

## APPENDIX 1: ALLOTMENT COMMITMENT AGREEMENT

No: HDCK 01-2019/VPRSNTB- CONVERGENT

**1 Effective period:** From 01/02/2019 to 31/12/2019

**2 Market:** Chinese (included mainland China, Hong Kong, Macau, Taiwan Market)

**3 Hotel:** Vinpearl Resort and Spa Nha Trang Bay ( VPRSNTB )

This appendix is an integral part of Allotment Commitment Contract No. HDCK 01-2019/VPRSNTB- CONVERGENT signed on 22/01/2019 (Contract) between Vinpearl and CONVERGENT INTERNATIONAL TRAVEL DEVELOPMENT COMPANY LIMITED ("Travel Agent"). Other terms and provisions of Contract that are not stipulated in Appendix 1 are still effective. In case of any conflict between the Contract and Appendix 1, the terms and conditions of Appendix 1 would prevail.

**4 Season and Cut-off date (COD)**

Low season	High season	Peak season
01/02/2019 - 03/02/2019; 11/02/2019 – 24/05/2019; 16/08/2019 – 28/09/2019; 08/10/2019 – 19/12/2019	25/05/2019 – 15/08/2019; 29/09/2019 – 07/10/2019	04/02/2019 – 10/02/2019 20/12/2019 - 31/12/2019
<b>Cut-off date (COD)</b>		
03 days prior to arrival date	14 days prior to arrival date	14 days prior to arrival date
<b>Black-out date:</b> 01/02/2019 – 14/02/2019; 04/08/2019 - 09/08/2019		

**5 Rate Offer (USD)**

**5.1 Rates applicable to bookings in Allotment Commitment: USD/nett/room/ night**

Hotel	Room type	Season	BB	BBV	FB	FBV
VPRSNTB	Deluxe ROH	Peak	124	142	184	202
VPRSNTB	2 BR Villa	Peak	211	247	331	367
VPRSNTB	3 BR Villa	Peak	315	369	495	549
VPRSNTB	4 BR Villa	Peak	420	492	660	732
VPRSNTB	Deluxe ROH	High	105	123	165	183
VPRSNTB	2 BR Villa	High	210	246	330	366
VPRSNTB	3 BR Villa	High	315	369	495	549
VPRSNTB	4 BR Villa	High	420	492	660	732
VPRSNTB	Deluxe ROH	Low	86	104	146	164
VPRSNTB	2 BR Villa	Low	172	208	292	328
VPRSNTB	3 BR Villa	Low	258	312	438	492
VPRSNTB	4 BR Villa	Low	344	416	584	656

**\*Note:**

BB	Bed & Breakfast	2 BR Villa	Villa 2 bedroom
FB	Fullboard	3 BR Villa	Villa 3 bedroom
BBV	Bed & Breakfast with unlimited access to Vinpearl Land	4 BR Villa	Villa 4 bedroom
FBV	Fullboard with unlimited access to Vinpearl Land		

**5.2 Rates applicable to bookings outside Allotment Room :**

- Additional rooms outside Allotment Commitment will be subject to the rates provided in the Travel Agent contract between Vinpearl and Travel Agent
- From 01/12/2019 to 31/12/2019, additional rooms outside Allotment Commitment will be subject to the rates provided in the Travel Agent contract 2019 - 2020 for Chinese market between Vinpearl and Travel Agent.

**5.3 Extra bed request and surcharge:**

**a Extra person surcharge**

Subject to Travel Agent Contract between Vinpearl and Travel Agent

**b Compulsory dinner**

Subject to Travel Agent Contract between Vinpearl and Travel Agent

## 6 Allocation

**Chart 1 : Flexible monthly commitment**

Hotel: VPRSNTB			Room type	Deluxe ROH	1	
Start date	End date	Daily allotment commitment (Room/day)	Total allotment commitment	Total committed rooms	BB rate (USD)	Commitment amount
15/02/2019	28/02/2019	15	-	-	86	-
01/03/2019	31/03/2019	12	372	300	86	25,800
01/04/2019	30/04/2019	13	390	350	86	30,100
01/05/2019	24/05/2019	16	496	400	86	36,528
25/05/2019	31/05/2019	16			105	
01/06/2019	30/06/2019	14	420	400	105	42,000
01/07/2019	31/07/2019	24	744	650	105	68,250
01/08/2019	03/08/2019	26	650	650	105	60,346
04/08/2019	09/08/2019	-			105	
10/08/2019	15/08/2019	26			105	
16/08/2019	31/08/2019	26			86	
01/09/2019	28/09/2019	13	390	350	86	30,594
29/09/2019	30/09/2019	13			105	
01/10/2019	07/10/2019	20	620	500	105	45,660
08/10/2019	31/10/2019	20			86	
01/11/2019	30/11/2019	13	390	350	86	30,100
01/12/2019	19/12/2019	13	403	350	86	36,028
20/12/2019	31/12/2019	13			124	
<b>Total</b>				<b>4,300</b>		<b>405,406</b>

