

REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

Notification under Article 7.3 of the Agreement on Import Licensing Procedures

VIET NAM

The following notification, dated 9 May 2011, is being circulated at the request of the delegation of Viet Nam.

Outline of system

1. Automatic import licences are required for the importation of certain goods into Viet Nam. The general import licensing procedure is consistent with WTO's rules and Prime Minister's Decision No 41/2005/QĐ-TTg dated 2 March 2005 promulgating the regulations on import licensing procedures for imported goods and Decree No.12/2006/ND-CP dated 23 January 2006 of the Government providing guidelines for the implementation of the Commercial Law with respect to international purchases and sales of goods; and agency for sale and purchase, processing and transit of goods involving foreign parties.

Purpose and coverage of licensing

2. The list of goods subject to automatic import licences is as follows:

- Meat and edible meat offals;
- Some fish, crab and fish products;
- (Processed) meat products;
- Sugar confectionary; chocolate or other food preparation containing cocoa;
- Some preparation of cereals, flour;
- Extracts, essences, and concentrates of other edible items;
- Beverages, spirits and vinegars;
- Cosmetics;
- Preparation of vegetable, fruits;
- Plastic products; textiles and apparels; footwear;
- Home electrical appliances;
- Motor vehicles and motorcycles;
- Furniture;
- Toys;
- Steel products.

¹ See document G/LIC/3.

3. The licensing regime applies globally to goods originating from all WTO Members.
4. Automatic import licensing is for statistical purposes. There is no quantitative restriction involved.
5. The automatic import licensing procedure for the above-mentioned goods is regulated by Circular No. 22/2010/TT-BCT dated 20 May 2010; Circular No. 24/2010/TT-BCT dated 28 May 2010; and Circular No. 31/2010/TT-BCT dated 28 July 2010.

Procedures

6. Not applicable.
- 7.(a) Application for automatic import licences can be submitted at any time following the signing of contract and issuance of the bill of lading of the consignment. Licences can not be obtained within a shorter time-limit or for goods arriving at the port without a licence.
- (b) A licence shall be issued in 07 working days after the receipt of an application that fully meets the requirements set forth in the Circular.
- (c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.
- (d) Consideration of licence applications is effected by a single administrative organ. An importer has to approach only one agency in connection with an application.
8. No reply was received.

Eligibility of importers to apply for licence

9. All firms and institutions established under Vietnam's laws are eligible to apply for licences under non-restrictive regime.

Documentation and other requirements for application for licence

10. An importer is required to submit the following documents:
 - An automatic import licence registration form;
 - A copy of the business registration certificate;
 - A copy of import contract or contract equivalent documents;
 - A copy of the commercial invoice;
 - A copy of the Letter of credit or payment documents;
 - A copy of the Bill of lading.
11. Upon actual importation, an importer is required to submit the approved import licence.
12. There is no licensing fee or administrative charge.
13. There is no deposit or advance payment requirement associated with the issuance of licences.

Conditions of licensing

14. A licence is valid for 30 days from the date of issuance. In case the licence is expired, importers can apply for a new automatic import licence.
15. There is no penalty for the non-utilization of a licence or a portion thereof.
16. Licences are not transferable between importers.
17. There are no conditions attached to the issuance of a licence.

Other procedural requirements

18. No, there are not any other administrative procedures.
 19. Foreign exchange is provided for goods to be imported as agreed between commercial banks and importers.
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