

THE PENSIONS ORDINANCE

AN ORDINANCE FOR REGULATING PENSIONS, GRATUITIES
AND OTHER ALLOWANCES TO BE GRANTED IN RESPECT
OF PUBLIC SERVICE IN PALESTINE.

No. 26 of 1925.

WHEREAS it is expedient to make provision by law for the granting of pensions, gratuities or other allowances in respect of public service in Palestine.

BE IT THEREFORE ENACTED by the High Commissioner for Palestine with the advice of the Advisory Council thereof:-

Short title and commencement.

1.—This Ordinance may be cited as the Pensions Ordinance, 1925, and shall be deemed to have come into operation on the first day of July, 1920.

Definitions.

2.—In this Ordinance and the Regulations made hereunder:-

The term "pensionable office" means an office which has been declared by the High Commissioner in Council, with the sanction of the Secretary of State, by a notification published in the Government 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 in Council, with the sanction of the Secretary of State, by a notification published in the Government Gazette, to be no longer pensionable, due regard being had to existing rights.

The term "pensionable emoluments" (a) in respect of service in Palestine includes:-

- (i) salary
- (ii) expatriation
- (iii) personal allowance;

but does not include duty allowance, entertainment allowance or any other emoluments whatever; (b) in respect of other public service means emoluments which count for pension in accordance with the Law or Regulation in force in such service.

The term "salary" means the salary attached to an office.

The term "expatriation allowance" means a special addition to such salary granted to the holder for the time being of the office if he is not a native of or domiciled in

Palestine, Transjordan, Cyprus, Egypt, Iraq, Syria, Turkey, the Hejaz, or any other part of the peninsula of Arabia not hereinbefore mentioned.

The term "personal allowance" means a Special addition to such salary granted personally to the holder for the time being of the office.

The term "year" means a period of 365 days, or, if one of the days included is the 29th of February, a period of 366 days.

The term "month" means a calendar month according to the Gregorian calendar.

The term "Secretary of State" means one of His Majesty's Principal Secretaries of State.

The term "public service" means service in a civil capacity under the Palestine Government or the Imperial Government, or the Government of India or of a British Colony or Protectorate or a territory under British mandate, and any such other service as the Secretary of State may determine to be "public services" for the purpose of any provision of this Ordinance or the Regulations made thereunder.

Service as a Governor or High Commissioner of a British Dominion, Colony or Protectorate or a territory under British mandate, or as a Governor in India shall be deemed to be "public service" except for the purpose of computation of pension or gratuity and of Section 10 of this Ordinance.

The term "other public service" means public service not under the Palestine Government.

High Commissioner in Council may make pension regulations.

3. (1) It shall be lawful for the High Commissioner in Council, with the sanction of the Secretary of State, from time to time to make and when made to vary and revoke regulations for the granting of pensions, gratuities and other allowances to officers who have been in the service of Palestine.

Every such regulation when made shall be laid before the Advisory Council and shall be published in the Government Gazette.

Provided that until varied or revoked by any such regulations the regulations contained in the Schedule to this Ordinance shall be in force.

(2) The said regulations, and any regulations varying or revoking the same as aforesaid, shall have the same force and effect for all purposes as if they were contained in this Ordinance and the term "this Ordinance" shall in the following Sections be read and construed accordingly.

Pensions etc. to be charged on revenues of Palestine.

4. There shall be charged on and paid out of the revenues of Palestine all such sums of money as may from time to time be granted by the High Commissioner in Council by way of pension, gratuity or other allowance in accordance with this Ordinance.

Pensions etc. not of right.

5. (1) No officer shall have an absolute right to compensation for past services or to pension, gratuity, or other allowance; nor shall anything in this Ordinance contained limit the right of the Crown to dismiss any officer without compensation.

(2) No officer shall be granted a pension, gratuity or other allowance without a certificate from the head of his Department, or if he is himself the head of a Department, from the High Commissioner to the effect that he has discharged the duties of his office with such diligence and fidelity as to justify the grant to him of such pension, gratuity or other allowance.

(3) Where it is established to the satisfaction of the High Commissioner in Council that an officer has been guilty of negligence, irregularity or misconduct, the pension, gratuity or other allowance may be reduced or altogether withheld.

Service not qualifying for pension.

