

N° 474.

**GRANDE-BRETAGNE
ET ÉGYPTE**

Echange de notes concernant la loi relative aux conditions de service, mise à la retraite ou licenciement des fonctionnaires de nationalité étrangère. Le Caire, le 18 juillet 1923.

GREAT BRITAIN AND EGYPT

Exchange of Notes regarding the law relating to the conditions of service, retirement and dismissal of foreign officials. Cairo, July 18, 1923.

No. 474. — EXCHANGE OF NOTES BETWEEN THE BRITISH AND EGYPTIAN GOVERNMENTS REGARDING THE LAW RELATING TO THE CONDITIONS OF SERVICE, RETIREMENT OR DISMISSAL OF FOREIGN OFFICIALS. CAIRO, JULY 18, 1923.

English and French official texts, communicated by His Britannic Majesty's Foreign Office. The registration of this exchange of notes took place September 1, 1923.

¹ TRADUCTION. — TRANSLATION.

LAW No. 28 OF 1923.

LAW RELATING TO THE CONDITIONS OF SERVICE, RETIREMENT, AND DISMISSAL OF OFFICIALS, EMPLOYEES, AND AGENTS OF FOREIGN NATIONALITY.

We, King of Egypt,

Having considered the various laws now in force relating to pensions ;

And having considered the Decree of April 10, 1883, containing general regulations for the civil employees of the Egyptian Government, and the successive subsequent decrees amending the same ;

And having considered article 3 of the Constitution ;

And considering the necessity of making special provision for the regulation of the retirement and dismissal of foreign officials and employees, and of their conditions of service during the period for which they remain in the service of the Egyptian Government ;

On the proposition of our Minister of Finance, and with the concurrence of our Council of Ministers ;

Hereby decree :

I. — GENERAL PROVISIONS.

Article 1.

The provisions of the present law apply to all officials, employees, or agents who, being nationals of a foreign Capitulatory Power and not being former subjects of the Ottoman Empire, are, at the date when this law comes into force, in the service of any Administration of the Egyptian Government, including the Ministry of Wakfs, the Provincial Councils, and the Municipal and Local Commissions, but subject to reservations and with the exceptions hereafter mentioned.

Article 2.

The provisions of the present law shall not apply to the Magistrates, officials, or employees of the Mixed Courts, to the Commissioners and staff of the Service of the Public Debt, to the officials

¹ Communiquée par le Ministère des Affaires étrangères de Sa Majesté Britannique.

¹ Communicated by His Britannic Majesty's Foreign Office.

and employees of the Quarantine Service, or to the officials and employees of the Alexandria Municipality.

Provided, however, that any officials or employees who, having previously belonged to any Administration coming within the scope of this law, have been transferred to an Administration outside that scope, but have not discontinued paying their contribution to the Pension Fund of the Government, and have not yet lost the right to be reinstated in the Administration to which they originally belonged, may, within the period prescribed in article 4 hereof, claim to be so reinstated in order that they may exercise the right of option mentioned in the said article

Article 3.

The provisions of the present law shall furthermore not apply :

To Officers of the armed forces who have remained on the Active List of the forces of their own country ;

To pensionable officials, employees, or agents who entered the service after March 15, 1922 ;

To non-pensionable officials, employees, or agents who entered the service after December 31, 1920 ;

To officials, employees, or agents engaged once only for a definite piece of work ;

To officials, employees, or agents engaged once only on a contract for a period not exceeding five years, and who, at the time of their engagements, were informed in writing that their contract would not be renewed.

Article 4.

Pensionable officials and employees included in the terms of article 1 and of paragraph 2 of article 2 shall have the right up to October 31, 1923, to exercise one of the following options :

(a) To apply to retire on April 1, 1924.

(b) To apply to be retained provisionally in the service till April 1, 1927.

The options in question must be formulated in writing and be forwarded through the regular official channels to the Minister of Finance.

Officials and employees who have exercised one or other of the foregoing options shall alone be governed, in respect of their retirement or dismissal, by the provisions of this law.

For those officials and employees who shall be absent from Egypt on October 31, 1923, the period during which options may be exercised is extended to November 30, 1923.

