

officer is entitled to receive a pension under the said Ordinance, such number of years, not exceeding ten, as to the High Commissioner in Council shall seem fit, in respect of his service in Cyprus under the Ottoman Government.

Provided that no such addition shall be made unless it shall appear to the High Commissioner in Council that such officer's service in Cyprus under the Ottoman Government and under Her Majesty the Queen has been one continuous service, without interruption or interval.

3. This Law may be cited as the Pensions Ordinance Amendment Law, 1890. Short title.

2 OF 1905.

TO CONSOLIDATE AND AMEND THE LAWS REGULATING PENSIONS,
GRATUITIES, AND OTHER ALLOWANCES TO BE GRANTED IN
RESPECT OF OFFICES HELD IN THE PUBLIC SERVICE OF CYPRUS.

C. A. KING-HARMAN.]

[May 1, 1905.]

1. This Law may be cited as the Pensions Law, 1905. Short title.

2. The Laws specified in the First Schedule are hereby repealed: Repeal.
Provided that nothing in this Law shall either diminish the rights acquired by any persons under the repealed Laws or affect the pensions granted to any persons who have retired from the public service before the coming into operation of this Law. Otherwise the provisions of this Law shall apply to all public officers now or hereafter serving in Cyprus, and to those who having so served have been transferred to public service elsewhere.

3. There shall be charged on and paid out of the revenue of Cyprus all such sums of money as may, with the sanction of the Secretary of State for the Colonies, from time to time be granted by way of pension, gratuity, or other allowance, in accordance with this Law and with any regulations made thereunder, to persons who have been in the service of Cyprus. Pensions to be charged on revenue of Cyprus.

4. From and after the coming into operation of this Law the Regulations contained in the Second Schedule for the granting of pensions, gratuities, and other allowances to persons who have been in the service of Cyprus shall be in force. Regulations contained in Second Schedule.

Age from which pension earned.

As amended by 5, 1918, 2.

Age at which pension may be granted.

5. No public officer shall be entitled to a retiring allowance in respect of any service while under the age of sixteen years.

6. Save as provided in Section 14, except in cases of abolition or re-organization of office, no pension, gratuity, or other allowance shall be granted to any public officer who has not attained the age of sixty years, unless on medical evidence to the satisfaction of the High Commissioner in Council or the Secretary of State for the Colonies that he is incapable, by reason of some infirmity of mind or body, of discharging the duties of his office, and that such infirmity is likely to be permanent; nor in any case without a certificate from the High Commissioner that he has discharged the duties of his office with such diligence and fidelity as to justify the grant to him of a pension; provided that, if a public officer, though not suffering from any particular illness or infirmity of mind or body likely to be permanent, becomes unfit, in the opinion of the High Commissioner in Council, for the discharge of the duties of the office to which he has been appointed, and such unfitness is not attributable to misconduct or gross negligence, and when the High Commissioner in Council considers that the special circumstances of the case justify the grant to him of a pension, he may be pensioned at the rate not exceeding that for which he would be qualified if he were suffering from an illness or infirmity likely to be permanent.

Certificates as to conduct, etc.

Maximum pension grantable.

7. No pension granted under this Law shall exceed two-thirds of the highest salary drawn by an officer at any time in the course of his service.

Maximum pension where officer entitled to pension from another source.

8. Where an officer eligible for a pension under this Law is also eligible for a pension from Imperial funds, or from the funds of some Colonial or Protectorate Government, the maximum pension which may be granted under this Law shall in ordinary cases be such as, when added to the other pension, does not exceed two-thirds of the highest salary drawn by the officer at any time in the course of his service.

Age for compulsory retirement.
3, 1920, 2.

9. A public officer shall retire from the public service of Cyprus on attaining the age of sixty years: Provided that the High Commissioner in Council may, subject to the approval of the Secretary of State, and with the consent of the public officer, extend the period of the service of such public officer.

