

CYPRUS

WIDOWS' AND ORPHANS' PENSIONS

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1959

CHAPTER 314.

WIDOWS' AND ORPHANS' PENSIONS.

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A LAW TO ESTABLISH A PENSION FUND FOR WIDOWS AND ORPHANS OF PENSIONABLE OFFICERS OF THE GOVERNMENT.

[20th February, 1947.]

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PART I.
PRELIMINARY.

1. This Law may be cited as the Widows' and Orphans' Pensions Law. Short title.

2. (1) In this Law—

“actuary” means a Fellow of the Institute of Actuaries in England or of the Faculty of Actuaries in Scotland, or any other institute, faculty or society of actuaries approved by the Governor by notice in the Gazette;

“approved scheme” means a scheme or fund for the granting of pensions to the widows and children of officers in the public service, which has been declared by the Secretary of State to be an approved scheme for the purposes of this Law;

“beneficiary” means—

- (a) the widow of a contributor;
- (b) the child of pensionable age of a contributor, by his marriage with any wife who has died or is not entitled to pension under this Law:

Interpreta-
tion.

Provided that when there are two or more such children of one marriage such children shall constitute one beneficiary. Provided further that a child shall not be a beneficiary in respect of more than one contributor.

2 (a) of 32/56

“ Board ” means the Board of Management of the Fund, appointed under the provisions of this Law;

“ contributor ” means a person who is contributing to the Fund and, save as otherwise provided in this Law, includes a person who has ceased to contribute or who is exempted from contributing under subsection (2) of section 10;

“ expatriation allowance ” means a special addition to salary which is granted in accordance with the general regulations of the Government governing such allowance;

“ Fund ” means the Fund established under this Law;

“ other public service ” means public service not under the Government;

2(b) of 32/56.

“ Oversea Superannuation Scheme ” means the Oversea Superannuation Scheme established by the Secretary of State for the Colonies with effect from the 1st January, 1951;

“ pension ” means any pension granted to a beneficiary under this Law except when the context implies that a pension granted to the contributor himself is meant;

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“ pensionable office ” means an office which is a pensionable office under the Pensions Law, or any Law amending or substituted for the same;

“ public service ” means service in a civil capacity under the Government or the Government of any part of Her Majesty's dominions, or of any British Protected State or Protectorate, or of any territory in respect of which a mandate on behalf of the League of Nations has been accepted by Her Majesty, or of the Anglo-Egyptian Sudan, or under the High Commissioner for Transport in Kenya and Uganda, or any other service which the Secretary of State may determine to be public service for the purposes of this Law;

“ salary ” means the gross salary attached to the office of which the officer is substantive holder and

includes expatriation allowance but does not include any allowance or other emolument or the value of any other advantage which the officer may receive or enjoy.

(2) A child shall be of pensionable age for the purposes of this Law, in the case of a male, if he is under the age of twenty-one years, and, in the case of a female, if she is under the age of twenty-one years and has not married: Pensionable age of child.

Provided that a child who, at the date of the contributor's death, is twenty-five years old or under and who, at that date is receiving full-time education at an educational institution approved by the Government, shall be deemed to be of pensionable age for the purposes of this Law. 2(c) of 32/56.

(3) When the marriage of any contributor has been annulled or dissolved by the decree of any competent court, or otherwise in accordance with the personal law applicable, the female party to such marriage shall, for the purposes of this Law, be deemed to have died, and the contributor shall be deemed to have become a widower, at the date of such annulment or dissolution. Presumption of death of widow in certain cases.

(4) Where in accordance with the law governing his personal status a contributor is or becomes lawfully married to more than one woman at one and the same time, the words "wife" and "child" in relation to such contributor shall mean for the purposes of this Law the wife whose marriage was the earliest of such contributor and the child of such contributor by such wife: Adoption of Law in case of polygamous marriage.

Provided that in the event of any wife eligible for a pension under this Law ceasing to be so eligible and at the time of such cessation the contributor was lawfully married as aforesaid to another wife or other wives the contributor shall be deemed for the purposes of this Law to have become a widower at the time of such cessation as aforesaid and simultaneously to have married the woman who at such time was his wife and whom he married earliest after his marriage to the wife who has ceased to be eligible as aforesaid.

(5) A child who shall have been legitimated by marriage according to the law of the country of the father's domicile at the date of the marriage shall, for the purposes of this Law, be deemed to be a child of that marriage. Legitimation.

(6) (a) A child adopted by the contributor while he is married to any wife shall, for the purposes of this Law, be Adoption. 2(d) of 32/56.

deemed to be the child of the contributor by that marriage if—

- (i) the contributor adopted the child before he retired from the public service;
- (ii) the contributor was under the age of fifty-five at the time of the adoption; and
- (iii) the adoption was in accordance with the law of the place where the contributor was resident at the time of the adoption.

(b) The child of a contributor who is adopted by any other person in accordance with the law of the place where such person was resident at the time of the adoption shall not be entitled to benefit under this Law unless the contributor so elects by notice in writing to the Accountant-General or to the Crown Agents given within twelve months of the date of the adoption order or within such longer period as the Governor may permit.

(c) Nothing in this subsection shall entitle an adopted child to be paid a pension or a share in any pension where the payment to him of such pension or such share would diminish the pension or the share of any pension immediately payable or being paid at the date of the coming into operation of the Widows' and Orphans' Pensions (Amendment) Law, 1956, to the widow or to any child or children by marriage of the contributor.

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PART II.

ESTABLISHMENT OF FUND AND MANAGEMENT.

The Fund.

3. (1) A Fund, to be known as the Cyprus Widows' and Orphans' Pension Fund, shall be established for providing pensions for the widows and orphans of contributors to the Fund.

(2) The Fund shall be under the control of a Board of Management. The Accountant-General shall be Chairman of the Board, and the remaining members of the Board shall be appointed from time to time by the Governor and shall include a representative or representatives of the contributors.

(3) All pensions and repayments of contributions (including interest, if any) authorised by this Law and all expenses incurred in the administration of the Fund (including the obtaining of actuarial advice) shall be paid out of the Fund.

(4) All contributions made by contributors and by the Government under this Law, all interest on investments of

the Fund and all sums paid under subsection (1) of section 6 shall be paid into the Fund.