6. No pension, gratuity or other allowance shall be granted to any officer in respect of any service.

(a) while on probation, unless without break of service he has been confirmed in a pensionable office;

(b) while under the age of twenty years, or

(c) in Palestine prior to the 1st of July 1920.

Age at which pension may be granted.

7. No pensions, gratuity or other allowance shall be granted to any officer except on his retirement from the public service in one of the following cases :-

(a) on or after attaining the age of fifty-five years, or, in the case of transfer to other public service, on or after attaining the age at which an officer is permitted by the law or regulations of the service in which he is last employed to retire on pension or gratuity.

(b) on the abolition of his office ;

(c) on compulsory retirement for the purpose of facilitating improvement in the organisation of the Department to which he belongs, by which greater efficiency and economy can be effected;

(d) on medical evidence to the satisfaction of the High Commissioner in Council or the Secretary of State that he is incapable by reason of some infirmity of mind or body of discharging the duties of office and that such infirmity is likely to be permanent,

(e) in the case of removal on the ground of inefficiency as hereinafter provided.

Retirement for
inefficiency

8. Where an officer is removed from his office on the ground of his inability to discharge efficiently the duties thereof, and a pension, gratuity or other allowance cannot otherwise be granted to him under the provisions of this Ordinance, the High Commissioner in Council, with the approval of the Secretary of State, may, if he considers it justifiable having regard to all the circumstances of the case, grant such a pension, gratuity or other allowance as he thinks just and proper, but in no case exceeding in amount that for which the officer would be eligible if he were suffering from some infirmity of mind or body likely to be permanent.

Age of compul-
sory retirement

9. It shall be lawful for the High Commissioner in Council, with the approval of the Secretary of State, to require an officer to retire from the service of Palestine at any time after he attains the age of fifty five years, and retirement shall be compulsory for every officer on attaining the age of sixty years, except that in special cases where the High Commissioner is satisfied that the retirement of an officer at the age of sixty would be detrimental to the interests of the public service his employment may be extended, with the approval of the Secretary of State, for a further period in no case exceeding five years.

Maximum
pension
grantable.

10. (1) A pension granted to an officer under this Ordinance shall not exceed two-thirds of the highest pensionable emoluments drawn by him at any time in the course of his service in Palestine.

(2) Where the officer has been or is granted a pension or pensions in respect of other public service, he may be granted the full pension for which he is eligible in respect of his service in Palestine, but no person may at

any time draw from the funds of Palestine an amount of pension which, when added to the amount of any pension or pensions drawn in respect of other public service exceeds two-thirds of the highest pensionable emoluments drawn by such person at any time in the course of his services in Palestine or in other public service.

Provided that where such a person receives in respect of some period of public service, both a gratuity and a pension, the amount of such pensions shall be deemed, for the purpose of this sub-section, to be four-thirds of its actual amount.

(3) In a case falling under the limitation laid down by sub-section (2), the amount of the pension to be drawn from the funds of Palestine shall be subject to the approval of the Secretary of State, in order that it may be determined with due regard to the amount of any pension or pensions similarly to be drawn in respect of other public service.

(4) For the purpose of the preceding sub-sections an additional pension granted in respect of injury shall not be taken into account; but where the officer is granted such an additional pension, the amount of such additional pension which he may draw shall not exceed one-sixth of his highest pensionable emoluments at any time in the course of his public service by more than the sum by which the amount of his pension or pensions, apart from such additional pension, falls short of two-thirds of such highest emoluments.

(5) In no case shall a pension, including any additional pension granted to an officer under this Ordinance, exceed L.E. 1000

Liability of pen-
sioners to be
called upon to
take further
employment.

11. Every pension granted to an officer shall be subject to the following condition :-

Unless or until he has attained the age of fifty-five years, he may, if physically fit for service, be called upon by the Secretary of State to accept, in lieu of his pension, an office, whether in Palestine or in another public service, not less in value, due regard being had to circumstances of climate, than the office which he had at the date of the grant of his pension.

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 fifty-five years.

Pensions affected
by re-employ-
ment.

