paragraphs (i) and (ii) of that subsection shall be fifteen-sixtieths
and one-sixth respectively.

6 of 1954.

(7) Where a pension is granted to a widow under the provisions
of paragraph (i) of subsection (1) of this section, it shall be lawful
for the Pensions Authority to grant to such widow at the same
time or at any time thereafter and upon being satisfied of the existence
of special circumstances and reasons for compassion an annual
payment of an amount not exceeding the amount of such pension,
which annual payment may be granted for a limited number of years
or for so long as the widow is in receipt of such pension and which
shall be paid in the same way as and together with such pension:

Provided that the Pensions Authority may at any time and
on being satisfied of the cessation of the special circumstances and
reasons order that any annual payment granted under this subsection
shall cease.

14 of 1957.

(8) This section shall not apply in the case of the death of any
officer selected for appointment to the public service under the
Government of the Gambia on or after the first day of January,
1942, if his "dependants", as defined in the Workmen's Com-
penation Act, 1940 or any Act replacing that Act, are entitled to
compensation thereunder.

Application
of Act.

18. The provisions of this Act shall apply—

14 of 1957.

(i) to every officer first appointed or transferred under the new
conditions of service to the public service under the Govern-
ment of the Gambia on or after the first day of January,
1946;

14 of 1957.

(ii) to officers appointed to the public service under the Govern-
ment of the Gambia on or after the first day of January,
1946, who have exercised the option to accept the new
conditions of service;

14 of 1957.

(iii) to officers serving in the public service under the Govern-
ment of the Gambia on the first day of January, 1946, who
have exercised the option to accept the new conditions of
service; and

(iv) to any officer serving in The Gambia who, having elected
not to accept such new conditions of service, has, after the
date of such election accepted promotion within the public
service in West Africa.
19. For the purposes of this Act, any person holding office in the public service of the Government of Palestine immediately before the fifteenth day of May, 1948, shall be deemed to continue in his office until either he is appointed to the public service elsewhere, or, if he is not so appointed, he retires or is removed from office.

20. (1) A pension granted under this Act to an expatriate officer shall be increased in accordance with the provisions of the Permanent Increase of Pensions (European Officers' and Widows' and Orphans') Ordinance*, and references in that Ordinance to the European Officers' Pension Ordinance, 1922, shall, for the purposes of this section, be construed as if they were references to this Act or the appropriate sections thereof.

(2) A pension granted under this Act to an officer who is not an expatriate officer shall be increased in accordance with the provisions of the Permanent Increase of Pensions (Public Officers) Act, 1969, and references in that Act to the Public Officers' Pensions Ordinance, 1923**, shall, for the purposes of this section, be construed as if they were references to this Act or the appropriate sections thereof.

21. The Ordinances set out in the Second Schedule to this Act are hereby repealed:

Provided that such repeal shall not affect the application of those Ordinances and the regulations made thereunder to those officers who, by the provisions of section 18 of this Act, are excluded from the application of this Act; and subject to the provisions of sections 13 and 15 of this Act, nothing herein contained shall be deemed to affect the existing rights of any such officers.

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*The Permanent Increase of Pensions (European Officers' and Widows' and Orphans') Ordinance was repealed, subject to saving of rights, by the Pensions Increase Act, 1963, which is Cap. 36:04 of this Edition. The European Officers' Pensions Ordinance, 1922, was repealed by this Act.

**The Public Officers' Pensions Ordinance, 1923, was repealed by the Public Officers' Pensions Ordinance, 1947 (No. 17 of 1947), which, in its turn, was repealed by this Act.
FIRST SCHEDULE

RULES

FOR THE GRANTING OF PENSIONS, GRATUITIES AND OTHER ALLOWANCES TO OFFICERS

PART I.—PRELIMINARY

1. These rules may be cited as the Pensions Rules, 1950.

2. In these rules, unless the context otherwise requires—
   ‘‘the Act’’ means the Pensions Act, 1950;
   ‘‘pensionable service’’ means public service which may be taken into account in computing pension under these rules;
   ‘‘qualifying service’’ means public service which may be taken into account in determining whether an officer is eligible by length of service for pension, gratuity or other allowance.

