

## VIETNAM – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border Supply 2) Consumption Abroad 3) Commercial Presence 4) Presence of Natural Persons

Sector or sub sector	Limitation on market access	Limitation on national treatment	Additional commitments
<p><b>AIR TRANSPORT</b></p> <p>Aircraft Repair and Maintenance Services (CPC 8868)</p>	<p>1. None</p> <p>2. None</p> <p>3. Joint - ventures with total foreign capital not exceeding 40 %</p> <p>4. As indicated in the horizontal section</p>	<p>1. None</p> <p>2. None</p> <p>3. As indicated in the horizontal section</p> <p>4. As indicated in the horizontal section</p>	

<p>Selling and Marketing of Air Transport Services (CPC 746)</p>	<p>1. None</p> <p>2. None</p> <p>3. Airlines whose stage signed an Air Services Agreement with Viet Nam are allowed to freely conduct the services in Viet Nam</p> <p>4. As indicated in the horizontal section</p>	<p>1. None</p> <p>2. None</p> <p>3. As indicated in the horizontal section</p> <p>4. As indicated in the horizontal section</p>	
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<p>Computer reservation System (CPC 746)</p>	<p>1. None, providing that services providers must use public telecommunication network under Vietnam’s national telecommunication authorities</p> <p>2. None</p> <p>3. Unbound</p> <p>4. Unbound</p>	<p>1. None</p> <p>2. None</p> <p>3. Unbound</p> <p>4. Unbound</p>	
<p>Rental /Leasing Aircraft without Operator Services (CPC 746)</p>	<p>1. None</p> <p>2. None</p> <p>3. Unbound</p> <p>4. Unbound</p>	<p>1. None</p> <p>2. None</p> <p>3. Unbound</p> <p>4. Unbound</p>	

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<b>BUSINESS SERVICES</b>			
Architectural Services (CPC 8671)	1. None	1. Services must be authenticated by an Architect who has appropriate practicing certificate working for a Vietnamese juridical status architectural organization and comply with other existing regulations of Vietnam.	
Landscape Architectural Services (CPC 86742)	2. None	2. None	
	3. Unbound	3. Unbound	
	4. Unbound, except as indicated in the Horizontal Measures	4. Unbound, except as indicated in the Horizontal Measures	

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Engineering services (CPC 8672)	<p>1. None</p> <p>2. None</p> <p>3.     a. Joint operation Foreign engineering services suppliers are granted consultant’s licence per project. To be considered to get a consultant’s licence, foreign engineering service supplier is required to have the contract awarded through bidding or tender selection in Vietnam and to have a join-operation agreement or contract with at least one Vietnamese consulting company.</p> <p>          b. Joint venture To establish a joint venture company by fulfilling the requirements as specified in the Horizontal Measures and Laws on Foreign Investment in Vietnam.</p> <p>4. Foreign engineering service suppliers can bring into Vietnam only management, technical personnel that Vietnam can not provide. Others as indicated in the Horizontal Measures</p>	<p>1. Services must be authenticated by an specialized Engineer who has appropriate practicing certificate working for a Vietnamese juridical status engineering organization and comply with other existing regulations of Vietnam</p> <p>2. None</p> <p>3. Foreign engineering services suppliers can only carry out surveys for engineering design purposes (including topographical, geotechnical, hydrogeological and environmental surveys) in the cases required by Vietnamese side and permitted by Vietnamese competent authorities.</p> <p>4. Unbound except as indicated in the Horizontal Measures.</p>	

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Accounting and Auditing and Bookkeeping (CPC 862)	<p>1. Unbound</p> <p>2. None only if the services suppliers is approved and certificated to supply accounting, auditing services by the competent authority in accordance with the registration of the supplier's country</p> <p>3. After 2001, new establishment of auditing joint-ventures and fully foreign owned auditing companies will be taken into consideration</p> <p>4. Foreign certified public accountants are only able to carry out the auditing services in Viet Nam provided that:</p> <ul style="list-style-type: none"> <li>- Legally residing in Viet Nam;</li> <li>- Having the certified public accountant Certificate provided by the Ministry of Finance or the national certified public accountant certificate of their countries recognised by the Ministry of Finance of Viet Nam through the exam to test the understanding of Vietnames laws;</li> <li>- Registered in the list of certified public accountants managed by the Ministry of Finance; and</li> <li>- Working for a registered auditing company in Viet Nam</li> </ul>	<p>1. Unbound</p> <p>2. None</p> <p>3. After 2001, 100 per cent foreign owned auditing companies will be considered to allow provide auditing services to all sectors in the economy under conditions;</p> <ul style="list-style-type: none"> <li>- Have practiced at least 3 (three) years in Viet Nam; and</li> <li>- Have at least 5 (five) auditors holding Vietnamese nationality whose CPA certificates are issued by the Ministry of Finance of Viet Nam</li> </ul> <p>4. Unbound</p>	

