

38.

28 aprile 1989, Bangkok

Memorandum d'intesa tra Italia e Thailandia  
concernente la valutazione della sicurezza della diga e le tecniche di monitoraggio (1)

## MEMORANDUM D'INTESA

The Government of the Kingdom of Thailand and the Government of the Republic of Italy:

In conformity with the aims and provisions of the Law N. 49 (dated February 26, 1987) concerning the new discipline of the Italian Development Cooperation;

Within the framework of the Basic Agreement on Cooperation of February 10, 1983;

Aiming at strengthening the existing cooperation between the two Countries;

Wishing to cooperate on Dam Safety Evaluation and Monitoring Techniques in Thailand;

Have agreed as follows:

## ARTICLE 1

The two Governments shall cooperate in the technical assistance project on Dam Safety Evaluation and Monitoring Techniques in Thailand, hereinafter referred to as "the Project".

The objectives of the Project are:

- setting up of an automated hardware and software system for off-line management and processing of measurements executed of EGAT dams,
- development of control models of the quantities measured, that may be employed for the surveillance of the behaviour of all dams,

(1) Entrata in vigore: 28 aprile 1989.

- training of EGAT personnel to get experience in computerized system for the processing and interpretation in the measurements,

- review an in-depth examination of the instrumentation network deployed on the dams,

- analysis and interpretation of the behaviour of the Bhumibol Dam.

The Project is planned to be carried out in a timespan lasting about sixteen (16) calendar months.

#### ARTICLE II

The Government of the Kingdom of Thailand designates the Electricity Generating Authority of Thailand, hereinafter referred to as "EGAT", as the agency responsible for the implementation of its obligations under this Memorandum of Understanding.

#### ARTICLE III

The Government of the Republic of Italy indicates ISMES S.p.A., Italy, hereinafter referred to as "ISMES", as the organization responsible for the implementation of its obligations under this Memorandum of Understanding.

#### ARTICLE IV

The Government of the Kingdom of Thailand, in accordance with the prevailing Thai laws and regulations, shall make the contributions which will be specified through another Exchange of Notes.

#### ARTICLE V

The Government of the Republic of Italy, in accordance with the prevailing Italian laws and regulations, shall make the following contributions:

- Italian experts for a total of 23 man/months to be spent in Thailand and 116 man/months to be spent in Italy.

- Training of EGAT personnel both in Italy and Thailand.

The total amount of the grant will be specified through Exchange of Notes, after the contract between the Ministry of Foreign Affairs of Italy and the appointed Italian company has been signed.

#### ARTICLE VI

The Government of the Kingdom of Thailand will assure the Italian experts working in Thailand for the execution of the project as follows:

- exemption from income taxes derived from their activities under the Project,
- exemption from customs duties on personal effects imported within six months after the first arrival of the experts in Thailand,
- assistance with respect to any necessary entry and exit visas stay permits, and other documents required for their stay and services in Thailand,
- facilitate prompt clearance of any equipment, materials or supplies required for the services and of the personal effects of the Italian experts, except those banned for import or luxurious and commissary goods,
- exempt from customs duties and taxes on the importation of the equipment, materials and supplies required for the implementation of the Project.

#### ARTICLE VII

The Government of the Kingdom of Thailand will indemnify Italian personnel against any civil claims directing resulting from the execution of this Memorandum of Understanding except where such claims arise from gross negligence or wilful misconduct of the personnel.

This paragraph will not apply to claims arising from traffic accidents.

## ARTICLE VIII

ISMES expatriate personnel shall be accorded the facilities and privileges not less favourable than those granted to experts from third countries working in the framework of technical cooperation.

## ARTICLE IX

The two Governments and their designated implementing organizations (EGAT and ISMES) shall ensure that this Memorandum of Understanding is carried out with the due diligence and efficiency and each shall furnish the other with all information that may be considered necessary for the realization of the Project.

## ARTICLE X

This Memorandum of Understanding shall enter into force on the date of the signature and shall expire upon completion of the Project or on any date mutually agreed upon by the two Governments.

This Memorandum of Understanding which is stipulated in accordance with ARTICLE III of the Basic Agreement on Cooperation between the Kingdom of Thailand and the Republic of Italy is of technical nature and is intended only to set out the administrative responsibility of the two Governments in relation to the carrying out of the Project within the framework of the above-mentioned Basic Agreement on Cooperation between the two Countries.

This Memorandum of Understanding may be amended at any time with the mutual consent of both Governments by Exchange of Letters.

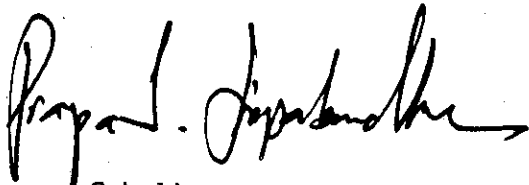
Any difference arising out of the interpretation or implementation of this Memorandum of Understanding shall be settled amicably by consultation or negotiation between the two Governments.

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IN WITNESS WHEREOF, the Undersigned have signed this Memorandum of Understanding.

SIGNED in Bangkok on 28 April 1989 in duplicate in the English language.

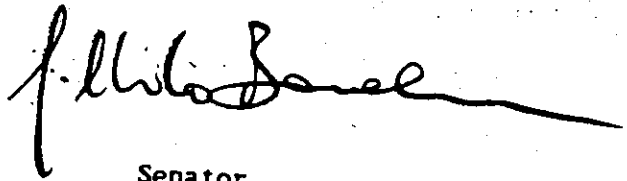
FOR THE GOVERNMENT OF THE  
KINGDOM OF THAILAND



Sub-lieutenant

Prapas Limpabandhu  
Deputy Minister of  
Foreign Affairs

FOR THE GOVERNMENT OF THE  
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Senator

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