



Treaty Series No. 35 (1990)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of Uganda

concerning Officers designated by the
Government of the United Kingdom in the
Service of the Government of Uganda

(The Overseas Service (Uganda) Agreement 1980)

Kampala, 8 April and 1 August 1980

[The Agreement entered into force on 1 August 1980]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
June 1990*

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF UGANDA
CONCERNING OFFICERS DESIGNATED BY THE
GOVERNMENT OF THE UNITED KINGDOM IN THE
SERVICE OF THE GOVERNMENT OF UGANDA
(THE OVERSEAS SERVICE (UGANDA) AGREEMENT 1980)**

No. 1

*The United Kingdom High Commissioner at Kampala to the Minister of Planning and
Economic Development of Uganda*

*British High Commission
Kampala
8 April 1980*

Your Excellency

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 Uganda relating to certain officers in the service of the Government of Uganda designated by the Government of the United Kingdom and to place on record the terms of the agreement which was reached.

1. The Government of the United Kingdom shall make the reimbursements and payments, as specified in this Agreement, to or in respect of officers in the public service of the Government of Uganda who are designated by the Government of the United Kingdom in accordance with the Agreement (such officers hereinafter being referred to as "designated officers").
2. The Government of the United Kingdom and the Government of Uganda shall hold annual reviews of the requirements that the Government of Uganda 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 Uganda, determine the classes or categories of officers 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 shall be available during any specified period to meet the obligations of the Government of the United Kingdom under this Agreement. During such annual review the Government of Uganda shall provide the Government of the United Kingdom with such information as the latter may require in order to calculate the amounts payable by 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 shall reimburse the Government of Uganda:
 - (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 Uganda, 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 Uganda as being equivalent to the proceeds of taxation payable on that allowance;
 - (b) The amount paid by the Government of Uganda in providing passages for designated officers and their dependent families on such occasions (not being occasions referred to in paragraph 6 of this Agreement) as the Government of Uganda may, with the concurrence of the Government of the United Kingdom, prescribe. Passages for designated officers and their dependent families should be, where available, by British carrier and, where practicable, by excursion or charter flight.

5. The Government of the United Kingdom shall, on behalf of the Government of Uganda, pay direct to each designated officer (whether such officer is serving on contract or pensionable terms):

- (a) A salary supplement (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 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 salary supplement 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 such rates as may be specified from time to time by the Government of the United Kingdom.

6. The Government of the United Kingdom shall 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 Uganda, 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 salary supplement, allowance, grant, gratuity and medical expenses payable direct to a designated officer by the Government of the United Kingdom in accordance with the provision of this Agreement shall be paid into an account at a bank outside Uganda 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 salary supplement, allowance, grant, gratuity and medical expenses paid direct by the Government of the United Kingdom to a designated officer in respect of duties performed by him in Uganda shall be exempt from the payment of income tax under any law in force in Uganda provided that the officer is resident in Uganda solely for the purpose of performing such duties.

9. In the event of a designated officer being seconded from the employment of the Government of Uganda without the concurrence of the Government of the United Kingdom, the Government of Uganda shall, if requested to do so by the Government of the United Kingdom, pay to the latter a sum equal to the total cost of the reimbursements and payments made by it in respect of that officer whilst so seconded.

10. The Government of Uganda shall provide as soon as possible each designated officer with accommodation and basic furnishings in good condition and suitable to the rank and family circumstances of the officer at a rent reasonable in relation to his local basic salary.

11. The Government of Uganda shall 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 Uganda shall, whenever requested to do so by the Government of the United Kingdom, supply to the latter such accounts and other information in connection with the operation of this Agreement as may be specified in such request.

13. This Agreement shall enter into force on 1 August 1980 and shall terminate, unless some other date is agreed between the Government of the United Kingdom and the Government of Uganda, on 31 March 1981.

If this Note correctly sets out the terms that have been agreed, I have the honour to suggest that this Note and your reply shall constitute an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the

Government of Uganda and shall be cited as the Overseas Service (Uganda) Agreement 1980. I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

B A FLACK

No. 2

*The Minister of Planning and Economic Development of Uganda to the United Kingdom
High Commissioner at Kampala*

*Kampala
1 August 1980*

Your Excellency,

I have the honour to acknowledge receipt of your Note of 8th April 1980 regarding the Overseas Service Agreement (OSAS) which reads as follows:

[As in No. 1]

I have the honour to inform you that the foregoing proposal is acceptable to the Government of Uganda who therefore agree that your Note and this reply shall constitute an agreement between the two Governments which shall be cited as the Overseas Service (Uganda) Agreement, 1980.

ANTHONY OCAYA