

**No. 21637**

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**FEDERAL REPUBLIC OF GERMANY  
and  
PAPUA NEW GUINEA**

**Agreement concerning financial co-operation (with related  
letter). Signed at Port Moresby on 11 February 1980**

*Authentic texts: German and English.*

*Registered by the Federal Republic of Germany on 17 March 1983.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
PAPOUASIE-NOUVELLE-GUINÉE**

**Accord de coopération financière (avec lettre connexe).  
Signé à Port Moresby le 11 février 1980**

*Textes authentiques : allemand et anglais.*

*Enregistré par la République fédérale d'Allemagne le 17 mars 1983.*

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF PAPUA NEW GUINEA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPERATION

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The Government of Papua New Guinea and the Government of the Federal Republic of Germany,

In the spirit of the friendly relations existing between Papua New Guinea 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 social and economic development in Papua New Guinea,

Have agreed as follows:

*Article 1.* (1) The Government of the Federal Republic of Germany shall enable the Government of Papua New Guinea to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a loan of up to DM 10,000,000 (ten million deutsche mark) for the project "Hydroelectric Power Station Rouna Four" in the Port Moresby area, if, after examination, the project has been found eligible for promotion.

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

*Article 2.* 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 Government of Papua New Guinea and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

*Article 3.* The Government of Papua New Guinea shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in Papua New Guinea 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 Papua New Guinea shall allow passengers and suppliers free choice of transport enterprises for such transportation by 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 in such transportation 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.

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<sup>1</sup> Applied provisionally from 11 February 1980, the date of signature, and came into force definitively on 10 July 1980, the date on which the Government of Papua New Guinea notified the Government of the Federal Republic of Germany that its national requirements had been fulfilled, in accordance with article 8.

*Article 5.* Supplies and services for projects financed from the loan shall, unless otherwise provided for in individual agreements pursuant to article 2 of the present Agreement, be subject to international public tender.

*Article 6.* 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 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 Papua New Guinea within three months of the date of entry into force of this Agreement.

*Article 8.* This Agreement shall enter into force provisionally on the date of signature thereof; it shall enter into force definitively on the date on which the Government of the Federal Republic of Germany is notified that the national requirements for such entry into force in Papua New Guinea have been fulfilled.

DONE at Port Moresby on 11th February 1980 in duplicate in the English and German languages, both texts being equally authentic.

For the Government  
of Papua New Guinea:

TONY ILA

For the Government  
of the Federal Republic of Germany:

WIEGAND PABSCH

#### RELATED LETTER

AUSWÄRTIGES AMT<sup>1</sup>

Port Moresby, February 11<sup>th</sup>, 1980

Excellency,

I refer to Article 4 of the Agreement signed on 11<sup>th</sup> February 1980 between the Government of Papua New Guinea and the Government of the Federal Republic of Germany concerning Financial Co-operation, which reads as follows:

“The Government of Papua New Guinea shall allow passengers and suppliers free choice of transport enterprises for such transportation by 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 in such transportation 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.”

I have the honour to state on behalf of the Government of the Federal Republic of Germany that the Papua New Guinea coastal shipping activities shall not be affected by the provisions of Article 4 of the Agreement.

<sup>1</sup> Ministry of Foreign Affairs.

Accept, Excellency, the assurances of my highest consideration.

WIEGAND PABSCH

His Excellency Mr. Tony Ila  
Minister for Foreign Affairs  
of Papua New Guinea  
Port Moresby

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