

**No. 47698**

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**South Africa  
and  
Luxembourg**

**Bilateral Agreement between the Government of the Republic of South Africa and the Government of the Grand Duchy of Luxembourg on development cooperation in the health sector in the Eastern Cape province. Luxembourg, 25 February 2000**

**Entry into force:** *25 February 2000 by signature, in accordance with article 7*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *South Africa, 30 August 2010*

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**Afrique du Sud  
et  
Luxembourg**

**Accord bilatéral entre le Gouvernement de la République sud-africaine et le Gouvernement du Grand-Duché de Luxembourg relatif à la coopération au développement dans le secteur de la santé dans la province du Cap oriental. Luxembourg, 25 février 2000**

**Entrée en vigueur :** *25 février 2000 par signature, conformément à l'article 7*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Afrique du Sud, 30 août 2010*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**BILATERAL AGREEMENT**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC**

**OF SOUTH AFRICA**

**AND**

**THE GOVERNMENT OF THE GRAND DUCHY**

**OF LUXEMBOURG**

**ON**

**DEVELOPMENT COOPERATION IN THE HEALTH SECTOR**

**IN THE EASTERN CAPE PROVINCE**

**PREAMBLE**

The Government of the Republic of South Africa and the Government of the Grand Duchy of Luxembourg (hereinafter jointly referred to as "the Parties" and separately as "South Africa" and "Luxembourg" respectively);

**CONSIDERING** the friendly relationship existing between South Africa and Luxembourg and wishing to strengthen this relationship through a programme for development co-operation in the health sector;

**CONSIDERING** the health sector reforms currently being undertaken in the Republic of South Africa which aim to increase access to care through the provision of primary health care services;

**CONSIDERING** the successful completion of a first project for the support to the health sector in the Eastern Cape Province;

**WHEREBY AGREE** as follows:

**Article 1**

The Parties shall collaborate in a development co-operation project in order to renovate and maintain the Butterworth Hospital in the Eastern Cape Province, which shall be consistent with the health policy priorities of South Africa.

**Article 2**

- (1) Luxembourg shall participate in the financing of the project contemplated in Article 1 up to a maximum amount of 69'250'000 Flux (sixty-nine million two hundred and fifty thousand Luxembourg francs) over a period of three years.
- (2) The Luxembourg contribution shall be used financially and technically to assist South Africa in the implementation of the project as specified in this Agreement as well as in the project document which forms an annexure to this Agreement as Annexure A.
- (3) Lux-Development S.A., 1, rue Emile Bian, Luxembourg, shall act as the executing agency for the Luxembourg obligations under this Agreement.

### **Article 3**

- (1) South Africa guarantees the efficient implementation of its obligations under this Agreement as well as the annexure to this Agreement.
- (2) The Department of Health and Welfare in the Eastern Cape Province shall act as the executing agency for South Africa and will be the counterpart of Lux-Development during the formulation and the implementation of the project contemplated in Article 1.

### **Article 4**

Lux-Development and the Department of Health and Welfare in the Eastern Cape Province shall formulate and design the mode of implementation of the project contemplated in Article 1 according to the project document which forms an annexure to this Agreement as Annexure A.

### **Article 5**

- (1) The Department of Finance of South Africa shall guarantee that all goods and services used in the project contemplated in Article 1 and either imported or obtained locally, shall be exempted, as far as applicable under the domestic law of South Africa, from import duties, taxation or other charges. The project benefits from the status granted to EU projects as regards taxation, duties and other charges relating to
  - works, equipment and services undertaken by the project,
  - the importation/purchase of personal belongings, cars etc. by expatriate project personnel.
- (2) South Africa shall guarantee the protection of the property of any individual or legal entities operating within the framework of the said project during the implementation of the project.

### **Article 6**

- (1) Any modification of or amendment to this Agreement shall be approved through an exchange of letters between the Parties through the diplomatic channel.