



Treaty Series No. 22 (1968)

Exchange of Letters

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Republic of Zambia

concerning British Aided Conditions of
Service in respect of certain British Officers
in the Public Service of Zambia

Lusaka, 28 July 1966

[The Agreement entered into force on 28 July 1966]

*Presented to Parliament by the Secretary of State for Commonwealth Affairs
by Command of Her Majesty
March 1968*

LONDON

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**EXCHANGE OF LETTERS
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE REPUBLIC OF ZAMBIA
CONCERNING BRITISH AIDED CONDITIONS OF SERVICE IN
RESPECT OF CERTAIN BRITISH OFFICERS IN THE PUBLIC
SERVICE OF ZAMBIA**

No. 1

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

Your Excellency,

*British High Commission,
Lusaka, 28 July, 1966.*

I have the honour to refer to discussions which have taken place recently between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Zambia concerning British Aided Conditions of Service which have been introduced in respect of certain British officers in the Public Service of Zambia. During these discussions the following arrangements were proposed.

2. There are three categories of officers concerned:—

- (i) Contract officers serving in the Public Service of Zambia on 1 January, 1966:
 - (a) who were not serving, on that date, on the local conditions of service introduced in 1961 by a memorandum entitled Northern Rhodesia Civil Service Local Conditions, as amended from time to time, and Northern Rhodesia Gazette General Notice No. 2141 of 1961;
 - (b) who are not designated for the purposes of the Overseas Service (Northern Rhodesia) Agreement 1961⁽¹⁾;
 - (c) who were, on 1 January, 1966, citizens of the United Kingdom and Colonies or the Republic of Ireland;
 - (d) who have, on the recommendation of the Government of Zambia, been named by Her Majesty's Minister of Overseas Development (hereinafter called "The Minister") as officers to whom these arrangements refer; and
 - (e) who are serving in contract appointments under British Aided Conditions of Service;

(1) "Zambia No. 1 (1968)", Cmnd. 3554.

(ii) Pensionable officers serving in the Public Service of Zambia on 1 January, 1966:

(a) who were not serving, on that date, on the local conditions of service introduced in 1961 by a memorandum entitled Northern Rhodesia Civil Service Local Conditions, as amended from time to time, and Northern Rhodesia Gazette General Notice, No. 2141 of 1961;

(b) who are not designated for the purposes of the Overseas Service (Northern Rhodesia) Agreement 1961;

(c) who were, on 1 January, 1966, citizens of the United Kingdom and Colonies or the Republic of Ireland;

(d) who have on the recommendation of the Government of Zambia been named by the Minister as officers to whom these arrangements refer; and

(e) who retire and continue in the Public Service of Zambia in contract appointments under British Aided Conditions of Service; and

(iii) Persons in the service of the Zambia Television Company Limited on 1 January, 1966:

(a) who were, on the date, citizens of the United Kingdom and Colonies or the Republic of Ireland;

(b) who have on the recommendation of the Government of Zambia been named by the Minister as officers to whom these arrangements refer;

(c) whose service with the Zambia Television Company Limited from 1 January, 1966 and subsequently in the Public Service of Zambia is continuous in time; and

(d) who serve in the Public Service of Zambia in contract appointments under British Aided Conditions of Service.

3. As to the first category of officers:—

(i) The Government of the United Kingdom will reimburse the Government of Zambia:

(a) the aggregate amount of any inducement allowances and education allowances paid by the Government of Zambia to these officers at such annual rates and on such conditions as the Government of Zambia may, with the concurrence of the Government of the United Kingdom, prescribe, less (in the case of inducement allowances) such sums as may be agreed between the Government of Zambia and the Government of the United Kingdom as being equivalent for the purposes of these arrangements to the proceeds of taxation payable by such officers on inducement allowances;

- (b) one half of the aggregate cost of providing passages for such officers, their wives and children by such means, routes and classes of accommodation, and in accordance with such conditions, as the Government of Zambia may with the concurrence of the Government of the United Kingdom, prescribe, less such sums as may be agreed between the Government of Zambia and the Government of the United Kingdom as being equivalent for the purposes of these arrangements to the proceeds of taxation on the value of such passages payable by such officers;
 - (c) the aggregate cost of providing, in addition to the passages referred to in sub-paragraph (b) above, return passages by such means, routes and classes of accommodation and in accordance with such conditions as the Government of Zambia may, with the concurrence of the Government of the United Kingdom prescribe for the children who are being educated outside Zambia, of such officers; and
 - (d) that part of any gratuity paid by the Government of Zambia to such an officer which accrues to that officer by virtue of the addition to his emoluments, after 1 January, 1966, of the inducement allowance referred to above; and
- (ii) The Government of the United Kingdom will pay direct to each such officer, on behalf of the Government of Zambia, such flat rate increase of emoluments as the Government of Zambia may, with the concurrence of the Government of the United Kingdom, prescribe.

4. As to the second and third categories of officers, if the Government of Zambia should pay any such officer the allowances and provide in respect of him, the passages referred to in paragraph 3 above, the Government of the United Kingdom will reimburse the Government of Zambia and will, on behalf of the Government of Zambia, pay direct to such officer a flat rate increase of emoluments, as if such officer were an officer in the first category of officers referred to in paragraph 2 above.

5. The Government of Zambia will take such steps as may be necessary to ensure that—

- (i) the education allowances referred to in this letter;
- (ii) the flat rate increase of emoluments paid to an officer; and
- (iii) the value of such children's passages as the Government of Zambia and the Government of the United Kingdom agree are provided because the children are being educated outside Zambia:

will not be subject to income tax under any law for the time being in force in Zambia.

6. (1) On or before 1 October in each year the Government of Zambia will provide the Government of the United Kingdom with such information, including information concerning any variation in the numbers of officers which results from the establishment requirements of the Government of Zambia, as the Government of the United Kingdom may require to calculate

the amounts payable by the Government of the United Kingdom under these arrangements during the ensuing financial year of the Government of the United Kingdom.

(2) The Government of Zambia will, whenever requested so to do by the Government of the United Kingdom, supply to the Government of the United Kingdom such accounts and other information in connection with the operation of these arrangements as may be specified in such request.

7. The Government of Zambia will consult the Government of the United Kingdom before effecting any changes in policy which might affect the recruitment, terms of service and numbers of officers so as to vary the amounts payable by the Government of the United Kingdom under these arrangements.

8. Subject to the provisions of paragraphs 6 and 7 of this letter, nothing in these arrangements shall affect the right of the Government of Zambia to vary its disposition or requirements of officers in its Public Service as it sees fit.

9. These arrangements will terminate, unless some other date is agreed, on 31 March, 1971 or on such other date as the Government of Zambia and the Government of the United Kingdom may agree.

10. If these proposals are acceptable to the Government of Zambia, I have the honour to suggest that this letter and your reply to that effect shall be regarded as constituting an Agreement between our two Governments in this matter.

11. I have the honour to renew to Your Excellency, the assurances of my highest consideration.

W. B. L. MONSON.

No. 2

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

Ministry of Foreign Affairs,

Your Excellency,

Lusaka, 28th July, 1966.

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

[As in No. 1]

In reply I have the honour to inform you that these proposals are acceptable to the Government of Zambia who therefore regard your Letter and this reply as constituting an Agreement between our two Governments in this matter.

I have the honour to renew to Your Excellency the assurances of my highest consideration.

S. M. KAPWEPWE.

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