12. If any officer to whom a pension has been granted under this Ordinance is appointed to another office in the service of Palestine, or in any other public service, then during his tenure of such office so much only (if any) of his pension from the funds of Palestine shall be paid to him per annum as, together with

(a) the annual emoluments of such officer;

(b) any annual amounts received on account of pension in respect of other public service; and

(c) where the officer receives, in respect of some period of public service, both a gratuity and a pension, an annual amount equal to one-third of such pension;

makes up an amount not greater than the highest pensionable emoluments drawn by such officer at any time in the course of his public service;

Provided that

(1) where an officer, in whose case an abatement of pension falls to be made under this Section, has been granted a pension or pensions in respect of other public service the amount of pension to be drawn from the funds of Palestine shall be subject to the approval of the Secretary of State, in order that it may be determined with due regard to the amount of any pension or pensions similarly to be drawn in respect of other public service; and

(2) any bonus or temporary increase, whether on pension or on salary of the new office granted in view of the high cost of living shall be added to such pension or salary, as the case may be for the purposes of this Section.

Gratuity affected
by re-employ-
ment.

13. If any officer to whom a gratuity without pension has been granted under this Ordinance is re-appointed to any office in the service of Palestine, his previous service may, with the approval of the Secretary of State, be taken into account for the purposes of pension, if he refunds the gratuity on such re-appointment.

Pensions etc.,
not to be assign-
able.

14. No pension, gratuity or other allowance granted under this Ordinance 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 etc.
to cease on
bankruptcy.

15. If any officer to whom a pension or other allowance has been granted under this Ordinance is adjudicated

a bankrupt or is declared insolvent by judgment of the Court, then such pension or allowance shall forthwith cease.

Provided always that in any case where a pension or allowance ceases by reason of the bankruptcy or insolvency of the pensioner, it shall be lawful for the Secretary of State from time to time during the remainder of such pensioner's life, or during such shorter period or periods, either continuous or discontinuous, as he shall think fit, to cause all or any part of the monies to which such pensioner would have been entitled by way of pension or allowance, had he not become a bankrupt or insolvent, to be paid to, or applied for the maintenance and personal support or benefit of all or any, to the exclusion 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 the Secretary of State thinks proper; and such monies shall be paid or applied accordingly.

Pensions, etc.
to cease on
conviction.

16. If any officer to whom a pension or other allowance has been granted under this Ordinance is sentenced to a term of imprisonment by any competent Court whether within or without Palestine for any crime or offence then, in every such case, it shall be lawful for the Secretary of State to direct that such pension or allowance shall forthwith cease.

Provided always that the pension or allowance shall be restored with retrospective effect in the case of a person who after conviction at any time receives a full pardon;

And provided further that where a pension or allowance ceases for the reason aforesaid it shall be lawful for the Secretary of State to cause all or any part of the monies to which the pensioner would have been entitled by way of pension or allowance 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 bankruptcy hereinbefore provided.

Pensions, etc. to
cease on accep-
ting certain
appointments.

17. If any officer to whom a pension or other allowance has been granted under this Ordinance becomes either a Director of any Company the principal part of whose business is in any way directly concerned with Palestine, or an officer or a servant employed in Palestine 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, with the approval of the Secretary of State, to direct that such pension or allowance shall forthwith cease;

Provided always that it shall be lawful for the High Commissioner with the approval of the Secretary of State, on being satisfied that the person in respect of whose pension or allowance 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 Palestine, as the case may be, to give directions for the restoration of such pension or allowance, with retrospective effect if he shall see fit to such a date as he shall specify.

Gratuity to estate where officer dies in the service.

48. Where an officer holding a pensionable office dies while in the service of Palestine, and during the five years preceding his death has continuously held pensionable office whether in Palestine or elsewhere, it shall be lawful for the High Commissioner in Council to grant his legal personal representative a gratuity of an amount not exceeding one year's pensionable emoluments.

Pensions etc. to dependants when officer killed on duty.

19. (1) Where an officer holding a pensionable office, who is not serving on probation or agreement, dies as the direct result of injuries received

- (a) in the actual discharge of his duty, and
- (b) without his own default, and
- (c) on account of circumstances specifically attributable to the nature of his duties,

while in the service of the Palestine Government, it shall be lawful for the High Commissioner in Council, with the approval of the Secretary of State, to grant in addition to the grant, if any, made to his legal personal representative in accordance with Section 18 of this Ordinance:-

(i) if the deceased officer leaves a widow, a pension to the widow, while unmarried and of good character at a rate not exceeding ten-sixtieths of his pensionable emoluments at the date of the injury or £E. 10 a year, whichever be the greater; and also a gratuity not exceeding L.E. 1 multiplied by the total number of their years, starting from their ages at the time of their father's death and ending with 15 years, to each child alive at the date of the father's death, and a gratuity not exceeding L.E. 15 to any posthumous child;

Provided that the gratuities so granted shall not in the aggregate be less than L.E. 10 nor more than L.E. 60.

