

No. 7338

**THAILAND
and
FEDERAL REPUBLIC OF GERMANY**

Agreement regarding technical co-operation (with exchange of notes). Signed at Bangkok, on 2 April 1964

Official texts of the Agreement: German, Thai and English.

Official text of the notes: English.

Registered by Thailand on 16 July 1964.

**THAÏLANDE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

Accord relatif à la coopération technique (avec échange de notes). Signé à Bangkok, le 2 avril 1964

Textes officiels de l'Accord: allemand, thaï et anglais.

Texte officiel des notes: anglais.

Enregistré par la Thaïlande le 16 juillet 1964.

No. 7338. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF THAILAND AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY REGARDING TECHNICAL CO-OPERATION. SIGNED AT BANGKOK, ON 2 APRIL 1964

The Government of the Kingdom of Thailand and the Government of the Federal Republic of Germany,

Having in mind the friendly relations existing between the two States and their peoples,

Firmly desiring to intensify those relations,

Considering their common interest in cultivating and encouraging the technical and economic development of their States, and

Recognising the benefits to be derived by both States from closer technical cooperation,

Have agreed as follows :

Article 1

(1) The Contracting Parties shall endeavour to cooperate and support each other, within the limits of their possibilities, in technical problems in the fields mentioned in Article 2 below. Such cooperation shall take place on a basis of equal partnership.

(2) It is intended on the basis and within the framework of this Agreement to conclude arrangements regarding individual projects.

Article 2

The arrangements referred to in paragraph (2) of Article 1 above may provide that the Government of the Federal Republic of Germany shall assist the Government of the Kingdom of Thailand :

- (1) in the establishment of technical training centres and model institutions by dispatching German teachers and technicians and by providing technical equipment;
- (2) by dispatching German experts, consultants for specific projects, and Government advisers.

¹ Came into force on 2 April 1964, upon signature, in accordance with article 10.

Article 3

On the basis of arrangements concluded under paragraph (2) of Article 1 above, the Government of the Federal Republic of Germany shall, moreover, endeavour to assist the Government of the Kingdom of Thailand :

- (1) by affording Thai trainees opportunities to receive training at technical training institutions or industrial establishments in the Federal Republic of Germany;
- (2) by promoting the advanced technical education of Thai specialists in the Federal Republic of Germany.

Article 4

The Government of the Kingdom of Thailand shall :

- (1) at its expense provide, as necessary, land and buildings including appurtenances for the individual projects in Thailand;
- (2) bear the necessary local costs of operation and maintenance for the individual projects;
- (3) provide at its expense local technical and auxiliary staffs required for the individual projects as well as necessary interpreters;
- (4) provide housing facilities for the dispatched German experts, teachers and technicians in accordance with the rules and regulations as laid down by the Ministry of National Development of the Kingdom of Thailand, and not less favourable than those provided by the Government of the Kingdom of Thailand for the experts performing their functions in Thailand under the Colombo Plan.
- (5) bear the cost of, and pay daily allowances during, duty trips undertaken by the German experts, teachers and technicians;
- (6) make provision for its part to ensure that, after an appropriate period of time, the German teachers and technicians can be replaced by suitable Thai nationals.

Further details may be settled by the arrangements mentioned in paragraph (2) of Article 1 above.

Article 5

The Government of the Kingdom of Thailand shall, within the framework of projects of technical cooperation, in particular of the individual projects in respect of which arrangements shall have been concluded under paragraph (2) of Article 1 above :

