

No. 55206*

**Germany
and
Sri Lanka**

Exchange of notes constituting an arrangement between the Government of the Federal Republic of Germany and the Government of the Democratic Socialist Republic of Sri Lanka concerning the establishment of a delegation of German industry and commerce in the Democratic Socialist Republic of Sri Lanka. Colombo, 28 February 2018 and 6 March 2018

Entry into force: *6 March 2018 by the exchange of the said notes, in accordance with their provisions*

Authentic texts: *English and German*

Registration with the Secretariat of the United Nations: *Germany, 8 June 2018*

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**Allemagne
et
Sri Lanka**

Échange de notes constituant un arrangement entre le Gouvernement de la République fédérale d'Allemagne et le Gouvernement de la République socialiste démocratique de Sri Lanka concernant la création d'une délégation pour l'industrie et le commerce allemands en République socialiste démocratique du Sri Lanka. Colombo, 28 février 2018 et 6 mars 2018

Entrée en vigueur : *6 mars 2018 par l'échange desdites notes, conformément à leurs dispositions*

Textes authentiques : *anglais et allemand*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Allemagne, 8 juin 2018*

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**Embassy
of the Federal Republic of Germany
Colombo**

File No. Wi
Note No. 46/2018

Note Verbale

The Embassy of the Federal Republic of Germany presents its compliments to the Ministry of Foreign Affairs of the Democratic Socialist Republic of Sri Lanka and, in conformity with the good relations between the two countries and intending to promote the economic relations and in particular cooperation in the field of trade and industry between the two countries, above all in the area of small and medium-sized industries, has the honour to propose that an Arrangement between the Government of the Federal Republic of Germany and the Government of the Democratic Socialist Republic of Sri Lanka concerning the establishment of a Delegation of German Industry and Commerce in the Democratic Socialist Republic of Sri Lanka be concluded, to read as follows:

1. With the aim of supporting economic cooperation between the two countries, as outlined above, the Government of the Federal Republic of Germany and the Government of the Democratic Socialist Republic of Sri Lanka hereby agree to establish a Delegation of German Industry and Commerce as an official institution for the promotion of foreign trade and investment (Delegation). The Delegation shall be a representation of the German Association of Chambers of Industry and Commerce (DIHK). Its official name shall be the Delegation of German Industry and Commerce.
2. The purpose of the Delegation is to promote trade and economic relations between companies, organisations and tradespersons from the Federal Republic of Germany and the Democratic Socialist Republic of Sri Lanka. It shall lobby for the interests of businesses from both countries and promote commercial activity in both directions. The Delegation shall not pursue profit-oriented objectives. It is entitled to charge fees for its services to recoup its costs.

3. The Delegation shall be registered with the relevant authority of the Democratic Socialist Republic of Sri Lanka as the representation of DIHK. The Delegation shall be located in Colombo. It may, in accordance with the law applicable in Sri Lanka, establish and maintain other branch offices in the territory of the Democratic Socialist Republic of Sri Lanka. The Delegation shall have the possibility to conclude cooperation arrangements for the purposes referred to in paragraph 2 above with, inter alia, Germany Trade and Invest (GTAI).
4. The Delegation shall be financed by allocations from the Federal Ministry for Economic Affairs and Energy of the Federal Republic of Germany and the DIHK. Payments made directly or indirectly by the Federal Republic of Germany or the DIHK to the Delegation for the purpose of covering costs shall be exempt from direct taxes. The Delegation is permitted to have bank accounts in the Democratic Socialist Republic of Sri Lanka and in the Federal Republic of Germany and any foreign currency received by the Delegation may be transferred freely at any time and without restrictions between the Federal Republic of Germany and the Democratic Socialist Republic of Sri Lanka in both directions.
5. Persons working for the Delegation in coordination with or on behalf of the DIHK for the purposes specified in paragraph 2 above and their family members (spouse and their children who are minors or are undergoing training) are not members of the diplomatic missions or consular posts of the Federal Republic of Germany in the Democratic Socialist Republic of Sri Lanka. They do not enjoy the privileges and immunities granted to the staff of such missions and posts.
6. The competent authorities in the Democratic Socialist Republic of Sri Lanka shall issue residence permits to the persons specified in paragraph 5 above expeditiously within the scope of the applicable laws and regulations. The residence permits shall entitle the bearer to multiple entries and exits for the duration of its validity. In accordance with the national law of the Democratic Socialist Republic of Sri Lanka, the permits shall be initially issued for a year and renewed yearly. A residence permit in the form of a visa must be obtained from one of the diplomatic missions or career-consular posts of the Democratic Socialist Republic of Sri Lanka before entry

into the Democratic Socialist Republic of Sri Lanka to take up employment. Applications to extend the permit's validity may be submitted in the Democratic Socialist Republic of Sri Lanka.

7. The persons specified in paragraph 5 above do not require work permits to perform their activities at the Delegation.
8. The number of staff employed by the Delegation shall be in a reasonable proportion to the purposes for which it was established.
9. The salaries, wages and similar earnings of the persons referred to in paragraph 5 above shall be subject to taxation in accordance with the relevant agreement between the Federal Republic of Germany and the Democratic Socialist Republic of Sri Lanka for the avoidance of double taxation with respect to taxes on income and capital and in accordance with the relevant applicable laws and regulations.
10. In accordance with existing laws, rules, and regulations of the Democratic Socialist Republic of Sri Lanka, the Government of the Democratic Socialist Republic of Sri Lanka shall grant the persons specified in paragraph 5 above an exemption from customs duties and other charges levied upon the import and re-export of personal property brought into the territory of the Democratic Socialist Republic of Sri Lanka within 12 months of their move there.
11. This Arrangement shall be concluded for an indefinite period; it may be terminated at any time by either Contracting Party, by giving one year's prior written notice through diplomatic channels.
12. This Arrangement shall be without prejudice to any bilateral Agreements in force between the Federal Republic of Germany and the Democratic Socialist Republic of Sri Lanka.
13. This Arrangement shall be concluded in the German and English languages, both texts being equally authentic.

If the Government of the Democratic Socialist Republic of Sri Lanka agrees to the proposals of the Government of the Federal Republic of Germany contained in paragraphs 1 to 13 above, this Note Verbale and the Note in reply thereto from the Ministry of Foreign Affairs of the Democratic Socialist Republic of Sri Lanka expressing the agreement of the Government of the Democratic Socialist Republic of Sri Lanka shall constitute an Arrangement between the Government of the Federal Republic of Germany and the Government of the Democratic Socialist Republic of Sri Lanka, which shall enter into force on the date of the Note in reply.

The Embassy of the Federal Republic of Germany avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Democratic Socialist Republic of Sri Lanka the assurance of its highest consideration.

Colombo, 28th February 2018



The Ministry of Foreign Affairs
-Protocol Division –

Colombo

Cc:
Ministry of National Policies and Economic Affairs
Ministry of Finance & Mass Media
Ministry of Development Strategies and International Trade
Ms. Dhammika Semasinghe, Ministry of Foreign Affairs