

◎初等・中等学校施設改善計画のための贈与に関する日本国政府とスリ・ランカ民主主義共和国政府との間の交換公文

(略称) スリ・ランカとの初等・中等学校施設改善計画のための贈与取極

平成 十年十一月 十九日 コロンボで
平成 十年十二月 十九日 効力発生
平成 十一年 三月 十八日 告示

(外務省告示第二二八号)

概要

- 1 援助の目的及び内容 初等・中等学校施設改善計画を実施するために必要な
(a) 初等・中等学校十二校の建て替えに必要な生産物及び役務の供与
(b) 機材及びその据付けに必要な役務の供与
(c) 前記(a)及び(b)の生産物の輸送に必要な役務の供与
- 2 贈与の限度額 十三億二千九百万円
- 3 贈与の使用期限 平成十一年十一月十八日まで
- 4 署名者
日 本 側 小川正二在スリ・ランカ臨時代理大使
スリ・ランカ側 デイクソン・ニラウイーラ大蔵・計画省次官

(Japanese Note)

Colombo, November 19, 1998

Sir,

I have the honour to refer to the recent discussions held between the representatives of the Government of Japan and of the Government of the Democratic Socialist Republic of Sri Lanka concerning Japanese economic cooperation to be extended with a view to strengthening friendly and cooperative relations between the two countries, and to propose on behalf of the Government of Japan the following arrangements:

1. For the purpose of contributing to the execution of the project for improvement of junior schools (hereinafter referred to as "the Project") by the Government of the Democratic Socialist Republic of Sri Lanka, the Government of Japan will extend to the Government of the Democratic Socialist Republic of Sri Lanka, in accordance with the relevant laws and regulations of Japan, a grant up to one billion three hundred and twenty-nine million yen (¥1,329,000,000) (hereinafter referred to as "the Grant").
 2. The Grant will be made available during the period between the date of coming into force of the present arrangements and November 18, 1999, unless the period is extended by mutual agreement between the authorities concerned of the two Governments.
 3. (1) The Grant will be used by the Government of the Democratic Socialist Republic of Sri Lanka properly and exclusively for the purchase of the products of Japan or the Democratic Socialist Republic of Sri Lanka and the services of Japanese or Sri Lankan nationals listed below: (The term "nationals" whenever used in the present arrangements means Japanese physical persons or Japanese juridical persons controlled by Japanese physical persons in the case of Japanese nationals, and Sri Lankan physical or juridical persons in the case of Sri Lankan nationals.)
 - (a) products and services necessary for the reconstruction of the facilities of twelve junior schools (hereinafter jointly referred to as "the Facilities");
 - (b) equipment necessary for the execution of the Project and services necessary for the installation thereof; and
 - (c) services necessary for the transportation of the
4. The Government of the Democratic Socialist Republic of Sri Lanka or its designated authority will enter into contracts in Japanese yen with Japanese nationals for the purchase of the products and services referred to in paragraph 3. Such contracts shall be verified by the Government of Japan to be eligible for the Grant.
 5. (1) The Government of Japan will execute the Grant by making payments in Japanese yen to cover the obligations incurred by the Government of the Democratic Socialist Republic of Sri Lanka or its designated authority under the contracts verified in accordance with the provisions of paragraph 4 (hereinafter referred to as "the Verified Contracts") to an account to be opened in the name of the Government of the Democratic Socialist Republic of Sri Lanka in a bank of Japan designated by the Government of the Democratic Socialist Republic of Sri Lanka or its designated authority (hereinafter referred to as "the Bank").
 - (2) The payments referred to in sub-paragraph (1) above will be made when payment requests are presented by the Bank to the Government of Japan under an authorization to pay issued by the Government of the Democratic Socialist Republic of Sri Lanka or its designated authority.
 - (3) The sole purpose of the account referred to in sub-paragraph (1) above is to receive the payments in Japanese yen by the Government of Japan and to pay to the Japanese nationals who are parties to the Verified Contracts. The procedural details concerning the credit to and debit from the account will be agreed upon through consultation between the Bank and the Government of the Democratic Socialist Republic of Sri Lanka or its designated authority.
 6. (1) The Government of the Democratic Socialist Republic of Sri Lanka will take necessary measures:

products referred to in (a) and (b) above to ports in the Democratic Socialist Republic of Sri Lanka, and those for internal transportation therein.

