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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF INDUSTRIES AND COMMERCE

Commerce Division

EXPORT PROMOTION BUREAU

NOTIFICATION

Dhaka, the 20th October 1983

No. S.R.O. 384-L/83.—In exercise of the powers conferred by section 20 of the Export Promotion Bureau Ordinance, 1977 (Ord. XLVII of 1977), the Board of Management of the Export Promotion Bureau, with the previous approval of the Government, is pleased to make the following regulations, namely :—

THE EXPORT PROMOTION BUREAU EMPLOYEES' CONTRIBUTORY PROVIDENT FUND REGULATIONS, 1983.

1. **Short title and commencement.**—(1) These regulations may be called the Export Promotion Bureau Employees' Contributory Provident Fund Regulations, 1983.

(2) They shall be deemed to have come into force on the First day of January, 1978.

2. **Definitions.**—In these regulations, unless there is anything repugnant in the subject or context,—

- (a) "children" means legitimate children and includes adopted children when the Secretary, or if any doubt arises in the mind of the Secretary, the Law Officer of the Bureau, is satisfied that under the personal law of the subscriber, adoption is legally recognised;

(b) "family" means—

(i) in the case of a male subscriber, the wife or wives (up to four in the case of a Muslim subscriber) and children of a subscriber, and the widow or widows and children of a deceased son of the subscriber :

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall thenceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate, unless the subscriber subsequently expresses his desire in writing to the Secretary that she shall continue to be so regarded;

(ii) in the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber :

Provided that if a subscriber expresses her desire in writing to the Secretary to exclude her husband from her family, the husband shall thenceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate, unless the subscriber subsequently cancels formally in writing her desire to exclude him;

- (c) "Form" means a Form appended to these regulations;
- (d) "Fund" means the Export Promotion Bureau Employees' Contributory Provident Fund constituted under these regulations;
- (e) "leave" means any variety of leave recognised by the rules or regulations applicable to the subscriber;
- (f) "pay" means substantive pay, leave salary, overseas pay and acting allowance;
- (g) "sanctioning authority" means the Secretary of the Bureau;
- (h) "Secretary" means the Secretary of the Bureau and includes any person for the time being performing the duties of the Secretary;
- (i) "subscriber" means a subscriber to the Fund; and
- (j) "year" means a financial year.

3. Constitution of the Fund.—The Board shall constitute a fund to be called the Export Promotion Bureau Employees' Contributory Provident Fund which shall be maintained in Bangladesh and deposited in a scheduled bank in a separate account.

4. Applicability of these regulations.—(1) These regulations shall apply to every permanent employee of the Bureau including an employee appointed on contract for not less than three years provided his participation in the Fund is stipulated in his contract but they shall not apply to an employee of the Government on deputation to the Bureau.

(2) An employee appointed on probation to a post in which he is subsequently confirmed shall be deemed to be a permanent employee for the purposes of these regulations from the date of his first appointment.

(3) Every employee to whom these regulations apply may be a subscriber to the Fund.

5. **Nomination.**—(1) A subscriber shall, as soon as may be after joining the Fund, send to the Secretary a nomination, conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death before that amount has become payable, or having become payable, has not been paid:

Provided that if at the time of making the nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than the members of his family.

(2) If a subscriber nominates more than one person under sub-regulation (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be in Form A.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Secretary:

Provided that the subscriber shall, along with such notice send a fresh nomination in accordance with the provisions of sub-regulations (1) to (3).

(5) Without prejudice to the provisions of sub-regulation (4), a subscriber shall, along with every nomination made by him under this regulation, send to the Secretary a contingent notice of cancellation in Form B.

(6) Immediately on the occurrence of any event by reason of which the contingent notice of cancellation referred to in sub-regulation (5) becomes operative and the nomination to which the notice relates consequently stands cancelled, the subscriber shall send to the Secretary a fresh nomination in accordance with the provisions of sub-regulations (1) to (3).

(7) Every nomination made, and every notice of cancellation given, by a subscriber shall, to the extent that it is valid, take effect on the date it is received by the Secretary.

6. **Subscribers' accounts.**—A separate account shall be opened and maintained in the name of each subscriber, to which shall be credited—

(a) the subscriber's subscription;

(b) contributions made under regulation 9 by the Bureau to his account; and

(c) interest as specified in regulation 10.

7. **Conditions of subscription.**—(1) Every subscriber shall subscribe monthly to the Fund when on duty.

