

No. 51663*

**South Africa
and
Denmark**

Agreement between the Government of the Republic of South Africa and the Government of the Kingdom of Denmark concerning the financial and technical support for the development of the renewable energy sector (with annex). Pretoria, 4 March 2013

Entry into force: *4 March 2013 by signature, in accordance with article 9*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *South Africa, 26 February 2014*

**No UNTS volume number has yet been determined for this record. Only the authentic English text of the Agreement and its translation into French are published herein. The annex to the Agreement containing extensive technical details related to the project inception and implementation is not published herein, in accordance with article 12 (2) of the General Assembly Regulations to give effect to Article 102 of the Charter of the United Nations, as amended, and the publication practice of the UN Secretariat.*

**Afrique du Sud
et
Danemark**

Accord entre le Gouvernement de la République sud-africaine et le Gouvernement du Royaume du Danemark concernant l'aide financière et technique pour le développement du secteur de l'énergie renouvelable (avec annexe). Pretoria, 4 mars 2013

Entrée en vigueur : *4 mars 2013 par signature, conformément à l'article 9*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 26 février 2014*

**Aucun numéro de volume n'a encore été attribué à ce dossier. Seuls le texte authentique anglais de l'Accord et son traduction en français sont publiés ici. L'annexe à l'Accord qui contient une vaste exposition de nombreux détails techniques relatifs au projet, son planification et réalisation, ne sont pas publiés ici conformément aux dispositions de l'article 12, paragraphe 2, des réglementations de l'Assemblée générale, en application de l'article 102 de la Charte des Nations Unies, tel qu'amendé, et de la pratique dans le domaine des publications du Secrétariat..*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

**THE GOVERNMENT OF THE REPUBLIC OF
SOUTH AFRICA**

AND

**THE GOVERNMENT OF THE KINGDOM OF
DENMARK**

CONCERNING

**THE FINANCIAL AND TECHNICAL SUPPORT
FOR THE DEVELOPMENT OF THE RENEWABLE
ENERGY SECTOR**

PREAMBLE

The Government of the Republic of South Africa and the Government of the Kingdom of Denmark (hereinafter jointly referred to as the “Parties” and separately as a “Party”);

DESIRING to strengthen the relationship between the Parties;

INTENDING to contribute towards the financial and technical support for renewable energy development in the Republic of South Africa;

REFERRING to the Memorandum of Understanding on renewable energy and energy efficiency signed by the Parties on 24 October 2011;

HEREBY AGREE as follows:

ARTICLE 1

PURPOSE

- (1) The purpose of this Agreement is to provide a framework which governs aspects of financing and technical assistance to be provided by the Government of the Kingdom of Denmark to the Government of South Africa in accordance with this Agreement, more particularly the attached Annexure A so that various programmes can be implemented that facilitate South Africa’s low carbon transition commitment within the energy sector, specifically targeting renewable energy initiatives.
- (2) The funding and technical assistance will-
 - (a) provide technical support to the Government of the Republic of South Africa with the immediate objective of facilitating the development of a less carbon intensive electricity sector by developing more comprehensive energy planning capabilities that encompass the efficient deployment and integration of renewable energy and energy efficiency technologies (component 1);

- (b) further develop the Wind Atlas of South Africa (“WASA 2”) in order for South Africa to pursue and invest in wind based electricity generation, as opposed to power generation using fossil fuels (component 2);
- (c) provide technical assistance to Eskom Holdings SOC Limited (hereinafter referred to as “Eskom”) to integrate Renewable Energy into the electricity supply (component 3); and
- (d) The implementation of this Agreement shall be in accordance with the Danish support to Renewable Energy Development in RSA 2013-2015 Programme Document attached as **Annexure A** to this Agreement.

ARTICLE 2

OBJECTIVE

The overall objective of the Agreement is to assist South Africa in meeting its future goals of a low-carbon economy, and reducing the growth of Green House Gasses emissions through increased deployment of low carbon technologies in the Republic of South Africa.

ARTICLE 3

COMPETENT AUTHORITIES

The Competent Authorities responsible for the implementation of this Agreement shall be—

- (a) in the case of the Republic of South Africa, the Department of Energy (hereinafter referred to as “the DoE”); and
- (b) in the case of the Kingdom of Denmark, the Danish International Development Assistance (hereafter referred to as “DANIDA”) in close cooperation with the Danish Ministry of Climate, Energy and Building.

ARTICLE 4
OBLIGATIONS

- (1) The Danish Ministry of Climate Energy and Building shall, as outlined in details in the Programme Document attached as Annexure A, support the DoE, Eskom and the South African National Energy Development Institute (hereinafter referred to as "SANEDI") through the provision of technical assistance and the monitoring of the achievement of targets for the development of the renewable energy sector, within the Agreement's three components:
 - (a) Implementation of policies and strategies on renewable energy;
 - (b) Development of WASA 2; and
 - (c) Integrate Renewable Energy into the electricity supply.
- (2) The DANIDA shall provide a grant contribution of a maximum DKK 40 million to the Republic of South Africa, the specifications of which are outlined in detail in the Programme Document attached as **Annexure A**.
- (3) The DoE shall-
 - (a) provide suitable premises for execution of the monitoring component of the Project including office space for the consultants, communication tools and administrative support;
 - (b) ensure that DoE staff is available for implementation and capacity building; and
 - (c) ensure that a fully transparent programme management is in place and that quarterly and annual reports will be prepared and submitted by relevant committees as stipulated in the Programme Document attached as **Annexure A**.
- (4) All obligations under this Agreement shall be carried out subject to the domestic law in force in the territories of the respective Parties.