10. No officer shall have an absolute right to compensation for past services, or to any pension, gratuity, or other allowance under this Law or under any regulations made thereunder; nor shall anything herein or in such regulations contained limit the right of the Crown to dismiss any officer without compensation.

Pensions not of right.

11. No pension granted under this Law, or under any regulations made thereunder, shall be assignable or transferable, or liable to be attached, sequestered, or levied upon, for or in respect of any debt or claim whatsoever.

Pensions not to be assignable.

12. If any person to whom a pension has been granted under this Law, or under any regulations made thereunder, is convicted before any Court in His Majesty's Dominions or in Cyprus of any crime or offence for which he is sentenced to death or penal servitude or transportation, or any term of imprisonment with or without hard labour exceeding twelve months, and does not within two months after the conviction receive His Majesty's free pardon, his pension shall forthwith cease: Provided always that the High Commissioner in Council, with the consent of the Secretary of State, may, if he thinks fit, restore the pension in the case of a person who, after conviction as above described, receives His Majesty's free pardon at any time.

Pensions to cease on conviction.

13. If any person to whom a pension has been granted under this Law becomes a bankrupt, the pension shall forthwith cease: Provided always that in any case where a pension ceases by reason of the bankruptcy of the pensioner it shall be lawful for the Secretary of State for the Colonies, or, if the pensioner is resident in Cyprus, then for the High Commissioner in Council, from time to time during the remainder of the pensioner's life, or during such shorter period or periods, either continuous or discontinuous, as the Secretary of State or High Commissioner in Council shall think fit, to pay all or any part of the moneys to which the pensioner would have been entitled by way of pension had he not become a bankrupt to, or apply the same for the maintenance and personal support or benefit of, all or any, exclusive of the other or others, of the following persons, namely, the pensioner and any wife, child or children of his, in such proportions and manner as the Secretary of State or High Commissioner in Council thinks proper.

Pensions to cease on bankruptcy.

14. Where an officer who has been in the service of Cyprus and is subsequently transferred to other public service retirement from which is permitted at an earlier age than sixty years retires in conformity with the law and regulations governing such service,

Pensions of officers transferred from Cyprus retiring before attaining sixty.
3, 1917, 2.

such officer may receive pension from Cyprus funds in respect of his Cyprus service as though he had reached the age of sixty years.

FIRST SCHEDULE. (S. 2.)

- 15 of 1882.
- 2 of 1883 (Ordinance).
- 10 of 1895.
- 9 of 1898.
- 16 of 1901.

SECOND SCHEDULE. (S. 4.)

REGULATIONS FOR THE GRANTING OF PENSIONS, GRATUITIES, AND OTHER ALLOWANCES, TO PERSONS WHO HAVE BEEN IN THE SERVICE OF THE GOVERNMENT OF CYPRUS.

Definitions.

1. In these regulations the term "pensionable office" means an office which has been declared by the High Commissioner, with the sanction of the Secretary of State, by publication in the *Cyprus Gazette*, to be pensionable: Provided that any office declared to be pensionable under this section may be declared at any time by the High Commissioner, with the sanction of the Secretary of State, by publication in manner aforesaid to be no longer pensionable, due regard being had to existing rights.

The term "salary" includes personal allowance, house allowance or the estimated value of free quarters: Provided that the amount to be allowed for house rent or for estimated value of free quarters shall not exceed one-sixth of the actual salary of the office.

Pensions to whom and at what rates to be granted.

2. Subject to the provisions of the Pensions Law, 1905, and of these Regulations, every public officer holding a pensionable office in Cyprus who has been in the service of Cyprus for ten years or upwards may be granted on his retirement a pension at the rate of ten-sixtieths of his salary with an addition of one-sixtieth in respect of each complete year of such service in excess of ten until forty years' service is reached when a pension of two-thirds of his salary may be granted.

Gratuities.

3. Every officer, otherwise qualified for a pension, who has not completed the minimum period of service qualifying for a pension, may be granted a gratuity, which will be at the rate of half a month's salary for each complete six months of service.

