



Treaty Series No. 98 (1978)

Exchanges of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of Swaziland

concerning Officers designated by the
Government of the United Kingdom
in the Service of specified Organisations
or Institutions in Swaziland

[The British Expatriates Supplementation (Swaziland)
Agreement 1976 and Amendment 1977]

Mbabane, 3 June 1976 and 30 November 1977

[The Agreement entered into force on 1 April 1976 and the Amendment on
30 November 1977]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
November 1978*

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**EXCHANGES OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF SWAZILAND CONCERNING OFFICERS
DESIGNATED BY THE GOVERNMENT OF THE UNITED KINGDOM
IN THE SERVICE OF SPECIFIED ORGANISATIONS OR
INSTITUTIONS IN SWAZILAND**

No. 1

*The United Kingdom High Commissioner at Mbabane to the
Permanent Secretary, Department of Establishments and Training,
Office of the Prime Minister of Swaziland*

*British High Commission,
Mbabane.*

3 June 1976.

Sir,

I have the honour to refer to the exchange of letters between the Government of the United Kingdom of Great Britain and Northern Ireland and the Registrar of the University of Botswana, Lesotho and Swaziland dated December 1969,⁽¹⁾ relating to assistance towards certain staff in the service of that University and to discussions which have taken place between the Government of the United Kingdom and the Government of the Kingdom of Swaziland concerning the continuance of that assistance and to place on record the terms of the agreement which have been resolved.

1. The Government of the United Kingdom shall, with the concurrence of the Government of Swaziland provide assistance under the authority and provisions of the British Government's Overseas Development and Service Act 1965 upon the terms and conditions set out in the first Annex to this Note in respect of British staff in the service of an organisation or institution listed in the second Annex to this Note (hereinafter referred to as "the employing authority"). The second Annex to this Note may, by agreement between the Government of the United Kingdom and the Government of Swaziland be varied or amended from time to time by adding thereto or deleting therefrom the name of an organisation or institution.
2. Any emoluments, allowances, grants, supplements or gratuities paid by the Government of the United Kingdom to staff designated under this agreement in respect of duties performed in Swaziland shall be exempt from the payment of tax under any law for the time being in force in Swaziland provided that the person concerned is resident in Swaziland solely for the purpose of performing such duties.

(1) Not published in Treaty Series.

3. This Agreement shall come into operation on 1 April 1976 and shall terminate, unless some other date is agreed between the Government of the United Kingdom and the Government of Swaziland on 31 March 1981.

If this Note and its Annexes correctly set out the terms that have been agreed, I have the honour to suggest that this Note and your reply shall constitute an Agreement between our two Governments which shall enter into force from 1 April 1976, and shall be cited as the British Expatriates Supplementation (Swaziland) Agreement 1976.

I have the honour to be

Sir

Your obedient Servant

J. E. A. MILES

FIRST ANNEX

TERMS AND CONDITIONS

1. The Government of the United Kingdom will make the payments specified in this annex to staff who are designated by the Government of the United Kingdom as herein mentioned (hereinafter referred to as "designated officers").
2. The Government of the United Kingdom will pay, on behalf of the employing authority, to each designated officer:—
 - (a) Any salary supplement for which such officer may be eligible at such rates as may be specified from time to time by the Government of the United Kingdom;
 - (b) any education allowance for which such designated 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 to which such 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 an officer which accrues to him by virtue of the addition to his emoluments of the salary supplement referred to in this paragraph;
 - (e) any medical expenses necessarily incurred on treatment not available under Swaziland health services at such rates as may be specified from time to time by the Government of the United Kingdom.
3. The Government of the United Kingdom will reimburse the employing authority the amount paid by the employing authority in providing for designated officers and their dependent families passages on such occasions (not being occasions referred to in paragraph 4 of this Annex) as the

Government of Swaziland may, with the prior concurrence of the Government of the United Kingdom, prescribe; passages for designated officers and their dependant families should be, where available, by British carrier and where practicable by excursion or charter flight.

4. The Government of the United Kingdom will meet the costs of holiday passages for the children of a designated officer to enable them to visit their parents in Swaziland 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.

5. Payments by the Government of the United Kingdom under paragraph 2 above will be made into an account at a bank nominated by the officer and situated in Great Britain or Ireland or such other country as may be agreed by the Government of the United Kingdom.

6. The employing authority will provide the Government of the United Kingdom with such information as that Government may require in connection with the operation of this Agreement.

7. The employing authority will promptly inform the Government of the United Kingdom of any event which might affect the eligibility of a designated officer under this Agreement to receive payments from the Government of the United Kingdom.

