

No. 20269

**FEDERAL REPUBLIC OF GERMANY
and
GHANA**

**Agreement concerning financial co-operation (with annex).
Signed at Accra on 16 August 1979**

Authentic texts: German and English.

Registered by the Federal Republic of Germany on 31 July 1981.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
GHANA**

**Accord de coopération financière (avec annexe). Signé à
Accra le 16 août 1979**

Textes authentiques : allemand et anglais.

Enregistré par la République fédérale d'Allemagne le 31 juillet 1981.

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 this 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 determined jointly by the two Governments to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a loan up to DM 15,000,000 (fifteen million 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 shall be an integral part thereof, and for which supply or service contracts have been concluded after 1 January 1979.

(2) Specific reference is made to the results of the 1978 German-Ghanaian intergovernmental negotiations.

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 Republic of Ghana in connection with the conclusion and implementation of the agreements to be concluded pursuant to Article 2 of the present Agreement.

¹ Came into force on 16 August 1979 by signature, in accordance with article 7.

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 this 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. This Agreement shall enter into force on the date of signature thereof.

DONE at Accra on 16th August 1979 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 16th AUGUST 1979 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 up to an amount of DM 15,000,000 (fifteen million deutsche mark) from the loan under Article 1 of the aforementioned Agreement:

- (a) Chemical products for industry and agriculture, including fertilizer and medicaments,
- (b) Industrial and agricultural equipment, accessories and spare parts,
- (c) Industrial raw and auxiliary materials for the development of industry in Ghana,
- (d) Spare parts for motor vehicles.

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 luxury and consumer goods for personal needs as well as any goods and facilities serving military purposes may not be financed from the loan.

¹ Signed by Joseph Abbey — Signé par Joseph Abbey.

² Signed by Herbert Weil — Signé par Herbert Weil.