

CHAPTER 71.

**FREETOWN MUNICIPALITY OFFICERS'
SUPERANNUATION.**

ARRANGEMENT OF SECTIONS.

SECTION.

1. Short title, construction and commencement.
2. Interpretation.
3. Subsequent designation of posts.
4. Title to superannuation allowances.
5. Scale of superannuation allowances.
6. Forfeiture for fraud, etc.
7. Return of contributions with interest in the event of loss of employment through reduction of staff, ill-health, etc.
8. Return of contributions with interest in the event of resignation, etc.
9. Return of contributions in case of death.
10. Notice of certain proposals.
11. Allowance not assignable.
12. Officers and servants to contribute.
13. Allowance for previous service.
14. Superannuation Fund.
15. Actuarial investigation.
16. Investment of surplus income.
17. Arbitration.
18. Gratuities.
19. Gratuities or returns of contributions payable in one sum or in instalments.
20. Payments and expenses under Ordinance.

CHAPTER 71.

**FREETOWN MUNICIPALITY OFFICERS'
SUPERANNUATION.**

An Ordinance to provide for the superannuation of persons employed by the City Council of Freetown.

8 of 1929.
7 of 1955.

[1ST JUNE, 1929.]

1. This Ordinance may be cited as the Freetown Municipality Officers' Superannuation Ordinance; it shall be read as one with the Freetown Municipality Ordinance, and shall come into operation on the first day of June, 1929, which date is hereinafter referred to as the appointed day. Short title, construction and commencement.
Cap. 65.
2. In this Ordinance, unless the context otherwise requires— Interpretation.
“service” means whole-time or part-time service in the

permanent employment of the City Council after an officer or servant has attained the age of eighteen years, other than service in respect of which the officer or servant is entitled to any superannuation allowance or gratuity from any source other than the Superannuation Fund or the City Fund, and when used in relation to service after the appointed day means continuous service, and when used in relation to service rendered before the appointed day means service whether continuous or not;

“contributing service” means service rendered by an officer or servant in respect of which he is a contributor to the Superannuation Fund;

“non-contributing service” means service rendered to the City Council before the appointed day by an officer or servant occupying, on the appointed day, a post designated as an established post;

“officer,” or “servant,” means an officer or servant in the permanent service of the City Council, occupying a post designated as an established post for the purposes of this Ordinance by a resolution of the City Council, and whether in receipt of salary or wages;

“salary” or “wages” means all salary or wages paid to any officer or servant as such for his own use, also the money value of any apartments appertaining to his office or employment, but does not include payments for overtime or any allowance paid to him to cover cost of office accommodation or clerks' assistance;

“Superannuation Fund” means a fund to be established by the City Council in the manner prescribed and provided in section 14 of this Ordinance;

“Actuary” means a fellow of the Institute of Actuaries or the Faculty of Actuaries in Scotland.

Subsequent
designation
of posts.

3. Where the City Council designates at any subsequent date any further posts as established posts for the purposes of this Ordinance, the date of such subsequent designation shall be deemed to be the appointed day as respects the officers or servants occupying the posts so designated at the date of designation.

Title to
superannua-
tion
allowances.

4. (1) Subject to the provisions of this Ordinance, every officer and servant—

(a) who shall have completed ten years' service and shall become incapable of discharging the duties of his office or

employment with efficiency by reason of permanent ill-health or infirmity of mind or body; or

(b) who having completed ten years' service and having attained the age of fifty years shall be superannuated by resolution of the Council; or

(c) who shall have attained the age of fifty-five years and shall have completed ten years' service,

shall be entitled on resigning or otherwise ceasing to hold his office or employment, to receive during life a superannuation allowance according to the scale by this Ordinance provided.

(2) Save as is otherwise by this Ordinance provided, every such superannuation allowance shall be paid out of the Superannuation Fund.

(3) Where an officer or servant has attained the age of fifty-five years, he shall cease to hold his office or employment:

Provided that the City Council may, with the consent of the officer or servant, by resolution extend the period of service or employment of any such officer or servant for one year or any less period, and so from time to time as they may deem expedient.

5. Subject to the provisions of section 13 of this Ordinance and to any other provisions of this Ordinance, the superannuation allowance to be made to an officer or servant under this Ordinance shall be made out of the Superannuation Fund and shall be on the following scale—

Scale of
superannua-
tion allow-
ances.

(a) after ten years' service, ten-sixtieths of the average amount of his salary or wages during the five years which immediately precede the day on which the officer or servant ceases to hold his office or employment, or attains the age of fifty-five years, whichever be the earlier;

(b) after eleven years' service, eleven-sixtieths of such average amount;

(c) and so on up to a maximum after forty or more years' service of forty-sixtieths of such average amount:

Provided that, for the purpose of calculating the superannuation allowance of a full-time officer who has formerly served as a part-time officer, the period of part-time service shall be treated as though it were whole-time service for a proportionately reduced period.

6. An officer or servant who is dismissed or resigns or otherwise ceases to hold his office or employment in consequence of

Forfeiture
for fraud,
etc.

any offence of a fraudulent character, or of grave misconduct, shall forfeit all claim to any superannuation allowance under this Ordinance:

Provided that, in the case of any such officer or servant, the City Council may, if they see fit, return to him out of the Superannuation Fund, or pay to his wife or family out of that fund, a sum equal to the amount of all his contributions thereto under this Ordinance or to such part thereof as the City Council shall think fit.

Return of contributions with interest in the event of loss of employment through reduction of staff, ill-health, etc.

7. An officer or servant who has not become entitled to a superannuation allowance, and who loses his office or employment by reason of a reduction of staff, the abolition of his office or the termination of a joint appointment, or ceases to hold his office or employment by reason of ill-health, mental infirmity, or bodily injury, or is required to retire on marriage, shall be entitled to receive out of the Superannuation Fund a sum equal to the amount of all his contributions to such fund, together with compound interest thereon, calculated to the date of his loss of office or employment or resignation, at the rate of three per centum per annum by half-yearly rests.

Return of contributions with interest in the event of resignation, etc.

8. In the event of an officer or servant voluntarily resigning his office or employment or being dismissed for incapacity (fraud or misconduct not being alleged) before he has, under the provisions of this Ordinance, become entitled to a superannuation allowance, the City Council shall pay to him out of the Superannuation Fund a sum equal to the amount of the contributions made by such officer or servant under this Ordinance, together with compound interest thereon calculated to the date of resignation or dismissal at the rate of three per centum per annum by half-yearly rests.

Return of contributions in case of death.

9. (1) In the event of an officer or servant dying before becoming entitled to or receiving a superannuation allowance under this Ordinance, the City Council shall pay to his legal personal representative out of the Superannuation Fund, a sum equal to the amount of the contributions made by such officer or servant under this Ordinance, together with compound interest thereon, calculated to the date of his death, at the rate of three per centum per annum, by half-yearly rests.

(2) In any case in which any contributor shall die, after he has become entitled to a superannuation allowance under this Ordinance, and before he shall have received by way of superannuation allowance an amount equal in the aggregate to the amount of his contributions under this Ordinance,