



COLONIAL OFFICE

Report of the
Somaliland Protectorate
Constitutional Conference,
London, 1960

Held in London in May, 1960

*Presented to Parliament by the Secretary of State for the Colonies
by Command of Her Majesty
May 1960*

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INTRODUCTION

1. *Historical Introduction.* The first British treaty with a Somali tribe was made in 1827, and some further treaties were made on the north coast in the 1840's. In 1875 the Khedive of Egypt claimed jurisdiction over the north coast, but Egyptian garrisons were withdrawn in 1885. At this period the first British occupation began, and between 1884 and 1886 six treaties and three supplementary Agreements were signed with various Somali tribes, who were guaranteed Her Majesty's protection. In July, 1887, Britain gave formal notification to the Powers in accordance with the procedure laid down in the General Act of Berlin that the Somali coast from Ras Jibuti to Bunder Ziadeh (roughly the present boundaries) had been placed under British protection. The Protectorate was administered by the Resident at Aden as a dependency of the Government of India until 1898, when it was transferred to the Foreign Office. In 1905 it was transferred to the Colonial Office.

2. From 1901 to 1920 the Government's authority was persistently and seriously challenged by the famous Mohamed Bin Abdullah Hassan, and it was not until 1920 that he was finally defeated. From 1921 to 1940 there was peace in the Protectorate. In August, 1940, Italian forces from Ethiopia occupied the Protectorate, but British forces re-occupied the country in March, 1941. It remained under Military Administration until 1948, when civil administration was resumed under the Colonial Office.

3. *Recent Events.* Until 1957 executive and legislative power remained solely vested in the Governor, although he was advised by a non-statutory council comprising the principal officials of the Government. In July, 1947, however, there had been established the Protectorate Advisory Council which was composed of Chiefs and tribal representatives, representatives of the religious community and of the Arab and Indian populations, as well as officials. This Council was the first step in the process of associating the Somalis with the government of the country.

4. In 1957 Executive and Legislative Councils were formed. The Legislative Council contained unofficial members, nominated by the Governor. An early decision of this Legislative Council was that a Commission should be appointed to examine ways in which its unofficial membership could be made more representative. As the result of this Commission's work a new constitution was introduced in January, 1959. For the first time there were elections to the Legislative Council, which consisted of the Governor, 3 *ex officio* members, 13 elected members, not more than 14 official members and not more than 3 nominated members. Some of the unofficial members of the Legislative Council were also associated with the working of groups of departments of government, and a convention was established whereby these members were called into consultation.

5. A significant step in the constitutional and political development of the Protectorate was taken when in February, 1959, Mr. A. T. Lennox-Boyd, then Colonial Secretary, visited the country and made a statement to the Legislative Council in Hargeisa. The text of this statement is at Annex I. Following Mr. Lennox-Boyd's undertaking to promote further constitutional development, the present constitution was introduced in February, 1960. This provides

for a Legislative Council with 3 official members and 33 elected members; and for an Executive Council of 3 official and 4 unofficial members all to be called Ministers. The unofficial Ministers are appointed by the Governor, but in doing so he takes the advice of the person who, in his judgment, is best able to command the confidence of a majority in the Legislative Council.

6. Elections under this new constitution were held in February, 1960, on a universal adult male suffrage. There was a strong poll. The Somali National League and the United Somali Party, who obtained 20 and 12 seats respectively, formed a coalition, and the National United Front obtained 1 seat. After consulting Mr. Mohamed Haji Ibrahim Egal, the leader of the Somali National League and the United Somali party members in the Legislative Council, the Governor appointed 4 Ministers and 1 Assistant Minister. Mr. Mohamed Haji Ibrahim Egal became Minister for Local Government and also Leader of Government Business in the Legislative Council.

7. In December, 1959, the General Assembly of the United Nations adopted a resolution that Somalia, under Italian Trusteeship, should become independent on 1st July, 1960. The U.K. voted for this resolution. The Protectorate Legislative Council met on 6th April, 1960, and with the unanimous support of all the elected members passed the following resolution:—

“ THAT it is the opinion of this House that practical steps should be taken forthwith for the immediate unification of the Protectorate and Somalia, THAT prompt action is essential to achieve this most cherished aim, and can be fully justified by the special importance which popular feeling in this country attaches to its early achievement, THAT a bold and definite action be taken, and THAT the date of independence and unification with Somalia must be 1st July, 1960, the date when Somalia will attain its full freedom.”

8. Following the adoption of this Motion, the elected Ministers approached the Governor, requesting that they might pay an early visit to London to discuss independence with the Colonial Secretary. The Prime Minister informed the House of Commons of this request on 11th April. He said that H.M.G. understood the deep feelings underlying the Motion and that the Colonial Secretary would receive the elected Ministers to discuss independence at the beginning of May.

9. A Conference began in the Colonial Office on 2nd May and lasted until 12th May, 1960. A list of those taking part is in the Appendix.

FIRST PART OF THE CONFERENCE

Request for Independence

10. The Somaliland delegation confirmed their desire to achieve independence and unite with Somalia when that country becomes independent on 1st July, and emphasised that this policy commanded the enthusiastic support of the people of the Protectorate. They paid tribute to the work of successive British governments in the Protectorate during the past 80 years, and expressed the hope that it would be possible for the U.K. to continue to give advice and help after independence. They hoped for continuation of the warmest ties of friendship between Somaliland and the U.K. They acknowledged that there were many legal, constitutional, and practical problems to be resolved if independence were to be achieved in so short a time, but felt that none of them were insuperable.

11. The Secretary of State said that there were indeed many questions to

be considered and problems resolved before it would be proper for Her Majesty to surrender Her jurisdiction and to withdraw Her protection. In particular there were three matters on which he would require to be satisfied before coming to a decision.

Termination of Protection

12. The Secretary of State referred to the Protectorate treaties of 1884 to 1886. While it did not appear to be essential to have a written agreement abrogating these treaties, and while he accepted the assurance of the Somaliland delegation that there was an overwhelming majority of national public opinion behind their demand for independence, he was anxious that there should be some demonstration that the authorities of the tribes concerned were in agreement.

13. The Somaliland delegation said that it had arranged to hold a meeting of the Council of Elders of the Protectorate on 24th May, when the policy of independence would be endorsed.

