

No. 8041

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

Public Officers' Agreement. Signed at Bathurst, on 22 February 1965

Official text: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
14 January 1966.*

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

**Accord relatif aux fonctionnaires. Signé à Bathurst, le
22 février 1965**

Texte officiel anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
14 janvier 1966.*

No. 8041. PUBLIC OFFICERS' AGREEMENT¹ BETWEEN HER
MAJESTY'S GOVERNMENT IN THE UNITED KING-
DOM AND THE GOVERNMENT OF THE GAMBIA.
SIGNED AT BATHURST, ON 22 FEBRUARY 1965

Her Majesty's Government in the United Kingdom and the Government of The Gambia have agreed as follows :

Interpretation

1. (1) In this Agreement—

- (a) “ the appointed day ” means the 18th day of February, 1965 or such other date as may be set for the attainment of Independence for The Gambia;
- (b) “ conditions of service ” means the laws, rules, regulations, orders and other instruments that regulate the terms of service of an overseas officer relating to his tenure of office, disciplinary control, salary (including salary scales), pensionable allowances and passages;
- (c) “ overseas officer ” means an officer whose conditions of service before the appointed day included an entitlement to free passages from The Gambia for the purpose of leave of absence upon the completion of a tour of duty and who was before that day the substantive holder of a pensionable office in the Public Service of The Gambia being a person—
 - (i) who was selected for or offered appointment to the Public Service of The Gambia by a Secretary of State; or
 - (ii) whose appointment to the Public Service of The Gambia was approved by a Secretary of State; or
 - (iii) who had entered into an agreement with the Crown Agents for Oversea Governments and Administrations to serve in the Public Service of The Gambia; or
 - (iv) who (although not an officer falling within heads (i), (ii), or (iii) of this sub-paragraph) is or has been a member of Her Majesty's Oversea Civil Service or Her Majesty's Oversea Judiciary, or has been a member of a former Colonial Unified Service, or is or was

¹ Came into force on 22 February 1965, upon signature, in accordance with article 10.

a designated officer for the purposes of the Oversea Service (Gambia) Agreement 1961;

- (d) “pension” means any pension, gratuity, compensation and interest thereon, retiring allowance or other like benefit payable by the Government of The Gambia to or in respect of any overseas officer or to the widow or child of any overseas officer or their legal personal representatives, including any increase of pension, and any contributions repayable and interest payable to any officer under any law providing for payment of pensions to widows and children of officers.

(2) “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 the office for a specified term under a contract.

Conditions of Service

2. The conditions of service applicable to an overseas officer who continues to be the substantive holder of a pensionable office in the Public Service of The Gambia on or after the appointed day shall not be less favourable than those which were applicable to him immediately before the appointed day.

Retirement and Pensions

3. The entitlement to retire and the eligibility to receive a pension of any overseas officer who continues to be the substantive holder of a pensionable office in the Public Service of The Gambia on or after the appointed day and of the eligibility of his widow, children, dependants or personal representatives to receive a pension shall be as provided for in the laws, regulations and administrative directions in force immediately before the appointed day or in such other laws regulations and administrative directions made thereafter as are not less favourable; and pensions shall be granted and paid to such officers and other persons accordingly.

Preservation of Pensions

4. The pension of any overseas officer who has ceased to be the substantive holder of a pensionable office in the Public Service of The Gambia before the appointed day, or of the widow, children, dependants or personal representatives of any such officer, 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 the appointed day or in accordance with such other laws, regulations and administrative directions made thereafter as are not less favourable.