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<b>CONSTRUCTION</b>			
CPC 511	1. Unbound due to lack of technical feasibility	1. Unbound due to lack of technical feasibility	
CPC 512	2. None	2. None	
CPC 513	3. a. Joint Operation Foreign construction contractors are granted contractor's licence per project.	3. Unbound except as indicated in the horizontal measures	
CPC 514			
CPC 515	To be considered to get a contractor's licence foreign construction contractor is required to have the contract awarded through bidding or tender selection in Vietnam and to have commitments to work with Vietnamese construction contractor(s) either in the form a joint-operation or sub-contractor (s)		
CPC 516			
CPC 517			
CPC 518	b. Joint venture To establish a joint venture company by fulfilling the requirements as specified in the horizontal measures and law on foreign investment in Vietnam.		
	4. Foreign construction contractors can bring into Vietnam only management, technical personnel and foremen that Vietnam cannot provide. Others as indicated in the horizontal measures.	4. Unbound except as indicated in the horizontal measures	

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<p><b>MARITIME</b></p> <p>International Passenger Transport Less Sabotage (CPC 7211)</p>	<p>1. Unbound</p> <p>2. None</p> <p>3.</p> <p style="padding-left: 40px;">a. Commercial presence may be in the form of joint venture</p> <p style="padding-left: 40px;">b. Maximum share of foreign equity in the joint venture shipping company allowable up to 49 per cent</p> <p>4. Unbound except as indicated in the horizontal section.</p> <p>Ship's crew; Foreign seafarers may be employed working on board a sea-going vessel which is registered in Vietnam owned by a joint venture company in Vietnam but not exceeding one third of her complement and the master or the chief officer must be a Vietnamese citizen. The employment is subject to economic needs test.</p>	<p>1. Unbound</p> <p>2. None</p> <p>3. Unbound</p> <p>4. Unbound , except as indicated in the horizontal section</p>	<p>Viet Nam's final offer on lifting MFN exemptions on cargo sharing between Viet Nam and Thailand.</p> <p>Others are as the commitments made in the Second Package under AFAS.</p>



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Rental of Vessel with Crew (CPC 7223)	<ol style="list-style-type: none"> <li>1. None</li> <li>2. None</li> <li>3. <ul style="list-style-type: none"> <li>- Foreign Shipping company may establish owner's representatives office</li> <li>- Foreign Shipping Company is obliged to appoint a Vietnamese Shipping Agency Company as its General Agent to supply maritime agency services</li> </ul> </li> <li>4. Unbound except as indicated in the horizontal section</li> </ol>	<ol style="list-style-type: none"> <li>1. Unbound</li> <li>2. None</li> <li>3. Unbound</li> <li>4. Unbound except as indicated in the horizontal section</li> </ol>	

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<b>TELECOMMUNICATION</b>  (CPC 7523) - Electronic mail - Voice mail - Electronic Data Interchange (EDI) - Telex - On-line Information and/or Data Base Retrieval - Code and Protocol conversion - On-line Information and/or data Processing  Telegraph Services (CPC 7522)	1. Only under business contracts with Vietnamese gateway operators  2. None  3. Must be Vietnamese operator; Foreign companies can cooperate with Vietnamese companies under the form of Business Cooperation Contract (BCC)  4. Unbound, except as indicated in horizontal commitments	1. Unbound  2. None  3. Unbound  4. Unbound	3. Foreign company can establish a representative office in Vietnam. This representative office is not allowed to carry out any business activities in Vietnam.

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(CPC 7523)  - Enhanced/ value-added facsimile services - Packet-switched data transmission services - Circuit-switched data transmission services  Private Lased Circuit Services (CPC 7522)  Paging Services (CPC 75291)  Facsimile Services (CPC 7521)	1. Only under business contracts with Vietnamese gateway operators;  2. None  3. Must be Vietnamese operator; Foreign companies can cooperate with Vietnamese companies under the form of Business Cooperation Contract (BCC)  4. Unbound, except as indicated in horizontal commitments;	1. Unbound  2. None  3. Unbound  4. Unbound	3. Foreign company can establish a representative office in Vietnam. This representative office is not allowed to carry out any business activities in Vietnam.

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<p><b>TOURISM</b></p> <p>Hotel Lodging Services (CPC 64110)</p>	<p>1. None</p> <p>2. None</p> <p>3. It is required to do:</p> <p style="margin-left: 20px;">a. Joint – venture with local party in the form of a local limited liability company subject to the Vietnamese laws and regulations</p> <p style="margin-left: 20px;">b. Foreign equity participation is not less than 30 per cent</p> <p>4. Unbound except as indicated the horizontal section</p>	<p>1. None</p> <p>2. None</p> <p>3. It is required to do:</p> <p style="margin-left: 20px;">a. Joint – venture with local party in the form of a local limited liability company subject to the Vietnamese laws and regulations</p> <p style="margin-left: 20px;">b. Foreign equity participation is not less than 30 per cent</p> <p>4. Unbound except as indicated the horizontal section</p>	

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<p>Meal Serving Services with Full Restaurant Services in Hotel Premises only (CPC 64210*)</p> <p>Beverage Serving Services without Entertainment in Hotel Premises only (CPC 64310*)</p>	<p>1. None</p> <p>2. None</p> <p>3. Services supplying companies are permitted to provide services in hotel premises only under the form of business cooperation contracts or joint ventures with Vietnamese partners</p> <p>4. Unbound except as indicated the horizontal section</p>	<p>1. None</p> <p>2. None</p> <p>3. Unbound</p> <p>4. Unbound except as indicated the horizontal section</p>	