

No. 7256

---

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

**Exchange of notes (with appendix) constituting an agreement concerning the provision of personnel of the United Kingdom Armed Forces to assist in the staffing, administration and training of the Armed Forces in Jamaica. Kingston, 20 February 1964**

*Official text: English.*

*Registered by Jamaica on 5 June 1964.*

---

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

**Échange de notes (avec appendice) constituant un accord relatif à la fourniture de personnel des forces armées du Royaume-Uni pour aider à doter du personnel voulu les forces armées de la Jamaïque, à les administrer et à les former. Kingston, 20 février 1964**

*Texte officiel anglais.*

*Enregistré par la Jamaïque le 5 juin 1964.*

No. 7256. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN JAMAICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND CONCERNING THE PROVISION OF PERSONNEL OF THE UNITED KINGDOM ARMED FORCES TO ASSIST IN THE STAFFING, ADMINISTRATION AND TRAINING OF THE ARMED FORCES IN JAMAICA. KINGSTON, 20 FEBRUARY 1964

---

I

BRITISH HIGH COMMISSION  
KINGSTON, JAMAICA

20th February, 1964

76/17/3

Sir,

I have the honour to refer to the discussions which have taken place between the representatives of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Jamaica concerning the provision of personnel of the United Kingdom Armed Forces to assist in the staffing, administration and training of the Armed Forces of Jamaica.

In the course of these discussions it was agreed that the arrangements for the provision of such personnel should be those set out in the Appendix to this letter.

I have the honour to propose that, if these arrangements are acceptable to the Government of Jamaica, this letter, together with your reply to that effect, shall be regarded as constituting an Agreement in this matter between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Jamaica which shall be deemed to have entered into force on 1st December, 1963.

I have the honour to be, Sir,

Your most obedient, humble servant,

(Signed) A. F. MORLEY  
High Commissioner

The Rt. Hon. Sir Alexander Bustamante, M.P.  
Prime Minister and Minister of External Affairs

---

<sup>1</sup> Came into force on 1 December 1963, in accordance with the provisions of the said notes.

## APPENDIX

## CONTENTS

*Définitions**Section*

- I. *Composition*
- II. *Status*
  1. Relationship with the Armed Forces of the Receiving State
  2. Jurisdiction
  3. Claims
  4. Taxation
  5. Imports, Exports, etc.
  6. Driving Licences
  7. Remittance of Funds
  8. Movement, Entry and Exit
  9. Uniform and Arms
- III. *Conditions of Service*
  1. Pay and Allowances
  2. Period of Loan
  3. Leave
  4. Rank and Promotion
  5. Termination of Loan
  6. Applicability of United Kingdom Service Regulations
  7. Postings and Employment
  8. Nominations
- IV. *Obligations of the Receiving State*
- V. *Payments by the United Kingdom Government*  
*The Schedule*

## DEFINITIONS

“Loaned Personnel” means personnel of the land, sea or air armed forces of the United Kingdom who are for the time being present within the Receiving State assisting in the staffing, administration and training of the armed forces of the Receiving State and “Loaned person” and “Loan” shall be construed accordingly.

“Dependant” of a Loaned person means

- (1) the spouse of that Loaned person, or
- (2) any person wholly or mainly maintained by, or in the custody or charge of, or who forms part of the family of that Loaned person, or

- (3) any other person (not being a national of nor ordinarily resident in the Receiving State) who is in domestic employment in the household of that Loaned person.

“United Kingdom Service Authorities” means the authorities of the United Kingdom empowered by the Law of the United Kingdom to exercise command or jurisdiction over the armed forces of the United Kingdom and their dependants.

“Service Regulations” means any Statute Order Regulation Warrant or Instruction relating to naval military or air forces.

“Unit” includes a headquarters, ship or establishment.

“the Receiving State” means Jamaica.

“Other ranks” includes all personnel of any of the United Kingdom Armed Forces who do not hold a commissioned rank.

“Entitled Dependants” means the spouse of a member of the Loaned Personnel and his dependants for whom the United Kingdom Government or, in the case of personnel serving with the Armed Forces of the Receiving State on 20th February, 1964, the Receiving State have provided or will provide a free passage to or from the Receiving State.

#### *Section I*

#### COMPOSITION

The Government of the United Kingdom will endeavour to obtain volunteers from the land, sea and air forces of the United Kingdom for Loan to the Armed Forces of the Receiving State in such numbers as shall from time to time be agreed between the Receiving State and the Government of the United Kingdom.

