

CEYLON



Treaty Series No. 118 (1969)

# Exchange of Notes

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

concerning the Payment outside Ceylon of  
Pensions and Allowances covered by the  
Public Officers Agreement, 1947

Colombo, 20 June 1969

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
November 1969*

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**EXCHANGE OF NOTES**  
**BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF**  
**GREAT BRITAIN AND NORTHERN IRELAND AND THE**  
**GOVERNMENT OF CEYLON CONCERNING THE PAYMENT**  
**OUTSIDE CEYLON OF PENSIONS AND ALLOWANCES**  
**COVERED BY THE PUBLIC OFFICERS AGREEMENT, 1947**

No. 1

*The British High Commissioner at Colombo to the Permanent Secretary of  
the Ministry of Finance of Ceylon*

*British High Commission,  
Colombo.*

*20 June, 1969.*

Sir,

I have the honour to refer to representations which Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland have made to the Government of Ceylon concerning the payment outside Ceylon of pensions and allowances covered by the Public Officers Agreement made between His Majesty's said Government and the Government of Ceylon on the 11th November, 1947 (hereinafter referred to as "the Agreement").<sup>(1)</sup>

2. The decision of the Government of Ceylon in November 1967 to devalue the Ceylon rupee to a greater extent than sterling was devalued at that time has, when the pension is payable in sterling outside Ceylon, led to a reduction in the amount of pensions.

3. It has been the practice of the Government of the United Kingdom, when negotiating Public Officers Agreements later than that concluded with Ceylon, to secure the insertion of provisions to the effect that, at the option of the officers concerned, pensions shall be payable outside the territory concerned in the currency of the country in which payment is to be made, and the amount of the pensions shall be calculated so that officers do not receive less by reason of the devaluation of the currency of the country concerned than they would have been eligible to receive had that currency remained at the same parity with sterling as at the time of attainment of Independence; and later Agreements contain such provisions.

4. It is the understanding of the Government of the United Kingdom that the Government of Ceylon now agree to amend the Agreement to include similar provisions to those mentioned in paragraph 3 above as follows:

- (a) A pension shall, at the option of the person to whom it is payable, be paid either in Ceylon or in the country in which he is residing or any other country in which he has an entitlement to a free passage for the purpose of leave of absence upon the completion of a tour of duty as may from time to time be requested by him in writing.

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<sup>(1)</sup> See Cmd. 7257.

(b) An option exercised under sub-paragraph (a) above:

- (i) may be revoked at any time and a fresh option be exercised;
  - (ii) shall be exercised or revoked by notice in writing;
  - (iii) shall take effect on the first day of the next succeeding month, or at the person's election on the first day of any subsequent month after the date on which the notice is received by the Director of Pensions to the Ceylon Government.
- (c) Pensions payable outside Ceylon shall be paid in the currency of the country in which payment is to be made, and the amount of the payment shall be such as would produce, at the official rate of exchange prevailing at the date of the payment, the amount in sterling of the pension calculated as at the official rate of exchange prevailing on the appointed day.
- (d) Where the person to whom the pension is payable is a minor, his or her lawful guardian may exercise the option conferred by this paragraph.

It is also the understanding of the Government of the United Kingdom that the Government of Ceylon agree to give effect retrospectively with effect from 22nd November, 1967, to the above provisions so that all pensioners covered by the Agreement will have their pensions, as from the date of the devaluation of the Ceylon rupee on 22nd November, 1967, made up to the amounts which they would have received prior to such devaluation.

5. If the foregoing understandings of the Government of the United Kingdom correctly represent the points now agreed by the Government of Ceylon, I have the honour to propose that the Government of Ceylon should reply to this letter in that sense, and that this letter and such reply should be regarded as constituting an Agreement between the Government of the United Kingdom and the Government of Ceylon amending the Agreement, which shall enter into force on the date of this letter and the reply thereto.

I have the honour to be,

Sir,

Your obedient Servant,

ANGUS MacKINTOSH

No. 2

*The Permanent Secretary of the Ministry of Finance of Ceylon to the  
British High Commissioner at Colombo*

*Ministry of Finance,  
Colombo.*

Your Excellency,

20 June, 1969.

I have the honour to acknowledge receipt of your letter No. 18/15 of this day's date which reads as follows:

[As in No. 1]

2. In reply I have the honour to inform Your Excellency that the understandings of the Government of the United Kingdom of Great Britain and Northern Ireland, as set out in your letter, correctly represent the points now agreed by the Government of Ceylon, who therefore agree with your proposal that your letter and this reply should be regarded as constituting an Agreement between our two Governments amending the Public Officers' Agreement made between those Governments on the 11th November, 1947, in the manner described in paragraph 4 of your letter, which shall enter into force on the date of this letter.

3. I also have the honour to confirm that the Government of Ceylon agree to give effect retrospectively with effect from 22nd November, 1967, to those amendments to the Agreement so that all pensioners covered by the Agreement will have their pensions, as from the date of devaluation of the Ceylon rupee on 22nd November, 1967, made up to the amounts which they would have received prior to such devaluation.

I have the honour to be,

Your Excellency,

Your obedient servant,

M. RAJENDRA