

UNITED STATES
OF AMERICA



Treaty Series No. 80 (1976)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the United States of America
concerning Continued Operation of the
Co-operative Meteorological Programme
in the Cayman Islands

Washington, 6/13 April 1976

[The Agreement entered into force on 13 April 1976]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
August 1976*

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
CONCERNING CONTINUED OPERATION OF THE CO-OPERATIVE
METEOROLOGICAL PROGRAMME IN THE CAYMAN ISLANDS**

No. 1

*The Secretary of State of the United States of America to
Her Majesty's Ambassador at Washington*

*Department of State,
Washington.*

6 April 1976.

Excellency :

I have the honor to refer to the agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for the establishment and operation of hurricane research stations on Grand Cayman and Jamaica, which was effected by an exchange of notes on December 30, 1958.⁽¹⁾ This agreement entered into force on December 30, 1958, was amended by an agreement effected by an exchange of notes on February 15, 1960,⁽¹⁾ and was further amended and extended by an exchange of notes on November 23 and December 12, 1966,⁽²⁾ which took into account the independence of Jamaica in 1962.

The Government of the United States is very desirous of continuing this now well-established cooperative meteorological program but considers that the agreement and the associated Memorandum of Arrangement should be amended in part to take account of certain administrative and technical changes which have taken place since 1966.

I have the honor, therefore, to propose that the cooperative meteorological program in the Cayman Islands should be continued on the following terms :

1. *Purpose.* The purpose of the program shall be the facilitation of the operation of an upper-air (rawinsonde) and surface weather observation station in the Cayman Islands, the international dissemination of reports of the observations made at this station, and the logistic support of the weather station on Isla Grande de el Cisne through cooperation between the designated Cooperating Agencies of the two Governments.
2. *Cooperating Agencies.* The Cooperating Agencies shall be (1) for the Government of the United States of America, the National Oceanic and Atmospheric Administration of the United States

⁽¹⁾ Treaty Series No. 25 (1960), Cmnd. 1035.

⁽²⁾ Treaty Series No. 11 (1967), Cmnd. 3207.

Department of Commerce, hereinafter referred to as the United States Cooperating Agency, and (2) for the Government of the United Kingdom, Caribbean Meteorological Organization, hereinafter referred to as the Cayman Islands Cooperating Agency.

3. *Title to Property.* Title to all real property and any improvements thereto, furnished, acquired, or constructed for the purpose of conducting the cooperative program covered by this agreement shall be vested in the Cayman Islands Cooperating Agency, except when the Government of the Cayman Islands shall have determined that such title shall be vested, or remain vested, in another Cayman Islands Agency. Title to any item of equipment or other item of personal property shall remain vested in the Cooperating Agency which supplied, or provided the funds for the supply of, the item, unless otherwise agreed, in a specific case, between the two Cooperating Agencies.
4. *Expenditures.* All expenditures incident to the obligations assumed by the United States Cooperating Agency shall be paid by the Government of the United States of America, and all expenditures incident to the obligations assumed by the Cayman Islands Cooperating Agency shall be paid by the Government of the Cayman Islands.
5. *Importation of Materials, Equipment, Supplies and Goods.* The Government of the Cayman Islands shall take all necessary steps to facilitate and expedite:
 - (a) the importation into the Cayman Islands of all materials, equipment, supplies, and goods, including motor vehicles, furnished by the United States Cooperating Agency for use in the cooperative program, including logistic support of the weather station on Isla Grande de el Cisne;
 - (b) the removal from its territory of such of those materials, equipment, supplies, and goods as the United States Cooperating Agency shall elect to transfer elsewhere and in particular to the weather station on Isla Grande de el Cisne.
6. *Exemption from Duties and Taxes and from Requirements for Licenses and Permits.*
 - (a) All materials, equipment, supplies, and goods, including motor vehicles, furnished by the United States Cooperating Agency and imported into the Cayman Islands for use in the cooperative program, including logistic support of the weather station on Isla Grande de el Cisne shall be admitted free of taxes, customs, and import duties, and other similar charges and without any requirement for an import license or similar documentation or authorization.
 - (b) No license fees, taxes or other similar charges shall be levied in respect of the use in the Cayman Islands, in connection with the cooperative program, of any items imported under the provisions of paragraph 6 (a) above.