#### *Section II*

#### STATUS

##### *1. Relationship with the Armed Forces of the Receiving State*

(a) Loaned Personnel shall be treated except in so far as this Appendix otherwise provides as members of the Armed Forces of the Receiving State of equivalent rank.

(b) A Loaned Person shall, in particular, have powers of command over any member of the Armed Forces of the Receiving State as if he were a member of the Armed Forces of the Receiving State of relative rank and will be required to obey orders or instructions of superior officers under whose command he is placed provided that such orders or instructions are consistent with his duties under United Kingdom Service Regulations, and would if given by anyone subject to those regulations constitute a lawful command under those regulations.

(c) Loaned Personnel shall not be subject to the Service Regulations of the Receiving State nor to the jurisdiction of any authority, court or tribunal deriving its constitution or powers under the Service Regulations of the Receiving State.

(d) Loaned Personnel and their dependants shall not be subject to any legislation in the Receiving State relating to liability for compulsory service of any kind.

(e) Married Loaned Personnel will normally be accompanied by their wives and other dependants, subject to prior consultation between the Receiving State and the Senior United Kingdom officer of the Service of the United Kingdom Armed Forces to which the individual belongs.

## 2. *Jurisdiction*

(a) Subject to the provisions of this paragraph—

- (i) the service authorities of the United Kingdom shall have the right to exercise within the Receiving State or on board any ship or aircraft of the Receiving State all criminal and disciplinary jurisdiction conferred on them by the law of the United Kingdom over Loaned Personnel and their dependants ;
- (ii) the courts of the Receiving State shall have jurisdiction over Loaned Personnel and their dependants with respect to offences committed in the Receiving State and punishable by the law of the Receiving State.

(b) Where both the courts of the Receiving State and the United Kingdom service authorities have the right to exercise jurisdiction the United Kingdom service authorities shall have the primary right to exercise jurisdiction if—

- (i) the offence is an offence against the property or security of the United Kingdom, or against the property or person of another Loaned Person or a dependant of a Loaned Person, or
- (ii) the offence arises out of an act or omission done in the course of official duty.

In any other case the Courts of the Receiving State shall have the primary right to exercise jurisdiction. If the State having the primary right decides not to exercise jurisdiction, it shall notify the authorities of the other State as soon as practicable. The authorities of the State having the primary right shall give sympathetic consideration to a request from the authorities of the other State for a waiver of its right in cases where that other State considers such waiver to be of particular importance and in cases of minor offences where the Courts of the Receiving State have the primary right and where the United Kingdom Service Authorities can impose a suitable punishment by disciplinary action without recourse to a court.

(c) (i) The authorities of the Receiving State and the United Kingdom shall assist each other in the arrest of Loaned Personnel or their dependants in the territory of the Receiving State for the purpose of handing them over to the authority which is to exercise jurisdiction in accordance with above provisions ;

(ii) The authorities of the Receiving State shall notify the High Commissioner promptly of the arrest of a Loaned Person, or his dependants ;

(iii) The authorities of the United Kingdom, if the courts of the Receiving State are to exercise jurisdiction over a Loaned Person or his dependants, shall have the right to take custody of him until he is brought to trial by the courts of the Receiving State :

provided that the authorities of the United Kingdom undertake to present him to those courts for investigatory proceedings and trial when required.

(d) (i) The authorities of the Receiving State and the United Kingdom will assist each other in the investigation and obtaining of evidence in relation to offences ;

(ii) The authorities of the Receiving State and of the United Kingdom shall notify each other of the disposition of all cases in which both the courts of the Receiving State and the service authorities of the United Kingdom have the right to exercise jurisdiction.

(e) Where an accused has been tried in accordance with the provisions of this paragraph by the United Kingdom Service Authorities or the courts of the Receiving State and has been convicted or acquitted, which expression includes a charge being dismissed by the Commanding Officer or other appropriate authority of the accused after investigation, he may not be tried again for the same offence or in respect of the same circumstances within the Receiving State by either. This subparagraph shall not prevent the United Kingdom Service Authorities from trying a Loaned Person for any violation of rules of discipline arising from an act or omission which constituted an offence for which he was tried by the courts of the Receiving State.