(2) A subscriber may, at his option, not subscribe during leave.

(3) The subscriber shall intimate his election not to subscribe during leave in the following manner :—

- (a) if he is an officer who draws his own pay bills, by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave; and
- (b) if he is not an officer who draws his own pay bills, by written communication to the Secretary before he proceeds on leave.

Failure to make due and timely intimation shall be deemed to constitute an election to subscribe, and the option of a subscriber under this sub-regulation shall be final.

(4) A subscriber who has withdrawn the amount of subscription and interest thereon, shall not subscribe to the Fund after such withdrawal unless and until he returns to duty.

8. **Rate of subscription.**—(1) The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions, namely :—

- (a) it shall be expressed in whole Taka; and
- (b) it shall not be less than 8·33% and more than 15% of his basic pay.

(2) The subscriber who is an officer drawing his own pay bills shall intimate the fixation of the amount of his monthly subscription in each year in the following manner :—

- (a) if he was on duty on the 30th June of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month;
- (b) if he was on leave on the 30th June of the preceding year and elected not to subscribe during such leave, or was under suspension on that date, by the deduction which he makes in this behalf from his first pay bill after his return to duty;
- (c) if he has entered service for the first time during the year, or joins the Fund for the first time, by the deduction which he makes in this behalf from his pay bill for the month during which he joins the Fund; or
- (d) if he was on leave on the 30th June of the preceding year and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his pay bill for that month.

(3) If the subscriber is not an officer who draws his own pay bills, he shall give written intimation to the Secretary as to the amount of his monthly subscription in each year.

(4) The amount of subscription so fixed shall remain unchanged throughout the year :

Provided that if a subscriber is on duty for a part of a month and on leave for the remainder of that month, and if he has elected not to subscribe during the leave, the amount of the subscription payable shall be proportionate to the number of days spent on duty in the month.

9. **Contribution by the Bureau.**—(1) The Bureau shall, with effect from the 30th June of each year, make a contribution to the account of each subscriber :

Provided that if a subscriber quits the service or dies during a year, the contribution shall be credited to his account for the period between the close of the preceding year and the date of the casualty.

(2) The contribution by the Bureau shall be a sum not exceeding 8.33% of the subscriber's basic pay.

(3) If a subscriber elects to subscribe during leave, his leave salary shall, for the purpose of this regulation, be deemed to be his pay drawn on duty.

10. **Interest.**—(1) The Bureau shall pay interest on the amount standing to the credit of each subscriber in the Fund at such rate as it may, from time to time, fix.

(2) Interest shall be credited with effect from the 30th June of each year in the following manner :—

- (a) on the amount at the credit of a subscriber on the 30th June of the preceding year, less any sum withdrawn during the current year, interest for twelve months;
- (b) on sums withdrawn during the current year, interest from the 1st July of the current year upto the last day of the month preceding the month of withdrawal;
- (c) on all sums credited to the subscriber's account after the 30th June of the preceding year, interest from the date of deposit up to the 30th June of the current year;
- (d) the total amount of interest shall be rounded to the nearest whole Taka (50 poisha counting as one Taka):

Provided that when the amount standing at the credit of a subscriber has become payable, interest thereon shall be credited under this sub-regulation in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, up to the date on which the amount standing at the credit of the subscriber becomes payable.

(3) In this regulation, the date of deposit shall, in the case of recoveries from pay, be deemed to be the first day of the month in which they are made, and in the case of amounts forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, if they are received by the Secretary before the fifth day of that month, or, if they are received on or after the fifth day of that month, the first day of the next succeeding month.

(4) In addition to any amount to be paid under regulation 29, interest thereon up to the end of the month preceding that in which payment is made, or up to the end of the sixth month after the month in which such amount becomes payable, whichever of these periods be less, shall be payable to the person to whom such amount is to be paid:

Provided that no interest shall be paid in respect of any period after the date which the Secretary has intimated to that person or his agent as the date on which he is prepared to make payment in cash, or if he pays by cheque, after the date on which the cheque in that person's favour is despatched by post.

(5) Interest shall not be credited to the account of a Muslim subscriber if he informs the Secretary that he does not wish to receive it, but if he subsequently asks for interest, it shall be credited with effect from the 1st July of the year in which he asks for it. In the event of his written intimation to forego the interest already accrued on his deposits and credited to his account, the amount of interest accrued shall be adjusted by debit to his account and credited to the Fund.