4. If any person holding a pensionable office retire or be removed from the public service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organization of the department to which he belongs, by which greater efficiency and economy can be effected, he may be granted a temporary pension, subject to the condition that he shall hold himself ready to be re-called to service: Provided that if he is not qualified for other employment, or if there is no reason, in the opinion of the High Commissioner, to expect that he can be shortly re-employed, a pension may be granted to him free from the above-mentioned condition.

Abolition of office.

5. In the case of an officer whose office is abolished, his pension may be increased by the addition of a certain number of sixtieths of his salary; that is to say:—

Rates of pension when offices are abolished.

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| (a.) In the case of an officer who has served twenty years ... | 7 |
| (b.) In the case of an officer who has served less than twenty years, but not less than fifteen years | 5 |
| (c.) In the case of an officer who has served less than fifteen years, but not less than ten years | 3 |

No addition shall be made under this section so as to entitle an officer to a higher pension than the maximum of two-thirds, or to a higher pension than that to which he would have been entitled by length of service on reaching the age of sixty years.

6. In the case of an officer whose office is abolished and whose length of service is not such as to entitle him to a pension, a special gratuity not exceeding one and a half month's salary for every year of service may be granted.

Rate of gratuity on abolition when service less than ten years.

7. Where an officer has been permanently injured:—

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| (a.) In the actual discharge of his duty; and | Officers retiring on account of injuries. |
| (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, any pension granted to him under these Regulations may be increased in proportion to the extent of his injury, as follows:—

When his capacity to contribute to his support is:—

Slightly impaired	Five-sixtieths.
Impaired	Ten-sixtieths.
Materially impaired	Fifteen-sixtieths.
Totally destroyed	Twenty-sixtieths.

Provided that no such allowance shall, together with the pension, exceed fifty-sixtieths of his salary at the date of the injury. The allowance shall be less than the above-mentioned maximum by such amount as the High Commissioner in Council, subject to the approval of the Secretary of State, shall think reasonable in the following cases:—

- (a.) Where the injured man has continued to serve for not less than one year after the injury in respect of which he retires;
- (b.) Where he is fifty years of age and upwards at the date of the injury;
- (c.) Where the injury is not the sole cause of retirement, *i.e.*, the retirement is caused partly by age or infirmity.

Annual allowance when service of officer injured is less than ten years.

8. When the officer so injured has less than ten years' service, and he is not entitled to an ordinary pension, he may receive in lieu of a gratuity an annual allowance of so many sixtieths as the years he has actually served, in addition to the number of sixtieths that may be awarded to him under clause 7.

How salary to be computed for pension purposes.

9. For the purpose of computing pensions and gratuities, the salary of the permanent office held by the officer at the date of retirement will be taken if he has held the office, or an office with the same salary, for a period of three years immediately preceding that date; otherwise the average amount of the salary of the permanent offices held by him during the three years immediately preceding his retirement will be taken.

Service to be unbroken.

10. The service in respect of which pensions or gratuities will be granted must be unbroken, except in cases where it has been interrupted by abolition of office or other temporary suspension of employment not arising from misconduct or voluntary resignation.

Non-pensionable service followed by pensionable service.

11. No service other than service in a pensionable office, on full or half salary, will be taken into account in computing pensions or gratuities, except that where the service in a pensionable office has been immediately preceded by an unbroken period of service in an appointment other than a pensionable office, or of service paid for out of an open vote, or of both such services, that period, or any part of it, may be taken into account.

Provided always that of the period of service paid for out of an open vote, only two-thirds shall be counted for the purposes of these Regulations.

Leave of absence with half salary.

12. The periods during which an officer has been absent on leave with half salary shall, for the purpose of computing the amount of his pension, be counted at the rate of one month for every two months of absence; but the period during which an officer has been absent on leave with full salary shall, under all circumstances, be counted at the full rate.

Provided always that when an officer has been granted leave with half salary on grounds of public policy, a period not exceeding one year may be counted for the purpose of these Regulations as service on full salary.

