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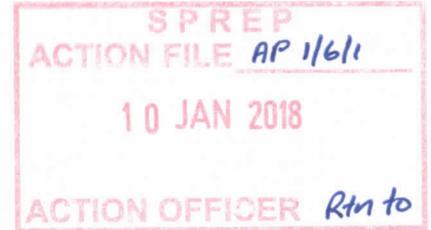
## AMENDMENT TO LETTER OF AGREEMENT

Between

the Food and Agriculture Organization of the United Nations ("FAO") and the  
Secretariat of the Pacific Regional Environment Programme (SPREP)  
Apia, Samoa

For provision of

"Coordination of implementation of Component 6 of GCP/RAS/263/GFF on pesticide container management,  
stockpile disposal and contaminated site management"



Registry 10/01/2018  
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### 1. Introduction

The Food and Agriculture Organization of the United Nations (hereinafter referred to as "FAO") and Secretariat of the Pacific Regional Environment Programme (SPREP) (hereinafter referred to as the "Service Provider") (together hereinafter referred to as the "Parties") signed the Letter of Agreement attached in Annex C which came into effect on **30 April 2015** and was due to expire on **30 November 2016**. Due to circumstances beyond the control of both Parties, a no-cost 5 months extension to the Letter of Agreement was agreed and entered into force on 1 December 2016, which approved a new termination date of **30 April 2017**.

The Parties hereby agree to further amend the Letter of Agreement under the terms and conditions described below.

### 2. Purpose

Notwithstanding the stated expiry of the Letter of Agreement on 30.04.2017, both Parties hereby confirm that the activities described in the Letter of Agreement have, in fact, continued to this day. As a consequence, the Parties further confirm that the Letter of Agreement has remained de facto in effect and that all terms and conditions have remained valid.

While good progress has been made in the delivery of two out of three outputs under the Work Plan, due to unforeseen circumstances by both Parties, the delivery of the third output on review of policy and legislative frameworks for the management of used pesticide containers is now not possible to be delivered by 30 April 2017 as expected. The delay was partly due to the Project Coordinator for the overall GEFPAS project "Pacific POPs release reduction through Improved Management of Solid and Hazardous wastes" resigning at the end of December 2016. Her resignation left a gap in project management, which impacted on meeting the administrative requirements for processing the transfer of funding for a consultant to carry out the review of policy and legislative frameworks.

In discussion with the Service Provider, it was agreed that a no-cost extension for a further 3 months is required to complete the recruitment of a consultant and for the consultant to complete a review document on policies and regulatory frameworks. The parties hereby agree that:

- a) the Letter of Agreement be extended by a further 3 months and that the new expiry date is 31 July 2017; and
- b) the total value of the Letter of Agreement will remain unchanged and the remaining funds will be disbursed according to the budget and revised work plan (see Annex A).
- c) All other terms and conditions of the Letter of Agreement remain unchanged and shall continue to apply.

### 3. Terms of Payment

The following payments have been made by FAO on the dates specified below:

- (i) 1<sup>st</sup> Payment of \$71,700 USD on 31 May 2015
- (ii) 2<sup>nd</sup> Payment of \$89,750 USD on 3 March 2017

The following payments will be made after certification by the Responsible Officer of the request(s) for payment as follows:

- (i) up to \$29,750 USD subject to review in progress in implementation, upon receipt of fourth quarterly progress and financial reports, and acceptance by FAO of the container recycling Cost Benefit Analysis reports;
- (ii) \$47,800 USD, or the balance of the total, upon acceptance by FAO of the legislative framework review report and the Final Report as mentioned under paragraph 4 a) of the Letter of Agreement in Annex B.

The amounts set forth above will be paid in the currency stated above, in accordance with the detailed banking instructions provided by the Service Provider in the Letter of Agreement in Annex B.

4. Entry into force and period of validity. The Parties also agree that this Amendment will enter into force on the latest of the dates of signatures by the Parties and that the Letter of Agreement will expire on 31 July 2017
5. All other terms and conditions of the original Letter of Agreement remain unchanged and shall continue to apply.

Signed on behalf of the Food and Agriculture Organization of the United Nations:

Signature:  Date: 2 May 2017  
*Eriko Hibi*  
*Sub-regional Coordinator*  
*FAO Subregional Office for the Pacific islands (FAOSAP)*

Signed on behalf of the [full name of the Service Provider]:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
*Kosimiti Latu*  
*Director General*

*Secretariat of the Pacific Regional Environment Programme (SPREP)*

The Service Provider will sign two copies of this Agreement and return one to the FAO *Responsible Officer*.

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