11. **Advance from the Fund.**—A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of the sanctioning authority, subject to the following conditions:—

- (a) no advance shall be granted unless the sanctioning authority is satisfied that the applicant's pecuniary circumstances justify it, and that it will be expended on the following object or objects and not otherwise, namely:—
 - (i) to pay the expenses incurred in connection with the prolonged illness of the subscriber or any member of his family;
 - (ii) to pay for the overseas passage for reasons of health or education of the subscriber or any member of his family;
 - (iii) to pay obligatory expenses on a scale appropriate to the subscriber's status in connection with marriage, funeral or other ceremonies which by his religion it is incumbent on him to perform;
- (b) an advance shall not, except for special reasons, exceed three months' pay and shall in no case exceed the amount of subscription and interest thereon standing to the credit of the subscriber in the Fund;
- (c) a second or subsequent advance shall not, except for special reasons, be granted until at least twelve months after the final repayment of all previous advances together with interest thereon have elapsed and unless the amount already advanced does not exceed two-thirds of the amount standing to the credit of the subscriber;
- (d) the sanctioning authority shall record in writing the reasons for granting the advance;
- (e) an advance for the grant of which special reasons are not required under clause (b) or clause (c) may be sanctioned by the Secretary but an advance for the grant of which special reasons are required shall require the sanction of the Vice-Chairman.

12. **Recovery of advance.**—(1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct, but such number shall not be less than twelve, unless the subscriber so elects, or more than twenty-four. Each instalment shall be a number of whole Taka, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

(2) Recovery shall commence in the first month after the advance is made.

(3) If more than one advance has been made to a subscriber, each advance shall be treated separately for the purpose of recovery.

(4) (a) After the principal of the advance has been fully repaid, interest shall be paid thereon at the rate of one and a half per cent of the principal for each month or broken portion of a month during the period between the drawal and complete repayment of the principal:

Provided that Muslim subscribers whose deposits in the Fund carry no interest shall not be required to pay interest on advances granted to them from the Fund.

(b) Interest shall ordinarily be recovered in one instalment in the month after complete repayment of the principal, but, if the period referred to in clause (a) exceeds twenty months, interest may, if the subscriber so desires, be recovered in two equal monthly instalments. Payment shall be rounded to the nearest Taka.

(5) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn shall, with interest at the rate fixed under regulation 10, forthwith be repaid by the subscriber to the Fund, or in default, be ordered by the Secretary to be recovered by deduction from the pay of the subscriber by instalment or otherwise as may be directed by the Secretary:

Provided that Muslim subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

6. Recoveries made under this regulation shall be credited, as they are made, to the account of the subscriber in the Fund.

13. **Advance for house building.**—An advance for construction of a house for occupation by the subscriber himself may be granted to him from the amount standing to his credit in the Fund at the discretion of the sanctioning authority, subject to the following conditions, namely:—

- (a) advance shall be granted as nearly as may be in accordance with the terms and conditions set out in paragraph 253-A of the General Financial Rules of the Government, except as expressly provided in these regulations;
- (b) advance shall in no case exceed 24 months' pay of the subscriber or 80 per cent of the amount at the credit of the subscriber in the Fund, whichever is less;

- (c) the sanctioning authority shall see that the land and the house constructed thereon, for which the advance is granted, is mortgaged to the Bureau before the advance is drawn;
- (d) mortgage deed shall be registered within four months of its execution; and
- (e) recovery shall be made at the rate of 7½ per cent of the subscriber's pay commencing from the fourth issue of pay after the first instalment of the advance is drawn.

14. **Payment towards insurance policies.**—Subject to the conditions hereinafter contained in regulations 15 to 23—

- (a) payment towards a policy of life insurance may, at the option of subscriber, be substituted for the whole or part of subscriptions to the Fund;
- (b) the amount of subscriptions with interest thereon standing to the credit of a subscriber in the Fund may be withdrawn to meet—
 - (i) payments towards a policy of life insurance;
 - (ii) purchase of a single payment insurance policy;
 - (iii) payment of a single premium or subscription to a family pension fund approved in this behalf by the Bureau:
 - (1) before the details of the proposed policy have been submitted to the Secretary and accepted by him as suitable, or
 - (2) to meet any payment or purchase made or effected more than twelve months before the withdrawal, or
 - (3) in excess of the amount required to meet a premium or subscription actually due for payment within six months of the date of withdrawal:

Provided further that payments towards an educational endowment policy may not be substituted for subscriptions to the Fund and that no amount may be withdrawn to meet any payment or purchase in respect of such a policy if that policy is due for payment in whole or part before the subscriber's age of normal superannuation :

Provided further that amounts withdrawn shall be rounded to the nearest whole Taka.