(2) Notwithstanding the provisions of sub-paragraph (1) above, when the two Governments deem it necessary, the Grant may be used for the purchase of the products of the kind mentioned in (a) and (b) of sub-paragraph (1) above, which are products of countries other than Japan or the Democratic Socialist Republic of Sri Lanka and the services of the kind mentioned in (a), (b) and (c) of sub-paragraph (1) above, which are services of nationals of countries other than Japan or the Democratic Socialist Republic of Sri Lanka.

4. The Government of the Democratic Socialist Republic of Sri Lanka or its designated authority will enter into contracts in Japanese yen with Japanese nationals for the purchase of the products and services referred to in paragraph 3. Such contracts shall be verified by the Government of Japan to be eligible for the Grant.

5. (1) The Government of Japan will execute the Grant by making payments in Japanese yen to cover the obligations incurred by the Government of the Democratic Socialist Republic of Sri Lanka or its designated authority under the contracts verified in accordance with the provisions of paragraph 4 (hereinafter referred to as "the Verified Contracts") to an account to be opened in the name of the Government of the Democratic Socialist Republic of Sri Lanka in a bank of Japan designated by the Government of the Democratic Socialist Republic of Sri Lanka or its designated authority (hereinafter referred to as "the Bank").

(2) The payments referred to in sub-paragraph (1) above will be made when payment requests are presented by the Bank to the Government of Japan under an authorization to pay issued by the Government of the Democratic Socialist Republic of Sri Lanka or its designated authority.

(3) The sole purpose of the account referred to in sub-paragraph (1) above is to receive the payments in Japanese yen by the Government of Japan and to pay to the Japanese nationals who are parties to the Verified Contracts. The procedural details concerning the credit to and debit from the account will be agreed upon through consultation between the Bank and the Government of the Democratic Socialist Republic of Sri Lanka or its designated authority.

6. (1) The Government of the Democratic Socialist Republic of Sri Lanka will take necessary measures:

- (a) to secure lots of land necessary for the reconstruction of the facilities and to clear the sites;
- (b) to provide facilities for distribution of electricity, water supply and drainage and other incidental facilities outside the sites;
- (c) to ensure prompt unloading and customs clearance at ports of disembarkation in the Democratic Socialist Republic of Sri Lanka and internal transportation therein of the products purchased under the Grant;
- (d) to exempt Japanese nationals from customs duties, internal taxes and other fiscal levies which may be imposed in the Democratic Socialist Republic of Sri Lanka with respect to the supply of the products and services under the Verified Contracts;
- (e) to accord Japanese nationals whose services may be required in connection with the supply of the products and services under the Verified Contracts such facilities as may be necessary for their entry into the Democratic Socialist Republic of Sri Lanka and stay therein for the performance of their work;
- (f) to ensure that the facilities reconstructed and the products purchased under the Grant be maintained and used properly and effectively for the execution of the Project; and
- (g) to bear all the expenses, other than those covered by the Grant, necessary for the execution of the Project.
- (2) With regard to the shipping and marine insurance of the products purchased under the Grant, the Government of the Democratic Socialist Republic of Sri Lanka will refrain from imposing any restrictions that may hinder fair and free competition among the shipping and marine insurance companies.
- (3) The products purchased under the Grant shall not be re-exported from the Democratic Socialist Republic of Sri Lanka.
7. The two Governments will consult with each other in respect of any matter that may arise from or in connection with the present arrangements.

I have further the honour to propose that this Note and your Note in reply confirming on behalf of the Government of the Democratic Socialist Republic of Sri Lanka the foregoing arrangements shall be regarded as

constituting an agreement between the two Governments, which will enter into force on the date of your reply.

I avail myself of this opportunity to renew to you the assurance of my high consideration.

(Signed) Shoji Ogawa
Chargé d'Affaires, a.i. of Japan
to the Democratic Socialist
Republic of Sri Lanka

Mr. Dixon Nilaweera
Secretary
Ministry of Finance and Planning
of the Democratic Socialist
Republic of Sri Lanka

(Sri Lankan Note)

Colombo, November 19, 1998

Sir,

I have the honour to acknowledge the receipt of your Note of today's date, which reads as follows:

"(Japanese Note)"

I have further the honour to confirm on behalf of the Government of the Democratic Socialist Republic of Sri Lanka the foregoing arrangements and to agree that your Note and this Note shall be regarded as constituting an agreement between the two Governments, which will enter into force on the date of this reply.

I avail myself of this opportunity to renew to you the assurance of my high consideration.

(Signed) Dixon Nilaweera
Secretary
Ministry of Finance and Planning
of the Democratic Socialist
Republic of Sri Lanka

Mr. Shoji Ogawa
Chargé d'Affaires, a.i. of Japan
to the Democratic Socialist
Republic of Sri Lanka