

## A Comparison Between Vietnam's Trade In Service Commitments under WTO, CPTPP, and EVFTA

The full text of [the Comprehensive and Progressive Agreement for Trans-Pacific Partnership Agreement \(CPTPP\)](#) and the [Free Trade Agreement between Vietnam and European Union \(EVFTA\)](#) have been made available for public information. The table below tries to compare the existing commitments of Vietnam under WTO Agreement, CPTPP and EVFTA Agreement for certain service sectors. The comparison is done by Tran Thuy Tien, Nguyen Thuc Anh and Le Minh Thuy.

### Notes:

- Vietnam's specific commitments are contained in two Annexes (Annex I and Annex II) of Chapter 9 of the CPTPP and Chapter 8 and Annex 8-B of the EVFTA Agreement. The list below covers specific commitments in specific sectors or sub-sectors. But there are commitments which apply to all sectors and are not listed in here.
- CPC codes are as used in [the Provisional Central Product Classification](#).
- No limitation means no limits on national treatments in terms of *Foreign ownership*, forms of investment or other restriction.
- Branching is generally not allowed unless otherwise indicated.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	Foreign investors in sectors not included in WTO Commitments are <u>not</u> entitled to national treatment principle and therefore may or may not be permitted to establish a commercial presence in Vietnam even if a Vietnamese investor is permitted.	Foreign investors in sectors not included in CPTPP Commitments are <u>entitled</u> to national treatment principle and therefore, should be permitted to establish a commercial presence in Vietnam if a Vietnamese investor is permitted.	Foreign investors in sectors not included in EVFTA Commitments are <u>not</u> entitled to national treatment principle and therefore may or may not be permitted to establish a commercial presence in Vietnam even if a Vietnamese investor is permitted.
1. Legal services (CPC 861)	1.1. <i>Form of investment:</i> Foreign lawyer organizations may set up branches; subsidiaries; foreign law firms; and partnerships between foreign lawyer organizations and Viet Nam's law partnerships.	1.4. <i>Form of investment:</i> Foreign lawyer organizations and individual foreign lawyers may set up: branches; wholly foreign limited liability law firm; joint venture limited liability law firm; and partnerships between foreign lawyer organizations and Viet Nam's law partnership.	1.7. <i>Form of investment:</i> Same as 1.1. 1.8. <i>Foreign ownership:</i> Unlimited. 1.9. <i>Scope of commitment:</i> Same as 1.3. 1.9.1. <i>No commitments for:</i>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	1.2. <i>Foreign ownership</i> : Unlimited.	1.5. <i>Foreign ownership</i> : Unlimited.	(a) participation in legal proceedings in the capacity of defenders or representatives of their clients before the courts of Viet Nam; and
	1.3. <i>Scope of commitment</i> :	1.6. <i>Scope of commitment</i> :	
	1.3.1. Foreign law firm may advise on Vietnamese laws if the consulting lawyers have graduated from a Vietnamese law college and satisfy requirements applied to like Vietnamese law practitioners.	1.6.1. Foreign law firm are not allowed to:  (a) participate in legal proceedings in the capacity of defenders or representatives of their clients before the courts of Viet Nam; and  (b) participate in legal documentation and certification services (excluding commercial contracts and business charters) of the laws of Viet Nam. Legal documentation and certification services include notary services and other services as provided in Vietnamese law, but do not include commercial contracts and business charters.	(b) legal documentation and certification services of the laws of Viet Nam. <u>However, qualified Vietnamese lawyers working in foreign lawyer organizations are permitted to draft commercial contracts and business charters related to Vietnamese law.</u>
	1.3.2. <i>No commitments for</i> :  (a) participation in legal proceedings in the capacity of defenders or representatives of their clients before the courts of Viet Nam; and  (b) legal documentation and certification services of the laws of Viet Nam.	1.6.2. Drafting on commercial contracts and business charters may be conducted by Vietnamese lawyers working in foreign lawyer organizations.	
2. Accounting and auditing and	2.1. No limitation.	2.2. No limitation, except that there is no commitments for cross-border supply of this	2.3. No limitation.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
bookkeeping services (CPC 862)		service.	
3. Taxation services (CPC 863)	3.1. No limitation.	3.2. No limitation.	3.3. No limitation.
4. Architectural services (CPC 8671)	4.1. No limitation.	4.2. No limitation.	4.3. No limitation.
5. Engineering services (CPC 8672) and Integrated engineering services (CPC 8673)	5.1. No limitation except the supply of services related to topographical, geotechnical, hydro geotechnical and environmental surveys and technical surveys for urban-rural development planning are subject to the authorization of the Government of Viet Nam.	5.2. No limitation.	5.3. No limitation except the supply of services related to topographical, geotechnical, hydro geotechnical and environmental surveys and technical surveys for urban-rural development planning are subject to the authorization of the Government of Viet Nam.
6. Urban planning and urban landscape architectural services (CPC 8674)	6.1. No limitation except 6.1.1. the service supplied cross-border must be authenticated by an architect who has appropriate practicing certificate working in a Vietnamese architectural organization which has juridical entity status, and comply with relevant laws and regulations; and 6.1.2. the responsible foreign architects working in foreign-invested enterprises must have the professional practicing certificate granted or	6.2. No limitation.	6.3. No limitation except the responsible foreign architects working in foreign-invested enterprises must have the professional practicing certificate granted or recognised by the Government of Viet Nam. In some areas, subject to the regulations of the Government of Viet Nam for national security and social stability purposes, foreign service suppliers may not be permitted to provide this service.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	recognised by the Government of Viet Nam. In some areas, subject to the regulations of the Government of Viet Nam for national security and social stability purposes, foreign service suppliers may not be permitted to provide this service.		
7. Veterinary services (CPC 932)	<p>7.1. <i>Form of investment:</i> Only natural persons conducting private professional practice</p> <p>7.2. <i>Form of ownership:</i> Not applicable</p> <p>7.3. <i>No commitments for:</i> Keeping micro-organism strain for veterinary.</p>	7.4. Same as 7.1 - 7.2.	7.5. Same as 7.1 - 7.3.
8. Judicial expertise services	8.1. No commitments.	8.2. No commitments.	8.3. No commitments.
9. Bailiff services	9.1. No commitments.	9.2. No commitments.	9.3. No commitments.
10. Property auction services relating to property	10.1. No commitments.	10.2. No commitments.	10.3. No commitments.
11. Notary and certification services	11.1. No commitments.	11.2. No commitments.	11.3. No commitments.
12. Proper managing and liquidating according to the	12.1. No commitments.	12.2. No commitments.	12.3. No commitments.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
regulations of the law on bankruptcy			
13. Services in the exercise of governmental authority	13.1. No commitments.	13.2. No commitment relating to services in the exercise of governmental authority when these services are opened for private sector. Any non- conforming measure adopted after the opening of such services to the private sector shall be deemed to be an existing measure 5 years after the adoption of the measure.	13.3. No commitments.
14. Nursing services, physiotherapists and para- medical personnel (CPC 93191)	14.1. No commitments.	14.2. No limitation.	14.3. No limitation.
15. COMPUTER AND RELATED SERVICES (CPC 841- 845, CPC 849)	15.1. No limitation  15.2. Branching is allowed, however, chief of the branch has to be a resident in  Viet Nam.	15.3. No limitation.  15.4. Branching is allowed.	15.5. Same as 15.1 and 15.2.
16. R&D services on natural sciences (CPC 851)	16.1. No limitation.	16.2. No limitation.	16.3. No limitation.
17. R&D services on social	17.1. No commitments.	17.2. No limitation.	17.3. No commitments.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
science and humanity (CPC 852)			
18. Interdisciplinary R&D services (CPC 853)	18.1. No commitments.	18.2. No limitation.	18.3. <i>Form of investment</i> : Joint venture.  18.4. <i>Foreign ownership</i> : not exceeding 70%.
19. Relating to aircraft (CPC 83104)	19.1. No limitation.	19.2. No limitation.	19.3. No limitation.
20. Relating to other machinery and equipment (CPC 83109)	20.1. No commitment for setting up new commercial presence.  20.2. Acquisition of up to 30% shares in local companies.	20.3. Same as 20.1.	20.4. <i>Form of investment</i> : Joint venture with Vietnamese partners.  20.5. <i>Foreign ownership</i> : Foreign equity not exceeding 51%.  20.6. <i>Scope of commitment</i> :  20.6.1. Mining and oil field equipment; commercial radio, television and communication equipment are excluded.  20.6.2. The equipment to be brought into Viet Nam must comply with relevant regulations of Viet Nam on management of import and export, standards, technical requirement, national security, national telecommunications infrastructure and comply with the provisions of