Article 5.

Any official or employee who shall have exercised the first option mentioned in the preceding article shall be retired from the service on 1 April, 1924, unless the Minister of Finance shall have notified him, before January 1, 1924, that he will be retained in the service till April 1, 1927, or until such other prior date as may be specified in the notification.

The official or employee who has received such notification may nevertheless and at any time notify the Minister of Finance, in the manner laid down in the second paragraph of the preceding article, that he proposes to insist on retiring, and that for this purpose he surrenders a part of his special compensation, as laid down in article 14 hereof.

His retirement will then take effect six months from the date of such notification, no account being taken of any leave which may be granted to him in the said interval.

Article 6.

Any official or employee, who shall have exercised the second option, will be retired from the service on April 1, 1927, unless the Minister of Finance shall have notified him, before January 1, 1924, that he will be retired at a date earlier than April 1, 1927, specified in the notification, provided that such earlier date shall in no case be less than six months from the date of the notification.

Furthermore, the Government retains its liberty in all cases to retain such official or employee in the service with his consent after April 1, 1927, or other date specified in the aforesaid notification.

Article 7.

The foregoing provisions shall also apply :

(1) To non-pensionable monthly-paid officials or employees not comprised in the categories described in the following articles, who, at the date when this law comes into force, shall have completed fifteen years' service.

(2) To such of the said officials and employees as occupy permanent posts in the Budget of the Government in the sense of article 30 of the General Rules for the Reorganisation of Grades approved by Decision of the Council of Ministers on October 3, 1921, and who entered the service before August 1, 1914.

Article 8.

Other non-pensionable officials or employees engaged on contract or paid by the month, excepting those included in the terms of the next following article, shall only have the right to exercise the option mentioned in article 4, letter (b).

Provided, however, that the Government shall have the right to dismiss such an official or employee with one month's notice.

Article 9.

No right of option is conferred upon the following :

(1) Non-pensionable monthly-paid officials, employees or agents, with or without contract, who are graded in Class VIII of the Technical or Administrative Cadre, or in Class C of the Clerical Cadre, also agents occupying *hors cadre* or equivalent posts.

(2) Employees or agents on daily pay or working on piece work.

No change is made by this law in the conditions of service, of discipline, and of dismissal established with regard to the aforesaid officials, employees, and agents by the regulations at present in force. They will have only the right, in case of dismissal or of non-renewal of contract, to the benefits provided by article 13 hereunder.

Article 10.

A commission is instituted in the Ministry of Finance for the purpose of providing for the execution of the present law and for the purpose of controlling the conditions of service and of retirement of the officials to whom the law applies.

This Commission consists of eight high officials, either on the active list or retired, of whom four shall be foreigners nominated by *arrêté* of the President of the Council of Ministers upon the recommendation of the Minister of Finance. The President shall be appointed in the same manner

from among the Egyptian members. He shall be replaced in his absence by the senior Egyptian member or in case of equality in rank by the oldest Egyptian member.

In case of equality of votes the President or the member replacing him shall have the casting vote. The quorum of the Commission shall be six members, of whom three shall be foreigners.

Article 11.

A Committee composed of six members, of whom three shall be foreigners, shall be chosen by *arrêté* of the Minister of Finance from among the said Commission and on its recommendation. This Committee shall be competent, in respect of officials and employees to whom the present law is applicable, but excepting those referred to in article 9 above :

- (a) To decide, in cases of dispute, upon questions of retirement or dismissal on account of infirmity or illness.
- (b) To exercise the disciplinary functions of the different Courts, Committees, or Councils of Discipline, in conformity with the regulations in force, as well as to deprive by disciplinary decision the aforesaid officials or employees in whole or in part of the benefits accruing to them by virtue of the provisions of the present law and of the pension or indemnity accruing to them by virtue of the regulations in force.

This Committee shall be presided over by one of its Egyptian members nominated for this purpose in the *arrêté* referred to in the first paragraph.

An official or employee brought before the Council of Discipline shall have the right to challenge one of the foreign members who shall be replaced by the fourth member of the Commission who had not been nominated to form part of the Committee.