13.—(1.) Any periods during which an officer has been absent on leave without salary shall not be counted as service, unless it has been granted on grounds of public policy, in which case a period not exceeding one year may be counted for the purpose of these Regulations, as service on full salary. Leave of absence without salary.

(2.) Any period during which an officer absent on leave from Cyprus has, with the consent of the High Commissioner or the Secretary of State, served with His Majesty's armed forces during the present war, or in any other capacity connected with the state of war, may be counted as service on full pay for the purposes of the pension laws. Service in connection with the war. 3, 1917, 3.

(3.) Notwithstanding any provision in the pension laws to the contrary, no pensioner shall be liable to have his pension abated in respect of temporary employment, either in a military or in a civil capacity connected with the state of war, during the present war. Temporary employment in connection with the war. 3, 1917, 4.

14. Subject to the provisions of section 5 of the Pensions Law, 1905, service will be deemed to commence, for pension purposes, at the date on which officers commence to draw salary or half salary. Commencement of pensionable service.

15. Acting service in a pensionable office will, when continuous with permanent employment, be allowed to reckon as service for pension, provided that the period of such acting service has not been taken into account as part of the service of the previous holder of the office or as part of the officer's service in a Colony or Protectorate. Acting service.

16. Every officer who has been appointed provisionally and subject to probation to a pensionable office, and whose appointment shall be afterwards confirmed, shall be entitled to have counted as service for the purpose of computing his pension the period during which he served provisionally and subject to probation. Service on probation.

17. An officer transferred from a pensionable office to temporary appointment in any Harbour, Railway, or Irrigation Work, or any other work which the High Commissioner may authorize, may be allowed to count the period of his temporary employment for pension purposes, provided always:— Pension of pensionable officers when transferred to temporary appointments.

(a.) That he retires under circumstances which would otherwise entitle him to a pension;

(b.) That if he is superannuated from the service to which he has been transferred or within three years of his retirement there—

from, his retiring allowance will be based on the pensionable emolument of the last pensionable appointment or appointments held by him prior to retirement;

(c.) That the fact of his being transferred with claim to pension be notified at the time in the *Cyprus Gazette*;

(d.) That the transfer for such temporary employment shall have been authorized by the High Commissioner.

Professional officers who are allowed private practice not entitled.

18. Except in cases where a claim to pension has been previously acknowledged or sanctioned by the Secretary of State or the High Commissioner in Council, officers whose whole time is not given to the public service, and professional officers who are allowed the private practice of their professions shall not be entitled to pensions under these Regulations.

Professional qualifications. As amended by 3, 1920, 3.

19. In computing the pension of an officer who, on retirement from the service, holds one of the offices mentioned in the Third Schedule the additions therein mentioned may be made to his period of service: provided that no addition shall be made which, together with the number of years of actual service, shall amount to more than forty years, and provided that the full addition shall not be made unless he has served ten years in the office from which he retires, or in an office of the same or a higher class; but, if he has served less than ten years in such an office, an addition may be made which shall have the like proportion to the full addition which the number of years he has served in that capacity bears to ten years: Provided also that no addition of years shall be made under this clause in excess of the number of years by which the officer's age at the date of his entering the pensionable service of the Crown exceeded twenty years.

Abatement of pension on pensioner obtaining other public employment. 7, 1921, 2.

20. If any officer to whom a pension has been granted under any Law in Cyprus relating to pensions is appointed to another office in the service of Cyprus, or in any 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 fees of such office, makes up an amount not greater than the highest pensionable emoluments drawn by such officer at any time in the course of his service in Cyprus or other public service: Provided that where the officer retired or was transferred from the service of Cyprus prior to the 1st day of April, 1920, the highest pensionable emoluments drawn by such officer in the course of his service in Cyprus, shall for the purposes of this section be deemed to be the highest pensionable 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: Provided that nothing in this section contained shall diminish the rights acquired by any person under any other Law in Cyprus relating to pensions.

