

No. 20285

**FEDERAL REPUBLIC OF GERMANY
and
PORTUGAL**

Agreement concerning financial co-operation – *Various projects (70 million DM)*. Signed at Lisbon on 18 October 1979

Authentic texts: German and Portuguese.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
PORTUGAL**

Accord de coopération financière – *Projets divers (70 millions de DM)*. Signé à Lisbonne le 18 octobre 1979

Textes authentiques : allemand et portugais.

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

[TRANSLATION — TRADUCTION]

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

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

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

Desiring to consolidate and strengthen these friendly relations through financial co-operation as partners,

Aware that the maintenance of these relations constitutes the basis for the present Agreement,

Intending to contribute to social and economic development in the Portuguese Republic,

Have agreed as follows:

Article 1. 1. The Government of the Federal Republic of Germany shall enable the Government of the Portuguese Republic or other borrowers, to be chosen jointly by both Governments, to obtain loans of up to DM 70 million (seventy million deutsche mark) from the Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation), Frankfurt am Main.

2. The loans are intended to finance the following projects, provided that, on examination, they are considered deserving of support:

- (a) Up to DM 17.5 million (seventeen million five hundred thousand deutsche mark) for the expansion of the fishing port of Figueira da Foz;
- (b) Up to DM 17.5 million (seventeen million five hundred thousand deutsche mark) for the expansion of the fishing port of Nazaré;
- (c) Up to DM 24 million (twenty-four million deutsche mark) for the expansion of rural electrification;
- (d) Up to DM 9 million (nine million deutsche mark) for the enlargement of the Portuguese railways (Companhia de Camínhos de Ferro Portugueses — F.P.);
- (e) In the amount of DM 2 million (two million deutsche mark) for a fund for financing project feasibility studies.

3. The projects specified in paragraph 2 above may, by agreement between the Government of the Federal Republic of Germany and the Government of the Portuguese Republic, be replaced by other projects.

Article 2. 1. The utilization of these loans and the terms and conditions on which they will be granted shall be determined by agreements to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau, Frankfurt am Main,

¹ Came into force on 18 October 1979 by signature, in accordance with article 8.

which shall be subject to the legal provisions applicable in the Federal Republic of Germany.

2. The Government of the Portuguese Republic, if it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau, Frankfurt am Main, all payments in deutsche mark to be made in fulfilment of the borrowers' obligations under the agreements to be concluded pursuant to paragraph 1 above.

Article 3. The Government of the Portuguese Republic shall exempt the Kreditanstalt für Wiederaufbau, Frankfurt am Main, from all taxes and other public charges levied in Portugal in connection with the conclusion or execution of the agreements referred to in article 2.

Article 4. The Government of the Portuguese Republic shall allow passengers and suppliers free choice of transport enterprises for such land, sea and air transport of persons and goods as arises from the grant of the loans; it shall refrain from taking any measure that might exclude or impair equality of participation of transport enterprises having their principal place of business in the German area of application of this Agreement and shall grant any permits necessary for participation by such transport enterprises.

Article 5. Unless otherwise specified in individual cases, the provision of supplies and services for projects financed by means of the loans shall be subject to international tender.

Article 6. With regard to supplies and services resulting from the grant of the loans, the Government of the Federal Republic of Germany attaches particular importance to the preferential utilization of the economic potential of *Land Berlin*.

Article 7. With the exception of the provisions of article 4 which relate to air transport, this Agreement shall also apply to *Land Berlin*, unless the Government of the Federal Republic of Germany makes a contrary declaration to the Government of the Portuguese Republic within three months following the entry into force of the present Agreement.

Article 8. This Agreement shall enter into force on the date of its signature.

DONE at Lisbon on 18 October 1979, in two original copies, one each in the German and Portuguese languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

JESCO VON PUTTKAMER

For the Government of the Portuguese Republic:

[Signed]

F. CRUZ