

No. 49758*

**Republic of Korea
and
United Kingdom of Great Britain and Northern Ireland**

Exchange of notes between the Government of the Republic of Korea and the Government of the United Kingdom of Great Britain and Northern Ireland concerning Arrangements for the operation of the British Cultural Centre in the Republic of Korea. Seoul, 17 August 2005 and 29 August 2005

Entry into force: *29 August 2005 by the exchange of the said notes, in accordance with the provisions of the said notes*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *Republic of Korea, 6 July 2012*

* *No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**République de Corée
et
Royaume-Uni de Grande-Bretagne et d'Irlande du Nord**

Échange de notes entre le Gouvernement de la République de Corée et le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord relatif à des Arrangements pour l'opération du Centre culturel britannique en République de Corée. Séoul, 17 août 2005 et 29 août 2005

Entrée en vigueur : *29 août 2005 par l'échange desdites notes, conformément aux dispositions desdites notes*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *République de Corée, 6 juillet 2012*

* *Numéro de volume RTNU n'a pas encore été établie pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT – TEXTE ANGLAIS]

NOTE NO. 070/05

The Embassy of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Ministry of Foreign Affairs and Trade of the Republic of Korea and has the honour to refer to discussions which have taken place between the Governments of the two countries concerning the arrangements for the operation of the British Cultural Centre whose premises will initially be situated at 4F Hungkuk Life Insurance Building, 226 Shinmunro 1 Ga, Jongro Gu, Seoul, Korea 110-786

The activities of the British Cultural Centre will have the objective of fostering the development of relations between the two countries, through the exchange and dissemination directly to the public of information and knowledge, particularly in the fields of language and literature, culture and the arts, creative industries, education, science and technology, the media and communications.

The work of the British Cultural Centre in the Republic of Korea will be conducted by the British Council as the designated principal agent of the British Government for cultural activities overseas.

As a result of the discussions between our two Governments it is the understanding of the British Government that the following arrangements will apply to the British Cultural Centre ("the Centre"):

1. The Centre will operate in accordance with the Cultural Agreement between the Government of the Republic of Korea and the Government of the United

Kingdom of Great Britain and Northern Ireland signed at London on 21 April 1982, and the Exchange of Notes dated 26 and 31 May 1983.

2. With the consent of the Government of the Republic of Korea, the British Council may in the future establish British Cultural Centre sub offices in the Republic of Korea.
3. The Government of the United Kingdom of Great Britain and Northern Ireland ("the British Government") will favourably consider the establishment of a Korean Cultural Centre in the United Kingdom in accordance with the laws and regulations in force in the United Kingdom.
4. The British Council will carry out its activities in accordance with the laws and regulations of the Republic of Korea.
5. The activities of the British Council on its own premises and elsewhere, may include:
 - (a) disseminating information related to its role as a Cultural Centre in the Republic of Korea;
 - (b) organising visits and events in the fields of culture, education and training, and science and technology; and administering scholarship programmes in these and related fields;
 - (c) organising conferences, colloquia, and other meetings;
 - (d) staging artistic performances, concerts and exhibitions;
 - (e) showing films and audio-visual material;

- (f) receiving people involved in education and training, culture, science and technology to participate in activities organised by the British Council;
- (g) providing libraries, reading rooms and multi-media resource centres; and loaning books, newspapers, journals, audio-visual and other materials of a cultural, educational, scientific or technological nature;
- (h) publishing and distributing information bulletins, catalogues, and other materials of a cultural, educational, scientific or technological nature;
- (i) offering language courses, examinations and seminars; providing professional expertise and teaching materials to institutions and individuals, and co-operating to produce materials relating to teaching and teaching methods;
- (j) managing and participating in the implementation of bilateral and multilateral projects in accordance with the arrangements set out in this Note; and
- (k) arranging meetings and other activities for people of all ages.

6. In accordance with the arrangements set out in this Note, the British Council may also:

- (a) organise or participate in other events and activities;
- (b) organise events and activities outside their own premises and in partnership with other Organisations.

