

◎母子病院医療機材整備計画のための贈与に関する日本国政府とアゼルバイジャン共和国政府との間の交換公文

(略称) アゼルバイジャンとの母子病院医療機材整備計画のための贈与
取極

平成 十一年 三月 十五日 バクーで
平成 十一年 三月 十五日 効力発生
平成 十一年 七月二十七日 告示

(外務省告示第三二一号)

概 要

- 1 援助の目的及び内容 母子病院医療機材整備計画を実施するために必要な機材及びその据付けに必要な役務の供与
- (a) 車両及びその調達に必要な役務の供与
- (b) 前記(a)及び(b)の生産物の輸送に必要な役務の供与
- (c) 贈与の限度額 五億七百万円
- 2 贈与の使用期限 平成十二年三月十四日まで
- 3 署名者
- 4 日 本 側 特命全権大使に代わる渥美千尋在ロシア大使館公使
アゼルバイジャン側 アリ・インサーノフ保健大臣

(Japanese Note)

Baku, March 15, 1999

Excellency,

I have the honour to refer to the recent discussions held between the representatives of the Government of Japan and of the Government of Azerbaijan Republic 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 Medical Equipment for Maternal and Child Hospitals (hereinafter referred to as "the Project") by the Government of Azerbaijan Republic, the Government of Japan will extend to the Government of Azerbaijan Republic, in accordance with the relevant laws and regulations of Japan, a grant up to five hundred and seven million yen (¥507,000,000) (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 March 14, 2000, 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 Azerbaijan Republic properly and exclusively for the purchase of the products of Japan or Azerbaijan Republic and the services of Japanese or Azerbaijan 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 Azerbaijan physical or juridical persons in the case of Azerbaijan nationals.)
 - (a) equipment necessary for the execution of the project and services necessary for the installation thereof;
 - (b) vehicles necessary for the execution of the project and services necessary for the procurement thereof; and
 - (c) services necessary for the transportation of the products referred to in (a) and (b) above to
4. The Government of Azerbaijan Republic 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 Azerbaijan Republic 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 Azerbaijan Republic in a bank of Japan designated by the Government of Azerbaijan Republic 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 Azerbaijan Republic 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 Azerbaijan Republic or its designated authority.
 6. (1) The Government of Azerbaijan Republic will take necessary measures:
 - (a) to ensure prompt customs clearance in Azerbaijan Republic and internal transportation therein of the products purchased under the Grant;

Azerbaijan Republic, 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 Azerbaijan Republic 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 Azerbaijan Republic.

(b) to exempt Japanese nationals from customs duties, internal taxes and other fiscal levies which may be imposed in Azerbaijan Republic with respect to the supply of the products and services under the Verified Contracts;

(c) 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 Azerbaijan Republic and stay therein for the performance of their work;

(d) to ensure that the products purchased under the Grant be maintained and used properly and effectively for the execution of the Project; and

(e) 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 Azerbaijan Republic 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 Azerbaijan Republic.

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 Excellency's Note in reply confirming on behalf of the Government of Azerbaijan Republic the foregoing arrangements shall be regarded as constituting an agreement between the two Governments, which will enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.

His Excellency
Mr. Ali Insanov
Minister of Health
of Azerbaijan Republic

For the Ambassador Extraordinary
and Plenipotentiary,
(Signed) Chihito Atsumi
Minister of the Embassy of Japan
in the Russian Federation

(Azerbaijan Note)

Baku, March 15, 1939

Excellency,

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

"(Japanese Note)"

I have further the honour to confirm on behalf of the Government of Azerbaijan Republic the foregoing arrangements and to agree that Your Excellency's 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 extend to Your Excellency the assurance of my highest consideration.

(Signed) Ali Insanov
Minister of Health
of Azerbaijan Republic

His Excellency
Mr. Takehiro Togo
Ambassador Extraordinary
and Plenipotentiary of Japan
to Azerbaijan Republic