- (1) exempt the German experts, teachers and technicians as well as their spouses and children and two other members of their household from immigration restrictions and alien registration;
- (2) exempt the German experts, teachers and technicians from income tax and any other direct public charges in respect of any income derived from either within or outside the Kingdom of Thailand in the execution of the individual projects;
- (3) exempt from, or bear the cost of, all import and export duties and other public charges, including harbour dues, the articles provided by the Government of the Federal Republic of Germany for individual projects;
- (4) exempt the dispatched German experts, teachers, technicians as well as their spouses and children and two other members of their household from import and export duties in respect of personal and household effects imported by them within six months (the exemption includes one motor car or motor cycle per expert, teacher or technician imported within eighteen months) of their first arrival to take up their posts in connection with the execution of the projects. Such goods shall be subject to payment of local customs duties and taxes if they are subsequently sold or transferred within Thailand to individuals or organizations not entitled to exemption from such duties and taxes. Arrangement will be made to define items of household effects;
- (5) grant the dispatched German experts, teachers and technicians certain facilities regarding the import of medicaments, foodstuffs, beverages and other consumable goods within the limits of personal requirements as specified in a separate arrangement;
- (6) provide the dispatched German experts, teachers and technicians with documents identifying them and requesting the appropriate Thai authorities to accord them necessary facilities in the performance of the tasks assigned to them.

Article 6

The provisions of this Agreement shall also apply to German experts, teachers and technicians who, on the entry into force of this Agreement, are already active in the Kingdom of Thailand within the framework of technical assistance made available by the Government of the Federal Republic of Germany.

Article 7

The Contracting Parties shall, subject to a special arrangement, inform each other about training and working plans of interest for the implementation of technical cooperation.

Article 8

This Agreement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the Kingdom of Thailand within three months from the entry into force of this Agreement.

Article 9

(1) This Agreement shall be valid for a period of five years. Prior to the expiry of that period the Contracting Parties shall reach agreement as to whether technical cooperation should be continued in the manner laid down in this Agreement.

(2) After expiry of this Agreement, any projects arranged under paragraph (2) of Article 1 above shall be carried to their completion under the continued application of the provisions of this Agreement.

Article 10

This Agreement shall enter into force on the date of signature thereof.

DONE at Bangkok on the 2nd April B.E. 2507, corresponding to 1964 in duplicate in the German, Thai and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Government
of the Kingdom of Thailand :

Thanat KHOMAN
Minister of Foreign Affairs

For the Government
of the Federal Republic of Germany :

Dr. H.-U. VON SCHWEINITZ
Ambassador

EXCHANGE OF NOTES

I

THE AMBASSADOR OF THE FEDERAL REPUBLIC OF GERMANY

Excellency,

I have the honour to refer to paragraph 5 of Article 5 of the Agreement on Technical Cooperation between the Government of the Kingdom of Thailand and the Government of the Federal Republic of Germany signed at Bangkok on April 2, 1964.¹ In the negotiations which have been conducted in connection with the above mentioned Agreement, it has been further agreed as follows :

The Government of the Kingdom of Thailand entitles each of the dispatched German experts, teachers and technicians to the reimbursement of taxes and import duties for the importation of consumable goods, as set out in paragraph 5 of Article 5 of the above mentioned Agreement, up to an annual maximum amount of duties of 24,000.- (twenty four thousand) Baht or, in case of substantial change in the cost of living in Thailand or in taxes and duties on imports, as may be subsequently agreed upon by the two Governments.

I have the honour to inform you that the Government of the Federal Republic of Germany agrees to the contents of this note. I should be grateful if you would inform me whether the Government of the Kingdom of Thailand also agrees to this note. If this should be the case, the present note and your note in reply shall be regarded as part of the above mentioned Agreement between our Governments.

Accept, Excellency, the assurance of my highest consideration.

Bangkok, April 2, 1964

(Signed) Dr. H.-U. VON SCHWEINITZ
Ambassador

His Excellency Nai Thanat Khoman
Minister of Foreign Affairs
Bangkok

¹ See p. 9 of this volume.

II

MINISTRY OF FOREIGN AFFAIRS
SARANROM PALACE

2nd April, B.E. 2507

Excellency,

I have the honour to acknowledge the receipt of your note of April 2, 1964, which reads as follows :

[*See note I*]

I have the honour to confirm to your Excellency the Agreement thus reached. Accept, Excellency, the assurance of my highest consideration.

(*Signed*) Thanat KHOMAN
Minister of Foreign Affairs

His Excellency Monsieur Hans-Ulrich von Schweinitz
Ambassador Extraordinary and Plenipotentiary
of the Federal Republic of Germany
Bangkok