(5) All moneys belonging to the Fund shall be deposited with the Accountant-General and except as regards such part thereof as the Board shall consider it expedient to retain for making payments out of the Fund under this Law, shall, so far as practicable, be invested on behalf of the Fund in such securities, or employed at interest in such manner, as may be approved by the Governor. Any such investment may be at any time changed into securities so approved, and any sums required for making payments out of the Fund under this Law may be raised by the sale or realization of any investments of the Fund:

Provided that no part of the moneys belonging to the Fund shall at any time be expended in the purchase of securities of the Government or employed at interest for the purposes of the Government if such purchase or such employment would cause the total current market value of the securities of the Government held on behalf of the Fund together with the outstanding sums employed at interest for the purposes of the Government to exceed three-eighths of the total assets of the Fund at the date.

(6) Annual accounts of the transactions of the Fund during the year ended the preceding last day of December, and a statement of the assets of the Fund at that date shall be prepared by the Accountant-General and shall be audited and certified every year by the Director of Audit and shall thereafter be laid before the Governor, together with a report by the Board on the working of the Fund, not later than the ensuing thirtieth day of June. 3 of 32/56.

4. Registers shall be kept in which shall be entered the date of the birth of every contributor, and of every wife and child who may become, or shall be, entitled to pension under this Law, and particulars of all contributions paid into the Fund by or on behalf of each contributor, and the pension or pensions for the time being payable in respect of each contributor in the event of his death, and all other dates and particulars respecting contributors and their families material to be recorded for the purposes of this Law.

Registers of contributors to be kept.

5. (1) Every contributor shall within three months of his first becoming a contributor notify to the Board in writing the date of his birth and, if he is then married or a widower with children of pensionable age, the dates of his marriage and of the births of his wife and children, if any.

Information to be furnished by contributors and widows.

(2) Every contributor who marries while a contributor shall within three months after his marriage notify to the Board in writing the fact and the date of his marriage and the date of the birth of his wife.

(3) Every contributor shall notify to the Board in writing within three months from the date of the event—

- (a) the birth of any child born to him and the date thereof;
- (b) the marriage of any female child of his under the age of twenty-one years;
- (c) the death of his wife or of any of his children of pensionable age occurring while he is a contributor;
- (d) the annulment or dissolution of his marriage and the date thereof.

(4) After the death of any married contributor the widow of such contributor shall notify to the Board or the Crown Agents in writing, within three months from the date of the event—

- (a) the date of the death of such contributor, if he was not at the time in the service of Government;
- (b) the birth of any posthumous child of such contributor and herself and the date thereof;
- (c) the marriage of any female child of such contributor under the age of twenty-one years;
- (d) the death of any child of such contributor while of pensionable age;
- (e) her own re-marriage or bankruptcy.

(5) Any such statement or notice shall, if the Board or the Crown Agents so require, be verified by the production of birth, death, or marriage certificate or by affidavit or otherwise, to the satisfaction of the Board or the Crown Agents, as the case may be.

(6) This section shall not apply to any marriage to which subsection (1) of section 30 applies or to the wife, widow or child of any such marriage.

Penalties.

6. (1) A contributor or widow who fails or neglects to comply with any of the requirements of section 5 shall, for each default, be liable, at the discretion of the Governor, to pay to the Board a sum not exceeding two pounds, which may be deducted from his or her salary or pension, as the case may be.

(2) If a contributor or widow of a contributor at any time wilfully has made or makes any false statement respecting any of the particulars required by this Law to be furnished, all or any part of the rights under the Fund of the contributor or the widow or any child of the contributor shall be liable to be forfeited at the discretion of the Secretary of State, and the Secretary of State may give directions for increasing the pension payable to any child of the contributor in consequence of forfeiture under this section of the rights of any other child or the widow of the contributor and such pension shall be increased accordingly.

(3) Nothing in this section shall prejudice any right of the Board to recover any sum paid out of the Fund which would not have been paid but for such failure, neglect or false statement as aforesaid.

7. The Fund shall be valued at intervals of not more than five years by an actuary approved by the Governor, who shall make a report to the Governor in which shall be set out the methods by which in his opinion any surplus in the Fund may appropriately be dealt with or any deficit may appropriately be made good, whether by way of adjustment of contributions or benefits or otherwise, and if the Governor in Council approves of any such method which would not necessitate amendments of this Law, Rules under this Law may be made for giving effect thereto.

Valuation of
Fund.
4 of 32/56.*

PART III.

CONTRIBUTORS AND CONTRIBUTIONS.

8. Subject to the provisions of this Law—

- (a) every officer appointed to a pensionable office in the service of Government in pursuance of his selection for appointment to such an office made after the 1st March, 1947, shall become a contributor under the provisions of this Law from the date in respect of which he first draws any of the salary of the office or, if at that date he is by virtue of section 10 not eligible to be or become a contributor, from the date upon which he becomes so eligible;
- (b) any officer holding such an office on the said date or appointed to such an office after, in pursuance of his selection therefor made before, that date,

Who shall
become
contributors.

* Came into operation on the 1st January, 1951.

may apply not later than the 31st December, 1947, or such later date as the Governor may in any special case allow, for permission to become a contributor, and if, after satisfactory medical report on the officer for this purpose, the Governor in his discretion grants such permission, the officer shall become a contributor as from the first day of the month next after that in which the Governor's decision is notified to him;

(c) if any officer referred to in paragraph (b) who has not become a contributor is appointed to the service of Government subsequently to the 31st December, 1947, upon such terms as constitute a re-appointment to or re-engagement in the service of Government the provisions of paragraph (a) shall apply to him by virtue of such appointment;

(d) any officer who has claimed exemption from the obligation to become a contributor under section 9 and who subsequently becomes ineligible to continue as a contributor to the Oversea Superannuation Scheme, shall become a contributor under the provisions of this Law from the date on which he ceases to be a contributor in the said Scheme unless he is otherwise ineligible or not liable to do so.

5 of 32/56.*

Contributors
to the Over-
sea Super-
annuation
Scheme.