PART II.—OFFICERS WITHOUT OTHER PUBLIC SERVICE

3. This Part shall not apply in the case of any officer transferred to or from the public service of The Gambia from or to other public service except for the purpose of determining whether such officer would have been eligible for pension or gratuity, and the amount of pension or gratuity for which the officer would have been eligible, if the public service of the officer had been wholly under the Government of The Gambia.

4. Subject to the provisions of the Act and of these rules every officer holding a pensionable office under the Government of The Gambia who has been in public service under the Government of The Gambia in a civil capacity for ten years or more may be granted on retirement a pension at the annual rate of one six-hundredth of
his pensionable emoluments for each complete month of his pensionable service.

5. Every officer, otherwise qualified for a pension, who has not been in the public service under the Government of The Gambia in a civil capacity for ten years, may be granted on retirement 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 rule 4 of these rules.

6. Where a female officer, who has been in the public service under the Government of The Gambia for not less than five years and has been confirmed in a pensionable office, retires or is required to retire from that service for the reason that she is about to marry or has married, and she is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part of these rules, she may be granted, on production within six months after her retirement, or such longer period as the Pensions Authority may in any particular case allow, of satisfactory evidence of her marriage, a gratuity of an amount not exceeding—

(a) one year’s pensionable emoluments; or

(b) in the case of—

(i) any such officer who was appointed to that service after the first day of May, 1963, five times the annual amount of the pension which might have been granted to her under rule 4 of these rules had there been no qualifying period and had that rule been applicable to her; or

(ii) any such officer who was appointed to that service before the first day of May, 1963, one-eighth of a month’s pensionable emoluments for each complete month of public service in that service, whichever amount shall be less.

PART III.—TRANSFERRRED OFFICERS

7. This Part shall apply in the case of an officer transferred to or from the public service under the Government of The Gambia from or to other public service.
8. (1) In this Part and Part VI of these rules—

"house allowance" means the estimated value of free quarters as calculated in accordance with the law or rules relating to the grant of pensions in respect of public service in force immediately before the commencement of the Act;

"Scheduled Government" means—

(a) the Government of any territory, or any authority mentioned in the Schedule to these rules;

(b) the Government of Sri Lanka, in respect of any officer appointed to service under that Government before the fourth day of February, 1948;

(c) the Government of Palestine, in respect of any officer appointed to service under that Government before the fifteenth day of May, 1948;

(d) the Government of the Somali Republic in respect of any officer appointed to service under the Government of the Somali Land Protectorate before the twenty-sixth day of June, 1960;

(e) the Government of Cyprus, in respect of any officer appointed to service under that Government before the sixteenth day of August, 1960;

(f) The East African Common Services Organization, in respect of any person deemed to have been appointed or appointed to service as President, Vice-President, Justice of Appeal, Registrar, officer or servant of the Court of Appeal for Eastern Africa by or under the Eastern Africa Court of Appeal Order in Council, 1961; and

(g) The Interim Commissioner for the West Indies in respect of any person deemed to have been appointed or appointed to service as Judge, Registrar, officer or servant of the British Caribbean Court of Appeal by or under the British Caribbean Court of Appeal Order in Council, 1962.

"service in the Group" means public service under the Government of The Gambia and under a Scheduled Government or Scheduled Governments.

(2) For the purpose of these rules—

(a) any Officer in public service under the Government of the...
Federation of Rhodesia and Nyasaland immediately before the first day of January, 1964, who was immediately before that date employed on secondment to service under the Government of Southern Rhodesia, or Northern Rhodesia or Nyasaland, or was as from that date so employed, shall be deemed to continue to serve in public service under the Government of the Federation of Rhodesia and Nyasaland until his employment on secondment is terminated;

(b) any pension awarded on or after the first day of January, 1964, in respect of service under the Government of the Federation of Rhodesia and Nyasaland shall be deemed to have been granted by that Government notwithstanding the provisions of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council, 1963.

9. (1) Where the other public service of an officer to whom this Part applies has been wholly under one or more Scheduled Governments and his aggregate public service would have qualified him had it been wholly under the Government of The Gambia for a pension under the Act, he may, on his retirement from the public service in circumstances in which he is permitted by the law or rules of the public service in which he is last employed to retire on pension or gratuity, be granted in respect of his public service under the Government of The Gambia a pension of such an amount as shall bear the same proportion to the amount of pension for which he would have been eligible had his public service been wholly under the Government of The Gambia, as the aggregate amounts of his pensionable emoluments during his public service under the Government of The Gambia shall bear to the aggregate amounts of his pensionable emoluments throughout his service in the Group.