- (c) No person ordinarily resident in the United States of America shall be liable to pay in the Cayman Islands any tax in the nature of a license in respect of any service or work for the Government of the United States of America or under any contract made with the Government of the United States of America in connection with the cooperative program.
- (d) No import duties or other tax shall be charged on the personal belongings and household effects, including one privately-owned automobile per employee, of any national of the United States of America who is serving or employed in connection with the cooperative program and who is present in the Cayman Islands only by reason of such employment, provided that such belongings or effects accompany the owner or are imported either:
- (i) Within a period beginning 60 days before and ending 120 days after the owner's arrival; or
 - (ii) within a period of six months immediately following his arrival.
- (e) Any national of the United States who is serving or employed in connection with the cooperative program and who is resident in the Cayman Islands by reason only of such service or employment (and the wife and minor children of such a person) shall be exempt from the payment of all taxes which might otherwise be imposed solely by virtue of his residence in the Cayman Islands, including (1) income tax (except in respect of income derived from sources in the Cayman Islands); (2) social security taxes; (3) any poll taxes or similar tax on the person; and (4) any tax on the ownership or use of property situated outside the Cayman Islands.
- (f) Any United States national who is an official or employee of the United States Cooperating Agency and who is temporarily in the Cayman Islands in connection with the cooperative program shall be exempt from payment of any tax or other charges which might otherwise be imposed solely by virtue of his temporary residence in the Cayman Islands and from any requirement to possess or apply for a work permit.
7. *Liability.* Each Cooperating Agency shall be responsible for claims for damage to property or injury to persons with respect only to activities under the cooperative program directly engaged in or performed by that Cooperating Agency or its employees. No liability shall attach to either Cooperating Agency based solely on title to the equipment, facilities or other property used in the cooperative program.
8. *Protection of Radio Frequencies.*
- (a) The radio operating frequencies in the bands 401-406 MHz and 1660-1700 MHz shall be protected by the Government of the Cayman Islands in order to insure their use free of interference

for rawinsonde observations, in accordance with the provisions of the Radio Regulations annexed to the International Telecommunication Convention.

- (b) The radio frequency 6927.0 kHz shall be allocated for single-sideband voice communications with a maximum power output of 1,000 watts, to the Grand Cayman weather station for emergency and administrative communications between that station and the weather station on Isla Grande de el Cisne.
- (c) The radio frequency 14792.0 kHz shall be allocated, for single-sideband voice radio communications with a maximum power output of 1,000 watts, to the Grand Cayman rawinsonde station for emergency and administrative communications between that station and the Headquarters of the United States Cooperating Agency.

9. *Appropriation of Funds.* The carrying out of the provisions of this Agreement shall be subject to the availability of appropriated funds.

10. *Memorandum of Arrangement.* A Memorandum of Arrangement, specifying further details of the cooperative program to be operated under the Agreement, shall be agreed by the two Cooperating Agencies and may be amended at any time by further agreement.

If the foregoing proposal is acceptable to the Government of the United Kingdom, I have the honor to propose that the present note and Your Excellency's reply in that sense shall constitute an Agreement between our two Governments which shall enter into force on the date of Your Excellency's reply, and which shall remain in force until terminated by mutual agreement or until sixty days following the date of a note from either Government to the other Government expressing a desire to terminate it.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

MYRON B. KRATZER

No. 2

*Her Majesty's Ambassador at Washington to the Secretary of State
of the United States of America*

*British Embassy,
Washington, DC.*

13 April 1976.

Sir,

I have the honour to acknowledge the receipt of your Note of the 6th of April, 1976, which reads as follows:—

[As in No. 1]

2. I have the honour to inform Your Excellency that the foregoing proposals are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, who therefore agree that your Note, together with this reply, shall constitute an Agreement between the two Governments which shall enter into force on this day's date.

I avail myself of this opportunity to renew to you, Sir, the assurance of my highest consideration.

PETER E. RAMSBOTHAM

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