The decisions of the Committee shall require a majority of four votes out of the six and shall not be subject to appeal.

In case of equality of votes the case shall be submitted to the decision of a special Committee composed of the President of the Mixed Court of Appeal and of the two oldest members of the Council of Discipline representing respectively the two opinions.

Article 12.

No promotion or advancement shall be accorded to officials governed by the present law and who remain in the service till April 1, 1927, only, or for a shorter period, unless such promotion or advancement is justified by the exigencies of the service. In any case no increase of pay arising from such promotion shall be taken into account in calculating the special compensation provided for in article 13, No. 2, and in the tables annexed to the present law.

II. — GENERAL RULES FOR THE SETTLEMENT OF PENSIONS AND INDEMNITIES.

Article 13.

Every official or employee, whether pensionable or non-pensionable, to whom the present law applies, and who shall retire or be dismissed in accordance with the preceding provisions, shall be entitled to the following benefits, except so far as by disciplinary decision he may, in whole or in part, be deprived thereof :

- (1) To the pension or indemnity which would be due to him in accordance with the existing regulations should he, being a pensionable official or employee, retire or be dismissed on account of the suppression of his post, or should he, being a non-pensionable

official or employee, retire or be dismissed by reason of infirmity or illness contracted in the course of his service.

(2) To the special compensation laid down in article 18 and the following articles and in the tables annexed to the present law.

(3) To the repatriation allowance laid down in article 17.

Article 14.

The pensionable official or employee who by virtue of article 5, paragraph 2, has availed himself of the power to leave the service before the date notified to him by the Government, shall be entitled to one half only of the special compensation mentioned in No. 2 of the preceding article or to two-thirds of same should he quit the service after March 31, 1926, his right to the benefits mentioned in Nos. 1 and 3 of the said article being, however, maintained in full.

Should he, however, have already acquired, in accordance with existing regulations, the right to the immediate grant of his pension or indemnity, he shall have right to two-thirds of the special compensation.

In any case the Council of Ministers shall always have the power, in consideration of services rendered or of circumstances which justify the premature retirement, and after taking the opinion of the Commission mentioned in article 10, to grant to the official or employee concerned his full compensation.

Article 15.

Should an official or employee, who is entitled to compensation either full or reduced in accordance with the terms of the preceding articles, die or be retired on account of illness or infirmity between April 1, 1924, and the date fixed for the termination of his service, his heirs or he himself shall be entitled to the said compensation in like manner as if the date of his death or retirement had coincided with the aforesaid date of termination of service.

If, however, the retirement or discharge on account of illness or infirmity takes place at the request of the official or employee concerned himself, the special compensation shall be reduced by a fraction corresponding to the period which he ought still to have served, provided that such reduction shall not exceed one half of the aforesaid compensation.

Article 16.

In applying the tables hereto annexed relating to the settlement of special compensation the following rules will be observed :

(1) The compensation shall be based upon the last salary at the time of retirement or dismissal from which deduction on account of pension was made or would have been made had the official or employee been pensionable.

No account shall, however, be taken of increases of salary or promotion granted after the date of the option or of a request to retire, save in the case of increases due to the application of the new cadres or of normal and periodic increases of salary.

(2) If the official or employee is entitled to quarters at Government expense, the salary for purpose of calculation of special compensation shall be increased either by ten per cent, or by the amount of the allocation granted in lieu of quarters.

(3) The compensation shall also be based upon the age and length of service of the official or employee concerned in conformity with the regulations in force. In every case the age and length of service shall be calculated to the nearest three months, excess

periods of more than a completed month and a half being taken as three months and excess periods of less than a month and a half being ignored.

Furthermore, in the case of non-pensionable officials account shall be taken of any period of service, other than interrupted service, passed on full pay in a service previous to the present service even though it may not count for the indemnity provided by the Pensions Law.

Article 17

The repatriation allowance mentioned in article 13, No. 3, shall consist of the reimbursement of the expenses effectively incurred by the official or employee and properly vouched for in transporting himself with his family and with his furniture and effects to the capital of the foreign country where he resided before he joined the Government service. If, however, the aforesaid official or employee resided at that time in a country other than that of which he is a national and if he intends to proceed to this latter country he shall be entitled to the reimbursement of the expenses incurred in transporting himself to the capital of the said country. The reimbursement will only be payable if the journey takes place within six months from the date of termination of service.

