

No. 5319

**JAPAN
and
REPUBLIC OF VIET-NAM**

**Exchange of notes constituting an agreement on commercial
loans. Saigon, 13 May 1959**

Official text: French.

Registered by Japan on 19 August 1960.

**JAPON
et
RÉPUBLIQUE DU VIET-NAM**

**Échange de notes constituant un accord relatif aux prêts
commerciaux. Saïgon, 13 mai 1959**

Texte officiel français.

Enregistré par le Japon le 19 août 1960.

[TRANSLATION — TRADUCTION]

No. 5319. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ ON COMMERCIAL LOANS BETWEEN JAPAN AND THE REPUBLIC OF VIET-NAM. SAIGON, 13 MAY 1959

I

Saigon, 13 May 1959

Excellency,

I have the honour to confirm the following arrangement which embodies the understanding reached between the representatives of the two Governments concerning loans which will be made by Japanese nationals or bodies corporate to the Government of the Republic of Viet-Nam or to bodies corporate owned or controlled by it, with a view to assisting in the economic development of the Republic of Viet-Nam :

1. Long-term loans or similar credit arrangements to such amount in yen as shall be equivalent to nine million, one hundred thousand United States dollars (\$ US 9,100,000) at present computed at three thousand two hundred and seventy-six million yen (¥3,276,000,000), shall be made, in accordance with the provisions of such appropriate contracts as may be entered into, upon the expiry of a period of five years (this period may be reduced to less than five years, but more than three years, by agreement between the two Governments) from the date of entry into force of the Reparations Agreement^{*} between Japan and the Republic of Viet-Nam, by Japanese nationals or bodies corporate, to the Government of the Republic of Viet-Nam or to bodies corporate owned or controlled by it, in accordance with the provisions of this arrangement.

2. The long-term loans or similar credit arrangements referred to in paragraph 1 above (hereinafter referred to as "the loans") shall be extended on a commercial basis and in accordance with the applicable laws and regulations of the two countries.

3. The two Governments shall facilitate and expedite the extension of loans within the scope of pertinent laws and regulations.

4. The terms of the loans shall be as agreed upon between the parties to each contract.

5. The loans shall be made in the form of services of the Japanese people and products of Japan, required for construction of a factory for the production of urea and for other projects.

¹ Came into force on 12 January 1960, the date of the entry into force of the Reparations Agreement, in accordance with the provisions of the said notes.

^{*} See p. 101 of this volume.

6. The present arrangement shall remain in force for a period of ten years. However, if, after the lapse of nine years from the coming into force of this arrangement, it appears likely that the total amount of the loans may not reach, by the end of such period, the amount mentioned in paragraph 1 of this arrangement, the two Governments may, upon request of either of them, enter into consultation with a view to extending the period of this arrangement.

I have the honour to propose that the present note and your reply confirming the contents of the arrangement set forth herein shall be regarded as constituting an agreement between the two Governments, which shall come into force on the date of entry into force of the Reparations Agreement between Japan and the Republic of Viet-Nam.

I have the honour to be, etc.

Aiichiro FUJIYAMA
Plenipotentiary of Japan

His Excellency Vu Van Mau
Plenipotentiary of the Republic of Viet-Nam

II

Saigon, 13 May 1959

Excellency,

I have the honour to acknowledge receipt of your note of today's date, which reads as follows :

[See note I]

I have the honour to confirm, on behalf of my Government, the contents of the arrangement set forth in your above-mentioned note and to agree that the said note and the present note shall be regarded as constituting an agreement between the two Governments which shall come into force on the date of entry into force of the Reparations Agreement between the Republic of Viet-Nam and Japan.

I have the honour to be, etc.

VU VAN MAU
Plenipotentiary of the Republic of Viet-Nam

His Excellency Aiichiro Fujiyama
Plenipotentiary of Japan