15. **Subscription under certain circumstances.**—(1) If the total amount of any payments substituted under clause (a) of regulation 14 is less than the amount of the minimum subscription payable to the Fund under sub-regulation (1) of regulation 8, the difference shall be rounded to the nearest Taka and paid by the subscriber as a subscription to the Fund.

(2) If the subscriber withdraws any amount standing to his credit in the Fund for any of the purpose specified in clause (b) of regulation 14, he shall continue to pay to the Fund the subscription payable under regulation 8.

16. **Procedure for substitution. etc., under regulation 14.**—(1) A subscriber, who desires to substitute a payment under clause (a) of regulation 14, shall—

- (a) intimate to the Secretary on his pay bill or by letter the fact of, and reason for, the reduction; and
- (b) send to the Secretary, within such period as the Secretary may require receipts or certified copies of receipts in order to satisfy the Secretary that the amount by which the subscription has been reduced was duly applied for the purpose specified in clause (a) of regulation 14.

(2) A subscriber, who desires to withdraw any amount under clause (b) of regulation 14, shall—

- (a) intimate the reason for the withdrawal to the Secretary by letter;
- (b) make arrangement with the Secretary for the withdrawal; and
- (c) send to the Secretary, within such period as the Secretary may fix, receipt or certified copies of receipts in order to satisfy the Secretary that the amount withdrawn was duly applied for the purpose specified in clause (b) of regulation 14.

(3) The Secretary, shall order the recovery of any amount by which subscription has been reduced, or of any amount withdrawn, in respect of which he has not been satisfied in the manner required by clause (b) of sub-regulation (1) or clause (c) of sub-regulation (2), with interest thereon at the rate fixed under regulation 10 from the pay of the subscriber and place it to the credit of the subscriber in the Fund.

17. **Acceptability of insurance policy.**—(1) The Bureau shall not make any payment on behalf of subscribers to the insurance companies nor take steps to keep a policy alive.

(2) A policy to be acceptable under these regulations shall be one effected by the subscriber himself on his own life, and shall, unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of his wife or of his wife and children or any of them, be such as may be legally assigned by the subscriber to the Bureau.

Explanations.—(1) A policy which has assigned jointly to the subscriber and the subscriber's wife or husband shall be deemed to be a policy on the life of the subscriber himself for the purpose of this sub-regulation.

(2) A policy which has been assigned to the subscriber's wife shall not be accepted unless either the policy is first re-assigned to the subscriber or the subscriber and his wife both join in an appropriate assignment.

(3) The policy may not be effected for the benefit of any beneficiary other than the wife or husband of the subscriber or the wife or husband and children of the subscriber or any of them.

18. **Assignment and delivery of the policy.**—(1) Within three months after the first withholding of a subscription or withdrawal from the Fund in respect of the policy, or, in the case of an insurance company whose headquarters is outside

Bangladesh, within such further period as the Secretary, if he is satisfied by the production of the completion certificate (interim receipt), may fix, the policy shall—

- (a) unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber, or of his wife and children, or any of them, be assigned by endorsement on the policy to the Bureau as security for payment of any sum which may become payable to the Fund under regulation 23, and delivered to the Secretary;
 - (b) if it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber, or of his wife and children, or any of them, be delivered to the Secretary.
- (2) The Secretary shall satisfy himself by reference to the insurance company, where possible, that no prior assignment of the policy exists.
- (3) Once a policy has been accepted by the Secretary for the purpose of being financed from the Fund, the terms of the policy shall not be altered nor shall the policy be exchanged for another policy without the prior consent of the Secretary to whom details of the alteration or of the new policy shall be furnished.
- (4) If the policy is not assigned and delivered, or delivered within the period prescribed under sub-regulation (1), any amount withdrawn from the Fund in respect of the policy shall, with interest thereon at rate fixed under regulation 10, forthwith be paid or repaid, as the case may be, by the subscriber or, in default, be recovered by deduction from the pay of the subscriber by instalments or otherwise, as may be directed by the Vice-Chairman.
- (5) Notice of assignment of the policy shall be given by the subscriber to the insurance company, and the acknowledgement of the notice by the insurance company shall be sent to the Secretary within three months of the date of assignment.