Grazing Arrangements

14. The Secretary of State said that in the view of H.M.G. the Anglo-Ethiopian Treaty of 1897, which, *inter alia*, provided the legal basis for trans-frontier grazing rights, should be regarded as remaining in force as between Ethiopia and the successor State following the termination of the Protectorate; but the main provisions of the Anglo-Ethiopian Agreement of 1954, which accorded the Protectorate certain facilities and powers concerning the exercise of these grazing rights, would lapse. He reminded the Somaliland delegation of the importance of this grazing to their economy, and suggested that it would be desirable to enter into very early discussion with the Ethiopian Government on this and other matters of common interest to both countries. The Somaliland delegation replied that, after considering the whole matter most carefully, they wished to begin discussions with the Ethiopian authorities at an early date. The Secretary of State welcomed this.

The Public Service

15. The Secretary of State emphasised the importance of his obligations to the Public Service. The probability that the Somaliland Government as such would disappear if there were union with Somalia made it all the more necessary to devise carefully arrangements which would enable these obligations to be discharged. He welcomed the statements which had been made by speakers in the debate in Legislative Council on 6th April, 1960, and which the Somaliland delegation confirmed, that it was desired to retain the services of expatriate officers after independence. H.M.G. would be willing to help to meet this wish as far as practicable, but individual officers would be free to leave if they wished, and it would be necessary to offer sufficient security to attract those whom it was desired to retain. In particular, a scheme for the Somalisation of the Public Service over a period of two to three years had already been worked out, and the compensation provisions of this scheme should stand; officers must be free to leave with compensation on independence if they wished.

16. The Governor had already suggested which posts expatriate officers would be needed to fill, and the Conference should consider how the present holders might be encouraged to stay. An agreement might be made by which

the United Kingdom would for a period of, say, six months after independence, take over, pay and retain in service the officers whom it was desired to keep on. This should give these officers the security they required. The officers would be in the service of the local Government and under their disciplinary control, although Her Majesty's Government would expect to be consulted before any disciplinary measures were taken if the need for these arose.

17. There were many officers who had served in Somaliland in the past and whose pensions were paid from Somaliland funds either from Hargeisa or by the Crown Agents in London. These payments were complex, and it might assist in the settlement of permanent arrangements if the United Kingdom assumed responsibility for them for the initial period of, say, six months.

18. When a territory attained independence it was normal for the United Kingdom Government to propose a Public Service Agreement which would ensure that those who continued to serve would have the same conditions of service as, or conditions no worse than, those preceding independence and in principle a similar arrangement seemed desirable here. It was unlikely that expatriate pensionable officers would be required for more than the six months after independence. While such an Agreement should also contain the assurance that the pension obligations of the present Government would be continued permanently, it would itself only be valid for an interim period. It would seem desirable that the Somaliland Government should undertake to recommend to a successor Somali Republic that they in turn should accept the Agreement.

19. During the six months of this interim arrangement the United Kingdom would be making payments on behalf of Somaliland and subsequently, if there were union, of the Somali Republic. This would have to be taken into account in the overall financial arrangements to be made.

20. The Somaliland delegation welcomed this approach, and expressed their readiness, as far as lay in their power, to provide the assurances which the Secretary of State sought as regards local responsibility for fulfilling the compensation scheme, conditions of service for expatriate officers continuing to serve after independence, and permanent pensions obligations.

Statement of Policy

21. At the Fourth Plenary Meeting on 4th May, the Secretary of State informed the Conference that, in the light of the progress made, H.M.G. were now prepared to take further constitutional steps to make possible the independence of the Protectorate by 1st July, 1960. The full text of this statement is given in Annex II.

22. In his reply to this statement, the Hon. Mohamed Haji Ibrahim Egal, on behalf of the Somaliland delegation, said :

“ This is a happy day for us. On behalf of the elected Ministers, I wish to thank you for your statement and on behalf of the people of Somaliland to express our great gratification and our appreciation of all that Her Majesty's Government have done to promote our welfare.”

SECOND PART OF THE CONFERENCE

B.B.C. Relay Station

23. The Secretary of State said that the U.K. hoped that the Government of an independent Somaliland would agree to the continuation in force of the

lease for the B.B.C. relay station at Berbera, and that this arrangement would also be accepted by any union of Somaliland and Somalia. He explained that the intention of the lessee is to use the radio station primarily to receive and retransmit B.B.C. broadcasts in Arabic, English and Swahili, or in any of these languages. Programmes in Somali will not be broadcast by the station. The station will also transmit and receive service messages. Written permission would be sought from the lessor if it be desired to use the station for any other purpose.

The Somaliland Scouts

24. The Secretary of State said that Her Majesty's Government would be ready to arrange for a carry-over period of some six months from the date of independence, during which British personnel would remain on secondment, and maintenance backing would be continued, on repayment. During this period the establishment of British personnel would be gradually run down, and should be paralleled, where suitable men were available, by promotion of Somali N.C.O.'s to commissioned rank. It would also seem desirable that a Recruiting Board be formed to select potential officers, and Her Majesty's Government would be prepared to examine the implications of putting such recruits through a short training course in the United Kingdom. The cost of help on these lines for an interim period would be assumed by Her Majesty's Government and would be taken into account in assessing the level of financial assistance after independence. It would be necessary for the conditions under which British personnel would be serving to be governed precisely in a written Agreement between Her Majesty's Government and the Government of an independent Somaliland. The Somaliland delegation accepted these proposals and undertook to enter into an Agreement as proposed. The text of Heads of an Agreement is at Annex III.

United Kingdom Aid Mission

25. In further detailed examination of matters concerned with the Public Service, it was agreed that a United Kingdom Aid Mission should be formed of such officials at present in the Public Service of the Protectorate as the Secretary of State, at the request of the Government of an independent Somaliland, should appoint, to be available for civilian employment in the Public Service of Somaliland. Such officers would serve for an interim period of six months, during which the United Kingdom would be responsible for payments to them. The officers would be subject to the disciplinary control of the Somaliland Government, but no appointment would be terminated except by the Secretary of State. Any officer aggrieved by disciplinary measures to which he has been subjected shall have the right to make representations to the Secretary of State. If the Secretary of State supports these representations and the resultant dispute cannot be resolved, then such dispute shall be submitted to an Arbitration Tribunal. Officers belonging to the Mission, who are entitled to the benefits of the compensation schemes, should receive their compensation at the same time as other entitled officers who leave the country on retirement. Officers whose compensation increases during the interim period should receive the additional amount at the end of the period. Compensation for entitled officers in the Mission should be "frozen" for the interim period at the most favourable level to which they

are entitled. A draft agreement covering the above and other matters concerning the United Kingdom Aid Mission was approved by the Conference and the text is at Annex IV.

