

No. 20301

**FEDERAL REPUBLIC OF GERMANY
and
THAILAND**

**Agreement concerning financial co-operation. Signed at
Bangkok on 28 December 1979**

Authentic texts: German, Thai and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
THAÏLANDE**

**Accord de coopération financière. Signé à Bangkok le
28 décembre 1979**

Textes authentiques: allemand, thaï et anglais.

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

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

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 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 social and economic development in the Kingdom of 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 other borrowers to be determined jointly by the two Governments to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, loans up to a total of DM 30,000,000 (thirty million Deutsche Mark) for the projects

- (a) Bang Pakong gas turbine steam power plant
(up to eighteen million Deutsche Mark),
 - (b) Grid development for the purpose of shutting down isolated diesel stations (EDE III)
(up to four million Deutsche Mark),
 - (c) Pak Chan and Tai Muang settlement programmes
(up to eight million Deutsche Mark),
- if, after examination, the projects have been found eligible for promotion.

(2) The projects referred to in paragraph 1 above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Kingdom of Thailand so agree.

Article 2. (1) The utilization of the loans as well as the terms and conditions on which they are granted shall be governed by the provisions of the agreements to be concluded between the borrowers 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 Deutsche Mark to be made in fulfilment of the borrowers' 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

¹ Came into force on 28 December 1979 by signature, in accordance with article 8.

the Kingdom of Thailand in connection with the conclusion and implementation of the agreements to be concluded pursuant to 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, land or air of persons and goods as results from the granting of the loans, 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. Supplies and services for projects financed from the loans shall, unless otherwise provided for in individual cases, be subject to international public tender.

Article 6. With regard to supplies and services resulting from the granting of the loans, the Government of the Federal Republic of Germany attaches particular importance to preferential use being made of the economic potential 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. This Agreement shall enter into force on the date of signature thereof.

DONE at Bangkok on the twenty-eighth day of December B.E. 2522, corresponding to A.D. 1979, in duplicate in the German, Thai and English languages, all three texts being authentic. In case of divergent interpretation of the German and Thai texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed]

KLAUS HELLMUTH ACKERMANN
Chargé d'affaires *ad interim*
Embassy of the Federal Republic
of Germany

For the Government
of the Kingdom of Thailand:

[Signed]

UPADIT PACHARIYANGKUN
Minister of Foreign Affairs