

Effected by Exchange of Letters
Letters exchanged at Tokyo May 20, 1970
Entered into force, May 20, 1970

AMENDMENT OF ITEM 4 AND ITEM 5 (1) OF THE AGREEMENT
CONCERNING DETAILS FOR THE IMPLEMENTATION OF
THE FIRST PROTOCOL OF THE AGREEMENT
ON THE SETTLEMENT OF PROBLEM CONCERNING PROPERTY AND
CLAIMS AND ON THE ECONOMIC COOPERATION
BETWEEN THE REPUBLIC OF KOREA AND JAPAN

The Chief of Korean Mission to Japan to the Director of Economic
Cooperation Bureau of Japanese Foreign Ministry

Tokyo, May 15, 1970

Dear Mr. Sawaki,

I have the honour to refer to the Exchange of Letters of April 19, 1966,) Treaty Series (Bilateral) Vol. 2 p 358, as amended by the Exchange of Letters of May 15, 1968) The Letter attached hereto., concerning further details for the implementation of the First Protocol of the Agreement on the Settlement of Problem Concerning Property and Claims and on the Economic Cooperation between the Republic of Korea and Japan signed at Tokyo on June 22, 1965, and to propose, on behalf of the Government of the Republic of Korea, that paragraph 5 (1) and form of Authorization to Pay: Appendix F-2A/KJ and F-2B/KJ of the agreement embodied in the said Exchange of Letters be amended as follows:

1. Paragraph 5 (1) be amended as follows:

“A Payment Request by the Mission or the agency or by the designated banks on behalf of the Government of the Republic of Korea (Form of Payment Request: Appendix F-3A/KJ and F-3B/KJ) shall be forwarded, together with a signed copy, to the Bureau ten days before the expected date of payment by the Mission or the agency to the contractors concerned.”

2. Form of Authorization to Pay: Appendix F-2A/KJ and F-2B/KJ be amended as per the attachment.

I have further the honour to propose that the present note and your reply confirming the acceptance by your Government of the above proposal shall be regarded as constituting an agreement between the two Governments to amend paragraph 5 (1) and form of Authorization to Pay: Appendix F-2A/KJ and F-2B/KJ of the agreement embodied in the said Exchange of Letters.

Yours sincerely,

Jun-Sok Han

Chief,
Korean Mission to Japan
Mr. Masao Sawaki
Director
Economic Cooperation Bureau
Ministry of Foreign Affairs of Japan
Attachment: Form of Authorization of Pay
(Appendix F-2A/KJ and F-2B/KJ)

(Appendix F-2A/KJ)

AUTHORIZATION TO PAY

(Name of designated bank)

Date:

Ref. No.

Gentlemen:

In connection with Contract No.____ between____ (name and address of the importer) and ____ (name and address of the contractor) hereinafter referred to as the contractor, verified by the Government of Japan under the Notice of Verification No..... dated..... for the supply of products and/or services with the following particulars:

You are irrevocably authorized to pay to the contractor in accordance with the payment schedule attached hereto, by debiting the Special Account of the Government of the Republic of Korea with your Bank, a sum or sums not exceeding an aggregate amount of..... (say Japanese Yen.....) against the contractor's signed receipt in triplicate addressed to the Mission of the Government of the Republic of Korea, accompanied by the documents as required in the payment schedule attached hereto.

Other terms:

You are requested to advise the terms of this Authorization to the contractor who shall be required to notify you in writing at least 14 days in advance of the date(s) on which the payment(s) under the above mentioned contract is/are expected to become due.

You are further authorized, upon receipt from the contractor of Notice(s) of Expected Date of Payment, to execute and forward Payment Request(s) on our behalf to the Government of Japan and to receive the payment(s) on our behalf from the Government of Japan.

The receipts and documents as called for must be presented for payment to..... (name of designated bank) not later than the latest presentation date given in the payment schedule.

This Authorization to pay has been issued pursuant to the Agreement concerning Banking Arrangement concluded on..... between..... (the Mission or the agency authorized by the Government of the Republic of Korea) and your bank. Unless otherwise expressly stated, this Authorization to Pay is subject to the "Uniform Customs and Practice for Documentary Credits (1962 Revision), International Chamber of Commerce Brochure No. 222."

Very truly yours,
The Mission or the agency
authorized by the Government
of the Republic of Korea
Authorized Signature
Attachment: Payment schedule

PAYMENT SCHEDULE

This payment Schedule constitutes an integral part of our Authorization of Pay No
......

- (1) Initial payment
Amount: ¥..... (Say Yen.....) being.....% of the total contract price
Required documents
Latest presentation Date:
- (2) Progress Payments:
Aggregate Amount ¥..... (Say Yen.....) being.....% of the total contract price to
be paid as follows:
 - (a) First Progress Payment
Amount.....being particularly payable
Required documents: Latest presentation Date:
 - (b) Second Progress Payment
Amount.....being particularly payable
Required Documents: Latest Presentation Date:
- (3) Payment against Shipments
Aggregate Amount ¥..... (Say Yen.....) being of the total contract price and
particularly payable
Required Documents:
Latest Shipping Date:
Latest Presentation Date:
The Mission or the agency
authorized by the Government
of the Republic of Korea
Authorized Signature

(Appendix F-2B/KJ)

AUTHORIZATION TO PAY

(Name of designated bank)

Date:

Ref. No.