(2) In determining for the purposes of this rule the pension for which an officer would have been eligible if his public service had been wholly under the Government of The Gambia,—

(a) in the application of rule 17 of these rules, his pensionable emoluments shall be determined by reference to the pensionable emoluments enjoyed by him at the date of retirement from the public service or during the three years or lesser period preceding that date, as the case may be, except that where the officer is not serving under a Scheduled Government at that date, the date upon which he was last transferred from the public service of a Scheduled Government shall be deemed to be the date of his retirement for
the purposes of this subparagraph;

(b) no regard shall be had to an additional pension under rule 23, 24 or 25 of these rules;

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

(d) no period of other public service under a Scheduled Government in respect of which no pension or gratuity is granted to him shall be taken into account.

(3) For the purposes of this rule the aggregate amount of an officer’s pensionable emoluments shall be taken as the total amount of pensionable emoluments which he would have received or enjoyed had he been on duty on full pay in his substantive office or offices throughout his period of service in the Group subsequent to the attainment of the age of eighteen years.

Provided that—

(a) in calculating the aggregate amount of his pensionable emoluments, no account shall be taken of any service under the Government of The Gambia or a Scheduled Government in respect of which no pension or gratuity is granted to him by that Government or Scheduled Government, as the case may be;

(b) where service in a civil capacity otherwise than in a pensionable office is taken into account as pensionable service, the officer’s aggregate pensionable emoluments during that service shall be taken into account to the same extent as that service is taken into account as pensionable service.

(4) In determining for the purposes of this rule the aggregate amount of an officer’s pensionable emoluments during his public service under the Government of The Gambia, such pensionable emoluments shall include house allowance in respect of such service prior to the first day of January, 1946, or prior to the date on which he began to receive salary under the new conditions of service, whichever is later.

(5) Where an expatriate officer entered the public service prior to the first day of January, 1930, his pension in respect of his public service under the Government of The Gambia may be calculated as though any Scheduled Government under which he has served had not been included in the schedule to these rules, if this should be to his advantage.
10. (1) Where the other public service of an officer to whom this Part applies has not included public service under any of the Scheduled Governments, and his aggregate public service would have qualified him, had it been wholly under the Government of The Gambia, for a pension under these rules, he may, on his retirement from the public service in circumstances in which he is permitted by the law or rules of the public service in which he is last employed to retire on a pension or gratuity, be granted in respect of his public service under the Government of The Gambia a pension at the annual rate of one six-hundredth of his pensionable emoluments for each complete month of his pensionable service under the Government of The Gambia.

(2) Where the officer is not in public service under the Government of The Gambia at the time of such retirement, his pensionable emoluments for the purposes of the preceding paragraph shall be those which would have been taken for the purpose of computing his pension if he had retired from the public service and been granted a pension at the date of his last transfer from public service under the Government of The Gambia.

11. Where a part only of the other public service of an officer to whom this Part applies has been under one or more of the Scheduled Governments, the provisions of rule 9 of these rules shall apply; but in calculating the amount of pension, regard shall be had only to service in the Group.

12. Where an officer to whom this Part applies from the public service in circumstances in which he is permitted by the law or rules of the public service in which he is last employed to retire on pension or gratuity but has not been in the public service in a civil capacity for ten years, he may be granted in respect of his public service under the Government of The Gambia 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 rule 9, 10 or 11 of these rules, as the case may be.

13. A female officer to whom this Part applies, who retires for the reason that she is about to marry or at any time during marriage and in consequence—

(a) would, if the whole of her public service had been under the Government of The Gambia, have been eligible for a gratuity under rule 6 of these rules; and

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(b) if she is, at the date of her retirement in other public service, eligible for a gratuity under provisions corresponding to that rule in the law or rules of the public service in which she is last employed;

may, if she is not eligible for the grant of any pension or otherwise eligible for gratuity under this Part, be granted a gratuity which bears to the gratuity for which she would be eligible if the whole of her public service had been in the public service in which she is last employed the proportion which her pensionable service under the Government of The Gambia bears to her total pensionable service:

Provided that for the purpose of computing such an officer’s total public service under this rule no regard shall be had to any public service under a Government which does not grant a gratuity to her in consequence of her retirement.