(ii) if the officer's wife predeceases him or if no pension is granted to her, and he leaves children who would have been eligible for gratuity if a pension had

been granted to the widow, gratuities of twice the amount of the gratuities for which they would have been eligible in such circumstances;

(iii) if the deceased officer does not leave a widow; and if his mother was wholly dependant on him for her support, a pension to the mother, while of good character, at a rate not exceeding the rate of the pension which might have been granted to his widow;

(1) Provided that if the mother is a widow at the time of the grant of the pension and subsequently remarries such pension shall cease as from the date of remarriage; and

(2) if the mother is not a widow and it appears that the deceased's father is in a position to support her, such pension shall cease from such date as the Secretary of State may determine.

(2) When an officer who is not qualified for either pension or gratuity dies in the circumstances mentioned in the preceding subsection it shall be lawful for the High Commissioner in Council, with the approval of the Secretary of State, to grant the pension or gratuities which might have been granted if his case had fallen under the preceding subsection but no grant shall be made under Section 18 of this Ordinance.

16th, August, 1925.

G. S. SYMES

Officer Administering the Government.

SCHEDULE.

Regulations for the granting of Pensions, Gratuities and other Allowances.

Part 1.

Pensions to whom and at what rates to be granted

1. Subject to the provisions of the Pensions Ordinance 1925 hereinafter called the Ordinance and of these Regulations, every officer holding a pensionable office in Palestine who has been in the service of Palestine for ten years or upwards may be granted a pension at the rate of one-sixtieth of his pensionable emoluments for each complete year of pensionable service, subject to the limit prescribed in Section 10 of the Ordinance.

Gratuities where length of service does not qualify for pensions.

2. Every officer, otherwise qualified for a pension, who has not completed the minimum period of service qualifying for a pension, may be granted on retirement a gratuity at the rate of half a month's pensionable emoluments for each complete six months of pensionable service:

Provided that an officer appointed on probation or agreement shall not be eligible for any gratuity, unless his appointment shall have been confirmed.

Period of service in Palestine qualifying for pension or gratuity defined.

3. Subject to the provisions of Section 6 of the Ordinance and of these Regulations, service qualifying for pension or gratuity, as the case may be, shall be the inclusive period between the date on which an officer begins to draw salary or half salary from Palestine funds and the date of his leaving the Palestine service, without deduction of any period during which he has been absent on leave.

Service to be unbroken.

4. Service in respect of which pension or gratuity may be granted must be unbroken except in cases where the service has been interrupted by abolition of office or other temporary suspension of employment not arising from misconduct or voluntary resignation.

Computation of pensions and gratuities. Leave of absence.

5. For the purpose of computing the amount of an officer's pension or gratuity the following periods shall be taken into account as pensionable service:-

(a) Any periods during which he has been on duty.

(b) Any period during which he received half salary from Palestine funds while proceeding to Palestine on first appointment.

(c) Any periods during which he has been absent from duty on vacation leave or on leave with full salary.

(d) Any periods during which he has been absent from duty on leave with half salary but so that the total amount of leave with half salary so taken into account together with the amount of leave with half salary commuted for half the like amount of leave with full salary shall not in the aggregate exceed one-sixth of his resident service in Palestine.

(e) Any periods during which he has been absent from duty on leave without salary, granted on grounds of public policy with the approval of the Secretary of State, and during which he has not qualified for pension or gratuity in respect of other public service.

Any periods during which he has been absent on leave, other than those specified above, shall be deducted from the officer's total service in order to arrive at his period of pensionable service.

Computation of pensions and gratuities. Service on the active list of the army, navy or air force.

6. Where an officer, during some period of his service in a pensionable office in Palestine has been an officer, warrant officer, non commissioned officer or man on the active list of His Majesty's Armed Forces, seconded or lent for service in Palestine, no part of such period shall be regarded as pensionable service.

Computation of pensions etc. on what emoluments to be based.