Sectors and sub-sectors	WTO	CPTPP	EVFTA
			relevant laws on telecommunications licensing as well as licenses on use of frequencies and radio equipment.
21. Relating to ships (CPC 83103)	21.1. No commitments.	21.2. No limitation.	21.3. <i>Form of investment</i> : Joint venture.  21.4. <i>Foreign ownership</i> : not exceeding 70%.
22. Advertising services (CPC 871)	22.1. <i>Form of investment</i> : Joint venture or business cooperation contract (BCC) with Vietnamese partners who are legally authorized to do advertising services.  22.2. <i>Foreign ownership</i> : less than 100%  22.3. <i>Scope of commitment</i> :  22.3.1. Advertising for cigarettes is excluded.  22.3.2. The advertising for wines and spirits subject to State regulations.	22.4. No limitation.	22.5. <i>Form of investment</i> : Joint venture or BCC with Vietnamese partners who are legally authorized to do advertising services.  22.6. <i>Foreign ownership</i> : less than 100%.  22.7. <i>Scope of commitment</i> :  22.7.1. Advertising for cigarettes is excluded.  22.7.2. The advertising for wines and spirits subject to State regulations.
23. Market research services (CPC 864, excluding 86402)	23.1. No limitation.	23.2. No limitation.	23.3. <i>Form of investment</i> : Joint venture or 100% foreign invested enterprise.  23.4. <i>Foreign ownership limit</i> : Joint venture has

Sectors and sub-sectors		WTO	CPTPP	EVFTA
				foreign capital contribution not exceeding 51%.
24. Management consultant services (CPC 865)		24.1. No limitation.	24.3. No limitation.	24.5. No limitation.
		24.2. Branching is allowed.	24.4. Branching is allowed.	24.6. Branching is allowed. The chief of the branch has to be a resident in Viet Nam.
25. Services related to management consulting including Arbitration and conciliation services for commercial disputes between businesses (CPC 866)		25.1. No limitation.	25.3. No limitation	25.5. Same as 25.1 and 25.2.
		25.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.	25.4. Branching is allowed	
26. Arbitration and conciliation services (CPC 86602), excluding arbitration and conciliation services for commercial disputes between businesses		26.1. No commitments.	26.2. No commitments.	26.3. No commitments.
27. Technical testing and analysis services (CPC 8676)		27.1. <i>Form of investment:</i> Joint venture three years after Viet Nam allows local private suppliers to provide these services. No limitation five years after those private sector services suppliers have been granted such access.	27.4. No limitation on foreign ownership five years after Viet Nam allows local private suppliers to provide these services.	27.6. Same as 27.1; 27.2; 27.3.
			27.5. No commitment for conformity testing of means of transport and certification of transport	