(f) Whenever a Loaned Person or a dependant of a Loaned person is prosecuted under the jurisdiction of the Receiving State, he shall be entitled—

- (i) to a prompt and speedy trial ;
- (ii) to be informed a reasonable time in advance of trial of the specific charge or charges made against him ;
- (iii) to be confronted with the witnesses against him;
- (iv) to have compulsory process for obtaining witnesses in his favour, if they are within the jurisdiction of the Receiving State ;
- (v) to have legal representation of his own choice for his defence, or to have free or assisted legal representation under the conditions prevailing for the time being in the Receiving State ;
- (vi) to communicate with a representative of the Government of the United Kingdom and, when the rules of the court permit, to have a representative of that Government present at his trial.

(g) A death sentence shall not be carried out in the Receiving State by the United Kingdom Service Authorities if the law of the Receiving State does not provide for such punishment in a similar case.

### 3. *Claims*

(a) (i) The Government of the Receiving State waives any claim which it may have against a Loaned Person and the Government of the United Kingdom for damage to any property of the Receiving State caused by a Loaned Person in the course of his service in that capacity or for the death of or injury to any member of the Armed Forces of the Receiving State so caused.

(ii) The Government of the United Kingdom waives any claim which it may have against the Receiving State for the death of or injury to a Loaned Person caused by a member of the Armed Forces of the Receiving State in the course of his service in that capacity.

(b) All claims arising out of acts or omissions of Loaned Personnel done or omitted in the course of their service as such shall be dealt with by the Receiving State (or, in the case of claims brought or made in the United Kingdom by the Government of the United Kingdom) and in all cases in which claims have been either admitted by the Receiving State or judgements entered against Loaned Personnel or the Receiving State, the costs of settling such claims or satisfying the judgements shall be met by the Receiving State. In any case in which judgement is entered in favour of a Loaned Person but no order for costs in his favour has been made, the Receiving State shall pay all the legal costs incurred in his defence.

(c) A Loaned Person shall not be subject to any proceedings for the enforcement of any judgement given against him in the Receiving State in a matter which arises in the course of his service as a Loaned Person.

(d) The Government of the Receiving State will make good or pay compensation for loss or damage to the uniform and equipment of Loaned Personnel where such loss or damage is occasioned by the performance of military duties, save where such loss or damage is occasioned by wilful default of any member or members of Loaned Personnel, or save where such loss or damage is caused by the negligence or wilful default of any member or members of the Loaned Personnel, while in transit to or from the Receiving State.

(e) The Government of the Receiving State will make good or pay compensation for loss or damage arising out of civil disturbance or riots to personal effects (including household goods, motor cars and motor cycles) of Loaned Personnel.

(f) Nothing in this paragraph shall prevent the Receiving State from holding Loaned Personnel responsible for loss of any public or service property in their care or charge, or damage to public or service property (which includes only property belonging to or in the possession of any department of the Receiving State or of the Armed Forces of the Receiving State), or loss of or misapplication of public funds shown to be due to an act or omission on the part of any member or members of the Loaned Personnel involving fraud or dishonesty or to misconduct on the part of such Loaned Personnel.

The procedure for assessment and recovery of compensation shall be as set out in the Second Schedule attached hereto.

#### 4. *Taxation*

(a) The presence in the Receiving State of Loaned Personnel shall not be regarded as constituting residence or domicile in the Receiving State for the purposes of determining the incidence of income tax which depends on residence or domicile.

(b) Loaned Personnel shall be exempt from income tax by the Receiving State on their pay, allowances and other emoluments and benefits (whether in cash or in kind) paid to them as such members. They shall also be exempt from any other kind of direct taxation (e.g. personal or poll tax).

5. *Imports, Exports, etc.*

(a) Loaned Personnel may import free of duty equipment, provisions, supplies and other goods required for official purposes or for the personal consumption or use of Loaned Personnel or their dependants. This concession will not include private motor cars and will be subject to any conditions on the import of liquor and tobacco that may be imposed by the Chief of Staff of the Armed Forces of the Receiving State. The concession will be granted on the production of a certificate signed by the Chief of Staff or an officer deputed by him that the importer is a member of the Loaned Personnel.

(b) A Loaned Person may within six months of his first arrival or that of a dependant to join him, import his personal effects, any additional furniture and household goods (but not tobacco or its products, alcohol, piece goods, perfumed spirits, trade goods or other items for sale or disposal to other persons) he may require, free of duty.

(c) A Loaned Person may on one occasion during the period of Loan import a motor vehicle free of duty or purchase out of bond in the Receiving State a motor vehicle for his personal use free of duty.

