

Treaty Series No. 17 (1976)

Exchanges of Notes

concerning Cereals to be supplied by the Government of the United Kingdom of Great Britain and Northern Ireland to the Government of Bangladesh within the framework of the Cereals Food Aid Programme of the European Economic Community

(United Kingdom Food Aid Grant: Bangladesh Agreement 1975)

Dacca, 3 July 1975

[The Agreement entered into force on 3 July 1975]

Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
March 1976

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EXCHANGES OF NOTES CONCERNING CEREALS TO BE SUPPLIED BY THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE GOVERNMENT OF BANGLADESH WITHIN THE FRAMEWORK OF THE CEREALS FOOD AID PROGRAMME OF THE EUROPEAN ECONOMIC COMMUNITY

No. 1

The United Kingdom High Commissioner at Dacca to the Secretary of the Planning Commission of the Government of the People's Republic of Bangladesh

British High Commission, Dacca.

3 July 1975.

0417 1.

My dear Secretary,

- 1. I have the honour to inform you that as a Member State of the European Economic Community the Government of the United Kingdom of Great Britain and Northern Ireland, hereinafter known as the "Government", have accepted an obligation to participate in the supply of cereals under the Food Aid Convention of 1971(1). Within the framework of the EEC Cereals Food Aid Programme for the harvest year 1974/75 it is the intention of the Government of the United Kingdom to grant the Government of the People's Republic of Bangladesh, hereinafter known as the "recipient", a quantity of wheat not exceeding 20,000 metric tons for human consumption.
- A. The Government declare that it is their intention to order and pay for a quantity or quantities of wheat not exceeding 20,000 metric tons for use within Bangladesh from sources to be chosen by the Government and, at their discretion, by their agents.
- B. (1) The Government shall adopt the arrangements and procedures described in the following sub-paragraphs of this Note insofar as they relate to things to be done by or on behalf of that Government. The recipient shall adopt the arrangements and procedures so described insofar as they relate to things to be done by or on behalf of it.
 - (2) The wheat shall be consigned to the Ministry for Food and Civil Supplies, Government of the People's Republic of Bangladesh, Dacca, and shall be delivered in bulk c.i.f. to the Port of Chittagong at a time to be agreed by the Government and the recipient. On delivery in accordance with sub-paragraph (3) of this paragraph it shall be of sound marketable quality fit for human consumption and a tolerance of 5% less than the quantity to be supplied as in Part A of this paragraph shall be permitted. On delivery, the wheat shall have a moisture content not exceeding 14½%.

⁽¹⁾ Treaty Series No. 21 (1972), Cmnd. 4953, p. 108. The United Kingdom acceded to the Food Aid Convention with effect from 1 January, 1973.

- (3) Delivery shall be effected and all the risks shall pass from the Government to the recipient at the moment at which the wheat effectively passes the ship's rail at the port of loading. The Government shall pay all costs, including the costs of freight and insurance, up to the arrival of the vessel at the Port of Chittagong. The recipient shall bear all costs subsequent to the arrival of the vessel at Chittagong including unloading and any demurrage, lighterage, storage, re-packing or other costs. Should demurrage arise at the port of unloading the master of the vessel shall be able to claim these charges from the recipient in a convertible currency on a daily basis. Should the recipient fail to comply with this condition, the Master of the vessel shall be empowered to seize the cargo and remove it at once from the port.
- (4) The Government shall notify the recipient in good time of the name of the ship in which the wheat is consigned and its owners and the estimated date of arrival of the ship in the Port of Chittagong. The Government shall also insert in the charter party a clause requiring the Master of the ship to give the recipient ten days approximate, and 72 hours specific, notice of the date of arrival of the ship in port.
- (5) The recipient shall arrange and pay for transport and insurance of the wheat from the port of unloading as described in sub-paragraph (3) of this paragraph to a place of destination in Bangladesh. The recipient shall nominate receiving agents in the port of loading and in the port of unloading and shall notify the Government of the name of these agents in good time.
- (6) The recipient shall pay regard to Article 9 of the Wheat Trade Convention opened for signature in Washington on 29 March 1971(1) regarding the need for the Government to arrange concessional transactions in wheat in such a way as to avoid interference with normal patterns of production and international commercial trade. this end the recipient shall take measures to ensure that the wheat supplied as aid is in addition to, and not in place of, commercial supplies which could otherwise be reasonably foreseen and shall take all appropriate measures to prevent the re-export of wheat, whether received as aid or commercially, and of the by-products of first stage processing of such wheat. The recipient shall also take measures to prevent any abnormal commercial or non-commercial export within a period of six months, as from the last delivery of the wheat as aid, both of locally produced cereals of the same type as that received as aid and the products of first stage processing and the by-products derived from those cereals.
- (7) The recipient shall use the wheat exclusively for human consumption in Bangladesh and shall distribute the whole or any part of it free to the people in need, or alternatively, the recipient may sell the whole or any part of it in its subsidised ration shops and shall in the latter case, and after allowance for internal distribution costs, apply the counterpart funds generated by those sales for the purpose of rural