19. **Subscriber shall not draw any bonus.**—The subscriber shall not, during the currency of the policy, draw any bonus the drawal of which during such currency is optional under the terms of the policy, and the amount of any bonus which under the terms of the policy the subscriber has no option to refrain from drawing during its currency shall be paid forthwith into the Fund by the subscriber or, in default, recovered by deduction from his pay by instalments or otherwise, as may be directed by the Vice-Chairman.

20. **Re-assignment and making over of the policy.**—(1) Save as provided in regulation 23, when the subscriber—

- (a) quits the service; or
- (b) has proceeded on leave preparatory to retirement and applies to the Secretary for re-assignment or return of the policy; or
- (c) has been permitted to retire while on leave or declared by a competent medical authority to be unfit for further service and applies to the Secretary for re-assignment or return of the policy; or

(d) pays or repays to the Fund the whole of any amount withheld or withdrawn from the Fund for any of the purposes mentioned in regulation 14 with interest thereon at the rate fixed under regulation 10, the Secretary shall—

- (i) if the policy has been assigned to the Bureau under regulation 18, re-assign the policy to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber together with a signed notice of the re-assignment addressed to the insurance company;
- (ii) if the policy has been delivered to him under clause (b) of sub-regulation (1) of regulation 18, make over the policy to the subscriber:

Provided that if the subscriber, after proceeding on leave preparatory to retirement, or after being, while on leave, permitted to retire or declared by a competent medical authority to be unfit for further service, returns to duty, any policy so re-assigned or made over shall, if it has not matured or been assigned or charged or encumbered in any way, be again assigned to the Bureau and delivered to the Secretary, or again be delivered to the Secretary, as the case may be, in the manner provided in regulation 18, and thereupon the provision of these regulations shall, so far as may be, again apply in respect of the policy:

Provided further that, if the policy has matured or has been assigned or charged or encumbered in any way the provisions of sub-regulations (4) of regulation 18 applicable in the case of failure to assign and deliver a policy shall apply.

(2) Save as provided in regulation 23, when the subscriber dies before quitting the service, the Secretary shall—

- (a) if the policy has been assigned to the Bureau under clause (a) of sub-regulation (1) of regulation 18, re-assign the policy to such person as may be legally entitled to receive it, and shall make over the policy to such person together with a signed notice of the re-assignment addressed to the insurance company;
- (b) if the policy has been delivered to him under clause (b) of sub-regulation (1) of regulation 18, make over the policy to the beneficiary, if any, or if there is no beneficiary, to such person as may be legally entitled to receive it.

21. **Making over of policy after its maturity, etc.**—(1) If a policy assigned to the Bureau under regulation 18 matures before the subscriber quits the service, or if a policy on the joint lives of a subscriber and the subscriber's wife or husband, assigned under the said regulation, falls due for payment by reason of the death of the subscriber's wife or husband, the Secretary shall, save as provided in regulation 23, proceed as follows :—

- (a) if the amount assured together with the amount of any accrued bonuses is greater than the whole of the amount withheld or withdrawn from the Fund in respect of the policy with interest thereon at the rate fixed under regulation 10, the Secretary shall re-assign the policy to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber, who shall immediately on

receipt of the policy moneys from the insurance company pay or repay to the Fund the whole of any amount withdrawn with interest, and in default, the provisions of sub-regulation (4) of regulation 18 applicable in the case of failure to assign and deliver shall apply;

- (b) if the amount assured together with the amount of any accrued bonuses is less than the whole of the amount withheld or withdrawn with interest, the Secretary shall realise the amount assured together with any accrued bonuses and shall place the amount so realised to the credit of the subscriber in the Fund.

(2) Save as provided in regulation 23, if a policy delivered to the Secretary under clause (b) of sub-regulation (1) of regulation 18 matures before the subscriber quits the service, the Secretary shall make over the policy to the subscriber :

Provided that if the interest in the policy of the wife of the subscriber, or of his wife and children, or any of them, as expressed on the face of the policy, expires when the policy matures, the subscriber, if the policy moneys are paid to him by the insurance company, shall immediately on receipt thereof pay or repay to the Fund either—

- (i) the whole of any amount withheld or withdrawn from the Fund in respect of the policy with interest thereon at the rate fixed under regulation 10, or
- (ii) an amount equal to the amount assured together with any accrued bonuses; whichever is less, and in default, the provisions of sub-regulation (4) of regulation 18 applicable in the case of failure to assign and deliver a policy shall apply.

