



Government of Ireland Act 1920

1920 CHAPTER 67

PROVISIONS AS TO EXISTING JUDGES AND OFFICERS.

55 Continuation of service of and compensation to other existing officers

(1) Subject to the provisions of this Act, all existing Irish officers in the civil service of the Crown who are not provided for under the last preceding section and are at the appointed day serving as Irish officers shall, after that day, continue to hold their offices by the same tenure and upon the same terms and conditions (including conditions as to salaries and superannuation) as theretofore and shall be liable to perform the same duties as theretofore, or such duties as the Civil Service Committee established under this Act may determine to be analogous, and while performing the same or analogous duties shall receive not less salaries than they would have received if this Act had not passed:

Provided that, notwithstanding the provision herein-before contained as to the tenure of existing Irish officers, any existing Irish officer who at the time of the passing of this Act is removable from his office by His Majesty, or by the Chief Secretary, or by any person other than the Lord Lieutenant, or in any special manner, may be removed from his office after the appointed day by the Lord Lieutenant, but, in the case of the existing permanent members of the Congested Districts Board for Ireland, only by an order of the Lord Lieutenant, which shall be laid before the House of Commons of Southern Ireland and of Northern Ireland, and, if an address is presented to the Lord Lieutenant by either such House within the next subsequent forty days on which that House has sat after any such order is laid before it' praying that the order may be annulled, the Lord Lieutenant may annul the order, and it shall thenceforth be void.

(2) The Superannuation Acts, 1834 to 1914, shall continue after the appointed day to apply to any such existing Irish officer to whom they then apply, and the service of any such officer under the Government of Southern Ireland or Northern Ireland or the Council of Ireland shall, for the purpose of those Acts, be deemed to be service in the permanent civil service of the Crown and in a public office within the meaning of the Superannuation Act, 1892.

Provided that, so far as relates to the grant and ascertainment of the amount of any allowance or gratuity under those Acts as respects any such officer who at the time

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of his ultimate retirement is serving under the Government of Southern Ireland or Northern Ireland, or the Council of Ireland, the Civil Service Committee shall be substituted for the Treasury.

- (3) The provisions as to compensation contained in the Eighth Schedule to this Act shall apply with respect to any such existing Irish officer.
- (4) The superannuation and other allowances and gratuities which may become payable after the appointed day to or in respect of existing Irish officers in the civil service of the Crown under the Superannuation Acts, 1834 to 1914, and any compensation payable to any such officers under the provisions of this Act, shall be paid out of moneys provided by the Parliament of the United Kingdom, but any sums so paid shall be made good by means of deductions from the Irish residuary share of reserved taxes in accordance with regulations made by the Treasury.
- (5) Where any existing Irish officer in the civil service of the Crown, to whom the Superannuation Acts, 1834 to 1914, do not apply, is at the appointed day serving as an Irish officer in a capacity which, in accordance with a condition of his employment, qualifies him for a superannuation allowance or gratuity payable otherwise than under those Acts, that condition shall, after the appointed day, have effect, subject to the following modifications, that is to say, any superannuation allowance or gratuity which may become payable to the officer in accordance with that condition after the appointed day shall, if and so far as the fund out of which such allowances and gratuities are payable at the time of the passing of this Act is, by reason of anything done or omitted after the passing of this Act, not available for its payment, be charged upon and paid out of the Consolidated Fund of Southern Ireland or Northern Ireland, as the case may be, or shall be apportioned between those funds as the Joint Exchequer Board may determine, and any powers and duties of the Treasury as to the grant or ascertainment of the amount of the superannuation allowance or gratuity, or otherwise in connexion with the condition, shall be exercised and performed by the Civil Service Committee.
- (6) The Pensions Commutation Acts, 1871 to 1882, shall apply to any person to whom an annual allowance is granted in pursuance of the provisions of this Act relating to existing officers as they apply to a person who has retired in consequence of the abolition of his office, and any terminable annuity payable in respect of the commutation of an allowance shall be payable out of the same funds as the allowance.