

AGREEMENT BETWEEN THE DEPARTMENT OF HEALTH OF THE REPUBLIC OF THE PHILIPPINES AND THE FEDERAL MINISTRY OF SCIENCE AND TRANSPORT OF THE REPUBLIC OF AUSTRIA ON INDUSTRIAL COOPERAT...

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The Department of Health of the Republic of the Philippines and the Federal Ministry of Science and Transport of the Republic of Austria, hereinafter referred to as the Contracting Parties,

-DESIRING to promote and to strengthen long-term cooperation for the mutual benefit of the Philippines and Austria by drawing on the opportunities offered in the health sector,

-CONSIDERING the positive results of the official negotiations that have already been carried out between the competent Philippine and Austrian authorities and organizations,

-RECOGNIZING the Project "WASTE MANAGEMENT AND UPGRADING OF THE MEDICAL EQUIPMENT IN SELECTED HOSPITALS" constitutes a pilot and reference project for the cooperation of the Philippines and Austria in the health sector,

-CONFIRMING the privileged character of industrial cooperation in the health sector within the context of Philippine-Austrian cooperation,

have agreed as follows:

ARTICLE 1

STATEMENT OF PRINCIPLES

1.) The Philippine-Austrian cooperation in the health sector is part of the program for the upgrading and expansion of health related facilities in the Philippines. It includes the following:

1. The modernization and extension of the capacity of the existing facilities of the Philippine health sector;
2. The regional and supra-regional extension of health sector facilities in the Philippines; and
3. The continued qualitative improvement of Philippine health sector facilities.

2.) The projects referring to this cooperation shall be unanimously agreed upon by the Contracting Parties on an annual basis and shall be attached as an Annex to this Agreement.

ARTICLE 2

SCOPE OF COOPERATION

The areas of cooperation include the following;

1. Regional planning (development of health sector studies and hospital development plans and for selective services of the health sector on a regional and national level);
2. Technical planning (architect, engineering of services and technical equipment of buildings, medical

technology);

3. Organizational planning (operational organizations, electronic data processing, staff training, commissioning) and profitability studies;
4. Project management, construction supervision;
5. Maintenance of medico-technical devices;
6. Extension, modification, renovation, modernization and turn-key erection of hospitals and other buildings and facilities for the health sector;
7. Management and management assistance as well as assistance in institutional strengthening;
8. Assistance in the development of health financing systems and the network for the Philippine Health Insurance,
9. Technical support by providing experts, specialists and highly-qualified technicians;
10. Training of relevant hospital staff within the framework of the projects pertaining to this agreement;
11. Complete equipping of hospitals and other buildings and facilities for the health sector.

ARTICLE 3

IMPLEMENTATION OF PROJECTS

- 1.) Projects to be implemented under the Agreement shall be subject to contractual stipulation between agencies or companies designated by the Contracting Parties. The agencies or companies so designated may transfer specific parts of its responsibility to other persons or entities. This transfer shall not diminish the responsibility of the officially designated agency or company.
- 2.) In the implementation of the projects, the proposals submitted by the officially designated agency or company of Austria shall be evaluated in accordance with the terms and provisions prevailing on the international market including the price, terms of payment, terms of execution and delivery, and quality of supplies and services.

ARTICLE 4

JOINT COMMITTEE

- 1.) The Contracting Parties shall endeavor to ensure, within the scope of their legal abilities, the due implementation of the cooperation program in the health sector.
- 2.) The Contracting Parties agree to establish a Joint Committee which shall oversee the implementation of this Agreement and the projects undertaken hereunder. The Joint Committee shall also decide on the interpretation of this Agreement.
- 3.) The Joint Committee shall be composed of representatives designated by the Contracting Parties. They shall meet alternately in the Philippines and Austria upon justified request from either Contracting Party.

ARTICLE 5

ENTRY INTO FORCE

- 1.) This Agreement shall enter into force on the date of the notification by the Contracting Parties through diplomatic channels, that the domestic requirements for its ratification if necessary within the legal framework of the Contracting Parties have been complied with.
- 2.) This Agreement is concluded for a period of five years and is automatically extended yearly if it is not

terminated three months prior to its expiry date by one of the Parties to the Agreement in writing or through diplomatic channels.

3.) This Agreement may be reviewed or modified by mutual consent in writing. Any alteration or modification of this Agreement shall be done without prejudice to the rights or obligations arising from or based on this Agreement prior to or up to the date of such an alteration or modification.

DONE in Vienna on September 17th 1997 in two original copies in the English language.

FOR THE REPUBLIC OF
THE PHILIPPINES

(Sgd.)

FOR THE REPUBLIC
OF AUSTRIA

(Sgd.)

Entry into Force: January 9, 1998

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