OFFICIAL DOCUMENTS

Amendment No.2 to the Administration Agreement between the Commonwealth of Australia and the International Bank for Reconstruction and Development and the International Development Association concerning the Timor-Leste Strategic Partnership Multi-Donor Trust Fund (TF072069)

1. Reference is made to the Administration Agreement (hereinafter referred to as “Administration Arrangement”) between the Commonwealth of Australia, represented by the Department of Foreign Affairs and Trade (DFAT) (“Donor”) and the International Bank for Reconstruction and Development (“IBRD”) and the International Development Association (“IDA”) (collectively the “Bank”), concerning the Timor-Leste Strategic Partnership Multi-Donor Trust Fund (“Trust Fund”) effective as of August 5, 2013, as amended (“Administration Arrangement”).

2. Pursuant to recent discussions between the Bank and the Donor (collectively the “Participants” and each a “Participant”), the Participants have decided to amend the Administration Arrangement as follows:

A. The title of the Administration Arrangement is amended to read as follows:

“Administration Arrangement between the Government of Australia, represented by the Department of Foreign Affairs and Trade, and the International Bank for Reconstruction and Development and the International Development Association concerning the Timor-Leste Strategic Partnership Multi-Donor Trust Fund (TF072069)”

B. All references in the Administration Arrangement to: “Administration Agreement”, “this Agreement”, “shall”, “terms and conditions”, “Party”, “Parties”, “Commonwealth of Australia”, “Australian Agency for International Development” and “AusAID” are replaced with “Administration Arrangement”, “this Arrangement”, “will”, “terms”, “Participant”, “Participants”, “Government of Australia”, “Department of Foreign Affairs and Trade” and “DFAT”, respectively.

C. All references in the Administration Arrangement to “agreement” or to tenses of the verb “to agree” are replaced with “decision” or the corresponding tenses of the verb “to decide”.

D. The fifth paragraph in the Administration Arrangement is amended as follows:

“For the Bank:

Macmillan Anyanwu
Country Representative
EACDF
The World Bank, Avenida Marginal - Lecidere
Dili
Timor-Leste

Tel: +670 332 2367
Fax: +670 332 1178
E-mail: manyanwu@worldbank.org

For the Donor:

Mr. Peter Roberts
Ambassador to Timor Leste
Australian Embassy
Rua dos Martires da Patria
Dili
Timor-Leste

Tel: +670 332 2111 Ext: 250
Fax: +670 332 3261
E-mail: Peter.Roberts@dfat.gov.au

E. A new paragraph is added below the second last paragraph of the Administration Arrangement as follows:

"All 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". In addition, all references made in the Annexes to "shall" and "Administration Agreement" will have the same meaning as the terms "will" and "Administration Arrangement"."

F. A new paragraph is added above the last paragraph of the Administration Arrangement as follows:

"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."

G. Reference to "AGREED" in the signature block of the Administration Arrangement is replaced with "ACCEPTED".

H. Section 6.1 of Annex 2 of the Administration Arrangement is amended to extend the end disbursement date as follows:

"6.1 It is expected that the funds deposited in the Trust Fund will be fully disbursed by the Bank by March 31, 2020 (the "End Disbursement Date"). The Bank shall only disburse funds deposited in the Trust Fund for the purposes of this Administration Arrangement (other than returns to Donors) after such date to the extent such date is changed in accordance with amendments made to the Administration Arrangements of all the Donors. Following the End Disbursement Date, the Bank shall return any remaining balance of the Trust Fund to each Donor in the Holding Currency in the manner specified in its respective Administration Arrangement on a pro rata basis with regard to the total funds deposited in the Trust Fund by such Donor relative to the total funds deposited in the Trust Fund by all Donors, all calculated as Holding Currency amounts."

I. Section 3 of Annex 3 to the Administration Arrangement is amended to read as follows:

"The Trust Fund Operational Manual endorsed by the Steering Committee on February 12, 2015 sets out the partnership principles and Trust Fund procedures. The Operational Manual may be revised by the Steering Committee from time to time as needed."

3. All other provisions of the Administration Arrangement will remain the same.
4. It is the Bank's policy to make publicly available the Administration Arrangement and any information related thereto, including this amendment letter. By confirming its acceptance below, the Donor consents to disclosure of this amendment letter after it has become effective.

5. Each of the Participants represents, by confirming its acceptance below, that it is authorized to enter into this amendment letter and act in accordance with its provisions. The Bank and the Donor are each requested to sign and date this amendment letter, and upon possession by the Bank of this fully signed amendment letter, this Administration Arrangement will come into effect as of the date of the last signature.

Sincerely yours,

International Bank for Reconstruction and Development
International Development Association

Rodrigo Chaves
Country Director
Indonesia and Timor Leste
East Asia and Pacific Region

Accepted:

Government of Australia, represented by
the Department of Foreign Affairs and Trade

By

Name: Peter O'Connor
Title: Acting Ambassador to Timor Leste
Date: 20/3/16