

**No. 13359**

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**UNITED STATES OF AMERICA  
and  
GHANA**

**Exchange of notes constituting an agreement relating to  
social security. Accra, 16 May, 10 September and  
30 October 1973**

*Authentic text: English.*

*Registered by the United States of America on 30 May 1974.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
GHANA**

**Échange de notes constituant un accord relatif à la sécurité  
sociale. Accra, 16 mai, 10 septembre et 30 octobre  
1973**

*Texte authentique: anglais.*

*Enregistré par les États-Unis d'Amérique le 30 mai 1974.*

# EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND GHANA RELATING TO SOCIAL SECURITY

## I

No. 74

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Ghana and has the honor to propose that the United States participate on a voluntary, limited basis in the Ghanaian social security system.

It is proposed that an agreement containing the following conditions govern United States Government participation.

### I. *Employees of the United States to whom this Agreement shall apply*

1. All employees of the United States Government in Ghana who are nationals or permanent residents of Ghana and who are not citizens of the United States nor participants in the United States Civil Service Retirement System, shall, within the limits of their eligibility under Ghanaian law, be covered under the Ghanaian system for social security benefits prescribed in part IX, paragraph 40, of Ghanaian Social Security Decree, 1972.

2. The reservation by the Contracting Parties of certain privileges, immunities, and limitations of liability shall confer no rights on the employees of the United States to whom this Agreement applies. The rights and duties of such employees in matters relating to social security shall be determined by the law of Ghana. The Republic of Ghana shall extend the same social security benefits to United States Government employees covered by this Agreement as are enjoyed by other nationals and residents of Ghana under the law of Ghana.

### II. *Administration*

1. Subject to the provisions of part I of this Agreement, the United States shall undertake the following actions on behalf of employees identified in paragraph 1 of part I:

- a. pay appropriate contributions as an employer;
- b. withhold appropriate contributions of its employees;
- c. remit said contributions to appropriate officials of Ghana;
- d. make returns on forms and in the manner prescribed by Ghana;
- e. furnish information as may be relevant to the administration of the provisions of Ghanaian Social Security Decree, 1972;
- f. provide self-audit and self-inspection of its accounts and financial records required by the law of Ghana for private employers.

2. Nothing in this Agreement is to be construed as a waiver of the sovereign immunity of the United States Government or as a modification of the privileges and immunities derived from generally accepted principles of international law and practice and from treaties and agreements in force between our respective Governments. Nor shall this Agreement subject the United States, its departments or establishments or its officers or employees who are not within the group identified in numbered paragraph 1

<sup>1</sup> Came into force on 30 October 1973, the date of the note in reply, in accordance with the provisions of the said notes.

of part I of this Agreement to any judicial or administrative action, whether civil or penal in nature, provided by Ghanaian Social Security Decree, 1972, or any other law now or in the future.

3. If the United States should become eligible for a refund of contributions made pursuant to this Agreement, because of over-payment or other cause, such amounts shall be applied in reduction of future obligations for contributions by the United States. Upon termination of this Agreement, any amounts outstanding to the credit of the United States and held by virtue of this Agreement shall be promptly refunded.

4. The Contracting Parties shall jointly conclude administrative arrangements, regulatory in nature, for the further implementation of this Agreement. Amendments, modifications, additions and deletions of provisions in such administrative arrangements may be made by mutual consent throughout the currency of this Agreement.

### III. *Amendment of Agreement*

This Agreement may be amended at any time by mutual consent of the Contracting Parties.

### IV. *Termination of Agreement*

Either Party may terminate this Agreement at any time provided notice in writing is given to the other Party six months in advance of such termination date.

The Embassy proposes that, if these conditions are acceptable to the Ministry, this note and the Ministry's reply concurring therein shall constitute an agreement between our two Governments and shall enter into force on the date of the Ministry's note.

The Embassy of the United States of America avails itself of this occasion to renew to the Ministry of Foreign Affairs of the Republic of Ghana the assurances of its highest consideration.

Embassy of the United States of America

Accra, May 16, 1973.

## II

No. 128

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Ghana and with reference to the Embassy's note No. 74 of May 2,\* 1973, has the honor to inquire when the Ministry expects to be able to indicate whether the Government of Ghana is agreeable to the proposal that Ghanaian employees of the Embassy participate on a voluntary, limited basis in the Ghanaian social security system.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Ghana the assurances of its highest consideration.

Embassy of the United States of America

Accra, September 10, 1973.

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\* Should read "May 16,".

## III

REPUBLIC OF GHANA  
MINISTRY OF FOREIGN AFFAIRS  
GHANA

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The Ministry of Foreign Affairs of the Republic of Ghana presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's Note 128 dated 10 September, 1973, concerning the Embassy's proposal that Ghanaian employees of the Embassy participate on a voluntary basis in the Ghana Social Security Scheme.

The Ministry would like to renew its gratitude to the Embassy and inform it that the Government of Ghana is agreeable to the proposal and that the Embassy may proceed forthwith to execute its proposal.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America, the assurances of its highest consideration.

Accra, 30 October 1973.

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