Sectors and sub-sectors	WTO	CPTPP	EVFTA
	<p>27.2. <i>Foreign ownership limit:</i> less than 100% three years after Viet Nam allows local private suppliers to provide these services. No limitation five years after those private sector services suppliers have been granted such access.</p> <p>27.3. <i>Scope of commitment:</i> 27.3.1. Access to certain geographic areas may be restricted for national security reasons; and</p> <p>27.3.2. Excluding: Conformity testing of transport vehicles and certification of transport vehicles is excluded.</p>	<p>vehicles.</p>	
28. Services incidental to agriculture, hunting and forestry (CPC 881)	<p>28.1. <i>Form of investment:</i> Joint venture or BCC.</p> <p>28.2. <i>Foreign ownership limit:</i> not exceed 51%.</p> <p>28.3. <i>Scope of commitment:</i></p> <p>28.3.1. Excluding: Services relating to investigation, evaluation and exploitation for natural forest including exploitation of woods and wild, rare and precious animals hunting and trapping, aerial photographing, aerial seed planting and aerial chemicals spraying and</p>	<p>28.4. <i>Form of investment:</i> BCC, joint venture or share acquisition.</p> <p>28.5. <i>Foreign ownership limit:</i> not exceeding 51%</p>	<p>28.6. Same as 28.1; 28.2; 28.3.</p>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	dusting, microbial plant, animal genetic resource in agriculture.		
	28.3.2. Including: Animal husbandry and the improvement of breeding stock are included in this commitment.		
29. Forestry and hunting (excluding CPC 881)	29.1. No commitments.	29.2. No commitments.	29.3. No commitments.
30. Cultivating, producing, progressing rare or precious plants, breeding or husbandry of precious or rare wild animal and processing of those plants or animals (including both living animals and processed matter taken from animals)	30.1. No commitments.	30.2. No commitments.	30.3. No commitments.
31. Services incidental to mining (CPC 883)	31.1. <i>Form of investment</i> : No limitation 31.2. <i>Foreign ownership limit</i> : No limitation 31.3. <i>Scope of commitment</i> : 31.3.1. Excluding: supply of equipment, materials	31.4. No limitation.	31.5. <i>Form of investment</i> : joint venture or 100% foreign-invested company. 31.6. <i>Foreign ownership limit</i> : Joint ventures has foreign capital contribution not exceeding 51%.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	<p>and chemicals, supply base services, offshore/marine support vessels, accommodation and catering, helicopter services are excluded.</p> <p>31.3.2. Subject to the rights of Viet Nam to set out the necessary regulations and procedures to regulate the oil and gas related activities.</p>		<p>31.7. <i>Scope of commitment</i>: Same as 31.3.</p> <p>31.8. No commitments for commercial presence under national treatment basis.</p>
32. Services incidental to manufacturing (CPC 884 and 885)	32.1. No limitation	32.2. No limitation.	<p>32.3. <i>Form of investment</i>: Only joint ventures or 100% foreign-invested enterprises.</p> <p>32.4. <i>Foreign ownership limit</i>: Joint ventures has foreign capital contribution not exceeding 50%.</p> <p>32.5.</p>
33. Related incidental to manufacturing (CPC 86751, 86752 and 86753 only)	<p>33.1. <i>Form of investment</i>: No limitation</p> <p>33.2. <i>Foreign ownership limit</i>: No limitation</p> <p>33.3. <i>Scope of commitment</i>: The supply of services related to prospecting, surveying, exploration and exploitation is subject to the applicable laws and regulations of Viet Nam.</p>	33.4. No limitation.	<p>33.5. <i>Form of investment</i>: joint venture or 100% foreign-invested enterprise.</p> <p>33.6. <i>Foreign ownership limit</i>: Joint ventures has foreign capital contribution not exceeding 51%.</p> <p>33.7. Same as 33.3.</p> <p>Note: Name of this service under EVFTA is “Related scientific and technical consulting services”.</p>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
34. Maintenance and repair of equipment (CPC 633)	34.1. <i>Form of investment</i> : No limitation  34.2. <i>Foreign ownership limit</i> : No limitation  34.3. <i>Scope of commitment</i> : Maritime vessels, aircraft or other transport equipment are excluded	34.4. No limitation.	34.5. <i>Form of investment</i> : joint venture or 100% foreign-invested enterprise.  34.6. <i>Foreign ownership limit</i> : Joint ventures has foreign capital contribution not exceeding 51%.  34.7. <i>Scope of commitment</i> : Maritime vessels, aircraft or other transport equipment are excluded.
35. Building-cleaning services (CPC 874)	35.1. No commitments	35.2. No limitation.	35.3. <i>Form of investment and foreign ownership limit</i> : no limitation.  35.4. <i>Scope of commitment</i> : Disinfecting and exterminating services (CPC 87401) and Window cleaning services (CPC 87402) only in industrial zones and export processing zones.
36. Special photography services except aerial photography (CPC 87504)	36.1. No commitments	36.2. <i>Form of investment</i> : BCC and joint venture.  36.3. <i>Foreign ownership limit</i> : less than 100%.	36.4. <i>Form of investment</i> : BCC and joint venture.  36.5. <i>Foreign ownership limit</i> : less than 100%.
37. Packaging services (CPC 876)	37.1. This service is categorized in other section (see 124).	37.2. This service is categorized in other section (see 124).	37.3. <i>Form of investment</i> : joint venture.  37.4. <i>Foreign ownership limit</i> : not exceed 70%.

Sectors and sub-sectors		WTO	CPTPP	EVFTA
38. Trade fairs and exhibitions services (CPC 87909**)	38.1. No commitments.	38.2. No limitation.	38.3. <i>Form of investment</i> : joint venture.	
			38.4. <i>Foreign ownership limit</i> :	
			38.4.1. 49% for first five years after the date of entry into force of EVFTA;	
			38.4.2. 51% for next three years thereon;	
			38.4.3. less than 100%.	
			38.5. <i>Scope of commitment</i> :	
			38.5.1. No commitment for cross-border supply of this service; and	
			38.5.2. The organising trade fairs and exhibitions shall be subject to authorisation in line with Viet Nam's relevant laws and regulations.	
39. Printing (CPC 88442)	39.1. No commitments	39.2. No commitments.	39.3. No commitments	
40. Public opinion polling (CPC 864)	See 23	40.1. No commitments.	40.2. <i>Form of investment</i> : No limitation.	
			40.3. <i>Foreign ownership limit</i> : Joint ventures shall be allowed with foreign capital contribution not exceeding 51% of the legal capital of the joint	

Sectors and sub-sectors	WTO	CPTPP	EVFTA
			venture.
			40.4. <i>Scope of commitment</i> : excluding 86402.
41. Placement and supply services of personnel (CPC 872)	41.1. No commitments.	41.2. No commitments.	41.3. No commitments.
42. Services incidental to fishing (CPC 882), (excluding specialized consultancy services related to marine or freshwater fisheries, fish hatchery services)	42.1. No commitments.	42.2. No commitments.	42.3. No commitments.
43. Services incidental to fishing (only specialized consultancy services related to marine or freshwater fisheries, fish hatchery services) (CPC 882)	43.1. No commitments.	43.2. No limitation.	43.3. No commitments.
44. Fishery	44.1. No commitments.	44.2. No commitments.	44.4. No commitments.
		44.3. No investment license shall be issued to foreign investors in: (i) Fresh-water fishing, marine fishing; and (ii) Coral and natural pearl exploitation.	

