

- tions concerning competition, preferred tenderers, and prices applicable to public contracts;
- (b) they shall inform the German authorities of the subject and size of the order, the name of the supplier and the agreed price, except in the case of minor orders.
5. Where the authorities of a force or of a civilian component procure goods and services through the German authorities,
- (a) the authorities of the force or of the civilian component shall inform the German authorities in good time of their requirements in detail, giving, in particular, technical specifications and special conditions of delivery and payment;
- (b) contracts in respect of goods and services shall be concluded between the German authorities and the suppliers; the German legal and administrative provisions governing public contracts shall apply thereto;
- (c) the German authorities, without prejudice to their exclusive competence vis-à-vis the supplier, shall allow the authorities of the force or of the civilian component to participate in the placing and carrying out of contracts to the extent necessary for taking their interests duly into account; in particular, no contract will be placed or modified without the written consent of the authorities of the force or of the civilian component; unless otherwise agreed, acceptance of goods and services shall be made jointly;
- (d) the sending State shall reimburse the Federal Republic in respect of:
- (i) any expenditure incumbent upon the Federal Republic under German law relating to public contracts, provided that expenditure arising from settlements out of court shall be reimbursed only if the force has consented to the settlement;
- (ii) *ex gratia* payments made with the consent of the force;
- (iii) expenditure, which cannot be charged to the contractor, arising from measures taken by the German authorities in cases of emergency in order to safeguard the interests of the force or of the civilian component;
- (e) the necessary funds shall be made available by the authorities of the force and of the civilian component in time to permit payment to be made on due dates;
- (f) the authorities of the force or of the civilian component shall be entitled, in a manner to be agreed, to audit documents relative to payments made by the competent German payment agencies;
- (g) details of the procedures under sub-paragraphs (a), (c), (d), (e) and (f) of this paragraph shall be established in administrative agreements between the German authorities and the authorities of the force or of the civilian component, with the particular object of ensuring the carrying out of the procurement within the time limits laid down.

ARTICLE 48

1. (a) The accommodation requirements of a force or of a civilian component shall be satisfied only in accordance with the