

**No. 47595**

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**Germany  
and  
Trinidad and Tobago**

**Treaty between the Federal Republic of Germany and the Republic of Trinidad and Tobago concerning the encouragement and reciprocal protection of investments. Berlin, 8 September 2006**

**Entry into force:** *17 April 2010 by the exchange of instruments of ratification, in accordance with article 14*

**Authentic texts:** *English and German*

**Registration with the Secretariat of the United Nations:** *Germany, 1 July 2010*

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**Allemagne  
et  
Trinité-et-Tobago**

**Traité entre la République fédérale d'Allemagne et la République de Trinité-et-Tobago relatif à l'encouragement et à la protection réciproque des investissements. Berlin, 8 septembre 2006**

**Entrée en vigueur :** *17 avril 2010 par échange des instruments de ratification, conformément à l'article 14*

**Textes authentiques :** *anglais et allemand*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Allemagne, 1<sup>er</sup> juillet 2010*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

Treaty  
between  
the Federal Republic of Germany  
and  
the Republic of Trinidad and Tobago  
concerning  
the Encouragement and Reciprocal Protection  
of Investments

The Federal Republic of Germany  
and  
the Republic of Trinidad and Tobago,  
hereinafter referred to as the “Contracting Parties” -

desiring to intensify economic co-operation to the mutual benefit of both States,

intending to create favourable conditions for investments by nationals and companies of  
either State in the territory of the other State,

recognizing that the encouragement and contractual protection of such investments are apt  
to stimulate private business initiative and to increase the prosperity of both nations,

recognizing the important complementary role of foreign investments in the process of  
economic development,

recognizing also the increasing need for measures to protect the environment -

have agreed as follows:

Article 1

Definitions

For the purposes of this Treaty:

1. (a) The term “investment” comprises every kind of asset, and in particular, though not exclusively, includes:

(i) movable and immovable property as well as any other rights in rem such as mortgages, liens and pledges;

(ii) shares, stocks or other forms of equity participation in companies and other kinds of interest in companies;

(iii) claims to money which has been used to create an economic value or claims to any performance having an economic value, loans only being included when they are directly related to a specific investment;

(iv) intellectual property rights, in particular copyrights, patents, utility-model patents, registered designs, trademarks, trade names, trade and business secrets, technical processes, know-how and goodwill;

(v) business concessions conferred by law or under contract, including concessions to search for, cultivate, extract and exploit natural resources.

(b) Any alteration of the form in which assets are invested shall not affect their classification as investments.

2. The term “returns” means the amounts yielded by an investment for a definite period, and in particular, though not exclusively, includes profit, dividends, interest, capital gains, royalties or fees.

3. (a) The term “nationals” means

(i) in respect of the Republic of Trinidad and Tobago:

persons deriving their status as citizens or residents of the Republic of Trinidad and Tobago from the law in force in the Republic of Trinidad and Tobago;

(ii) in respect of the Federal Republic of Germany:

Germans within the meaning of the Basic Law of the Federal Republic of Germany

(b) Without prejudice to any other method of determining nationality, in particular any person in possession of a national passport issued by the competent authorities of the Contracting Party concerned shall be deemed to be a national of that Contracting Party

4. The term “companies” means

(a) in respect of the Republic of Trinidad and Tobago:

corporations, firms and associations incorporated or constituted under the law in force in the Republic of Trinidad and Tobago;

(b) in respect of the Federal Republic of Germany:

any juridical person as well as any commercial or other company or association with or without legal personality having its seat in the territory of the Federal Republic of Germany, irrespective of whether or not its activities are directed at profit.