PART IV.—GENERAL

14. (1) Subject to the provisions of these rules, qualifying service shall be the inclusive period between the date on which an officer begins to draw half or full salary in respect of public service and the date of his leaving the public service without deduction of any period during which he has been absent on leave.

(2) No period during which the officer was not in public service shall be taken into account as qualifying service.

(3) No period which is not qualifying service by virtue of the preceding paragraphs shall be taken into account as pensionable service.

15. (1) Except as otherwise provided in these rules, only continuous public service shall be taken into account as qualifying service or as pensionable service:

Provided that any break in the service caused by temporary suspensions of employment in the public service not arising from misconduct or voluntary resignation shall be disregarded for the purposes of this paragraph.

*Rule 15, as printed here, was inserted by Rule 5 of the Pensions (Amendment) Rules, 1963, (L.N. 46/1963) and came into effect on the 15th of June 1963. That same Rule 5 revoked the former Rule 15 but provided that it was revoked “without prejudice to any privilege or right lawfully acquired thereunder.”
(2) An officer—

(a) whose pension has been suspended under section 11 of the Act or under a corresponding provision in any law relating to the grant of pensions in respect of public service;

(b) who has retired from the public service without pension on account of ill health, abolition of office, or re-organisation designed to effect greater efficiency or economy, and has subsequently been re-employed in the public service;

(c) who, having been a constable in the Gambia Police Force, has been permitted to re-engage in that Force within six months of his discharge from that Force; or

(d) who has left pensionable service under—

(i) any Acts relating to the superannuation of teachers in the United Kingdom;

(ii) a local authority in the United Kingdom; or

(iii) the National Health Service of the United Kingdom, with a view to entering public service not being pensionable service as aforesaid and has, not later than three months, or such extended period as the Pensions Authority may in any particular case approve, after leaving such pensionable service, received any salary in respect of employment in public service not so pensionable, may, if the Pensions Authority thinks fit, be granted the pension or gratuity for which he would have been eligible if any break in his public service immediately prior to such suspension, re-employment or employment had not occurred, such pension to be in lieu of—

(A) any pension previously granted to him from funds of The Gambia, and

(B) any gratuity granted which is required to be refunded as a condition of the application to the officer of this regulation, but additional to any gratuity so granted which is not required to be refunded as aforesaid.

16. No period during which an officer shall have been absent from duty on leave without salary shall be taken into account as pensionable service unless such leave shall have been granted on grounds of public policy with the approval of the Pensions Authority.
17. (1) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of not less than three years’ pensionable service before his retirement,—

(a) in the case of an officer who has held the same office for a period of three years immediately preceding the date of his retirement, the full annual pensionable emoluments enjoyed by him at that date in respect of that 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, otherwise than by the grant of any scale increment, the full annual pensionable emoluments enjoyed by him at the date of his retirement in respect of the office then held by him shall be taken;

(c) in the case of an officer retired on the ground of ill-health, the full annual pensionable emoluments enjoyed by him at the date of his retirement in respect of the office then held by him shall be taken; unless it would be more favourable to him to take the pensionable emoluments which would have been taken but for this subparagraph, when the last mentioned emoluments shall be taken:

Provided that this subparagraph shall not apply in the case of an expatriate officer appointed or re-appointed to public service under the Government of The Gambia on or after the first day of July, 1942.

(d) in other cases one third of the aggregate pensionable emoluments enjoyed by the officer in respect of his service during the three years of his service immediately preceding the date of his retirement shall be taken:

Provided that—

(i) if such one third is less than the highest annual pensionable emoluments enjoyed by him at the date of any transfer within such period of three years those annual pensionable emoluments shall be taken; and
(ii) if such one third is less than the annual pensionable emoluments which would have been enjoyed by him at the date of his retirement, if he had continued to hold any office from which he has been transferred at any time during such period of three years, and had received all scale increments which, in the opinion of the Pensions Authority, would have been granted to him, the annual pensionable emoluments which would have been so enjoyed shall be taken.

