

AGREEMENT

BETWEEN

**THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA
REPRESENTED BY THE FEDERAL MINISTER OF FINANCE**

AND

**THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIET NAM
REPRESENTED BY THE MINISTRY OF FINANCE**

**ON
FINANCIAL CO-OPERATION**

The Government of the Republic of Austria represented by the Federal Minister of Finance and the Government of the Socialist Republic of Viet Nam represented by the Ministry of Finance hereunder called the "Contracting Parties"

- building upon the close and friendly relations existing between their two countries ,
- desiring to further deepen and extend their previous successful financial co-operation,
- recognising that such financial co-operation may match prospective future developments in the Socialist Republic of Viet Nam and contribute to achieving economic, social, environmental, climate protection, health resilience as well as development goals thereby contributing to sustainable economic growth,

have agreed as follows:

Article 1

The objective of this Agreement is to establish a framework for financial co-operation between the Contracting Parties in support of sectors which are critical to the national economic, social and environmental development as well as to climate protection and health resilience promoting development strategies and sustainable economic growth in Viet Nam. This Agreement is meant to assure a long-term financial cooperation between the Contracting Parties.

The Contracting Parties will endeavour, within the framework of their respective existing laws, regulations, relevant policies and mandates as well as their international obligations to promote and expand financial co-operation.

Article 2

For the purpose of promoting and expanding financial co-operation, the Austrian Federal Minister of Finance is prepared to support the provision of

- project identifying and preparatory measures as well as services regarding procurement and contracting issues under the Project Preparation Program operated by Oesterreichische Kontrollbank Aktiengesellschaft (OeKB), Vienna,

- project-related tied concessional credits made available by OeKB through refinancing commercial banks, by offering 100%-guarantees, interest rate support and reduced charges to enable these concessional credits on a case-by-case basis.
- project-related untied concessional credits made available by OeKB through refinancing commercial banks, by offering 100%-guarantees, interest rate support and reduced charges to enable these concessional credits on a case-by-case basis.

For financing jointly promoted projects in accordance with this Agreement the following overall indicative financial framework amounts are envisaged from the date of entry into force of this Agreement:

- EUR 100 million for project-related tied concessional credits,
- EUR 50 million project-related untied concessional credits.

The Contracting Parties may, where appropriate and in accordance with this Agreement, conclude procedure or project related detailed arrangements by exchanges of letters on technical level.

Article 3

Austrian concessional financing is principally offered in the form of premixed credits or mixed credits.

The terms and conditions of the tied aid concessional loans will be set in conformity with international obligations resulting from the "Arrangement on Officially Supported Export Credits" under the auspices of the OECD. Accordingly, the concessionality level will be at least 35 %.

The terms and conditions of the untied concessional loans will be set in conformity with applicable OECD regulations. The grant element will be at least 15 %.

The Contracting Parties note that terms and conditions for new loans may change due to developments on international financial markets, changes due to OECD country risk classification, or changes due to the annual resetting of the discount rate under the auspices of the OECD, if applicable, as well as changes of the national risk perception.

The Austrian side will inform the Vietnamese side about the terms and conditions and any changes thereof.

The eligibility of projects to be financed will be appraised by the Austrian side on a case-by-case basis taking into consideration the ex-ante guidance gained under the "Helsinki" tied aid disciplines, if applicable, as well as applicable national allocation criteria.

Article 4

Austrian tied concessional financing is to be utilized for the purchase of capital goods and related services for jointly promoted Projects in accordance with Articles 2 and 3 of this Agreement. These capital goods and services may include up to 50 % content originating outside Austria. Related services include, but are not limited to design, engineering, maintenance services, technology and know-how transfer, freight, insurance, installation and warranty.

The bidding for these Projects is conducted through limited bidding among Austrian suppliers. On the basis of the bidding awards, supply contracts between the Austrian suppliers and the Vietnamese buyers are negotiated and concluded.

After the conclusion of the supply contracts, loan agreements are negotiated and concluded directly between commercial banks acceptable as lenders within the Austrian export financing system of OeKB and the Ministry of Finance of the Socialist Republic of Viet Nam authorised by the Vietnamese Government acting on behalf of the Government of the Socialist Republic of Viet Nam as borrower.

