

No. 18482

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**FEDERAL REPUBLIC OF GERMANY  
and  
NEW ZEALAND**

**Agreement on scientific and technological co-operation  
(with exchange of letters). Signed at Bonn on 2 December 1977**

*Authentic texts: German and English.*

*Registered by the Federal Republic of Germany on 14 April 1980.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
NOUVELLE-ZÉLANDE**

**Accord de coopération scientifique et technologique (avec  
échange de lettres). Signé à Bonn le 2 décembre 1977**

*Textes authentiques : allemand et anglais.*

*Enregistré par la République fédérale d'Allemagne le 14 avril 1980.*

## AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF NEW ZEALAND AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON SCIENTIFIC AND TECHNOLOGICAL COOPERATION

The Government of New Zealand and the Government of the Federal Republic of Germany,

Desiring to strengthen the close and friendly relations existing between their two countries,

Considering their mutual interest in promoting all aspects of scientific and technological cooperation between both countries for peaceful purposes and for their mutual benefit,

Wishing to cooperate by providing additional opportunities to exchange ideas, skills and techniques, and by collaborating on problems of mutual interest,

Recognising the beneficial effects that such cooperation can have on the quality of life and economic well-being of the peoples of their respective countries,

Have agreed as follows:

*Article 1.* The Government of New Zealand and the Government of the Federal Republic of Germany shall facilitate and encourage scientific and technological cooperation for peaceful purposes between civilian agencies and organisations in the public and private sectors of each country.

*Article 2.* (1) The two Governments shall together determine areas in which scientific and technological cooperation should take place and the ways and means of promoting and implementing such cooperation.

(2) The two Governments may designate cooperating agencies for the purpose of implementing particular cooperative programmes or projects within the areas determined in accordance with paragraph 1 of this article.

(3) The two Governments, or the designated cooperating agencies as the case may be, may conclude separate implementing arrangements in relation to particular cooperative programmes or projects, specifying terms and conditions, the procedures to be followed, financial responsibilities and other appropriate matters.

(4) The determination by the two Governments of areas in which scientific and technological cooperation may take place shall not affect other agreements, contracts or arrangements existing at the date of signature of this Agreement or concluded thereafter.

*Article 3.* Each Government, or designated cooperating agency under a separate implementing arrangement, shall bear, in accordance with its appropriate financial and budgetary processes and subject to the availability of funds, the costs of discharging its responsibilities under cooperative programmes or projects unless other arrangements are made. Unless otherwise determined by the two

<sup>1</sup> Came into force on 23 August 1978, the date on which both Parties notified each other that their respective constitutional and other requirements had been complied with, in accordance with article 12 (1).

Governments, or designated cooperating agencies, the cost of visits and exchanges shall be borne by the sending Government or designated cooperating agency.

*Article 4.* Subject to the approval of both Governments, civilian agencies and organisations of third countries may participate in particular cooperative programmes or projects.

*Article 5.* (1) Exchanges of information in the areas covered by the present Agreement may take place either between the two Governments themselves or between the cooperating agencies designated by them.

(2) Unless the two Governments or cooperating agencies designated by them determine otherwise, scientific information derived from cooperative programmes or projects under article 2 of this Agreement shall be made available to the world scientific community through customary channels and in accordance with the normal procedures of each Government or cooperating agency designated by them for the particular programme or project.

(3) In some circumstances, other conditions and procedures for exchanges of information, including limitation or preclusion of transfer to third parties, may be agreed by the two Governments or the designated cooperating agencies. Such other conditions and procedures shall be covered by the separate implementing arrangements referred to in paragraph 3 of article 2 of this Agreement.

*Article 6.* Unless otherwise agreed the transmittal of information and the supply of materials and equipment under this Agreement or under separate implementing arrangements concluded pursuant to article 2 shall in no way render either Government liable to the other or any designated cooperating agency liable to any other, with regard to the accuracy of the information transmitted or the suitability of the articles supplied for a specific use.

*Article 7.* Each Government shall, in accordance with its laws and regulations, facilitate the entry into and stay within its territory of nationals of the other, and their families, to pursue cooperative activities within the framework of this Agreement.

*Article 8.* Communications between the two Governments in relation to matters of principle arising under this Agreement shall be made through diplomatic channels. Designated cooperating agencies may communicate directly with each other.

*Article 9.* The two Governments shall, from time to time, consult together for the purpose of reviewing the implementation of this Agreement.

