

No. 29698

**GERMANY
and
THAILAND**

**Agreement concerning financial cooperation. Signed at
Bangkok on 14 November 1990**

Authentic texts: German and English.

Registered by Germany on 23 March 1993.

**ALLEMAGNE
et
THAÏLANDE**

Accord de coopération financière. Signé à Bangkok le 14 novembre 1990

Textes authentiques : allemand et anglais.

Enregistré par l'Allemagne le 23 mars 1993.

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

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

in the spirit of the friendly relations existing between the Kingdom
of Thailand and the Federal Republic of Germany,

desiring to strengthen and intensify those friendly relations
through financial cooperation 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 Thailand,

with reference to the Summary Record, dated 22 May 1990, of the
Thai-German intergovernmental negotiations conducted in Bonn on
21 and 22 May 1990,

have agreed as follows:

Article 1

(1) The Government of the Federal Republic of Germany shall
enable the Government of the Kingdom of Thailand or another

¹ Came into force on 14 November 1990 by signature, in accordance with article 6.

er recipient to be determined jointly by the two Governments to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main,

- (a) a loan of up to DM 10,000,000 (ten million Deutsche Mark) for the project "Credit Line for the Industrial Finance Corporation of Thailand (IFCT VIII)" if, after examination, the project has been found eligible for promotion;
 - (b) a loan of up to DM 5,000,000 (five million Deutsche Mark) for the project "Credit Line for the Bank of Agriculture and Agricultural Cooperatives (BAAC II)" if, after examination, the project has been found eligible for promotion, and
 - (c) a financial contribution of up to DM 15,000,000 (fifteen million Deutsche Mark) for the project "Village Development Programme VII" if, after examination, the project has been found eligible for promotion and it has been confirmed that, as a social infrastructure project, it fulfils the special criteria for promotion via a financial contribution.
- (2) In the event that the confirmation referred to in paragraph 1 (c) above cannot be provided in respect of the project in question, the Government of the Federal Republic of Germany shall enable the Government of the Kingdom of Thailand to obtain from the Kreditanstalt für Wiederaufbau for this project a loan up to the amount of the envisaged financial contribution.

- (3) The projects referred to in paragraph 1 above may be replaced by other projects if the Government of the Kingdom of Thailand and the Government of the Federal Republic of Germany so agree.

- (4) In the event that the project referred to in paragraph 1 (c) above is replaced by a project relating to environmental protection, social infrastructure or by a self-help oriented measure for the eradication of poverty, which projects fulfil the special criteria for promotion via financial contributions, a financial contribution may be granted; otherwise, a loan may be granted.

Article 2

- (1) The utilization of the amounts referred to in Article 1 of this Agreement and the terms and conditions on which they are made available, as well as the procedure for awarding contracts, shall be governed by the provisions of the agreements to be concluded between the recipients of the loans and/or the financial contribution and the Kreditanstalt für Wiederaufbau, which agreements shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

- (2) The Government of the Kingdom of Thailand, in so far as it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments in Deutsche Mark to be made in fulfilment of the borrowers' liabilities under the agreements to be concluded pursuant to paragraph 1 above.

Article 3

The Government of the Kingdom of Thailand shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Kingdom of Thailand 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 Thailand 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 loans and the financial contribution, abstain from taking any measures that might exclude or impair the participation on equal terms 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

With regard to supplies and services resulting from the granting of the loans and 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 6

This Agreement shall enter into force on the date of signature thereof.

DONE at Bangkok on 14 November 1990 (B.E. 2533)
in duplicate in the English and German languages, both texts
being equally authentic.

For the Government
of the Kingdom of Thailand:

[*Signed — Signé*]

Dr. VIRABHONGSA RAMANGKURA
Minister of Finance

For the Government
of the Federal Republic of Germany:

[*Signed — Signé*]

Dr. WERNER ZIMPRICH
Chargé d'Affaires a.i.
