

MEMORANDUM OF UNDERSTANDING

Austria

**BETWEEN
THE FEDERAL MINISTRY OF
TRANSPORT, INNOVATION AND TECHNOLOGY
OF THE REPUBLIC OF AUSTRIA**

AND

**THE MINISTRY OF SHIPPING
OF THE REPUBLIC OF INDIA**

**ON TECHNOLOGY COOPERATION
IN THE SHIPPING AND PORTS INFRASTRUCTURE SECTOR**

The Federal Ministry of Transport, Innovation and Technology of the Republic of Austria and the Ministry of Shipping of the Republic of India, in the following referred to as "Sides",

- recognizing the significant mutual benefit that can be derived by the Sides from cooperation on shipping infrastructure in particular by promoting safe, efficient and cost effective shipping and ports infrastructure development as well as operation and maintenance,
- desirous to promote and to deepen long-term and effective relationship of communication and cooperation to the mutual benefit by including the exchange of information between both Sides concerning shipping and ports infrastructure as well as to gain from the opportunities offered in the shipping and ports infrastructure sector,

- recognizing the great significance of expansion plans in the shipping and ports infrastructure sector and in awareness of the possibilities resulting from the realization of special projects in this area,
- recognizing the projects in the fields of "Maritime Communication Solutions", which constitute pilot and reference projects for the cooperation of Austria and India

Have reached the following understanding:

1. For the joint realization of infrastructure projects comprising high qualitative technologies and Know-How, the involvement of all relevant stakeholders is necessary. Therefore, both Sides will mutually identify and realize infrastructure projects as a common objective.
2. The Austrian Side will share a broad experience regarding the realization of technology related projects, due to the involvement of relevant governmental organizations and institutions as well as specific infrastructure operators.
3. In order to ensure a structured project implementation in terms of the above mentioned objectives both Sides have reached an understanding on the formation of a joint working group to:
 - (a) review all projects referred to in this cooperation;
 - (b) update the joint list of projects as annexed;
 - (c) support realization of projects within the framework of this Memorandum of Understanding.

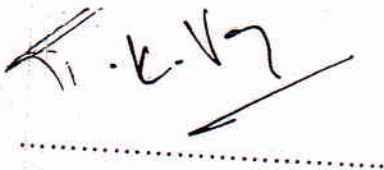
4. The joint working group is to meet upon request of one of the Sides of this Memorandum of Understanding as mutually convenient. The members of this joint working group will be nominated by both Sides.
5. The Austrian Side nominates the Federal Ministry of Transport, Innovation and Technology and the Indian Side nominates the Ministry of Shipping for the supervision of the Austrian-Indian technology cooperation in the shipping and ports infrastructure sector.
6. Within the framework of this MoU both Sides will nominate a project coordinator who will act as focal point open to all interested companies with the purpose of facilitating technical cooperation.
7. Both Sides have reached the understanding that any project to be realized in line with this Memorandum of Understanding is subject to a separate contract between relevant stakeholders and subject to compliance of domestic laws of the respective countries.
8. In view of the conclusion of contracts provided for in the above paragraph, the proposals and offers submitted by the relevant stakeholders responsible for the project will be assessed as to their competitiveness against terms and provisions prevailing on the international market, in particular as to the price, terms of payment, terms of execution and delivery, and the scope and quality of supplies and services.
9. Both Sides will further promote the protection of intellectual property to the extent possible and on the basis of the legal framework in force in their countries.
10. The present MoU will come into effect from the date of its signature and will continue to be in force for a period of five (5) years. Thereafter, it

may be extended for further periods on mutual consultation, unless either Side cancels the present MoU by giving a written notice of its intention to cancel to the other Side at least three (3) months in advance. This MoU may be amended in writing at any time as decided and agreed by mutual written consent of the Sides.

11. Any dispute arising out of the interpretation, applications or implementation of any provision of this MoU shall be settled amicably through consultation or negotiation between the Sides.

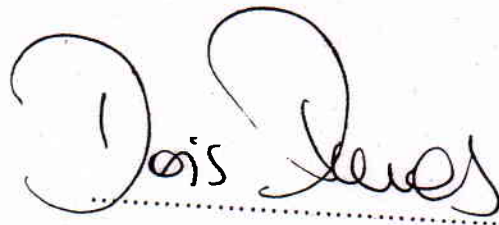
IN WITNESS WHEREOF, the undersigned being duly authorized thereto have signed this MoU.

Done at New Delhi on 03 October, 2012 in two originals in the English language.



(G.K. Vasan)

The Minister of Shipping
For the Government of the
Republic of India



(Ms. Doris Bures)

The Federal Minister
of Transport, Innovation and
Technology
For the Government of the
Republic of Austria