6 of 32/56.*

9. (1) Any officer who is or becomes a contributor to the Oversea Superannuation Scheme may claim exemption from the obligation to become or to continue to be a contributor under this Law, provided that every such claim shall be made in writing and shall be received by the Accountant-General within three months from the date upon which such officer first became a contributor to the said Scheme or not later than three months after the appointed date, whichever shall be the later.

(2) Every such claim for exemption shall take effect from the date upon which the officer first became a contributor to the said Oversea Superannuation Scheme and the amount of any contributions which he shall have made under this Law since that date shall be refunded to him without interest.

(3) As from the date upon which any such claim to exemption shall take effect, the officer by whom the claim

* Came into operation on the 1st January, 1951.

was made shall be deemed, in respect of all rights arising from his contributions made under this Law prior to that date, be subject to the provisions of sections 19 and 20 to the same extent as if he had left the service of the Government on that date.

(4) For the purposes of this section "appointed date" means the date appointed by the Governor by a notice in the Gazette.

(5) This section shall be deemed to have come into operation on the first day of January, 1951.

10. (1) The following persons shall not be eligible to become contributors— Exemptions.

- (a) persons not required or entitled to become contributors by virtue of section 8;
- (b) persons employed temporarily in the service of Government on special missions;
- (c) persons seconded to the service of Government from other public service;
- (d) persons serving under written agreements expressed to continue for a period of less than five years; 2 of 40/58.*
- (e) contributors to the Fund established under the Government Employees Provident Fund Law;
- (f) persons whose salary for the time being does not exceed four hundred and fifty pounds per annum; 7(1)(a) of 32/56.
- (g) persons who have attained the age of fifty-four years before the 1st March, 1942;
- (h) females;
- (i) contributors to the Oversea Superannuation Scheme for so long as they are required to contribute thereto, unless already contributing under this Law; and 7(1)(b) of 32/56.
- (j) members of the Cyprus Police Force below the rank of Assistant Superintendent of Police and members of the Prison Service below the rank of Assistant Superintendent of Prisons. 7(1)(b) of 32/56.

(2) Paragraphs (f) and (j) of subsection (1) shall be deemed to have come into operation on the first day of January, 1953. 71(b) of 32/56.

Provided that a person who immediately prior to the 1st day of November, 1956, is a contributor shall continue

* Came into operation on the 1st January, 1955.

to be such a contributor irrespective of whether his salary does or does not exceed four hundred and fifty pounds per annum.

- (3) (a) Subject to the provisions of this subsection, if the Board are satisfied that an officer who is required or entitled by this Law to become a contributor is a contributor under an approved scheme, the Board may, on the application of such officer, direct that he shall, so long as he continues to be a contributor under such approved scheme, be exempt from contributing unless at any time the contributions which, in the absence of this subsection, he would from time to time be required to pay under this Law exceed his contributions under such approved scheme; and so long as the exemption remains in force and the officer continues to be a contributor under such scheme, he shall not contribute to the Fund more than the amount (if any) of such excess.
- (b) The Board may require any contributor who has been granted an exemption under this subsection from time to time to produce the receipts for his contributions or other evidence of his continuing to be a contributor under such approved scheme, and if he shall fail to do so the Board may cancel the exemption;
- (c) no application for exemption under this subsection shall be valid unless it is made in writing and reaches the Board not later than three months after the date from which the officer commences to draw salary from Government funds or such later date as the Governor may in any special case determine;
- (d) where an officer is, by virtue of an exemption under this subsection, making no contributions to the Fund, he shall nevertheless be deemed, for the purposes of this Law, to cease or continue to contribute, as the case may be, in any circumstances in which he would so cease or continue if such exemption had not been granted, and all rights of election under Part V of this Law may be exercised by him accordingly;
- (e) in this subsection, "contributor under an approved scheme," includes a person who has ceased to

contribute to an approved scheme by reason of his having attained the age upon the attaining of which he ceases, in accordance with the provisions of such approved scheme, to pay contributions thereto, and "contribution under such approved scheme" includes the amount which a person would contribute to an approved scheme had he not ceased to contribute thereto by reason of his having attained such age limit as aforesaid.

11. (1) Save as otherwise provided in this Law, every contributor shall contribute to the Fund at the rate of five per centum of the monthly salary or pension for the time being calculated to the nearest multiple of five mils. Contributions of contributors. 8 of 32/56.

Provided that no officer shall be required to contribute at a higher rate than sixty pounds a year.

(2) If a contributor is on leave on part salary or without salary, or is under interdiction from duty, he shall contribute at the rate specified in subsection (1).

(3) Contributions under this section shall accrue daily and shall be deducted monthly in arrear from the salary or pension, as the case may be, of each contributor, and if during a period of leave without salary a contributor does not pay his contributions, the amount of his contributions in arrear shall be deducted from the salary payable to him subsequent to such leave in such instalments as the Board may in each case determine.

12. (1) Subject to the provisions of subsection (4), so long as an officer is in the service of Government and is making contributions to the Fund or is exempted from contributing under the provisions of subsection (2) of section 10 a contribution on behalf of the officer equal to the contribution of the officer shall be paid to the Fund from the general revenue of the Colony. Government contributions. 9(1)(a) of 32/56.

(2) If a contributor is on leave on part salary or without salary, or is under interdiction from duty, contributions under this section shall be continued at the rate specified in subsection (1).

(3) Subject to the provisions of subsection (4), where an officer having left the service of Government is contributing to the Fund and is in receipt of a pension from the general revenue of the Colony a contribution on his behalf equal 9(1)(b) of 32/56.

to his contribution shall be paid to the Fund from the said revenue.

(4) Where an officer has elected or been compelled to receive a reduced pension and gratuity, in lieu of a pension which he might have received but for such election or compulsion, his pension shall, for the purpose of calculating contributions to be made on his behalf under this subsection be deemed to be the amount of the unreduced pension which he might have so received.

(5) Contributions under this section shall accrue daily and shall be paid monthly in arrear.

9(2) of 32/56.

(6) For the purpose of the calculation of any pension of any contributor who is a contributor under an approved scheme Government's contribution in respect of the period between the first day of March, 1952, and the first day of November, 1956, shall be deemed to have been the four-fifths of such contributor's contribution to the Fund during that period.

Lump sum contributions.

