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*Status: This is the original version (as it was originally enacted).*

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## SCHEDULE 4

### OVERSEAS GOVERNMENT PENSIONS (INDIA, PAKISTAN AND BURMA)

- 1 A pension which would be payable out of the revenues of India or Pakistan but for arrangements to which section 1 of the Pensions (India, Pakistan and Burma) Act 1955 applies.
- 2 A pension payable out of the revenues of India or Pakistan to a person resident outside India, Pakistan, Burma and Aden in respect of any relevant services to the Crown, being either—
  - (a) service which ended before 15th August 1947 ; or
  - (b) service of which the termination was attributable to the passing of the Indian Independence Act 1947 ; or
  - (c) service which began at a time earlier than 15th August 1947 and was rendered by a person who in the opinion of the Secretary of State was at that time domiciled outside Asia. The service relevant to this paragraph is service by virtue of which the pensioner has pension rights in relation to any of the funds listed below and any other service in a civil capacity ; it is immaterial whether the service was rendered by the pensioner or by another person, and " pension rights " includes, in relation to any person, all forms of right to, or eligibility for, the present or future payment of a pension to or in respect of that person.

#### *List of funds*

- (i) The Bengal Military Fund and Orphans' Society ;
- (ii) The Bombay Military Fund ;
- (iii) The Madras Military Fund ;
- (iv) The Madras Medical Fund ;
- (v) The Indian Navy Fund ;
- (vi) The Indian Civil Service Family Pension Fund (Untransferred);
- (vii) The Superior Services (India) Family Pension Fund (Untransferred);
- (viii) The Indian Military Widows' and Orphans' Fund (Untransferred) ;
- (ix) The Indian Military Services Family Pension Fund (Untransferred);
- (x) The Bengal and Madras Service Family Pension Fund.

- 3 A derivative pension payable in respect of service in respect of which the principal pension would have fallen within any paragraph of this Schedule or within section 10(b) of this Act, and by virtue of which the pensioner has pension rights in relation to any of the funds listed below; " pension rights " includes all forms of right to, or eligibility for, payment of a pension.

#### *List of funds*

- (i) The Indian Civil Service Family Pension Fund (Transferred);
- (ii) The Superior Services (India) Family Pension Fund (Transferred);
- (iii) The Indian Military Widows' and Orphans' Fund (Transferred);
- (iv) The Indian Military Service Family Pension Fund (Transferred).

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- 4 A pension payable from the revenues of Burma to a person resident outside Burma, India, Pakistan and Aden and payable in respect of service in a civil capacity in Burma, being either—
- (a) service which ended before 4th January 1948 ; or
  - (b) service of which the termination was attributable to the passing of the Burma Independence Act 1947 ; or
  - (c) service which began at a time earlier than 4th January 1948 and was rendered by a person who in the opinion of the Secretary of State was at that time domiciled outside Asia.
- 5 A pension payable to or in respect of a member of the staff of the High Commissioner for India or the High Commissioner for Pakistan who at some time before he was transferred to the staff of the High Commissioner had been an officer or servant on the permanent establishment of the Secretary of State in Council of India.
- 6 A pension payable to or in respect of a person who was appointed to the staff of the Auditor of the Accounts of the Secretary of State for India in Council before the 1st April 1937.
- 7 A pension payable to or in respect of a European officer or European warrant officer of the Royal Indian Marine.