

NEW ZEALAND
Treaty Series 1977, No. 24

AGREEMENT

BETWEEN THE GOVERNMENT OF NEW ZEALAND
AND THE GOVERNMENT OF THE FEDERAL REPUBLIC
OF GERMANY ON SCIENTIFIC AND TECHNOLOGICAL
COOPERATION

Bonn, 2 December 1977
[in force 23 August 1978]



MINISTRY OF FOREIGN AFFAIRS
WELLINGTON

1979

Price 15c

AGREEMENT BETWEEN THE GOVERNMENT OF
NEW ZEALAND AND THE GOVERNMENT OF THE
FEDERAL REPUBLIC OF GERMANY ON SCIENTIFIC
AND TECHNOLOGICAL COOPERATION

THE GOVERNMENT OF NEW ZEALAND
AND THE
GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY

Desiring to strengthen the close and friendly relations existing between their two countries,

Considering their mutual interest in promoting all aspects of scientific and technological cooperation between both countries for peaceful purposes and for their mutual benefit,

Wishing to cooperate by providing additional opportunities to exchange ideas, skills and techniques, and by collaborating on problems of mutual interest,

Recognising the beneficial effects that such cooperation can have on the quality of life and economic well-being of the peoples of their respective countries,

Have agreed as follows:

Article 1

The Government of New Zealand and the Government of the Federal Republic of Germany shall facilitate and encourage scientific and technological cooperation for peaceful purposes between civilian agencies and organisations in the public and private sectors of each country.

Article 2

(1) The two Governments shall together determine areas in which scientific and technological cooperation should take place and the ways and means of promoting and implementing such cooperation.

(2) The two Governments may designate cooperating agencies for the purpose of implementing particular cooperative programmes or projects within the areas determined in accordance with paragraph 1 of this Article.

(3) The two Governments, or the designated cooperating agencies as the case may be, may conclude separate implementing arrangements in relation to particular cooperative programmes or projects, specifying terms and conditions, the procedures to be followed, financial responsibilities and other appropriate matters.

(4) The determination by the two Governments of areas in which scientific and technological cooperation may take place shall not affect other agreements, contracts or arrangements existing at the date of signature of this Agreement or concluded thereafter.

Article 3

Each Government, or designated cooperating agency under a separate implementing arrangement, shall bear, in accordance with its appropriate financial and budgetary processes and subject to the availability of funds, the costs of discharging its responsibilities under cooperative programmes or projects unless other arrangements are made. Unless otherwise determined by the two Governments, or designated cooperating agencies, the cost of visits and exchanges shall be borne by the sending Government or designated cooperating agency.

Article 4

Subject to the approval of both Governments, civilian agencies and organisations of third countries may participate in particular cooperative programmes or projects.

Article 5

(1) Exchanges of information in the areas covered by the present Agreement may take place either between the two Governments themselves or between the cooperating agencies designated by them.

(2) Unless the two Governments or cooperating agencies designated by them determine otherwise, scientific information derived from cooperative programmes or projects under Article 2 of this Agreement shall be made available to the world scientific community through customary channels and in accordance with the normal procedures of each Government or cooperating agency designated by them for the particular programme or project.

(3) In some circumstances other conditions and procedures for exchanges of information, including limitation or preclusion of transfer to third parties, may be agreed by the two Governments or the designated cooperating agencies. Such other conditions and procedures shall be covered by the separate implementing arrangements referred to in paragraph 3 of Article 2 of this Agreement.

Article 6

Unless otherwise agreed the transmittal of information and the supply of materials and equipment under this Agreement or under separate implementing arrangements concluded pursuant to Article 2 shall in no way render either Government liable to the other or any designated cooperating agency liable to any other, with regard to the accuracy of the information transmitted or the suitability of the articles supplied for a specific use.

Article 7

Each Government shall, in accordance with its laws and regulations, facilitate the entry into and stay within its territory of nationals of the other, and their families, to pursue cooperative activities within the framework of this Agreement.

Article 8

Communications between the two Governments in relation to matters of principle arising under this Agreement shall be made through diplomatic channels. Designated cooperating agencies may communicate directly with each other.

Article 9

The two Governments shall, from time to time, consult together for the purpose of reviewing the implementation of this Agreement.

Article 10

This Agreement shall apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of New Zealand within three months of the date of entry into force of this Agreement.

Article 11

This Agreement shall not apply to the Cook Islands, Niue and Tokelau.

Article 12

(1) This Agreement shall enter into force on the date on which each Government notifies the other that its respective constitutional and other requirements necessary to give effect to the Agreement have been complied with.*

(2) This Agreement shall remain in force initially for five years, and thereafter shall remain in force until such time as either Government has received written notification from the other Government of its intention to terminate the Agreement. In such case the Agreement shall cease to have effect six months after the receipt of such notification.

(3) In the event of termination of this Agreement, its provisions shall continue to apply in respect of any uncompleted separate implementing arrangements entered into during the period of validity of this Agreement.

*Agreement entered into force on 23 August 1978.

In witness whereof, the undersigned, duly authorised thereto by their respective Governments, have signed this Agreement.

Done at Bonn on 2nd December 1977 in two originals, in the English and German languages, both texts being equally authentic.

For the Government
of New Zealand
Duncan MacIntyre

For the Government
of the
Federal Republic of Germany
Peter Hermes

BY AUTHORITY:

P. D. HASSELBERG, GOVERNMENT PRINTER, WELLINGTON, NEW ZEALAND—1979

35903A—79G