
STATUTORY INSTRUMENTS

1996 No. 1294

HONG KONG

**The Hong Kong (Overseas Public Servants)
(Pension Supplements) Order 1996**

<i>Made</i>	- - - -	<i>15th May 1996</i>
<i>Laid before Parliament</i>		<i>29th May 1996</i>
<i>Coming into force</i>		<i>1st July 1996</i>

**THE HONG KONG (OVERSEAS PUBLIC SERVANTS)
(PENSION SUPPLEMENTS) ORDER 1996**

1. Citation and commencement
2. Interpretation
3. Benefits falling within this Order
4. Determination of notional Hong Kong pension and actual pension income in sterling
5. Provision for supplementation of pension
6. Suspension or variation of payment of pensions
7. Determination of sterling values of notional Hong Kong gratuity and of actual gratuity
8. Provision for supplementation of gratuity
9. Registration of notional Hong Kong benefits and provision of information
10. Overpayments
11. Secretary of State to decide all questions of interpretation of the Order
Signature

THE SCHEDULE —

PART I — GENERAL PROVISIONS

1. In this Schedule: “pensionable emoluments” (except in the expression notional...
2. (1) Where, in calculating the sterling value of a specified...

PART II — RULES FOR CALCULATING AND DETERMINING A
NOTIONAL HONG KONG PENSION AND ITS STERLING
VALUE

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Head A: Specified officers who are awarded a pension, or entitled to a deferred pension, under a relevant law on their retirement from the service of Hong Kong before or after the coming into force of this Order and who have no other pensionable public service

Head B: Specified officers who are awarded a pension, or entitled to a deferred pension, under a relevant law on their retirement from the service of Hong Kong before or after the coming into force of this Order and who have other pensionable service under a Scheduled Government Interpretation of Head B:In paragraph (g) of this Head:

1. **Head C: Specified officers who retire before the coming into force of this Order from United Kingdom service who, on such retirement, are awarded a pension under a relevant law of Hong Kong in respect of their service in Hong Kong**
2. Where the officer is in receipt of an overseas government...
3. In this Head, “overseas government service pension” means a pension...

Head D: Specified officers who retire on or after the coming into force of this Order from United Kingdom service who, on such retirement, are awarded a pension under a relevant law of Hong Kong in respect of their service in Hong Kong

Head E: Specified officers who, having resigned from United Kingdom service before the coming into force of this Order with a preserved pension entitlement under United Kingdom law, are, after the coming into force of this Order, awarded a deferred pension under a relevant law of Hong Kong in respect of their service in Hong Kong

Head F: Specified officers who retired before the coming into force of this Order from the service of a Scheduled Government (other than the Government of the United Kingdom) who, on such retirement, are awarded a pension or entitled to a deferred pension under a relevant law of Hong Kong in respect of their service in Hong Kong

Head G: Specified officers who retired before the coming into force of this Order from other public service in Hong Kong who, on retirement, are awarded a pension, or entitled to a deferred pension, under a relevant law in respect of their service in Hong Kong

Head H: Specified officers who are entitled to a pension under the Police Officers (Special Cases) Pensions Ordinance

1. **Head I: Spouses and children who, being dependants of specified officers who die in service or after being granted a pension in respect of their service in Hong Kong, have been or are themselves granted a pension under the Surviving Spouses’ and Children’s Pensions Ordinance**
2. To calculate the sterling value of the notional Hong Kong...
2. **Interpretation of Head H2:**

Head J: Widows and children who, being dependants of specified officers who die in service or after being granted a pension in respect of their service in Hong Kong, have been or are themselves granted a pension under the Widows and Orphans Pension Ordinance

Head K: Dependants of specified officers who are awarded a pension under, and in the circumstances prescribed in, section 18 of the Pensions Ordinance, section 19 of the Pension Benefit Ordinance or section 20 of the Pension Benefit (Judicial Officers) Ordinance

PART III — RULES FOR CALCULATING AND DETERMINING A NOTIONAL HONG KONG GRATUITY AND ITS STERLING VALUE

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Head L: Specified officers who retire from the service of the Government of Hong Kong with no other pensionable public service and who elect to commute part of their Hong Kong pension for a gratuity

Head M: Specified officers who retire from the service of the Government of Hong Kong with other pensionable service under a Scheduled Government and who elect to commute part of their Hong Kong pension for a gratuity

Head N: Specified officers who retire from the service of the United Kingdom Government and elect to commute part of their Hong Kong pension for a gratuity

Head O: Death Gratuity

Explanatory Note