13. (1) An officer who becomes a contributor under subsection (2) of section 8 may, if he so desires, pay into the Fund a lump sum contribution not exceeding the aggregate amount which he would have contributed during the period for which he would have been eligible to be a contributor if this Law had come into operation on 1st March, 1942, and his salary had, during that period, been equal to his salary at the commencement of this Law.

(2) Where an officer elects to make a lump sum contribution under subsection (1), payment thereof shall be made not later than three months after the date upon which the Governor's decision under subsection (2) of section 8 is notified to him, or such later date as the Governor may in any special case allow, and no corresponding contribution shall be paid from the general revenue of the Colony.

Cessation of contributions.

14. The contributions to the Fund of any contributor shall cease on the happening of any of the following events but not otherwise—

- (a) if he attains the age of fifty-five years, or
- (b) if he dies, or
- (c) save as otherwise provided in section 21, if he leaves the public service, or
- (d) save as otherwise provided in Part V, if he is

transferred from the service of Government to other public service.

15. If the salary of a contributor be reduced he may, upon giving notice in writing to the Board of his desire to do so, continue to make contributions computed by reference to his salary immediately before the reduction; but the rate of contribution payable by the Government shall, whether he so continues or not, be determined only by the actual salary of the contributor.

Contributions may continue in full if salary reduced.

16. Where a contributor having left the service of Government is re-appointed thereto, and immediately before the date of his re-appointment is making contributions to the Fund under Part V he shall, as from the date of such re-appointment contribute at the rate at which he would have contributed if he had not been a contributor before that date:

Re-appointment of contributors.

Provided that if and so long as that rate is less than the rate at which he was contributing before the said date, he may, if he so elects by notice in writing addressed to the Board, continue to contribute at the last mentioned rate; and he may at any time revoke such election.

PART IV.

REPAYMENT OF CONTRIBUTIONS.

17. Save as otherwise expressly provided in this Law, no contributions thereunder shall be repaid.

Contributions not normally to be repaid.

18. (1) Subject to the provisions of Part V, if a contributor, being a bachelor or a widower without children who are of pensionable age, ceases to contribute to the Fund, he shall thereupon cease to be a contributor for the purposes of this Law, and there shall be paid out of the Fund to him, or to his legal personal representative, if any, or in the event of there being no such legal personal representative to the person entitled thereto by law, the following amount, less any debt due to the Government, that is to say—

Repayment to bachelor or widower without pensionable children.

- (a) in the case of a bachelor, the amount of the contributions paid by him with compound interest thereon, and
- (b) in the case of a widower the amount of the contributions paid by him during the period from the

date of death of his last wife or the date upon which his last child ceased to be of pensionable age, whichever date is the later, with compound interest thereon:

Provided that where such a contributor is dismissed from the public service for misconduct, the contributions shall be repaid as aforesaid without interest.

(2) for the purposes of this section, interest shall be calculated at two and a half per centum per annum, with annual rests at the thirty-first day of December in each year, the interest beginning to accrue in respect of each contribution on the first day of the month following the day upon which the contribution is paid and ceasing on the last day of the month preceding the day upon which payment under this section is made.

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PART V.

PROVISION FOR OFFICERS LEAVING THE SERVICE.

Transfer of a contributor to other public service which has provision for widows' and orphans' pensions.

19. If a contributor is transferred from the service of Government to other public service for which there is established an approved scheme, the following provisions shall have effect—

(a) if the contributor is a bachelor or a widower without children who are of pensionable age—

(i) he shall, if he so elect by notice in writing addressed to the Board not later than three months after the date of transfer, remain a contributor for the purposes of this Law without making further contributions;

(ii) section 18 shall not apply before the expiration of the said three months or his earlier death, but shall then apply as from the date of transfer if he has not elected as provided in sub-paragraph (i) but not otherwise;

(iii) if, having elected as aforesaid, he subsequently leaves the public service or dies without having married or remarried, as the case may be, the provisions of section 18 shall apply;

(iv) if, having elected as aforesaid, he subse-

quently marries without having left the public service, the last mentioned provisions shall cease to apply in his case;

(b) if the contributor is married or is a widower with children who are of pensionable age—

(i) he shall, if he so elect by notice in writing addressed to the Board not later than three months after the date of transfer, continue to contribute to the Fund at the rate at which he was contributing at that date;

(ii) if he does not so elect he shall cease to contribute as from the date of transfer.

20. If a contributor is transferred from the service of Government to other public service for which there is not established an approved scheme, the following provisions shall have effect—

(a) if the contributor is a bachelor or widower without children who are of pensionable age—

(i) he may, if he so elect by notice in writing addressed to the Board not later than three months after the date of transfer continue to contribute to the Fund at the rate at which he was contributing at that date;

(ii) section 18 shall not apply before the expiration of the said three months or his earlier death, but shall then apply as from the date of transfer if he has not elected as provided in sub-paragraph (i) but not otherwise;

(iii) if, having elected as aforesaid, he further elects, by notice in writing addressed to the Board at any time, to cease to contribute, he shall cease accordingly as from the first day of the month in which such notice is so addressed; and, subject to the provisions of this Law, if, being at the time a bachelor or widower without children who are of pensionable age, he so ceases while in the public service or leaves the public service or dies, the provisions of section 18 shall apply;

(b) if the contributor is married or is a widower with children who are of pensionable age—

(i) he may, at his election, continue to

Transfer of a contributor to other public service which has no provision for widows' and orphans' pensions.

with children who are of pensionable age are increased, any pension payable in respect of that contributor shall be increased by an amount corresponding to the pension which would become payable by virtue of a contribution equivalent to the increase if the contributor were to commence to contribute to the Fund at the date of the increase.

(2) If such contributions are reduced, any pension payable in respect of him shall be reduced by the amount by which it would have been increased had such contributions been increased instead of reduced.

(3) When contributions cease to be payable otherwise than in the cases mentioned in paragraphs (a) and (b) of section 14 the cessation thereof shall be deemed to be a reduction for the purposes of subsection (2).

Rights of individual beneficiaries.

