

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINISTRY OF CONSTRUCTION
OF THE SOCIALIST REPUBLIC OF VIETNAM
AND
THE MINISTRY OF CLIMATE, ENERGY AND BUILDING
OF THE KINGDOM OF DENMARK
ON COOPERATION
IN THE AREA OF ENERGY EFFICIENCY IN BUILDINGS**

The Government of the Socialist Republic of Vietnam, Ministry of Construction

and

The Government of the Kingdom of Denmark, Ministry of Climate, Energy and Building

(hereinafter referred to as “the Parties”);

Recognizing the common interests shared by the Parties toward sustainable development, the efficient use of energy sources and transition to low carbon economies;

Considering the strategic role of energy efficiency, in addressing current global challenges and development needs;

Wishing to promote mutually beneficial cooperation in the field of development and promotion of energy efficient and sustainable buildings;

Recognizing the importance of promoting low carbon solutions and the urgency of finding cost effective and lasting solutions to energy issues that are compatible with the need for economic growth and the fight against poverty;

Considering the Joint Declaration on the Establishment of a Comprehensive Strategic Partnership in the areas of Climate Change, Environment, Energy and Green Growth between the Government of the Socialist Republic of Vietnam and the Government of the Kingdom of Denmark, signed on 28th November 2011;

Recognizing the results of recently initiated long term dialogue between the Governments of Vietnam and Denmark on low carbon transition within the energy sector in Vietnam, specifically targeting support to the Vietnam National Energy Efficiency Program (VNEEP), 2013-2015;

Bearing in mind that this Memorandum of Understanding is intended to provide a general framework for cooperation and to express the cooperative intent of the Parties,

Have agreed as follows:

Article 1

The objective of this Memorandum of Understanding is to promote a mutually beneficial partnership between the Parties in the field of energy efficiency in the building sector. The cooperation is subject to the respective laws of each country and within the functions and authorities of the two Parties.

Article 2

The following topics have been identified as high priority areas for cooperation and capacity building between the Parties under the framework of this Memorandum of Understanding:

- Development and promotion of energy efficiency in the building sector, including development of mechanisms, strategies, action plans, codes and standards on energy efficiency;
- Preparation and implementation of regulation of energy efficient buildings with special focus on implementation of the Energy Efficiency Building Code (EEBC), including enforcement of standards and minimum requirement for building components;
- Investigating the possibility of setting up energy efficient pilot models of buildings, e.g. to demonstrate how to implement EEBC obligations in a cost effective way, including an effort to motivate private companies' economic participation.

Article 3

The Parties shall establish a Working Group (WG) to enhance cooperation and exchange of views on energy efficiency in the building sector;

The WG refers to the Steering Committee which is established within the framework of the project “Low carbon transition in the energy efficiency sector, Vietnam”, mentioned

below, under Article 4 a). The WG coordinates its activities with the activities carried through under the “Low carbon transition in the energy efficiency sector, Vietnam” project;

Article 4

Cooperation between the Parties under this Memorandum of Understanding may be conducted in the form of:

- a) activities specified under agreement between Denmark and Vietnam regarding on Danish Support to implementation of VNEEP 2013-2015, stated in the Project Document entitled “Low carbon transition in the energy efficiency sector, Vietnam”;
- b) exchange visits by experts, and delegations involving experts, scientists, private companies and other relevant agencies, e.g. to share experiences through training seminars for decision-makers on energy efficient building regulations, management and technology;
- c) exchange of information and documentation
- d) other forms of cooperation as mutually agreed upon

Article 5

Both Parties shall encourage organizations, private companies, government institutions at all levels and research institutions on both sides to establish cooperation activities aimed at fulfilling the objectives of this Memorandum of Understanding.

Article 6

Costs related to the activities under this Memorandum of Understanding are subject to the availability of appropriate funds, in conformity with budgetary provisions and the relevant laws of each Party.

The implementation of each particular activity under this Memorandum of Understanding will require that the Parties put into writing the terms and conditions for the necessary funding, in accordance with each Party’s relevant national legislation.

All costs resulting from cooperation under this Memorandum of Understanding are to be borne by the Party that incurs them, unless otherwise mutually agreed.

Article 7

This Memorandum of Understanding may be amended at any time by the mutual written consent of the Parties.

Article 8

Any dispute about the interpretation or implementation of this Memorandum of Understanding will be resolved through consultations between the Parties.

Article 9

According to national legislation and international agreements in force in both countries, the Parties shall adopt the appropriate measures to protect the intellectual property rights arising under the implementation of this Memorandum of Understanding.

The conditions for the acquisition, maintenance and commercial exploitation of intellectual property rights over possible products and/or processes that might be obtained under this Memorandum of Understanding will be defined in the specific programs, contracts or working plans, which shall also set out the conditions regarding the confidentiality of information whose publication and/or disclosure might jeopardize the acquisition, maintenance and commercial exploitation of intellectual property rights obtained under this Memorandum of Understanding.

Article 10

This Memorandum of Understanding shall enter into force on the date of signing. This Memorandum of Understanding shall be valid for three (3) years, automatically renewed for a further period of two (2) years. Either Party may terminate this Memorandum of Understanding by means of a written notice to the other Party. Termination will take effect three months following the date of notification and will not affect activities already under implementation.

Signed in duplicate in Hanoi on 7th November 2012, in the Vietnamese and English languages, both texts having equal validity. In the case of divergent interpretations, the English text shall prevail.

FOR THE MINISTRY OF CONSTRUCTION
THE SOCIALIST REPUBLIC OF VIETNAM

FOR THE MINISTRY OF CLIMATE, ENERGY
AND BUILDING, THE KINGDOM OF
DENMARK

Trinh Dinh Dung
Minister for Construction

Martin Lidegaard
Minister for Climate, Energy and Building