

No. 22459

FEDERAL REPUBLIC OF GERMANY
and
DOMINICAN REPUBLIC

Agreement concerning financial co-operation—*Transformer stations*. Signed at Santo Domingo on 11 August 1982

Authentic texts: German and Spanish.

Registered by the Federal Republic of Germany on 11 November 1983.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
RÉPUBLIQUE DOMINICAINE

Accord de coopération financière — *Stations de transformation*. Signé à Saint-Domingue le 11 août 1982

Textes authentiques : allemand et espagnol.

Enregistré par la République fédérale d'Allemagne le 11 novembre 1983.

[TRANSLATION — TRADUCTION]

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

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

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

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

Aware that the maintenance of these relations constitutes the basis of this Agreement,

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

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Dominican Republic to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the project “Transformer stations”, provided that, after examination, the project qualifies for promotion, a loan of up to DM 10,000,000 (ten million deutsche mark).

(2) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Dominican Republic to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, further loans or financial contributions for preparing the project “Transformer stations” or financial contributions for collateral measures required for the implementation and maintenance of the said project.

(3) The project referred to in paragraph 1 may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Dominican Republic so agree. Financial contributions granted for preparatory and collateral measures pursuant to paragraph 2 shall be converted into loans if they are not utilized for such measures.

(4) In addition, a financial credit of the Kreditanstalt für Wiederaufbau in an amount of up to DM 4,000,000 (four million deutsche mark) shall be made available as mixed financing for the project referred to in paragraph 1. The Government of the Federal Republic of Germany in accordance with current national guidelines and provided that the other coverage requirements have been fulfilled, declares itself ready in principle to stand surety for the amount of the financial credit. If the financial credit is not utilized, the financial co-operation funds provided for this project pursuant to paragraph 1 shall, with the agreement of the two parties,

¹ Came into force on 11 August 1982 by signature, in accordance with article 8.

be utilized for another project. The following articles of this Agreement shall also apply to the aforementioned financial credit of the Kreditanstalt für Wiederaufbau in the amount of DM 4,000,000 (four million deutsche mark).

Article 2. Utilization of the amounts referred to in article 1 as well as the terms and conditions on which they are granted shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the borrower; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3. The Government of the Dominican Republic shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Dominican Republic in connection with the conclusion and execution of the contracts referred to in Article 2.

Article 4. The Government of the Dominican Republic shall allow passengers and suppliers free choice of transport enterprises for such transport by sea, land and air of passengers and goods as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation of transport enterprises having their principal 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 loan shall, unless 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 loan, the Government of the Federal Republic of Germany attaches particular importance to preference being given to 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 declaration to the contrary to the Government of the Dominican Republic within the three months following the date of entry into force of this Agreement.

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

DONE at Santo Domingo on 11 August 1982 in two originals, in the German and Spanish languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

GÜNTER FUHRMANN

Ambassador Extraordinary and Plenipotentiary
of the Federal Republic of Germany

For the Government of the Dominican Republic:

[Signed]

Dr. PEDRO PADILLA TONOS
Secretary of State for Foreign Affairs