

MEMORANDUM BY THE HONOURABLE THE PRIME MINISTERCommencing salary of Mr Edgar Felice on his appointment
as Official Expert at H.M. Courts

Mr Edgar Felice, formerly a Higher Clerical Officer, was appointed Official Expert in the Technical Section of H.M. Courts, with effect from the 1st April, 1963. At the time of this appointment, Mr Felice was enjoying a salary of £655 (the maximum of the scale of Higher Clerical Officer) plus an allowance of £50 per annum for performing the duties of Traffic Expert. He had been performing these extraneous duties since 1940.

2. As the new post of Traffic Expert, which was incidentally created for Mr Felice, carried with it a salary scale of £525 x 25 - £735 (unrevised), the Assistant Registrar, Courts of Judicial Police, had recommended that the allowance of £50 be incorporated in Mr Felice's salary, thus bringing his salary to £655 + 50 = £705, and that he should continue to earn increments over this terminal salary point (£705) as from the 1st April, 1963.

3. This procedure is not in accordance with approved practice, under which Mr Felice, since he continued to carry out the duties for which the allowance was previously paid, could only receive a commencing salary of £705, i.e., his existing salary on promotion plus allowance, provided that the allowance was gradually absorbed by increments earned.

4. The recommendation in paragraph 2 above was at first not acceded to; but, on re-consideration of the special circumstances of the case, Establishments decided to seek Finance agreement for the full incorporation of this allowance in Mr Felice's salary on the following grounds:-

- (i) Mr Felice had been performing these duties since 1940;
- (ii) the post of Official Expert was approved for inclusion in the Estimates 1961/62, and yet, in view of administrative delays, Mr Felice's appointment only became effective from the 1st April, 1963;
- (iii) Mr Felice was 59 years old on the 4th September, 1964, and would not be able to receive any incremental benefits before he retired;
- (iv) the precedent created in the Revision of Salaries - 1959 - when "higher duties" allowances were fully incorporated in revised salaries.

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5. The Ministry of Economic Planning and Finance had found themselves unable to agree to the above, on the grounds that: Mr Felice had been compensated for the expert duties carried out; the plea of administrative delay could not be accepted; and the precedent quoted had to be seen in relation to the regrading exercise carried out by Mr Elwood. The Financial Secretary also pointed out that Mr Felice would be retiring on a salary of £700, whilst, had he remained a Higher Clerical Officer, he would retire on £655 since allowances are not pensionable. Mr Felice would, therefore, receive some benefit from his appointment.

6. It is for Ministers to decide whether Mr Felice should, in view of the arguments put forward at paragraph 4 above, be allowed to earn increments immediately on appointment and thus be able to retire on the maximum of the scale of Official Expert (£735), to which he would have become entitled had he been appointed in due time.

8th July, 1965.