- 7. The British Council will be guaranteed free and unhindered public access to its premises and its activities where these are carried out elsewhere. The British Council will be permitted to publicise its activities by all available means. The British Council will also be permitted to enter into and maintain direct contacts with the relevant ministries and other public bodies, local authorities, non-governmental organisations, professional associations, and private organisations, individuals and groups.**
- 8. The British Council is a non-profit-making organisation. The British Council is a charity registered in England and Wales. The British Council may charge for all or any of the activities listed in Paragraph 5 in order to cover some or all of the costs of their upkeep and operations. For example the British Council may:**
- (a) charge visitors to attend their events, activities or exhibitions;**
 - (b) charge for language and other courses, examinations, or other related services;**
 - (c) charge for the use of libraries and the loan or sale of multi-media or other materials relevant to their activities;**
 - (d) sell catalogues, posters, programmes, books, records and teaching aids directly linked to the events and activities they organise;**
 - (e) run cafeterias for visitors to its offices.**
 - (f) The British Council may seek and receive commercial sponsorship to support its activities in accordance with the arrangements set out in this Note.**

9. The Republic of Korea will accord the British Council privileges according to the laws and regulations of the Republic of Korea:

a) eligibility to import materials necessary for the running of the Centre on a temporary basis, with an exemption from customs duties and taxes; such as artistic works, books, exhibits, films, audio-visual materials, crafts, musical instruments, stage sets, stage costumes, computers and their software programs, musical equipment, and studio and audio-visual equipment;

b) books imported for the official use of the British Council will be exempt from customs duties and internal taxes;

c) eligibility to import cultural items that are to be donated to Korean cultural institutions and universities through the Centre, with an exemption from customs duties and internal taxes;

d) exemption of members of staff of the Centre who are neither nationals of nor permanently resident in the Republic of Korea, and members of their families, from the payment of customs duties, import duties and all other taxes imposed on the import of household items or their personal effects;

- personal belongings will be brought into the country within six months of the arrival of the person.

- the duration of their assignment is to be at least one year, if unaccompanied, and at least six months if accompanied by family members.

- the final decision on whether an item is considered a personal belonging or not is to be made by the Chief Officer of the Customs Office.

- these belongings, unless they are sold to individuals eligible for tax exemptions, are not to be disposed of in the local market if the appropriate

customs duties have not been paid.

e) the issuance of visas and work permits, of the type and category appropriate to teachers of foreign languages in Korea, to the British Council's expatriate teaching staff and the issuance of appropriate visas to their accompanying families;

f) the facilitation of prompt consideration of applications for entry clearance, and applications for residence and work permits where applicable, for any other members of staff of the British Council and for members of their families; and

g) the facilitation of prompt consideration of applications for entry clearance for participants in programmes or events provided for in Paragraph 5 in accordance with the laws and regulations of the Republic of Korea

10. The British Council will appoint its own staff. In the case of staff who are nationals of or permanently resident in the Republic of Korea, employment will be in accordance with the laws and regulations in force in the Republic of Korea.

11. The British Council will inform the Government of the Republic of Korea when the Director, Deputy Director or Assistant Director of the Centre take up post or terminate their duties.

12. These arrangements may be terminated if either Government gives three months' written notice.

If the arrangements set out above are acceptable to the Government of the Republic of Korea the Embassy of the United Kingdom of Great Britain and Northern Ireland has the honour to suggest that this Note and the Ministry of

Foreign Affairs and Trades Note in reply to that effect will place on record the understanding of the two Governments in this matter, which will come into operation on the date of the Ministry's Note in reply.

The Embassy of the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Ministry of Foreign Affairs and Trade of the Republic of Korea the assurances of its highest consideration.

17 August 2005

British Embassy Seoul

II
MINISTRY OF FOREIGN AFFAIRS AND TRADE
REPUBLIC OF KOREA

ORC - 7357

The Ministry of Foreign Affairs and Trade of the Republic of Korea has the honour to acknowledge the receipt of the Embassy of the United Kingdom of Great Britain and Northern Ireland's Note No. 070/05 dated August 17, 2005 which reads as follows:

[See Note I]

The Ministry has further the honour to inform the Embassy that the arrangements set out in the Embassy's Note are acceptable to the Government of the Republic of Korea and that the Embassy's Note and this Note in reply to that effect will place on record the understanding of the two Governments in this matter, which will come into effect on today's date.

The Ministry of Foreign Affairs and Trade of the Republic of Korea avails itself of this opportunity to renew to the Embassy of the United Kingdom of Great Britain and Northern Ireland the assurances of its highest consideration.

Seoul, 29 August 2005