(d) Goods imported or purchased under this paragraph shall not be disposed of within the Receiving State except to other Loaned Personnel without the prior permission of the Receiving State; they may, however, be freely exported without payment of duty:

- (i) Provided that items imported or purchased under subparagraphs (a) and (b) may be sold to anyone in the Receiving State without payment of duty during the period of one month immediately preceding the end of a tour of duty or, if the circumstances so require, one month thereafter.
- (ii) Motor vehicles purchased under sub-paragraph (c) may be sold to anyone in the Receiving State on payment of the duty applicable at the time of sale.

(e) In this paragraph "duty" means customs duties, purchase tax or other similar imposts and all duties and taxes payable on importation or exportation, except any due which is a charge for services rendered.

6. *Driving Licences*

Subject to the laws of the Receiving State relating to road traffic for the time being in force the authorities of the Receiving State shall permit Loaned Personnel holding United Kingdom or Service driving permits and any dependants of Loaned Personnel



holding United Kingdom Driving Permits, on production of such permits to drive in the Receiving State a motor vehicle of any class or description which he or she is authorised by that permit to drive.

#### 7. *Remittance of Funds*

(a) Remittances between the territory of the Receiving State and the territory of the United Kingdom shall be freely permitted in respect of—

- (i) Funds derived by Loaned Personnel from services or employment in connection with their official duties whether as members of the United Kingdom Armed Forces or as Loaned Personnel.
- (ii) Funds derived by Loaned Personnel or dependants from sources outside the Receiving State subject to any laws or regulations of the United Kingdom in that respect.

(b) Remittances from the Receiving State to the United Kingdom shall be freely permitted in respect of funds derived from the proceeds of sale of personal effects, furniture, motor vehicles and other property used by Loaned Personnel while serving in the Receiving State which are disposed of in anticipation of the termination of Loan.

#### 8. *Movement, Entry and Exit*

No restriction shall be placed on the freedom of movement of Loaned Personnel and their dependants into, out of and within the Receiving State and Loaned Personnel and their dependants shall have the same freedom of movement as is accorded to citizens of the Receiving State.

#### 9. *Uniform and Arms*

Loaned Personnel will normally wear uniform and insignia of the Armed Forces of the Receiving State and may possess and carry arms when authorised to do so by United Kingdom Service Authorities or those of the Receiving State.

### *Section III*

#### CONDITIONS OF SERVICE

##### 1. *Pay and Allowances*

The Government of the United Kingdom will, in accordance with United Kingdom Service Regulations, pay Loaned Personnel the pay and emoluments of the ranks which they hold during the period of Loan.

##### 2. *Period of Loan*

(a) The Period of Loan will be from the date on which an individual commences his embarkation leave or from such other date as may be mutually agreed between the two Governments until the day upon which he is taken back on the strength of the United Kingdom Armed Forces or on the expiration of his end of tour leave, whichever is the earlier.

- (b) The period will include—
- (i) Embarkation Leave before embarking.
  - (ii) A tour of duty of 3 years or such other period as may be agreed between the United Kingdom Service Authorities and the Authorities of the Receiving State including leave taken during the tour of duty.
  - (iii) End of tour leave (which may be taken in the United Kingdom) consisting of
    - (a) disembarkation leave of fourteen days
    - (b) one additional day for each month of the period of loan (excluding end of tour leave) in excess of six months
    - (c) any annual leave due during the tour of duty but not taken up to a maximum of one-quarter of the leave entitlement for each year of loan.

### 3. *Leave*

The leave entitlement for Loaned Personnel shall be as follows—

- (i) Embarkation Leave : 14 days
- (ii) Annual Leave : a maximum of 42 days of which one-quarter may be postponed and included in End of Tour leave in accordance with para. 2 (b) (iii) of this Section.
- (iii) End of Tour Leave : calculated in accordance with para. 2 (b) (iii) of this Section.
- (iv) Compassionate Leave— other Leave : in accordance with United Kingdom Service Regulations and practice.

Married Loaned Personnel not accompanied by their wives will be entitled to take leave in the United Kingdom once during the tour of duty in accordance with United Kingdom Service Regulations. When so taken leave shall be deemed to commence on the day upon which the individual reaches the first point of disembarkation in the United Kingdom and to cease on the day upon which the individual disembarks in the United Kingdom for the Receiving State provided both journeys to and from the United Kingdom are made by air.

