) by which the pension or allowance to which he would have been entitled in respect of such injury under this Proclamation or any prior law exceeds any pension or allowance which he may receive in respect of the same injury under any other law or regulation affecting His Majesty's armed forces or persons serving in any other capacity as aforesaid.

PART II.

GRATUITIES.

21. (1) Any officer holding a pensionable office who is compelled to retire by reason of ill-health before he has completed ten years' service shall be granted a gratuity of one month's salary and emoluments for each year of service and half a month's salary and emoluments in respect of any fraction of a year amounting to six completed months.

(2) The computation of salary and emoluments for this purpose shall be governed by sections *eleven* and *twelve* of this Proclamation.

(3) Subject to the approval of the High Commissioner any person in the employment of the Government of Swaziland who does not hold a pensionable office may on the termination of his employment after not less than ten years' continuous good service be granted a gratuity of one month's salary in respect of each year of service, provided that the amount of such gratuity shall not exceed one year's salary.

22. In the case of any native holding permanent employment under the Swaziland Government whether or not in any of the offices specified in the Third Schedule to this Proclamation to whom the benefits conferred by section *thirty* of this Proclamation shall not have been extended the High Commissioner shall award—

- (a) on retirement from the service after not less than ten years' continuous good service a gratuity calculated at the rate of one-half month's pay for every year of service not exceeding thirty years in all; or
- (b) on retirement or discharge from the service in consequence of an injury or disease received or contracted in the actual discharge of his duty and without his own default such special gratuity not being less than at the rate of one-half month's pay for every year of service as the High Commissioner may deem reasonable; or
- (c) in the event of his death a gratuity to his widow minor children or parents calculated at the rate of one-half month's pay for every year of service not exceeding thirty years in all.

The services of any native who was employed in the administration of Swaziland previous to the issue of the Swaziland Administration Proclamation 1907 shall for the purposes of this section be reckoned from the commencement of such previous employment.

23. In the computation of gratuities awarded under section *twenty-two* of this Proclamation the provisions of sections *eleven* and *twelve* of this Proclamation shall apply.

PART III.

GENERAL PROVISIONS.

24. Where an officer is removed from office on grounds of gross negligence, irregularity or misconduct or where in the event of his retirement on grounds of ill-health such ill-health is due to his own misconduct the grant of pension or other allowance or gratuity may either be withheld or granted at such lower rate than that prescribed in the preceding sections of this Proclamation as the High Commissioner may decide.

25. No pension granted under this Proclamation shall be assignable or transferable or capable of being hypothecated or liable to be attached, sequestrated or levied upon for or in respect of any debt or claim whatsoever.

26. If any person to whom a pension has been granted under this Proclamation or under any prior law is convicted before any competent court, whether within or without His Majesty's Dominions, of any crime or offence, then in every such case it shall be lawful for the High Commissioner to direct that such pension shall forthwith cease; provided always that the pension shall be restored with retrospective effect in the case of a person who, after conviction as above described, at any time receives a free pardon; and provided further that where a pension ceases by reason of the conviction of the pensioner as aforesaid it shall be lawful for the High Commissioner to cause all or any part of the moneys to which the pensioner would have been entitled by way of pension to be paid to or applied for the benefit of any wife, child, or children of the pensioner, or, after the expiration of his sentence, also for the benefit of the pensioner himself, in the same manner precisely and subject to the same qualifications and restrictions as in the case of insolvency hereinafter provided.

27. If any person to whom a pension has been granted under this Proclamation becomes insolvent then such pension shall forthwith cease; provided always that in any case where a pension ceases by reason of the insolvency of the pensioner it shall be lawful for the High Commissioner from time to time during the remainder of such pensioner's life or during such shorter period or periods either continuous or discontinuous as the High Commissioner shall think fit to cause all or any part of the moneys to which such pensioner would have been entitled by way of pension had he not become insolvent to be paid to or applied for the maintenance and personal support or benefit of all or any exclusive of the other or others of the following persons, namely such pensioner and any wife, child or children of his in such proportions and manner as to the High Commissioner appears proper.

