15 & 16 Geo. 5. c. 69. 16 & 17 Geo. 5. c. 9. 17 & 18 Geo. 5. c. 30.

(3) In subsection (2) of section four of the Unemployment Insurance Act, 1925, the words from "the contribution to be made" to the words "have effect accordingly and," section eight of and the Second Schedule to the Economy (Miscellaneous Provisions) Act, 1926, and paragraph (*b*) of subsection (1) of section two of and the Second Schedule to the Unemployment Insurance Act, 1927, shall be repealed as from the first day of April, nineteen hundred and twenty-nine.

CHAPTER 4.

An Act to confirm and give effect to a certain agreement for interpreting and supplementing Article Ten of the Articles of Agreement for a Treaty between Great Britain and Ireland to which the force of law was given by the Irish Free State (Agreement) Act, 1922, and by the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922. [26th July 1929.]

WHEREAS His Majesty's Government in the United Kingdom and His Majesty's Government in the Irish Free State have entered into the agreement set forth in the Schedule to this Act being an agreement for interpreting and supplementing Article Ten of the Articles of Agreement for a Treaty between Great Britain and Ireland to which the force of law was given by the Irish Free State (Agreement) Act, 1922, and by the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922:

And whereas by Article 14 of the said agreement it is provided that the said Governments respectively shall, as soon as possible, introduce into their respective Parliaments such legislation as may be necessary to give statutory effect to the said agreement and that the said agreement shall not take effect until such legislation in such Parliaments has been passed into law:

And whereas it is expedient that the said agreement should be confirmed and that provision shall be made for the payment out of the Exchequer of the United

Kingdom of such sums as are, in pursuance of the said agreement, to be paid by His Majesty's Government in the United Kingdom:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Confirmation of agreement and provision of money.

1.—(1) The agreement set forth in the Schedule to this Act is hereby confirmed and the said Articles of Agreement for a Treaty, and the Irish Free State (Agreement) Act, 1922, shall have effect accordingly.

(2) Any sums payable in pursuance of the said agreement by His Majesty's Government in the United Kingdom to His Majesty's Government in the Irish Free State shall be defrayed out of moneys to be provided by Parliament.

12 Geo. 5. c. 4.

Short title and commencement.

2.—(1) This Act may be cited as the Irish Free State (Confirmation of Agreement) Act, 1929.

(2) This Act shall come into operation on the date on which the said agreement is confirmed by Act of the Parliament of the Irish Free State or, if such an Act is passed before the passing of this Act, shall come into operation on the passing of this Act.

SCHEDULE.

AGREEMENT made between HIS MAJESTY'S GOVERNMENT in the UNITED KINGDOM and HIS MAJESTY'S GOVERNMENT in the IRISH FREE STATE for Interpreting and Supplementing ARTICLE TEN of the ARTICLES OF AGREEMENT for a TREATY between GREAT BRITAIN and IRELAND to which the Force of Law was given by the Irish Free State (Agreement) Act, 1922, and by the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922.

1. Article 10 of the Articles of Agreement for a Treaty between Great Britain and Ireland signed at London on the 6th day of December 1921, and confirmed and ratified by the Irish

Free State (Agreement) Act, 1922, and the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922, shall be construed with reference to this Agreement, and the said Article 10 shall have effect and be deemed always to have had effect accordingly.

2. In this Agreement the expression "transferred officer" includes every official, civil servant, or other public servant who by virtue of any transfer of services has been transferred from the service of the Government of the late United Kingdom of Great Britain and Ireland to the service of the Provisional Government or the service of the Government of the Irish Free State or has heretofore been or shall hereafter be transferred from the service of the Government of the United Kingdom of Great Britain and Northern Ireland to the service of the Government of the Irish Free State, but does not include any member of a police force nor any person whose services were lent by the Government of the said late United Kingdom to the Provisional Government.

