



Treaty Series No. 92 (1975)

## Exchange of Notes

concerning Wheat to be supplied by the Government of the United Kingdom of Great Britain and Northern Ireland to the Government of the People's Republic of Bangladesh within the framework of the Cereals Food Aid Programme of the European Economic Community

(United Kingdom Food Aid Grant: Bangladesh Agreement 1974)

Dacca, 28 August 1974

[The Agreement entered into force on 28 August 1974]

*Presented to Parliament*

*by the Secretary of State for Foreign and Commonwealth Affairs*

*by Command of Her Majesty*

*July 1975*

LONDON

HER MAJESTY'S STATIONERY OFFICE

11p net

**EXCHANGE OF NOTES  
CONCERNING WHEAT TO BE SUPPLIED BY THE GOVERNMENT  
OF THE UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND TO THE GOVERNMENT OF THE  
PEOPLE'S REPUBLIC OF BANGLADESH WITHIN THE  
FRAMEWORK OF THE CEREALS FOOD AID PROGRAMME  
OF THE EUROPEAN ECONOMIC COMMUNITY**

No. 1

*The United Kingdom High Commissioner at Dacca to the Secretary,  
Planning Commission of Bangladesh*

*British High Commission,  
Dacca.*

My dear Secretary

28 August, 1974.

1. I have the honour to inform you that as the result of the accession of the United Kingdom of Great Britain and Northern Ireland to the European Economic Community the Government of the United Kingdom has accepted an obligation to participate in the supply of cereals under the Food Aid Convention of 1971.<sup>(1)</sup> Within the framework of the EEC Cereals Food Aid Programme for the harvest year 1973/74 it is the intention of the Government of the United Kingdom to grant the Government of Bangladesh a quantity of wheat not exceeding 30,000 metric tons for human consumption.

**PART A**

The Government of the United Kingdom declare that it is its intention to order and pay for a quantity or quantities of wheat not exceeding 30,000 metric tons for use within the territory of the Government of Bangladesh from sources to be chosen by the Government of the United Kingdom or, at its discretion, through an agency.

**PART B**

- (1) The Government of the United Kingdom shall adopt the arrangements and procedures described in the following sub-paragraphs of this Note insofar as they relate to things to be done by or on behalf of that Government. The Government of Bangladesh shall adopt the arrangements and procedures so described insofar as they relate to things to be done by or on behalf of that Government.
- (2) The wheat shall be consigned to The Ministry for Food and Civil Supplies, Government of the People's Republic of Bangladesh, Dacca, and shall be delivered in bulk c.i.f. at the Port of Chittagong as soon as all arrangements can be made. On delivery in accordance with sub-paragraph (3) hereof it shall be of sound marketable quality fit for human consumption and have a moisture content not exceeding 14½%. On delivery of the wheat a tolerance of 5% less than the quantity to be supplied as in sub-paragraph (1) shall be permitted.

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<sup>(1)</sup> Treaty Series No. 21 (1972), Cmnd. 4953. The United Kingdom acceded to the Food Aid Convention of 1971 with effect from 1 January 1973.

- (3) Delivery shall be effected and all the risks shall pass from the Government of the United Kingdom to the Government of Bangladesh at the moment at which the wheat effectively passes the ship's rail at the port of loading. With the exception of the costs of freight and insurance to the Port of Chittagong the Government of Bangladesh shall bear all costs subsequent to delivery of the wheat, including any demurrage, storage, re-packing or other costs. Should demurrage arise at the port of unloading the master of the vessel shall be able to claim these charges from the Government of Bangladesh in a convertible currency on a daily basis. Should the Government of Bangladesh fail to comply with this condition, the master of the vessel shall be empowered to seize the cargo and remove it at once from the port.
- (4) The Government of the United Kingdom shall notify the Government of Bangladesh in good time of the name of the ship in which the wheat is consigned and its owners and the estimated date of arrival of the ship in the Port of Chittagong. The Government of the United Kingdom shall also insert in the charter party a clause requiring the master of the ship to give the Government of Bangladesh ten days approximate, and 72 hours specific, notice of the date of arrival of the ship in port.
- (5) The Government of Bangladesh shall arrange and pay for transport and insurance of the wheat from the port of unloading as described in sub-paragraph (3) above to a place of destination in Bangladesh. The Government of Bangladesh shall nominate receiving agents in the port of loading and in the port of unloading and shall notify the Government of the United Kingdom of the name of these agents in good time.
- (6) The Government of Bangladesh shall pay regard to Article 9 of the Wheat Trade Convention opened for signature in Washington on 29 March 1971<sup>(1)</sup> regarding the need for the Government of the United Kingdom to arrange concessional transactions in wheat in such a way as to avoid interference with normal patterns of production and internal commercial trade. To this end the Government of Bangladesh shall take measures to ensure that the wheat supplied as aid is in addition to and not in place of commercial supplies which could otherwise be reasonably foreseen and shall take all appropriate measures to prevent the re-export of the wheat, whether received as aid or commercially, and of the by-products of first stage processing of such wheat. The Government of Bangladesh shall also take measures to prevent any abnormal commercial or non-commercial export within a period of six months, as from the last delivery of the wheat as aid, both of locally produced cereals of the same type as that received as aid and the products of first stage processing and the by-products derived from those cereals.
- (7) The Government of Bangladesh shall use the wheat exclusively for human consumption in its own country and shall distribute the whole or any part of it free to the people in need, or alternatively the

Government of Bangladesh may sell the whole or any part of it in its subsidised ration shops and shall in the latter case, and after allowance for internal distribution costs, apply the counterpart funds generated by those sales for the purpose of rural development. In any case the Government of Bangladesh shall report, within six months of the date of delivery of the wheat, to the British High Commissioner in Dacca, full details relating to the distribution of the wheat and the types of beneficiaries involved.

- (8) The Government of Bangladesh shall furnish, on request, to the officers of the British High Commission in Dacca and other servants or agents of the Government of the United Kingdom such information relating to the receipt and disposal of consignments of the wheat as the Government of the United Kingdom may reasonably require to meet its obligation under the Food Aid Convention.

2. If the foregoing proposals are acceptable to the Government of Bangladesh I have the honour to propose that the present Note together with your reply in that sense shall constitute an Agreement between the two Governments which shall enter into force on the date of your reply and which shall be known as the "United Kingdom Food Aid Grant: Bangladesh Agreement 1974".

A. A. GOLDS  
(*Her Britannic Majesty's  
High Commissioner*)

No. 2

*The Secretary, Planning Commission of Bangladesh to the United Kingdom  
High Commissioner at Dacca*

Your Excellency, *Dacca, 28 August 1974*

**United Kingdom Food Aid Grant : Bangladesh Agreement 1974**

I have the honour to acknowledge the receipt of your Note of today's date, which reads as follows:

[As in No. 1]

I confirm that the proposals contained in your Note are acceptable to the Government of Bangladesh and that your Note and this reply shall constitute an agreement between our two Governments which shall enter into force on the date of this Note and shall be known as the "United Kingdom Food Aid Grant: Bangladesh Agreement 1974".

M. SYEDUZZAMAN  
*Secretary, Planning Commission  
The Government of the People's  
Republic of Bangladesh*