

## CHAPTER 175.

### WIDOWS AND ORPHANS (OVERSEAS OFFICERS) PENSIONS.

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## CHAPTER 175.

WIDOWS AND ORPHANS  
(OVERSEAS OFFICERS) PENSIONS.**An Ordinance to Establish a Fund for the Payment of Pensions to the Widows and Orphans of Overseas Public Officers.** 17 of 1957.

[1ST JANUARY, 1953.]

## PART I.—PRELIMINARY.

1. This Ordinance may be cited as the Widows and Orphans (Overseas Officers) Pensions Ordinance, and shall be deemed to have come into operation on the 1st day of January, 1953.

Short title and commencement.

2. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say—

Interpretation.

“Actuary” means a Fellow of the Institute of Actuaries or of the Faculty of Actuaries in Scotland;

“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 purpose of this Ordinance or which was an approved scheme under the provisions of the Pensions (Widows and Orphans) Ordinance; \*

“Beneficiary” means—

(a) the widow of a contributor;

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

“contributor” means a person who is contributing to the Fund and, save as otherwise provided in this Ordinance, includes a person who has ceased to contribute in such circumstances that he continues to rank for benefit under this Ordinance; or who is exempted from contributing under subsection (2) of section 9 of this Ordinance;

“the Fund” means the Fund established under this Ordinance;

\*See footnote on page 1828.

“this Government” means the Government of Sierra Leone;

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

Cap. 173.

“overseas officer” means any contributor to the Scheme and any other public officer who, for the purposes of the Pensions Ordinance, is an expatriate officer;

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

Cap. 173.

“pensionable office” means an office which is, as respects the holder thereof, a pensionable office under the Pensions Ordinance;

“public service” means service in a civil capacity under the Government of the United Kingdom or of any British possession and such other service as the Secretary of State may determine to be public service for the purposes of this Ordinance;

“salary” does not include any expatriation, personal, duty, acting or other allowance;

“the Scheme” means the scheme for granting pensions to the widows and orphans of European officers established by the Pensions (Widows and Orphans) Ordinance.

(2) A child shall be of pensionable age for the purposes of this Ordinance, 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 is not married.

(3) (a) A child adopted by a contributor while he is married to any wife shall, for the purposes of this Ordinance, be 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

\*See footnote on page 1828.

not be entitled to benefit under this Ordinance unless the contributor so elects by notice in writing 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 sub-section 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 commencement of this Ordinance to the widow or to any child or children by marriage of the contributor.

(4) When the marriage of any contributor has been annulled or dissolved by the decree of any competent court the wife, party to such marriage, shall, for all the purposes of this Ordinance, be deemed to have died and the contributor to have become a widower at the date of such decree.

(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 purpose of this Ordinance, be deemed to be a child of that marriage.

## PART II—ESTABLISHMENT OF FUND AND MANAGEMENT.

3. (1) A Fund, to be known as the Sierra Leone Widows and Orphans Pensions (Overseas Officers) Fund, shall be established for providing pensions for the widows and orphans of contributors. The Fund.

(2) There shall be paid into the Fund all moneys which the House of Representatives shall vote or shall have voted for that purpose, all contributions made by contributors and by the Government under the provisions of this Ordinance, all interest on investments of the Fund and all sums paid under sub-section (1) of section 6 of this Ordinance.

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

(4) All moneys belonging to the Fund shall be deposited with the Crown Agents and, except as regards such part thereof as the Crown Agents shall consider it expedient to retain for making payments out of the Fund under this Ordinance, shall so far as practicable be invested by the Crown Agents on behalf of the Fund in such stocks, funds and securities, or employed at