The said reimbursement shall not exceed the month's salary laid down in article 33 of the Regulations regarding Indemnity and Travelling Expenses or a month and a half's salary in the case of an official or employee whose monthly pay does not exceed £E. 50.

III. — RULES FOR THE SETTLEMENT AND PAYMENT OF THE SPECIAL COMPENSATION.

Article 18.

Special compensation shall be calculated on the basis of the tables annexed to the present law, by multiplying the last annual salary of the person concerned by the age factor given by :

Table (A) for officials, employees, or agents whose compulsory age limit is 55 years.

Table (B) for those whose limit is 60 years,

Table (C) for those whose limit is 65 years or more, and by multiplying the product so obtained by the service factor given by :

Table (D) for pensionable officials, employees, and agents,

Table (E) for those who, being non-pensionable, are comprised in the category defined in article 7, Nos. 1 and 2,

Table (F) for those who, being non-pensionable, are comprised in the category defined in article 8,

Table (G) for those who, being non-pensionable, are comprised in the category defined in article 9, No. 1,

Table (H) for those who, being non-pensionable, are comprised in the category defined in article 9, No. 2. :

Article 19.

If the special compensation, calculated by the rules of the preceding article, exceeds £E. 4,000 the amount of the indemnity shall be subject to a percentage of reduction, in conformity with Annex III, in such a manner that the total amount shall in no case exceed a maximum of £E. 8,500.

Article 20.

The pensions or indemnities described in articles 13 and following shall be payable either in Egyptian pounds in Cairo, or in pounds sterling in London, at the rate of P T 97½ to the pound, or in francs (gold) in Paris, at the choice of the person entitled

Article 21.

In order that the sums of money required for the payment of pensions, indemnities, and allowances may not exceed in any budgetary year the credits provided for this purpose, the Government shall have the power :

- (a) Either to retain, on each liquidation, an amount not exceeding 25 per cent. of the amount due, and to pay it without interest to the person entitled at the end of the current financial year or during the first three months of the following financial year in cash or in the manner prescribed hereafter.
- (b) Or to pay a part of the indemnity not exceeding 50 per cent. in Treasury bills maturing in five years and bearing interest at 4½ per cent. ; the reimbursement of the said bills as well as the payment of the interest having to be effected in accordance with the rules laid down in the preceding article.

The aforesaid measures may be applied concurrently provided that the amount to be paid in cash to the person entitled immediately after the liquidation is not inferior to 50 per cent. of the total amount due.

Article 22.

Our Minister of Finance is charged with the execution of the present law and may make any necessary *arrêté* to this effect.

The present law shall come into force as from the date of its publication in the « Journal officiel. »

Done at Montazah Palace on the 18th July, 1923.

FOUAD.

By the King :

The President of the Council of Ministers,

Y. IBRAHIM.

The Minister of Finance,

MOUHEB.

ANNEXES TO LAW No. 28 OF 1923.

ANNEX I.

TABLES OF AGE FACTOR ¹.