### 4. *Rank and Promotion*

(a) If Loaned Personnel are selected to fill ranks in the Armed Forces of the Receiving State higher than their substantive rank they will be granted temporary or acting rank in accordance with United Kingdom Service Regulations and any subsequent relinquishment will also be in accordance with those Regulations.

(b) Loaned Personnel will be eligible for promotion or advancement in accordance with United Kingdom Service Regulations.

### 5. *Termination of Loan*

(a) If a member of Loaned Personnel neglects or refuses to perform his duties, or becomes unable to perform his duties by reason of disciplinary action, ill health or for any other reason, or misconducts himself or is unsuitable or inefficient the Receiving State,

after consultation with the senior United Kingdom officer of the service of the United Kingdom Armed Forces to which the individual belongs, may terminate the Loan of the individual.

(b) In the event of an unforeseen reduction in the establishment of the Armed Forces of the Receiving State or in the requirement of the Receiving State for the services of Loaned Personnel the Loan of an individual may be terminated after 6 months' previous notice has been given to the United Kingdom High Commission.

(c) If the senior United Kingdom officer of the service of the United Kingdom Armed Forces to which an individual belongs is of the opinion that that individual has strong compassionate grounds for being relieved of his obligation to complete a full tour of duty, the loan of that individual will terminate on a date to be agreed between the Receiving State and the United Kingdom High Commission.

(d) The United Kingdom Government reserves the right to withdraw the services of any or all Loaned Personnel after consultation with the Receiving State.

#### 6. *Applicability of United Kingdom Service Regulations*

All Loaned Personnel will remain subject to United Kingdom Service Regulations and shall at all times be and remain subject to all powers exercisable by the United Kingdom Service Authorities thereunder.

#### 7. *Postings and Employment*

Loaned Personnel will be posted to "the United Kingdom element serving with the armed forces of Jamaica". Loaned Personnel will not be employed otherwise than in the capacities for which they were selected for loan without the concurrence of the appropriate United Kingdom Service Authority.

#### 8. *Nominations*

The nomination of any officer or other rank shall be subject to the acceptance of the Receiving State who may refuse to accept such officer or other rank if, on grounds of qualification, experience, suitability or other consideration such nomination is not considered by the Receiving State to be acceptable.

### *Section IV*

#### OBLIGATIONS OF THE RECEIVING STATE

1. The Receiving State will pay to the United Kingdom Government a contribution equal to the total amount of Gross Pay and Marriage Allowance of Loaned Personnel as issuable by the United Kingdom Government. Such contribution will be made by the payment of a sum in advance at the commencement of each quarter (the amount being an estimate of the amount of Gross Pay and Marriage Allowance to be agreed from time to time by the appropriate department of the Government of the Receiving State and the United Kingdom High Commission) and the payment or allowance as the case may be at the end of each quarter of a sum to adjust the advance payment to the actual amount of Gross Pay and Marriage Allowance. "Gross Pay" in this section means the total sums issuable

as pay (before making any deductions authorised by the Law of the United Kingdom whether for tax or otherwise) to Loaned Personnel under United Kingdom Service Regulations, other than sums issuable as Service Pay in respect of loan to the Receiving State.

2. The Receiving State will provide the facilities and benefits or cash in lieu listed in the Schedule to this Appendix.

3. The Receiving State will pay to individuals whose Loan is terminated pursuant to paragraph 5 (b) of Section III of this Appendix the balance of the Loan Service Pay in respect of loan to the Receiving State the individual would have received had he completed his full tour, or for six months whichever is the less.

4. The Receiving State will pay Disturbance Allowance at United Kingdom Service rates and under United Kingdom Service Regulations to Loaned Personnel accompanied by their dependants in respect of their move to the Receiving State.

5. All payments and benefits made or given by the Receiving State under this Appendix shall be made free of taxes of the Receiving State and Loaned Personnel and their dependants shall not be liable for assessment in respect of any taxes or duties of the Receiving State in respect of such payments and benefits.

#### *Section V*

##### PAYMENTS BY THE UNITED KINGDOM GOVERNMENT

The United Kingdom will make payments to and in respect of Loaned Personnel (subject to the recovery of the contribution referred to in Section IV, paragraph 1) as follows :

1. All pay, including Service Pay in respect of loan to the Receiving State provided for in this Appendix or in the Schedule hereto.