⁽¹⁾ Treaty Series No. 21 (1972), Cmnd. 4953, p. 3.

development. In any case the recipient shall report, within six months of the date of delivery of the wheat, to the British High Commissioner in Dacca and other servants or agents of the Government, full details relating to the distribution of the wheat and any other such information which the Government may reasonably require to meet their obligation under the Food Aid Convention.

2. If the foregoing proposals are acceptable to the People's Republic of Bangladesh I have the honour to propose that the present Note together with your reply in that sense shall constitute an Agreement between the two Governments which shall enter into force on the date of your reply and which shall be known as the "United Kingdom Food Aid Grant: Bangladesh Agreement 1975". In the case of difference between the English text and the Bangla text, the English text will prevail.

B. G. SMALLMAN

(Her Britannic Majesty's

High Commissioner)

The Secretary, Planning Commission of the Government of the People's Republic of Bangladesh to the United Kingdom High Commissioner at Dacca,

जाबिय - ७-४-४४४८ देर

मशाञ्च,

युजन्ताला थाना जाराया अनुमान : बारनाएन हुजिन्नव, ১৯৭৫।

জামি সবিনয়ে অদ্যকার তারিখে তেবা আপনার নিমনুপ নোটটির প্রাণ্ডি খুলির করিতেছি :-

"১। সবিনয়ে আগনাকে জানান যাইতেছে যে, ইউরোপীয় ইকনমিক কমিউনিটির সদস্য হিসাবে প্রেট ব্রিটেন ও উওর আয়ারন্যানেডর যুকুরাজ্য সরকার (অতঃপর "সরকার" বিদিয়া অভিহিত > ১৯৭১ সালের খাদ্য সাহায্য কনভেনশান মোতাবেক খাদ্য-শস্য সরবরাহের দায়িত্বে অংশ গ্রহনে সমাত হইট্টাছেন । ১৯৭৪-৭৫ কসলী মওসুমের জন্য ই,ই,দি খাদ্য-শস্য সাহায্য কর্মসুচীর কাঠামোর মধ্যে যুক্তবাজ্য সরকার গণপ্রজাতন্ত্রী বাংলাদেশ সরকারকে (অতঃপর প্রাপক বলিয়া অভিহিত > জনসাধারণের ভোগের জন্য অনুর্ধ ২০ হাজার মেট্রিক টন পরিমান গম অনুদান রুপে সিতে ইছুক ।

খন্ড-ক

সরকার ঘোষণা করেন যে, বাংলাদেশের অভ্যনুরে ব্যবহারের উদ্দেশ্যে সরকার এবং চাঁহাদের বিবেচনা অনুযায়ী নিযুক্ত চাঁহাদের এজেন্টদের পছন করা গুল্ল হইতে অনুর্ধ ২০ হাজার মেট্রিক টন পরিমানের সমের জন্য অর্ডার পেশ ও মূল্য পরিশোধে তাঁহারা ইচ্ছুক।