3. Where the Minister for Finance of the Irish Free State has, before the date of this Agreement and in accordance with a recommendation, whether general or particular, made to him by a committee set up by him to advise him as to the payment of compensation under the said Article 10, granted or refused to grant compensation under the said Article 10 to a person claiming to be a transferred officer, such grant and the award made thereon (but subject as respects cost of living bonus to the terms of this Agreement) or such refusal (as the case may be) shall be and be deemed always to have been a final and conclusive determination of the claim of such person for such compensation and such person shall be entitled accordingly to such compensation or to no compensation as the case may be.

4. There shall be established in the Irish Free State in the manner prescribed by legislation to be passed for that purpose by the Oireachtas of the Irish Free State a board (hereinafter called the Board) to hear and determine every claim pending at the date of this Agreement or hereafter to be made by any person claiming to be a transferred officer for compensation under the said Article 10 and to hear and determine every other matter which shall be referred to them in pursuance of this Agreement.

5. The Board shall have exclusive jurisdiction to determine the right of any person claiming to be a transferred officer to compensation under the said Article 10 and the amount of such compensation (if any) and all matters incidental to such determination, and the Board may for the purpose of such determination take into consideration in relation to any transferred officer any matter which the Civil Service Committee mentioned in section 56 of the Government of Ireland Act, 1920, might

under that Act have taken into consideration when considering a claim by such person for compensation under that Act, and every such determination by the Board shall be a final and conclusive determination of the claim of such person to compensation under the said Article 10.

6. The amount of compensation payable under the said Article 10 to a transferred officer who is found by the Board to be entitled to such compensation shall be determined by the Board in accordance with the Rules set out in the Schedule to this Agreement.

7. Where the Minister for Finance of the Irish Free State has before the date of this Agreement granted or refused to grant compensation under the said Article 10 to a person claiming to be a transferred officer, every dispute which shall hereafter arise between the said Minister and such person in relation to such grant or refusal or (in the case of a grant) the compensation granted and, in particular, every dispute which shall so arise as to whether such grant or refusal is or is not, by virtue of this Agreement, a final and conclusive determination of the claim of such person for such compensation shall be referred to and decided by the Board, and the decision of the Board thereon shall be final and conclusive.

8. Provision shall be made by legislation, to be passed by the Oireachtas of the Irish Free State, for enabling a transferred officer who is required to perform duties which are not analogous and are an unreasonable addition to his duties at the time of his transfer, or whose position has been materially altered to his detriment owing to changes in the conditions of his employment, to retire from the service of the Government of the Irish Free State with the same right to compensation as if he had been discharged by the said Government within the meaning of the said Article 10 and for the determination by the Board of any dispute as to the right of a transferred officer so to retire.

9. Notice by a transferred officer of his desire to retire from the service of the Irish Free State in consequence of the change of Government within the meaning of the said Article 10 may be given at any time up to, but not after, the 5th day of December 1929, or, in the case of a transferred officer who is transferred to such service after the 5th day of December 1928, within one year after the date of such transfer.

10. Where a transferred officer has received or hereafter receives promotion (whether by way of increase of salary or by appointment to another grade or situation) in the employment of the Provisional Government of Ireland or in the employment of the Government of the Irish Free State, any compensation to which he has become or hereafter becomes entitled under the said Article 10 shall (save in the cases provided for in the next

following paragraph of this Agreement) be computed by reference to the salary and emoluments of the grade or situation which he held immediately before he received such promotion or the first of two or more such promotions and as if he had continued in that office or situation.

11. Where a transferred officer in the service of the Provisional Government of Ireland or the service of the Government of the Irish Free State has received or hereafter receives promotion (whether by way of increase of salary or by appointment to another grade or situation, but not including acting-promotion) in either of those services, and such promotion was or is in the customary course of promotion in or from the grade or situation which he held at the time of his transfer to the said service and was or is otherwise promotion such as he would normally (at the time he was so promoted) have received in or from the last-mentioned grade or situation if the change of government mentioned in the said Article 10 had not taken place (whether such promotion was or is received in or to a department which was, or in or to a department which was not in existence at the time of such change of government), any compensation to which he has become or hereafter becomes entitled under the said Article 10 shall be computed by reference to the salary and emoluments of the grade or situation held by him immediately after such promotion or the latest of two or more consecutive such promotions.

