PARLEMENT

REPUBLIQUE DU CONGO

Unité -Travail -Progrès

Loi n° 19 - 2009 du 30 décembre 2009

autorisant la ratification de l'accord de financement relatif au projet de lutte contre le VIH/SIDA

L'ASSEMBLEE NATIONALE ET LE SENAT ONT DELIBERE ET ADOPTE ;

LE PRESIDENT DE LA REPUBLIQUE PROMULGUE LA LOI DONT LA TENEUR SUIT :

Article premier : Est autorisée la ratification de l'accord de financement au projet de lutte contre le VIH/SIDA, signé le 21 juillet 2009 à Brazzaville entre la République du Congo et l'Association Internationale de Développement dont le texte est annexé à la présente loi.

Article 2 : La présente loi sera publiée au Journal officiel et exécutée comme loi de l'Etat.

Fait à Brazzaville, le 30 décembre 2009

Denis SASSOU-N'GUESSO.-

Par le Président de la République,

Le ministre des finances, du budget et du portefeuille public,

Gilbert ONDONGO.-

Le ministre des affaires étrangères et de la coopération,

Basile IKOUEBE.-

Le ministre de la santé et de la population,

Georges MOYEN.-

PRESIDENCE DE LA REPUBLIQUE

SECRETARIAT GENERAL
DU GOUVERNEMENT

REPUBLIQUE DU CONGO
Unité*Travail*Progrès

Décret n° 2009 - 510 du 30 décembre 2009
portant ratification de l'accord de financement relatif au projet de lutte contre le VIH/SIDA.

LE PRESIDENT DE LA REPUBLIQUE,

Vu la Constitution ;

Vu la loi n° 19 - 2009 du 30 décembre 2009 autorisant la ratification de l'accord de financement relatif au projet de lutte contre le VIH/SIDA ;

Vu le décret n° 2009-335 du 15 septembre 2009 portant nomination des membres du Gouvernement.

DECRETE :

Article premier : Est ratifié l'accord de financement relatif au projet de lutte contre le VIH/SIDA, signé le 21 juillet 2009 à Brazzaville entre la République du Congo et l'Association Internationale de Développement dont le texte est annexé au présent décret.

Article 2 : Le présent décret sera enregistré et publié au Journal Officiel de la République du Congo.

Fait à Brazzaville, le 30 décembre 2009

Denis SASSOU-N'GUESSO.-

Par le Président de la République,

Le ministre des finances, du budget et du portefeuille public,

Gilbert ONDONGO.-

Le ministre des affaires étrangères et de la coopération,

Basile IKOUEBE.-

Le ministre de la santé et de la population,

Georges MOYEN.-

GRANT NUMBER H494-CG

Financing Agreement

(Additional Financing for HIV/ AIDS and Health Project)

between

REPUBLIC OF CONGO

and

INTERNATIONAL DEVELOPMENT ASSOCIATION

Dated , 2009

GRANT NUMBER H494-CG

FINANCING AGREEMENT

AGREEMENT dated _____, 2009, entered into between REPUBLIC OF CONGO ("Recipient") and INTERNATIONAL DEVELOPMENT ASSOCIATION ("Association") for the purpose of providing additional financing for activities related to the Original Project (as defined in the Appendix to this Agreement). The Recipient and the Association hereby agree as follows:

ARTICLE I — GENERAL CONDITIONS; DEFINITIONS

1.01. The General Conditions (as defined in the Appendix to this Agreement) constitute an integral part of this Agreement.

1.02. Unless the context requires otherwise, the capitalized terms used in this Agreement have the meanings ascribed to them in the General Conditions or in the Appendix to this Agreement.

ARTICLE II — FINANCING

2.01. The Association agrees to extend to the Recipient, on the terms and conditions set forth or referred to in this Agreement, a grant in an amount equivalent to three million four hundred thousand Special Drawing Rights (SDR 3,400,000) ("Financing") to assist in financing the project described in Schedule 1 to this Agreement ("Project").

2.02. The Recipient may withdraw the proceeds of the Financing in accordance with Section IV of Schedule 2 to this Agreement.

2.03. The Maximum Commitment Charge Rate payable by the Recipient on the Unwithdrawn Financing Balance shall be one-half of one percent (1/2 of 1%) per annum.

2.04. The Payment Dates are March 15 and September 15 in each year.

2.05. The Payment Currency is the United States Dollar.

ARTICLE III — PROJECT

3.01. The Recipient declares its commitment to the objectives of the Project. To this end, the Recipient shall carry out the Project in accordance with the provisions of Article IV of the General Conditions.

3.02. Without limitation upon the provisions of Section 3.01 of this Agreement, and except as the Recipient and the Association shall otherwise agree, the Recipient shall ensure that the Project is carried out in accordance with the provisions of Schedule 2 to this Agreement.

ARTICLE IV — REMEDIES OF THE ASSOCIATION

4.01. The Additional Event of Suspension consists of the following: The CNLS/UDLS Decree or any texts enacted for its application shall have been amended, suspended, abrogated, repealed or waived so as, in the opinion of the Association, to materially and adversely affect the implementation of the Project.

ARTICLE V — EFFECTIVENESS; TERMINATION

5.01. The Additional Condition of Effectiveness consists of the following, namely that the Recipient has deposited an amount equivalent to one million United States Dollars (USD 1,000,000) into the Project Counterpart Funds Account.

5.02. The Effectiveness Deadline is the date ninety (90) days after the date of this Agreement.

5.03. For purposes of Section 8.05 (b) of the General Conditions, the date on which the obligations of the Recipient under this Agreement (other than those providing for payment obligations) shall terminate is twenty years after the date of this Agreement.

ARTICLE VI — REPRESENTATIVE; ADDRESSES

6.01. The Recipient's Representative is the Minister of the Recipient responsible for finance.

6.02. The Recipient's Address is:

Minister of Economy, Finance and Budget
Ministry of Economy, Finance and Budget
B.P. 2083
Brazzaville
Republic of Congo

Facsimile:

242-814-145

6.03. The Association's Address is:

International Development Association
1818 H Street, N.W.
Washington, D.C. 20433
United States of America

Cable:	Telex:	Facsimile:
INDEVAS Washington, D.C.	248423 (MCI)	1-202-477-6391

AGREED at Brazzaville, Congo, as of the day and year first above written.

REPUBLIC OF CONGO

By Pacifique ISSOIBEKA

Authorized Representative

INTERNATIONAL DEVELOPMENT ASSOCIATION

By Marie Françoise Marie-Nelly

Authorized Representative