*Article 10.* This Agreement shall apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of New Zealand within three months of the date of entry into force of this Agreement.

*Article 11.* This Agreement shall not apply to the Cook Islands, Niue and Tokelau.

*Article 12.* (1) This Agreement shall enter into force on the date on which each Government notifies the other that its respective constitutional and other requirements necessary to give effect to the Agreement have been complied with.

(2) This Agreement shall remain in force initially for five years, and thereafter shall remain in force until such time as either Government has received written notification from the other Government of its intention to terminate the Agreement. In such case the Agreement shall cease to have effect six months after the receipt of such notification.

(3) In the event of termination of this Agreement, its provisions shall continue to apply in respect of any uncompleted separate implementing arrangements entered into during the period of validity of this Agreement.

IN WITNESS WHEREOF, the undersigned, duly authorised thereto by their respective Governments, have signed this Agreement.

DONE at Bonn on 2nd December 1977 in two originals, in the English and German languages, both texts being equally authentic.

For the Government  
of New Zealand:  
[Signed — Signé]<sup>1</sup>

For the Government  
of the Federal Republic of Germany:  
[Signed — Signé]<sup>2</sup>

<sup>1</sup> Signed by Duncan MacIntyre — Signé par Duncan MacIntyre.

<sup>2</sup> Signed by Peter Hermes — Signé par Peter Hermes.

## EXCHANGE OF LETTERS — ÉCHANGE DE LETTRES

## I

[GERMAN TEXT — TEXTE ALLEMAND]

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

DER STAATSSSEKRETÄR  
IM AUSWÄRTIGEN AMT

STATE SECRETARY  
AT THE FEDERAL FOREIGN OFFICE

Bonn, den 2. Dezember 1977

Bonn, 2nd December 1977

Sehr geehrter Herr Minister,

My dear Minister,

ich beehre mich, im Namen der Regierung der Bundesrepublik Deutschland im Zusammenhang mit der heutigen Unterzeichnung des Abkommens zwischen der Regierung der Bundesrepublik Deutschland und der Regierung von Neuseeland über wissenschaftliche und technologische Zusammenarbeit zu erklären:

In connection with the signing today of the Agreement between the Government of the Federal Republic of Germany and the Government of New Zealand on Scientific and Technological Cooperation, I have the honour to declare the following on behalf of the Government of the Federal Republic of Germany:

Die Regierung der Bundesrepublik Deutschland wird sich im Rahmen der geltenden innerstaatlichen Vorschriften darum bemühen, daß das aufgrund des Abkommens ein- oder ausgeführte technische und wissenschaftliche Material soweit wie möglich von Zöllen und sonstigen bei der Ein- oder Ausfuhr zu erhebenden Abgaben befreit wird.

The Government of the Federal Republic of Germany shall endeavour within the scope of the applicable national provisions to ensure the exemption as far as possible of technical and scientific material imported or exported under the Agreement from customs duty and other charges leviable upon importation or exportation.

Genehmigen Sie, sehr geehrter Herr Minister, den Ausdruck meiner ausgezeichneten Hochachtung.

Accept, Mr. Minister, the expression of my highest consideration.

PETER HERMES

PETER HERMES

Herrn Minister Duncan MacIntyre  
Landwirtschaftsminister  
Regierung von Neuseeland  
Wellington

The Hon. Duncan MacIntyre  
Minister of Agriculture  
Government of New Zealand  
Wellington

<sup>1</sup> Translation supplied by the Government of the Federal Republic of Germany.

<sup>2</sup> Traduction fournie par le Gouvernement de la République fédérale d'Allemagne.

## II

Bonn, 2 December 1977

My dear State Secretary,

In connection with the signing today of the Agreement between the Government of New Zealand and the Government of the Federal Republic of Germany on Scientific and Technological Cooperation, I have the honour to declare the following on behalf of the Government of New Zealand:

The Government of New Zealand shall endeavour within the scope of the applicable national provisions to ensure the exemption as far as possible of technical and scientific material imported or exported under the Agreement from customs duty and other charges leviable upon importation or exportation.

Accept, my dear State Secretary, the expression of my highest consideration.

[Signed]

Hon. DUNCAN MACINTYRE  
Minister of Agriculture  
of New Zealand

The State Secretary at the Federal Foreign Office  
Herrn Dr. Peter Hermes  
Federal Republic of Germany  
Bonn