(2) For the purpose of determining under paragraph (1) of this rule, the pensionable emoluments that an officer has enjoyed or would have enjoyed, as the case may be, he shall be deemed—

(a) to have been on duty on full pensionable emoluments throughout the period of three years immediately preceding the date of his retirement; and

(b) to have enjoyed the benefit of any increase due to a general revision in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period of three years:

Provided that if he has been transferred from an office which has been abolished and for this reason the pensionable emoluments of that office have not been considered in a general revision of pensionable emoluments, then, for the purposes of this rule the pensionable emoluments attached to the abolished office shall be equated with those of such office or offices as are certified by the Auditor-General in his discretion as having enjoyed the same pensionable emoluments as the abolished office at the time of the said revision.

(3) For the purpose of computing the amount of the pension or gratuity of an officer who has had a period of less than three years' pensionable service before his retirement—

(a) the average annual pensionable emoluments enjoyed by him during such period shall be taken;

(b) he shall be deemed to have been on duty on full pensionable emoluments throughout such period; and

(c) he shall be deemed to have enjoyed the benefit of any increase due to a general revision in the pensionable emoluments of any office held by him as if such increase had been payable throughout such period.
(4) In no circumstances shall the pensionable emoluments taken for the purpose of computing the pension or gratuity of any officer exceed the full annual pensionable emoluments enjoyed by the officer at the date of his retirement in respect of the office then held by him.

(5) For the purpose of this rule, the pensionable emoluments enjoyed by the officer in respect of any office held by him shall include any inducement allowance enjoyed by him.

18. Subject to the provisions of these rules, only public service in a pensionable office shall be taken into account as pensionable service:

Provided that—

(a) where a period of public service in a civil capacity otherwise than in a pensionable office is immediately followed by public service in a pensionable office and the officer is confirmed therein, the whole of such period may, with the approval of the Pensions Authority, be so taken into account;

(b) any break in public service which may be disregarded under the provisions of rule 15 of these rules may likewise be disregarded in determining for the purposes of the preceding proviso whether one period of public service immediately follows another period of such service;

(c) where an officer has been transferred from a pensionable office in which he has been confirmed to a non-pensionable office and subsequently retires either from a pensionable office or a non-pensionable office, his public service in the non-pensionable office may, with the approval of the Pensions Authority, be taken into account as though it were public 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;

(d) where a period of public service in a non-pensionable office is taken into account under this rule, the officer shall, during that period, be deemed for the purposes of rules 6, 23 and 24 of those rules to be holding a pensionable office, and where that period is taken into account under the preceding proviso, to have been confirmed therein.

19. Notwithstanding anything contained in rule 18 of these rules if it shall be to his advantage, the pension of an officer in the public service under the Government of The Gambia or in other public
service on the eighteenth day of May, 1937, who shall before that
date have served in a civil capacity otherwise than in a pensionable
office, may be calculated on the following conditions, namely—

(a) where public service in a pensionable office has been im-
mediately preceded by an unbroken period of public service
in a civil capacity in an appointment other than a pensionable
office, or of public service in a civil capacity paid for out
of an open vote, such period, or any part of such period,
may be taken into account in computing pension or gratuity;

(b) of the period of public service paid for out of an open vote
only two-thirds shall be counted for the purpose of these rules.

20. Any period during which an officer has performed only acting
service in an office may be taken into account as pensionable service
(subject, if the office is a non-pensionable office, to the provisions
of rules 18 and 19 of these rules) if the period of such acting service—

(a) is not taken into account as part of his pensionable service
in other public service; and

(b) is immediately preceded or followed by public service in a
substantive capacity in a pensionable office under the same
Government or authority,

and not otherwise.

21. Save as otherwise provided in these rules, there shall not
be taken into account as pensionable service—

(a) any period of public service while the officer was under the
age of eighteen years; or

(b) any period of public service while he was on probation or
agreement, unless without break of such service he is
confirmed in a pensionable office in the public service:

Provided that any break of such service which may be dis-
regarded under the provisions of rule 15 of these rules may likewise
be disregarded in determining whether the officer is confirmed in
a pensionable office without break of public service.

22. Where under these rules a pension is computed in two parts
in relation to two separate periods of an officer's public service;
and the number of odd days not constituting a complete month in
both periods amounts to thirty or more, one month shall for the
purpose of computing his pension be added to the period containing
the greater number of odd days:

Provided that where in these circumstances the numbers of
odd days in both periods are the same, one month shall be so added
to one period or the other according to which course is to the officer’s
advantage.

