

No. 18467

**FEDERAL REPUBLIC OF GERMANY
and
THAILAND**

Agreement concerning financial assistance. Signed at Bangkok on 29 May 1978

Authentic texts: German, Thai and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
THAÏLANDE**

Accord d'aide financière. Signé à Bangkok le 29 mai 1978

Textes authentiques : allemand, thaï et anglais.

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

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 contribute to economic and social development in 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 or another borrower to be jointly selected by the two Governments to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a loan up to DM 25,000,000 (twenty-five million German Marks) for the Nam-Pong irrigation project, 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 Contracting Parties 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 laws and regulations 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 borrower's liabilities under the agreements to be concluded pursuant to 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 in connection with the loan agreements 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 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 loan, abstain from taking any measures that might exclude or impair the participation on equal

¹ Came into force on 29 May 1978 by signature, in accordance with article 8.

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

Article 5. Supplies and services for projects financed from the loan shall, unless otherwise provided for in individual cases, 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 Kingdom of Thailand 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 Bangkok on the twenty-ninth day of May B.E. 2521, corresponding to A.D. 1978, in duplicate in the German, Thai and English languages, all three texts being 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 Plenipotentiary of the Federal Republic of Germany

For the Government
of the Kingdom of Thailand:

[Signed]

UPADIT PACHARIYANGKUN
Minister of Foreign Affairs
of the Kingdom of Thailand