| AGE. | TABLE (A) For Officials whose Age Limit is 55 Years. | TABLE (B). Age Limit 60 Years. | TABLE (C). Age Limit 65 Years or more. |
|------|--|-----------------------------------|---|
| | Factor. | Factor. | Factor. |
| 20 | .57 | .57 | .57 |
| 21 | .61 | .61 | .61 |
| 22 | .65 | .65 | .65 |
| 23 | .69 | .69 | .69 |
| 24 | .73 | .73 | .73 |
| 25 | .76 | .76 | .76 |
| 26 | .79 | .79 | .79 |
| 27 | .82 | .82 | .82 |
| 28 | .84 | .84 | .84 |
| 29 | .86 | .86 | .86 |
| 30 | .88 | .88 | .88 |
| 31 | .90 | .90 | .90 |
| 32 | .92 | .92 | .92 |
| 33 | .94 | .94 | .94 |
| 34 | .95 | .95 | .95 |
| 35 | .96 | .96 | .96 |
| 36 | .97 | .97 | .97 |
| 37 | .98 | .98 | .98 |
| 38 | .99 | .99 | .99 |
| 39 | I.00 | I.00 | I.00 |
| 40 | I.00 | I.00 | I.00 |
| 41 | .99 | I.00 | I.00 |
| 42 | .97 | .99 | .99 |
| 43 | .94 | .97 | .97 |
| 44 | .90 | .94 | .95 |
| 45 | .85 | .91 | .93 |
| 46 | .79 | .88 | .91 |
| 47 | .73 | .84 | .88 |
| 48 | .66 | .79 | .85 |
| 49 | .59 | .74 | .82 |
| 50 | .51 | .69 | .79 |
| 51 | .43 | .64 | .76 |
| 52 | .34 | .59 | .72 |
| 53 | .24 | .53 | .68 |
| 54 | .13 | .47 | .64 |
| 55 | .00 | .40 | .60 |
| 56 | — | .33 | .56 |
| 57 | — | .26 | .52 |
| 58 | — | .18 | .47 |
| 59 | — | .10 | .42 |
| 60 | — | .00 | .37 |
| 61 | — | — | .32 |
| 62 | — | — | .26 |
| 63 | — | — | .18 |
| 64 | — | — | .10 |
| 65 | — | — | .00 |

¹ Quarters of years shall be interpolated.

ANNEX II.

TABLES OF SERVICE FACTORS ¹.

| Years of Service. | TABLE (D) for Pensionable Officials and Employees. | TABLE (E) for Non-pensionable Officials or Employees included in the Category defined in Article 7, Nos. 1 and 2, of the Law. | TABLE (F) for Non-pensionable Officials and Employees included in the Category defined in Article 8 of the Law. | TABLE (G) for Non-pensionable Officials, Employees, and Agents included in the Category defined in Article 9, No. 1, of the Law. | TABLE (H) for Employees and Agents included in the Category defined in Article 9, No. 2, of the Law. |
|-------------------|---|--|--|---|---|
| | Factor. | Factor. | Factor. | Factor. | Factor. |
| 0 | 3.5 | — | — | — | — |
| 1 | 3.9 | — | — | — | — |
| 2 | 4.3 | — | — | — | — |
| 3 | 4.7 | — | 2.0 | 1.4 | 1.0 |
| 4 | 5.1 | — | 2.4 | 1.7 | 1.2 |
| 5 | 5.4 | — | 2.8 | 2.0 | 1.4 |
| 6 | 5.7 | — | 3.2 | 2.3 | 1.6 |
| 7 | 6.0 | — | 3.5 | 2.6 | 1.8 |
| 8 | 6.2 | — | 3.8 | 2.9 | 2.0 |
| 9 | 6.4 | 6.0 | 4.2 | 3.2 | 2.2 |
| 10 | 6.6 | 6.1 | 4.6 | 3.5 | 2.4 |
| 11 | 6.7 | 6.2 | 5.0 | 3.8 | 2.6 |
| 12 | 6.8 | 6.3 | 5.4 | 4.1 | 2.8 |
| 13 | 6.9 | 6.4 | 5.8 | 4.4 | 3.0 |
| 14 | 7.0 | 6.5 | 6.2 | 4.7 | 3.2 |
| 15 | 6.0 | 6.5 | 6.5 | 5.0 | 3.4 |
| 16 | 6.0 | 6.5 | 6.5 | 5.3 | 3.6 |
| 17 | 6.0 | 6.5 | 6.5 | 5.6 | 3.8 |
| 18 | 6.0 | 6.5 | 6.5 | 5.9 | 4.0 |
| 19 | 6.0 | 6.5 | 6.5 | 6.2 | 4.2 |
| 20 | 6.0 | 6.5 | 6.5 | 6.5 | 4.4 |
| 21 | 6.0 | 6.5 | 6.5 | 6.5 | 4.6 |
| 22 | 6.0 | 6.5 | 6.5 | 6.5 | 4.8 |
| 23 | 6.0 | 6.5 | 6.5 | 6.5 | 5.0 |
| 24 | 6.0 | 6.5 | 6.5 | 6.5 | 5.2 |
| 25 | 6.0 | 6.5 | 6.5 | 6.5 | 5.4 |

¹ Quarters of years shall be interpolated; but the factor 7 corresponding to 14 years' service in Table (D) shall continue to be applied until the date at which the person concerned acquires the right to his pension.