PART V.—SUPPLEMENTARY

23. If an officer holding a pensionable office retires from the
public 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 or
economy may be effected—

(a) he may, if he has been in the public service for less than
ten years, be granted, in lieu of any gratuity under rule 5
or rule 12 of these rules, a pension under rule 4, 9, 10 or
11 of these rules, as the case may be, as if the words “for
ten years or more” were omitted from rule 4 of these rules;

(b) if he retires from the public service under the Government
of The Gambia, be granted an additional pension at the annual
rate of one-hundred-and-eightieth of his pensionable emolu-
ments for each complete year of his pensionable service.

Provided that—

(i) the addition shall not exceed thirty one-hundred-and-
eightieths; and

(ii) the addition together with the remainder of the officer’s
pension shall not exceed the pension for which he would
have been eligible if he had continued to hold the office
held by him at the date of his retirement, and retired
on reaching the age of fifty-five years, having received
all increments for which he would have been eligible
by that date.

24. (1) If an officer holding a pensionable office in which he
has been confirmed is permanently injured—

(a) in the actual discharge of his duty;

(b) without his own default; and
(c) on account of circumstances specifically attributable to the nature of his duty—

(i) he may, if his retirement is thereby necessitated or materially accelerated and he has been in the public service for less than ten years, be granted, in lieu of any gratuity under rule 5 or rule 12 of these rules, a pension under rule 4, 9, 10, or 11 of these rules, as the case may be, as if the words "for ten years or more" were omitted from the said rule 4 of these rules;

(ii) he may, if so injured while in the public service under the Government of The Gambia, be granted on retirement an additional pension at the annual 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:

Where 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 may be reduced to such an extent as the Pensions Authority shall think reasonable where the injury is not the cause or the sole cause of retirement.

(2) An officer so injured while in the public service of The Gambia not holding a pensionable office, or holding a pensionable office in which he had not been confirmed, may be granted on retirement a pension of the same amount as the additional pension which might be granted to him under the preceding paragraph if his office were a pensionable office and he had been confirmed therein. The provisions of rule 26 of these rules shall not apply to a pension granted under this paragraph.

(3) If an officer proceeding by a route approved by the President to or from The Gambia at the commencement or termination of his public service therein, or of a period of leave therefrom, is permanently injured as the result of damage to the vessel, aircraft or vehicle in which he is travelling or of any act of violence directed against such vessel, aircraft or vehicle and the Pensions Authority is satisfied that such damage or act is attributable to circumstances arising out of war, such officer shall be deemed for the purposes


of this rule to have been injured in the circumstances described in paragraph (1) of this rule.

(4) An officer who is permanently injured while travelling by air in pursuance of official instructions shall be deemed to have been injured in the circumstances detailed in subparagraphs (a) and (c) of paragraph (1) of this rule:

Provided that in such a case, and if subparagraph (b) of the said paragraph is also satisfied, the rates of pension prescribed in that paragraph shall be seven and a half-sixtieths; fifteen-sixtieths; twenty-two and a half-sixtieths and thirty-sixtieths respectively.

(5) Neither subparagraph (ii) of paragraph (1) nor paragraph (2) of this rule shall apply in the case of an officer selected for appointment to the public service under the Government of The Gambia on or after the first day of January, 1942, who, in consequence of his injury, is entitled to compensation under the Workmen's Compensation Act 1940 or any Act replacing that Act.

25. An expatriate officer to whom Part VI of these rules does not apply and who retires from the public service under the Government of The Gambia in the circumstances set out in paragraph (6) of section 7 of the Act and at the date of retirement has completed not more than twenty years public service may be granted, in addition to the pension which he may be granted under these rules, a pension at the rate of one six-hundredth part of his pensionable emoluments on retirement for each period of three months by which his said public service at the date of retirement falls short of twenty years, or by which his age at such date falls short of fifty years (or forty-five years in the case of a member of the Queen Elizabeth Colonial Nursing Service), whichever is less:

Provided that no addition under this rule shall be granted in the case of an officer to whom an award on account of injuries is made in accordance with rule 24 of these rules, and no regard shall be had to any addition under this rule in computing for the purposes of rule 5 of these rules, the pension which might have been granted to an officer if there were no minimum period of public service qualifying him for a pension.

26. (1) Any officer to whom a pension is granted under the Act may, at his option exercisable on or before the date of his retirement, be paid in lieu of such pension a pension at the rate of three-fourths of such pension together with a gratuity equal to twelve