28. If any person to whom a pension has been granted under this Proclamation becomes on his final retirement from the public service of Swaziland or from other public service either a director of any company the principal part of whose business is in any way directly concerned with Swaziland, or an officer or a servant employed in Swaziland by any such company, without in every such case the permission of the High Commissioner in writing first had and obtained, then in every such case it shall be lawful for the High Commissioner to direct that such pension shall forthwith cease; provided always that it shall be lawful for the High Commissioner on being satisfied that the person in respect of whose pension any such direction shall have been given has ceased to be a director of such company or to be employed as an officer or servant of such company in Swaziland, as the case may be, to give directions for the restoration of such pension with retrospective effect if he shall see fit to such a date as he shall specify.

29. If the death of the holder of an office in respect of which a pension or gratuity may be granted is caused by an injury occasioned without his own default in the actual discharge of his public duty and specifically attributable to the nature of his public duty the High Commissioner shall grant to the widow of the deceased, or if the deceased does not leave a widow and if his mother was at the time of the death wholly dependent upon him for her support to the mother of the deceased a pension of one-sixth of the deceased's salary and emoluments at the date of the injury and there shall further be granted to the children of the deceased a gratuity of a number of pounds sterling which is equal to the number obtained by subtracting the number of years completed by each of the children at the date of the father's death from fifteen and adding the remainder together; the total gratuity not to be less than £10 or unless there are in the opinion of the High Commissioner special circumstances to justify a larger gratuity more than £50 and in the case of motherless children the High Commissioner shall grant double the amount which would otherwise be given.

30. The High Commissioner may extend any of the benefits conferred by this Proclamation either wholly or in part to any person who shall, either before or after the date of the taking effect of this Proclamation, have held any office which is named in the Third Schedule to this Proclamation and may extend any benefits conferred by section *twenty-nine* of this Proclamation to the widow, mother or children of any such person, and where such extension is granted the office held by such person shall for the purpose of such extension be deemed to be a pensionable office; provided that—

- (a) each case in which such extension is proposed shall be specially recommended to the High Commissioner both by the head of the department in which the person concerned shall have served and by the Resident Commissioner as a fit and proper case for such extension;
- (b) a pension may be granted under this Proclamation to any such person in favour of whom such extension is made though such person shall not have served more than eight years under the Government of Swaziland.

31. The pension at the rate of one hundred and eighty pounds per annum granted to Alphonse Nicholaas Pierre du Toit shall be deemed to be a pension granted in terms of this Proclamation.

32. In this Proclamation—

the term "public service" shall mean service in a civil capacity under the Crown or under the Government of any portion of His Majesty's Dominions or of any territory under the protection of His Majesty or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and any such other service as the High Commissioner may determine to be public service for the purpose of any provision of this Proclamation;

the term "other public service" shall mean public service not under the Government of Swaziland.

33. This Proclamation may be cited as the Swaziland Pensions Proclamation 1924 and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this fourth day of September One thousand Nine hundred and Twenty-four.

ATHLONE,

High Commissioner.

By Command of His Excellency the
High Commissioner.

B. E. H. CLIFFORD,

Imperial Secretary.

FIRST SCHEDULE.

LAWS REPEALED.

Proclamation No. 9 of 1908.
Proclamation No. 59 of 1908.
Proclamation No. 43 of 1910.
Proclamation No. 61 of 1910.
Proclamation No. 17 of 1912.
Proclamation No. 36 of 1913.
Proclamation No. 40 of 1914.
Proclamation No. 18 of 1916.
Proclamation No. 3 of 1918.
Proclamation No. 37 of 1920.

SECOND SCHEDULE.

Resident Commissioner.
Deputy-Resident Commissioner and Government Secretary, whether these offices are held by one officer or separately held.
Financial Secretary.
Assistant Accountant.
Registrar and Master of the Special Court of Swaziland, whether these offices are held by one officer or separately held.
Chief Clerk to the Resident Commissioner.
Clerks to the Resident Commissioner (including any officer employed in the High Commissioner's Office and drawing his salary from Swaziland funds).
Assistant Commissioners.
Deputy-Assistant Commissioners.
Clerks employed in any department of the Swaziland Government whose appointment as such has been or shall hereafter be notified in the *Gazette*.
Principal Medical Officer.
Medical Officers.
Principal Veterinary Officer exclusively employed by Government.
Government Engineer.
Registry Surveyor and Examiner of Diagrams.
Resident Justice of the Peace, Bremersdorp.
Inspectors of the Swaziland Police.
Sub-Inspectors of the Swaziland Police.
European Non-Commissioned Officers and Men of the Swaziland Police.
European Gaolers.
European Hospital Assistants and Dispensers.
European Teachers whose appointment as such has been or shall hereafter be notified in the *Gazette*.
Assistant Imperial Secretary (in so far as his salary has been or may be drawn from the funds of the Swaziland Government).
Auditor (in so far as his salary or emoluments are drawn from the funds of the Swaziland Government).

