Amendment to the Trust Fund Administration Agreement between the Commonwealth of Australia and the International Bank for Reconstruction and Development and the International Development Association concerning the Energy Sector Management Assistance Program’s Multi-Donor Trust Fund (TF No. 071398) (AusAID Agreement No. 43733)

Dear Ms. Delaney:

1. We refer to the Trust Fund Administration Agreement between the Commonwealth of Australia, acting through the Department of Foreign Affairs and Trade (DFAT) (formerly, the Australian Agency for International Development (AusAID)) (the “Donor”) and the International Bank for Reconstruction and Development (IBRD) and the International Development Association (IDA), (collectively, the “Bank”) regarding the Energy Sector Management Assistance Program (ESMAP MDTF) (TF No. 071398) (the “Trust Fund”) effective March 12, 2010, as amended (the “Administration Arrangement”).

2. Pursuant to recent discussions between the Bank and the Donor, the Bank proposes to amend the Administration Arrangement as follows:

(a) The reference in the main text of the Administration Arrangement to “(AusAID Agreement No. 43733)” is deleted in its entirety.

(b) All references in the main text of the Administration Arrangement to the “Commonwealth of Australia”, the “Australian Agency for International Development”, “AusAID”, are replaced with “Government of Australia”, “Department of Foreign Affairs and Trade”, and “DFAT”, respectively.
(c) All references in the main text of the Administration Arrangement to "Administration Agreement", "this Agreement", "party", "shall", and "terms and conditions" are replaced with "Administration Arrangement", "this Arrangement", "participant", "will", and "basis", respectively.

(d) All references in the main text of the Administration Arrangement to "agreement" and the tenses of the verb "to agree" are replaced with "acceptance" and the tenses of the verb "to decide".

(e) Paragraph 8 in the main text of the Administration Arrangement is deleted in its entirety and replaced with the following:

"8. It is understood that this Administration Arrangement, including any annexes, is not an international treaty and is not eligible for registration as a treaty under Article 102 of the United Nations Charter, nor is it, in the Donor’s understanding, any other form of international agreement. It is an administrative arrangement between the Bank and the Donor.

9. All references made in the Annexes to "shall" and "Administration Agreement" will have the same meaning as the term "will" and "Administration Arrangement" respectively. In addition, references in the Annexes to "agreements" or to tenses of the verb "to agree" will be deemed to constitute references to "decisions" or to tenses of the verb "to decide".

10. Please confirm your acceptance with the foregoing, on behalf of the Donor, by signing, dating, and returning to us the enclosed copy of this Arrangement. Upon receipt by the Bank of the copy of this Arrangement countersigned by you, this Arrangement will become effective as of the date of the countersignature."

(f) Paragraph 8.1 of Annex 2 of the Administration Arrangement is deleted and replaced with the following:

"It is expected that the Contributions will be fully disbursed by the Bank by December 31, 2020. The Bank shall only disburse Contributions for the purposes of this Agreement after such date with the written approval of the Donors."

3. All other terms of the Administration Arrangement will remain the same.

4. The Bank will disclose this Amendment and related information on this Trust Fund in accordance with the Bank’s Policy on Access to Information. By entering into this Amendment, the Donor consents to disclosure of this Amendment and related information on this Trust Fund.
5. Please confirm your acceptance of the foregoing, on behalf of the Donor, by signing and dating two originals, retaining one original for your records and returning the other original to the Bank. Upon receipt by the Bank of the original Amendment countersigned by the Donor, this Amendment will become effective as of the last date of countersignature of the respective amendments signed by all donors contributing to the Trust Fund.

Sincerely,

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL DEVELOPMENT ASSOCIATION

[Signature]
Riccardo Puliti
Senior Director
Energy and Extractives Global Practice

CONFIRMED:

COMMONWEALTH OF AUSTRALIA,
ACTING THROUGH THE DEPARTMENT OF FOREIGN AFFAIRS AND TRADE (DFAT)

By: [Signature] Date: 10 Aug 17
Beth Delaney
Assistant Secretary
Private Sector, Infrastructure Development, Finance and Agricultural Development Branch