Public Officers Agreement

26. The Conference approved a draft Public Officers Agreement providing for the permanent obligations of the Government of an independent Somaliland. The text is at Annex V.

Compensation for Contract Officers

27. The Conference agreed that compensation should be paid to overseas officers serving on contract in the Public Service of the Protectorate in accordance with the terms set out in Annex VI.

Effect of Possible Further Transfer on Rights and Obligations

28. The Conference agreed that the effect of the possible further transfer of rights and obligations arising out of arrangements in respect of the United Kingdom Aid Mission, the Scouts and the Public Officers Agreement should be dealt with in an exchange of letters between representatives of the Government of Somaliland and Her Majesty's Government. The text of the letters which it was agreed should be exchanged is in Annex VII.

Citizenship and Nationality

29. The Conference recognised that upon the withdrawal of Her Majesty's protection all persons, who are British Protected Persons by virtue of their connection with the Somaliland Protectorate under the British Nationality Act, 1948, and the British Protectorates, Protected States and Protected Persons Order in Council, 1949, will lose that status. The Somaliland delegation stated that it would be the intention of the Government of an independent Somaliland to enact legislation creating Somaliland citizenship immediately upon independence. The text of a draft Citizenship law is in Annex VIII.

30. The Somaliland delegation pointed out that the shortness of the period before independence and between independence and union with Somalia, the fact that an independent Somaliland will not set up any separate diplomatic representation abroad, and the likelihood that it will take time before a Somali Republic can set up the appropriate organisation and machinery for the issue of passports and papers, might well create hardship and difficulties for individuals who were formerly British Protected Persons. It therefore requested that the United Kingdom Government should make arrangements on the following lines:—

- (1) That appropriate directions be issued under the Aliens' Order in the United Kingdom to exempt those Somalis, who were British Protected Persons immediately before independence and who were residing in the United Kingdom at the date of independence, from the registration and employment provisions of the Aliens' Order for an initial period, say, of twelve months from the date of independence;
- (2) That Her Majesty's Government will give an assurance that such persons as aforesaid will not, during that period, be refused leave to land on return after temporary absence from the United Kingdom, or be deported

except for some serious reason due to the personal undesirability of the individual;

- (3) That such action in the United Kingdom be brought to the attention of other British Colonial Governments with a view to their taking like action;
- (4) That unexpired British Protected Persons' passports and British Protected Person Somali Seamen's papers, stemming from the Protectorate, will be accepted in the United Kingdom and in British Colonial territories as satisfactory evidence of status and identity during the interim period;
- (5) That such papers will not be withdrawn or impounded in the United Kingdom and British Colonial territories during the interim period;
- (6) That Her Majesty's Government will give an assurance of co-operation in the issue of suitable travel documents to such Somalis as are mentioned in (1) above, in the event of their requiring such documents during the interim period (notwithstanding that such persons may automatically have acquired citizenship of Somaliland or of a Somali Republic).

31. On behalf of Her Majesty's Government, the Secretary of State gave the assurances, and expressed the hope that the Government of Somaliland would accord reciprocal treatment to British Subjects and British Protected Persons, regarding the matters dealt with in (1) and (2) above.

Diplomatic and Consular Protection of Somali Interests after 26th June, 1960

32. The Somaliland delegation raised the question of protection of the interests in other countries of the new State and its citizens following independence. The Conference agreed that Her Majesty's Government would, on behalf of the independent Government of Somaliland, be prepared to provide normal diplomatic and consular protection (effected through Her Majesty's diplomatic and consular representatives in foreign countries, United Kingdom High Commissioners in independent countries of the Commonwealth, etc.) in countries where Somaliland has no diplomatic or consular representation of its own. It was understood, however, that this arrangement would not extend to Ethiopia or Somalia in respect of which the Somaliland delegation stated that it was the intention to make other arrangements.

33. It was agreed that the arrangements described in paragraph 32 above would have to be revised in the event of a union with Somalia.

Arrangements for the Successor Government to Assume Obligations, Responsibilities, Rights and Benefits under International Instruments Entered into on behalf of the Protectorate by Her Majesty's Government

34. The Conference agreed that, in accordance with normal diplomatic practice, there should be an exchange of notes immediately following independence, providing for the assumption by the successor government of obligations, responsibilities, rights and benefits under the international instruments entered into on behalf of the Protectorate by Her Majesty's Government. In accordance with Article 102 of the United Nations Charter, this exchange would be presented for registration with the United Nations as an international agreement and would be published by the latter.

Constitution of Independent Somaliland

35. The Conference took note of a draft of the constitution for an independent Somaliland, with the following main features:—

- (a) The executive would be a Council of Ministers consisting of a Prime Minister and three other Ministers; the first Council would consist of the present unofficial Ministers, and the first Prime Minister would be the Leader of Government Business immediately before the constitution becomes effective;
- (b) The legislature would be a Legislative Assembly consisting of a Speaker and 33 elected Members. The first legislature would consist of the Speaker and the elected Members of the Legislative Council as existing immediately before the coming into force of the constitution;
- (c) Legislation would be enacted by the Council of Ministers with the consent of the Legislative Assembly.

Financial Assistance

36. The Secretary of State recalled the undertaking given by Mr. Lennox-Boyd that Her Majesty's Government would, in the light of the circumstances prevailing from time to time, be prepared to give sympathetic consideration to the continuation of financial assistance within the limits of the amount of aid then being provided to the Protectorate. The aid given to the Protectorate before and since that statement was made has consisted of grant-in-aid to the budget, Colonial Development and Welfare monies, and payment for the Somali Scouts. The Protectorate would not be eligible for Colonial Development and Welfare monies after independence, but nevertheless, all these elements would be taken into account in calculating the level of assistance. It would be understood that compensation, leave, salary and other terminal benefits payable to expatriate officers would be met from the revenue of the Somaliland Protectorate, supported, as necessary, by United Kingdom grant-in-aid, and that the Protectorate reserve would be used to the maximum reasonable extent for this purpose. Any terminal payments to expatriate officers, which were not completed before independence, would be met from an account at the Crown Agents, to be opened by the Protectorate Government and which would be under the Secretary of State's control.

