

## VIET NAM – LIST OF MFN EXEMPTIONS

### For the 10<sup>th</sup> Package of Commitments under ASEAN Framework Agreement on Services

| Sector or sub sector  | Description of measure indicating its inconsistency with Article II   | Countries to which the measure applies   | Intended duration | Conditions creating the need for the exemption   |
|---|---|--|-------------------|--|
| All sectors<br>Commercial presence.   | Measures extending preferential treatment pursuant to bilateral investment treaties.  | All countries that have signed bilateral investment treaties with Viet Nam.  | Indefinite        | Foster investment in Viet Nam.   |
| Audiovisual services  |   |  |                   |  |
| Production, distribution and projection of television programmes and cinematographic works.       | Measures based upon co-production agreements of audiovisual works, which confer National Treatment to audiovisual works covered by such agreements. | WTO Members with which such bilateral or plurilateral agreements are in force, now or in the future.                 | Indefinite        | The aim of these agreements is to promote cultural links between the countries concerned.  |
| Production and distribution of television programmes and cinematographic works.                   | Measures granting the benefit of support programmes to audiovisual works, and suppliers of such works meeting origin criteria.                      | WTO Members with which bilateral and plurilateral agreements have been signed in the area of cultural cooperation.   | Indefinite        | These programmes aim at preserving and promoting the cultural identity of countries with which Viet Nam has long-standing cultural links.  |
| Production and distribution of audiovisual works through broadcasting transmission to the public. | Measures which extend National Treatment to audiovisual works which meet certain origin criteria regarding access to broadcasting transmission.     | WTO Members with which bilateral or plurilateral agreements have been concluded in the area of cultural cooperation. | Indefinite        | These measures aim, within the sector, to promote cultural values both within Viet Nam, and with other countries, including in the region. |

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| Sector or sub sector   | Description of measure indicating its inconsistency with Article II   | Countries to which the measure applies                                     | Intended duration | Conditions creating the need for the exemption |
|--|---|--|-------------------|--|
| Maritime transport.  | Measures based upon agreements covering the normal business operations of fully owned subsidiaries of foreign shipping companies. | All WTO Members with whom maritime transport cooperation may be desirable. | 5 years           | Bilateral Agreements.                          |
| Sea transport services:<br><br>- Internal road freight transportation by lorry;<br><br>- Cargo storage and warehousing; and<br><br>- Container yard. | The three sub-sectors are subject to preferential treatment under Maritime Agreement between Viet Nam and Singapore.              | Republic of Singapore.   | 10 years          | Bilateral Agreement.                           |