(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

4. This Act may be cited as the Consolidated Fund (No. 2) Act, 1929. Short title.

CHAPTER 11.

An Act to amend the law with respect to the pensions of persons in the Diplomatic Service.

[27th March 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 Parliament assembled, and by the authority of the same, as follows :—

1. Subject to the provisions of this Act, the Diplomatic Salaries, &c. Act, 1869, shall cease to have effect, and accordingly the provisions of the Superannuation Acts, 1834 to 1919, shall apply to persons in the diplomatic service as they apply to other persons in the permanent civil service of the State, subject, however, to the following modifications :— Pensions of persons in the diplomatic service. 32 & 33 Vict. c. 43.

(*a*) The salaries and emoluments on which superannuation allowances are to be calculated shall, in the case of persons serving abroad, be such as the Treasury may determine having regard to the salaries and emoluments of persons serving in corresponding grades in the department of the Secretary of State:

(*b*) If the Secretary of State certifies that it was necessary, in the interests of diplomatic relations, to recall from his mission a person serving abroad as ambassador, minister or high commissioner, and if, in the opinion of the Treasury, it is, for reasons outside the control of that person,

impracticable to find suitable employment for him in the public service, the Treasury may grant to him such superannuation allowance, additional allowance or gratuity as might have been awarded if at the date of his recall he had been a person incapable from permanent infirmity of mind or body of discharging the duties of his office:

(*c*) If a person serving abroad is by reason of war or any interruption of diplomatic relations withdrawn from service before he has become eligible for the award of a superannuation allowance, and it is, in the opinion of the Treasury, impracticable to find suitable employment for him in the public service, the Treasury may, on the recommendation of the Secretary of State, award to him a temporary allowance equal to the amount of the superannuation allowance, if any, (but not including any additional allowance under subsection (2) of section one of the Superannuation Act, 1909), which might have been granted to him if at the date of his withdrawal he had been a person incapable from permanent infirmity of mind or body of discharging the duties of his office;

9 Edw. 7. c. 10.

If any person dies while in receipt of a temporary allowance granted under the foregoing provision, he shall be deemed to have died while still employed in the public service:

(*d*) Every existing member of the diplomatic service shall, for the purposes of section one of the Superannuation Act, 1909, be deemed to have entered the service after the date of the passing of that Act notwithstanding that he was appointed to the diplomatic service before that date, and the amount of the lump sum which under subsection (2) of section one of the Superannuation Act, 1909, may be granted by way of additional allowance on retirement shall, in the case of an existing member of the diplomatic service, be increased by one-half per cent. in respect of each completed year he had served at the passing of this Act.

Saving for existing members of diplomatic service.

2.—(1) An existing member of the diplomatic service may give notice that he desires to remain subject to the provisions of the Diplomatic Salaries, &c. Act, 1869, and section one of this Act shall not apply as respects any person by whom notice is so given.

(2) A notice for the purposes of this section must be in such form, and must be given within such period, as may be prescribed by the Secretary of State with the approval of the Treasury.

Short title and interpretation.

3.—(1) This Act may be cited as the Superannuation (Diplomatic Service) Act, 1929.

(2) In this Act—

The expression "minister" means envoy extraordinary and minister plenipotentiary, minister plenipotentiary, minister resident, chargé d'affaires in some foreign State where no other diplomatic representative is usually appointed to reside on behalf of His Majesty, or agent and consul-general in some foreign State where the duties of the person holding the office have been generally of a political character:

The expression "existing member of the diplomatic "service" means a person to whom immediately before the commencement of this Act the Diplomatic Salaries, &c. Act, 1869, applied, or a person who having been appointed a member of the diplomatic service at any time after the first day of April, nineteen hundred and nineteen, was such a member immediately before the commencement of this Act, whether he was or was not a person to whom the said Act so applied.

(3) If any question arises whether a person is or at any time was a member of the diplomatic service or was a person to whom the Diplomatic Salaries, &c. Act, 1869, applied, that question shall be determined by the Treasury after consultation with the Secretary of State, and the decision of the Treasury thereon shall be final.