

No. 27581

**DENMARK
and
GUYANA**

**Agreement on the consolidation of debts (with appendix).
Signed at Copenhagen on 19 April 1990**

Authentic text: English.

Registered by Denmark on 10 October 1990.

**DANEMARK
et
GUYANA**

**Accord relatif à la consolidation de dettes (avec annexe).
Signé à Copenhague le 19 avril 1990**

Texte authentique : anglais.

Enregistré par le Danemark le 10 octobre 1990.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM
OF DENMARK AND THE GOVERNMENT OF THE COOPER-
ATIVE REPUBLIC OF GUYANA

The Government of the Kingdom of Denmark and the Government of the Cooperative Republic of Guyana have in accordance with the Agreed Minute, signed in Paris on May 24, 1989 as a result of the conference on the debt of the Cooperative Republic of Guyana, at which the Government of the Kingdom of Denmark and the Government of the Cooperative Republic of Guyana were represented, agreed as follows:

Article I
Debts concerned

The present Agreement shall apply to the servicing of debts which

A. relate to commercial credits guaranteed by the Danish Export Credit Agency "Eksportkreditrådet" (hereinafter referred to as "EKR"), entered into before December 31, 1988 and having an original maturity of more than one year.

B. relate to commercial credits guaranteed by EKR, entered into before December 31, 1988 and having an original maturity of one year or less.

Article II
Terms of Rescheduling

1. The Government of the Kingdom of Denmark commits itself to reschedule 100% of the amounts of principal and contractual interest (including late interest) mentioned in Article I.

¹ Came into force on 19 April 1990 by signature, in accordance with article IX.

Repayment by the Government of the Cooperative Republic of Guyana of the corresponding sums will be made in 20 equal and successive semi-annual payments, the first payment to be made on April 30, 2000, and the final payment to be made on October 31, 2009.

2. The same provisions apply to late and moratorium interest accrued and not paid as at October 31, 1990.

Article III
Debts Involved

1. The debts involved are agreed to be:

1. USD 1.987.665,77

2. DKK 3.373.144,02

These amounts are specified in the attached Appendix 1.

2. The Danish Krone (DKK) amount shall be converted into US Dollars at the rate of 6,3735 DKK per US Dollar (the rate prevailing on April 19, 1990).

The conversion and late interest computation shall be specified in an Appendix 2 to be prepared by EKR and agreed with the Ministry of Finance of Guyana.

3. If needed, the Appendices may be altered or amended by agreement between EKR and The Ministry of Finance, acting with regard to such alterations and amendments, on behalf of their respective Governments.

The Appendices are an integral part of the Agreement.

Article IVInterest

1. The Government of the Cooperative Republic of Guyana shall be liable for and shall pay interest in accordance with the provisions of this article.
2. Interest shall be calculated on the outstanding amounts on the basis of 365 days a year.
3. Interest shall accrue from the maturity date of each individual debt and shall be payable until the settlement of the debt by payment to EKR, and shall be paid and transferred to EKR in the currency of the debt.
4. Interest shall be paid semi-annually in arrears on April 30 and October 31 of each year commencing on April 30, 1991.
5. A. The interest rate to be used to calculate the late and moratorium interest until October 31, 1990 shall be: 9,00 per cent per annum.

B. From November 1, 1990 the rate on interest on debts owed in US dollars will be determined by the Government of the Kingdom of Denmark on the second business day prior to the commencement of the relevant interest period in the following way:

The Government of the Kingdom of Denmark will request three prime banks in the London Interbank Market to inform the Government of the Kingdom of Denmark of the rate at which six-month Euro-dollar deposits are offered to them as of 11.00 a.m. (London time) on such interest determination date. The Government of the Kingdom of Denmark will then calculate the arithmetic mean of the quotations (if necessary, rounded up to the nearest 1/16th of the one per cent), and

then add 0.5 per cent. However, the interest rate including the spread shall not exceed 9,25 per cent per annum.

If any interest payment date would otherwise fall on a day which is not a business day in London, it shall be postponed to the next day which is a business day.

6. In the event that an amount payable under Article II and paragraph 4 above has not been received on the due date thereof, interest shall be paid on such amount from the due date up to and including the day of actual payment at the rate determined in paragraph 5 of this article.

Article V

Payments

The payments referred to in Article II and V concerning the Commercial Credits shall be paid to the account of EKR, Account No 6344-5 with Danmarks Nationalbank, Havnegade 5, DK-1058 Copenhagen K, Denmark.

All payments shall be made without deduction for taxes, fees or other public charges or any other costs accruing inside Guyana.