Gentlemen:

In connection with Contract No. between (name and address of the import) and (name and address of the contractor) hereinafter referred to as the contractor verified by the Government of Japan under the Notice of Verification No. dated for the supply of products and/or services with the following particulars:

You are hereby irrevocably authorized to pay to the contractor, by debiting the special account of the Government of the Republic of Korea with your bank, a sum or sums not exceeding an aggregate amount of Yen (Say Japanese Yen) against the contractor's signed receipt in triplicate addressed to the agency authorized by the Government of the Republic of Korea, accompanied by the following documents:
(particulars of required documents)

Other terms:

You are requested to advise the terms of this Authorization to the contractor, who shall be required to notify you in writing at least 14 days in advance of the date(s) on which the payment(s) under the above-mentioned contract is/are expected to become due.

You are further authorized, upon receipt from the contractor of Notice(s) of Expected Date of Payment, to execute and forward the Payment Request(s) on our behalf to the Government of Japan and to receive the payment(s) on our behalf from the Government of Japan.

The receipts and documents as called for must be presented for payment to your bank (name of designated bank) not later than

This Authorization to Pay has been issued pursuant to the Agreement concerning Banking Arrangement concluded on between (The Mission or the agency authorized by the Republic of Korea) and your bank.

Unless otherwise expressly stated, this Authorization to Pay is subject to the "Uniform Customs and Practice for Documentary Credits (1962 Revision), International Chamber of Commerce Brochure No. 222.

Very truly yours,

Mission or the agency
Republic of Korea
authorized by the Government of the
Authorized Signature

**The Director of Economic Cooperation Bureau of the Japanese
Foreign Ministry to the Chief of the Korean Mission to Japan**

Tokyo, May 20, 1970

Dear Mr. Han,

I have the honour to acknowledge the receipt of your Note, dated May 15, 1970 which reads as follows:

"I have the honour to refer to the Exchange of Letters of April 19, 1966, as amended by the Exchange of Letters of May 15, 1968, concerning further details for the implementation of the First Protocol of the Agreement on the Settlement of Problem Concerning Property and Claims and an the Economic Cooperation between the Republic of Korea and Japan signed at Tokyo on June 22, 1965, and to propose, on behalf of the Government of the Republic of Korea, that paragraph 5 (1) and form of Authorization to Pay: Appendix F-2A/KJ and F-2B/KJ of the agreement embodied in the said Exchange of Letters be amended as follows:

1. Paragraph 5 (1) be amended as follows:

"A Payment Request by the Mission or the agency or by the designated banks on behalf of the Government of the Republic of Korea (Form of payment Request: Appendix F-3A/KJ and F-3B/KJ) shall be forwarded, together with a signed copy, to the Bureau ten days before the expected date of payment by the Mission or the contractors concerned."

2. Form of Authorization to Pay: Appendix F-2A/KJ and F-2B/KJ be amended as per the attachment.

I have further the honour to propose that the present note and your reply confirming the acceptance by your Government of the above proposal shall be regarded as constituting an agreement between the two Governments to amend paragraph 5 (1) and form of Authorization to Pay: Appendix F-2A/ KJ and F-2B/KJ of the agreement embodied in the said Exchange of Letters."

I have further the honour to agree, on behalf of the Government of Japan, to the proposal embodied in your Note and to confirm that your note and the present reply shall be regarded as constituting an agreement between the two Governments to amend paragraph 5 (1) and form of Authorization to Pay: Appendix F-2A/KJ and F-2B/KJ of the agreement embodied in the Exchange of Letters referred to in your Note.

Yours sincerely,

Masao Sawaki,
Director
Economic Cooperation Bureau
Ministry of Foreign Affairs
of Japan
Mr. Jun-Sok Han
Chief
Korean Mission to Japan

**The Chief of the Korean Mission to Japan in the Director of Economic
Cooperation Bureau of Japanese Foreign Ministry**

KMJ—731
November 10, 1967

Dear Mr. Hirota:

I have the honour to refer to the Exchange of Letters of April 19, 1966, concerning further details for the implementation of the First Protocol of the Agreement on the Settlement of Problem Concerning Property and Claims and on the Economic Cooperation between the Republic of Korea and Japan signed at Tokyo on June 22, 1965, and to propose that paragraph 9 of the agreement embodied in the said Exchange of Letters be amended as follows:

- “(1) The two Governments shall confirm at the beginning of each Schedule Year the limit of the available amount, as of the first day of the Schedule Year concerned, within which the Government of Japan can disburse by the end of the same Schedule Year for the execution of the provisions of Article 1, Paragraph 1 (a) of the Agreement. At the same time, the two Governments shall also confirm an unpaid balance, as of the first day of the Schedule Year concerned, of the budgetary amount appropriated for the Japanese Fiscal Year which comprises the date of such confirmation, for the execution of the provisions of Article 1, Paragraph 1 (a) of the Agreement.
- (2) The two Governments shall confirm as early as possible, after the approval by the Japanese Diet of the national budget, the budgetary amount appropriated for the relative Japanese Fiscal Year for the execution of the provisions of Article 1, paragraph 1 (a) of the Agreement.”

