

No. 9474

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

**and
SWAZILAND**

**Public Officers Agreement. Signed at Mbabane on 8 Sep-
tember 1968**

Authentic text: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
17 March 1969.*

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

**et
SOUAZILAND**

**Accord relatif aux fonctionnaires. Signé à Mbabane le
8 septembre 1968**

Texte authentique: anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 17 mars
1969.*

PUBLIC OFFICERS AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF SWAZILAND

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Swaziland have agreed as follows:

Article 1

INTERPRETATION

(1) In this Agreement—

(a) “the appointed day” means the 6th September 1968;

(b) “conditions of service” means the laws, rules, regulations, orders and other instruments that regulate the terms of service of an expatriate officer relating to his tenure of office, disciplinary control, salary (including salary scales), pensionable allowances and passages;

(c) “expatriate officer” means a person who was at any time before the appointed day the substantive holder of a pensionable office in the Public Service of Swaziland being a person—

- (i) who was selected for or offered appointment to the Public Service of Swaziland by a Secretary of State; or
- (ii) whose appointment to the Public Service of Swaziland 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 Swaziland; or
- (iv) who (although not a person falling within heads (i), (ii), or (iii) of this subparagraph) is or has been a member of Her Majesty's Overseas Civil Service or Her Majesty's Overseas Judiciary, or has been a member of a former Colonial Unified Service, or is or was a designated officer for the purposes of the Overseas Service (Swaziland) Agreement, 1962; and
- (v) who is not and does not become a citizen of Swaziland by his own act;

¹ Came into force on 8 September 1968 by signature, in accordance with article 10.

(d) "non-designated officer" means a person who was at any time before the appointed day the substantive holder of a pensionable office in the Public Service of Swaziland being a person who is not an expatriate officer and is not on the appointed day a citizen of Swaziland and does not thereafter become a citizen of Swaziland. Provided that a person who is a citizen of Swaziland by operation of law on the appointed day and has the right to renounce such citizenship shall be a non-designated officer but if he does not renounce such citizenship within a period of two years from the appointed day, he shall cease to be a non-designated officer on the expiration of that period;

(e) "officer" means an expatriate officer or non-designated officer;

(f) "pension" means any pension, gratuity, compensation and interest thereon, retiring allowance or other like benefit payable by the Government of Swaziland to or in respect of any officer or to the widow or child of any officer or their legal personal representative, including any increase of pension, any contributions repayable and interest payable to any officer under any law providing for payment of pensions to widows and children of officers;

(g) "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.

(2) Reference in this Agreement to the widow or children of an officer shall be deemed to include a reference to the widow or child of any person in the Public Service of Swaziland not being a citizen of Swaziland or a person who has at any time acquired citizenship of Swaziland save by operation of law on the appointed day.

Article 2

CONDITIONS OF SERVICE

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

Article 3

RETIREMENT AND PENSIONS

The entitlement to retire and the eligibility to receive a pension of any officer who continues to be the substantive holder of a pensionable office in the Public Service of Swaziland on or after the appointed day or of his widow, children,