

Official Gazette of the Republic of Macedonia, no.93 dated 3<sup>rd</sup> July 2013

20130932229

PARLIAMENT OF THE REPUBLIC OF MACEDONIA

Pursuant to paragraphs 1 and 2, Article 75 of the Constitution of the Republic of Macedonia, President of the Republic of Macedonia and President of the Parliament of the Republic of Macedonia issue the following

DECREE

ON PROMULGATION OF THE LAW ON GUARANTEE OF THE REPUBLIC OF  
MACEDONIA ON THE LIABILITIES UNDER THE LOAN  
AGREEMENT, INTENDED FOR ADDITIONAL FINANCING OF THE PROJECT  
“WIND PARK BOGDANCI”, TO BE CONCLUDED BETWEEN KFW DEVELOPMENT BANK  
OF THE FEDERAL REPUBLIC OF GERMANY AND AD ELEM

Law on Guarantee of the Republic of Macedonia on the liabilities under the Loan Agreement, intended for additional financing of the project “Wind Park Bogdanci”, to be concluded between KfW Development Bank of the Federal Republic of Germany and AD ELEM, adopted by the Parliament of the Republic of Macedonia at its session held on 1<sup>st</sup> July 2013 shall be promulgated.

No. 07-2644/1  
1<sup>st</sup> July 2013  
Skopje

President  
of the Republic of Macedonia  
**Gorge Ivanov**, in his own hand

President  
of the Parliament of the Republic  
of Macedonia  
**Trajko Veljanoski**, in his own hand

**Law on Guarantee of the Republic of Macedonia on the liabilities under the Loan Agreement, intended for additional financing of the project “Wind Park Bogdanci”, to be concluded between KfW Development Bank of the Federal Republic of Germany and AD ELEM**

Article 1

Republic of Macedonia shall guarantee settlement of liabilities and adherence to the provisions from Loan Agreement, to be concluded between KfW Development Bank of the Federal Republic of Germany and AD ELEM, for additional financing of the project “Wind Park Bogdanci” in the amount of EUR 15,000,000 within the deadlines and under the terms and conditions provided in the Loan Agreement, should AD ELEM fail to fulfill and service the liabilities under the Loan Agreement.

Article 2

Terms and conditions and the manner of using the Loan referred to in Article 1 of this Law shall be determined in the Loan Agreement, to be concluded between KfW Development Bank of the Federal Republic of Germany and AD ELEM, for additional financing of the project “Wind Park Bogdanci”.

Article 3

All liabilities arising from the Loan Agreement referred to in Article 1 of this Law, as well as servicing the Loan, shall be settled by AD ELEM from its revenues, within the deadlines and the terms and conditions provided in the Loan Agreement.

Article 4

Repayment period of the Loan referred to in Article 1 of this Law shall be 12 years, including 3-year grace period.

Interest rate shall be fixed interest rate and it shall be additionally determined on the day of signing the agreements.

The Loan shall be repaid in semi-annual installments, falling due on 30<sup>th</sup> June and 30<sup>th</sup> December.

Article 5

Prior to first disbursement of the Loan amount, one-time commitment fee shall be paid to KfW Development Bank, amounting to 0.5% of the Loan amount.

Commitment fee of 0.25% of the Loan amount shall be paid to the KfW Development Bank on annual basis.

Commitment fee referred to in paragraph 2 of this Article shall be paid semi-annually, on 30<sup>th</sup> June and 30<sup>th</sup> December each year.

Default interest in the amount of the base interest rate of Deutsche Bundesbank plus 3 % p.a shall be paid for any liabilities under the Loan not being settled within the envisaged deadlines.

In case of untimely or incomplete disbursement of the Loan amount by the envisaged deadline, such amount shall be paid as necessary to compensate the costs of KfW Development Bank, pursuant to the Agreement referred to in Article 1 of this Law.

#### Article 6

To the end of regulating the rights and the obligations arising from the Loan Agreement and the Guarantee Agreement, Ministry of Finance and AD ELEM shall conclude separate agreement.

#### Article 7

This Law shall enter into force on the day it is published in the "Official Gazette of the Republic of Macedonia".