12. The Oireachtas of the Irish Free State may provide by legislation that when and so long as a transferred officer in receipt of compensation under the said Article 10 is employed in any situation in a public department in Great Britain, the Irish Free State or Northern Ireland, such compensation may be suspended wholly where his remuneration in such situation equals or exceeds his remuneration in the office on account of retirement or discharge from which such compensation was granted, and in any other case to such extent as will render the total of such compensation and his remuneration in such situation equal to his remuneration in the office on account of retirement or discharge from which such compensation was granted.

In this paragraph the expression "situation in a public department" includes—

(*a*) any situation which is remunerated wholly or partly out of moneys (other than a single grant or occasional grants not renewed from year to year) provided by the Oireachtas of the Irish Free State or by the Parliament of the United Kingdom of Great Britain and Northern Ireland or by the Parliament of Northern Ireland; and

(*b*) any situation in Great Britain, the Irish Free State or Northern Ireland which is a public office within the

meaning of the Superannuation Act, 1892, or any enactment amending the same; and

(*c*) any situation in or under or as a paid member of the Currency Commission, the Electricity Supply Board, or the Agricultural Credit Corporation, Limited; and

(*d*) any situation in or under or as a paid member of a board or body established by or under the authority of an Act of the Oireachtas, passed after the date of this Agreement, which the Minister for Finance of the Irish Free State shall by order declare to be a public department for the purposes of this paragraph.

13. His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland agree to pay to His Majesty's Government in the Irish Free State the amount by which the compensation payable in accordance with this Agreement to transferred officers who have given notice, before the 1st day of March 1929, of their desire to retire under the said Article 10 from the service of the Government of the Irish Free State, or have been discharged before that date from the service of the said Government, exceeds the sum to which such compensation would amount if the same were calculated in the manner prescribed by this Agreement in respect of compensation payable to transferred officers who give notice on or after the 1st day of March 1929, of their desire so to retire from the said service or are discharged on or after that date from the said service.

14. His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and His Majesty's Government in the Irish Free State respectively shall as soon as possible introduce into their respective Parliaments such legislation as may be necessary to give statutory effect to this Agreement, and this Agreement shall not take effect until such legislation in such Parliaments shall have been passed into law.

Dated this 27th day of June, 1929.

Signed on behalf of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

PHILIP SNOWDEN.

SIDNEY WEBB.

Signed on behalf of His Majesty's Government in the Irish Free State.

EARNAN DE BLAGHD.

P. McGILLIGAN.

SCHEDULE to the foregoing Agreement.

1. In the case of a transferred officer to whom the Eighth Schedule to the Government of Ireland Act, 1920, would apply if the compensation were being calculated under that Act, the compensation shall, subject to the provisions of this Schedule, be calculated in accordance with the Rules contained in the said Eighth Schedule, and for the purposes of such calculation—

(*a*) the Rules contained under Head A of Part I. of the said Rules shall apply to retirement in consequence of the change of Government within the meaning of the said Article 10,

(*b*) the Rules contained under Head B of Part I. of the said Rules shall apply to discharge by the Government of the Irish Free State within the meaning of the said Article 10,

(*c*) the transitional period referred to in the said Rules shall be deemed to end on the 5th day of December 1929, save that, in the case of officers who are transferred to the service of the Government of the Irish Free State after the 5th day of December 1929, the transitional period shall be deemed to end at the expiration of one year after the date of such transfer, and

(*d*) where a transferred officer (not being an officer transferred to the service of the Government of the Irish Free State after the 5th day of December 1928) who has duly given notice on or before the 5th day of December 1928, of his desire to retire from the said service in consequence of the change of Government within the meaning of the said Article 10 continues in the service of the Government of the Irish Free State after the 5th day of December 1929, the period between that date and the actual date of retirement of such officer shall be reckoned in calculating his years of service, but increments of salary accruing to him after the said 5th day of December 1929, shall not be taken into account in calculating the compensation payable to him.

