

No. 22968

**FEDERAL REPUBLIC OF GERMANY
and
TONGA**

**Agreement concerning financial co-operation. Signed at
Nuku'alofa on 5 April 1983**

Authentic texts: German and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TONGA**

**Accord de coopération financière. Signé à Nukualofa le
5 avril 1983**

Textes authentiques : allemand et anglais.

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

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

The Government of the Kingdom of Tonga and the Government of the Federal Republic of Germany,

In the spirit of the friendly relations existing between the Kingdom of Tonga 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 Kingdom of Tonga,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Kingdom of Tonga to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a loan of up to DM 3,000,000 (three million Deutsche Mark) for the project "Rehabilitation of embankments" 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 the Kingdom of Tonga and the Government of the Federal Republic of Germany so agree.

Article 2. The utilization of the amount referred to in Article 1 of this Agreement as well as the terms and conditions on which it is made available shall be governed by the provisions of the agreements to be concluded between the Government of the Kingdom of Tonga 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 Kingdom of Tonga shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Kingdom of Tonga 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 Kingdom of Tonga 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 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.

¹ Came into force on 5 April 1983 by signature, in accordance with article 8.

Article 5. Supplies and services for projects financed from the loan 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 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 the Kingdom of Tonga 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 Nuku'alofa on Tuesday 5th April, 1983 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Kingdom of Tonga:

[Signed — Signé]¹

For the Government
of the Federal Republic of Germany:

[Signed — Signé]²

¹ Signed by J. Cocker — Signé par J. Cocker.

² Signed by H. A. Steger — Signé par H. A. Steger.