37. The Somaliland delegation explained that, if union with Somalia took place, it was intended that there should be one Treasury, and, as early as practicable, one budget. The Secretary of State explained that he wished to be satisfied that aid given in fulfilment of Mr. Lennox-Boyd's undertaking would be devoted to the purpose for which it is intended, namely, the welfare of the people of the Protectorate. The Somaliland delegation gave assurance that it was the intention that the existing level of services and of development in Somaliland would be maintained, and that the pattern of administration should remain to such extent that the services now available to the people of Somaliland would be maintained.

38. The Conference took note that it was expected that a due element of Her Majesty's Government's aid in respect of Somaliland should be devoted to the continuation of the services at present available to the people of that country.

39. After detailed examination and discussion the Secretary of State proposed, and the Somaliland delegation accepted, that the sum of £1.5m. should be the amount of aid during the first year after independence. The Secretary of State reminded the Somaliland delegation that, if union of Somaliland and Somalia came about, this could be expected to lead to an increased economic potential and, further, that there were opportunities of international assistance

to under-developed countries to which access would be available. While the United Kingdom Government gladly gave financial assistance to the people of Somaliland for a period after independence, it expected that dependence on the United Kingdom for financial assistance would diminish. To this end it appeared desirable that the level of aid be subject to annual review. He then made the following statement:—

“Her Majesty’s Government, as I said at the first meeting of the Conference, intend to fulfil the financial undertaking given by Mr. Lennox-Boyd, and are therefore prepared subject to Parliamentary approval to give £1.5m. as aid to the Protectorate for the first year of independence. It is agreed that 50% of this shall be for the purposes of development. This sum of £1.5m has been arrived at after taking into account the liability for the payment of compensation, although no actual deduction in this respect will be made from this sum.

“In accordance with the wishes of the Somaliland delegation, Her Majesty’s Government are prepared to make arrangements whereby the services of some expatriate officers can be given to the Protectorate for a limited period after independence, through a United Kingdom Aid Mission. Her Majesty’s Government are also prepared to try to make arrangements whereby the services of British Army Officers and N.C.O.’s on secondment to the Somaliland Scouts, can be provided for an interim period after independence. The costs of these services will be met by Her Majesty’s Government, and the figure of £1.5m. of course includes these costs.

“After the first year, the amount of aid will be determined year by year, and it is not to be expected that further aid in following years will be at this level. In Her Majesty’s Government’s view, £1.5m. is a generous fulfilment of Mr. Lennox-Boyd’s pledge and in our view allows a reasonable margin for unforeseen expenditure.”

40. The Somaliland delegation accepted the Secretary of State’s proposal.

Tariffs, Trade and Currency

41. The Conference agreed that further examination of tariff and trade questions and of currency problems should be made.

Date for Independence

42. The Somaliland delegation proposed that the date of independence be the twenty-sixth of June, 1960. The Secretary of State said that this would be acceptable.

Signed this Twelfth day of May, 1960.

IAIN MACLEOD.

D. B. HALL.

MOHAMED HAJI IBRAHIM EGAL.

AHMED HAJI DUALEH.

ALI GERAD JAMA.

HAJI IBRAHIM NUR.

H. C. F. WILKS,

Secretary.

REPORT OF THE SOMALILAND PROTECTORATE CONSTITUTIONAL CONFERENCE, 1960.

Appendix

LIST OF THOSE TAKING PART IN THE CONFERENCE

SOMALILAND PROTECTORATE DELEGATION

Delegates

Hon. Mohamed Haji Ibrahim Egal,
Minister of Local Government and Leader of Government Business.
Hon. Ahmed Haji Dualeh,
Minister of Natural Resources.
Hon. Ali Gerad Jama,
Minister of Communications and Works.
Hon. Haji Ibrahim Nur,
Minister of Social Services.

Legal Adviser

Mr. Neil Lawson, Q.C.

Secretary to Delegation

Mr. Mohamoud Abdi Arraleh

Governor of Somaliland Protectorate

Sir Douglas Hall, K.C.M.G.

Official Advisers

Mr. R. J. Wallace	..	..	Financial Secretary
Mr. R. F. A. Shegog	..	..	Permanent Secretary, Ministry of Defence and External Affairs
Lt.-Col. M. E. M. MacWilliam,			
			D.S.O., M.C. Officer Commanding, Somaliland Scouts

UNITED KINGDOM DELEGATION

Delegates and Principal Advisers

Rt. Hon. Iain Macleod	..	..	Secretary of State for the Colonies
Rt. Hon. the Earl of Perth	..	..	Minister of State for Colonial Affairs
Sir Hilton Poynton, K.C.M.G.	..	..	Colonial Office
Sir John Martin,			
			K.C.M.G., C.B., C.V.O. " "
Sir Kenneth Roberts-Wray,			
			K.C.M.G., Q.C. " "
Mr. H. A. Harding, C.M.G.	..	..	" "
Mr. I. Watt	..	..	" "
Mr. M. G. Smith	..	..	" "
Mr. D. G. Gordon-Smith	..	..	" "
Mr. J. A. Sankey	..	..	" "
Mr. A. D. M. Ross, C.M.G.	..	..	Foreign Office
Mr. E. B. Boothby, C.M.G.	..	..	" "
Mr. H. F. T. Smith	..	..	" "
Mr. C. J. Audland	..	..	" "
Mr. C. J. Hayes	..	..	Treasury
Lt.-Col. M. Forrester, D.S.O., M.C.	..	..	War Office
Major F. Kitson, M.C.	..	..	" "
Mr. H. W. Browne	..	..	" "

Secretariat

Mr. H. C. F. Wilks	..	..	Colonial Office
Mr. W. M. Dickinson	..	..	H.M.O.C.S., late Somaliland Protectorate
Miss G. T. Brimblecombe	..	..	Colonial Office

ANNEX I

**REPORT OF THE
SOMALILAND PROTECTORATE CONSTITUTIONAL
CONFERENCE, 1960.**

POLICY STATEMENT : THE SOMALILAND PROTECTORATE

(Issued by the Secretary of State for the Colonies on
9th February, 1959, at Hargeisa)

Last November the Governor announced certain constitutional advances and after the forthcoming elections the Protectorate will have for the first time a Legislative Council which includes elected members and some of these elected members will be making themselves familiar with the work of some departments of Government.