Sectors and sub-sectors	WTO	CPTPP	EVFTA
45. Courier services (CPC 7512**)	<p>45.1. <i>Form of investment</i>: No limitation.</p> <p>45.2. <i>Foreign ownership limit</i>: No limitation.</p> <p>45.3. <i>Scope of commitment</i>:</p> <p>45.3.1. Including:</p> <p>(a) Express delivery services, i.e. services consisting of collection, sorting, transport and delivery, whether for domestic or foreign destination, of:</p> <p>(i) Written communication, on any kind of physical medium, including: Hybrid mail service; and Direct mail. Written communication includes letters, postcards, hand writings, or commercial documents such as bills and invoices, etc. Parcels include books, catalogues; and</p> <p>(ii) Parcels and other goods.</p> <p>(b) Handling of non-addressed items.</p> <p>45.3.2. Excluding: the handling of items of written communication</p>	<p>45.4. No limitation.</p>	<p>45.5. <i>Form of investment</i>: No limitation.</p> <p>45.6. <i>Foreign ownership limit</i>: No limitation.</p> <p>45.7. <i>Scope of commitment</i>:</p> <p>45.7.1. Excluding: public services and reserved service.</p> <p>45.7.2. The cross-border supply of service can be performed in association with a local service provider for the collection or delivery.</p>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	<p>(a) which has a gross weight of less than 2,000 grams; and</p> <p>(b) the price of which is less than: (i) 10 times the tariff for the handling of a standard domestic letter in the first weight level for domestic shipments; or (ii) UD\$9 for international shipments.</p> <p>45.3.3. Express delivery services may include, in addition to greater speed and reliability, value added elements such as collection from point of origin, personal delivery to addressee, tracing and tracking, possibility of changing the destination and address in transit, confirmation of receipt.</p>		
46. Mass communication:  Press and news-gathering agencies, publishing, radio and television broadcasting, in any form	46.1. No commitments.	46.2. No commitments.	46.3. No commitments.



Sectors and sub-sectors	WTO	CPTPP	EVFTA
47. General provision for telecommunication services	47.1. For the purpose of these commitments, a “non-facilities-based service supplier” means a service supplier which does not own transmission capacity but contracts for such capacity including submarine cable capacity, including on a long-term basis, from a facilities-based supplier. A non-facilities-based supplier is not otherwise excluded from owning telecommunications equipment within their premises and permitted public service provision points (POP).	47.2. Same as 47.1.  47.3. Viet Nam reserves the right to adopt or maintain any measure with respect to the investment, building, operating and exploiting telecommunication networks and services serving ethnic minorities in rural and remote areas of Viet Nam.	47.4. Same as 47.1.
48. Basic communication services	<p>48.1. <i>Scope of commitment:</i></p> <p>Basic communication services include:</p> <p>48.1.1. Voice telephone services (CPC 7521);</p> <p>48.1.2. Packet-switched data transmission services (CPC 7523**);</p> <p>48.1.3. Circuit-switched data transmission services (CPC 7523**);</p> <p>48.1.4. Telex services (CPC 7523**);</p> <p>48.1.5. Telegraph services (CPC 7523**);</p>	<p>48.5. <i>Scope of commitment:</i></p> <p>48.5.1. All basic telecommunication services are included;</p> <p>48.5.2. No commitment for cross-border supply of satellite-based services unless the services are offered through commercial arrangements with Vietnamese international satellite service suppliers duly licensed in Viet Nam, except satellite-based services offered to off-shore/on sea based business customers, government institutions, facilities-based service suppliers, radio and television broadcasters, official</p>	<p>48.9. <i>Scope of commitment:</i> Same as 48.1.</p> <p>48.10. Non-facilities-based services:</p> <p>48.10.1. <i>Form of investment:</i> joint venture or BCC.</p> <p>48.10.2. <i>Foreign ownership limit:</i> not exceed 65%. Five years from the date of entry into force of EVFTA, this limit will be 75%.</p> <p>48.11. Facilities-based services: Same as 48.3.</p> <p>48.12. Same as 48.4.</p>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	48.1.6. Facsimile services (CPC 7521** + 7529**);	international organisations' representative offices, diplomatic representatives and consulates, high tech and software development parks and multinational companies that are licensed to use satellite-earth stations.	
	48.1.7. Private leased circuit services (CPC 7522** + 7523**); and		
	48.1.8. Other services including:	48.6. Non facilities-based services	
	(a) Videoconference services (CPC 75292);	48.6.1. <i>Form of investment:</i> Joint ventures or share acquisition with a Vietnamese enterprise. No limitation five years after the effective date.	
	(b) Video Transmission services, excluding broadcasting (broadcasting is defined as the uninterrupted chain of transmission required for the distribution of TV and radio programme signals to the general public, but does not cover contribution links between operators); and	48.6.2. <i>Foreign ownership limit:</i> not exceeding 65%. No limitation five years after the effective date.	
	(c) Radio based services includes: Mobile telephone (terrestrial and satellite), Mobile data (terrestrial and satellite), Paging, PCS, Trunking; and Internet Exchange Service (IXP). IXP is services providing internet access service (IAS) suppliers with connection between them and to the international Internet backbone.	48.7. Facilities-based services  48.7.1. <i>Form of investment:</i> Joint ventures or share acquisition with a licensed Vietnamese enterprise.  48.7.2. <i>Foreign ownership limit:</i> not exceeding 49%.  48.8. Foreign service suppliers shall be permitted up to 100% ownership of submarine cable transmission capacity landing at a licensed submarine cable landing station in Viet Nam, and may sell such capacity to any licensed	

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	48.2. Non-facilities-based services	telecommunications operator in Viet Nam, including Internet Service Provider, in Viet Nam.	
	48.2.1. <i>Form of investment:</i> Joint ventures or BCC.		
	48.2.2. <i>Foreign ownership limit:</i> not exceed 65%.		
	48.3. Facilities-based services		
	48.3.1. <i>Form of investment:</i> Joint ventures or BCC with telecommunications services suppliers duly licensed in Viet Nam.		
	48.3.2. <i>Foreign ownership limit:</i> not exceed 49%. 51% gives management control.		
	48.4. For consortium submarine cable links where Viet Nam is member, foreign service suppliers shall be permitted to control fully-owned submarine cable transmission capacity (e.g. IRU or consortium ownership) terminating at a licensed cable landing station in Viet Nam, and to provide such capacity to international facilities- based service suppliers licensed in Viet Nam. 4 years after accession foreign service suppliers shall be permitted to provide such capacity to international VPN and IXP service suppliers		

