

ZAMBIA



Treaty Series No. 121 (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 Officers designated by the
Government of the United Kingdom
in the Service of the Government
of Zambia

(The Overseas Service (Zambia) Agreement 1971)

Lusaka, 13/22 March 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*

LONDON
HER MAJESTY'S STATIONERY OFFICE

5p net

Cmnd. 5147

**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 OFFICERS DESIGNATED BY THE
GOVERNMENT OF THE UNITED KINGDOM IN THE
SERVICE OF THE GOVERNMENT OF ZAMBIA**

No. 1

*The United Kingdom Acting High Commissioner at Lusaka to the
Secretary-General of the Government of Zambia*

*British High Commission,
Lusaka,*

13 March 1971

Dear Secretary-General,

I have the honour to refer to discussions which have taken place between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Zambia relating to certain officers in the services of the Government of the Republic of Zambia designated by the Government of the United Kingdom and to place on record the terms of the agreement which was resolved:

- “ 1. The Government of the United Kingdom will make the reimbursements and payments, as specified in this agreement, to or in respect of officers in the public service of the Government of the Republic of Zambia who are designated by the Government of the United Kingdom in accordance with this agreement (such officers hereinafter being referred to as “ designated officers ”).
- “ 2. The Government of the United Kingdom and the Government of the Republic of Zambia will hold annual reviews of the requirements that the Government of the Republic of Zambia may have as regards the employment of designated officers in their public service, so that the Government of the United Kingdom may, in consultation with the Government of the Republic of Zambia determine the classes or categories of officers, members of which the Government of the United Kingdom is prepared to designate, the number of officers in each such class or category which may be designated and the maximum sum that will be available during any specified period to meet the obligations of the Government of the United Kingdom under this agreement. During such reviews the Government of the Republic of Zambia 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.
- “ 3. 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.

- “ 4. The Government of the United Kingdom will reimburse the Government of the Republic of Zambia one half of the aggregate amount paid by the Government of the Republic of Zambia in providing for designated officers and their dependent families passages on such occasions (not being occasions referred to in paragraph 6 of this agreement) as the Government of the Republic of Zambia may, with the concurrence of the Government of the United Kingdom, prescribe.
- “ 5. The Government of the United Kingdom will, on behalf of the Government of the Republic of Zambia, pay direct to each designated officer (whether such officer is serving on contract or pensionable terms and whether or not he is serving on secondment from any other employer)—
- (a) an inducement allowance at such rate as may be specified from time to time by the Government of the United Kingdom;
 - (b) any education allowance for which the 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 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 the officer which accrues to him by virtue of the addition to his emoluments of the inducement allowance 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.
- “ 6. The Government of the United Kingdom will, to the same extent as heretofore, meet the cost of holiday visit passages for the children of a designated officer, that is to say, passages to enable children to visit their parents in the Republic of 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.
- “ 7. The allowances, grant and gratuity payable direct to a designated officer by the Government of the United Kingdom in accordance with the provisions of this agreement will be paid into an account at a bank 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.
- “ 8. The allowances, grant and gratuity paid direct by the Government of the United Kingdom to a designated officer and the value of the passages referred to in paragraph 4 and 6 shall be exempt from the payment of income tax under any law in force in the Republic of Zambia.
- “ 9. In the event of a designated officer being seconded from the employment of the Government of the Republic of Zambia without the concurrence of the Government of the United Kingdom, the Government of the Republic of Zambia will, if requested to do so

by the Government of the United Kingdom, pay to that Government a sum equal to the total cost of the reimbursements and payments made by that Government in respect of that officer whilst so seconded.

- " 10. The Government of the Republic of Zambia will provide each designated officer within six weeks of his arrival in Zambia with approved accommodation and basic furnishings of reasonable standard appropriate to the rank and family circumstances of the officer at a rent reasonable in relation to his local basic salary.
- " 11. The Government of the Republic of Zambia 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.
- " 12. The Government of the Republic of Zambia will, whenever requested to do so by the Government of the United Kingdom, supply to that Government such accounts and other information in connection with the operation of this agreement as may be specified in such request.
- " 13. This agreement shall come into operation on 1 April 1971 and on 31 March 1971 the Overseas Service (Zambia) Agreement 1961⁽¹⁾ (and the Agreements amending that Agreement)⁽²⁾ and the British Aided Conditions of Service Agreement dated 28 July 1966⁽³⁾ shall terminate.
- " 14. This agreement shall terminate, unless some other date is agreed between the Governments of the United Kingdom and of the Republic of Zambia on 31 March 1976 ”.

2. If this letter correctly sets out the terms that have been agreed, I have the honour to suggest that this letter and your reply should be regarded as constituting an agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Zambia and should be cited as the Overseas Service (Zambia) Agreement 1971.

Your sincerely,

C. E. DIGGINES.

No. 2

*The Secretary-General to the Government of Zambia to the
United Kingdom Acting High Commissioner, Lusaka*

Lusaka.

Dear Mr. Diggines,

22 March 1971.

I have the honour to acknowledge receipt of your Letter of the 13th of March 1971, 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.

A. M. MILNER

Secretary-General to the Government

⁽¹⁾ Zambia No. 1 (1968), Cmnd. 3554.

⁽²⁾ Not published.

⁽³⁾ Treaty Series No. 22 (1968), Cmnd. 3556.