

法規名稱：ESTABLISHMENT OF A TAIPEI CHINA-EUROPEAN BANK COOPERATION FUND

簽訂日期：民國 80 年 09 月 16 日

生效日期：民國 80 年 09 月 16 日

Mr. Jacques Attali

President

European Bank for Reconstruction and

Development

122 Leadenhall Street

London EC3V 4EB

United Kingdom

16 September 1991

Re: Establishment of a Taipei China-

European Bank Cooperation Fund

1 Following the various discussions held between representatives of Taipei China through its Taipei Economic and Cultural Office in Brussels (hereinafter called the Government) and of the European Bank for Reconstruction and Development (the European Bank) on the subject referred to above, we are pleased to inform you that the Government is prepared to establish at the European Bank a Taipei China-European Bank Cooperation Fund (TCEBCF) for technical assistance, training and advisory services under the conditions specified in this letter.

2 The Government shall make available to the European Bank on a non-reimbursable basis an amount of ten million United States dollars (US\$10,000,000) to finance services, including fees, travel and other reimbursable costs, rendered by consultants in connection with their employment by the European Bank for the purposes described below. At least twenty per cent (20%) will be used for the engagement of consultants from Taipei China.

Purpose of the TCEBCF

3 The TCEBCF is available to finance:

- (i) the identification, preparation and/or implementation of projects and programmes and such other activities, agreed u-

pon by the European Bank and the Government, in the recipient countries of the European Bank.

- (ii) seminars and training or training-related activities in furtherance of the European Bank's purpose, including the fees, travel and subsistence expenses of consultants or experts engaged to prepare and/or participate in such activities, as well as the travel and subsistence expenses of trainees; and
- (iii) research and studies, and the building or strengthening of institutions, or other similar activities, that are designed to contribute to the promotion of private and entrepreneurial initiative in the context of open market-oriented economies.

Administration of TCEBCF: Accounts and Records

4 The European Bank shall open and maintain an interest-bearing Trust account denominated Taipei China-European Bank Cooperation Fund Account (Account) at J.P. Morgan of New York, New York in which the funds for the financing of the activities described in the present letter shall be deposited by the Government in two installments: two million US dollars (US\$2,000,000) upon signature of the Agreement and eight million US dollars (US\$8,000,000) in the month of August 1992. The European Bank shall keep the funds in the Account separate and apart from any other possible funds of the European Bank. The European Bank shall be entitled to draw on the Account for the financing of the expenditures eligible under the present letter. The funds in the Account may be freely exchanged by the European Bank into other currencies as may facilitate their disbursement, and the Bank shall have no liability to the Government for any exchange losses in connection therewith. The European Bank may invest and reinvest the funds pending their disbursement and shall retain for its own account any income from such investment to cover its administrative expenses associated with the management and administration of this arrangement.

5 The European Bank shall maintain separate records and accounts

in respect of the funds in the Account and disbursed pursuant to the provisions hereof, and cause such records and accounts to be audited and certified by the European Bank's external auditors as the end each fiscal year.

Responsibility

6 The administration of the TCEBCF by the European Bank shall be undertaken in accordance with the European Bank's normal practices and standards and with the same degree of care as it uses with respect to the administration and management of its own affairs. The European Bank shall have no further liability to the Government in respect thereof.

7 The, Offices responsible for the coordination of all matters related to the content of this letter shall be the following:

For the European For the

Bank: Government:

Cofinancing Unit Taipei Economic
and Cultural Office

Development Avenue des Arts 41

Banking

122 Leadenhall B-1040 Brussels
Street

London EC3V 4EB Belgium

United Kingdom

Tel: 071 338 6205 Tel: 2-5110687

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8 The Government and the European Bank may consult each other from time to time on all matters concerning the TCEBCF, and the European Bank will provide the Government each year with a report describing the activities financed from the funds.

Termination

9 The arrangement provided for in this letter shall enter into force the day of its signature by both parties and shall remain in force, unless terminated by any one of the parties upon six-month prior written notice, until the funds in the Account provided by the Government under this letter are fully withdr-

awn.

10 If the arrangements provided for herein are terminated, (a) such termination shall not affect any agreements entered into between the European Bank and consultants and/ or third parties, and European Bank shall be entitled to continue withdrawals from the Account in respect of such agreements as if these arrangements had not been so terminated; and (b) any balance in the Account at the completion of such withdrawals and deduction of costs due to the European Bank hereunder shall be returned to the Government.

I propose that you confirm your agreement with the foregoing by signing the attached copy of this letter and returning it to us. Done in four original copies in English on the date above-written, which are equally authentic, held by the Government and the European Bank.

For the Government of Taipei China

[Signed]

Benjamin Lu

Representative, Brussels

Accepted for the European Bank for
Reconstruction and Development.

[Signed]

Jacques Attali

President

16 September, 1991

Mr. Jacques Attali

President

European Bank for Reconstruction and
Development

122 Leadenhall Street

London EC3V 4EB

United Kingdom

16 September 1991

Dear Mr. President,

Re: The Taipei China-European Bank Cooperation Fund

Discussions have been undertaken between your bank and my Government to establish the Taipei China-European Bank Cooperation Fund at your Bank to finance projects and programmes in the recipient countries of the Bank. My Government welcomes the opportunity to work closely with the Bank to contribute to the economic progress in Central and Eastern Europe. As discussions proceed, my Government wishes to reconfirm the concurrence of the Bank on the following:

- (1) Firms, suppliers and contractors in Taipei China shall be given adequate, fair and equal opportunity to bid on goods and works which are being procured under Bank loans.
- (2) You will endeavour to invite representatives of Taipei China to the annual meetings of the Board of Governors of the Bank as your special guests.
- (3) Starting from the entering into force of the Agreement on the establishment of the Fund, a minimum of twenty percent (20%) of the first-year expenses from the Fund shall be utilised to engage consultants from Taipei China. The percentage shall be reviewed at the end of the first year of the Fund, and be increased annually upon mutual consent.

If these provisions are acceptable to the European Bank, please confirm your agreement by signing this letter and returning one copy to us.

In the meantime, I would like to take this opportunity to extend to you my warmest personal regards.

Sincerely yours,

[Signed]

Benjamin Lu

Representative

Confirmed on behalf of the European

Bank for Reconstruction and

Development by

[Signed]

Jacques Attali

President

Date: 16 September 1991