

BARBADOS



Treaty Series No. 106 (1976)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of Barbados
concerning Officers designated by the
Government of the United Kingdom in the
Service of the Government of Barbados
(The Overseas Service (Barbados) Agreement 1970)

Bridgetown 26/30 March 1971

and Exchange of Notes
amending and extending the 1970 Agreement

Bridgetown 17 February/9 March 1976

[The 1970 Agreement entered into force on 1 April 1971 and the Exchange of Notes
on 31 March 1976]

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

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND
THE GOVERNMENT OF BARBADOS CONCERNING OFFICERS
DESIGNATED BY THE GOVERNMENT OF THE UNITED
KINGDOM IN THE SERVICE OF THE GOVERNMENT OF
BARBADOS AND EXCHANGE OF NOTES AMENDING AND
EXTENDING THE SAID AGREEMENT**

No. 1

*The United Kingdom Acting High Commissioner at Bridgetown to the
Chief Establishments Officer of the Government of Barbados*

*British High Commission,
Bridgetown.*

Sir,

26 March, 1971.

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 Barbados relating to certain officers in the service of the Government of Barbados 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 Barbados 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 Barbados will hold periodic reviews of the requirements that the Government of Barbados 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 Barbados, 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 Barbados 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 Barbados:
 - (a) in the case of a designated officer serving on pensionable terms a sum equal to the inducement allowance paid to him by the Government of Barbados being an allowance taken into account in computing the pension for which such officer is eligible under the appropriate pension laws, at such annual rate as is specified by the Government of the United Kingdom less the sum agreed by that Government and the Government of Barbados as being equivalent to the proceeds of taxation payable on that allowance;
 - (b) one half of the aggregate amount paid by the Government of Barbados 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 Barbados 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 Barbados, pay direct to each designated officer (whether such officer is serving on contract or pensionable terms):
 - (a) an inducement allowance, which in the case of an officer serving on pensionable terms is not taken into account in computing his pension, 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 for which the 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 the officer which accrues to him by virtue of the addition to his emoluments of the inducement allowance referred to in this paragraph.
6. The Government of the United Kingdom will, to the same extent as heretofore, meet the cost of holiday passages for the children of a designated officer, that is to say, passages to enable children to visit their parents in Barbados, 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 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 shall be exempt from the payment of income tax under any law in force in Barbados.
9. Whenever the Government of Barbados desires to renew the contract of a designated officer or to recruit an officer who may be eligible for designation, the Government of Barbados will consult the Government of the United Kingdom and that Government will inform the Government of Barbados whether or not the officer's designation may be continued, or the officer re-designated or designated, as the case may be, in accordance with this agreement.
10. In the event of a designated officer being seconded from the employment of the Government of Barbados without the concurrence of the Government of the United Kingdom, the Government of Barbados 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.
11. The Government of Barbados will provide each designated officer with appropriate accommodation and basic furnishings at a rent reasonable in relation to his basic salary.
12. The Government of Barbados 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.
13. The Government of Barbados 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.
14. This agreement shall come into operation on 1st April 1971, and on 31st March 1971 the Overseas Service (Barbados) Agreement 1961 (and the agreements amending that agreement) shall terminate.
15. This agreement shall terminate, unless some other date is agreed between the Governments of the United Kingdom and of Barbados, on 31st March 1976".

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 Barbados, and should be cited as the Overseas Service (Barbados) Agreement 1970.

I have the honour to be
Sir
Your obedient servant
J. A. B. STEWART
Acting High Commissioner

No. 2

*The Permanent Secretary of the Ministry of External Affairs of the
Government of Barbados to the
United Kingdom Acting High Commissioner at Bridgetown*

*Ministry of External Affairs,
Barbados.*

Sir,

30 March, 1971.

I have the honour to acknowledge receipt of your letter No. 5/8 of 26th March, 1971, referring to discussions which have taken place between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Barbados relating to certain officers in the service of the Government of Barbados designated by the Government of the United Kingdom and placing on record the terms of the agreement which was resolved.

In reply I have the honour to inform you that the terms of agreement referred to in your letter under reference are acceptable to the Government of Barbados. The Government of Barbados, however, has always maintained that permanent officers in the employment of this Government should not be designated. Three officers were so designated prior to that decision being taken. This Government reserves the right to review the designation of these officers at a time not later than one year from the coming into force of the new agreement. Subject to the above reservation, the Government of Barbados regards your letter and this reply as constituting an agreement between our two Governments in this matter.

I have the honour to be,
Sir,
Your obedient servant,
C. B. WILLIAMS
*Permanent Secretary,
Ministry of External Affairs*

*The United Kingdom Acting High Commissioner at Bridgetown to the
Chief Establishments Officer of the Government of Barbados*

*British High Commission,
Bridgetown.*

Sir,

17 February, 1976.

I have the honour to refer to discussions that have taken place between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Barbados concerning the continuance of the Overseas Service, (Barbados) Agreement 1970 (hereinafter referred to as "the Agreement") and certain matters related to passage costs and medical expenses and to propose that the Agreement be amended as follows:—

1. In sub-paragraph 4 (b) of paragraph 1 delete the words "one half of the aggregate" and substitute therefor the word "the"; at the end of that sub-paragraph add a further sentence to read "Passages for designated officers and their dependent families should be, where available, by United Kingdom carrier and where practicable by excursion or charter flight".
2. In sub-paragraph 5 (a) of paragraph 1 delete the words "an inducement allowance" and substitute therefor the words "a salary supplement".
3. In sub-paragraph 5 (d) of paragraph 1 delete the words "inducement allowance" and substitute therefor the words "salary supplement".
4. To sub-paragraph 5 of paragraph 1 add a further sub-paragraph to read "(e) medical expenses necessarily incurred on treatment not available under the local health service at such rates as may be specified from time to time by the Government of the United Kingdom".
5. In sub-paragraph 6 of paragraph 1 delete the punctuation and words ", to the same extent as heretofore,".
6. In sub-paragraphs 7 and 8 of paragraph 1 delete the words "allowances, grant and gratuity" and substitute therefor the words "salary supplement, allowance, grant, gratuity and medical expenses".
7. In sub-paragraph 15 of paragraph 1 delete the words and figures "31 March 1976" and substitute therefor the words and figures "31 March 1977".

2. If these proposals are acceptable to the Government of Barbados, I have the honour to propose that this Note and your reply to that effect shall

constitute an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Barbados which shall enter into force on 31 March 1976 and which shall be cited together with the Agreement as the Overseas Service (Barbados) (Continuance) Agreement 1971/76.

I have the honour to be

Sir

Your obedient servant

R. P. de BURLET

Acting High Commissioner

No. 4

*From the Permanent Secretary of the Ministry of External Affairs of the
Government of Barbados to the
United Kingdom Acting High Commissioner at Bridgetown*

*Ministry of External Affairs,
Barbados.*

Sir,

9th March, 1976.

I have the honour to acknowledge receipt of your Note which reads as follows:

[As in No. 3]

I confirm that the proposals in your Note are acceptable to the Government of Barbados and that your Note and this reply shall constitute an Agreement between the Government of Barbados and the Government of the United Kingdom which shall enter into force on 31 March 1976 and shall be cited together with the Agreement as the Overseas Service (Barbados) (Continuance) Agreement 1971/76.

Yours faithfully,

A. N. FORDE

Permanent Secretary