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	licensed in Viet Nam.		
49. Basic Telecommunication services: Virtual Private Network (VPN)	<p>49.1. Non facilities-based services</p> <p>49.1.1. <i>Form of investment:</i> Joint ventures without limitation on choice of partner.</p> <p>49.1.2. <i>Foreign ownership limit:</i> 70%.</p> <p>49.2. Facilities-based services:</p> <p>49.2.1. <i>Form of investment:</i> Joint venture with duly licensed telecommunications service suppliers.</p> <p>49.2.2. <i>Foreign ownership limit:</i> 49%.</p> <p>49.3. Same as 48.4.</p>	<p>49.4. Non facilities-based services: Same as 49.1 for five years after the effective date, no limitation thereafter.</p> <p>49.5. Facilities-based services: Same as 49.2.</p> <p>49.6. <i>Scope of commitment:</i> Same as 48.5.2.</p>	<p>49.7. Non facilities-based services</p> <p>49.7.1. <i>Form of investment:</i> Joint ventures without limitation on choice of partner.</p> <p>49.7.2. <i>Foreign ownership limit:</i> 70%. Five years from the date of entry into force of ECFTA, this limit will be 75%.</p> <p>49.8. Facilities-based services: Same as 49.2.</p> <p>49.9. Same as 49.3.</p>
50. Value-added services	<p>50.1. <i>Scope of commitments</i></p> <p>Value-added services include:</p> <p>50.1.1. Electronic mail (CPC 7523**);</p> <p>50.1.2. Voice mail (CPC 7523**);</p> <p>50.1.3. On-line information and database retrieval (CPC 7523**);</p>	<p>50.4. <i>Scope of commitment:</i></p> <p>50.4.1. All basic telecommunication services are included;</p> <p>50.4.2. Same as 48.5.2.</p> <p>50.5. Non facilities-based services</p> <p>50.5.1. <i>Form of investment:</i> joint venture or shares</p>	<p>50.7. <i>Scope of commitments:</i> Same as 50.1.</p> <p>50.8. Non facilities-based services</p> <p>50.8.1. <i>Form of investment:</i> BCC or joint ventures.</p> <p>50.8.2. <i>Foreign ownership limit:</i> 65%. Five years from the date of entry into force of EVFTA, this limit will be 100%.</p>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
50.1.4. Electronic data interchange (EDI) (CPC 7523**);		acquisition in a Vietnamese enterprise. No limitation five years after the effective date.	50.9. Facilities-based services:
50.1.5. Enhance/value-added facsimile services, including store and forward, store and retrieve (CPC 7523**);		50.5.2. <i>Foreign ownership limit:</i> 65%. No limitation five years after the effective date.	50.9.1. <i>Form of investment:</i> BCC or joint ventures with duly licensed telecommunication service suppliers in Viet Nam.
50.1.6. Code and protocol conversion; and		50.6. Facilities-based services	50.9.2. <i>Foreign ownership limit:</i> 50%. Five years from the date of entry into force of EVFTA, this limit will be 65%. 51% gives management control of the joint venture.
50.1.7. On-line information and data processing (including transaction processing) (CPC 843**).		50.6.1. <i>Form of investment:</i> Joint venture or shares acquisition in a licensed Vietnamese enterprise.	
50.2. Non facilities-based services		50.6.2. <i>Foreign ownership limit:</i> 51% upon effective date and five year thereafter 65%.	
50.2.1. <i>Form of investment:</i> joint ventures or BCC.			
50.2.2. <i>Foreign ownership limit:</i> 65%.			
50.3. Facilities-based services			
50.3.1. <i>Form of investment:</i> Joint ventures or BCC with licensed telecommunications services suppliers.			
50.3.2. <i>Foreign ownership limit:</i> 50%. 51% gives management control.			

Sectors and sub-sectors	WTO	CPTPP	EVFTA
51. Value added services - Internet Access Services (IAS) being services providing internet access to the end users.	<p>51.1. Non facilities-based services</p> <p>51.1.1. <i>Form of investment:</i> Joint venture.</p> <p>51.1.2. <i>Foreign ownership limit:</i> 65%.</p> <p>51.2. Facilities-based services</p> <p>51.2.1. <i>Form of investment:</i> Joint venture with licensed telecommunications suppliers in Viet Nam.</p> <p>51.2.2. <i>Foreign ownership limit:</i> 50%.</p>	<p>51.3. Non facilities-based services: Same as 50.5.</p> <p>51.4. Facilities-based services: Same as 50.6.</p> <p>51.5. <i>Scope of commitment:</i> Same as 48.5.2.</p>	<p>51.6. Non facilities-based services:</p> <p>51.6.1. <i>Form of investment:</i> Joint venture will be allowed without limitation on choice of partner.</p> <p>51.6.2. <i>Foreign ownership limit:</i> 65%. Five years after the date of entry into force of EVFTA, this limit will be 100%.</p> <p>51.7. Facilities-based services:</p> <p>51.7.1. <i>Form of investment:</i> Joint venture or share acquisition with licensed telecommunications suppliers.</p> <p>51.7.2. <i>Foreign ownership limit:</i> 50%. Five years from the date of entry into force of EVFTA, this limit will be 65%.</p>
52. General provisions for audiovisual services	<p>52.1. With regard to motion picture production, distribution and projection services, all films must have their content censored by Viet Nam's competent authorities.</p>	<p>52.2. Cinemas must screen Vietnamese films on major anniversaries of the country. The ratio of screening Vietnamese films to total films shall not be less than 20 percent on an annual basis. Cinemas should show at least one Vietnamese film between the hours of 18:00 and 22:00.</p>	<p>52.3. No commitments.</p>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
53. Motion picture production (CPC 96112)	<p>53.1. <i>Form of investment:</i> Joint venture or BCC with Vietnamese licensed service providers.</p> <p>53.2. <i>Foreign ownership limit:</i> 51%.</p> <p>53.3. <i>Scope of commitments:</i> Video tape is excluded.</p>	<p>53.4. <i>Form of investment:</i> Joint venture, BCC with or acquiring shares of Vietnamese licensed service providers.</p> <p>53.5. <i>Foreign ownership limit:</i> not exceeding 51%.</p>	53.6. No commitments.
54. Motion picture distribution (CPC 96113)	54.1. Same as 53.1 - 53.3.	54.2. Same as 53.4 - 53.5.	54.3. No commitments.
55. Motion picture projection service (CPC 96121)	<p>55.1. Same as 53.1 - 53.3.</p> <p>55.2. Viet Nam's houses of culture, film projection place, public cinema clubs and societies and mobile projection teams are not allowed to engage in BCC or joint-venture with foreign service suppliers</p>	<p>55.3. <i>Form of investment:</i> Same as 53.4, excluding BCC or joint venture with Viet Nam's houses of culture, public cinema clubs and societies, mobile projection teams, or owners or operators of temporary film-projection locations .</p> <p>55.4. <i>Foreign ownership limit:</i> Same as 53.5</p>	55.5. No commitments.
56. Sound recording	<p>56.1. No commitment for establishment of new commercial presence.</p> <p>56.2. Acquisition of up to 30% shares in local companies.</p>	56.3. No commitment, except that foreign ownership of up to 51% in enterprises engaged in sound recording will be permitted.	56.4. No commitments.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
57. Production and distribution of video records	57.1. No commitments.	57.2. No commitments.	57.3. No commitments.
58. Production, distribution, and projection of television programs and cinematographic works	58.1. No commitments.	58.2. Viet Nam may maintain subsidies for audiovisual services and preferential treatment to television programs and cinematographic works produced under co-production agreements.	58.3. No commitments.
59. General construction work for building (CPC 512)	<p>59.1. No limitation except</p> <p>59.1.1. no commitments for cross-border supply of this services; and</p> <p>59.1.2. foreign enterprises for commercial presence mode have to be juridical persons of another party.</p> <p>59.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.</p>	<p>59.3. No limitation.</p> <p>59.4. Branching is allowed.</p>	59.5. Same as 59.1 and 59.2.
60. General construction work for civil engineering (CPC 513)	<p>60.1. No limitation except</p> <p>60.1.1. no commitments for cross-border supply of this services; and</p> <p>60.1.2. foreign enterprises for commercial presence mode have to be juridical persons of</p>	<p>60.3. No limitation.</p> <p>60.4. Branching is allowed.</p>	60.5. Same as 60.1 and 60.2.



