

KIRIBATI



Treaty Series No. 57 (1981)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Republic of Kiribati
constituting the British Expatriates' Supplementation (Kiribati)
Agreement 1980

Tarawa, 11 December 1980/27 February 1981

[The Agreement entered into force on 27 February 1981]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
August 1981*

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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 KIRIBATI
CONSTITUTING THE BRITISH EXPATRIATES'
SUPPLEMENTATION (KIRIBATI) AGREEMENT 1980**

No. 1

*The United Kingdom Acting High Commissioner to the
President of the Republic of Kiribati*

Note No. 13

*British High Commission
Tarawa*

Your Excellency

11 December, 1980

1. I have the honour to refer to the British Expatriates Supplementation (Gilbert Islands) Agreement 1978⁽¹⁾, and to propose the replacement of that Agreement with a new Agreement between our two Governments in the following terms.

(a) The Government of the United Kingdom will continue to provide assistance upon the terms and conditions set out in the Annex to this Note in respect of certain expatriate staff in the service of the following statutory bodies (hereinafter referred to as "the Organisations"):—

(i) National Loans Board—including such industries, whether or not incorporated, promoted by the National Loans Board (or any successor corporation), provided that, in the case of incorporated industry, the National Loans Board is a member of the company thus promoted and controls the composition of the Board of Directors, or holds more than half in nominal value of its equity share capital;

(ii) Housing Corporation;

(iii) Public Utilities Board;

(iv) Air Tungaru Corporation;

(v) Kiribati Shipping Corporation;

(vi) Broadcasting and Publications Authority.

(b) The allowance and grant paid by the Government of the United Kingdom to staff designated under this Agreement shall be exempt from the payment of income tax under any law in force in Kiribati.

(c) This Agreement shall terminate, unless some other date is agreed between the Government of the United Kingdom and the Government of the Republic of Kiribati on 31 March 1986.

2. If the terms proposed in this letter and its Annex are acceptable to the Government of the Republic of Kiribati, I have the honour to suggest that this Note, and your reply, shall constitute an agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Kiribati, which shall enter into force on the date of your reply, which shall be cited as the British Expatriates' Supplementation (Kiribati) Agreement 1980.

3. I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

R. W. SAUNDERS

(1) Not published.

ANNEX

Terms and Conditions

1. The Government of the United Kingdom will make payments and reimbursements specified in the Annex to or in respect of staff in the service of the Organisations 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 Organisations, 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.

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

5. The Government of the United Kingdom will reimburse the Government of the Republic of Kiribati the amount paid by the Government of the Republic of Kiribati on behalf of the Organisations in providing passages for designated officers and their dependent families on such occasions (not being occasions referred to in paragraph 3 above) as the Government of the Republic of Kiribati may, with the prior concurrence of the Government of the United Kingdom, prescribe. Passages for designated officers and their dependent families should be at the class of passage to which they are normally entitled and, wherever practicable, the onward journey from any stopover point should be by British carrier.

6. The Organisations will, through the Government of the Republic of Kiribati, 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 Organisations will promptly inform the Government of the United Kingdom, through the Government of the Republic of Kiribati, 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 any of the Organisations wishes to renew the contract of a designated officer or to recruit an officer who may be eligible for designation, a request to that effect will be made through the Government of the Republic of Kiribati to the Government of the United Kingdom and that Government will inform the Government of the Republic of Kiribati whether or not the officer may be redesignated or designated as the case may be in accordance with this Agreement.

9. The Government of the United Kingdom and the Government of the Republic of Kiribati will hold periodic reviews of the requirements that the Organisations may have as regards the employment of designated officers in this 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 Government of the Republic of Kiribati 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 to be terminated.

No. 2

*The President of the Republic of Kiribati to the
United Kingdom Acting High Commissioner*

*Office of the President
Tarawa*

27 February, 1981

Sir

British Expatriates Supplementation Agreement

I have the honour to acknowledge receipt of your Note No. 13 of 11 December, 1980 which reads as follows:

[As in No. 1]

In reply I have the honour to inform you that the foregoing proposal is acceptable to the Government of the Republic of Kiribati who therefore agree that your Note and this reply shall constitute an agreement between the two Governments which shall enter into force today and which shall be cited as the British Expatriates' Supplementation (Kiribati) Agreement 1980.

Please accept, Sir, the assurance of my highest consideration.

I. T. TABAI