

No. 14810

**FEDERAL REPUBLIC OF GERMANY
and
MALAWI**

**Agreement concerning financial assistance. Signed at
Blantyre on 31 December 1974**

Authentic texts: German and English.

Registered by the Federal Republic of Germany on 15 June 1976.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MALAWI**

**Accord d'aide financière. Signé à Blantyre le 31 décembre
1974**

Textes authentiques : allemand et anglais.

Enregistré par la République fédérale d'Allemagne le 15 juin 1976.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF MALAWI AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL ASSISTANCE

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

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

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

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

intending to contribute to the economic and social development in Malawi,

have agreed as follows:

Article 1. (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 six million German Marks for the project "extension of the waste-water disposal plants in Blantyre-Limbe."

(2) The project specified in paragraph 1 above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Republic of Malawi so agree.

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 agreements to be concluded between the borrower 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 Malawi" shall guarantee to the Kreditanstalt für Wiederaufbau all payments in German Marks to be made in fulfilment of the borrower's liabilities under the agreements to be concluded pursuant to paragraph 1 above.

Article 3. The Government of the Republic of Malawi shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Republic of Malawi at the time of the conclusion, or during the implementation, of the agreements 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

¹ Came into force on 31 December 1974 by signature, in accordance with article 8.

having their place of business in the German area of application of the present Agreement and grant the relevant permits as required for the participation of these transport enterprises.

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

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 Blantyre on 31st December 1974 in four originals two each in the English and German languages, all four texts being equally authentic.

For the Government
of the Republic of Malawi:

[Signed — Signé]¹

For the Government
of the Federal Republic of Germany:

[Signed — Signé]²

¹ Signed by D. T. Matenje—Signé par D. T. Matenje.

² Signed by Alexander Graf York v. Wartenburg—Signé par Alexander Graf York v. Wartenburg.