7. For the purpose of computing the amount of an officer's pension or gratuity;

(a) In the case of an officer who has held one office for a period of three years immediately preceding the date of his retirement, the full pensionable emoluments payable to him at that date in respect of the office shall be taken;

(b) In the case of an officer who at any time during such period of three years has been transferred from one office to another, but whose pensionable emoluments have not been changed by reason of such transfer or transfers, the full pensionable emoluments payable to him at the date of his retirement in respect of the office then held by him shall be taken;

(c) In other cases the average of the full pensionable emoluments payable in respect of each of the offices substantively held by the officer during his tenure thereof within such period of three years shall be taken;

Provided that if such average is less than the full pensionable emoluments which were payable to him at the date of the first transfer within such period of three years, the High Commissioner in Council may, with the approval of the Secretary of State, grant him a pension calculated upon the full pensionable emoluments payable to him at that date.

Non-pensionable service followed by pensionable service.

8. Only service in a pensionable office will ordinarily be taken into account as pensionable service;

Provided that where service in a pensionable office has been immediately preceded by an unbroken period of service in a civil capacity in an appointment other than a pensionable office such period or any part of such period may, with the approval of the Secretary of State, be so taken into account.

Acting service

9. Where an officer has performed acting service in a pensionable office in Palestine, the period of such service may be taken into account as pensionable service.

Provided that

(1) the period of such acting service was not part of the pensionable service of the previous holder of the office and has not been taken into account as part of the officer's own pensionable service in other public service;

(2) this period of service is immediately preceded or followed by service in a pensionable office in Palestine.

Abolition or reorganisation of office.

10. If an officer holding a pensionable office retire or be removed from the service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organisation of the Department to which he belongs, by which greater efficiency and economy can be effected, he may be granted:—

Rates of pension where office is abolished.

(a) if his length of service is such as to qualify him for a pension under Regulation 1, a pension calculated in accordance with that Regulation, together with an additional pension at the rate of one-sixtieth part of his annual pensionable emoluments for each complete period of three years' pensionable service;

Provided that the additional pension shall in no case exceed ten-sixtieths; nor together with his ordinary pension exceed the pension for which he would be eligible if he continued to serve until he reached the age at which he may be required to retire, or the maximum prescribed by Section 10 of the Ordinance;

And provided also that the grant of such pension and additional pension shall be subject to the condition that he shall be liable to be recalled to service in Palestine;

Provided always that if such an officer is not qualified for other employment in the public service, and if there is no reason, in the opinion of the High Commissioner, to expect that he can be shortly reemployed, a pension may, with the approval of the Secretary of State, be granted to him free from the above-mentioned condition;

Gratuity where office is abolished.

(b) If his length of service is not such as to qualify him for a pension under Regulation 1, a special gratuity, in lieu of a gratuity under Regulation 2, at the rate of three quarters of one month's pensionable emoluments for each complete six months of pensionable service.

Officers retiring on account of injuries.

11. (1) 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, he may, if he is qualified for a pension under Regulation 1, be granted, in addition to the pension granted to him under that Regulation, an additional pension at the rate of the proportion of his actual pensionable emoluments at the date of his injury appropriate to his case as shown in the following table:—

When his capacity to contribute to his own support is:—

slightly impaired:	five-sixtieths
impaired:	ten-sixtieths
materially impaired:	fifteen-sixtieths
totally destroyed:	twenty-sixtieths

Provided that the amount of the additional pension shall, subject to the approval of the Secretary of State, be reduced to such an extent as the High Commissioner shall think reasonable in the following cases:—

(a) Where the injured officer has continued to serve for not less than one year after the injury in respect of which he retires;

(b) Where the injured officer is at the date of injury within ten years of the age at which he may be required to retire; or

(c) Where the injury is not the sole cause of retirement, but the retirement is caused partly by age or infirmity not due to the injury;

Provided also that the total amount of the additional pension shall not exceed the amount prescribed in Section 10 (4) of the Ordinance, nor the total amount of pension and additional pension together exceed the amount prescribed in Section 10 (5) of the Ordinance.

Pension to injured officers where service less than 10 years.

(2) An officer so injured, whose length of service is not such as to qualify him for a pension under Regulation 1 but who is qualified for a gratuity under Regulation 2, may nevertheless be granted in lieu of such gratuity a pension at the rate of one-sixtieth part of his

pensionable emoluments for each complete year of pensionable service together with such additional pension as might be awarded to him under the preceding part of his Regulation if he were qualified for pension.

(3) An officer so injured who is not qualified for either a pension under Regulation 1 or a gratuity under Regulation 2 may nevertheless be granted a pension of the same amount as the additional pension which he might have been granted if he had been so qualified.

