

No. 16507

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

**Exchange of notes constituting an agreement concerning
officers designated by the Government of the United
Kingdom in the service of the Government of Guyana.
Georgetown, 31 March 1977**

Authentic text: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
16 March 1978.*

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

**Échange de notes constituant un accord relatif aux agents
affectés au service du Gouvernement guyanais par le
Gouvernement du Royaume-Uni. Georgetown, 31 mars
1977**

Texte authentique : anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
16 mars 1978.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN
THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND AND THE GOVERNMENT OF THE
REPUBLIC OF GUYANA CONCERNING OFFICERS DESIGNATED BY
THE GOVERNMENT OF THE UNITED KINGDOM IN THE SERVICE
OF THE GOVERNMENT OF GUYANA

I

*The United Kingdom High Commissioner at Georgetown
to the Prime Minister of Guyana*

BRITISH HIGH COMMISSION
GEORGETOWN

31 March 1977

My dear Prime Minister,

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 Guyana relating to certain officers in the service of the Government of Guyana designated by the Government of the United Kingdom and to place on record the terms agreed upon as follows:

(i) The Government of the United Kingdom shall make the reimbursements and payments, as specified herein, to or in respect of officers in the public service of the Government of Guyana who are designated by the Government of the United Kingdom (such officers hereinafter being referred to as "designated officers").

(ii) The Government of the United Kingdom and the Government of Guyana shall hold periodic reviews of the requirements of the Government of Guyana 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 Guyana, determine the classes or categories of officers, members of 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 will be available during any specified period to meet the obligations of the Government of the United Kingdom. During such reviews the Government of Guyana 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.

(iii) 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.

(iv) The Government of the United Kingdom shall reimburse the Government of Guyana:
(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 Guyana, being an allowance taken into account in computing the pension for which such an 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 Guyana as being equivalent to the amount of taxation payable on that allowance;

¹ Came into force on 1 April 1977, in accordance with the provisions of the said notes.

(b) the amount paid by the Government of Guyana in providing for designated officers and their dependent families passages on such occasions (not being occasions referred to in paragraph (vi) below) as the Government of Guyana 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 United Kingdom carrier and where practicable by excursion or charter flight.

(v) The Government of the United Kingdom shall, on behalf of the Government of Guyana, 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 for which the 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 the officer which accrues to him by virtue of the addition to his emoluments of the salary supplement referred to in this paragraph;
- (e) medical expenses necessarily incurred on treatment not available under the local health service at such rates as may be specified from time to time by the Government of the United Kingdom.

(vi) 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 Guyana, 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.

(vii) The salary supplement, allowance, grant, gratuity and medical expenses payable direct to a designated officer by the Government of the United Kingdom shall be paid into an account at a bank 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.

(viii) The salary supplement, allowance, grant, gratuity and medical expenses paid direct by the Government of the United Kingdom to a designated officer shall be exempt from the payment of income tax under any law in force in Guyana.

(ix) Whenever the Government of Guyana desires to renew the contract of a designed officer or to recruit an officer who may be eligible for designation, the Government of Guyana shall consult the Government of the United Kingdom and that Government shall inform the Government of Guyana whether or not the officer's designation may be continued, or the officer redesignated or designated, as the case may be.

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

(xi) The Government of Guyana shall provide each designated officer, within a reasonable time of his taking up employment with that Government, with accommodation and basic furnishings in good condition and agreed with the Government of the United Kingdom to be suitable to the rank and family circumstances of the officer at a rent reasonable in relation to his basic salary.

(xii) The Government of Guyana shall promptly inform the Government of the United Kingdom of any event which might affect the eligibility of a designated officer to receive payments from the Government of the United Kingdom.

(xiii) The Government of Guyana shall, whenever requested to do so by the Government of the United Kingdom, supply to that Government such accounts and other information in connexion with the operation of any matter stated herein.

2. The several matters stated herein shall provide the basis on which until 31 March 1981 the Government of the United Kingdom may make decisions as to whether or not to renew or extend the period of designation of a previously designated officer or to designate a newly appointed officer. They shall also constitute the basis for the Government of the United Kingdom to make payments and reimbursements as here defined, corresponding to such decisions, in respect of periods up to 31 March 1981 save in respect of exceptional cases which may have been agreed between our two Governments before that date to extend for a maximum of three years beyond that date.

3. If this note correctly sets out the terms that have been agreed, I have the honour to propose 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 Guyana which shall enter into force on 1 April 1977 and terminate, unless some other date is agreed, between the two Governments, on 31 March 1981. I further propose that it shall be cited as the Overseas Service (Guyana) (Continuance) Agreement 1977/81, and that on 31 March 1977 the Overseas Service (Guyana) (Continuance) Agreement 1971/76¹ shall terminate.

Yours sincerely,

P. GAUTREY
High Commissioner

II

The Prime Minister of Guyana to the United Kingdom High Commissioner at Georgetown

Georgetown, 31 March 1977

My dear High Commissioner,

I thank you for your letter of today's date reading as follows:

[See note I]

I confirm that the proposals in your Note are acceptable to the Government of Guyana and that your Note and this reply shall constitute an agreement between the Government of Guyana and the Government of the United Kingdom which shall enter into force on 1st April, 1977, and shall be cited as the Overseas Service (Guyana) (Continuance) Agreement 1977/81.

Cooperatively yours,

L. F. S. BURNHAM
Prime Minister

¹ United Nations, *Treaty Series*, vol. 863, p. 257, and vol. 1031, p. 386.