2. In the case of a transferred officer to whom section 54 of the Government of Ireland Act, 1920, or any subsection thereof would apply if the compensation were being calculated under that Act, the compensation payable to such officer shall be of such character and amount as the Board shall think proper having regard to all the circumstances of the case and, in particular, having regard to any limitation which would apply to such compensation by virtue of the said section 54 if such compensation were being calculated under the said Act.

3. In the case of a transferred officer to whom none of the foregoing Rules apply, the compensation payable to such officer shall be of such character and amount as the Board shall think proper having regard to all the circumstances of the case.

4. The following provisions shall apply to that portion (if any) of the compensation payable to a transferred officer under the said Article 10 which consists of an annual allowance computed on cost of living bonus on the Civil Service sliding scale, that is to say—

(*a*) the said annual allowance shall be computed by reference to a standard rate based upon the bonus appropriate on the Civil Service sliding scale to a cost of living figure of 105, this standard rate being increased or reduced, as the case may be, by one twenty-first for each complete 5 points by which the index figure appropriate to the quarter in which the officer retires (or if he retires on the last day of the quarter to the ensuing quarter) exceeds or falls short of the said index figure of 105;

(*b*) the annual allowance so computed shall (subject to the limitation hereinafter mentioned where the same applies) be re-assessed quarterly on the above basis by reference to the official cost of living index figure for the Irish Free State appropriate to each quarter;

(*c*) the said quarterly re-assessments of the said annual allowance shall be made on fixed quarterly dates, which shall be the same for all such annual allowances, and the first such quarterly re-assessment of any particular such annual allowance shall take place on whichever of the said fixed quarterly days first occurs after the commencement of such annual allowance;

(*d*) in the case of a transferred officer who gave or shall give notice on or after the 1st day of March 1929, of his desire to retire from the service of the Government of the Irish Free State, or has been or shall be discharged on or after that date from the service of the said Government, the said annual allowance shall not at at any time exceed the amount at which it would be calculated if it were computed by reference to the cost of living index figure on which the cost of living bonus paid to such officer immediately before his discharge or retirement was computed.

5. That portion (if any) of the compensation payable to a transferred officer under the said Article 10, which consists of a gratuity calculated according to the provisions of section 6 of the Superannuation Act, 1859, or of an additional allowance or lump sum calculated according to the provisions of the

Superannuation Act, 1909, shall, in so far as the same is computed by reference to cost of living bonus, be computed—

(*a*) in the case of a transferred officer who gave notice before the 1st day of March 1929, of his desire to retire from the service of the Government of the Irish Free State, or was discharged before that date from the service of the said Government, on the full amount of the cost of living bonus, computed by reference to the official cost of living index figure for the Irish Free State for the time being in force, appropriate on the civil service sliding scale to the salary of such officer on which such gratuity, additional allowance or lump sum is calculated, and

(*b*) in the case of a transferred officer who gave or shall give notice on or after the 1st day of March 1929, of his desire to retire from the service of the Government of the Irish Free State, or has been or shall be discharged on or after that date from the service of the said Government, on seventy-five per cent. of the cost of living bonus which, if computed by reference to the official cost of living index figure for the Irish Free State appropriate to the quarter in which the officer retires, would be appropriate on the civil service sliding scale to the salary of such officer on which such gratuity, additional allowance or lump sum is calculated.

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S. W.	P. McG.

CHAPTER 5.

An Act to authorise the making of advances for aiding and developing agriculture and industry in certain colonies and territories, to provide for the extension of the Colonial Stock Acts, 1877 to 1900, to stock forming part of the public debt of certain protected and mandated territories, and to amend the Palestine and East Africa Loans Act, 1926, and section eleven of the Trusts (Scotland) Act, 1921.

[26th July 1929.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present