

## COALITION PROVISIONAL AUTHORITY ORDER NUMBER 63

### PUBLIC SECURITY SECTOR DEATH AND DISABILITY BENEFITS

*Pursuant* to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolutions 1483 and 1511 (2003),

*Recognizing* the dangers faced and sacrifices made by the brave and patriotic Iraqi citizens who choose to serve in the public security sector,

*Determined* to provide for the families of employees of public sector security organizations killed because of their service,

I hereby promulgate the following:

#### **Section 1 Definitions**

1) "Public Security Sector Organizations" means the Iraqi Police Service; Iraqi Department of Border Enforcement established pursuant to CPA Order Number 26; Iraqi Facilities Protection Service established pursuant to CPA Order Number 27; Iraqi Civil Defense (Fire and Emergency Services); Iraqi Corrections Service; New Iraqi Army (to include all elements of the Iraqi Armed Forces) established pursuant to CPA Order Number 22; Defense Support Agency established pursuant to CPA Order Number 42; Iraqi Civil Defense Corps established pursuant to CPA Order Number 28; and any future Ministry of Defence and elements thereof that may be established by the CPA.

2) "Eligible Employee" means an employee of a public security sector organization who is injured or killed Due to His Service. An individual who has entered into an employment contract directly with a public security sector organization in anticipation of being hired as an employee of that or a successor security sector organization shall be deemed to be an employee of that organization for purposes of this Order.

3) "Due to His Service" means the employee is injured or killed as a direct and proximate result of an action or accident while on duty and faithfully executing his responsibilities or the member is injured or killed as a result of his official position while off duty. Such term does not include injury or death as a result of a previous medical condition or the employee's own misconduct.

**Section 2**  
**Benefits Payable to Public Security Sector Personnel**

- 1) The disability, pension, and death gratuity provisions contained in Articles 49 through 52 of Law Number 1 of 1978, Law for the Service and Retirement of the Interior Security Forces, as amended, shall apply to Eligible Employees of the Iraqi Police Service, Iraqi Department of Border Enforcement, Iraqi Facilities Protection Service, Iraqi Civil Defense (Fire and Emergency Services), and the Iraqi Corrections Service.
- 2) The disability, pension, and death gratuity provisions contained in Articles 58 through 61 of Law Number 1 of 1975, Law for the Military Service and Retirement, as amended, shall apply to Eligible Employees of the New Iraqi Army (to include all elements of the Iraqi Armed Forces), Defense Support Agency, Iraqi Civil Defense Corps, and any future Ministry of Defence and elements thereof.
- 3) The benefits authorized herein shall be calculated and paid in accordance with the provisions of the applicable law and shall be in lieu of any other disability, pension, or death gratuity authorized by Iraqi law.

**Section 3**  
**Administration and Payment of Pensions**

- 1) An Eligible Employee's Ministry shall be responsible for determining eligibility for disability, retirement, and other benefits in accordance with the relevant Iraqi law under this Order and for administering the payment of such disability, retirement, and other benefits.
- 2) The interim Ministers of the affected Ministries may issue Administrative Instructions, not inconsistent with Iraqi law or any CPA Order, Regulation, or Memorandum, as they deem necessary to carry out the duties for their respective Ministries described in this Order.


**Section 4**  
**Existing Law**

- 1) Ministry of Finance policy, Public Security Sector Survivor Benefits, dated October 28, 2003, is hereby superseded. Retirement benefits currently being paid to individuals under that policy shall be adjusted to reflect the entitlements set forth in this Order; provided that the amount of any benefits paid to such individuals under this Order shall not be less than what would have been paid to such individuals under the superseded Ministry of Finance policy.

- 2) Nothing in CPA Order Number 30 or any other CPA Order, Regulation, or Memorandum shall be deemed to suspend existing Iraqi law related to disability, retirement, or other benefits payable under this Order.
- 3) Any portion of legislation inconsistent with any of the provisions of this Order is hereby suspended to the extent necessary to implement the provisions of this Order.

**Section 5**  
**Entry into Force**

This Order shall enter into force on the date of signature.

  
L. Paul Bremer, Administrator  
Coalition Provisional Authority