

No. 14130

**AUSTRALIA
and**

DEMOCRATIC REPUBLIC OF VIET NAM

**Trade Agreement (with schedules). Signed at Canberra on
26 November 1974**

Authentic texts: English and Vietnamese.

Registered by Australia on 7 August 1975.

AUSTRALIE

et

RÉPUBLIQUE DÉMOCRATIQUE DU VIET NAM

**Accord commercial (avec listes). Signé à Canberra le
26 novembre 1974**

Textes authentiques : anglais et vietnamien.

Enregistré par l'Australie le 7 août 1975.

TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF VIET NAM

The Government of Australia and the Government of the Democratic Republic of Viet Nam, hereinafter referred to as the Contracting Parties,

Desiring to promote and expand mutually beneficial trade and trade relations between Australia and the Democratic Republic of Viet Nam, and

Having regard to their respective international rights and obligations
Have agreed as follows:

Article I. Each Contracting Party shall, subject to the laws and regulations in force in its country, facilitate as far as possible imports and exports to the territory of the other, particularly of the goods enumerated in Schedules A and B annexed to this Agreement.

This Article shall not be construed in such a manner as to limit the exchange of goods between the two countries to the goods enumerated in Schedules A and B annexed to this Agreement. The Schedules to this Agreement may be amended by mutual consent at any time by an exchange of letters between the two Contracting Parties.

Article II. To advance the objectives of Article I of this Agreement, the Contracting Parties:

- (a) shall encourage and facilitate the negotiation of commercial contracts between the relevant commercial enterprises and organisations of their two countries;
- (b) declare their support in principle for the conclusion of long term commercial contracts relating to the supply and purchase of goods and shall encourage the relevant commercial enterprises and organisations of their two countries to explore the scope for such contracts and, where appropriate, to conclude such contracts.

Article III. Contracts relating to the exchange of goods and services between the two countries shall be in conformity with the provisions of this Agreement and with the laws and regulations in force in the two countries and shall be carried out by Australian legal and natural persons and state-owned import and export corporations of the Democratic Republic of Viet-Nam.

Article IV. The two Contracting Parties shall grant each other most favoured nation treatment in the issue of import and export licences and the allocation of foreign exchange connected therewith, as well as in all respects concerning customs duties, other taxes or charges imposed on or in connection with imported and exported goods, and customs and other related formalities, regulations and procedures.

The provisions of and criteria relating to the Australian System of Tariff Preferences for Developing Countries will continue to apply to the Democratic Republic of Viet-Nam in like manner as to other countries.

¹ Came into force on 26 November 1974 by signature, in accordance with article X.

Article V. The provisions of Article IV of this Agreement shall not apply to preferences or advantages accorded by either Contracting Party under an established preference system or in accordance with any agreement or arrangement constituting or leading to the establishment of a free trade area or a customs union or a trade bloc adopting the clearing system of payment.

Article VI. No provision of this Agreement shall be interpreted in such a manner as to prevent the adoption or enforcement by either Contracting Party of measures to safeguard its national security or human, animal or plant life or health or to exercise its rights and obligations under international commodity agreements, or to give effect to tariff preferences accorded by either Contracting Party to developing countries consistently with internationally accepted criteria.

Article VII. All payments between Australia and the Democratic Republic of Viet-Nam shall be made through the banks of the two countries authorised to buy and to sell foreign currency, in Australian Dollars, or in other mutually acceptable freely convertible currencies in accordance with the foreign exchange regulations currently in force in the two countries and general customary practice.

Article VIII. The Australian Government will use its best endeavours to ensure that the normal facilities for the financing of Australian exports on credit terms will be available to the Democratic Republic of Viet-Nam where this is appropriate.

Article IX. In order to facilitate the implementation of this Agreement, the two Governments shall consult together, upon the request of either, to discuss any matters arising from this Agreement or in connection with the trade between the two countries.

Article X. This Agreement shall come into force on the date of signature and shall remain in force for three years. Thereafter it shall continue in force until the ninetieth day after either Contracting Party has given to the other, through the diplomatic channel, notice in writing of its desire to terminate the Agreement.

Article XI. In the event of termination of this Agreement all unfulfilled obligations arising from the operation of this Agreement shall be fulfilled in accordance with the provisions thereof.

DONE at Canberra this twenty-sixth day of November in the year one thousand nine hundred and seventy-four in duplicate in the English and Vietnamese languages, both of which shall be equally authentic.

For the Government
of Australia:

[Signed — Signé]¹

For the Government
of the Democratic Republic
of Viet-Nam:

[Signed — Signé]²

¹ Signed by Jim Cairns—Signé par Jim Cairns.

² Signed by Phan Ahn—Signé par Phan Ahn.

SCHEDULE A

VIETNAMESE EXPORT COMMODITIES

- | | |
|--|--------------------------------|
| — Anthracite coal | — Bamboo and rattan wares |
| — Timber, including floorboards
and articles of wood | — Seagrass wares |
| — Spices | — Lightweight cotton textiles |
| — Essential oils | — Silk |
| — Tea | — Leather products |
| — Coffee | — Sport articles |
| — Jute and jute bags | — Canned and frozen fish |
| — Handicrafts and art articles, including
embroidered articles, carpets, carvings
of wood, horn and ivory, silver articles | — Chemical products |
| | — Alcohol and alcoholic drinks |

SCHEDULE B

AUSTRALIAN EXPORT COMMODITIES

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|---|-----------------------------------|
| — Wool, wooltops and woollen yarns | — Pig iron, steel products |
| — Animal fats | — Non-ferrous metals and minerals |
| — Leather | — Coking coal |
| — Hides and skins | — Machinery and equipment |
| — Breeding cattle | — Building materials |
| — Wheat flour, wheat and other grains | — Pharmaceuticals |
| — Cotton | — Chemical products |
| — Sugar | — Hops |
| — Cheese, milk powder, butter and other
dairy products | |
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