



Treaty Series No. 47 (1986)

# Exchange of Notes ✓

between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of the Polish People's Republic

concerning the Agreement on Certain  
Commercial Debts  
signed at Warsaw on 2 July 1981

Warsaw, 15 October and 5 November 1985

[The Exchange of Notes entered into force on 5 November 1985]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
September 1986*

LONDON  
HER MAJESTY'S STATIONERY OFFICE

80p net

Cmd. 9889

**EXCHANGE OF NOTES  
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF  
GREAT BRITAIN AND NORTHERN IRELAND AND THE  
GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC  
CONCERNING THE AGREEMENT ON CERTAIN COMMERCIAL  
DEBTS SIGNED AT WARSAW ON 2 JULY 1981**

No. 1

*Her Majesty's Ambassador at Warsaw to the Director of the Foreign Department  
of the Ministry of Finances of Poland*

*Warsaw*

*15 October 1985*

I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Polish People's Republic on Certain Commercial Debts signed at Warsaw on 2 July 1981<sup>(1)</sup>, and to recent discussions which have taken place between representatives of the two Governments concerning the consolidation of debts falling due in the period 1982-1984, and the arrangements to be made for interest ("Delay Interest"), to be paid on the interest ("Agreement Interest"), which was not paid by due date according to the terms of the Debt Rescheduling Agreement signed on 2 July 1981 ("the 1981 Agreement").

As a result of these discussions, it was agreed that, notwithstanding the fact that no provision was made in the 1981 Agreement for the payment of Delay Interest, the Government of Poland shall pay Delay Interest to the Government of the United Kingdom acting by the Export Credits Guarantee Department ("The Department") on behalf of and as agent for the creditors (the latter as defined in the 1981 Agreement), according to the following provisions:

- (a) the Delay Interest shall accrue during, and shall be payable in respect of, the period from the due date for payment (as specified in the 1981 Agreement) of the Agreement Interest until the date of actual payment of the Agreement Interest;
- (b) the Delay Interest shall be paid and transferred in the currency in which the Agreement Interest is to be paid according to the provisions of the 1981 Agreement, to an account in the United Kingdom, details of which shall be notified by the Department to the Government of Poland;
- (c) the Delay Interest shall be calculated on the basis of a 365 day year and paid at the following rates:
  - (i) in respect of Delay Interest accruing up to and including 30 November 1985, 11 per cent per annum; and
  - (ii) in respect of Delay Interest accruing after 30 November 1985, one per cent above the London Inter-Bank Offer Rate as previously agreed in the 1981 Agreement for the purpose of the payment of Agreement Interest.

---

<sup>(1)</sup> Treaty Series No. 68 (1981), Cmnd. 8374.

If the foregoing is acceptable to the Government of the Polish People's Republic, I have the honour to propose that this Note and your reply to that effect shall constitute an Agreement between our two Governments in this matter which shall enter into force on the date of your reply.

I avail myself of this opportunity to renew to the Ministry of Finances the assurances of my highest consideration.

JOHN MORGAN

No. 2

*The Director of the Foreign Department of the Ministry of Finances  
of Poland to Her Majesty's Ambassador at Warsaw*

*Warsaw*

Dear Mr. Ambassador,

*5 November 1985*

I have the honour to refer to Your Excellency's letter of 15 October 1985 which reads as follows:

[As in No. 1]

In reply, I have the honour to inform you that the above proposal is acceptable to the Government of the Polish People's Republic and that your letter quoted above together with this reply shall constitute an Agreement between our two Governments in this matter which shall enter into force on today's date.

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

Z. KARCZ