26. Subject to the provisions of this Law—

- (a) on the death of a contributor leaving one or more beneficiaries, the beneficiary or each of such beneficiaries, as the case may be, shall receive a pension in accordance with the provisions of this Law;
- (b) if pensions are payable to more than one beneficiary each beneficiary shall receive such a proportion of the pension which such beneficiary would have received if sole beneficiary, as unity bears to the total number of beneficiaries;
- (c) where there are two or more beneficiaries receiving pensions in respect of the same contributor and the pension payable to one of such beneficiaries lapses under the provisions of this Law, the other beneficiary or beneficiaries shall, as from the date of such lapse, receive the pension or pensions which he or they would have received if such first-mentioned beneficiary had not been in existence at the death of such contributor.

Pensions of orphan children.

27. (1) Where there is only one child of a contributor by any marriage entitled to pension, the pension shall be at the same rate as the pension which his or her mother received or would have received if it had been payable to her, and shall lapse when such child ceases to be of pensionable age or dies.

(2) Where there are two or more children of a contributor

by any marriage entitled to pension, the pension shall be at the same rate as the pension which their mother received or would have received if it had become payable to her, and shall be paid to such children in equal shares. When any of such children ceases to be of pensionable age or dies his or her share of such pension shall be paid to the remaining child of the same marriage of pensionable age, or, if there are two or more such children, to those children in equal shares.

28. (1) Where a beneficiary is the widow of a contributor, the pension shall cease to be payable to her on her re-marriage. Death or re-marriage of widow.

(2) When such pension ceases as aforesaid or by reason of the death of the widow or is forfeited under subsection (2) of section 6, if there are no children of the marriage of the widow with the contributor living and of pensionable age, the pension shall lapse; and if there are such children the pension shall be paid to such children in accordance with the provisions of this Law.

29. Where a beneficiary, being a widow of a contributor, is adjudged bankrupt or declared insolvent by any competent Court, the pension shall thereupon cease to be payable to her, and if the Governor so direct shall lapse: Bankruptcy of widow.

Provided that, if and so long as the Governor does not direct that the pension shall lapse, the Board may, with the approval of the Governor during the remainder of her life, or during such shorter period or periods, either continuous or discontinuous, as they shall think fit, from time to time pay an allowance at a rate not exceeding the rate of such pension to such widow or to any child or children of her marriage with the contributor, or in part to the widow and in part to any such child or children; and where the amount of the allowance so paid is less than the amount of the pension the Secretary of State may give directions for increasing, in consequence of the reduction under this section of the amount payable out of the Fund, the pension payable to any child of any other marriage of the contributor, and such pension shall be increased accordingly.

30. (1) No widow of a contributor whose marriage with him is contracted after he has either attained the age of fifty-five years or left the public service and no child of such marriage shall constitute a beneficiary for the purposes of this Law or become entitled to pension. Certain persons not entitled to pension.

Contributors under the Palestine Ordinance. 3 of 14/49.

37. (1) Notwithstanding anything contained in this Law, an officer who was a contributor under the Palestine Ordinance immediately before the termination of His Majesty's jurisdiction in Palestine and who is transferred to the public service of the Government of Cyprus may, not later than three months after such transfer or after the commencement of this Law, whichever is the later, pay into the Fund a sum (hereinafter in this section referred to as "the officer's contributions"), equal to the accumulated contributions he has paid under the Palestine Ordinance:

Provided that there shall, at the same time, be paid into the Fund a sum equal to the amount of all the contributions made under the Palestine Ordinance by the Government of Palestine on the officer's behalf, together with compound interest on the amounts of all the contributions made under the Palestine Ordinance both by the officer and by the Government of Palestine on the officer's behalf.

(2) Upon payment into the Fund of the sums in subsection (1) mentioned and notwithstanding anything in this Law contained, if an officer's contributions include any lump sum contribution made by the officer under the Palestine Ordinance, the pension to be registered in respect thereof shall be only five ninths of the pension ascertainable by reference to Table A of the First Schedule and the Second Schedule to this Law but otherwise the said Table and Schedule shall apply in full.

(3) In this section—

" Palestine Ordinance " means the Palestine Widows' and Orphans' Pensions Ordinance, 1944, and any Ordinance amending or substituted for the same;

" compound interest " means interest paid or payable under the Palestine Ordinance and any regulations made thereunder.

Rules.

38. The Governor in Council may, with the prior approval of the Secretary of State, make Rules for the carrying out of the provisions of this Law.

FIRST SCHEDULE.

11 of 32/56.

(Section 24.)

TABLE A.

The yearly pension, payable by monthly instalments, which a single payment of 1 will secure.

Age of husband last birthday	Age of wife last birthday										Age of husband last birthday	
	20	25	30	35	40	45	50	55	60	65		
20	.296	.350	.418	.508	.621							20
1	.281	.333	.398	.483	.595							1
2	.267	.317	.379	.461	.568							2
3	.255	.302	.361	.439	.541							3
4	.244	.287	.344	.417	.515							4
25	.234	.273	.327	.397	.490	.610						25
6	.224	.260	.312	.377	.467	.581						6
7	.214	.249	.297	.360	.444	.556						7
8	.205	.238	.282	.342	.424	.532						8
9	.196	.227	.270	.327	.405	.508						9
30	.188	.217	.257	.312	.386	.485	.621					30
1	.181	.208	.246	.297	.368	.465	.595					1
2	.173	.200	.235	.283	.351	.444	.568					2
3	.167	.191	.224	.270	.334	.424	.543					3
4	.160	.183	.214	.258	.318	.403	.521					4
35	.154	.175	.204	.246	.303	.385	.498	.658				35
6	.148	.168	.195	.234	.288	.366	.476	.629				6
7	.143	.161	.187	.223	.275	.348	.455	.602				7
8	.137	.155	.179	.213	.262	.331	.433	.575				8
9	.132	.149	.172	.203	.249	.314	.412	.549				9
40	.128	.143	.164	.194	.238	.299	.392	.526	.725			40
1	.123	.138	.158	.186	.226	.285	.373	.503	.694			1
2	.119	.132	.151	.177	.216	.271	.355	.478	.667			2
3	.115	.128	.145	.170	.205	.258	.337	.455	.637			3
4	.111	.123	.139	.163	.196	.245	.319	.433	.610			4
45	.107	.118	.134	.156	.187	.233	.303	.412	.581	.840		45
6	.104	.114	.129	.149	.179	.222	.287	.391	.552	.806		6
7	.100	.110	.124	.143	.171	.211	.272	.370	.524	.775		7
8	.097	.106	.119	.137	.163	.201	.258	.351	.498	.741		8
9	.094	.103	.115	.132	.156	.191	.245	.332	.472	.704		9
50	.091	.099	.110	.126	.149	.181	.233	.313	.446	.671		50
1	.088	.096	.106	.121	.142	.173	.221	.296	.422	.637		1
2	.086	.093	.103	.116	.136	.164	.209	.279	.398	.602		2
3	.083	.090	.099	.112	.130	.157	.198	.264	.376	.571		3
4	.080	.087	.096	.108	.125	.150	.188	.249	.355	.541		4

TABLE B.