Sectors and sub-sectors	WTO	CPTPP	EVFTA
	another party.		
	60.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.		
61. Installation and assembly work (CPC 514, 516)	<p>61.1. No limitation except</p> <p>61.1.1. no commitments for cross-border supply of this services; and</p> <p>61.1.2. foreign enterprises for commercial presence mode have to be juridical persons of another party.</p> <p>61.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.</p>	<p>61.3. No limitation.</p> <p>61.4. Branching is allowed.</p>	61.5. Same as 61.1 and 61.2.
62. Building completion and finishing work (CPC 517)	<p>62.1. No limitation except</p> <p>62.1.1. no commitments for cross-border supply of this services; and</p> <p>62.1.2. foreign enterprises for commercial presence mode have to be juridical persons of another party.</p> <p>62.2. Branching is allowed, however, the chief of</p>	<p>62.3. No limitation.</p> <p>62.4. Branching is allowed.</p>	62.5. Same as 62.1 and 62.2.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	the branch has to be a resident in Viet Nam.		
63. Other construction and related engineering services (CPC 511, 515, 518)	<p>63.1. No limitation except</p> <p>63.1.1. no commitments for cross-border supply of this services; and</p> <p>63.1.2. foreign enterprises for commercial presence mode have to be juridical persons of another party.</p> <p>63.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.</p>	<p>63.3. No limitation.</p> <p>63.4. Branching is allowed.</p>	63.5. Same as 63.1 and 63.2.
64. River ports, sea ports and airports construction, operation and management.	64.1. No commitments.	64.2. No commitment, without prejudice to any commitment provided in Annex I of the CPTPP.	64.3. No commitments.
65. Power development	65.1. No commitments.	65.2. No commitment with respect to hydroelectricity and nuclear power.	65.3. No commitments.
66. General provision for distribution services	66.1. Measures applicable to all sub-sectors in Distribution Services: Cigarettes and cigars, books, newspapers and magazines, video records on whatever medium, precious metals and stones, pharmaceutical products and drugs, explosives,	66.2. Viet Nam reserves the right to adopt or maintain any measure in regard of cross-border trade in (i) Commission agents' services, (ii) Wholesale trade services, (iii) Retailing services regarding the distribution of products other than	66.4. Same as 66.1.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	processed oil and crude oil, rice, cane and beet sugar are excluded from the commitments. "Pharmaceuticals and drugs" do not include non-pharmaceutical nutritional supplements in tablet, capsule or powdered form.	products for personal use and legitimate computer software for personal and commercial use.  66.3. With respect to distribution of the following products covered by CPC 621, 622, and 632, Viet Nam reserves the right to adopt or maintain any measure in regard of cross-border trade in services and investment regarding cigarettes and cigars, publications, precious metals and stones, pharmaceutical products and drugs, explosives, processed oil and crude oil.	
67. Commission agents' services (CPC 621, 61111, 6113, 6121)	67.1. No limitation except 66.1.	67.2. No limitation except 66.2 and 66.3.	67.3. No limitation except 66.1.
68. Wholesale trade services (CPC 622, 61111, 6113, 6121)	68.1. No limitation except 66.1	68.2. No limitation except 66.2 and 66.3.	68.3. No limitation except 66.1.
69. Retailing services (CPC 631 + 632, 61112, 6113, 6121)	69.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.  69.2. <i>Scope of commitment:</i> This commitment	69.4. <i>Form of investment and Foreign ownership limit:</i> No limitation except 66.2 and 66.3.  69.5. Upon effective date, ENT for retail outlets	69.7. <i>Form of investment and Foreign ownership limit:</i> No limitation.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	<p>includes multi-level sales by properly trained and certified Vietnamese individual commission agents away from a fixed location for which remuneration is received both for the sales effort and for sales support services that result in additional sales by other contracted distributors.</p> <p>69.3. Outlets for retail services (beyond the first one) shall subject to an Economic Needs Test (ENT).</p>	<p>beyond the first one. Five years after effective date, no ENT.</p> <p>69.6. Retail outlets with area of less than 500m<sup>2</sup> in areas that are planned for commercial activities is not subject to the ENT requirement at any time.</p>	<p>69.8. <i>Scope of commitment:</i></p> <p>69.8.1. The establishment of outlets for retail services (beyond the first one) shall be allowed on the basis of an Economic Needs Test (ENT). In case of establishing an outlet less than 500m<sup>2</sup> within the area planned for trading activities and already completed construction of infrastructure, ENT is not required. Five year from the date of entry into force of EVFTA, the requirement of the ENT will be abolished. For greater certainty, Viet Nam reserves the right to apply non-discriminatory zoning or planning measures.</p>
70. Franchising services (CPC 8929)	<p>70.1. No limitation.</p> <p>70.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.</p>	<p>70.3. No limitation.</p> <p>70.4. Branching is allowed.</p>	70.5. Same as 70.1 and 70.2.
71. Import/Export services	71.1. All foreign individuals and enterprises (including foreign-invested enterprises) will have full trading rights, except for some product subject to "State-trading" set out in Table 8(c).	71.2. Foreign investment in state-trading enterprises of Viet Nam that import certain tobacco products, oil products, publications, recorded media, aircraft, and aircraft parts, as specified in Table 8c of the Report of the Working Party on the Accession of Viet Nam in the WTO	71.3. No commitments.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
		may not be permitted.	
72. Traditional Markets	72.1. No commitments.	72.2. No commitments.	72.3. No commitments.
73. Commodity exchange	73.1. No commitments.	73.2. No commitments.	73.3. No commitments.
<b>EDUCATIONAL SERVICES</b>	<i>Scope of commitments:</i> Only permitted in technical, natural sciences and technology, business administration and business studies, economics, accounting, international law and language training fields.	<i>Scope of commitment:</i> Viet Nam reserves the right to adopt or maintain any measure with respect to investment in secondary education services, and to investment in and supply of primary education services, without prejudice to the commitments set out in Annex I of CPTPP.	<i>Scope of commitments:</i> Only in technical, natural sciences and technology, business administration and business studies, economics, accounting, international law and language training fields.
74. Secondary education services (CPC 922)	74.1. No commitment for establishing of new commercial presence.  74.2. Acquisition of up to 30% shares in local companies for secondary education services.	74.3. No commitment, except for foreign investment through:  74.3.1. Preschool education institutions using foreign educational programs for foreign children; and  74.3.2. Compulsory education institutions using foreign educational programs, issuing foreign qualifications, for foreign students and part of Vietnamese students.  74.4. Number of Vietnamese students in primary	74.5. Same as 74.1 and 74.2.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
		schools and middle schools shall not exceed 10% of the total number of students, and that in high school shall not exceed 20% of the total number of students.	
75. Higher education services (CPC 923); Adult education (CPC 924) and other education services (CPC 929 including foreign language training)	<p>75.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>75.2. The education content must be approved by Viet Nam's Ministry of Education and Training.</p> <p>75.3. Foreign teachers who wish to work in foreign-invested schools shall have at least 5 years of teaching experience, and their qualifications shall be recognized by the competent authority.</p>	<p>75.4. <i>Scope of commitment:</i> Foreign investment to provide educational services are permitted except for the following fields of study; national security, defense, political science, religion, Vietnamese culture and other fields of study necessary to protect Vietnamese public morals.</p>	<p>75.5. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>75.6. The education content must be approved by Viet Nam's Ministry of Education and Training.</p>
76. Sewage services (CPC 9401)	<p>76.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>76.2. Services supplied in the exercise of governmental authority as defined in Article I:3(c) may be subject to public monopolies or exclusive rights granted to private operators.</p>	<p>76.5. No commitment for cross-border supply of these services, except for related consulting services.</p> <p>76.6. Same as 76.3 - 76.4.</p>	76.7. Same as 76.1 - 76.4.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	<p>76.3. Access to certain geographic areas may be restricted for national security reasons. This commitment allows the maintenance or adoption of limitations or restrictions for national security reasons that would be justified under Article XIV and Article XIV bis of the GATS</p> <p>76.4. Foreign companies are allowed to do business activities in Viet Nam in the form of build-operate-transfer (BOT) and build-transfer-operate (BTO).</p>		
77. Refusal disposal services (CPC 9402)	<p>77.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>77.2. Same as 76.2 - 76.4.</p> <p>77.3. For the purpose of ensuring public welfare, foreign-invested enterprises are restricted from collecting refuse directly from households. They are only permitted to provide services at the refuse collection points as specified by local municipal and provincial authorities.</p> <p>77.4. Import of refuse is forbidden by law. Treatment and disposal of hazardous waste is</p>	77.5. No limitation.	77.6. Same as 77.1 - 77.4.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	regulated by law.		
78. Sanitation and similar services (CPC 9403)	78.1. No commitments.	78.2. No limitation.	78.3. No limitation except 76.3.
79. Other services: Cleaning services of exhaust gases (CPC 94040) and noise abatement services (CPC 94050)	79.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.  79.2. Same as 76.2 and 76.3.	79.3. Same as 76.5 - 76.6.	79.4. Same as 79.1 and 79.2.
80. Other services: Nature and landscape protection (CPC 9406)	80.1. No commitments.	80.2. No limitation.	80.3. No limitation except 76.3.
81. Environmental impact assessment services (CPC 94090*)	81.1. No limitation except 76.3.	81.2. No limitation.	81.3. No limitation except 76.3.
82. Hospital services (CPC 9311); and Medical and dental services (CPC 9312)	82.1. <i>Form of investment and Foreign ownership limit:</i> No limitation  82.2. The minimum investment capital for a commercial presence in hospital services must be at least US\$20 million for a hospital, US\$2 million for a polyclinic unit and US\$200,000 for a specialty unit.	82.3. No limitation.	82.4. No limitation.
83. Residential health facilities	83.1. No commitments.	83.2. No commitments.	83.3. No commitments.