খনত- খ

- (১) সরকার এই নোটের নিমু উপ-অনুচেছদ বুলিতে বর্ণিত ব্যবস্থা ও কার্যক্রনাদি ততদুর পর্যন্ত প্রায়েশ্য করিবেন, যতদুর সরকার বা সরকারের পদ হইতে করণীয় । প্রাপক ও বর্ণিত ব্যবস্থা ও কার্যবেশ্যাদি ততদুর পর্যন্ত প্রহন করিবেন, যতদুর ে তাঁহাদের বা তাঁহাদের পদ হইতে করণীয় ।
- (২) वरे तम त्रविद्धालकी बारनार्यम अवस्ति, एक्सित धारा ७ दिनामितिक अवस्ताय मक्कालाइत निक्छे तालान दरेदन वनर अवस्त ७ श्वाल्यत अम् जम्म जन्मात्री क्रिक्टियाम नम्पद्ध धवर, तीमा ७ मानून त्रिद्धाधिक व्यवस्था वक्ष्य धानाभ एवा दरेदन।। वरे जनूर्व्व्यत्त छेत-जनूर्व्व्यत्त (०) जनूमात्री धानाभ क्वात भमग्र मानूर्वित त्वारत्त क्रम, वाद्धावकारुक्वरन्त छेत्रच्यु तून भमान्न दरेदक दरेदन वनर वरे जनूर्व्व्यत्त क्रम धरन्यत्व वर्गनामूभाद्य प्राणे अवस्ताद तिव्यात्मत भरुपता व जान त्रवित् क्ष्म अस्त्रव्यत्वारक जनूमणि दर्वाम गरेदन । त्रम अस्त्रव्यत्व समग्र अस्त्रव्यत्व जनूमणि दर्वाम गरेदन । त्रम अस्त्रव्यत्व समग्र अस्त्रव्यत्व जन्मणि दर्वाम गरेदन । त्रम अस्त्रव्यत्व समग्र अस्त्रव आमुक्त भर्वेष्ट्र स्थान

- (৪) সর্গর মথেক সময় থানিতে যে ভাষাত্রে গম আগিতেছে সে ভাষাত্রের নাম, ভাষাত্রের মানিকের নাম এবং ভাষাত্রের চটুগ্রাম বন্ধরে পৌহার সক্ষাব্য তারিও সম্পর্কে প্রাপককে বিজ্ঞান্তি প্রবান করিবেন । সর্গার সমলে (চার্টার পাটি) একটি দ্বাও বনাইবেন, যাহাতে ভাষাত্রের মাক্টার আনুমানিক দ্বাদিন এবং সুনির্বিষ্ট ভাবে ৭২ ঘন্টার নোটিশে ভাষাত্রের বন্ধরে গৌহার তারিও প্রাপককে ভানাইতে বান্য থাকেন ।
- (४) वरे अनुस्करपत ऐन-अनुस्करप (७) -वत वर्गनानुगाग्नी श्रानक वरे नम वारतास्तरात वन्तरत यानाम र्गतवात नत इरेस्ड अनुकाशास्त स्मौजार पर्यनु यावर्डम् निविद्यम ववर वीमा वावप प्रमणु यत्रक मिन्नोरेवात बादादा स्तिरवन । ज्ञानक मान स्वामारे ववर मान यानाम स्तिवात यनस्त्र मान वृषिद्धा तरेतात छना वस्त्रमें नियुष्ट स्तिरवन ववर वस्त्रमेस्टरत नाम विस्मार प्रमास मुक्तातस्य विक्वाभुत मात्रस्य सामारेद्यम ।
- (७) उरेशारत्मत्र शृष्णिविक अन्तम अवर जानुर्जीिक वानित्सात्र क्रांट शृक्षम भित्रमात्र विद्या मूर्विश्व जनक तन त्वत्मत्र उत्पारत्म ১৯৭১ मात्वत्र २৯८१ मार्ट उद्यापिरहेत्न श्वास्त्रत्म क्रां जेमुज्य गम वाणिक क्ष्माव्यत्मत्मत्मत्म नम्म जनूत्व्यत्मत्न छिडित्छ मत्रकारत्मत्म प्राप्ति उपनि अविकास मर्थापा अनाम किर्मान किर्मान
- (ব) প্রাণক এই গম সম্বৃণি ভাবে বাংনাদেশের জনসাধারণের ভোগের জন্য ব্যবহার করিবেন এবং প্রয়োজনে উহা সম্বৃণি বা আংশিক ভাবে বিনায়ুল্যে জনসাধারণের মধ্যে

