

## BECHUANALAND PROTECTORATE.

No. 14 of 1935.

(Promulgated 29th March, 1935.)

### PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER

Providing for the transfer of Shirley Eales, Esquire, C.M.G., C.B.E., from the pensionable service of Basutoland to the pensionable service of the Bechuanaland Protectorate.

Whereas it has been decided that upon a date to be notified by notice in the *Gazette*, Shirley Eales, Esquire, C.M.G., C.B.E., shall be transferred from the pensionable establishment of Basutoland to the pensionable establishment of the Bechuanaland Protectorate; and be seconded therefrom for service in the post of a member of the Railway Commission appointed under the provisions of the Bechuanaland Protectorate Railway Proclamation No. 8 of 1927 (hereinafter referred to as "the aforesaid post");

And whereas it is necessary to make provision for the payment to him of a pension in respect of his services in the aforesaid post and in other capacities or for the payment of a gratuity in the event of his death while serving in the aforesaid post;

Now therefore under and by virtue of the powers in me vested I do hereby declare, proclaim and make known as follows:—

1. As from the date of the transfer of the said Shirley Eales from the pensionable establishment of Basutoland he shall be deemed to have been placed on the pensionable establishment of the Bechuanaland Protectorate.

2. Notwithstanding anything to the contrary in the Bechuanaland Protectorate Pensions Proclamation No. 24 of 1933 and in sub-section (2) of section *sixteen* of the Basutoland Pensions Proclamation No. 16 of 1934 contained the said Shirley Eales,

(a) on reaching the age of 60, or

(b) on prior retirement from the aforesaid post otherwise than

(i) on grounds of infirmity of mind or body or of permanent injury sustained in the actual discharge of his duty, or

(ii) for any of the reasons specified in section *twenty-three* of the aforesaid Basutoland Proclamation, or

(iii) by voluntary resignation,

shall receive a pension equivalent to that which he would have received under the provisions of the aforesaid Basutoland Proclamation upon retirement at the age of 60 in his former office of Administrative Secretary to the High Commissioner (hereinafter referred to as "his former office") and at his former pensionable salary of one thousand two hundred pounds per annum.

3. In the event of the retirement of the said Shirley Eales from the aforesaid post before the age of 60 on grounds of infirmity of mind or body or of permanent injury sustained in the actual discharge of his duty or for any of the reasons specified in section *twenty-three* of the aforesaid Basutoland Proclamation, he shall receive a pension equivalent to that which would have been payable to him under the respective provisions of that Proclamation if at the date of such retirement he had been retiring from his former office and at his above-mentioned former pensionable salary.

4. In the event of the retirement of the said Shirley Eales from the aforesaid post by voluntary resignation after the age of 55 and before the age of 60 he shall receive a pension equivalent to that which would have been payable to him under the provisions of the aforesaid Basutoland Proclamation if at the date of such retirement he had been retiring from his former office and at his above-mentioned former pensionable salary on grounds of infirmity of mind or body.

5. In the event of the death of the said Shirley Eales before the age of 60 while serving in the aforesaid post a gratuity of one thousand two hundred pounds shall be paid to such person or persons as would have been eligible to receive it under the provisions of the aforesaid Basutoland Proclamation if at the date of his death he had still been serving in his former office.

6. The Bechuanaland Protectorate Administration shall contribute to the pension aforesaid such portion as is not recoverable from the Basutoland Administration under the provisions of the Basutoland Proclamation No. 13 of 1935, or in the event of the death of the said Shirley Eales as aforesaid shall contribute to the gratuity aforesaid a proportion equivalent to that which the period of his service in the aforesaid post bears to the total period of his pensionable service.

7. The benefits provided in this Proclamation and in the Basutoland Proclamation No. 13 of 1935 shall be in lieu of any pension for which the said Shirley Eales might otherwise have been eligible under any other Proclamation.

8. For the purposes of this Proclamation "pension" shall be deemed to include any gratuity payable to the said Shirley Eales under the provisions of section *eight* of the aforesaid Basutoland Proclamation No. 16 of 1934.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Twenty-third day of March, One thousand Nine hundred and Thirty-five.

W. H. CLARK,  
High Commissioner.

By Command of His Excellency the  
High Commissioner.

H. LESTER SMITH,  
for Acting Administrative Secretary.