Sectors and sub-sectors	WTO	CPTPP	EVFTA
services other than hospital services (CPC 93193)			
84. Other human health services (CPC 93199)	84.1. No commitments.	84.2. No limitation, except for cross-border supply of this service.	84.3. No commitments.
85. Social services (CPC 933)	85.1. No commitments.	85.2. No commitments.	85.3. <i>Form of investment</i> : Joint venture.  85.4. <i>Foreign ownership limit</i> : 70%.  85.5. <i>Scope of commitment</i> : including  85.5.1. Social services with accommodation (CPC 9331).  85.5.2. Social services without accommodation (CPC 9332).
86. Services provided by midwives, nurses, physiotherapists and para- medical personnel (CPC 93191)	86.1. No commitments.	86.2. No limitation.	86.3. No limitation. In EVFTA, this service is categorized other section with slightly different name (see 14).
87. Hotel and restaurant including (1) Lodging services	87.1. No limitation	87.2. No limitation.	87.3. No limitation

Sectors and sub-sectors	WTO	CPTPP	EVFTA
(CPC 64110); (2) Catering food (CPC 642) and (3) drink services (CPC 643)			
88. Travel agencies and tour operator services (CPC 7471)	<p>88.1. <i>Form of investment:</i> Joint venture with Vietnamese partners.</p> <p>88.2. <i>Foreign ownership limit:</i> less than 100%</p> <p>88.3. Tourist guides in foreign-invested enterprises shall be Vietnamese citizens. Foreign service supplying enterprises can only do inbound services and domestic travel for inbound tourists as an integral part of inbound services.</p>	<p>88.4. <i>Form of investment and Foreign ownership:</i> No limitation</p> <p>88.5. Only foreign investment to provide inbound services and domestic travel for inbound tourists as an integral part of inbound services is permitted.</p>	88.6. Same as 88.1 - 88.3.
89. Tourist guides services	89.1. No commitments.	89.2. No commitments.	89.3. No commitments.
90. Entertainment services (including theatre, live bands and circus services) (CPC 9619)	<p>90.1. <i>Form of investment:</i> Joint venture.</p> <p>90.2. <i>Foreign ownership limit:</i> 49%.</p> <p>90.3. No commitment for cross-border supply of this service.</p>	<p>90.4. <i>Form of investment:</i> Joint venture or share acquisition.</p> <p>90.5. <i>Foreign ownership limit:</i> 49% upon effective date and three years thereafter, 51%</p>	90.6. Same as 90.1 - 90.3.
91. Electronic games business (CPC 964**)	91.1. <i>Form of investment:</i> Joint venture or BCC with specially authorized Vietnamese partners.	91.4. <i>Form of investment:</i> BCC, joint venture or share acquisition with specially authorized	91.6. Same as 91.1 - 91.3