2. When he made his statement the Governor made it clear that further constitutional progress was being planned. In considering this matter Her Majesty's Government have thought it right to pay special regard to the fact that the neighbouring territory of Somalia is due to become independent, when the Trusteeship Agreement between the United Nations and the Italian Government comes to an end in December, 1960. In these special circumstances Her Majesty's Government think that there is justification for proceeding with constitutional development in the Protectorate at a faster pace than they believe to be suitable or advantageous in more normal circumstances elsewhere. I can now say that it is the intention of Her Majesty's Government that by the end of 1960 there shall be an elected unofficial majority in the Legislative Council together with a ministerial system under which a number of unofficial members of the Legislative Council will become members of the Executive Council with executive responsibilities in Government.

3. These changes will raise important issues which will need to be considered. The Governor intends shortly to appoint a Commission to make recommendations to him on the number of representative members in the next Legislative Council, the method of their selection, constituencies and similar matters. This Commission will also be asked to consider the place of the traditional tribal authorities in relation to the legislative and executive organs of Government and how these authorities may best be associated with the future working of the constitution.

4. The changes foreshadowed for 1960 will also involve a reorganisation of the Government machine and some adjustment of the present budgetary arrangements. The Governor proposes to set in train the necessary examination of these problems at once so that in due time recommendations can be made to me about any changes which should be made in the present arrangements.

5. By the end of 1960 there will thus be an unofficial majority in the Legislative Council and Somalis with executive responsibility in the Government. Thereafter, it is the intention of Her Majesty's Government to arrange such further constitutional steps as may be necessary to lead to early self government.

6. Her Majesty's Government is aware of the desire expressed by many Somalis of the Protectorate that there should be a closer association between this territory and Somalia. If, therefore, when Somalia has become independent, the Legislative Council of the Protectorate formally resolves that

negotiations with the Government of Somalia be instituted to determine the terms and conditions on which a closer association of the two territories might be achieved, Her Majesty's Government in the United Kingdom would be ready to transmit this resolution to the Government of Somalia and enquire whether that Government would be willing to enter into negotiation. If so, Her Majesty's Government would arrange for negotiations of a suitable nature to take place.

7. Whatever the eventual destiny of the Protectorate Her Majesty's Government will continue to take an interest in the welfare of its inhabitants, and will in the light of the circumstances prevailing from time to time, be prepared to give sympathetic consideration to the continuation of financial assistance within the limits of the amount of aid at present being provided to the Protectorate.

ANNEX II

**REPORT OF THE
SOMALILAND PROTECTORATE CONSTITUTIONAL
CONFERENCE, 1960.**

STATEMENT BY THE SECRETARY OF STATE, 4th MAY, 1960

In his statement in Hargeisa in February, 1959, Mr. Lennox-Boyd said that, in considering constitutional progress in the Somaliland Protectorate, Her Majesty's Government thought it right to pay special regard to the fact that the neighbouring territory of Somalia was due to become independent in December, 1960; and that in these circumstances Her Majesty's Government thought there was justification for proceeding with constitutional development in the Protectorate at a faster pace than they believed to be suitable or advantageous in more normal circumstances elsewhere.

2. Since then, the General Assembly of the United Nations have brought forward the date of independence for Somalia to 1st July, 1960.

3. On 6th April all the elected members of the Protectorate Legislative Council supported a resolution in favour of independence and union with Somalia on 1st July. As the Prime Minister said in the House of Commons on 11th April, Her Majesty's Government understand the deep feelings behind this Motion.

4. Her Majesty's Government are also aware that political leaders from the Protectorate reaffirmed their desire for independence and union on 1st July, in a statement issued jointly with representatives of the Somalia Legislative Assembly in Mogadishu on 16th April.

5. In pursuance of the policy announced by Mr. Lennox-Boyd for the Protectorate, and in view of the declared wishes of the elected representatives of the Protectorate, Her Majesty's Government are now prepared to take further constitutional steps to make possible the independence of the Protectorate by 1st July.

6. In order that the Protectorate can become independent in so short a time, it will be necessary at this Conference to examine further, and to reach agreement on, a number of important matters, among them legal processes, financial assistance, the Public Service and some aspects of international questions. Excellent progress on all these matters has already been made and I am confident that I can count on the full co-operation of the elected Ministers in the completion of our task.

**REPORT OF THE
SOMALILAND PROTECTORATE CONSTITUTIONAL
CONFERENCE, 1960.**

**SUMMARY OF THE MAIN POINTS TO BE INCLUDED IN AN
EXCHANGE OF LETTERS OR AGREEMENT BETWEEN THE U.K.
GOVERNMENT AND THE SOMALILAND GOVERNMENT**

Her Majesty's Government in the United Kingdom and the Government of Somaliland have agreed as follows:—

WHEREAS:

- (i) The Somaliland Government have informed H.M.G. that the Somaliland Scouts as constituted under existing legislation shall continue in being for the period of this Agreement, and that they are willing to provide funds within present limits for this purpose, and have requested H.M.G. to provide certain British military personnel to the Scouts during this interim period;
- (ii) H.M.G. have indicated their willingness to make such personnel available, subject to certain conditions hereafter specified, as part of their general assistance in the interim period after independence.

Interpretation. 1. In this Agreement

- (a) "the appointed day" means 26th June, 1960.
- (b) "British military personnel" means commissioned and non-commissioned officers of Her Majesty's Armed Forces, seconded for service with the Somaliland Scouts.
- (c) "conditions of service" means the laws, rules, regulations, orders and other instruments that regulate the terms of service of British military personnel including, without prejudice to the generality of the foregoing, provision relating to their tenure of office, transfer, promotion, disciplinary control, salary (including salary scales), pension, compensation allowances, quarters, leave and passages.

**Appointment
of Officers.**

- 2. (a) Her Majesty's Secretary of State, at the request of the Government of Somaliland and subject to the agreement of the officers concerned, shall appoint British military personnel for service in the Somaliland Scouts, within the present establishment, during an interim period not exceeding six months from the coming into effect of this Agreement.
- (b) The Commander of the Somaliland Scouts shall be the senior British officer appointed for service with the Scouts under this Agreement.

**Conditions of
Service.**

- 3. (a) British military personnel appointed under this Agreement shall enjoy conditions of service similar to and not less favourable than those which were applicable immediately before the appointed day.
- (b) The emoluments of such personnel shall be paid by

Discipline and
Jurisdiction.

