

**No. 22960**

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**FEDERAL REPUBLIC OF GERMANY  
and  
PORTUGAL**

**Agreement concerning financial co-operation. Signed at  
Lisbon on 4 February 1983**

*Authentic texts: German and Portuguese.*

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

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
PORTUGAL**

**Accord de coopération financière. Signé à Lisbonne le  
4 février 1983**

*Textes authentiques : allemand et portugais.*

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

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> 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 strengthen and enhance these friendly relations through financial co-operation as partners,

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

Intending to contribute to the social and economic development of 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 totalling not more than DM 100 million (100 million deutsche mark) from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main.

(2) The loans shall be used to finance the following projects, provided that, after examination, the projects qualify for promotion:

- (a) Up to DM 20 million (20 million deutsche mark) to finance a project to control pollution in the lower reaches of the Rio Mondego;
- (b) Up to DM 8 million (8 million deutsche mark) to promote a pasture-improvement programme on Pico Island/Autonomous Region of the Azores;
- (c) Up to DM 20 million (20 million deutsche mark) to promote small and medium-sized enterprises in the processing industries through the Banco de Fomento Nacional;
- (d) Up to DM 4 million (4 million deutsche mark) to promote the fishing port of Nazaré (diversion of the Rio Alcoa at its mouth);
- (e) Up to DM 28 million (28 million deutsche mark) to finance the expansion of the following fishing ports:
  - Póvoa de Varzim (up to DM 4 million)
  - Peniche (up to DM 12 million)
  - Portimão (up to DM 12 million);
- (f) Up to DM 20 million (20 million deutsche mark) to promote the expansion of the fishing and commercial port of Viana do Castelo.

<sup>1</sup> Came into force on 4 February 1983 by signature, in accordance with article 8.

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

*Article 2.* (1) The utilization of the loans referred to in article 1 and the conditions on which they will be made available shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipients of the loans, which contracts shall be subject to the legislation in force in the Federal Republic of Germany.

(2) The Government of the Portuguese Republic, in so far as it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments in deutsche mark in fulfilment of the borrowers' obligations under the contracts to be concluded in accordance with paragraph 1.

*Article 3.* The Government of the Portuguese Republic shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in Portugal in connection with the conclusion and implementation of the contracts referred to in article 2 of this Agreement.

*Article 4.* The Government of the Portuguese Republic shall allow passengers and suppliers free choice of transport enterprises for such transport by land, sea, and air of persons and goods as results from the granting of the loans, refrain from taking any measures that might exclude or impede the participation on an equal footing 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 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 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 Portuguese Republic within three months after 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 Lisbon on 4 February 1983 in duplicate, in the German and Portuguese languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:  
W. SCHATTMANN

For the Government of the Portuguese Republic:  
JOÃO SALGUEIRO