

INDONESIA



Treaty Series No. 102 (1979)

Exchange of Notes

✓
16/7
: 6/19/81

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

Jakarta, 11 July 1979

[The Agreement entered into force on 11 July 1979]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
December 1979*

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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 REPUBLIC OF INDONESIA
CONSTITUTING THE UNITED KINGDOM/INDONESIA
RETROSPECTIVE TERMS AGREEMENT 1979**

No. 1

*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.

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.

Title of Loan	Date due	Amount due £	Date of payment	Amount of payment £
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 1

<i>Title and Initial Value of Loan</i>	<i>Amount Outstanding as at</i> <i>31 July 1978</i>	
	£	£
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 1 LOAN PAYMENTS		£40,020,516·42

The above loans are all interest free.

⁽¹⁾ Treaty Series No. 86 (1968), Cmnd. 3770.

⁽²⁾ Treaty Series No. 87 (1968), Cmnd. 3771 as amended by Treaty Series No. 39 (1975), Cmnd. 5947.

⁽³⁾ Treaty Series No. 51 (1969), Cmnd. 3980 as amended by Treaty Series No. 39 (1975), Cmnd. 5947.

⁽⁴⁾ Treaty Series No. 48 (1969), Cmnd. 3969.

⁽⁵⁾ Treaty Series No. 76 (1969), Cmnd. 4104 as amended by Treaty Series No. 31 (1970), Cmnd. 4357.

⁽⁶⁾ Treaty Series No. 89 (1969), Cmnd. 4128 as amended by Treaty Series No. 39 (1975), Cmnd. 5947.

⁽⁷⁾ Treaty Series No. 101 (1969), Cmnd. 4161 as amended by Treaty Series No. 39 (1975), Cmnd. 5947.

⁽⁸⁾ Treaty Series No. 11 (1970), Cmnd. 4270 as amended by Treaty Series No. 32 (1970), Cmnd. 4356 and Treaty Series No. 39 (1975), Cmnd. 5947.

⁽⁹⁾ Treaty Series No. 41 (1970), Cmnd. 4394.

⁽¹⁰⁾ Treaty Series No. 60 (1970), Cmnd. 4419.

⁽¹¹⁾ Treaty Series No. 85 (1970), Cmnd. 4535.

⁽¹²⁾ Treaty Series No. 14 (1971), Cmnd. 4603 as amended by Treaty Series No. 39 (1975), Cmnd. 5947.

⁽¹³⁾ Treaty Series No. 54 (1971), Cmnd. 4759.

⁽¹⁴⁾ Treaty Series No. 55 (1971), Cmnd. 4760.

⁽¹⁵⁾ Treaty Series No. 17 (1973), Cmnd. 5214.

⁽¹⁶⁾ Treaty Series No. 83 (1973), Cmnd. 5374.

⁽¹⁷⁾ Treaty Series No. 14 (1974), Cmnd. 5559.

⁽¹⁸⁾ Treaty Series No. 34 (1974), Cmnd. 5623.

⁽¹⁹⁾ Treaty Series No. 33 (1975), Cmnd. 5881 as amended by Treaty Series No. 155 (1975), Cmnd. 6336.

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

<i>Year</i>	<i>Total Amount</i>
	£
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
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	£40,020,516.42
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Except for 1978/79 the payments are shown on the basis of the UK financial year 1st April-31st March.

No. 2

*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:

[As in No. 1]

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