I have further the honour to propose that this proposal and your favorable reply be regarded as constituting an agreement between the two Governments on this matter.

Sincerely yours,
/Sgd./
Choong-Sik Min
Chief
Korean Mission to Japan

Mr. Shigeru Hirota
Director
Economic Cooperation Bureau
Ministry of Foreign Affairs

**The Director of the Economic Cooperation Bureau of the Japanese Foreign
Ministry to the Chief of the Korean Mission to Japan**

No. 117/RCK

Tokyo, May 15, 1968

Dear Mr. Min,

I have the honour to acknowledge the receipt of your letter to Mr. Hirota No, KMJ-371 dated November 10, 1967, and to propose, with reference to the Exchange of Letters of April 19, 1966, concerning further details for the implementation of the First Protocol of the Agreement on the Settlement of Problem Concerning Property Claims and on the Economic Cooperation between Japan and the Republic of Korea signed at Tokyo on June 22, 1965, that paragraph 9 of the agreement embodied in the said Exchange of Letters he amended as follows:

- “(1) The two Governments shall confirm at the beginning of each Schedule Year the limit of the available amount, as of the first day of the Schedule Year concerned, which the Government of Japan can disburse by the end of the same Schedule Year for the execution of the provisions of Article 1, paragraph 1 (a) of the Agreement. At the same time, the two Governments shall also confirm an unpaid balance as of the first day of the Schedule Year concerned, of the budgetary amount appropriated for the Japanese Fiscal Year which comprises the date of such confirmation, for the execution of the provisions of Article 1, paragraph 1 (a) of the Agreement.
- (2) The Government of Japan shall notify the Government of the Republic of Korea as early as possible, after the approval by the Japanese Diet of the national budget, of the budgetary amount appropriated for the relative Japanese Fiscal Year for the execution of the provisions of Article 1, paragraph 1 (a) of the Agreement.”

I have further the honour to propose that this proposal and your favorable reply be regarded as constituting an agreement between the two Governments on this matter.

Sincerely yours,

/Sgd./

Tsuneaki Ueda

Director

Economic Cooperation Bureau

Ministry of Foreign Affairs

Mr. Choong-Sik Min

Chief

Korean Mission to Japan

Tokyo

**The Chief of the Korean Mission to Japan to the Director of the Economic
Cooperation Bureau of the Japanese Foreign Ministry**

May 15, 1968

Dear Mr. Ueda

I have the honour to acknowledge the receipt of your letter dated May 15, 1968, which reads as follows:

"I have the honour to acknowledge the receipt of your letter to Mr. Hirota No. KMJ-371 dated November 10, 1967, and to propose, with reference to the Exchange of Letters of April 19, 1966, concerning further details for the implementation of the First Protocol of the Agreement on the Settlement of Problem Concerning Property and Claims and on the Economic Cooperation between the Republic of Korea and Japan signed at Tokyo on June 22, 1965, that paragraph 9 of the agreement embodied in the said Exchange of Letters be amended as follows:

- (1) The two Governments shall confirm at the beginning of each Schedule Year the limit of the available amount, as of the first day of the Schedule Year concerned, within which the Government of Japan can disburse by the end of the same Schedule Year for the execution of the provisions of Article 1, Paragraph 1 (a) of the Agreement. At the same time, the two Governments shall also confirm an unpaid balance, as of the first day of the Schedule Year concerned, of the budgetary amount appropriated for the Japanese Fiscal Year which comprises the date of such confirmation, for the execution of the provisions of Article 1, paragraph 1 (a) of the Agreement.
- (2) The Government of Japan shall notify the Government of the Republic of Korea as early as possible, after the approval by the Japanese Diet of the national budget, of the budgetary amount appropriated for the relative Japanese Fiscal Year for the execution of the provisions of Article 1 paragraph 1 (a) of the Agreement.

I have further the honour to propose that this proposal and your favorable reply be regarded as constituting an agreement between the two Governments on this matter."

I have further the honour to agree to the above proposal and to confirm that your Note and the present reply shall be regarded as constituting an agreement between the two Governments to amend paragraph 9 of the agreement embodied in the Exchange of Letters referred to in your Note.

Sincerely yours,

/Sgd./

Choong-Sik Min

Chief

Korean Mission to Japan

Mr. Tsuneaki Ueda

Director

Economic Cooperation Bureau

Ministry of Foreign Affairs