Saving of rights. 7, 1921, 3.

21. Every public officer who, having held a pensionable office in Cyprus for a period of at least twelve months, leaves the service of Cyprus for the service of any Colony or Protectorate, or for service under the Imperial Government, or is transferred with the approval of the High Commissioner to other employment in Cyprus of a quasi-public character, and whose aggregate service would have entitled him, had it been wholly in Cyprus, to a pension under these Regulations, shall, on his ultimate retirement from service, be entitled to a pension at the rate of one seven hundred and twentieth ($1/720$) of the amount of his annual salary at the date of his leaving the service of Cyprus as aforesaid, for each month of his service in Cyprus: Provided that his total pension shall in no case be greater than the maximum of two-thirds of the highest salary drawn by him at any time in the course of his service.

Rights of officers transferred from Cyprus to any Colony or Protectorate or the service of the Imperial Government.

22. Every public officer who, having held a pensionable office in the service of any Colony or Protectorate or in the service of the Imperial Government, is transferred from that service to a pensionable office in Cyprus, and whose aggregate service would have entitled him, had it been wholly in Cyprus, to pension under these Regulations, shall, on his retirement from service, and if he has served for a period of at least twelve months in Cyprus, be entitled to a pension at the rate of one seven hundred and twentieth of the amount of his annual salary at the date of such retirement for each month of his service in Cyprus; and in every such case there may be added, at the discretion of the High Commissioner, in computing the period of the retiring officer's service in Cyprus, a number of months not exceeding (a.) one-third of the aggregate of his service elsewhere than in Cyprus, nor (b.) two-thirds of his service in Cyprus, nor (c.) in any case sixty months.

Rights of officers transferred to Cyprus from any Colony or Protectorate or from the service of the Imperial Government.

23.—(1.) Pensions, gratuities, and allowances, computed at the rates before mentioned, shall only be granted in cases of decidedly faithful and meritorious service.

Good conduct required.

(2.) Where the fidelity and diligence of the officer fall short of the first degree of merit, the computation may be made at lower rates.

(3.) Where the officer has been guilty of gross negligence, irregularity, or misconduct, the grant of pension, gratuity or other allowance, may be altogether withheld.

24. Every pension granted under these Regulations on the ground of ill-health shall be subject to the condition that, should the officer's health be re-established, he will be bound to accept, in lieu of his pension, any office, not inferior in value to that from which he retired, which the Secretary of State may think proper to confer on him, due regard being had to circumstances of climate; and if a pensioner so called upon declines to accept the office for which he may have been selected, the payment of his pension may be suspended until he has attained the age of sixty years.

Regulations as to ill-health.

THIRD SCHEDULE.

(See CLAUSE 19 OF THE REGULATIONS.)

The number of years to be added to the period of service under clause 19 of the Regulations for the purpose of computing pensions is as follows:—

For the First Class	Ten years.
For the Second Class	Five years.

The First Class comprises—

Judges of the Supreme Court.

The Second Class comprises—

Presidents of the District Courts.

Ordinary Judges of the District Courts.

PETROLEUM.

21 OF 1919.

RELATING TO THE LAYING OF PIPES FOR THE PURPOSE OF CONVEYING OIL.

MALCOLM STEVENSON.]

[April 30, 1919.

Short title.

1. This Law may be cited as the Petroleum (Pipe-lines) Law, 1919.

Interpretation.

2. In this Law:—

“Oil” includes “gas.”

“Pipe-line” means any pipe for the purpose of or capable of being used for conveying oil.

“Court” means the District Court.

Licence for pipe-lines.

3. No person may lay or use a pipe-line without a licence under this Law.

Licence to lay or use pipe-lines.

4.—(1) Any person to whom a licence under the Mines Regulations Amendment Law, 1882, section 13, to mine and win oil has been granted may apply to the High Commissioner in Council for a licence to lay and use a pipe-line on any land in Cyprus, whether such land is or is not the property of such person.