BILATERAL

MEMORANDUM OF AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE KINGDOM OF SPAIN REPRESENTED BY THE MINISTRY OF FOREIGN AFFAIRS AND C...

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The Government of the Republic of the Philippines, represented by the Department of Foreign Affairs and the Government of the Kingdom of Spain represented by the Ministry of Foreign Affairs (hereinafter referred to as, "Signatories" and individual, as "Signatory")

Recognizing that harnessing renewable sources and the developments utilization of biofuels are among the major strategies embodied in their respective energy policies;

Intending to establish a successful cooperation between their respective countries in matters relating to the development and utilization of renewable energy and biofuels, cognizant of their importance in augmenting the energy needs of their respective countries; and

Considering that further technological enhancement and availability for the promotion of renewable energy sources and biofuels are crucial in the promotion of sustainable development;

Have agreed as follows:

1. OBJECTIVES

The objective of this Memorandum of Agreement (MOA) is to confirm the commitment of the Signatories to collaborate in: 1) research and development efforts in the field of renewable energy and biofuels; and 2) demonstration, promotion and commercialization of these technologies, pursued on the basis of equality and joint benefit as mutually agreed upon by the Signatories.

Cooperation under this Agreement shall no preclude other bilateral or multilateral collaborative activities in the field of renewable energy and biofuels in which either of the Signatories may take part.

2.- SCOPE

The Agreement shall include, activities geared toward the promotion of renewable energy and biofueis, to include but not limited to technologies and/or resources on wind energy, solar energy, hydropower and biofuels.

3.- AREAS OF COOPERATION.

a. Implementation of renewable energy projects that are found feasible in areas mutually agreed upon by both Signatories.

b. Joint undertaking of relevant and appropriate technology transfer activities through the conduct of basic and applied research and development (R&D) efforts, exchange of expertise involving scientists, engineers and other specialists, including those from industry, and the organization of "seminars, workshops and other

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meetings on specific topics and other similar activities in renewable energy and biofuels.

c. Initiating and institutionalizing information networking and exchange.

d. Collaborative programs and projects in which work and cost are to be shared in accordance with a separate written arrangement between the Signatories; and

e. Financial assistance for the implementation of project (s).

All collaborative activities set forth in this section shall be in accordance with the laws and regulations of the respective Signatories.

4.- JOINT WORKING COMMITTEE

The Signatories shall establish a Joint Working Committee composed of members nominated by each Signatory. The Joint Working Committee shall meet on a regular basis to review, monitor and discuss matters relating to areas of cooperation under this Agreement as agreed by the Signatories.

5.- IMPLEMENTING ARRANGEMENT

An Implementing Arrangement shall be formulated by both Signatories to implement the provisions of Section 3.

6.- INTELLECTUAL PROPERTY RIGHTS

The Signatories shall ensure that any intellectual property right which may arise out of the implementing cooperation, activities referred to in Section 3 of this Agreement shall be protected in accordance with the current laws and regulations in their respective countries and their commitments stated in international agreements, and that the implementing programs or projects under this Agreement' shall include provisions regarding treatment of any intellectual property rights which may arise out of such programs or projects. Any information gathered under this Agreement shall not be given to any third party without consent of the other Signatory.

7.- DISPUTE SETTLEMENT

Any dispute arising from the interpretation or implementation of this Agreement shall be settled amicably by consultation and negotiation between the Signatories through diplomatic channels.

8.- MODIFICATIONS

This Agreement may be revised or modified by mutual consent through diplomatic channels by the Signatories. Any revision or modification shall be implemented in accordance with the provision on implementation.

9.- IMPLEMENTATION, DURATION AND TERMINATION

Implementation of this Agreement shall begin on the date of its signature.

This Agreement shall remain valid unless either of the Signatories decides to terminate the same. Such decision shall be communicated in writing and sent through diplomatic channels to the other Signatory at least six (6) months prior to its termination.

The termination of this Agreement shall not affect the validity and duration of any on-going programs and projects under this Agreement.

In witness whereof the undersigned, the authorized representatives, have signed this Memorandum of Agreement.

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Done at Madrid on the 3rd day of December 2007, in duplicate in the Spanish and English languages.

FOR THE GOVERNMENT OF THE
THE REPUBLIC OF THE PHILIPPINES FOR THE GOVERNMENT OF
THE KINGDOM OF SPAIN

(Sgd.) ALBERT G. ROMULO

(Sgd.) MIGUEL ANGEL MORATINOS

Secretary of Foreign Affairs

Minister of Foreign Affairs
and Cooperation

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