

No. 14806

**FEDERAL REPUBLIC OF GERMANY
and
KENYA**

**Agreement concerning financial assistance. Signed at
Nairobi on 6 June 1975**

Authentic texts: German and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
KENYA**

Accord d'aide financière. Signé à Nairobi le 6 juin 1975

Textes authentiques : allemand et anglais.

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

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

The Government of the Republic of Kenya and the Government of the Federal Republic of Germany,
in the spirit of the friendly relations existing between the Republic of Kenya 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 promote economic and social development in Kenya,
have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Kenya to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a further loan up to a total of three million eight hundred thousand German Marks. The loan is intended for the expansion or setting up of small industry schemes by Kenya Industrial Estates Ltd. in Nairobi, Nakuru and Mombasa.

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 the Republic of Kenya and the Kreditanstalt für Wiederaufbau, which shall be subject to the legal provisions applicable in the Federal Republic of Germany.

Article 3. The Government of the Republic of Kenya shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in Kenya at the time of the conclusion, or during the implementation of the agreements referred to in Article 2.

Article 4. The Government of the Republic of Kenya 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 as required the relevant permits for the participation of such enterprises.

Article 5. 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.

¹ Came into force on 6 June 1975 by signature, in accordance with article 7.

Article 6. 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 Kenya within three months after the entry into force of the present Agreement.

Article 7. The present Agreement shall enter into force on the date of signature thereof.

DONE at Nairobi on 6 June 1975 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Republic of Kenya:

[Signed — Signé]¹

For the Government
of the Federal Republic of Germany:

[Signed — Signé]²

¹ Signed by Mwai Kibaki— Signé par Mwai Kibaki.

² Signed by Heimsoeth — Signé par Heimsoeth.