

No. 23510

FEDERAL REPUBLIC OF GERMANY
and
PAPUA NEW GUINEA

**Agreement concerning financial co-operation. Signed at
Port Moresby on 2 December 1981**

Authentic texts: German and English.

Registered by the Federal Republic of Germany on 17 September 1985.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
PAPOUASIE-NOUVELLE-GUINÉE

**Accord de coopération financière. Signé à Port Moresby
le 2 décembre 1981**

Textes authentiques : allemand et anglais.

Enregistré par la République fédérale d'Allemagne le 17 septembre 1985.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF PAPUA NEW GUINEA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPERATION

The Government of Papua New Guinea and the Government of the Federal Republic of Germany,

In the spirit of the friendly relations existing between Papua New Guinea and the Federal Republic of Germany,

Desiring to strengthen and intensify those friendly relations through financial co-operation in a spirit of partnership,

Aware that the maintenance of those relations constitutes the basis of this Agreement,

Intending to contribute to social and economic development in Papua New Guinea,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of Papua New Guinea to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a loan of up to DM 10,000,000 (ten million Deutsche Mark) for the project "Water supply/waste water disposal in various towns", if, after examination, the project has been found eligible for promotion.

(2) The project referred to in paragraph 1 above may be replaced by other projects if the Government of Papua New Guinea and the Government of the Federal Republic of Germany so agree.

Article 2. The utilization of the loan as well as the terms and conditions on which it is granted shall be governed by the provisions of the agreements to be concluded between the Government of Papua New Guinea and the Kreditanstalt für Wiederaufbau, which shall be subject of the laws and regulations applicable in the Federal Republic of Germany.

Article 3. The Government of Papua New Guinea shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in Papua New Guinea in connection with the conclusion and implementation of the agreements mentioned in Article 2 of the present Agreement.

Article 4. The Government of Papua New Guinea shall allow passengers and suppliers free choice of transport enterprises for such transportation by sea or air of persons and goods as results from the granting of the loan, abstain from taking any measures that might exclude or impair the participation on equal terms of transport enterprises having their place of business in the German area of application of this Agreement, and grant any necessary permits for the participation of such enterprises.

¹ Came into force provisionally on 2 December 1981 by signature, and definitively on 17 December 1981, the date on which the Government of the Federal Republic of Germany was notified of the completion of Papua New Guinea's national requirements, in accordance with article 8.

Article 5. Supplies and services for projects financed from the loan shall, unless otherwise provided for in individual cases, be subject to international public tender.

Article 6. With regard to supplies and services resulting from the granting of the loan, the Government of the Federal Republic of Germany attaches particular importance to preferential use being made of the economic potential of Land Berlin.

Article 7. With the exception of those provisions of Article 4 which refer to air transport, this Agreement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of Papua New Guinea within three months of the date of entry into force of this Agreement.

Article 8. This Agreement shall enter into force provisionally on the date of signature thereof; it shall enter into force definitely on the date on which the Government of the Federal Republic of Germany is notified that the national requirements for such entry into force in Papua New Guinea have been fulfilled.

DONE at Port Moresby on 2nd December 1981 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of Papua New Guinea:

[*Signed — Signé*]¹

For the Government
of the Federal Republic of Germany:

[*Signed — Signé*]²

¹ Signed by Noel Levi — Signé par Noel Levi.

² Signed by Bernd Oetter — Signé par Bernd Oetter.