

No. 29583

**FEDERAL REPUBLIC OF GERMANY
and
MALAWI**

**Agreement concerning financial cooperation. Signed at
Lilongwe on 30 December 1988**

Authentic texts: German and English.

Registered by Germany on 8 February 1993.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MALAWI**

Accord de coopération financière. Signé à Lilongwe le 30 décembre 1988

Textes authentiques : allemand et anglais.

Enregistré par l'Allemagne le 8 février 1993.

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,

with reference to the negotiations conducted from 3 to 5 November 1987
and the Summary Record of 5 November 1987,

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 21,500,000 (twenty-one
million five hundred thousand Deutsche Mark) for the North-Corridor
Project (tank storage facilities).

¹ Came into force on 30 December 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 attendant measures required for the implementation and support of the aforementioned project.
- (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.

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 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 *the 30th December 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 L. Chimango — Signé par L. Chimango.

² Signed by Rupprecht — Signé par Rupprecht.