22. **Lapse, etc., of policy.**—If the policy lapses, or is assigned otherwise than to the Bureau, under regulation 18, charged or encumbered, the provisions of sub-regulation (4) of regulation 18 applicable in the case of failure to assign and deliver a policy shall supply.

23. **Grounds for not to re-assign or make over policy.**—If the Secretary receives notice of—

- (a) an assignment otherwise than an assignment to the Bureau under regulation 18, or
- (b) a charge or encumbrance on a policy, or
- (c) an order of a court restraining dealings with the policy or any amount realised thereon, he shall forthwith refer the matter to the Government and shall not—
- (i) re-assign or make over the policy as provided in regulation 20; or
- (ii) realise the amount assured by the policy or re-assign or make over the policy as provided in regulation 21.

24. **Utilisation of money withheld for other than the sanctioned purpose.**—Notwithstanding anything contained in these regulations, if the sanctioning authority is satisfied that money drawn as an advance from the Fund under regulation 11 or withheld or withdrawn from the Fund under clause (a) or

clause (b) of regulation 14 has been utilized for a purpose other than that for which sanction was given to the drawal, withholding or withdrawal of the money, the amount in question shall, with interest at the rate fixed under regulation 10, forthwith be repaid or paid, as the case may be, by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in lump-sum from the pay of the subscriber even if he be on leave :

Provided that the total amount to be repaid or paid, as the case may be, be more than half the subscriber's pay, recoveries shall be made in monthly instalments of money from his pay till the entire amount recoverable be repaid or paid, as the case may be, by him.

25. Accumulations payable at the time of quitting service.—When a subscriber quits the service, the amount standing to his credit in the Fund shall, subject to any deductions under regulation 28, become payable to him :

Provided that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service, shall, if required to do so by the Bureau, repay any amount paid to him from the Fund in pursuance of these regulations, with interest thereon at the rate fixed under regulation 10 in the manner provided in the proviso to clause (a) of regulation 28. The amount so repaid shall be credited to his account in the Fund, the part which represents his subscriptions and interest thereon, and the part which represents the Bureau's contribution with interest thereon, being accounted for in the manner provided in regulation 6.

26. Accumulations payable on application.—When a subscriber—

- (a) has proceeded on leave preparatory to retirement, or
- (b) has been permitted to retire while on leave, or declared by competent medical authority to be unfit for further service,

the amount standing to his credit in the Fund shall, upon application made by him in that behalf to the Secretary, become payable to the subscriber :

Provided that the subscriber, if he returns to duty, shall, if required to do so by the Bureau, repay to the Fund, for credit to his account, the whole or part of any amount paid to him from the Fund in pursuance of these regulations with interest thereon at the rate fixed under regulation 10 in cash or securities, or partly in cash and partly in securities, by instalments or otherwise, by recovery from his pay or otherwise, as the Bureau may direct.

27. Disbursement of accumulation when become payable.—Subject to any deduction under regulation 28, on the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made, the amount shall be disbursed in the following manner :—

(1) when the subscriber leaves a family—

- (a) if a nomination made by the subscriber in accordance with the provisions of regulation 5 in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;

- (b) if no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares :

Provided that no share shall be payable to—

- (i) sons who have attained legal majority ;
- (ii) sons of a deceased son who have attained legal majority ;
- (iii) married daughters whose husbands are alive ;
- (iv) married daughters of a deceased son whose husbands are alive ;
- (v) if there is any member of the family other than those specified in clauses (i), (ii), (iii) and (iv) :

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (i) of the first proviso.

- (2) When the subscriber leaves no family—

- (a) if a nomination made by in accordance with the provisions of regulation 5 in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportions specified in the nomination ;
- (b) if no such nomination in favour of any person or persons subsists, or if such nomination relates only to part of the amount standing to his credit in the Fund, the relevant provisions of clause (b) and of sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Provident Funds Act, 1925 (XIX of 1925), shall be applicable to the whole amount or the part thereof to which the nomination does not relate.