The yearly pension, payable by monthly instalments, which a yearly contribution of 1, payable by monthly instalments, will secure.

Age of husband last birthday	Age of wife last birthday										Age of husband last birthday	
	20	25	30	35	40	45	50	55	60	65		
20	6-06	7-17	8-56	10-41	12-72							20
1	5-66	6-70	8-01	9-72	11-98							1
2	5-27	6-26	7-49	9-11	11-22							2
3	4-94	5-85	6-99	8-51	10-48							3
4	4-63	5-45	6-53	7-92	9-78							4
25	4-35	5-08	6-08	7-38	9-11	11-34						25
6	4-07	4-73	5-67	6-85	8-49	10-56						6
7	3-80	4-42	5-28	6-40	7-89	9-88						7
8	3-55	4-13	4-89	5-93	7-35	9-22						8
9	3-31	3-84	4-56	5-53	6-84	8-59						9
30	3-09	3-57	4-23	5-13	6-35	7-98	10-22					30
1	2-89	3-33	3-93	4-75	5-89	7-44	9-52					1
2	2-69	3-10	3-65	4-39	5-45	6-89	8-82					2
3	2-51	2-87	3-37	4-06	5-02	6-37	8-16					3
4	2-33	2-66	3-11	3-75	4-62	5-86	7-57					4
35	2-16	2-45	2-86	3-45	4-25	5-40	6-98	9-23				35
6	2-00	2-27	2-63	3-16	3-89	4-94	6-42	8-49				6
7	1-85	2-08	2-42	2-89	3-56	4-51	5-89	7-79				7
8	1-70	1-92	2-22	2-64	3-25	4-10	5-36	7-12				8
9	1-56	1-76	2-03	2-40	2-94	3-71	4-87	6-48				9
40	1-44	1-60	1-84	2-18	2-67	3-35	4-40	5-90	8-13			40
1	1-30	1-46	1-68	1-97	2-40	3-02	3-96	5-34	7-36			1
2	1-19	1-32	1-51	1-77	2-16	2-70	3-54	4-77	6-66			2
3	1-07	1-19	1-35	1-59	1-91	2-41	3-14	4-24	5-94			3
4	.96	1-06	1-20	1-41	1-70	2-12	2-76	3-75	5-28			4
45	.85	.94	1-07	1-24	1-49	1-86	2-41	3-28	4-63	6-69		45
6	.75	.83	.93	1-08	1-30	1-61	2-08	2-83	4-00	5-84		6
7	.65	.72	.81	.93	1-11	1-37	1-77	2-41	3-41	5-04		7
8	.56	.61	.68	.79	.93	1-15	1-48	2-01	2-86	4-25		8
9	.46	.51	.57	.65	.77	.94	1-21	1-64	2-33	3-48		9
50	.37	.41	.45	.52	.61	.74	.96	1-29	1-84	2-76		50
1	.29	.31	.35	.39	.46	.56	.72	.97	1-38	2-08		1
2	.20	.22	.24	.28	.32	.39	.50	.66	.94	1-43		2
3	.12	.13	.14	.16	.19	.23	.29	.38	.55	.83		3
4	.04	.04	.05	.05	.06	.07	.09	.12	.17	.27		4

TABLE C.

The single payment which will secure a yearly pension of 1, payable by monthly instalments.

Age of husband last birthday	Age of wife last birthday										Age of husband last birthday	
	20	25	30	35	40	45	50	55	60	65		
20	3-38	2-86	2-39	1-97	1-61							20
1	3-56	3-00	2-51	2-07	1-68							1
2	3-74	3-15	2-64	2-17	1-76							2
3	3-92	3-31	2-77	2-28	1-85							3
4	4-10	3-48	2-91	2-40	1-94							4
25	4-28	3-66	3-06	2-52	2-04	1-64						25
6	4-47	3-84	3-21	2-65	2-14	1-72						6
7	4-67	4-02	3-37	2-78	2-25	1-80						7
8	4-88	4-21	3-54	2-92	2-36	1-88						8
9	5-09	4-40	3-71	3-06	2-47	1-97						9
30	5-31	4-60	3-89	3-21	2-59	2-06	1-61					30
1	5-54	4-80	4-07	3-37	2-72	2-15	1-68					1
2	5-77	5-01	4-26	3-53	2-85	2-25	1-76					2
3	6-00	5-23	4-46	3-70	2-99	2-36	1-84					3
4	6-24	5-46	4-67	3-88	3-14	2-48	1-92					4
35	6-49	5-70	4-89	4-07	3-30	2-60	2-01	1-52				35
6	6-75	5-95	5-12	4-27	3-47	2-73	2-10	1-59				6
7	7-01	6-20	5-35	4-48	3-64	2-87	2-20	1-66				7
8	7-28	6-46	5-59	4-70	3-82	3-02	2-31	1-74				8
9	7-55	6-72	5-83	4-92	4-01	3-18	2-43	1-82				9
40	7-83	6-99	6-08	5-15	4-21	3-34	2-55	1-90	1-38			40
1	8-11	7-27	6-34	5-39	4-42	3-51	2-68	1-99	1-44			1
2	8-40	7-55	6-61	5-64	4-64	3-69	2-82	2-09	1-50			2
3	8-70	7-84	6-89	5-89	4-87	3-88	2-97	2-20	1-57			3
4	9-01	8-14	7-18	6-15	5-11	4-08	3-13	2-31	1-64			4
45	9-32	8-44	7-47	6-42	5-35	4-29	3-30	2-43	1-72	1-19		45
6	9-64	8-75	7-77	6-70	5-60	4-51	3-48	2-56	1-81	1-24		6
7	9-97	9-07	8-08	6-99	5-86	4-74	3-67	2-70	1-91	1-29		7
8	10-30	9-40	8-40	7-29	6-13	4-98	3-87	2-85	2-01	1-35		8
9	10-64	9-73	8-72	7-60	6-42	5-24	4-08	3-01	2-12	1-42		9
50	10-98	10-07	9-05	7-93	6-73	5-51	4-30	3-19	2-24	1-49		50
1	11-33	10-41	9-39	8-26	7-04	5-79	4-53	3-38	2-37	1-57		1
2	11-69	10-76	9-74	8-60	7-36	6-08	4-78	3-58	2-51	1-66		2
3	12-06	11-12	10-10	8-94	7-69	6-38	5-04	3-79	2-66	1-75		3
4	12-44	11-49	10-46	9-29	8-03	6-68	5-31	4-01	2-82	1-85		4

