

No. 4551

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**CEYLON**  
**and**  
**UNITED KINGDOM OF GREAT BRITAIN**  
**AND NORTHERN IRELAND**

**Exchange of notes constituting an agreement effecting the formal transfer of Radio Ceylon to the ownership of the Ceylon Government, with effect from 1 March 1949, and stating the agreed basis of future British Broadcasting Corporation operations. Colombo, 28 February 1949**

*Official text: English.*

*Registered by Ceylon on 11 November 1958.*

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**CEYLAN**  
**et**  
**ROYAUME-UNI DE GRANDE-BRETAGNE**  
**ET D'IRLANDE DU NORD**

**Échange de notes constituant un accord portant cession officielle au Gouvernement ceylanais de la propriété de Radio-Ceylan, à dater du 1<sup>er</sup> mars 1949, et énonçant le régime convenu pour les opérations futures de la British Broadcasting Corporation. Colombo, 28 février 1949**

*Texte officiel anglais.*

*Enregistré par Ceylan le 11 novembre 1958.*

No. 4551. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF CEYLON AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND EFFECTING THE FORMAL TRANSFER OF RADIO CEYLON TO THE OWNERSHIP OF THE CEYLON GOVERNMENT, WITH EFFECT FROM 1 MARCH 1949, AND STATING THE AGREED BASIS OF FUTURE BRITISH BROADCASTING CORPORATION OPERATIONS. COLOMBO, 28 FEBRUARY 1949

## I

*From:* His Excellency Sir Walter Hankinson, K.C.M.G., O.B.E., M.C., High Commissioner for the United Kingdom in Ceylon

*To:* The Honourable D. S. Senanayake, M.P., Prime Minister and Minister of External Affairs, Ceylon

OFFICE OF THE HIGH COMMISSIONER FOR THE UNITED KINGDOM

Colombo, Ceylon, 28th February, 1949

My dear Prime Minister,

When Colonel Kotelawala (now Sir John) visited London in April, 1948, he discussed with the United Kingdom authorities a proposal that Radio S.E.A.C. (since re-named Radio Ceylon) should be transferred from United Kingdom to Ceylon Government ownership. In his letter to Colonel Kotelawala of the 30th April, 1948, Mr. Gordon-Walker outlined the general conditions under which the United Kingdom authorities considered that such a transfer might be made.

2. I am glad to be able to inform you that the United Kingdom Government are now prepared to hand over Radio Ceylon to the Ceylon Government with effect from the 1st March, 1949, subject to the following conditions :

(1) Until the new short-wave station which is being erected at Singapore is ready the Ceylon Government will grant facilities to the United Kingdom Government enabling them to continue to use Radio Ceylon for a maximum of 8½ hours a day, initially from 08.30 hours G.M.T. to 17.00 G.M.T. daily. It is expected that the new station will be ready in about 2½ years from now.

<sup>1</sup> Came into force on 1 March 1949, in accordance with the provisions of the said notes.

(2) The Ceylon Government will be willing to consider placing at United Kingdom Government disposal facilities in addition to those referred to at (1) above.

(3) After the new station at Singapore is ready the Ceylon Government will be prepared in principle to grant similar facilities to United Kingdom Government though not for such a long period each day.

(4) The B.B.C. who will be entrusted by the United Kingdom Government with the broadcasts during the 8½ hours mentioned in (1) above and such extra hours as may be agreed from time to time under (2) above will be entirely responsible for all programme costs arising from their operations during these hours. It will be for the B.B.C. to decide to what extent staff employed by them is sent out from the United Kingdom or engaged locally. No cost in respect of these actual programmes will fall on the Ceylon Government. The Ceylon Government will make available to the B.B.C. on Ceylon Government premises two studios (on which the B.B.C. would have priority but *not* exclusive use) together with necessary ancillary and office accommodation and will provide engineering services for recording and studio operations. The B.B.C. will repay the Ceylon Government the actual costs incurred in the provision of these facilities. In addition the United Kingdom Government will arrange for the payment of an hourly rental to the Ceylon Government based on the cost which will be incurred by the Ceylon Government on energising and operating the transmitting station during the hours it is being used by the B.B.C. and providing for the necessary maintenance &c. Included in such cost would be the use of any lines owned by the Ceylon Government. The big figures will be agreed in negotiation between the two Governments. The intention is that no expenditure should fall on the Ceylon Government in respect of the time used by the B.B.C.; and conversely that *no* expenditure should fall on the United Kingdom Government in respect of operating costs for the station (either for energising or for maintenance or for programmes) outside these hours. During such time as the United Kingdom Government are the sole users of Radio Ceylon the incidence of cost of replacement of major capital equipment *not* covered by the agreed rental figure referred to in this sub-paragraph will be left open for negotiation on an *ad hoc* basis. These *ad hoc* negotiations will take into account the probable life of the equipment and the proportion of benefit that will accrue to the United Kingdom and Ceylon Governments.

