No. 9128

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
and
INDONESIA

Agreement on certain commercial debts (with annexes). Signed at Djakarta, on 1 August 1967

Official text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 4 June 1968.

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

Accord relatif à certaines dettes commerciales (avec annexes). Signé à Djakarta, le 1er août 1967

Texte officiel anglais.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 4 juin 1968.

No. 9128. AGREEMENT[1] BETWEEN THE GOVERNMENT OF THE REPUBLIC OF INDONESIA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ON CERTAIN COMMERCIAL DEBTS. SIGNED AT DJAKARTA, ON 1 AUGUST 1967

The Governments of the Republic of Indonesia and of the United Kingdom of Great Britain and Northern Ireland;

Considering the statement made on behalf of the Indonesian Government at the multilateral conference at Tokyo on 19th and 20th September, 1966, wherein the Indonesian Government expressed their need to request creditors to agree to a deferment of debt repayments;

Considering that the terms on which such deferment should be effected were expressed in the agreed minute of a conference held in Paris on 19th and 20th December, 1966, in which the Governments of Indonesia, France, the Federal Republic of Germany, Italy, Japan, the Netherlands, the United Kingdom, and the United States of America took part, and at which the International Monetary Fund and the International Bank for Reconstruction and Development were represented;

Desiring to conclude an Agreement for the establishment of a transfer scheme for the repayment of debts owing by Indonesian debtors to United Kingdom creditors on such terms;

Have agreed as follows:

Article 1

Definitions

For the purpose of this Agreement:

(*a*) " Bank Negara Indonesia " shall mean the state-owned corporate body established by Presidential Decree No. 17 of 1965 appointed to exercise the functions of the central bank of Indonesia, or its successors in those functions;

(*b*) " Board of Trade " shall mean the Board of Trade of the United Kingdom;

(*c*) " business " shall include a trade or profession;

[1] Came into force on 1 August 1967 by signature, in accordance with article 11.

(*d*) " contract " shall mean any contract made between any debtor and creditor for the supply of goods or services or the provision of finance therefor from outside Indonesia under which credit was allowed for a period exceeding 180 days;

(*e*) " creditor " shall mean any person or body of persons resident or carrying on business in the United Kingdom who has supplied goods or rendered services to any debtor or who has financed provision of such goods or services;

(*f*) " currency of the debt " shall mean sterling or such other currency as is specified in the relevant contract;

(*g*) " debt " shall mean any debt as defined in Article 2 and shall include the amount of any interest accruing thereon up to the date for payment specified in the relevant contract or on a bill of exchange or promissory note drawn pursuant to the terms of such contract;

(*h*) " Debt Investment Conversion Scheme " shall mean the scheme described in Cabinet Praesidium Instruction No. 28/EK/IN/5 of 1967, as may be modified from time to time;

(*i*) " debtor " shall mean any person or body of persons resident or carrying on business in Indonesia owing a debt as defined in Article 2 and shall include any guarantor of payment of such debt.

Article 2

The Debts

The provisions of this Agreement shall apply to any debt—

(*a*) which arises under or in relation to a contract entered into before 1st July, 1966, and

(*b*) which is already overdue for payment or which falls due for payment on or before 31st December, 1967,

and shall include the obligations of a guarantor, of the acceptor and endorser of a bill of exchange, of the issuer and endorser of a promissory note and of the issuer of a letter of credit.

Article 3

The Transfer Scheme

(1) Subject to the provisions of Article 4, the Indonesian Government undertakes that the full amount of all debts shall be transferred to the creditors in the currency of the debt in accordance with the transfer scheme set out in Annex 1 to this Agreement.