Article 5

Austrian untied concessional financing is to be utilized for the purchase of capital goods and related services for jointly promoted Projects in accordance with Articles 2 and 3 of this Agreement. Related services include, but are not limited to, design, engineering, maintenance services, technology and know-how transfer, freight, insurance, installation and warranty. The bidding for these Projects is conducted through applying international competitive bidding as applicable and case by case agreed. On the basis of the bidding results supply contracts between the suppliers and the Vietnamese buyers are negotiated and concluded.



After the conclusion of the supply contracts, loan agreements are negotiated and concluded directly between commercial banks acceptable as lenders within the Austrian export financing system of OeKB and the Ministry of Finance of the Socialist Republic of Viet Nam authorised by the Vietnamese Government acting on behalf of the Government of the Socialist Republic of Viet Nam as borrower.

Article 6

Concessional financing under the present Agreement will be guided by the observance of sound underwriting principles including effective risk management and through the application of environmental, social and other relevant safeguard/compliance policies (e.g. Worldbank Group IFC Performance Standards) in accordance with international treaties that both Contracting Parties adhere to, standards, best practices and domestic laws.

Article 7

All parties involved undertake to promote the development of projects to be financed under this agreement and seek to achieve a reasonable spread among eligible sectors (e.g. project identifying measures, studies).

Article 8

The Commercial Counsellor at the Austrian Embassy in Hanoi/ Ho Chi Minh City acts as the Austrian contact point for project-related correspondence under this Agreement.

Article 9

The Ministry of Finance on behalf of the Government of the Socialist Republic of Viet Nam hereby irrevocably and unconditionally guarantees the fulfilment of all payments resulting from Austrian concessional loans granted under this Agreement. The Government of the Socialist Republic of Viet Nam hereby irrevocably waives any claim to immunity from suit or execution it might be entitled to in respect of payments guaranteed under this Agreement.



Article 10

When the respective concessional financing becomes effective, the Federal Ministry of Finance of the Republic of Austria will include the projects under the financial framework amounts as foreseen in Article 2 of this Agreement by sending letters to the Ministry of Finance of the Socialist Republic of Viet Nam. Projects proposed to be financed before the entry into force of the present Agreement shall be included in the same manner as projects initiated after its entry into force.

Article 11

Taxes levied on income and capital shall be in conformity with the Agreement between the Government of the Socialist Republic of Viet Nam and the Government of the Republic of Austria for the avoidance of double taxation and the prevention of physical evasion with respect to taxes on income and on capital concluded on 2nd June 2008.

Article 12

The Contracting Parties will on an annual basis or whenever deemed necessary review progress and effectiveness of the financial co-operation, consult on specific projects or on any measures or amendments to the Agreement to be taken to ensure its most proper and effective implementation.

Article 13

In order to evaluate the use of concessional loans provided under this Agreement and the sustainability of the corresponding projects, the Contracting Parties shall facilitate the provision of all necessary documentation for evaluation, auditing and monitoring of the projects. For this reason, the Socialist Republic of Viet Nam, under its applicable laws and regulations, will ensure the possibility of site visits by representatives of the Republic of Austria to projects financed under the present Agreement.



Article 14

Any disputes between the Contracting Parties concerning the interpretation and/or implementation of this Agreement shall be settled amicably through diplomatic channels.

Article 15

The provisions of the present Agreement shall enter into force on the first day of the month following the month in which the Contracting Parties have notified each other of the fulfilment of all procedures and preconditions necessary for its entry into force in their respective country. The present Agreement shall be valid for a period of three years. It shall be automatically renewed thereafter for a further two years' period unless denounced at any time in writing by either Contracting Party giving six months' notice.

The present Agreement may be revised if necessary and agreed by both Contracting Parties.

Neither the denouncement nor the expiration of the Agreement shall affect the pursuit, approval, execution of projects or the performance of contracts initiated prior to its denouncement nor expiration.

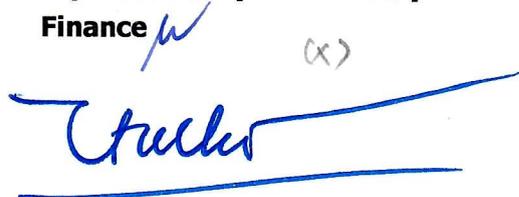
Done in two originals, both in English language. Signed in Hanoi on ...23.06.2025...

**For the Government of the
Republic of Austria represented by
the Federal Minister of Finance**



BARBARA EIBINGER-MIEDL
State Secretary at the Federal Ministry
of Finance

**For the Government of the
Socialist Republic of Viet Nam
represented by the Ministry of
Finance**



NGUYEN DUC CHI
Vice Minister, Ministry of Finance