28. **Deductions.**—Subject to the condition that no deduction may be made which reduces the credit by more than the amount of any contribution by the Bureau with interest thereon credited under regulations 9 and 10 before the amount standing to the credit of a subscriber in the fund is paid out of the Fund, the Bureau may direct the deduction of—

- (a) any amount, if a subscriber has been dismissed from the service for grave misconduct :

Provided that if the order of dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service, be replaced at his credit in the Fund ;

- (b) any amount, if a subscriber resigns his employment under the Bureau within five years of the commencement thereof, otherwise than by reason of superannuation or declaration by competent medical authority that he is unfit for further service ;

- (c) any amount due under liability incurred by the subscriber to the Bureau.

29. **Payment.**—(1) When the amount standing to the credit of a subscriber in the Fund, or the balance thereof after any deduction under regulation 28, becomes payable, it shall be the duty of the Secretary to make payment, after satisfying himself that no deduction is to be made.

(2) If the person to whom under these regulations any amount or policy is to be paid, assigned, re-assigned or delivered is a lunatic for whose estate a manager has been appointed in this behalf under the Lunacy Act, 1912 (IV of 1912), the payment or re-assignment of delivery shall be made to such manager and not to the lunatic.

(3) Any person who desires to claim payment under sub-regulation (2) shall send a written application in that behalf to the Secretary. Payment of amounts withdrawn shall be made in Bangladesh only. The persons to whom the amounts are payable shall make their own arrangements to receive payment in Bangladesh.

30. **Payment shall be made promptly.**—When the amount standing to the credit of a subscriber has become payable under regulations 25, 26 or 27, the Secretary shall authorise prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon thereafter as may be.

31. **Name of the account.**—All sums paid into the Fund under these regulations shall be credited in the books of the Bureau to an account name "The Export Promotion Bureau Employees' Contributory Provident Fund Account", sums of which payment has not been taken within six months after they become payable under these regulations shall be transferred to the "Deposits" account after the 30th June of the year and treated under the ordinary regulations relating to deposits.

32. **Account No. to be quoted.**—When paying a subscription in Bangladesh either by deduction from pay or in cash, a subscriber shall quote the number of his account in the Fund, which shall be communicated to him by the Secretary. Any change in the number shall similarly be communicated to the subscriber by the Secretary.

33. **Annual statement of account.**—(1) As soon as possible after the 30th June of each year, the Secretary shall send to each subscriber a statement of his account in the Fund, showing the opening balance as on the 1st July of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 30th June of the year and the closing balance on that date.

(2) Subscribers should satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Secretary within three months from the date of receipt of the statement.

(3) The Secretary shall, if required by a subscriber, once, but not more than one, in a year, inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

FORM A

[See sub-regulation (3) of regulation 5]

FORM OF NOMINATION

I,.....son/daughter/wife
of.....having a family as defined in
regulation 2 of the Bangladesh Export Promotion Bureau Employees' Contri-
butory Provident Fund Regulations, 1983, hereby nominate the persons
mentioned below to receive the amount that may stand to my credit in the
Fund, in the event of my death before that amount has become, payable,
or having become payable has not been paid, and direct that the said
amount shall be distributed among the said persons in the manner shown
below against their names:—

Name and address of nominees.	Relationship with subscriber.	Age.	Amount or share of accumulations to be paid to each.
1	2	3	4

Name and address of the person to whom payment is to be made on behalf
of the minor(s).

Dated this.....day of.....19
at.....

Signature of subscriber.

Two witnesses to signature

1.....

2.....

Note—Column 4 should be filled in so as to cover the
whole amount that may stand to the credit of
the subscribers in the Fund at any time.

FORM B

[See sub-regulation (5) of regulation 5]

FORM OF CONTINGENT NOTICE OF CANCELLATION OF
NOMINATION

Without prejudice to my right under sub-regulation (4) of regulation 5 of the Export Promotion Bureau Employees' Contributory Provident Fund Regulations, 1983, to cancel the nomination made by me on.....whenever I think fit, (a) I hereby give notice that in the event of the person/any of the persons nominated thereunder predeceasing me, or in the event of my hereafter acquiring a family as defined in regulation 2 of the said Regulations, the said nomination shall forthwith stand cancelled. (b) I hereby give notice that in the event of the person/any of the persons nominated thereunder predeceasing me or of my contracting a fresh marriage, or of my marriage with my wife or any of my wives being dissolved by divorce or otherwise, the said nomination shall forthwith stand cancelled.

Dated this..... day of.....19

.....

Signature of subscriber.

Two witnesses to signature:

1.....

2.....

Note:—Delete (a) if having a family, or delete (b) if having no family.

R. A. MAJUMDAR
Vice-Chairman,
Export Promotion Bureau.