

No. 8553

ZAMBIA
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

Agreement concerning the employment in the Public Service of Northern Rhodesia of certain British officers. Signed at London, on 11 January 1962, and at Lusaka, on 30 January 1962

Exchange of notes constituting an agreement concerning the extra contribution to be paid by the Government of the United Kingdom towards the cost of increases in emoluments paid to officers in the Public Service of Zambia who are designated for the purpose of the Overseas Service (Northern Rhodesia) Agreement, 1961. Lusaka, 28 July 1966

Official text: English.

Registered by Zambia on 1 March 1967.

ZAMBIE
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD

Accord concernant l'emploi de certains fonctionnaires britanniques dans la fonction publique de la Rhodésie du Nord. Signé à Londres, le 11 janvier 1962, et à Lusaka, le 30 janvier 1962

Échange de notes constituant un accord concernant les montants supplémentaires dus par le Royaume-Uni au titre de la majoration des émoluments versés aux fonctionnaires employés dans la fonction publique de la Zambie et désignés aux fins de l'Accord de 1961 relatif aux fonctionnaires d'outre-mer (Rhodésie du Nord). Lusaka, 28 juillet 1966

Texte officiel anglais.

Enregistrés par la Zambie le 1^{er} mars 1967.

No. 8553. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA² AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND CONCERNING THE EMPLOYMENT IN THE PUBLIC SERVICE OF NORTHERN RHODESIA OF CERTAIN BRITISH OFFICERS. SIGNED AT LONDON, ON 11 JANUARY 1962, AND AT LUSAKA, ON 30 JANUARY 1962

WHEREAS the Government of Northern Rhodesia considers that it would be in the public interest to employ in the public service certain officers from other countries ;

AND WHEREAS Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the Government of the United Kingdom) is prepared to contribute to that part of the cost of employing such officers as is attributable to the fact that such officers will be serving outside their own countries :

NOW THEREFORE it is agreed between Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of Northern Rhodesia as follows :

1. In this Agreement unless the context otherwise requires :

“appointed day” means the first day of April, 1961 ;

“child” means the son or daughter of a designated officer including a stepson, stepdaughter, adopted son or adopted daughter, not having passed his or her twenty-first birthday and being unmarried and wholly dependent upon the designated officer ;

“compensation” means any sum of money, not being a pension or the commutation thereof or a gratuity, which is payable by the Government of Northern Rhodesia, on or after the appointed day, either in one payment or by instalments, including any sum payable by way of interest thereon or any additions to or any sum paid by way of commutation or additions to a pension, to a designated officer by virtue of arrangements for payment of compensation approved by a Secretary of State for the purpose of this Agreement ;

¹ Deemed to have come into operation on 1 April 1961, in accordance with paragraph 9.

² This agreement was inherited by the Government of Zambia on the attainment of independence of Zambia on 24 October 1964.

“contract officer” means a designated officer who is on or after the appointed day a party to a contract of service in writing with the Government of Northern Rhodesia and whose service under that contract does not qualify him for a pension ;

“designated officer” means an officer designated as such by a Secretary of State who is :

- (i) an expatriate officer in the service of the Government of Northern Rhodesia on or after the appointed day ; and
- (ii) who :
 - (a) is a member of Her Majesty’s Overseas Civil Service ; or
 - (b) was selected for appointment by or with the approval of a Secretary of State, or was recruited by the Crown Agents for Oversea Governments and Administrations ; or
 - (c) was otherwise recruited to a post for which a normal channel of recruitment is either the Colonial Office or the Crown Agents for Oversea Governments and Administrations and whose appointment for the purpose of this Agreement is approved by a Secretary of State ;

“gratuity” means the sum payable to a contract officer, in addition to salary and allowance under his contract of service, and described therein as such or in the laws and regulations applicable thereto in return for service rendered, whether such sum is paid at the conclusion of that service or otherwise ;

“passage” means transportation of a designated officer, his wife, children and effects by such means, by such routes, in such classes of accommodation and in accordance with such conditions as the Government of Northern Rhodesia may with the concurrence of the Government of the United Kingdom prescribe ;

“pension” means the pension payable to a designated officer under the pensions Laws and Regulations applicable to him, including any sum paid to him by way of commutation of such pension, but excluding any compensation ;

“Secretary of State” means one of Her Majesty’s Principal Secretaries of State in the United Kingdom.

2. In the event of the Government of Northern Rhodesia on or after the appointed day paying the allowances, and providing for the passages referred to in clause 3 of this Agreement, the Government of the United Kingdom will, in accordance with such procedure as may mutually be agreed between the said two Governments, reimburse the Government of Northern Rhodesia the following sums :

- (a) the aggregate amount of the allowance, referred to in paragraphs (a) and (b) of Clause 3 of this Agreement, and paid to designated officers less such sum

as may be agreed by the said two Governments as being equivalent for the purposes of this Agreement to the proceeds of taxation payable by designated officers on the allowances referred to in paragraphs (a) and (b) of Clause 3 of this Agreement ;

- (b) one half of the aggregate amount paid by the Government of Northern Rhodesia in providing for designated officers the passages referred to in paragraph (c) of Clause 3 of this Agreement less such sums as may be agreed by the said two Governments as being equivalent for the purposes of this Agreement to the proceeds of taxation on the value of such passages payable by designated officers ;
- (c) one half of the aggregate amount paid by the Government of Northern Rhodesia as compensation to designated officers ;
- (d) that part of any gratuity paid by the Government of Northern Rhodesia to a designated officer which accrues to the officer by virtue of the addition to his emoluments, after the appointed day, of the inducement allowance referred to in paragraph (a) of Clause 3 of this Agreement ;
- (e) that part of any pension paid by the Government of Northern Rhodesia to a designated officer which accrues to that officer by virtue of the addition to his pensionable emoluments, after the appointed day, of the inducement allowance referred to in paragraph (a) of Clause 3 of this Agreement which shall bear the same proportion to the total pension payable to that officer by the Government of Northern Rhodesia as the total amount of inducement allowance as aforesaid paid to him by the Government of Northern Rhodesia bears to the aggregate pensionable emoluments earned by him, before or after the appointed day while in the public service of the Government of Northern Rhodesia.

3. The allowances and passages mentioned in Clause 2 of this Agreement are as follows :

- (a) an inducement allowance paid to a designated officer at such annual rate as may be specified from time to time by the Government of the United Kingdom ;
- (b) any education allowance to which a designated officer may be entitled at rates and under conditions specified from time to time by the Government of the United Kingdom ;
- (c) passages on such occasions as the Government of Northern Rhodesia may with the concurrence of the Government of the United Kingdom prescribe.

4. The Government of the United Kingdom will take such steps as may be necessary to exempt the allowance referred to in paragraph (b) of Clause 3 of the Agreement and the value of the passages referred to in paragraph (c) of that clause from the