

No. 16380

**FEDERAL REPUBLIC OF GERMANY
and
THAILAND**

Agreement concerning financial assistance. Signed at Bangkok on 28 May 1976

Authentic texts: German, Thai and English.

Registered by the Federal Republic of Germany on 1 February 1978.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
THAÏLANDE**

Accord d'aide financière. Signé à Bangkok le 28 mai 1976

Textes authentiques : allemand, thaï et anglais.

Enregistré par la République fédérale d'Allemagne le 1^{er} février 1978.

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

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

In the spirit of the friendly relations existing between the Federal Republic of Germany and the Kingdom of Thailand,

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 economic and social development in the Kingdom of Thailand,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Kingdom of Thailand and/or other borrowers to be jointly selected by both Governments to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, loans up to a total of twenty million German Marks. This amount shall be used to finance

(a) a loan up to ten million German Marks to the Bank of Agriculture and Agricultural Co-operatives, Bangkok, for the granting of credits to promote agricultural development,

(b) a loan up to ten million German Marks for the implementation of an electricity distribution project of the Provincial Electricity Authority, Bangkok,

if, after examination, the project is found to be eligible for promotion.

(2) The projects specified in paragraphs 1 (a) and (b) above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Kingdom of Thailand so agree.

Article 2. (1) The utilization of the loans as well as the terms and conditions on which they are granted shall be governed by the provisions of the agreements 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 Government of the Kingdom of Thailand to the extent that it is not itself the borrower shall guarantee to the Kreditanstalt für Wiederaufbau all payments in German Marks to be made in fulfilment of the borrowers' liabilities under the agreements concluded in accordance with paragraph 1 above.

Article 3. The Government of the Kingdom of Thailand shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in Thailand

¹ Came into force on 28 May 1976 by signature, in accordance with article 8.

at the time of the conclusion, or during the execution, of the agreements referred to in Article 2 of the present Agreement.

Article 4. The Government of the Kingdom of Thailand 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 loans, 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 for the participation of such enterprises.

Article 5. Supplies and services for the project specified in Article 1 (1)(b) of the present Agreement, which are financed from the loans, shall, unless otherwise provided in individual cases, be subject to international public tender.

Article 6. With regard to the supplies resulting from the granting of the loans, 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 Kingdom of Thailand 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 Bangkok on 28th May, B.E. 2519, corresponding to the year 1976, in duplicate in the German, Thai and English languages, all three texts being equally authentic. In case of divergent interpretations of the German and Thai texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed]

EDGAR VON SCHMIDT-PAULI
Ambassador Extraordinary and Plenipo-
tentiary of the Federal Republic of
Germany

For the Government
of the Kingdom of Thailand:

[Signed]

BHICHAI RATTAKUL
Minister of Foreign Affairs
of the Kingdom of Thailand