



SPECIAL TERMS & CONDITIONS (VIETNAM)

Heavy Lift / Heavy Transport (Rental) Services – May 2022

PART I - APPLICABILITY AND INTERPRETATION

These *Special Terms & Conditions (Vietnam) Heavy Lift / Heavy Transport (Rental) Services – May 2022* ('**Special Terms**') are complementary to and shall be interpreted and construed as complementary to the *General Terms & Conditions (Vietnam) Heavy Lift / Heavy Transport (Rental) Services – May 2022* ('**General Terms**'). These Special Terms shall form an integral part of the Agreement between Contractor and Company regarding Services and/or Rental Services. Company expressly waives applicability of any other (special) terms and conditions used by and/or referred to by Company in relation to the (Rental) Services. In case of any discrepancy, ambiguity, inconsistency or conflict between these Special Terms and the General Terms, these Special Terms shall take precedence.

PART II – SPECIAL TERMS

Price Payment and Tax <i>General Terms - new clause 4.1.2</i>	New clause to be inserted: '4.1.2 The currency of The Agreement is to be in Vietnamese Dong (VDN).'
Disputes <i>General Terms – clause 9.2.2</i>	Clause to be replaced: '9.2.2 All disputes arising out of or in connection with the Agreement that are not resolved in accordance via good faith negotiations in accordance with clause 9.2.1 shall be finally settled [under the Rules of Arbitration of the International Chamber of Commerce by one arbitrator appointed in accordance with the said Rules. The arbitration shall be conducted in English. The seat, or legal place, of arbitration shall be Ho Chi Minh City, Vietnam.'
Governing Law and Disputes Resolution <i>General Terms – new clauses 9.4</i>	New clause to be inserted: '9.4 In case any Vietnamese language version of this Agreement is prepared and any difference in interpretation arises over the meaning of any provisions under this Agreement, the English language version shall prevail, and the relevant Vietnamese language version shall be deemed to be automatically amended to conform with and be consistent with the English language.'
Miscellaneous <i>General Terms – new clauses 10.8</i>	New clause to be inserted: '10.8 The Supervisor shall provide advisory and consulting services to the CONTRACTOR in connection with the Equipment usage and related works. The SUPERVISOR's costs, expenses and fees for such services is included in the Agreement Price and compensation for such services shall be settled internally as between the CONTRACTOR and SUPERVISOR.'