

No. 18472

**FEDERAL REPUBLIC OF GERMANY
and
PAPUA NEW GUINEA**

**Agreement concerning financial co-operation. Signed at
Port Moresby on 23 August 1978**

Authentic texts: German and English.

Registered by the Federal Republic of Germany on 28 March 1980.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
PAPOUASIE-NOUVELLE-GUINÉE**

**Accord de coopération financière. Signé à Port Moresby le
23 août 1978**

Textes authentiques : allemand et anglais.

Enregistré par la République fédérale d'Allemagne le 28 mars 1980.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF PAPUA NEW GUINEA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPERATION

The Government of Papua New Guinea and the Government of the Federal Republic of Germany,

In the spirit of the friendly relations existing between Papua New Guinea and the Federal Republic of Germany,

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 contribute to economic and social development in Papua New Guinea,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of Papua New Guinea to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a loan up to DM 10,000,000 (ten million Deutsche Mark) for the project "Access Road Silanga-Balima" (i.e., road component of the Biala rural development project), West New Britain Province, if, after examination, it has been found eligible for promotion.

(2) The project referred to in paragraph 1 above may be replaced by other projects if the Government of Papua New Guinea and the Government of the Federal Republic of Germany so agree.

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 Papua New Guinea and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3. The Government of Papua New Guinea shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in Papua New Guinea 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 Papua New Guinea shall allow passengers and suppliers free choice of transport enterprises for such transportation by sea or air of persons and goods to or from Papua New Guinea as results from the granting of the loan, abstain from taking any measures that might exclude or impair the fair and equal participation in such transportation of transport enterprises having their place of business in the German area of application of the present Agreement, and grant permits for such participation as required.

¹ Came into force on 23 August 1978 by signature, in accordance with article 8.

Article 5. Supplies and services for projects financed from the loan shall, unless otherwise provided for in individual agreements referred to in article 2, be subject to international public tender.

Article 6. With regard to supplies and services resulting from the granting of the loan, the Government of the Federal Republic of Germany attaches particular importance to preferential use being made of the economic potential 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 Papua New Guinea within three months of the date of entry into force of this Agreement.

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

DONE at Port Moresby on 23rd August 1978, in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of Papua New Guinea:

[Signed — Signé]¹

For the Government
of the Federal Republic of Germany:

[Signed — Signé]²

¹ Signed by Niwia Ebia Olewale — Signé par Niwia Ebia Olewale.

² Signed by Dr. Karl Döring — Signé par Karl Döring.