8. Whenever the employing authority wishes to renew the contract of a designated officer or to recruit an officer who may be eligible for designation, that authority will consult the Government of the United Kingdom and that Government will inform the authority whether or not the officer's designation may be continued, or the officer designated as the case may be, in accordance with this Agreement.

9. The Government of the United Kingdom and each employing authority will hold periodic reviews of the requirements that the employing authority may have as regards the employment of designated officers in their service, so that the Government of the United Kingdom may determine the classes and number of officers who the Government of the United Kingdom is prepared to designate. During such reviews the employing authority will provide the Government of the United Kingdom with such information as that Government may require in order to calculate the amounts payable by the Government and the number of officers to be designated.

10. 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 will take into account the consequences that would follow if designation were terminated.

LIST OF ORGANISATIONS AND INSTITUTIONS

University of Botswana, Lesotho and Swaziland incorporated under Charter dated the 20th day of December 1964 in Swaziland.

THIRD ANNEX

1 APRIL 1976 REVISED RATES OF SUPPLEMENTATION FOR UNIVERSITY STAFF SERVING IN SWAZILAND

Local Salary/Grade of Appointment	Revised (1.4.76) Rates of Supplementation		Current (1.4.75) Rates of Supplementation	
	£		£	
	Married	Single	Married	Single
Assistant Lecturer	1896	1140	900	198
*Lecturer				
R3924-4224	1644	864	684	nil
R4368-4860	1788	1008	(R4368-4524) 684	nil
			(R4692-4860) 810	108
R5028-5376	2088	1284	810	108
Senior Lecturer	2454	1650	1158	366
Reader	2808	2004	1218	426
Professor	2808	2004	1218	426

* Two Bands only used in 1975 i.e. R3924-4524
R4692-5376

Note: A 10% gratuity is paid on supplements.

No. 2

*The Permanent Secretary, Department of Establishments and Training,
Office of the Prime Minister of Swaziland, to the
United Kingdom High Commissioner at Mbabane*

*Office of the Prime Minister,
Mbabane.*

3 June 1976.

Sir,

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

[as in No. 1]

I confirm that the foregoing is acceptable to the Government of the Kingdom of Swaziland who therefore agree that your Note and this reply shall constitute an Agreement between the two Governments which shall be deemed to have entered into force on 1 April 1976 and which shall be cited as the British Expatriates Supplementation (Swaziland) Agreement 1976.

I have the honour to be
Sir.
Your obedient Servant
S. Z. S. DHLAMINI
Permanent Secretary

No. 3

*The United Kingdom High Commissioner at Mbabane to the
Permanent Secretary, Department of Establishments and Training,
Office of the Prime Minister of Swaziland*

*British High Commission,
Mbabane.*

30 November 1977

Sir,

I have the honour to refer to the British Expatriates Supplementation (Swaziland) Agreement 1976^(?) (hereinafter referred to as "the Agreement") constituted by an Exchange of Notes dated 3 June 1976 between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Swaziland and to discussions which have taken place between the Government of the United Kingdom and the Government of Swaziland concerning the provision of assistance to staff in the service of the Swaziland Electricity Board, the National Trust Commission, the Central Cooperative Union and the Swaziland Railways, and to place on record the agreement of our two Governments in that respect. The Government of the United Kingdom and the Government of Swaziland agree, under the provisions of paragraph 1 of the Agreement, to add the following to the list of employing authorities in the second Annex to that Agreement:

Swaziland Electricity Board
National Trust Commission
Central Cooperative Union
Swaziland Railways

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 our two Governments which shall enter into force on the date of your reply and shall be cited as the British Expatriates Supplementation (Swaziland) Agreement 1976 Amendment 1977.

I have the honour to be
Sir
Your obedient Servant
J. E. A. MILES

^(?) Treaty Series No. 22 (1977), Cmnd. 6739.

No. 4

*The Permanent Secretary, Department of Establishments and Training,
Office of the Prime Minister of Swaziland, to the
United Kingdom High Commissioner at Mbabane*

*Office of the Prime Minister,
Mbabane.*

30 November 1977

Sir

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

[as in No. 3]

I have the honour to inform you that the foregoing is acceptable to the Government of the Kingdom of Swaziland, who therefore agree that Your Excellency's Note and this reply shall constitute an Agreement between the two Governments which shall be entered into force on 30 November 1977 and shall be cited as the British Expatriates Supplementation (Swaziland) Agreement 1976 Amendment 1977.

I have the honour to be

Sir

Your obedient Servant

E. V. DLAMINI

Permanent Secretary