

No. 18824

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

**Exchange of notes constituting the United Kingdom/
Indonesia Retrospective Terms Agreement 1979 (with
appendix and schedules). Jakarta, 11 July 1979**

Authentic text: English.

*Registered by the United Kingdom of Great Britain and Northern
Ireland on 21 May 1980.*

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

**Échange de notes constituant l'Accord de 1979 relatif à
l'ajustement rétroactif des prêts consentis par le
Royaume-Uni à l'Indonésie (avec appendice et ta-
bleaux). Jakarta, 11 juillet 1979**

Texte authentique : anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord
le 21 mai 1980.*

EXCHANGE OF NOTES¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA CONSTITUTING THE UNITED KINGDOM/INDONESIA RETROSPECTIVE TERMS AGREEMENT 1979

I

*Her Majesty's Ambassador at Jakarta to the Minister
for Foreign Affairs of Indonesia*

BRITISH EMBASSY
JAKARTA

11 July 1979

United Kingdom/Indonesia Retrospective Terms Agreement 1979

Your Excellency,

1. I have the honour to inform you that, following the announcement by the Government of the United Kingdom of Great Britain and Northern Ireland on 31st July 1978, and subsequent discussions between my Government and the Government of the Republic of Indonesia, my Government shall provide assistance to your Government in accordance with the recommendations of the Trade and Development Board (TDB) of UNCTAD. Retrospective adjustment shall be made to the terms of all the loans set out in Schedule 1 to this Note, which were provided as Official Development Assistance (ODA) and on which there were outstanding repayments of capital and payments of interest (hereinafter called 'loan payments') on 31st July 1978.

2. The following paragraphs of this Note set out the nature of, and procedures for, the assistance to be given. For the purposes of this Note the eligible loans are those provided under the 1966 Overseas Aid Act and set out in Schedule 1 to this Note. The amounts and the phasing of such loan payments are set out in Schedule 2 to this Note.

- (a) Unless both our Governments agree otherwise, my Government shall waive each year from 31st July 1978 all loan payments due in the year under each Schedule 1 loan.
- (b) The terms and conditions of each Schedule 1 loan shall otherwise continue to subsist.
- (c) Any loan payments due between 31st July 1978 and today's date, and made by your Government, on Schedule 1 loans shall be refunded by my Government. Payment shall be made on receipt and approval by my Government of a request for payment as set out in Appendix A to this Note.
- (d) Any loan payments due before 31st July 1978 and still outstanding shall be paid by your Government.

¹ Came into force on 11 July 1979, the date of the note in reply, in accordance with the provisions of the said notes.

3. If these proposals are acceptable to the Government of the Republic of Indonesia I have the honour to propose that the present Note together with Your Excellency's reply in that sense shall constitute an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Indonesia in this matter, and which shall enter into force on the date of your reply shall be known as the United Kingdom/Indonesia Retrospective Terms Agreement 1979.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

T. J. O'BRIEN

APPENDIX A

British Embassy

REFUND OF LOAN PAYMENTS

The following loan payments which were due on or after 31 July 1978 on loans set out in Schedule 1 to the United Kingdom/Indonesia Retrospective Terms Agreement 1979 have been made by my Government.

<i>Title of Loan</i>	<i>Date due</i>	<i>Amount due</i> £	<i>Date of payment</i>	<i>Amount of payment</i> £
				TOTAL £

Under the terms of paragraph 2(c) of the said Agreement I have to request you to refund the sum of £

Payment should be made to the Bank Indonesia Account with the Bank of England, London in favour of the Government of the Republic of Indonesia.

Signed

Ministry of Finance
Government of the Republic
of Indonesia

Date

Refund approved

Signed

Ministry of Overseas Development
Government of the United Kingdom
of Great Britain and Northern Ireland

