

ZAMBIA



Treaty Series No. 122 (1972)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Republic of Zambia
concerning Members of the Staff of the
University of Zambia designated by the
Government of the United Kingdom

(The British Expatriates Supplementation (Zambia) Agreement 1971)

Lusaka, 5 May/30 June 1971

[The Agreement entered into force on 1 April 1971]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
November 1972*

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE REPUBLIC OF ZAMBIA
CONCERNING MEMBERS OF THE STAFF OF THE
UNIVERSITY OF ZAMBIA DESIGNATED BY THE
GOVERNMENT OF THE UNITED KINGDOM**

No. 1

*The United Kingdom Acting High Commissioner at Lusaka to the
Minister of Foreign Affairs of Zambia*

*British High Commission,
Lusaka.*

ODA 4/8

Dear Minister,

5 May 1971.

I have the honour to refer to the agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Zambia dated 23 July 1968,⁽¹⁾ relating to certain staff in the service of the University of Zambia and to discussions which have taken place between our two governments about such staff and to place on record the terms of the agreement which has been resolved.

- “ 1. The Government of the United Kingdom will, with the concurrence of the Government of the Republic of Zambia, provide assistance under the authority and provisions of the British Government's Overseas Development and Service Act 1965 upon the terms and conditions set out in the first annex to this letter in respect of British staff in the service of an organisation or institution listed in the second annex to this letter (hereinafter referred to as “ the employing authorities ”). The second annex to this letter may, by agreement between the Government of the United Kingdom and the Government of the Republic of Zambia, be varied or amended from time to time by adding thereto or deleting therefrom the name of an organisation or institution.
- “ 2. Any emoluments, allowances, grants, supplements or gratuities paid by the Government of the United Kingdom to staff designated under this agreement in respect of duties performed in Zambia shall be exempt from the payment of tax under any law for the time being in force in Zambia provided that the person concerned is resident in Zambia solely for the purpose of performing such duties.
- “ 3. This agreement shall come into operation on 1st April 1971 and shall terminate, unless some other date is agreed between the Government of the United Kingdom and the Government of the Republic of Zambia on 31 March 1976.”

(1) Not published in Treaty Series.

If this letter and its annexes correctly sets out the terms that have been agreed, I have the honour to suggest that these should, with effect from 1st April 1971, replace the agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Zambia under the Overseas Development and Service Act 1965 and dated 23 July 1968, and should be cited as the British Expatriates Supplementation (Zambia) Agreement 1971.

Yours sincerely,

C. E. DIGGINES.

FIRST ANNEX

Terms and Conditions

1. The Government of the United Kingdom will make the payments specified in this annex to staff in the service of an employing authority who are designated by the Government of the United Kingdom in accordance with this agreement (hereinafter referred to as "designated officers").

2. The Government of the United Kingdom will pay, on behalf of the employing authority, to each designated officer:

- (a) any salary supplement for which such officer may be eligible at such rates as may be specified from time to time by the Government of the United Kingdom;
- (b) any education allowance for which such designated officer may be eligible in respect of any child under such terms and conditions and at such rates as may be specified from time to time by the Government of the United Kingdom;
- (c) any appointment grant to which such officer may be eligible on such terms and conditions and at such rates as may be specified from time to time by the Government of the United Kingdom;
- (d) that part of any gratuity payable to an officer which accrues to him by virtue of the addition to his emoluments of the salary supplement referred to in this paragraph;
- (e) any allowance in respect of medical expenses for which the officer may be eligible under such terms and conditions and at such rates as may be specified from time to time by the Government of the United Kingdom.

3. The Government of the United Kingdom will meet the cost of holiday passages for the children of a designated officer to enable them to visit their parents in Zambia, on such terms and conditions and occasions and in respect of such children and at such rates and by such classes of accommodation as may be specified from time to time by the Government of the United Kingdom.

4. The Government of the United Kingdom will reimburse the employing authority any employer's superannuation contribution which with the concurrence of the Government of the United Kingdom is paid by the employing authority in lieu of gratuity which is attributable to salary supplement paid to a designated officer in accordance with paragraph 2 (a).

5. Payments by the Government of the United Kingdom under paragraph 2 above will be made into an account at a bank nominated by the officer and situated in Britain or Ireland or such other country as may be agreed by the Government of the United Kingdom.

6. The employing authority will provide the Government of the United Kingdom with such information as that Government may require in connection with the operation of this agreement.

7. The employing authority will promptly inform the Government of the United Kingdom of any event which might affect the eligibility of a designated officer under this agreement to receive payments from the Government of the United Kingdom.

8. Whenever the employing authority wishes to renew the contract of a designated officer or to recruit an officer who may be eligible for designation, that authority will consult the Government of the United Kingdom and that Government will inform the authority whether or not the officer's designation may be continued, or the officer designated as the case may be, in accordance with this agreement.

9. The Government of the United Kingdom and each employing authority will hold periodic reviews of the requirements that the employing authority may have as regards the employment of designated officers in their service, so that the Government of the United Kingdom may determine the classes and numbers of officers whom the Government of the United Kingdom is prepared to designate. During such reviews the employing authority will provide the Government of the United Kingdom with such information as that Government may require in order to calculate the amounts payable by that Government and the number of officers to be designated.

10. An officer may be designated generally or for such period as may be specified in the designation; and the designation of an officer may be terminated at the discretion of the Government of the United Kingdom; provided that the Government of the United Kingdom in exercise of the discretion to terminate the designation of an officer shall take into account the consequences that would follow if designation were terminated.

SECOND ANNEX

List of Organisations and Institutions

(a) University of Zambia.

No. 2

*The Minister of Foreign Affairs of Zambia to the United Kingdom
High Commissioner at Lusaka*

Lusaka.

30th June, 1971.

My dear Mr. Duncan,

I have the honour to acknowledge receipt of a letter No. ODA 4/8 of 5th May, 1971, from the then Acting High Commissioner, which reads as follows:

[As in No. 1]

I have further the honour to confirm that the foregoing is acceptable to the Government of the Republic of Zambia.

Yours sincerely,

E. H. K. MUDENDA

Minister of Foreign Affairs

[Annexes as in No. 1]