2. All allowances other than those for which the Receiving State is responsible under this Appendix.

3. All pensions, gratuities and similar benefits, and employers share of United Kingdom National Insurance contributions.

4. Travel Expenses as follows :

(i) The cost of all passages of Loaned Personnel and entitled dependants to the port or airfield of first disembarkation in the Receiving State and from the port or airfield of final embarkation in the Receiving State made on any of the following occasions :

A. Commencement of Loan.

B. Termination of Loan.

C. Leave to the United Kingdom of married personnel not accompanied by their wives.

(ii) The cost of all passages of Loaned Personnel and entitled dependants (including travel within the Receiving State where necessary) made for the following purposes or occasions :

- A. Visits of children of Loaned Personnel receiving education or residing elsewhere than in the Receiving State.
  - B. Medical Treatment outside the Receiving State authorised for Loaned Personnel or entitled dependants.
  - C. Compassionate leave of Loaned Personnel or related arrangements for dependants.
  - D. Compassionate visits by next-of-kin to Loaned Personnel in accordance with United Kingdom Service Regulations.
  - E. Travel for United Kingdom purposes outside the Receiving State required or authorised by United Kingdom Service Authorities.
5. Funeral expenses in the event of death of Loaned Personnel during the tour.
6. Medical treatment of Loaned Personnel and their dependants while in the United Kingdom or in transit to or from the United Kingdom.

#### FIRST SCHEDULE

*Facilities and benefits in cash or kind to be provided by the Government of the Receiving State to British Loaned Personnel*

1. The Government of the Receiving State will provide Loaned Personnel with accommodation, equipment, transport and supplies necessary for the satisfactory performance of their duties.
2. The Government of the Receiving State will provide Loaned Personnel with such benefits in kind as are normally accorded to members of the United Kingdom armed services when serving outside the United Kingdom, or such other benefits in general as may be agreed with the United Kingdom Government ; no charge for these benefits is to be levied against either the United Kingdom Government or the seconded personnel except as indicated in sub-paragraph (b) below. In particular, the Government of the Receiving State will :
  - (a) Provide messing facilities, fully furnished accommodation with fuel and light all free of charge for Loaned married personnel not accompanied by dependants and single personnel to the scales and standards comparable with those obtaining for the United Kingdom armed services. This includes a free house or quarter with free fuel, light and water for such officers of the rank of Commander, Lieutenant Colonel, Wing Commander and above who are in Command.

- (b) (i) Provide for married Loaned Personnel accompanied by their dependants from the date of arrival in the Receiving State fully furnished (i.e. equipped with hard and soft furnishings) family accommodation in quarters with light, fuel and water to standards comparable with those obtaining for the United Kingdom Armed Forces serving overseas. The Government of the Receiving State being entitled to recover from such personnel fuel and light charges at the Receiving State's Armed Forces rates and rent at the rate of 10% of United Kingdom basic pay.
- (ii) Where married quarters are not available the Government of the Receiving State will provide hirings to the same standards and under the same conditions as for quarters.
- (iii) When accommodation is not available in Government Quarters on their arrival in the Receiving State the Government of the Receiving State will pay full Hotel expenses of Loaned married personnel and their dependants but may claim from the officer or N.C.O. the amount he would otherwise have paid for his quarters plus a sum in respect of food supplied to dependants over 4 years of age which in the case of a dependant over 12 years of age shall be calculated at the current United Kingdom rate for ration allowance payable in the Receiving State to United Kingdom personnel and in the case of a dependant between 4 and 12 years of age, shall be calculated at half that rate.
- (c) Pay the cost of shipping back to the United Kingdom the heavy freight of Loaned Personnel who are on loan immediately prior to 20th February, 1964, which is in excess of the standard United Kingdom Service Allowance for their rank, but which is within the allowance authorised in the former Terms and Conditions of Service for Secondment to the West India Regiment.
- (d) Provide Loaned Personnel of all three Services with batmen or servants on the scale of one per officer or an allowance in lieu.
- (e) Provide Loaned Personnel, their wives and their entitled dependants resident in the Receiving State with free medical, hospital, dental and optical treatment (including free drugs) and with surgical aids and appliances (including spectacles and dentures) to the same extent as and to the standards which would be provided at a station of the British Forces outside the United Kingdom.
- (f) Provide Loaned Personnel with free transport between their residence and place of duty or a refund of expenses in lieu.
- (g) Provide education facilities (including necessary school books and stationery and free milk) or grants in lieu, suitable for the children of Loaned Personnel who are over five years and under nineteen years of age, to a standard which they would normally receive at a station of the British Forces outside the United Kingdom.

