

No. 18530

**FEDERAL REPUBLIC OF GERMANY
and
GHANA**

**Agreement concerning financial co-operation (with annex).
Signed at Accra on 29 December 1978**

Authentic texts: German and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
GHANA**

**Accord de coopération financière (avec annexe). Signé à
Accra le 29 décembre 1978**

Textes authentiques : allemand et anglais.

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

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

The Government of the Republic of Ghana and the Government of the Federal Republic of Germany,

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

Desiring to strengthen and intensify those friendly relations through financial co-operation in a spirit of partnership,

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 Ghana,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Ghana 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 20,300,000 (twenty million three hundred thousand deutsche mark) to meet foreign exchange costs resulting from the purchase of goods and services to cover current civilian requirements and to meet foreign exchange and local currency costs of transport, insurance and assembly arising in connection with the importation of goods financed under the present Agreement. These supplies and services must be such as are covered by the list annexed to the present Agreement, which is an integral part thereof, and for which supply or service contracts have been concluded after 1 January 1978.

(2) Express reference is made to the result of the German-Ghanaian inter-governmental negotiations 1978.

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 Republic of Ghana, to the extent that it is not itself the borrower, and the Bank of Ghana shall guarantee to the Kreditanstalt für Wiederaufbau all payments in deutsche mark 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 Republic of Ghana shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the

¹ Came into force on 29 December 1978 by signature, in accordance with article 7.

Republic of Ghana in connection with the conclusion and implementation of the agreements referred to in article 2 of the present Agreement.

Article 4. The Government of the Republic of Ghana shall allow passengers and suppliers free choice of transport enterprises for such transportation by land, 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 terms of transport enterprises having their place of business in the German area of application of the present Agreement, and grant any necessary permits for the participation of such enterprises.

Article 5. 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 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 Ghana 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 Accra on the 29th December 1978 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Republic of Ghana:

[Signed — Signé]¹

For the Government
of the Federal Republic of Germany:

[Signed — Signé]²

ANNEX TO THE AGREEMENT OF 29.12.78 BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF GHANA AND THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPERATION

List of goods and services eligible for financing from the loan up to a total value of DM 20,300,000 (twenty million three hundred thousand deutsche mark) under article 1 of the aforementioned Agreement:

- (a) Chemical products for the industrial and agricultural sectors, including fertilizers and medicaments;
- (b) Industrial and agricultural equipment as well as accessories and spare parts;
- (c) Industrial auxiliary and raw materials for industrial development in Ghana;
- (d) Motor-vehicle spare parts.

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 loan.

¹ Signed by Joseph L. S. Abbey — Signé par Joseph L. S. Abbey.

² Signed by Herbert Weil — Signé par Herbert Weil.