

No. 27416

FEDERAL REPUBLIC OF GERMANY
and
MALAWI

Agreement concerning financial cooperation — *Small Enterprise Development Organization in Malawi (SEDOM)*.
Signed at Lilongwe on 28 June 1988

Authentic texts: German and English.

Registered by the Federal Republic of Germany on 17 July 1990.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MALAWI

Accord de coopération financière — *Organisation de développement des petites entreprises au Malawi*. Signé à Lilongwe le 28 juin 1988

Textes authentiques : allemand et anglais.

Enregistré par la République fédérale d'Allemagne le 17 juillet 1990.

AGREEMENT¹ 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,

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 Wie-
deraufbau (Development Loan Corporation), Frankfurt/Main, financial contribu-
tions of up to DM 8,250,000 (eight million two hundred and fifty thousand Deutsche
Mark) for the project Small Enterprise Development Organization of Malawi (SE-
DOM) if, after examination, the project has been found eligible for promotion, and
of up to DM 250,000 (two hundred and fifty thousand Deutsche Mark) for an attend-
ant measure.

(2) 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, Frankfurt/Main, further financial
contributions for the preparation of the project SEDOM or for attendant measures
required for its implementation and support.

(3) The project referred to in paragraph 1 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.

Financial contributions for preparatory and attendant measures pursuant to
paragraphs 1 and 2 above shall be converted into loans in the event that they are not
used for such measures.

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 agreement to be concluded between the recipient of the finan-

¹ Came into force on 28 June 1988 by signature, in accordance with article 8.

cial contributions and the Kreditanstalt für Wiederaufbau, which agreement 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 agreement 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

Supplies and services for projects financed from the financial contribution 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 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

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 28/6/88 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Republic of Malawi:

[Signed — Signé]¹

For the Government
of the Federal Republic
of Germany:

[Signed — Signé]²

¹ Signed by L. J. Chimango — Signé par L. J. Chimango.

² Signed by van Rossum — Signé par van Rossum.