Tables A, B and C shall be deemed to have come into effect from the first day of March, 1952.

SECOND SCHEDULE.

(Section 24.)

INSTRUCTIONS FOR USE OF THE TABLES.

For the purpose of this Schedule the words "Contribution" and "Contributions" mean Contribution and Contributions by the Officer *plus* Government Contribution.

For the purpose of this Schedule the words "Child" and "Children" mean Child and Children legitimated by marriage and adopted Child and Children who are deemed to be the Child and Children of the Contributor's marriage under this Law.

The pension as at 1st March, 1952, ("the original pension") registered in respect of every officer who began to contribute before, and was still contributing on, 1st March, 1952, is to be recomputed as follows:—

The original pension is to be treated as consisting of two parts:—

- A. the part already purchased by contributions which fell due on or before 29th February, 1952, and
- B. the part to be purchased by contributions falling due on or after 1st March, 1952,

both parts being computed on the tables in force on 29th February, 1952.

Part A is to be left unaltered, but part B is to be recomputed on the tables in the First Schedule. If part B so recomputed is greater than part B computed on the tables in force on 29th February, 1952, the recomputed part B is to be added to part A; otherwise the original pension is to be retained unaltered.

The tables in the First Schedule are to apply—

- (a) to all pensions registered in respect of officers who began to contribute on or after 1st March, 1952;
- (b) to all pensions registered in respect of officers who were contributing on 1st March, 1952, for the purpose of computing variations when their rates of contribution rise or fall on or after 1st March, 1952;
- (c) to all pensions registered on marriage in respect of bachelors who marry on or after 1st March, 1952, in relation to contributions paid both before and after marriage; and
- (d) to all pensions registered in respect of widowers for the purpose of computing variations when they remarry on or after 1st March, 1952.

A.—CONTRIBUTOR WHO COMMENCED TO CONTRIBUTE WHILE A BACHELOR.

I.—FIRST WIFE'S PROSPECTIVE PENSION.

The registered pension to be recorded on marriage is found by adding together the two amounts calculated in accordance with rule I (a) and rule I (b).

(a) Pension in consideration of the contribution paid during bachelorhood:—

Rule I(a).—Accumulate the contribution at 3 per centum compound interest with yearly rests at each 31st December, and multiply the result by the quantity found from Table A corresponding

to the respective ages last birthday of the husband and wife at the date of marriage. The product gives the registered pension on account of the contribution paid during bachelorhood.

(b) Pension in consideration of the annual contribution current at the date of marriage—

Rule I(b).—Multiply the amount of the current annual contribution by the quantity found from Table B corresponding to the respective ages last birthday of the husband and wife at the date of marriage. The product gives the registered pension on account of the contribution current at the date of marriage.

Examples (1):—

Officer born on 31st July, 1919.

Officer commenced to contribute 1st January, 1948.

Officer married on 30th June, 1951.

Wife born on 12th August, 1925.

Officer's age last birthday at date of marriage: 31.

Wife's age last birthday at date of marriage: 25

	<i>£ mils</i>
Officer's annual contribution 1st January, 1948 to 31st December, 1950	24.000
Officer's annual contribution 1st January, 1951 to date of marriage... ..	30.000
Accumulation of contribution paid during bachelorhood:—	
RULE I (a).	
Officer's contributions from 1st January, 1948 to 31st December, 1948	24.000
Government contributions from 1st January, 1948 to 31st December, 1948	24.000
Officer's contributions from 1st January, 1949 to 31st December, 1949	24.000
Government contributions from 1st January, 1949 to 31st December, 1949	24.000
One year's interest at 3 per centum on £48 (i.e. Officer's contribution <i>plus</i> Government contribution) ...	1.440
	<hr/> £97.440
Officer's contributions during 1950	24.000
Government contributions during 1950... ..	24.000
One year's interest at 3 per centum on £97.440 ...	2.925
	<hr/> £148.365
Officer's contribution from 1st January, 1951 to 30th June, 1951	15.000
Government contribution from 1st January, 1951 to 30th June, 1951	15.000
Half-year's interest at 3 per centum on £148.365 ...	2.225
	<hr/> £180.590

Quantity found from Table A:—

Husband	31	} .208
Wife	25	

$\pounds 180.590 \times .208 = \pounds 37.560 =$ registered pension in consideration of Officer's *plus* Government contributions paid during bachelorhood.

RULE I (b).

Officer's annual contribution current at date of marriage	...	30.000	<i>£ mils</i>
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Quantity found from Table B:—

Husband	31	} 3.33
Wife	25	

Officer's *plus* Government contribution = $\pounds 60.000 \times 3.33 = \pounds 199.800 =$ registered pension in consideration of annual Officer's *plus* Government contributions current at marriage.

Total registered pension recorded on the bachelor contributor marrying:—

			<i>£ mils</i>
By rule I (a)	37.560
By rule I (b)	199.800
Total			£237.360

(c) Variations of pension consequent on increments to, and decrements from, the Officer's current annual contribution while the contributor is married to his first wife.

RULE I (c).

