



Treaty Series No. 37 (1990)

Exchange of Notes

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

constituting the British Expatriates
Supplementation (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 THE REPUBLIC OF UGANDA
CONSTITUTING THE BRITISH EXPATRIATES SUPPLEMENTATION
(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 staff in the service of organisations and institutions in 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, with the concurrence of the Government of Uganda, provide assistance under the authority and provisions of the British Government's Overseas Development and Service Act 1965 upon the terms and conditions set out in Annex 1 to this Note in respect of British staff in the service of an organisation or institution listed in Annex 2 to this Note (referred to in Annex 1 as an "employing authority"). Annex 2 to this Note may, by agreement between the Government of the United Kingdom and the Government of Uganda, be varied or amended from time to time by adding thereto or deleting therefrom the name of any organisation or institution.
2. Any emoluments, allowances, grants, medical expenses, supplements or gratuities paid by the Government of the United Kingdom to staff designated under this Agreement in respect of duties performed in Uganda shall be exempt from the payment of tax under any law for the time being in force in Uganda provided that the person concerned is resident in Uganda solely for the purpose of performing such duties.
3. 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 British Expatriates Supplementation (Uganda) Agreement 1980. I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

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ANNEX 1

TERMS AND CONDITIONS

1. The Government of the United Kingdom shall make the payments and reimbursements specified in this Annex to or in respect of staff in the service of an employing authority who are designated by the Government of the United Kingdom in accordance with this Agreement (hereinafter referred to as "designated officers").

2. The Government of the United Kingdom shall pay, on behalf of the employing authority, to each designated officer:

- (a) any salary supplement for which such officer may be eligible at such rates as may be specified from time to time by the Government of the United Kingdom;
- (b) any education allowance for which such designated 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 to which such 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 an 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 at such rates as may be specified from time to time by the Government of the United Kingdom.

3. The Government of the United Kingdom shall meet the cost of holiday passages for the children of a designated officer to enable them 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.

4. The Government of the United Kingdom shall reimburse the employing authority the amount paid by the employing authority in providing for designated officers and their dependent families passages on such occasions (not being occasions referred to in paragraph 3 of this Annex) as the Government of Uganda may, with the prior 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. Payments by the Government of the United Kingdom under paragraph 2 above shall be made into an account at a bank outside Uganda 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.

6. The employing authority shall provide the Government of the United Kingdom with such information as that Government may require in connection with the operation of this agreement.

7. The employing authority 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.

8. Whenever the employing authority wishes to renew the contract of a designated officer or to recruit an officer who may be eligible for designation, that authority shall consult the Government of the United Kingdom and that Government shall inform the authority whether or not the officer's designation may be continued, or the officer redesignated as the case may be, in accordance with this agreement.

9. The Government of the United Kingdom and each employing authority shall hold periodic reviews of the requirements that the employing authority may have as regards the employment of designated officers in their service, so that the Government of the United Kingdom may determine the classes and numbers of officers whom the Government of the United Kingdom is prepared to designate. During such reviews the employing authority shall 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.

10. 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.

ANNEX 2

List of Organisations and Institutions

Makerere University

No. 2

*The Minister of Planning and Economic Affairs 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 British Expatriates Supplementation Agreement (BESS) 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 British Expatriates Supplementation Agreement (BESS), 1980.

ANTHONY OCAYA
Minister of Planning and Economic Development

[Annexes as in No. 1]