STATUTORY INSTRUMENTS

# 1963 No. 84

# ADEN AND SOUTH ARABIAN PROTECTORATE

## The Aden and Protectorate of South Arabia (Public Service) Order 1963

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| *Made* - - - - | 17*th January* 1963 |
| *Laid before Parliament* | 17*th January* 1963 |
| *Coming into Operation* | 18*th January* 1963 |

At the Court at Sandringham, the 17th day of January 1963

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the British Settlements Acts 1887 and 1945(a), the Foreign Jurisdiction Act 1890(b) or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and commencement.

1.—(1) This Order may be cited as the Aden and Protectorate of South Arabia (Public Service) Order 1963.

(2) This Order shall come into operation on 18th January 1963.

Interpretation.

2.—(1) In this Order—

"designated officer" means—

(*a*) in relation to officers in the public service of Aden, a designated officer as defined for the purposes of the Overseas Service (Aden) Agreement 1961; and

(*b*) in relation to officers in the public service of the Protectorate, any officer designated as such by a Secretary of State for the purposes of the Overseas Service Aid Scheme;

"the High Commissioner" means the High Commissioner for Aden and the Protectorate;

"other public service" means—

(*a*) in relation to officers in the public service of Aden, the public service of the Protectorate, the Federation of South Arabia, Kamaran, Perim or the Kuria Muria Islands; and

(*b*) in relation to officers in the public service of the Protectorate, the public service of the Federation of South Arabia, Aden, Kamaran, Perim or the Kuria Muria Islands;

"the Protectorate" means the Protectorate of South Arabia;

(a) 50 & 51 Vict. c. 54 and 9 & 10 Geo. 6. c. 7. (b) 53 & 54 Vict. c. 37.

"the Territory" means Aden and the Protectorate and includes Kamaran, Perim and the Kuria Muria Islands.

(2) In this Order, unless the context otherwise requires, a reference to the holder of an office by the term designating his office includes, to the extent of his authority, any person who is for the time being authorised to perform the functions of that office.

(3) The Interpretation Act 1889(a) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting, and otherwise in relation to, Acts of Parliament of the United Kingdom.

(4) The powers of the High Commissioner under this Order shall be exercised by him in his discretion.

Designated officers.

**3.** The High Commissioner may from time to time require any officer in the public service of Aden or the public service of the Protectorate (being a designated officer) to perform in any part of the Territory the duties of any office in any other public service:

Provided that no such officer who was a member of the public service of Aden or the public service of the Protectorate immediately before the commencement of this Order shall be required to perform any duties in a part of the Territory in which, under the terms and conditions of service applicable to him immediately before the commencement of this Order, he could not have been required to serve unless that officer has at any time after the commencement of this Order signified to the High Commissioner his consent (which shall be irrevocable) to serve in any part of the Territory.

Officers other than designated officers.

**4.** The High Commissioner may from time to time require any officer in the public service of Aden or the public service of the Protectorate (not being a designated officer) who was a member of that public service immediately before the commencement of this Order to perform in any part of the Territory the duties of any office in any other public service:

Provided that no such officer shall be required to perform after the expiration of seven years from the commencement of this Order the duties of any office in the public service of the Federation of South Arabia.

*W. G. Agnew.*

## EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order confers power upon the High Commissioner for Aden and the Protectorate of South Arabia to require officers in the public services of Aden and the Protectorate to perform certain duties in other public services in the area.

(a) 52 & 53 Vict. c. 63.