Computation of pensions. Reemployed pensioners.

12. If any officer to whom a pension has been granted under this Ordinance is appointed to another office in the service of Palestine, and subsequently retires in circumstances in which he may be granted a pension, he may be granted in lieu of his previous pension a pension computed as if the period of his service had been continuous, and such pension may be based on his pensionable emoluments on his previous or final retirement from the service of Palestine, whichever may be the greater;

Provided that if on his previous retirement he was paid a gratuity and reduced pension, the gratuity to be paid to him on final retirement shall be reduced by the amount of the gratuity already paid.

Officers transferred from pensionable to non-pensionable office.

13. Where an officer has been transferred from a pensionable to a non-pensionable office and subsequently retires either from a pensionable or a non-pensionable office in circumstances in which he might have been granted a pension if he had continuously held a pensionable office, he may, with the approval of the Secretary of State, be allowed to count his service in the non-pensionable office as though it were service in the pensionable office which he held immediately prior to such transfer, and at the pensionable emoluments which were payable to him at the date of transfer.

Gratuity and reduced pension

14. (1) Any officer to whom a pension is granted under the Ordinance may, at his option exercisable as hereinafter provided, be paid in lieu of such pension a pension at the rate of three fourths of such pension together with a gratuity equal to 10 times the amount of the reduction so made in the pension.

(2) The option referred to in subsection (1) shall be exercisable

(a) in the case of an officer who, if he had been retired on grounds of ill-health at the date of the publication of this Regulation in the Government Gazette, might have been granted a pension under the Ordinance; not later than six months after the said date of publication;

(b) in the case of any other officer; not later than one month after the earliest date on which, if retired on grounds of ill-health, he might be awarded a pension under the Ordinance, or within six months of the publication of this Regulation in the Government Gazette, whichever shall be the later date for exercising the option;

Provided always.

(i) that an officer who has previously had the opportunity of exercising the option but has not done so may apply within one month of his subsequent marriage for permission to exercise the option, which permission may be granted at the High Commissioner's discretion after examination of the officer by a Government Medical Board;

(ii) that the date of the exercise of the option shall be deemed to be the date of the receipt of his written notification addressed either to the Chief Secretary in Palestine or to the Crown Agents for the Colonies; and

(iii) that if an officer has exercised the option his decision shall be irrevocable so far as concerns any pension ultimately to be granted to him under the Ordinance.

Part II.

Special Regulations for Officers with other public service.

Definitions.

15. For the purpose of these Regulations:—

The term "Scheduled Government" means any Government included in any Schedule to these Regulations which may hereafter be published.

The term "Service in the Group" means service under the Palestine Government and under a Scheduled Government or Governments.

Application of Regulations in Part I.

16. Subject to the succeeding Regulations, the provisions of Regulations 8, 12, 13, and 14 shall apply to the case of an officer who has been transferred to or from the service of Palestine from or to other public service and the provisions of Regulations 3, 4, 5, 6, 7, 9 shall apply to the case of an officer so transferred as if his whole service had been in Palestine,

Provided that in the application of Regulation 14 to cases falling under the limitation of Section 10 (2) of the Ordinance the words "such pension" in that Regulation shall be taken to mean the amount of pension which he might have drawn from the funds of Palestine if he had not elected for a gratuity and reduced pension,

Pension for service wholly within the group.

17: (a) Where the other public service of an officer has been wholly under one or more of the Scheduled Governments and he has held a pensionable office in Palestine for a period of at least twelve months, and his aggregate service would have qualified him had it been wholly in Palestine for a pension under the Ordinance, he may, on his ultimate retirement from the public service in circumstances in which he is permitted by the law or regulations of the service in which he is last employed to retire on pension or gratuity, be granted a pension from Palestine of such an amount as shall bear the same proportion to the amount of pension for which he would have been eligible had his service been wholly in Palestine, as the aggregate amount of his pensionable emoluments during his service in Palestine shall bear to the total amount made up of such aggregate amount together with the aggregate amount of his pensionable emoluments from any of the Scheduled Governments;

Provided that in determining the pension for which he would have been eligible if his service had been wholly in Palestine;

(a) The final pensionable emoluments taken shall be those of his last period of service in the group;

(b) No regard shall be had to Regulation 10 or 11;

(c) Regard shall be had to the condition that pension may not exceed two-thirds of the final pensionable emoluments;

Provided further that any period of other public service in respect of which pension is not granted by the Scheduled Government concerned shall not be taken into account either in determining the amount of the pension for which he would have been eligible if his service had been entirely in Palestine or in calculating the aggregate amount of his pensionable emoluments.

