

No. 18435

**FEDERAL REPUBLIC OF GERMANY
and
MALAWI**

**Agreement concerning financial co-operation (with annex).
Signed at Bonn on 21 June 1978**

Authentic texts: German and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MALAWI**

**Accord de coopération financière (avec annexe). Signé à
Bonn le 21 juin 1978**

Textes authentiques : allemand et anglais.

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

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF MALAWI AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPERATION

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 economic and social development in the Republic of Malawi,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Malawi to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a financing contribution up to DM 10,000,000 (ten million Deutsche Mark) to meet foreign exchange costs resulting from the purchase of goods and services to cover current civilian requirements as well as foreign exchange and local currency costs for transport, insurance and assembly arising in connection with the importation of goods financed from the contribution.

These supplies and services must be such as are covered by the list annexed to the present Agreement and for which supply contracts have been concluded after the entry into force of the financing agreement to be concluded pursuant to article 2 of the present Agreement.

Article 2. The utilization of the financing contribution as well as the terms and conditions on which it is granted shall be governed by the provisions of the financing agreement to be concluded between the Government of the Republic of Malawi 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 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 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 contribution, abstain from taking any measures that might exclude or impair the participation on equal terms of transport enterprises having their place of business in the German area of application

¹ Came into force on 21 June 1978 by signature, in accordance with article 7.

of the present Agreement, and grant permits for the participation of such enterprises as required.

Article 5. With regard to supplies and services resulting from the granting of the contribution, the Government of the Federal Republic of Germany attaches particular importance to preferential use being made of the economic potential of Land Berlin.

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 Malawi within three months of the date of entry into force of this Agreement.

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

DONE at Bonn on June 21st, 1978, in duplicate in the English and German languages, both 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

ANNEX

LIST OF GOODS AND SERVICES ELIGIBLE FOR FINANCING FROM THE CONTRIBUTION UP TO A TOTAL VALUE OF DM 10,000,000 (TEN MILLION DEUTSCHE MARK) UNDER ARTICLE 1 OF THE INTER-GOVERNMENTAL AGREEMENT OF [3 AUGUST 1978]

- (a) Industrial raw and auxiliary materials as well as semi-manufactures;
- (b) Industrial equipment as well as agricultural machinery and implements;
- (c) Spare parts and accessories of all kinds;
- (d) Chemical products, in particular fertilizers, plant protection agents, pesticides, medications;
- (e) Other industrial products of importance for the development of the Republic of Malawi;
- (f) Advisory services and licence fees.

Imports not included in the above list may only be financed with the prior approval of the Government of the Federal Republic of Germany.

The importation of consumer goods for personal needs, especially luxury goods, as well as any goods and facilities serving military purposes, may not be financed from the contribution.

¹ Signed by Matenje — Signé par Matenje.

² Signed by Günther van Well — Signé par Günther van Well.