## 7 Payment

No.	Period of stay		Payment due dates	Minimum payable amount	Note
Deposit	<i>Whole period</i>	<b>10%</b>	7 days after signing date	<b>40,541</b>	Non-refundable
3	3/2019		From 01 to 07/2/2019	23,220	Non-refundable
4	4/2019		From 01 to 07/3/2019	27,090	Non-refundable
5	5/2019		From 01 to 07/4/2019	32,875	Non-refundable
6	6/2019		From 01 to 07/5/2019	37,800	Non-refundable
7	7/2019		From 01 to 07/6/2019	61,425	Non-refundable
8	8/2019		From 01 to 07/7/2019	54,311	Non-refundable
9	9/2019		From 01 to 07/8/2019	27,535	Non-refundable
10	10/2019		From 01 to 07/9/2019	41,094	Non-refundable
11	11/2019		From 01 to 07/10/2019	27,090	Non-refundable
12	12/2019		From 01 to 07/11/2019	32,425	Non-refundable
<b>Total</b>				<b>405,406</b>	

## 8 Additional terms and conditions

- Allotment commitment rooms in February 2019 will be subject to the Payment Terms and Cancellation Policy provided in the Travel Agent Contract between Vinpearl and Travel Agent.
- Vinpearl reserves the right to confirm or decline Travel Agent's request to convert from Deluxe ROH to villa. Rate applied for villa is stipulated on section 6.1 of Appendix 1.
- Vinpearl reserves the right to confirm or decline Travel Agent's bookings made after COD or outside allotment commitment
- Vinpearl reserves the right to take back allotted rooms by sending notification to Travel Agent 48 hours in advance without any penalty or compensation.

## 9 Other amendment

### 9.1 Amendment of Section 4.3, Article 4 of the Allotment Commitment contract as below:

4.3. For bookings of services not included in BB Package, including but not limited to meals, VAP/ Safari/ Water Park, adult/child surcharges, extra beds...; and/or extra bookings that exceed the Allotment Commitment, Travel Agent will make payment to Vinpearl within the first 07 days of the following month.

### 9.2 Amendment of Article 6 of the Allotment Commitment contract as below:

6.1. What is not provided in this Contract shall be subject to the General Terms and other provisions of the Travel Agent contracts 2018, 2019 and 2020 between Vinpearl and Travel Agent. In case there is no Travel Agent contract as reference, Vinpearl and Travel Agent will negotiate before the Contract expires. In case Travel Agent contract is not renewed or there is no additional agreement between Vinpearl and Travel Agent, Vinpearl has the right to refuse to perform any obligations of the Contract and Appendix 1 without having to pay any penalty and compensation.

6.2. In case of inconsistency between this Contract, the General Terms, and the Travel Agent contract, the prevailing order of these documents shall be (1) this Contract; (2) Travel Agent contract; and (3) the General Terms.

6.3. This Contract is effective from the signing date to 31/12/2019

6.4. This Contract is made in 04 (four) originals in Vietnamese, each Party keeps 02 originals of equal legal validity. In case of necessity, both Parties may make 04 (four) additional originals in English. In case of inconsistency between the Vietnamese and English versions, the Vietnamese version shall prevail.

### 9.3 Amendment of Section 1.5 of Allotment Commitment contract as below:

1.5. "Minimum Payment" is the minimum service fee (including VAT and service charge) that Travel Agent must pay Vinpearl for the Committed Rooms at the rates of the lowest Standard Rooms of the Hotel provided in Section 6.1 (from time to time).

#### REPRESENTATIVE OF VINPEARL

HOANG THANH QUY  
Sales & Marketing Director of Resort Brand

#### REPRESENATIVE OF TRAVEL AGENT

*Chris Wang*  
CHRIS WANG  
Director of Product