(2) The aggregate amount of his pensionable emoluments shall be taken as the total amount of salary which the officer would have drawn, and the total amount of the other pensionable emoluments which he would have

enjoyed, had he been on duty on full pay in his substantive post throughout his period of service in such office or offices under the Government in question.

Pension where other service not within the group.

18. Where the other public service of an officer has not included service under any of the Scheduled Governments, and he has held a pensionable office in Palestine for a period of at least twelve months, and his aggregate service would have qualified him, had it been wholly in Palestine, for a pension under these Regulations, he may, on his ultimate retirement from the public service in circumstances in which he is permitted by the Law or Regulations of the service in which he is last employed to retire on a pension or gratuity, be granted in respect of his service in Palestine a pension at the rate of one seven-hundred-and-twentieth part of the amount of his pensionable emoluments at the date of his transfer or retirement, as the case may be, from the service of Palestine for each calendar month of his pensionable service in Palestine.

Pension when other service both within and not within the group.

19: Where a part only of the other public service of an officer has been under one or more of the Scheduled Governments, the provisions of Regulation 17 shall apply; but in calculating the amount of pension, regard shall be had only to service in the group.

Additional pension on abolition or reorganisation of office.

20: Where an officer who has been transferred from other public service, and whose aggregate service would have qualified him, had it been wholly in Palestine for a pension under these Regulations, is compulsorily retired from the public service in the circumstances mentioned in Regulation 10, he may, if at the time he is in the service of Palestine, be granted, from the funds of Palestine, in addition to the pension granted to him under Regulations 17, 18 or 19 as the case may be, an additional pension equal to the additional pension which might have been granted to him in accordance with Regulation 10 if his total pensionable service had been in Palestine.

Additional pension to officers retiring on account of injury.

21. Where an officer who has been transferred from other public service, and whose aggregate service would have qualified him, had it been wholly in Palestine, for a pension under these Regulations, is compulsorily retired from the public service in the circumstances mentioned in Regulation 11, he may, if at the time he is in the service of Palestine, be granted from the funds of Palestine the additional pension allowed by that Regulation, in addition to the pension granted under Regulation 17, 18, or 19, as the case may be.

Pension in respect of abolition of office or injury after less than twelve months' service in Palestine.

22. Where by reason of the fact that an officer whose case falls under Regulation 20 or 21 has held a pensionable office in Palestine for less than twelve months, he is not eligible for a pension under Regulation 17, 18, or 19, as the case may be, he may, nevertheless, if at the time of

his retirement he is in the service of Palestine, he granted from the funds of Palestine a pension of the same amount as the additional pension allowed by Regulation 20 or 21 as the case may be.

Gratuities where length of service does not qualify for pension.

23. (1) Where an officer who has been transferred to or from the service of Palestine from or to other public service, retires from the public service in circumstances in which he is permitted by the Law or Regulations of the service in which he is last employed to retire on pension or gratuity, but has not completed in the aggregate the minimum period of service qualifying him for a pension, he may be granted from the funds of Palestine a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under Regulation 17, 18 or 19 as the case may be.

Abolition or reorganisation of office.

(2) Where such an officer is compulsorily retired from the public service in the circumstances mentioned in Regulation 10, he may, if at the time he is in the service of Palestine, be granted a special gratuity equal to one half of the gratuity which might have been granted to him if his total pensionable service had been in Palestine, together with the gratuity, if any, which may be granted to him under sub-section (1) of this Regulation.

Injury.

(3) Where such an officer is compulsorily retired from the public service in the circumstances mentioned in Regulation 11, he may, if at the time he is in the service of Palestine, be treated as if he had no other public service, but he shall not be granted, in addition, the gratuity for which he is eligible under sub-section (1) of this Regulation.

Officers transferred to other public service retiring after less than twelve months' employment in last service.

24. Where an officer who is transferred to other public service is not granted a pension or gratuity in respect of his employment in the service in which he is last employed, solely by reason of the fact that he has not completed twelve months service therein, he shall not, on that account, be disqualified from receiving a pension or gratuity from the funds of Palestine, if otherwise eligible therefor.