विजया किति गारित । विकास अभि वे गारित अभू ने ना जरम वित्य अवस्ती ज्यान किति । विकास अप्रांत प्रति । विकास विकास प्रति विकास किति विकास किति । विकास विकास किति विकास वि

वार प्रदेशसम् पार्टिश एवं, जानमात्र स्मार्ट पार्च उन्तुष्त्र नाउडाउम्मा वार्तासम् भवनावत्र अस्मार्था ववर वरेखना अम्युटि खानारेट्टिस स्म, वाष्माव स्मार्ट ववर वरे खवाव पुरे नवनावत्र मस्या हुटिन विनम्ना विस्विष्ठ स्टेस्ट ववर वरे स्मार्टेड लाजिक स्टेटिट कार्याकती स्टेस्ट ववर "यूजन्ताका धाना जासाया धनुमान । वार्तासम् हुटिन्धम, ১৯५৫" विनम्ना पविष्ठिष स्टेस्ट ।

> उपरे 20 हिन्दू जीवार (अम्, मारे तुळाभान) शहिब, पतिकलाना मन्युपानम्, प्रमुखानन्ति वारनारम् मुक्तात्, माना ।

Ministry of Planning (Planning Commission)

Dacca

3 July 1975.

Your Excellency,

United Kingdom Food Aid Grant: Bangladesh Agreement, 1975

I have the honour to acknowledge the receipt of your Note of today's date, which reads as follows:—

[As in No. 1]

I confirm that the proposals contained in your Note are acceptable to the Government of the People's Republic of Bangladesh who therefore agree that your Note and this reply shall constitute an Agreement between the two Governments which shall enter into force on the date of this Note and shall be known as the "United Kingdom Food Aid Grant: Bangladesh Agreement, 1975".

M. SYEDUZZAMAN

Secretary, Planning Commission Government of the People's Republic of Bangladesh, Dacca

No. 3

The United Kingdom High Commissioner at Dacca to the Secretary, Planning Commission of the Government of the People's Republic of Bangladesh

British High Commission,
Dacca.

3 July 1975.

My dear Secretary

I have the honour to refer to the Exchange of Notes dated 3 July 1975 constituting "the United Kingdom Food Aid Grant: Bangladesh Agreement 1975". The Government of the United Kingdom of Great Britain and Northern Ireland wish to propose the reporting procedures that shall be observed in relation to the arrival of the wheat at Chittagong in pursuance of Part B of that Exchange of Notes.

The Government of the People's Republic of Bangladesh shall provide the Government of the United Kingdom with the following information immediately after the discharge of the vessel:

- (a) the port and date of arrival of vessel;
- (b) nature, quantity and any observations as to the quality of the wheat discharged;
- (c) date on which discharge was completed.

In addition an audited statement confirming the tonnage of wheat delivered, shall be provided by Agents of the Government of the United Kingdom, at the expense of that Government.

If the foregoing proposals are acceptable to the People's Republic of Bangladesh, I have the honour to propose that this present Note together with your reply in that sense shall be read and construed as part of "the United Kingdom Food Aid Grant: Bangladesh Agreement 1975", dated 3 July 1975.