(5) During the course of the period referred to at (1) above the Ceylon Government will *not* initiate commercial broadcasts from Radio Ceylon without consultation with the United Kingdom Government. If such broadcasts are undertaken from Radio Ceylon the United Kingdom and other Commonwealth customers will be given preference in so far as allocation of time is concerned on terms generally applicable to all customers.

(6) The B.B.C. broadcasts transmitted over Radio Ceylon will not be directed to the population of Ceylon. They will consist of:

- (A) Rebroadcasts of B.B.C. programmes transmitted from the United Kingdom in English and other languages for Asian audiences.
- (B) Other programmes originated in Ceylon and wholly in English with the possible exception of
  - (i) short programmes for the Ghurka Forces;

- (ii) short programmes for the Ceylonese Pioneers in Malaya arranged in consultation with the Ceylon authorities.
- (C) Programmes locally originated but transmitted with the specific agreement of the Ceylon Government.

The United Kingdom Government recognise the right reserved by the Ceylon Government to give formal approval to the schedule of broadcasts from Radio Ceylon. The B.B.C. will keep in touch with the Ceylon authorities locally about their operations over Radio Ceylon. Should the Ceylon Government find it necessary to make representations in regard to the B.B.C.'s programmes operations (apart from minor matters which can be settled locally) they will communicate with the United Kingdom Government.

(7) The United Kingdom Government will ask the B.B.C. to use their best endeavours to assist in any way that may be required in making available a small number of technical staff should this be required by the Ceylon Government or to assist with the training of staff.

(8) The transfer relates to technical equipment and plant in Ekala including all masts, aerials and engines, general equipment, the one hundred kilowatt transmitter and one of the 7½ kilowatt transmitters and excludes the remaining transmitters and their immediately associated equipment. These latter transmitters are required for use elsewhere. Sufficient studio equipment to enable the Ceylon Government to operate the station will be transferred and a similar amount will be retained for use in connection with the B.B.C. operations. All other studio equipment will be withdrawn. There is also some domestic equipment at Ekala which could be transferred to the Ceylon Government if required. Details of all equipment to be transferred will be subject to local settlement later.

3. I should be glad to learn from you that the Ceylon Government are prepared to accept the transfer of Radio Ceylon to their ownership on the conditions stated above. If so I suggest that this letter and your reply should be regarded as effecting the formal transfer of Radio Ceylon to the ownership of the Ceylon Government with effect from the 1st March, 1949, and stating the agreed basis of future B.B.C. operations.

Yours sincerely,

(Signed) W. C. HANKINSON

## II

*From:* The Honourable D. S. Senanayake, M.P., Prime Minister and Minister of External Affairs, Ceylon

*To:* His Excellency Sir Walter Hankinson, K.C.M.G., O.B.E., M.C., High Commissioner for the United Kingdom in Ceylon

## MINISTRY OF EXTERNAL AFFAIRS

Colombo, Ceylon, 28th February, 1949

My dear High Commissioner,

I acknowledge the receipt of your letter dated 28th February, 1949, and confirm that the Ceylon Government are prepared to accept the transfer of Radio Ceylon to their ownership on the conditions set out in your letter which are repeated below. I also agree that your letter and this reply of mine should be regarded as effecting the formal transfer of Radio Ceylon to the ownership of the Ceylon Government with effect from 1st of March, 1949, and stating the agreed basis of future B.B.C. operations :

## CONDITIONS

[See note I]

Yours sincerely,

(Signed) D. S. SENANAYAKE