

No. 29527

**FEDERAL REPUBLIC OF GERMANY
and
MALAWI**

**Agreement concerning financial cooperation. Signed at
Lilongwe on 9 November 1988**

Authentic texts: German and English.

Registered by Germany on 28 January 1993.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MALAWI**

**Accord de coopération financière. Signé à Lilongwe le 9 no-
vembre 1988**

Textes authentiques : allemand et anglais.

Enregistré par l'Allemagne le 28 janvier 1993.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC
OF MALAWI AND THE GOVERNMENT OF THE FEDERAL RE-
PUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPER-
ATION

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 Kredit-
anstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/
Main, a financial contribution of up to DM 4,600,000 (four million six
hundred thousand Deutsche Mark) for the project Development of
Sub-Centres III (Karonga) if, after examination, the project has
been found eligible for promotion.

¹ Came into force on 9 November 1988 by signature, in accordance with article 8.

- (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 Development of Sub-Centres III (Karonga) 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 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 agreement to be concluded between the recipient of the financial contribution 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, land or air of persons and goods as results from the granting of the financial contribution, 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 contribution, 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 9th November, 1988
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 Louis Chimango — Signé par Louis Chimango.

² Signed by Rupprecht — Signé par Rupprecht.

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