



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 2874 OF 18TH SEPTEMBER, 1940.
LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 25 OF 1940.

A LAW TO PROVIDE THAT SERVICE WITH HIS MAJESTY'S
FORCES IN TIME OF WAR SHALL COUNT FOR PENSION
PURPOSES.

W. D. BATTERSHILL,]
Governor.

[18th September, 1940.

BE it enacted by His Excellency the Governor and
Commander-in-Chief of the Colony of Cyprus as
follows:—

1. This Law may be cited as the Pensions (War Service) Law, 1940, and shall be construed as one with the Cyprus Pensions Orders and Laws, 1929 to 1940, (hereinafter referred to as "the principal Law").

Short title.
The Cyprus
Pensions
Orders in
Council, 1929
and 1931.
6 of 1936
6 of 1938
3 of 1940.

War service
to count for
pension
purposes.

2. Notwithstanding anything contained in the principal Law, where an officer shall have served with His Majesty's Forces in time of war, with the approval of the Governor of the territory in the service of which he was last employed before so serving or of the Secretary of State, the following provisions shall have effect:—

(i) During the period of such service in His Majesty's Forces, including any period after the termination of the war (in this section referred to as "military service"), he shall be deemed, for the purposes of the principal Law, to have been on leave on full salary from the public service in which he was last employed, and to have held the substantive office last held by him in that service, prior to military service.

(ii) During any period between his leaving the public service for the purpose of serving in His Majesty's Forces and the date of his commencing military service, he shall, for the purposes of the principal Law, be deemed to be on leave without pay, not granted on grounds of public policy, from the public service in which he was last employed, and to have held the substantive office last held by him in that service, prior to military service; and during any period between the termination of his military service and the date of his re-entering the public service he shall, for the said purposes, be deemed to be on leave as aforesaid from the service, and to have held the substantive office, in which he is re-employed:

Provided that—

(a) this section shall not apply when either period mentioned in paragraph (ii) of this section exceeds three months, or such longer period as the Governor, with the approval of the Secretary of State, may in any special case determine; or if the officer fails, after serving with His Majesty's Forces, to re-enter the public service otherwise than in circumstances in which he would be permitted, under the law applicable to the public service in which he is last employed prior to military service, to retire on pension or gratuity, such circumstances arising not later than the expiration of three months, or such longer period as may be determined as aforesaid, after the termination of his military service;

- (b) if during any period mentioned in paragraph (i) of this section the officer shall have qualified for pension, or received emoluments in lieu of pension rights, actually in respect of military service, paragraph (i) of this section shall, as respects that period, have effect as if the words "leave without salary not granted on grounds of public policy" were substituted for the words "leave on full salary";
- (c) if during his military service the officer shall be injured or killed, he shall not, for the purposes of Regulation 13 of the Regulations contained in the First Schedule to the principal Law, and section 18A of the principal Law, be deemed to have been injured or killed in the discharge of his duty;
- (d) the provisions of this section which require that the officer shall be deemed to have held a specified office and to have been on leave from a specified service shall not apply in respect of any period during which he shall actually have held any other substantive office and have been on leave from any public service;
- (e) save where in any particular case the Governor otherwise directs, this section shall not apply where the office in the public service last held by the officer prior to military service was not a pensionable office.

18th September, 1940.

J. V. W. SHAW,
Colonial Secretary.