

**No. 14360**

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**FEDERAL REPUBLIC OF GERMANY  
and  
MALAWI**

**Agreement concerning financial assistance. Signed at Zom-  
ba on 17 July 1974**

*Authentic texts: German and English.*

*Registered by the Federal Republic of Germany on 7 October 1975.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
MALAWI**

**Accord d'aide financière. Signé à Zomba le 17 juillet 1974**

*Textes authentiques : allemand et anglais.*

*Enregistré par la République fédérale d'Allemagne le 7 octobre 1975.*

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF MALAWI CONCERNING FINANCIAL ASSISTANCE

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The Government of the Federal Republic of Germany and the Government of the Republic of Malawi,

in the spirit of the friendly relations existing between the Federal Republic of Germany and the Republic of Malawi,

desiring to strengthen and intensify those friendly relations by fruitful co-operation in the field of development assistance,

aware that the maintenance of those relations constitutes the basis of the present Agreement,

intending to promote the development of the Malawi economy,

have agreed as follows:

*Article 1.* The Government of the Federal Republic of Germany shall enable the Government of the Republic of Malawi to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a loan up to a total of one million one hundred and sixty-seven thousand German Marks for the establishment of an industrial estate with associated small-scale industries in Liwonde. Included in this loan shall be the amount of seven hundred sixty-seven thousand German Marks which has not been used and which was made available to the Malawi Development Corporation under Article 1 (d) of the Agreement of 25 September 1964 between the Government of Malawi and the Government of the Federal Republic of Germany concerning Financial Assistance.

*Article 2.* (1) 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 Agreement to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau which shall be subject to the legal provisions applicable in the Federal Republic of Germany.

(2) The Reserve Bank of the Republic of Malawi shall guarantee to the Kreditanstalt für Wiederaufbau all payments to be made in fulfilment of the borrower's liabilities under the loan agreement to be concluded.

*Article 3.* The Government of the Republic of Malawi shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in Malawi at the time of the conclusion or during the execution, of the loan agreement referred to in Article 2 of the present Agreement.

*Article 4.* The Government of the Republic of Malawi 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 of transport enterprises having their place of business in the German area of application of the present Agreement, and grant the relevant permits as required.

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

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<sup>1</sup> Came into force on 17 July 1974 by signature, in accordance with article 8.

*Article 6.* With regard to the supplies resulting from the granting of the loan, the Government of the Federal Republic of Germany attaches particular importance to preference being given to products of industries 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 the Republic of Malawi within three months after the entry into force of the present Agreement.

*Article 8.* The present Agreement shall enter into force on the date of signature thereof.

DONE at Zomba on 17th of July, 1974 in duplicate in the German and English languages, both texts being equally authentic.

For the Government  
of the Federal Republic  
of Germany:

[Signed — Signé]<sup>1</sup>

For the Government  
of the Republic of Malawi:

[Signed — Signé]<sup>2</sup>

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<sup>1</sup> Signed by Alexander Graf York v. Wartenburg — Signé par Alexander Graf York v. Wartenburg.

<sup>2</sup> Signed by D. T. Matenje — Signé par D. T. Matenje.