

CAP. 308.

CYPRUS

**GOVERNMENT EMPLOYEES
PROVIDENT FUND**

CHAPTER 308 OF THE LAWS

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CHAPTER 308.

GOVERNMENT EMPLOYEES PROVIDENT FUND.

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A LAW TO ESTABLISH A PROVIDENT FUND FOR NON-PENSIONABLE EMPLOYEES OF THE GOVERNMENT.

[1st July, 1945.]

Short title.

1. This Law may be cited as the Government Employees Provident Fund Law.

Interpretation.
2 of 4/47.

2. (1) In this Law—
“the Board” means the Board of Management appointed under this Law;

“depositor” means a person who is making deposits in the Fund;

2 of 11/56.

“oversea allowance” means a special addition to the salary which is granted in accordance with the general regulations of the Government governing such allowance;

“the Fund” means the Non-Pensionable Employees Provident Fund established under this Law;

2 of 26/48.

“non-pensionable employee” means a person in the permanent service of the Government of Cyprus holding an office, not being an office declared to be a

pensionable office under any Law relating to pensions in force for the time being, but does not include any person, other than a member of the Police Force of or below the rank of sergeant-major, serving on contract or under an agreement for a specified period; ^{2 of 5/54.}

“ personal allowance ” means a special addition to salary granted personally to the holder for the time being of the office;

“ prescribed ” means prescribed by Regulations made under this Law;

“ salary ” includes any expatriation allowance and any personal allowance but no other payment or allowance whatsoever.

(2) For the purposes of this Law a depositor's family shall be deemed to include his mother, father, wife and children, but no other person:

Provided that where the law governing the personal status of a depositor allows him to have more than one wife, every such wife shall be deemed to be included in the family of such depositor.

3. (1) There shall be established a Fund to be known as the Non-Pensionable Employees Provident Fund.

Establishment and management of the Fund.

(2) The Governor shall appoint a Board of Management who shall be responsible for the control and management of the Fund in accordance with the provisions of this Law and of any Regulations made hereunder. The Accountant-General shall be chairman of the Board.

(3) The expenses of management and administration of the Fund shall be paid out of the Fund.

(4) The moneys paid into the Fund shall, so far as practicable, be invested by the Accountant-General on behalf of the Fund in such security or securities yielding interest as the Board shall approve.

(5) The Accountant-General shall keep a separate account for the moneys of the Fund.

(6) The Board shall submit to the Governor as soon as practicable after the thirty-first day of December in each year a full statement showing the working of the Fund and all claims thereon, and containing full particulars of all transactions connected with the working of the Fund. The accounts of the Fund shall be audited by the Director of Audit.

Withdrawal
of deposits.

12. A depositor may withdraw any deposit—

- (a) with the approval of the Board; or
- (b) with the permission of the Accountant-General if the Accountant-General is satisfied that withdrawal is desirable and that it is required for any one or more of the following purposes:—
 - (i) to pay the passage of any member of the depositor's family or the depositor's brother or sister coming from abroad, or leaving the territory on medical advice or for other good cause, such person being wholly or mainly dependent upon, or ordinarily resident with, the depositor;
 - (ii) to pay the funeral expenses of any member of the depositor's family;
 - (iii) to pay hospital or other expenses incurred through the illness of the depositor or any members of his family.

Repayment
of with-
drawal.

13. Any sum withdrawn from any deposit under section 12 of this Law shall be repaid by the depositor in not more than twelve equal monthly instalments, commencing in the month following the withdrawal, which may be deducted from his salary.

Closing of
accounts.
2 of 26/54.*

14. (1) On the termination of the depositor's service with the Government or on the death of a depositor, interest up to and including the day immediately preceding the date of such termination of service or death, at the rate fixed for the previous year, shall be credited to his account, which shall then be closed.

(2) Notice of such closure shall thereupon be given—

- (a) if the depositor is living, to the depositor; or
- (b) if the depositor is dead, to such person or persons mentioned in section 19 of this Law to whom it shall appear to the Accountant-General that notice should properly be given,

and in either case to such other persons as shall, or may in the opinion of the Accountant-General, reasonably require such notice.

* Came into operation on the 1st January, 1955.

15. Subject to the provisions of this Law, if a depositor dies while in the service of the Government or leaves the service in any of the following circumstances, that is to say—

Death or termination of service.

- (a) retirement on medical evidence to the satisfaction of the Governor in Council that he is incapable by reason of some infirmity of mind or body of discharging the duties of his office;
- (b) satisfactory completion of contract;
- (c) abolition of office;
- (d) reaching the prescribed age of retirement;
- (e) determination of contract by, or with the consent of, the Government otherwise than by dismissal;
- (f) in the case of a female depositor, retirement with a view to, or in consequence of, marriage after not less than three years' service (subject to the production of evidence of marriage within such period after retirement as the Board may in any case prescribe),

the amount standing to his or her credit in the Fund at the closing of such account shall be paid out of the Fund to the depositor or any other person to whom by virtue of this Law or otherwise payment may lawfully be made:

Provided that, in the case of a female depositor who retires with a view to, or in consequence of, marriage after not less than eight years' service, there shall also be paid to such depositor, out of the revenues of the Colony (subject to the production of evidence of marriage within such period after retirement as the Board may in any case prescribe) a gratuity calculated on one day's salary for each complete month of service.

3 of 4/47.

16. (1) Subject to the provisions of this Law, if a depositor shall be dismissed, or resign, or leave the service of the Government without permission without completing the period prescribed by any contract under which he may be serving—

Resignation or dismissal.

- (a) the amount of his deposits and interest credited thereon under subsection (1) of section 14 of this Law shall be paid out of the Fund to the depositor; and
- (b) such part, if any, of the bonuses credited to the depositor and interest credited as aforesaid, as

Teachers not
affected.
Cap. 166.

22. Nothing in this Law contained shall apply to any teacher appointed under the Elementary Education Law.

Savings.

23. Any person who, immediately prior to the 11th February, 1954, is a depositor under the provisions of this Law as it stood prior to its amendment by the Government Employees Provident Fund (Amendment) Law, 1954, may, notwithstanding the amendment made to this Law by section 2 of the Government Employees Provident Fund (Amendment) Law, 1954, continue to be such a depositor until the expiration of his current contract or agreement unless he elects, by notice in writing to the Accountant-General within thirty days of the 11th February, 1954, not to continue to be such a depositor

3 of 5/54.

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