THIRD SCHEDULE.

Native Officers of the Swaziland Police.
Native Non-Commissioned Officers and Men of the Swaziland Police.
Native Clerks, Interpreters, Gaolers, Warders, Hospital Assistants.

No. 35 of 1924.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to amend the law governing appointments to and promotions in the Public Service of Swaziland;

Now therefore under and by virtue of the powers authorities and jurisdiction conferred upon and committed to me by His Majesty under the Swaziland Order-in-Council 1903 as amended by the Swaziland Order-in-Council 1906 and the Swaziland Order-in-Council 1909 I do hereby declare proclaim and make known as follows:—

1. The Public Service (Swaziland) Proclamation 1915 shall be and is hereby repealed.

2. In this Proclamation and in any regulation issued thereunder unless the context otherwise requires—

“the territory” shall mean the territory of Swaziland;

“pensionable office” shall mean any office in the territory which is included in the Second Schedule to the Swaziland Pensions Proclamation No. 34 of 1924 or which shall be added thereto by subsequent Proclamation;

“other public service” shall mean public service, as defined in the Swaziland Pensions Proclamation No. 34 of 1924, not under the Government of Swaziland.

3. Except in the case of an officer already holding a pensionable office in the territory or transferred with pension rights from other public service no person shall be appointed to a pensionable office until he shall have served for a period of at least six months on probation.

4. The Resident Commissioner may recommend any person who has served for the prescribed period on probation for appointment to a pensionable office where such person shall have—

(a) satisfied the Resident Commissioner by examination or by the production of certificates or otherwise that his general knowledge and education are of the standard desirable and proper for the performance of the duties of the office to which it is proposed to appoint him; and

(b) attained the third grade of proficiency in the local native language; and

(c) satisfied the Resident Commissioner as to his general fitness for retention in the service; and

(d) appeared before a medical board consisting of not less than two qualified medical officers and obtained from the board a certificate of good health and physical fitness to serve under the climatic conditions of the territory.

5. Subject to the provisions of section three of this Proclamation the High Commissioner may appoint to a pensionable office any officer recommended for such appointment by the Resident Commissioner and such appointment shall be notified in the *Gazette*, and shall take effect from the commencement of the probationary period served by such officer or from such other date as may be notified in the *Gazette*.

6. The High Commissioner may exempt from one or more of the conditions laid down in section four any probationer in whose case he is of opinion that the fulfilment of the conditions from which exemption is given is not essential to the proper performance of the duties which such probationer will if appointed to a pensionable office be expected to discharge.

7. The High Commissioner may from time to time by notice in the *Gazette* make alter and repeal regulations not inconsistent with the provisions of this Proclamation on all matters relating to the public service and generally for the efficient carrying out of the objects and purposes of this Proclamation.

8. The scales of salary and other pensionable emoluments of the pensionable offices in the public service of Swaziland shall be as set out in the Schedule to this Proclamation; provided that the High Commissioner may from time to time amend that Schedule by notice in the *Gazette* whereupon such amendment shall be deemed to be part of that schedule; and provided further that nothing in this Proclamation contained shall be deemed to prevent the High Commissioner from granting to any officer a pensionable personal salary in excess of the maximum of the scale of the office in which such officer is serving.

9. This Proclamation may be cited as the Swaziland Public Service Proclamation 1924 and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Fourth day of September One thousand Nine hundred and Twenty-four.

ATHLONE,
High Commissioner.

By Command of His Excellency the
High Commissioner.

B. E. H. CLIFFORD,
Imperial Secretary.

SCHEDULE.

Office.	EMOLUMENTS.			Other Emoluments.
	Scale of Salary.			
	Com-mencing Salary.	Annual Incre-ment.	Maxi-mum Salary.	
	£	£	£	
Resident Commissioner.....	—	—	1,350	Free quarters.
Government Secretary.....	850	50	1,000	Free quarters.
Auditor*.....	750	50	1,000	—
Registry Surveyor and Examiner of Diagrams	600	30	850	—
Assistant Commissioner, Hlatikulu	600	30	850	Free quarters.
Financial Secretary.....	600	25	800	Free quarters.
Assistant Commissioners.....				
Principal Medical Officer.....	700	25	800	Free quarters.
Principal Veterinary Officer.....				
Government Engineer.....	500	20	700	Free quarters.
Medical Officers.....				
Inspectors, Swaziland Police.....	500	20	600	Free quarters.
Chief Clerks.....				
Master and Registrar, Special Court.....	400	25	550	Free quarters.