ANNEX III.

SCALE OF DEDUCTIONS APPLICABLE TO INDEMNITIES EXCEEDING L. E. 4,000.

Indemnities not exceeding L.E. 4,000 shall be subject to no deduction. Any sums exceeding L.E. 4,000 are subject to the following deduction :

| From the first | thousand pounds or part thereof | | 10 per cent. |
|----------------|---------------------------------|--------|--------------|
| » second | » » | | 20 » |
| » third | » » | | 30 » |
| » fourth | » » | | 40 » |
| » fifth | » » | | 50 » |
| » sixth | » » | | 60 » |
| » seventh | » » | | 70 » |
| » eighth | » » | | 80 » |
| » ninth | » » | | 90 » |
| » tenth | » » | | 100 » |

In such a manner that no indemnity shall in any case exceed L.E. 8,500.

Seen : *The Minister of Finance,*
MOUHEB.

RAMLEH, July 18, 1923.

YOUR EXCELLENCY,

I have the honour to transmit to you herewith a copy of the law relating to the conditions of service, retirement, and dismissal of officials, employees, and agents of foreign nationality in the service of the Egyptian Government, a law which has just received the signature of His Majesty the King, and which will be promulgated forthwith.

(2) This law provides the solution for a question of a transitional character to which the establishment of the new political system in Egypt has given rise, a solution which represents the result of numerous discussions which have taken place between the Egyptian Government and the British Government.

(3) I am authorised by His Majesty the King and by the Council of Ministers to give your Excellency the assurance that the Egyptian Government considers this law, together with the clauses contained in the present note, as the expression of an arrangement between the two Governments, and it undertakes to maintain them in force until they shall have produced all their effects.

(4) I am likewise authorised to inform your Excellency that, in view of the fact that the *modus vivendi* hitherto in force confers upon foreign officials and employees who entered the service between November 1, 1918, and December 31, 1920, after having served during the late war in the army or navy of one of the Allies, the right to add a supplementary period of three years to their term of service for the purpose of calculating their special indemnity, the Egyptian Government will maintain the same rule in force for the benefit of the few officials and employees to whom it is still applicable.

(5) It is agreed that the choice as well as the replacement of the foreign members of the Commission mentioned in article 10 of the law shall be made in consultation and agreement with your Excellency.

(6) It is necessary to say that the coming into force of the law will put an end to the *modus vivendi* which has been applied during the last year in dealing with the question of foreign officials

who desired to retire from the service. Nevertheless, as it is necessary to regulate the transition from the old to the new system, I accept the suggestion made to me by your Excellency that the *modus vivendi* shall continue to be applied in the case of officials to whom your Excellency has already, up to the present time, given the assurance of your support with a view to their retirement or dismissal, as having suffered immediate prejudice, and in the case of officials and employees whose retirement or dismissal has already been agreed to between us. It is agreed that the officials and employees referred to are those whose names are included in the lists prepared *ad hoc* and communicated to the Secretariat of the Presidency of the Council before the date of the present note, and that the right is reserved to them up to October 31 next to renounce their right to retire by exercising the option given by article 4, letter (b), of the law. It is also agreed that in the settlement of their claims article 21 of the law shall in all cases be applicable.

(7) As regards the Treasury Bills mentioned in article 21 referred to above it is agreed that they shall be secured by the deposit at the National Bank of bonds of the Egyptian Public Debt.

I have the honour to remain, &c.,

The Minister for Foreign Affairs,

AHMED HECHMAT.

To his Excellency

Field-Marshal Viscount ALLENBY, G.C.B., G.C.M.G.,
High Commissioner of His Britannic Majesty's Government.

RAMLEH, July 18, 1923.