- Her Majesty's Government in the United Kingdom on behalf of the Government of Somaliland.
- (c) H.M.G. shall account to the Government of Somaliland for all payments made under this Agreement.
4. (a) British military personnel will remain subject to United Kingdom Service law at all times and will be dealt with under this law wherever applicable.
- (b) Notwithstanding that British military personnel are an integral part of the Somaliland Scouts they will, so that they may be dealt with under U.K. Service law, be formed into a unit called "British Element, Somaliland Scouts" and the Commander of the Scouts or, in his absence, the senior British seconded officer acting in his place, will be the commander of this element.
- (c) In cases where a court martial is necessary, it may be carried out in Somaliland unless the Somaliland Government agrees otherwise. Other British officers may be brought into Somaliland as members of such a court martial if necessary, and essential witnesses may also be brought in for the purpose of giving evidence at such a court martial.
- (d) British military personnel will be subject to the civil law of Somaliland.
5. No British military personnel serving in the Somaliland Scouts under the terms of this Agreement will be required to take part in military operations against a third country.
6. (a) The Commander of the Scouts, and through him the other British military personnel, will receive their orders from the appropriate Minister of the Somaliland Government and they will obey such orders, provided that such orders would, if given by anyone subject to U.K. Service law, constitute lawful commands under that law and did not conflict with the allegiance of such personnel to Her Majesty.
- (b) British military personnel will have power of command over all officers and other ranks in the Somaliland Scouts junior to them in rank or seniority or placed under their command. Similarly, all other personnel in the Somaliland Scouts will have power of command over all other personnel including British military personnel junior to them in rank or seniority or placed under their command.
- (c) British military personnel will have the powers of discipline over British military personnel junior to them in rank or seniority or placed under their command, provided for under U.K. Service law. Power of discipline over all members of the Somaliland Scouts should be exercised by the Commander of the Scouts.
7. The U.K. Government reserve the right to withdraw British military personnel from service in the Somaliland

Scouts should conditions arise where they consider such action necessary.

8. British military personnel will be indemnified by the Government of Somaliland for all sums paid or payable in respect of costs, damages and for any personal costs awarded against them in civil proceedings arising out of accidents or incidents occurring during the performance of their military duty.

9. British military personnel will have the right to approach the appropriate representative of H.M.G. in the area on matters pertaining to their own Service or personal interests. Normally such an approach will be made to the Commander Land Forces, Arabian Peninsula through the Commander of the Scouts who will keep the Government of Somaliland informed on those matters concerning their interests.

10. This Agreement shall come into force on the appointed day.

**REPORT OF THE
SOMALILAND PROTECTORATE CONSTITUTIONAL
CONFERENCE, 1960.**

**DRAFT INTERIM AGREEMENT BETWEEN THE GOVERNMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN
IRELAND AND THE GOVERNMENT OF SOMALILAND FOR A
UNITED KINGDOM AID MISSION**

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Somaliland;

Have agreed as follows:—

Article 1

In this Agreement—

- (a) “the appointed day” means the 26th June, 1960;
- (b) “an officer who was the substantive holder of an office” means an officer who is not domiciled in Somaliland and who, before the appointed day, was the substantive holder, whether on contract or on pensionable terms, of an office in the Public Service of Somaliland being a person—
 - (i) who was selected for or offered appointment to the Public Service of Somaliland by a Secretary of State; or
 - (ii) whose appointment was approved by a Secretary of State; or
 - (iii) who had entered into an agreement with the Crown Agents for Oversea Governments and Administrations to serve in any such office; or
 - (iv) who (although not an officer falling within sub-paragraphs (i), (ii), or (iii) of this paragraph) is or has been a member of Her Majesty's Overseas Civil Service or Her Majesty's Overseas Judiciary;
- (c) “pension” means
 - (i) any pension, gratuity or compensation payable by the Government of Somaliland to or in respect of any officer including any increase of pension; and
 - (ii) any pension including any increase of pension payable to the widow or child of an officer and any contributions repayable and interest payable to an officer under any law providing for payment of pensions to widows and children of officers;
- (d) “compensation” means any compensation, gratuity or retiring allowance or benefit that may be granted under regulations made under section 62 of the Somaliland (Constitution) Order in Council, 1960;
- (e) “conditions of service” means the laws, rules, regulations, orders and other instruments that regulate the terms of service of an officer including, without prejudice to the generality of the foregoing, provision relating to his tenure of office, transfer, promotion, disciplinary control, salary (including salary scales), pension, compensation, allowances, quarters, leave and passages.

Article 2

- (a) The Government of the United Kingdom, at the request of the Government of Somaliland, shall appoint officers to be available for civilian employment in the Public Service of Somaliland.
- (b) The Government of Somaliland has requested the Government of the United Kingdom to appoint officers to be available for the offices shown in the first and second columns of the Schedule attached to this Agreement and the Government of the United Kingdom propose, subject to the agreement of the officers concerned, to appoint the officers shown in the third column of the said Schedule.
- (c) Officers so appointed shall remain members of the Public Service of Somaliland.

Article 3

- (a) The conditions of service applicable to an officer who was the substantive holder of an office appointed in pursuance of Article 2 of this Agreement shall be not less favourable than those which were applicable to him immediately before that date.
- (b) In particular and without prejudice to the generality of the provisions of paragraph (a) of this Article, such an officer shall receive emoluments, the net value, in sterling, of which calculated at the official rate of exchange prevailing on the appointed day after deduction of any direct taxation on such emoluments payable to the Government of Somaliland, shall be not less than the net value so calculated of the emoluments payable to him immediately before the appointed day.

Article 4

The entitlement of an officer appointed in pursuance of Article 2 of this Agreement to any compensation shall not be affected by his appointment or otherwise by the provisions of this Agreement.

Article 5

- (a) The appointment of an officer in pursuance of Article 2 of this Agreement may be terminated only by the Government of the United Kingdom;
- (b) Subject to the provisions of paragraph (a) of this Article, disciplinary control (including the right to suspend from duty) over any such officer shall be exercised by the Government of Somaliland;
- (c) Any such officer who is subjected to disciplinary measures by the Government of Somaliland and who is aggrieved by a decision of that Government shall have the right to make representations through the United Kingdom representative in Somaliland to Her Majesty's Secretary of State for the Colonies and in the event of Her Majesty's Secretary of State for the Colonies supporting such representations and the resultant dispute not being amicably disposed of, such dispute shall be submitted to an Arbitral Tribunal. The Tribunal shall consist of three persons, two of whom shall be nominated respectively by the Government of Somaliland and by the Government of the United Kingdom and the third who shall be the Chairman shall be nominated by the former two members of the Tribunal, but such third member of the Tribunal shall not be a citizen of Somaliland nor a citizen of the United Kingdom and Colonies. The Somaliland Government and the Government of the United Kingdom agree that they shall be bound by the Award of such Tribunal;

(d) The Government of Somaliland will ensure that any legislation necessary to implement the provisions of this paragraph will be enacted.