* The salary of this office is paid jointly by Basutoland, the Bechuanaland Protectorate, and Swaziland.

EMOLUMENTS.

Office.	Scale of Salary.			Other Emoluments.
	Com-mencing Salary.	Annual Incre-ment.	Maxi-mum Salary.	
	£	£	£	
Deputy Assistant Commissioners	400	20	550	Free quarters.
Assistant Accountant.....	400	20	500	Free quarters.
Sub - Inspectors, Swaziland Police	400	15	480	Free quarters.
Resident Justice of the Peace, Brémersdorp	300	15	400	Free quarters.
Superintendents, Swaziland Police	360	15	400	Free quarters.
Sergeants, Swaziland Police.....	300	15	360	Free quarters.
Gaoler, Headquarters.....				
Clerks.....	200	15	360	Free quarters.
Hospital Assistants and Dispensers	300	15	350	Free quarters.
Gaolers, District.....	240	15	300	Free quarters.
Corporals, Swaziland Police..	230	15	300	Free quarters.
Troopers, Swaziland Police...	180	10	220	Free quarters.
Teachers, 1st Grade.....	180	10	240	Free quarters if available.
Teachers, 2nd Grade.....	120	10	180	
Teachers, 3rd Grade.....	100	10	150	
Clerk in High Commissioner's Office	200	15	360	—

(Printed by the Government Printer, Pretoria.)

No. 36 of 1924.]

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

Whereas it is expedient to make further and better provision for the eradication of the disease of lung-sickness within the Bechuanaland Protectorate;

Now therefore under and by virtue of the powers in me vested, I do hereby declare proclaim and make known as follows:—

1. Section two of Proclamation No. 2 of 1909 shall be and is hereby amended by the addition at the end thereof of the following words:

“or which he has reasonable grounds for suspecting to be suffering from that disease.”

2. Section three of Proclamation No. 2 of 1909 shall be and is hereby amended by the addition at the end thereof of the words—

“provided that no compensation whatever shall be paid to the owner of any animal so destroyed who shall, in contravention of sub-section (1) of section one of Proclamation No. 32 of 1915, have failed to report immediately that his stock had become or was suspected of being infected with the disease of lung-sickness, and provided further that in the case of an animal destroyed as being suspected to be suffering from the disease of lung-sickness which is found on post mortem examination not to have been suffering from the said disease, the amount of compensation to be paid to the owner shall be two-thirds of the market value of the animal at the time of its destruction.”

3. This Proclamation shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Fourth day of September One thousand Nine hundred and Twenty-four.

ATHLONE,
High Commissioner.

By Command of His Excellency the
High Commissioner.

B. E. H. CLIFFORD,
Imperial Secretary.

(Printed by the Government Printer, Pretoria.)

HIGH COMMISSIONER'S NOTICE No. 105 of 1924.

It is hereby notified for general information that His Excellency the High Commissioner has been pleased to appoint Myles Kennan, Esquire, Clerk to Assistant Commissioner, to act temporarily as a Sub-Inspector of Police in Basutoland in addition to his other duties during the absence on leave of Harry Alston Smith, Esquire, with effect from the 1st September, 1924.

By Command of His Excellency the
High Commissioner.

B. E. H. CLIFFORD,
Imperial Secretary.

High Commissioner's Office,
Capetown, 4th September, 1924.

In the Estate of the late THOMAS DAVID CURRY,
Transport-rider, of Kazangula, Bechuanaland Protectorate.

Creditors and Debtors in the above Estate are hereby called upon to file their claims with and pay their debts to the undersigned within three months from date hereof.

Dated at Kasane, Bechuanaland Protectorate, this 1st day of September, 1924.

H. RAYNE,
Executor Dative.

BECHUANALAND PROTECTORATE.

In the Estate of the late ARTHUR GEORGE WORRALL.

Notice is hereby given that all claims must be lodged, and all debts settled, with the undersigned within six weeks from this date.

AMY WORRALL,
664 Stamford Hill Road,
Durban, 5th September, 1924.
Executrix Testamentary.