SCHEDULE I

Title and Initial Value of Loan	Amount Outstanding as at 31 July 1978	
	£	£
United Kingdom/Indonesia Loan (1967) ¹	(492,304.25)	395,004.25
United Kingdom/Indonesia Loan (1968) ²	(497,468.00)	414,668.00
United Kingdom/Indonesia Loan No. 2 (BE) (1968) ³	(794,471.17)	684,471.17
United Kingdom/Indonesia (Project) Loan (1969) ⁴	(208,406.52)	178,556.52
United Kingdom/Indonesia Loan No. 2 (1969) ⁵	(183,692.60)	162,892.60
United Kingdom/Indonesia Loan No. 3 (BE) (1969) ⁶	(739,999.87)	657,999.87
United Kingdom/Indonesia Loan No. 4 (1969) ⁷	(452,266.10)	401,866.10
United Kingdom/Indonesia No. 5 Loan (1969) ⁸	(543,994.37)	498,694.37
United Kingdom/Indonesia No. 1 Loan (1970) [Crumb Rubber Plant Project] ⁹	(399,424.00)	376,924.00
United Kingdom/Indonesia Loan No. 2 (1970) ¹⁰	(1,499,554.05)	1,416,154.05
United Kingdom/Indonesia Loan No. 3 (1970) ¹¹	(746,394.76)	725,394.76
United Kingdom/Indonesia Loan No. 4 (1970) ¹²	(1,582,509.30)	1,538,508.79
United Kingdom/Indonesia Loan No. 1 (1971) ¹³	(4,999,879.94)	4,999,879.94
United Kingdom/Indonesia Loan No. 2 (DK) (1971) ¹⁴	(3,986,612.03)	3,986,612.03
United Kingdom/Indonesia Loan No. 1 (1972) ¹⁵	(7,000,000.00)	7,000,000.00
United Kingdom/Indonesia Loan No. 2 (1972) ¹⁶	(2,988,083.55)	2,988,083.55
United Kingdom/Indonesia (DK) Loan No. 1 (1973) ¹⁷	(2,994,806.42)	2,994,806.42
United Kingdom/Indonesia Loan No. 2 (1973) ¹⁸	(1,000,000.00)	1,000,000.00
United Kingdom/Indonesia Loan No. 3 (1973) ¹⁹	(9,600,000.00)	9,600,000.00
TOTAL SCHEDULE I LOAN PAYMENTS		<u>£40,020,516.42</u>

The above loans are all interest free.

¹ United Nations, *Treaty Series*, vol. 652, p. 95.

² *Ibid.*, p. 125, and vol. 980, p. 346.

³ *Ibid.*, vol. 679, p. 145, and vol. 980, p. 356.

⁴ *Ibid.*, p. 179.

⁵ *Ibid.*, vol. 690, p. 3, and vol. 745, p. 338.

⁶ *Ibid.*, vol. 700, p. 67, and vol. 980, p. 364.

⁷ *Ibid.*, vol. 705, p. 151, and vol. 980, p. 368.

⁸ *Ibid.*, vol. 726, p. 71, vol. 745, p. 366, and vol. 980, p. 372.

⁹ *Ibid.*, vol. 749, p. 203.

¹⁰ *Ibid.*, vol. 752, p. 119.

¹¹ *Ibid.*, vol. 769, p. 199.

¹² *Ibid.*, vol. 788, p. 57, and vol. 980, p. 380.

¹³ *Ibid.*, vol. 805, p. 97.

¹⁴ *Ibid.*, p. 141.

¹⁵ *Ibid.*, vol. 880, p. 211.

¹⁶ *Ibid.*, vol. 909, p. 39.

¹⁷ *Ibid.*, vol. 942, p. 207.

¹⁸ *Ibid.*, vol. 958, p. 125.

¹⁹ *Ibid.*, vol. 981, p. 3, and vol. 1018, p. 443.

SCHEDULE 2

THE AMOUNTS AND PHASING OF THE LOAN PAYMENTS COVERED BY THE UNITED KINGDOM/
INDONESIA RETROSPECTIVE TERMS AGREEMENT 1979 AS AT 31 JULY 1978

Year	Total Amount £
31.7.78-31.3.79	532,370.00
1979-80	1,239,740.00
1980-81	1,628,540.00
1981-82	2,273,040.00
1982-83	2,273,040.00
1983-84	2,273,040.00
1984-85	2,273,040.00
1985-86	2,273,040.00
1986-87	2,273,040.00
1987-88	2,273,040.00
1988-89	2,273,040.00
1989-90	2,273,040.00
1990-91	2,273,040.00
1991-92	2,273,040.00
1992-93	2,251,044.25
1993-94	2,224,558.29
1994-95	2,113,684.34
1995-96	1,953,569.63
1996-97	1,410,879.94
1997-98	1,024,183.55
1998-99	638,506.42
	£40,020,516.42

Except for 1978/79 the payments are shown on the basis of the UK financial year 1st April-31st March.

II

*The Minister for Foreign Affairs of Indonesia
to Her Majesty's Ambassador at Jakarta*

Jakarta, July 11, 1979

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note of today's date concerning the retrospective terms adjustment to be made to certain United Kingdom/Indonesia Loans, which reads as follows:

[See note I]

I have further the honour to inform Your Excellency that the foregoing proposals are acceptable to the Government of Indonesia and that your Note and

this reply place on record the agreement between our two Governments in this matter. This agreement will come into operation today and will be known as the United Kingdom/Indonesia Retrospective Terms Agreement 1979.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

MOCHTAR KUSUMAATMADJA