Article 6

The Government of the United Kingdom shall, on behalf of the Government of Somaliland, undertake the payment of the emoluments of officers appointed in accordance with Article 2 of this Agreement, and of all pensions and compensation payable by the Government of Somaliland during the period of six months from the appointed day.

Article 7

The Government of the United Kingdom shall account to the Government of Somaliland for all payments made under this Agreement.

Article 8

This Agreement shall come into force on the date of its signature and shall have effect for a period of six months thereafter.

In witness whereof the undersigned, being duly authorised thereto, have signed the present Agreement.

Done in duplicate at ... this ... day of ..., 1960, in the English language.

For the Government of the United Kingdom and Northern Ireland

.....
(Signature)

For the Government of Somaliland

.....
(Signature)

SCHEDULE

[NOTE: The Schedule which is referred to in the body of this Agreement must be prepared in the light of the personnel position existing and the then known Somaliland Government requirements, immediately before the date of independence.]

**REPORT OF THE
SOMALILAND PROTECTORATE CONSTITUTIONAL
CONFERENCE, 1960.**

**DRAFT PUBLIC OFFICERS AGREEMENT BETWEEN THE
GOVERNMENT OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF SOMALILAND**

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Somaliland;
Have agreed as follows:—

Article 1

(1) In this Agreement—

- (a) "the appointed day" means 26th June, 1960;
- (b) "officer" means an officer who is not domiciled in Somaliland and who, before the appointed day, was the substantive holder of a pensionable office in the Public Service of Somaliland, being a person—
 - (i) who was selected for or offered appointment to the Public Service of Somaliland by a Secretary of State; or
 - (ii) whose appointment was approved by a Secretary of State; or
 - (iii) who had entered into an agreement with the Crown Agents for Oversea Governments and Administrations to serve in any such office; or
 - (iv) who (although not an officer falling within sub-paragraphs (i), (ii), or (iii) of this paragraph) is or has been a member of Her Majesty's Overseas Civil Service or Her Majesty's Overseas Judiciary.

(2) In this Agreement "pension" means—

- (a) any pension, gratuity, compensation, disturbance grant or other like retirement benefit payable by the Government of Somaliland to or in respect of any officer including any increase of pension; and
- (b) any pension including any increase of pension, payable to the widow or child of an officer and any contributions repayable and interest payable to an officer under any law providing for payment of pensions to widows and children of officers.

(3) "Substantive holder" in relation to any office includes a person serving in that office on probation but does not include a person (other than a person serving under a probationary agreement) serving in that office for a specified term under a contract.

Article 2

(1) An officer who does not cease to be in the Public Service of Somaliland before the appointed day shall be entitled to conditions of service not less favourable than those applicable to him immediately before the appointed day.

(2) In this Article the expression "conditions of service" means the laws, rules, regulations, orders and other instruments that regulate the terms of service of an officer including, without prejudice to the generality of the foregoing, provisions relating to his tenure of office, transfer, promotion.

disciplinary control, salary (including salary scales), pension, allowances, quarters, leave and passages.

Article 3

An officer who does not cease to be in the Public Service of Somaliland before the appointed day shall be entitled to retire and his eligibility and that of his widow, children, dependants and personal representatives to receive a pension shall be governed by the laws, regulations, and administrative directions in force immediately before the appointed day or by such other laws, regulations and administrative directions made thereafter that are not less favourable; and pensions shall be granted and paid to such officers and other persons accordingly.

Article 4

Pensions of officers who have ceased to be in the Public Service of Somaliland before the appointed day or to the widow, children, dependants or personal representatives of such persons shall be granted and paid or, if granted before that date, shall continue to be paid, in accordance with the laws, regulations, and administrative directions governing those pensions immediately before that date or in accordance with such other laws, regulations and administrative directions made thereafter that are not less favourable.

Article 5

(1) Pensions paid outside Somaliland on or after the appointed day shall be paid in sterling and shall be calculated at the official rate of exchange prevailing on that date between the pound sterling and the currency in use in Somaliland notwithstanding any variation in that rate.

(2) Every officer who has been granted or is being paid a pension before the appointed day shall exercise within six months of that date an option as to whether his pension and any pension that may in due course become payable to his widow, children, dependants or personal representatives, shall be paid in Somaliland or outside Somaliland:

Provided that where no option is exercised in respect of a pension in payment within six months after that date an option shall be deemed to have been exercised for the payment of the pension either in Somaliland or outside Somaliland according to where it was being paid on that date.

(3) In every other case, an officer eligible for a pension shall exercise before the award of his pension an option as to whether his pension and any pension that may become payable to his widow, children, dependants or personal representatives, shall be paid in Somaliland or outside Somaliland.

(4) Where, upon the death of an officer, a pension becomes payable to his widow, children, or any dependant, or to his personal representatives, an option as to whether the pension shall be paid in Somaliland or outside Somaliland—

(a) may be exercised within one year of the death of that officer by the pensioner; and

(b) shall, if so exercised, be substituted for the option (if any) exercised by that officer under paragraph (2) or paragraph (3) of this Article.

(5) An option exercised in accordance with this Article—

(a) shall be exercised by notice in writing; and

(b) shall be deemed to have been exercised on the date on which the notice is received

(6) In this Article "pensioner" means the person entitled to the payment of a pension or (if that person is a minor) means his or her lawful guardian.

Article 6

Where any person is entitled to exercise an option under or relating to any law, regulation or administrative direction governing pensions, he shall for the purposes of this Agreement be deemed in exercising the option to have exercised it in the way more favourable to him.

Article 7

This Agreement shall come into force on the date of its signature.

Done in duplicate at this
day of 1960, in the English language.

For the Government of the United Kingdom and Northern Ireland

.....
(Signature)

For the Government of Somaliland

.....
(Signature)

**REPORT OF THE
SOMALILAND PROTECTORATE CONSTITUTIONAL
CONFERENCE, 1960.**

COMPENSATION FOR CONTRACT OFFICERS

1. Before independence all contract officers will either be invited to remain for six months under the British Aid Mission or their contracts will be terminated. Those whose contracts are terminated on independence shall receive *ex gratia* benefits on the scale at 2 below; the remainder will be entitled to serve for a further six months and shall also receive *ex gratia* benefits in accordance with the scale below.

