

**No. 22971**

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**FEDERAL REPUBLIC OF GERMANY  
and  
MALAWI**

**Agreement concerning financial co-operation. Signed at  
Lilongwe on 19 April 1983**

*Authentic texts: German and English.*

*Registered by the Federal Republic of Germany on 20 June 1984.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
MALAWI**

**Accord de coopération financière. Signé à Lilongwe le  
19 avril 1983**

*Textes authentiques : allemand et anglais.*

*Enregistré par la République fédérale d'Allemagne le 20 juin 1984.*

## AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE REPUBLIC OF MALAWI AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPERATION

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

In the spirit of the friendly relations existing between the Republic of Malawi 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 the Republic of Malawi,

With reference to the intergovernmental negotiations held in Lilongwe from 18 to 21 May 1981 and the Minutes of 21 May 1981,

Have agreed as follows:

*Article 1.* (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Malawi to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, financial contributions totalling up to DM 22,500,000 (twenty-two million five hundred thousand Deutsche Mark) if, after examination, the individual projects have been found eligible for promotion.

(2) The financial contributions shall be used in accordance with subparagraphs (a) to (d) below:

- (a) up to DM 6,900,000 (six million nine hundred thousand Deutsche Mark) for the project "Development of district centres, phase I";
- (b) up to DM 4,600,000 (four million six hundred thousand Deutsche Mark) for the project "Flood control, Karonga";
- (c) up to DM 5,000,000 (five million Deutsche Mark) for the project "Revolving small-scale lending fund for small and medium-sized enterprises at the INDEBANK (INDEFUND I)";
- (d) up to DM 6,000,000 (six million Deutsche Mark) for the project "Expansion of the hydropower station Nkula Falls B, phase II".

(3) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Republic of Malawi to obtain from the Kreditanstalt für Wiederaufbau further financial contributions for attendant measures required for the implementation and support of the projects referred to in paragraph 2 above.

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

<sup>1</sup> Came into force on 19 April 1983 by signature, in accordance with article 8.

*Article 2.* The utilization of the amounts referred to in Article 1 of this Agreement as well as the terms and conditions on which they are made available shall be governed by the provisions of the agreements to be concluded between the recipients of the financial contributions 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 the Republic of Malawi shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Republic of Malawi in connection with the conclusion and implementation of the agreements referred to in Article 2 of the present Agreement.

*Article 4.* The Government of the Republic of Malawi 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 financial contributions, abstain from taking any measures that might exclude or impair the participation 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.* The procedure to be followed in awarding the contracts for the implementation of the projects referred to in Article 1 of this Agreement shall be determined in the financing agreements to be concluded between the recipients and the Kreditanstalt für Wiederaufbau.

*Article 6.* With regard to supplies and services resulting from the granting of the financial contributions, 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 Republic of Malawi 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 Lilongwe on 19 April 1983 in duplicate in the English and German languages, both texts being equally authentic.

For the Government  
of the Republic of Malawi:

[Signed — Signé]<sup>1</sup>

For the Government  
of the Federal Republic of Germany:

[Signed — Signé]<sup>2</sup>

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<sup>1</sup> Signed by L. Chakakala Chaziya — Signé par L. Chakakala Chaziya.

<sup>2</sup> Signed by Th. van Rossum — Signé par Th. van Rossum.