Multiply the amount of the increment to, or the decrement from, the current annual contribution by the quantity found from Table B corresponding to the respective ages last birthday of the husband and wife at the date of the variation of the contribution. The product gives the amount to be added to the registered pension consequent on the increment to the current annual contribution, or, as the case may be, the amount to be deducted from the registered pension consequent on the decrement from the current annual contribution.

The cessation of the contribution from any cause before the completion of the full period of contribution must be regarded as a decrement from the current annual contribution equal to the amount of such current annual contribution.

Example of the application of rule I (c):—

Assume particulars as in the example subjoined to rule I (a) and I (b).
Officer's annual contribution increased on 31st May, 1961 from $\pounds 30$ to $\pounds 36$.

Officer's annual contribution increased on 30th April, 1966 from $\pounds 36$ to $\pounds 42$.

Annual contribution ceased on 31st March, 1968.

1961, May 31st—Increment to officer's current annual contribution $\pounds 6$.

Quantity found from Table B:—

Husband	41	} 1.97
Wife	35	

Officer's *plus* Government contribution = £12 × 1.97 = £23.640 = amount to be added to registered pension.

Registered pension at marriage (<i>see</i> example subjoined to Rules I (a) and I (b))	£ <i>mils</i> 237.360
Add	23.640

Registered pension at 31st May, 1961 £261.000
1966, April 30th—Increment to officer's current annual contribution £6.

Quantity found from Table B:—

Husband 46	}	1.30
Wife 40		

Officer's *plus* Government contribution = £12 × 1.30 = £15.600 = amount to be added to registered pension.

Registered pension at 31st May, 1961, as above	£ <i>mils</i> 261.000
Add	15.600

Registered pension at 30th April, 1966 £276.600
1968, March 31st—Cessation of contribution regarded as a decrement from current annual contribution £84.

Quantity found from Table B:—

Husband 48	}	1.018
Wife 42		

Officer's *plus* Government contribution = £84 × 1.018 = £85.510 = amount to be deducted from the registered pension.

Registered pension at 30th April, 1966, as above	£ <i>mils</i> 276.600
Deduct	85.510
Registered pension at 31st March, 1968	£191.090

II. SECOND AND SUBSEQUENT WIFE'S PROSPECTIVE PENSION.

(a) Variations of pension consequent on increments to, and decreases from, recurrent annual contribution while the contributor is a widower.

Rule II (a).—Assume that the contributor is married to a wife of the age that his last preceding wife would have been had she survived to the date of the variation of the contribution, and proceed in accordance with rule I (c).

Example of the application of rule II (a):—

If the particulars be as in the example subjoined to rule I (c) except that the first wife who was born on the 12th August, 1925, died on 30th November, 1959, it would be assumed that the Contributor was, at the date of each of the three variations of the contribution, married to a wife who was born on the 12th August, 1925. The calculation will then be identical with those given in the example subjoined to rule I (c).

(b) Variations of pension consequent on the re-marriage of the contributor.

Rule V.—For the purpose of calculating the registered pension of the children, assume that the deceased wife lived until the date of commencement of contribution and died immediately afterwards and proceed in accordance with rules III (a) and (b).

VI. SECOND AND SUBSEQUENT WIFE'S PROSPECTIVE PENSION.

Rule VI.—For the purpose of calculating the registered pension of the wife assume that the deceased wife survived to the date of commencement of contribution and died immediately afterwards, then proceed in accordance with the rules applicable to the case of officers who commenced to contribute while married. (*see B.*).

D. CONTRIBUTOR WITH TWO OR MORE BENEFICIARIES.

Rule VII.—Where there are children eligible for pension by two or more deceased wives or where there is a wife and also children eligible for pension by one or more previous marriages, the pension of each beneficiary as found by the above rules must be divided by the total number of beneficiaries then existing in order to find the registered pension of that beneficiary.

E. TREATMENT OF VOLUNTARY LUMP SUM CONTRIBUTIONS.

Rule VIII (a)—If the contributor is a bachelor or a widower without children of a pensionable age, the lump sum contribution should be accumulated as from the date of payment and treated in accordance with rule I (a).

Rule VIII (b)—If the contributor is married or a widower with children of a pensionable age, the amount of the lump sum contribution should be multiplied by the quantity found from Table A corresponding to the respective ages last birthday of the husband and wife at the date of payment of the contribution. If the contributor is a widower, assume that the deceased wife lived until the date of payment of the lump sum contribution and died immediately afterwards.

F. CALCULATION OF QUANTITIES (OR TABULAR RESULTS) FOR AGES NOT GIVEN IN THE TABLES.

The wife's age in the tables is given at quinquennial intervals only. Ages of husbands and wives younger than the youngest or older than the oldest given are to be dealt with as if identical with the youngest and oldest respectively.

For the intermediate ages of wives, interpolate by exact fifths.

Examples:—

To find the quantity in Table A corresponding to the ages of a husband and wife aged respectively 35 and 27 last birthday.

The quantity for ages 35 and 25 given in Table A is175

The quantity for ages 35 and 30 given in Table A is204

So that the addition of five years to the age of the wife results in an addition of .029 to the quantity given in the table for ages 35 and 25.

Two-fifths of .029 = .0116 which added to .175 gives .1866 which is the required quantity corresponding to ages 35 and 27.

Similarly the quantity found from Table B corresponding to the ages of a husband and wife aged respectively 48 and 42 last birthday is two-fifths of $.22 = .088$ added to $.93$ which gives 1.018 .

In the case of Table C, it must be noted that an addition to the age of the wife results in a deduction from the quantity given in the table.

To find the quantity in Table C corresponding to the ages of a husband and wife aged respectively 43 and 37 last birthday.

The quantity for ages 43 and 35 given in the table is ... 5.89

The quantity for ages 43 and 40 given in the table is ... 4.87

So that the addition of five years to the age of the wife results in a deduction of 1.02 from the quantity given in the table for ages 43 and 35.

An addition of two years to the age of the wife accordingly results, by proportion, in a deduction of two-fifths of 1.02 from the quantity given in the table for ages 43 and 35.

Two-fifths of $1.02 = .408$ which deducted from 5.89 leaves 5.482 which is the required quantity corresponding to the ages 43 and 37."