B. G. SMALLMAN

(Her Britannic Majesty's High Commissioner)

The Secretary Planning Commission of Bangladesh to the United Kingdom High Commissioner at Dacca

चावित - ७-१-১১१४वेर

ग्रहास न.

যুক্তবাজ্য খাদ্য সাহায্য অনুদান : বাংলাদেশ চ্বিশার, ১৯৭৫ ।

আমি স্বিন্ধে ৩-৭-৭৫ তারিখের নোট বিনিম্নের প্রতি বাপনার দৃষ্টি আবর্ধন করিতেছি, স্বাহার ভিতিতে " যুক্তব্যাজ্য বাদ্য সাহায্য অনুদানঃ বাংলাদেশ চুক্তিশ্ব, ১৯৭৫ " ৩, উত্তর আয়ারল্যান্ডের রচিত । তেট বৃট্টেনে যুক্তব্যাজ্য সরকার চটুপ্রামে প্রম্ আনার ব্যাপারে রিপোট বেওয়ার প্রমতি প্রসাব করিতে ইচ্ছক, যাহা বিনিম্যুক্ত নোটের ব-২চ্ছ অনুযায়ী পালনীয় ।

জাহাজের মান খালাসের পর পণপ্রজাতন্ত্রী বাংলাদেশ সরকার মুত্তরাজা সরকারকে
নিম্বালিখিত তথ্যপুলি অবিলয়ে প্রেরণ করিবেন :-

- (क) बन्दत बबर बांशक लौकिवात ठातिक .
- (भ) भारताश्वर अध्यद्ध शतिमान, अङ्गित अवर अनामुण मामार्क व्या त्यान वर्धरवस्ता,
- (१) य जातिथ धानाम ममार वरेगार ।

ইহাছাড়া যুজ্বাজ্য সর্বারের এজেন্টানের দারা ঐ সর্বারের বরচে কচ টন পম ভেনিভারী দেওয়া হইয়াছে ভাষার স্থীঞ্জি দুচক একটি নিরিম্বিত বিবরণ পাঠাইতে হইবে।

यपि पूर्ववर्षी अञ्चावन्ति नगश्रकाष्ट्रकी वारमास्त्रम भवनादाव अस्तरयाना यग्न प्रव वाभि अविनयम अभाव कविव या प्रशास्त्र प्रेयत अस्तर वर्षमान स्तामेणि वरे मर्स्स " यूक्यवाका थाना मासामा प्रमुसान ३ वारमास्त्रम पूक्यिका ১৯५৫ " वज्र वरन विभावन नाठिक वयर नामासिक स्टेटन ।

আমি খ্রীনার করিতেছি যে আগনার নেষ্টে বর্ণিত প্রস্থাবদুনি বণপ্রজাতন্ত্রী বাংলাদেশ সরকারের প্রহনধোপ্য এবং এই মর্মে সম্মৃতি দান করিতেছি যে আগনার নোট এবং এই উত্তর " মুজন্রান্ত বাদ্য সাহায্য অনুদান ঃ বাংলাদেশ চুজিশার ১৯৭৫ " তারিখ ৩-৭-৭৫ এর অংশ হিসাবে পাঠিত এবং ব্যাখ্যায়িত হুইবে ।

अल्ये निक्रम । १११०० (अम् , मारेन्छामान) मिल कार्यान प्रकारान । महास्त्र कार्यानम् महास्त्र कार्यानम् महास्त्र ।

Ministry of Planning (Planning Commission), Dacca.

3 July 1975

Your Excellency,

United Kingdom Food Aid Grant: Bangladesh Agreement, 1975

I have the honour to acknowledge the receipt of your Note of today's date which reads as follows:—

[As in No. 3]

I confirm that the proposals contained in your Note are acceptable to the Government of the People's Republic of Bangladesh, who therefore agree that your Note and this reply shall be read and construed as part of "the United Kingdom Food Aid Grant: Bangladesh Agreement 1975", dated 3rd July, 1975

M. SYEDUZZAMAN

Secretary,
Ministry of Planning.

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