

No. 5347

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

**Public Officers Agreement. 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.*

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

**Accord relatif aux fonctionnaires. 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. 5347. PUBLIC OFFICERS AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF SOMALILAND. SIGNED AT HARGEISA, ON 26 JUNE 1960

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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) “officer” means an officer who is not domiciled in Somaliland and who, before the appointed day, was the substantive holder of a pensionable 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, compensation, disturbance grant or other like retirement benefit 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) “Substantive holder” in relation to any office includes a person serving in that office on probation but does not include a person (other than a person serving under a probationary agreement) serving in that office for a specified term under a contract.

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<sup>1</sup> Came into force on 26 June 1960 by signature, in accordance with article VII.

*Article II*

(1) An officer who does not cease to be in the Public Service of Somaliland before the appointed day shall be entitled to conditions of service not less favourable than those applicable to him immediately before the appointed day.

(2) In this Article the expression "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, provisions relating to his tenure of office, transfer, promotion, disciplinary control, salary (including salary scales), pension, allowances, quarters, leave and passages.

*Article III*

An officer who does not cease to be in the Public Service of Somaliland before the appointed day shall be entitled to retire and his eligibility and that of his widow, children, dependants and personal representatives to receive a pension shall be governed by the laws, regulations, and administrative directions in force immediately before the appointed day or by such other laws, regulations and administrative directions made thereafter that are not less favourable ; and pensions shall be granted and paid to such officers and other persons accordingly.

*Article IV*

Pensions of officers who have ceased to be in the Public Service of Somaliland before the appointed day or to the widow, children dependants or personal representatives of such persons shall be granted and paid or, if granted before that date, shall continue to be paid, in accordance with the laws, regulations, and administrative directions governing those pensions immediately before that date or in accordance with such other laws, regulations and administrative directions made thereafter that are not less favourable.

*Article V*

(1) Pensions paid outside Somaliland on or after the appointed day shall be paid in sterling and shall be calculated at the official rate of exchange prevailing on that date between the pound sterling and the currency in use in Somaliland notwithstanding any variation in that rate.

(2) Every officer who has been granted or is being paid a pension before the appointed day shall exercise within six months of that date an option as to whether his pension and any pension that may in due course become payable to his widow, children, dependants or personal representatives, shall be paid in Somaliland or outside Somaliland ; provided that where no option is exercised in respect of a pension

in payment within six months after that date an option shall be deemed to have been exercised for the payment of the pension either in Somaliland or outside Somaliland according to where it was being paid on that date.

(3) In every other case, an officer eligible for a pension shall exercise before the award of his pension an option as to whether his pension and any pension that may become payable to his widow, children, dependants or personal representatives, shall be paid in Somaliland or outside Somaliland.

(4) Where, upon the death of an officer, a pension becomes payable to his widow, children, or any dependant, or to his personal representatives, an option as to whether the pension shall be paid in Somaliland or outside Somaliland—

(a) may be exercised within one year of the death of that officer by the pensioner ; and

(b) shall, if so exercised, be substituted for the option (if any) exercised by that officer under paragraph (2) or paragraph (3) of this Article.

(5) An option exercised in accordance with this Article—

(a) shall be exercised by notice in writing ; and

(b) shall be deemed to have been exercised on the date on which the notice is received.

(6) In this Article “pensioner” means the person entitled to the payment of a pension or (if that person is a minor) means his or her lawful guardian.

#### *Article VI*

Where any person is entitled to exercise an option under or relating to any law, regulation or administrative direction governing pensions, he shall for the purposes of this Agreement be deemed in exercising the option to have exercised it in the way more favourable to him.

#### *Article VII*

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