

CHAPTER 24

OVERSEAS SERVICE AGREEMENT

ARRANGEMENT OF SECTIONS

SECTION

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2. Interpretation.
3. Charge on Consolidated Fund.
4. Exemption of certain allowances from Income Tax Act.
5. Regulations.

SCHEDULE

CHAPTER 24

OVERSEAS SERVICE AGREEMENT

An Act to repeal the Overseas Service Agreement Act and provide for the implementation by the Government of the Overseas Service (Barbados) Agreement, 1977 and for related matters 1977-81.

[1st April, 1977] Commencement.

1. This Act may be cited as the Overseas Service Agreement Act. Short title.

2. For the purposes of this Act— Interpretation.

“ Agreement ” means the Agreement, entered into between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Barbados entitled the Overseas Service (Barbados) Agreement, 1977-81, set out in the Schedule; Schedule.

“ designated officer ” has the meaning assigned to it in the agreement.

3. All sums required to be paid by the Government of Barbados for the purpose of meeting its obligations under the Agreement are hereby charged on and shall be payable out of the Consolidated Fund. Charge on Consolidated Fund.

4. Notwithstanding the provisions of the Income Tax Act, there shall be exempt from payment of income tax and salary supplement, allowances, grant, gratuity and medical expenses paid directly by the Government of the United Kingdom to a designated officer in accordance with the Agreement. Exemption of certain allowances from income tax. Cap. 73.

5. The Cabinet may make regulations generally for giving effect to the Agreement and for— Regulations.

- (a) the granting of leave;
 - (b) the granting of education allowances; and
 - (c) the granting of passages,
- to designated officers.

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SCHEDULE

AGREEMENT BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN
IRELAND AND THE GOVERNMENT OF BARBADOS
ENTITLED THE OVERSEAS SERVICE (BARBADOS)
AGREEMENT, 1977-81

1. The Government of the United Kingdom shall make the reimbursements and payments, as specified in this Agreement, to or in respect of officers in the public service of the Government of Barbados who are designated by the Government of the United Kingdom in accordance with this Agreement (such officers hereinafter being referred to as "designated officers").

2. The Government of the United Kingdom and the Government of Barbados shall hold periodic reviews of the requirements of the Government of Barbados as regards the employment of designated officers in their public service, so that the Government of the United Kingdom may, in consultation with the Government of Barbados determine the classes or categories of officers, members of which the Government of the United Kingdom is prepared to designate, the number of officers in each such class or category which may be designated and the maximum sum that will be available during any specified period to meet the obligations of the Government of the United Kingdom under this Agreement. During such reviews the Government of Barbados shall provide the Government of the United Kingdom with such information as that Government may require in order to calculate the amounts payable by that Government and the number of officers to be designated.

3. 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 shall take into account the consequences that would follow if designation were to be terminated.

4. The Government of the United Kingdom shall reimburse the Government of Barbados the amount paid by the Government of Barbados in providing for designated officers and their dependent families passages on such occasions (not being occasions referred to in paragraph 6 of this Agreement) as the Government of Barbados may, with the concurrence of the Government of the United Kingdom prescribe. Passages for designated officers and dependent families should be, where available, by United Kingdom carrier and where practicable by excursion on charter flight.

5. The Government of the United Kingdom shall, on behalf of the Government of Barbados, pay direct to each designated officer—

- (a) a salary supplement at such rate as may be specified from time to time by the Government of the United Kingdom;

- (b) any education allowance for which the 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 for which the 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 the officer which accrues to him by virtue of the addition to his emoluments of the salary supplement referred to in this paragraph;
- (e) medical expenses necessarily incurred on treatment not available under the local health service at such rates as may be specified from time to time by the Government of the United Kingdom.

6. The Government of the United Kingdom shall meet the cost of holiday passages for the children of a designated officer, that is to say, passages to enable children to visit their parents in Barbados, on such terms and conditions as may be specified from time to time by the Government of the United Kingdom.

7. The salary supplement, allowance, grant, gratuity and medical expenses payable direct to a designated officer by the Government of the United Kingdom in accordance with the provisions of this Agreement shall be paid into an account at a bank nominated by the officer situated in the United Kingdom or the Republic of Ireland or such other country as may be agreed by the Government of the United Kingdom.

8. The salary supplement, allowance, grant, gratuity and medical expenses paid direct by the Government of the United Kingdom to a designated officer shall be exempt from the payment of income tax under any law in force in Barbados.

9. Whenever the Government of Barbados desires to renew the contract of a designated officer or to recruit an officer who may be eligible for designation, the Government of Barbados shall consult the Government of the United Kingdom and that Government shall inform the Government of Barbados whether or not the officer's designation may be continued, or the officer redesignated or designated, as the case may be, in accordance with this Agreement.

10. In the event of a designated officer being seconded from the employment of the Government of Barbados without the concurrence of the Government of the United Kingdom, the Government of Barbados shall, if requested to do so by the Government of the United Kingdom, pay to that Government a sum equal to the total cost of the reimbursements and payments made by that Government in respect of that officer whilst so seconded.

11. The Government of Barbados shall provide each designated officer, within a reasonable time of his taking up employment with that Government, with accommodation and basic furnishings at a rent reasonable in relation to his basic salary.

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12. The Government of Barbados shall 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.

13. The Government of Barbados shall, whenever requested to do so by the Government of the United Kingdom, supply to that Government such accounts and other information in connection with the operation of this Agreement as may be specified in such request.

14. This Agreement shall enter into force on 1st April, 1977 and on 31st March, 1977 the Overseas Service (Barbados) (Continuance) Agreement 1971-76 shall terminate.

15. This Agreement shall provide the basis on which, until 31st March, 1981, the Government of the United Kingdom may make decisions as to whether or not to renew or extend the period of designation of a previously designated officer or to designate a newly appointed officer. The Agreement shall also constitute the basis for the Government of the United Kingdom to make payments and reimbursements as here defined, corresponding to such decisions, in respect of periods up to 31st March, 1981. Save in respect of exceptional cases which may have been agreed between our two Governments before that date to extend for a maximum of three years beyond that date.

16. This Agreement shall therefore terminate, unless some other date is agreed between the Governments of the United Kingdom and of Barbados, on 31st March, 1981.