Provide, also, free transport (or a petrol allowance in lieu) for children travelling between their homes and school.

- (h) Provide officers of rank of Commander, Lieutenant Colonel, Wing Commander or above with a tax free entertainment allowance at the Service rates of the Receiving State.
- (j) Pay Loaned Personnel who travel on duty, appropriate tax free travelling allowances, refund of hotel and travelling expenses and motor mileage allowance at rates and under conditions applicable to the Armed Forces of the Receiving State.
- (k) Pay married personnel who move from one place of duty to another within the Receiving State with their families disturbance allowance tax free at rates and conditions applicable to the Armed Forces of the Receiving State.
- (l) Provide free leave travel (or motor mileage in lieu) in accordance with the rules for the Armed Forces of the Receiving State for local leave within the Receiving State for Loaned Personnel and their dependants twice a year.
- (m) Provide tropical uniform and its maintenance for non-commissioned Loaned Personnel and a tax free outfit grant of £40 to officers and Warrant Officers Class 1 and an additional tax free grant for the purchase of items of any special uniform which the Government of the Receiving State require them to wear.
- (n) Provide an interest free loan as follows, which must be repaid before the end of tour, to Loaned Personnel who are required to use their car on duty and who will be in receipt of car up-keep and commuted motor mileage allowances for the purchase of a motor car, duty free, up to :
 

Officers . . . . .	£800
Other Ranks . . . . .	£500
- (o) Grant "Forces rate" postal concessions to Loaned Personnel.

3. Loaned Personnel may also be allowed the use of all appropriate recreational, local leave, mess and welfare facilities that are available for the Armed Forces of the Receiving State.

4. The Government of the Receiving State will provide and maintain or meet the cost of providing and maintaining all protective clothing or flying clothes working clothes and other service clothing and equipment made necessary by loan to the Armed Forces of the Receiving State (except items of uniform for which provision is made in sub-paragraph 2 (m) of this Schedule).

5. Any facilities or benefits to be provided by the Government of the Receiving State as listed above in this agreement which are not so provided, may be provided by the United Kingdom the cost being recoverable from the Government of the Receiving State.

#### SECOND SCHEDULE

##### *Procedure for dealing with loss or damage or misapplication of funds*

1. If the Ministry of Defence of the Receiving State or the Service authorities of the Receiving State are of the opinion that the circumstances as set out in Section II paragraph 3 (f), or any of such circumstances, have arisen the procedure set out below will apply :

- (a) The Receiving State will give to the United Kingdom Service Authorities full particulars of the loss, damage or misapplication, including all records of proceedings, depositions, statements and of the evidence relating thereto.
- (b) The United Kingdom Service Authorities concerned shall make or cause to be made such investigation as they shall think fit and if satisfied that the loss, damage or misapplication was occasioned by any such act or omission, the Loaned Person will be invited to pay as or towards compensation for the loss or damage such sum as the United Kingdom Service Authorities shall in their discretion assess to be the amount which would have been awarded under United Kingdom Service Law had such loss or damage been occasioned to United Kingdom public or Service property or funds and the proceedings and investigations prescribed by United Kingdom Service Law been made.

2. If payment is made of the sum assessed in paragraph 1 (b) above it shall be accepted by the Government of the Receiving State in full and final settlement of any claims which the Government of the Receiving State may have against the Loaned Person in question under the laws of the Receiving State in respect of such loss or damage or misapplication of funds.

## II

20th February, 1964

O.P. 312/131\*

Your Excellency,

I have received your Excellency's letter of today's date setting out in an Appendix the arrangements which have been agreed in discussion between the representatives of the Government of Jamaica and representatives of Her Majesty's Govern-



ment in the United Kingdom in regard to the provision of United Kingdom personnel to assist in the staffing administration and training of the Armed Forces of Jamaica, a copy of which letter with its Appendix is attached to this reply, and confirm that your letter and this reply shall be regarded as constituting an agreement between our two Governments which shall enter into force on the day of 1st December, 1963.

I have the honour to be, Sir,

Your Excellency's most obedient, humble servant,

(Signed) Alexander BUSTAMANTE

Prime Minister and Minister of External Affairs

His Excellency the High Commissioner for the United Kingdom  
Kingston