Article VI

Implementation

The Agency responsible for the implementation of this Agreement on behalf of the Government of the Kingdom of Denmark is EKR. The address is:

Eksportkreditrådet
Codanhus
60, Gl. Kongevej
DK-1850 Frederiksberg C
Denmark
Phone: 45 31 31 38 25
Telex: 22910 def dk
Telefax: 45 31 31 34 25

The Agency responsible for the implementation on behalf of the Government of the Cooperative Republic of Guyana is Ministry of Finance

The address is:

Ministry of Finance
Main and Urquhart Streets
Georgetown
Guyana
Phone: 02 - 61162, 71114, 63371
Telex: 3038 minfin gy
Telefax: 02 - 61284

Article VII
Conditions

Pursuant to section IV paragraph 3 of the Paris Club Agreed Minute of May 24, 1989 the provisions of this Agreement will apply provided that the International Monetary Fund's (IMF) review of the Government of the Cooperative Republic of Guyana's Fund Monitored Program concludes satisfactorily and the IMF has approved an Enhanced Structural Adjustment Facility or Stand By Arrangement for Guyana by August 31, 1990. In the event that neither of these programs is in place, payments covered by this Agreement will be due according to the original contracts.

Article VIII
Comparability of Treatment

Notwithstanding the provisions and terms of the present Agreement the Government of the Cooperative Republic of Guyana commits itself to accord to the Government of the Kingdom of Denmark treatment not less favourable than might be accorded to any other creditor country in connection with rescheduling of debts similar to those covered by the present Agreement.

Article IX
Entry into Force and Duration

The present Agreement shall enter into force on signature and shall remain in force until the last payments under Articles II and V have been made.

Done in duplicate in the English language on this day of April 19, 1990.

For the Government
of the Kingdom of Denmark:

[Signed]

CARL JOHAN LIEBE
Minister Counsellor
Ministry of Foreign Affairs
Denmark

For the Government
of the Cooperative Republic
of Guyana:

[Signed]

WINSTON SHRIPAL MURRAY
Minister of Finance (ag.)
Ministry of Finance
Guyana

APPENDIX 1
to
BILATERAL AGREEMENT
between
THE KINGDOM OF DENMARK
and
THE COOPERATIVE REPUBLIC OF GUYANA

Table I: Arrears as Dec. 31, 1988

Table II: Amounts falling due Jan. 1, 1989 - febr. 28, 1990

Table III: Short term arrears

Table I Arrears as at December 31, 1989

Exporter/ EKR ref.no.	Importer/ Buyer	due date	Principal	Interest	Total
A/S Atlas 10047-17024	Guyana Fisheries Ltd.	21.11.82	USD 117.684,93	----	117.684,93
		21.05.83	USD 117.684,93	65.020,92	182.705,85
		21.11.83	USD 117.684,93	60.019,31	177.704,24
		21.05.84	USD 117.684,93	55.017,70	172.702,63
		21.11.84	USD 117.684,93	50.016,09	167.701,02
		21.05.85	USD 117.684,93	45.014,48	162.699,41
		21.11.85	USD 117.684,93	40.012,88	157.697,81
		21.05.86	USD 117.684,93	35.011,27	152.696,20
		21.11.86	USD 117.684,93	30.009,66	147.694,59
		21.05.87	USD 117.684,93	25.008,05	142.692,98
		21.11.87	USD 117.684,93	20.006,44	137.691,37
		21.05.88	USD 117.684,93	15.004,83	132.689,76
		21.11.88	USD 117.684,93	10.003,22	127.688,15
Total			USD 1.529.904,09	450.144,85	1.980.048,94
			USD 1.529,900.34	(3.75)	1,980,045.19k

Adjustment

(3.75)

USD 1,529,900.34

1,980,045.19k

Table I Arrears as at December 31, 1989

Danish Exporter/ EKR ref.no.	Importer/ Buyer	due date	Principal	Interest	Total
Danish Self-Help Industrialization Programme A/S	Guyana National Engineering Corp.	15.04.83	DKK 343.446,20	127.075,09	470.521,29
		15.10.83	DKK 343.446,20	111.190,71	454.636,91
		15.04.84	DKK 343.446,20	95.306,32	438.752,52
		15.10.84	DKK 343.446,20	79.421,93	422.868,13
		15.04.85	DKK 343.446,20	63.537,55	406.983,75
		15.10.85	DKK 343.446,20	47.653,16	391.099,36
		15.04.86	DKK 343.446,20	31.768,77	375.214,97
		15.10.86	DKK 343.446,20	15.884,39	359.330,59
Total			DKK 2.747.569,60	571.837,92	3.319.407,52

Table II Amounts falling due January 1, 1989 - Februar 28, 1990

Danish Exporter/ EKR ref.no.	Importer/ Buyer	due date	Principal	Interest	Total
A/S Atlas	Guyana Fisheries Ltd.	21.05.89	7.309,91 117.664,91	316,67 5.001,61	7.620,58 122.666,52
Total			7.309,91 117.664,91	310,67 5.001,61	7.620,58 122.666,52

Table III. Short term arrears

A/S Roulunds Fabriker	Cravler & Wheeled Tractor Spares Co.	18.08.81	DKK 53.736,50
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