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of your letter of to-day's date, by which you communicate to me the text of the new law relating to the conditions of service, retirement, and dismissal of officials, employees, and agents of foreign nationality in the service of the Egyptian Government.

(2) I confirm your Excellency's declaration that this law, together with the clauses contained in the present notes, constitutes the expression of an arrangement between our two Governments, and I take act of your Excellency's assurance that the Egyptian Government will maintain them in force until they shall have produced all their effects.

(3) I thank your Excellency for the assurance that, in view of the fact that the *modus vivendi* hitherto in force confers upon foreign officials and employees who entered the service between November 1, 1918 and December 31, 1920, after having served during the late war in the army or navy of one of the Allies, the right to add a supplementary period of three years to their term of service for the purpose of calculating their special indemnity, the Egyptian Government will maintain the same rule in force for the benefit of the few officials and employees to whom it is still applicable.

(4) I am entirely in agreement with your Excellency as to the desirability of our being agreed as to the choice of the foreign members of the Commission referred to in article 10 of the law, as also on the subject of the maintenance in force of the *modus vivendi* in the case of officials to whom I have already, up to the present time, given the assurance of my support with your Excellency, as having suffered immediate prejudice, and in the case of officials and employees whose retirement or dismissal has already been agreed to between us. It is agreed that the officials and employees referred to are those whose names are included in the lists prepared *ad hoc* and communicated to the Secretariat of the Presidency of the Council before the date of the present note, and that the right is reserved to them up to October 31 next to renounce their right to retire by exercising the option given by article 4, letter (b), of the law. It is also agreed that in the settlement of their claims article 21 of the law shall, in all cases, be applicable.

(5) As regards the Treasury Bills mentioned in article 21 referred to above, it is agreed that they shall be secured by the deposit at the National Bank of bonds of the Egyptian Public Debt.
I have the honour to remain, &c.,

To His Excellency
Ahmed HESHMAT Pasha,
Minister for Foreign Affairs.

ALLENBY,
Field-Marshal, High Commissioner.

CAIRO, *September 1, 1923.*

MY DEAR MR. SCOTT,

I have the honour to acknowledge the receipt of your note of July 21 last regarding the interpretation to be given to the following two points in Law No. 28 of 1923 :

(1) The power which paragraph 2 of article 5, supplemented by the provisions of article 14, provides for the pensionable officials (as well as for the non-pensionable officials assimilated to them by the provisions of article 7) to apply for their retirement at any time after six months' notice on condition of renouncing an important fraction of their special compensation.

(2) The precise meaning of the words " gold francs " referred to in article 20.

In reply, I desire to state that, by a decision dated August 26, 1903, the Council of Ministers has authorised me to inform you, as regards the first point, that it is clearly understood that the power provided by paragraph 2 of article 5 of Law No. 28 of 1923 can be claimed both by the officials who exercise option (a) of article 4, as well as by those who exercise option (b) of the same article of the above-mentioned law ; and, as regards the second point, by the expression " gold francs " it should be thoroughly understood that payments in Paris will be made in francs at the sterling rate of exchange at Paris.

I am glad to be able to give you these explanations, and beg you, &c.,

The President of the Council of Ministers,
Y. IBRAHIM.

¹ TRADUCTION. — TRANSLATION.

LA RÉSIDENCE, RAMLEH, 5 *septembre* 1923.

MONSIEUR LE PRÉSIDENT DU CONSEIL,

J'ai l'honneur de vous accuser réception de votre lettre N^o 346 du 1^{er} septembre, par laquelle vous avez bien voulu m'informer de la décision du Conseil des Ministres du 26 août dernier, relative à l'interprétation qu'il y a lieu de donner à deux points concernant l'article 5 et l'article 20 de la loi 28 de 1923.

J'ai l'honneur de vous faire connaître que mon Gouvernement se rallie à l'interprétation des deux points en question dont vous me faites part dans votre lettre.

En vous remerciant vivement, etc.

(Signé) ERNEST SCOTT,
Haut Commissaire par intérim.

A Son Excellence
Yehia IBRAHIM Pacha, etc.,
Président du Conseil des Ministres,
Ramleh.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.