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No. 5346

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
SOMALILAND**

**Interim Agreement for a United Kingdom aid mission.
Signed at Hargeisa, on 26 June 1960**

Official text: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
13 September 1960.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
SOMALIE**

**Accord provisoire relatif à une mission d'aide du Royaume-
Uni. Signé à Hargeisa, le 26 juin 1960**

Texte officiel anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
13 septembre 1960.*

No. 5346. INTERIM AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF SOMALILAND FOR A UNITED KINGDOM AID MISSION. SIGNED AT HARGEISA, ON 26 JUNE 1960

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Somaliland ;

Have agreed as follows :

Article I

In this Agreement—

- (a) “the appointed day” means the 26th of June, 1960 ;
- (b) “an officer who was the substantive holder of an office” means an officer who is not domiciled in Somaliland and who, before the appointed day, was the substantive holder, whether on contract or on pensionable terms, of an office in the Public Service of Somaliland being a person—
- (i) who was selected for or offered appointment to the Public Service of Somaliland by one of Her Britannic Majesty’s Secretaries of State ; or
 - (ii) whose appointment was approved by one of Her Britannic Majesty’s Secretaries of State ; or
 - (iii) who had entered into an agreement with the Crown Agents for Oversea Governments and Administrations to serve in any such office ; or
 - (iv) who (although not an officer falling within sub-paragraphs (i), (ii), or (iii) of this paragraph) is or has been a member of Her Britannic Majesty’s Overseas Civil Service or Her Britannic Majesty’s Overseas Judiciary ;
- (c) “pension” means
- (i) any pension, gratuity or compensation payable by the Government of Somaliland to or in respect of any officer including any increase of pension ; and
 - (ii) any pension including any increase of pension payable to the widow or child of an officer and any contributions repayable and interest payable to an officer under any law providing for payment of pensions to widows and children of officers ;
- (d) “compensation” means any compensation, gratuity or retiring allowance or benefit that may be granted under regulations made under section 62 of the Somaliland (Constitution) Order in Council, 1960 ;

¹ Came into force on 26 June 1960 by signature, in accordance with article VIII.

- (e) "conditions of service" means the laws, rules, regulations, orders and other instruments that regulate the terms of service of an officer including, without prejudice to the generality of the foregoing, provision relating to his tenure of office, transfer, promotion, disciplinary control, salary (including salary scales), pension, compensation, allowances, quarters, leave and passages.

Article II

(1) The Government of the United Kingdom, at the request of the Government of Somaliland, shall arrange for the appointment of officers to be available for civilian employment in the Public Service of Somaliland for a period not exceeding six months from the coming into force of this Agreement.

(2) The Government of Somaliland has requested the Government of the United Kingdom to arrange for the appointment of officers to be available for the offices shown in the first and second columns of the Schedule¹ attached to this Agreement and the Government of the United Kingdom propose, subject to the agreement of the officers shown in the third column of the said Schedule.

(3) Officers so appointed shall remain members of the Public Service of Somaliland.

Article III

(1) The conditions of service applicable to an officer who was the substantive holder of an office appointed in pursuance of Article II of this Agreement shall be not less favourable than those which were applicable to him immediately before that date.

(2) In particular and without prejudice to the generality of the provisions of paragraph (1) of this Article, such an officer shall receive emoluments, the net value, in sterling, of which calculated at the official rate of exchange prevailing on the appointed day after deduction of any direct taxation on such emoluments payable to the Government of Somaliland, shall be not less than the net value so calculated of the emoluments payable to him immediately before the appointed day.

Article IV

The entitlement of an officer appointed in pursuance of Article II of this Agreement to any compensation shall not be affected by his appointment or otherwise by the provisions of this Agreement.

Article V

(1) The appointment of an officer in pursuance of Article II of this Agreement may be terminated only by the Government of the United Kingdom ;

¹ Not reproduced in the copies of the Agreement transmitted for registration.

(2) Subject to the provisions of paragraph (1) of this Article, disciplinary control (including the right to suspend from duty) over any such officer shall be exercised by the Government of Somaliland ;

(3) Any such officer who is subjected to disciplinary measures by the Government of Somaliland and who is aggrieved by a decision of that Government shall have the right to make representations through the United Kingdom representative in Somaliland to Her Britannic Majesty's Secretary of State for the Colonies and in the event of the latter supporting such representations and the resultant dispute not being amicably disposed of, such dispute shall be submitted to an Arbitral Tribunal. The Tribunal shall consist of three persons, two of whom shall be nominated respectively by the Government of Somaliland and by the Government of the United Kingdom and the third who shall be the Chairman shall be nominated by the former two members of the Tribunal, but such third member of the Tribunal shall not be a citizen of Somaliland nor a citizen of the United Kingdom and Colonies. The Somaliland Government and the Government of the United Kingdom shall be bound by the Award of such Tribunal ;

(4) The Government of Somaliland will ensure that any legislation necessary to implement the provisions of this Article will be enacted.

Article VI

The Government of the United Kingdom shall, on behalf of the Government of Somaliland, undertake the payment of the emoluments of officers appointed in accordance with Article II of this Agreement, and of all pensions and compensation payable by the Government of Somaliland during the period of six months from the appointed day.

Article VII

The Government of the United Kingdom shall account to the Government of Somaliland for all payments made under this Agreement.

Article VIII

This Agreement shall come into force on the date of its signature.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed the present Agreement.

DONE in duplicate at Hargeisa, this 26th day of June, 1960, in the English language.

For the Government
of the United Kingdom of Great
Britain and Northern Ireland :
T. E. BROMLEY

For the Government
of Somaliland :
M. I. EGAL
A. DUALEH
A. G. JAMA
Ibr NOOR