2. Contract officers fall into three groups:—

- (i) officers with a brief period of service in the Protectorate serving on short-term contract shall, if their services are prematurely terminated, receive the benefits for breach of contract provided by their contract;
- (ii) officers who received on first appointment a written indication of the possibility of admission to the permanent and pensionable establishment and officers who have served by renewal of contract for a period of eight or more years shall receive, in addition to earned benefits, the additional leave and disturbance grant (equal to four months' emoluments) authorised for permanent and pensionable staff. Officers who have served for five, six or seven years shall receive the same additional leave with a reduced disturbance grant equal to one-twelfth, one-sixth or one-fourth of their personal emoluments respectively;
- (iii) officers serving on five or ten year contracts shall have the option of choosing either the benefits mentioned in their contracts for broken contract or benefits calculated under (ii) above in accordance with their length of service as contract officers.

**REPORT OF THE
SOMALILAND PROTECTORATE CONSTITUTIONAL
CONFERENCE, 1960.**

DRAFT EXCHANGE OF LETTERS

1

*FROM HER MAJESTY'S REPRESENTATIVE TO REPRESENTATIVE
OF GOVERNMENT OF SOMALILAND*

I have the honour to ask you to confirm on behalf of the Government of Somaliland that, should they in any way be a party to any agreement for, or any instrument having the effect of, transferring, or confirming the transfer of, jurisdiction over the territory of the Government of Somaliland, to any other Government, such agreement or instrument shall provide that the obligations of the Government of Somaliland in respect of the following instruments are transferred to, and accepted by, that other Government, namely:—

- (a) the interim Agreement between the United Kingdom and Somaliland for a United Kingdom Aid Mission;
- (b) The Public Officers Agreement between the United Kingdom and Somaliland;
- (c) Any agreement between the United Kingdom and Somaliland regarding interim arrangements in respect of the Somaliland Scouts;
- (d) The lease entered into on 12th April, 1960, between the Government of the Somaliland Protectorate and the Minister of Works of the United Kingdom.

I have the honour to propose that this letter and Your Excellency's reply giving the confirmation aforesaid should constitute an Agreement between the two Governments.

2

*FROM THE REPRESENTATIVE OF THE GOVERNMENT OF
SOMALILAND TO REPRESENTATIVE OF
HER MAJESTY'S GOVERNMENT*

I have the honour to acknowledge the receipt of your letter of to-day's date, which reads as follows:

[As in 1.]

On behalf of the Government of Somaliland, I have pleasure in giving the confirmation for which your letter asks and agree that Your Excellency's letter and this reply shall constitute an agreement between the two Governments.

I have, etc.

ANNEX VIII

**REPORT OF THE
SOMALILAND PROTECTORATE CONSTITUTIONAL
CONFERENCE, 1960.**

**SOMALILAND CITIZENSHIP LAW
DRAFT SOMALILAND ORDINANCE**

1. Upon this Ordinance coming into force every Somali who does not then possess any other nationality or citizenship and:—

- (a) Who was born in the territory of Somaliland, or
 - (b) Whose father (or in the case of illegitimate children whose mother) was born in the said territory
- shall become a citizen of Somaliland.

2. After this Ordinance has come into force every Somali who shall be born:—

- (a) In the territory of Somaliland; or
 - (b) Of a father (or in the case of illegitimate children, of a mother) who is a Somali citizen at the time of the child's birth,
- shall be a citizen of Somaliland.

3. Within 12 months of the coming into force of this Ordinance any Somali who acquired citizenship under the operation of Section 1 hereof may renounce such citizenship. Renunciation under this Section shall be made and shall take effect upon such conditions as may be prescribed by Regulations made by the Government of Somaliland.

4. (1) Any Somali born before the coming into force of this Ordinance who has not acquired citizenship under Section 1 hereof notwithstanding that he possesses the qualifications set out in paragraphs (a) or (b) thereof may apply for registration as a citizen of Somaliland provided that:—

- (i) At the time of his application he has normally resided in the territory of Somaliland for a continuous period of 12 months immediately prior to such application; and
- (ii) He intends to continue normally to reside in the said territory; and
- (iii) Either (a) he has prior to making such application renounced or (b) he will within six months of the grant to him of such application, renounce (in either case so far as he is able to do so) such other nationality or citizenship as he may possess;

Provided that in any case to which (b) applies, if the applicant fails (so far as he is able to do so) to make such renunciation during the said period of six months then the grant to him shall become void and of no effect.

- (2) The provisions of sub-section (1) of this section shall also apply to any other person who upon this Ordinance coming into force possesses the qualifications set out in clauses (a) or (b) of Section 1 hereof.
- (3) Applications for the registration as citizens of persons under 18 years of age may be made on their behalf by their parent or guardian.

(4) Applications for registration under this Section shall be granted provided that the requirements of sub-sections (1) or (2) as the case may be are complied with. Regulations as to the form of and procedure for such applications shall be made by the Government of Somaliland under this Section.

5. Any woman who is at the time of the coming into force of this Ordinance married to or thereafter marries a citizen of Somaliland shall by virtue of such marriage become a citizen of Somaliland unless she at the time of such marriage possesses another nationality or citizenship and does not by virtue of the law applying to such nationality or citizenship lose the same by such marriage, in which case such woman shall be entitled to apply for registration as a citizen of Somaliland upon the condition set forth in Section (4) (1) (iii) hereof.

6. A citizen of Somaliland shall lose his citizenship by:—

(a) Voluntary acquisition of the nationality or citizenship of a foreign state;

(b) If a woman, upon marriage to a person who at the time of such marriage possesses the nationality or citizenship of a foreign state provided that she thereupon acquires her husband's nationality or citizenship by operation of the law of that State.

7. The following terms where used in this Ordinance shall mean:—

(i) Territory of Somaliland—means that territory which became and which until the coming into force of this Ordinance was known as British Somaliland or the Protectorate of British Somaliland and which on the coming into force of this Ordinance will be known as Somaliland;

(ii) Somali—means any person whose mother tongue is the Somali language and who follows Somali customs;

(iii) Normally resided—means normally has his home in the said territory and includes a person who from time to time temporarily absents himself from the territory for the purposes of grazing or herding livestock or in pursuit of his vocation, occupation, employment or education or for recreation;

(iv) Other nationality or citizenship—means the status of a full citizen of a foreign state and does not include the status of a protected person or other status of a like kind.

8. This Ordinance shall come into force immediately upon Somaliland becoming an independent State.

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