Sectors and sub-sectors		WTO	CPTPP	EVFTA
		91.2. <i>Foreign ownership limit: 49%.</i>	Vietnamese partners.	
		91.3. No commitment for cross-border supply of this service.	91.5. <i>Foreign ownership limit: 49%</i> upon effective date. No later than two years after the effective date, 51% in electronic game services offered over the Internet. 100% five years after the effective date.	
92. Performing arts and fine arts	92.1. No commitments.		92.2. Viet Nam reserves the right to adopt or maintain any measure to grant/give preferential treatment to Vietnamese artists Vietnamese-owned companies in the performing arts, fine arts and other cultural activities.	92.3. No commitments.
93. Cultural heritage	93.1. No commitments.		93.2.93.3. Viet Nam reserves the right to adopt or maintain any measure to protect, maintain and renovate Viet Nam's tangible heritages as defined in the Law on Cultural Heritage (2009) and intangible cultural heritages as covered by the revised Law on Cultural Heritage (2009).	93.4. No commitments.
94. Sporting and other recreational services, excluding electronic games business	94.1. No commitments.		94.2. No commitment with respect to martial art clubs and extreme sports.	94.3. No commitments.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
95. Lottery, betting and gambling services	95.1. No commitments.	95.2. No commitments.	95.3. No commitments.
96. Portrait Photography services (CPC 87504)	96.1. No commitments.	96.2. <i>Form of investment</i> : BCC joint venture.  96.3. <i>Foreign ownership limit</i> : less than 100%.	96.4. <i>Form of investment</i> : BCC and joint venture.  96.5. <i>Foreign ownership limit</i> : less than 100%.  Note: service is categorized in other section with slightly different name (see 36)
97. Specialty Photography services except aerial photography (CPC 87604)	97.1. No commitments.	97.2. Same as 36.2 - 36.3.	97.3. No commitments.
98. Services related to the hosting of a sporting event (including promotion, organization and facilities management)	98.1. No commitments.	98.2. No limitation, except that such services must be in accordance with Viet Nam's laws and regulations and in a manner consistent with Viet Nam's commitment under CPTPP.	98.3. No commitments.
99. Maritime Transport Services: Passenger transportation (CPC 7211); and Freight transportation (CPC 7212)	<b>Companies operating a fleet under the national flag</b>  99.1. <i>Form of investment</i> : Joint venture.  99.2. <i>Foreign ownership limit</i> : 49%.  99.3. Foreign seafarers may be permitted to work	<b>Companies operating a fleet under national flag</b>  99.5. <i>Form of investment</i> : Joint venture or share acquisition.  99.6. Same as 99.2 and 99.3.	<b>Companies operating a fleet under the national flag</b>  99.7. <i>Form of investment</i> : Joint venture.  99.8. <i>Foreign ownership limit</i> : <u>70%</u> .

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	in ships under national flag of Viet Nam (or registered in Viet Nam) owned by joint-venture in Viet Nam but not exceeding 1/3 of total employees of the ships. The Master or first chief executive must be Vietnamese citizen.		99.9. Same as 99.3 and 99.4.
	99.4. Cabotage is excluded.		
	<b>Other forms of commercial presence for the supply of international maritime transport services</b>	<b>Other forms of commercial presence for the supply of international maritime transport services.</b>	<b>Other forms of commercial presence for the supply of international maritime transport services</b>
	99.10. <i>Form of investment</i> : Joint venture or share acquisition. 99.11. <i>Foreign ownership limit</i> : 49%.	99.14. No limitation.	99.15. <i>Form of investment and Foreign ownership limit</i> : No limitation.
	99.12. Scope of operation are limited to the following activities:		99.16. Same as 99.12 and 99.13.
	99.12.1. Marketing and sales maritime transport services through direct contact with customers, from quotation to invoicing;		
	99.12.2. Acting on behalf of the cargo owners;		
	99.12.3. Provision of required business information;		

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	<p>99.12.4. Preparation of documentation concerning transport documents including customs documents, or other documents related to the origin and character of the goods transported;</p> <p>99.12.5. Provision of maritime transport services including cabotage services by Vietnamese flagged vessels for the supply of integrated transport services;</p> <p>99.12.6. Acting on behalf of the company, organising the call of the ship or taking over cargoes when required; and 99.12.7. Negotiate and sign contracts for road, rail, inland waterways transportation related to cargoes transported by the company</p> <p>99.13. Other forms of commercial presence for the supply of international maritime transport services means the ability for foreign shipping companies to undertake locally activities which are related to the cargoes carried by them and necessary for the supply of the integrated transport service to their customers, within which the international maritime transport constitutes a</p>		

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	substantial elements and is supplied by the concerned foreign shipping company.		
100. Maintenance and repair of vessels (CPC 8868*)	100.1. No commitments.	100.2. No limitation.	100.3. Form of investment: joint venture.  100.4. Foreign ownership limit: 70%.
101. Maritime cabotage services	101.1. No commitments.	101.2. No commitments.	101.3. No commitments.
102. Internal waterway transport: cabotage services rental of vessels with crew (CPC 7223)	102.1. No commitments.	102.2. No commitments.	102.3. No commitments.
103. Space transport	103.1. No commitments.	103.2. No commitments.	103.3. No commitments.
104. Pipeline transport	104.1. No commitments.	104.2. No commitments.	104.3. No commitments.
105. Rail transport (cabotage services, infrastructure business services)	105.1. No commitments.	105.2. No commitments.	105.3. No commitments.
106. Road cabotage services	106.1. No commitments.	106.2. No commitments.	106.3. No commitments.
107. Pushing and towing services	107.1. No commitments.	107.2. No commitments.	107.3. No commitments.
108. Maritime auxiliary services: Container handling services	108.1. <i>Form of investment:</i> Joint venture.	108.4. <i>Form of investment:</i> Joint venture or share acquisition.	108.6. Same as 108.1 - 108.3.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
(CPC 7411)	108.2. <i>Foreign ownership limit:</i> 50%.	108.5. <i>Foreign ownership limit:</i> 50%.	
	108.3. Public utility concession or licensing procedures may apply in case of occupation of the public domain.		
109. Maritime auxiliary services: Customs Clearance Services	109.1. <i>Form of investment:</i> Joint venture.  109.2. <i>Foreign ownership limit:</i> less than 100%.  109.3. “Customs clearance services” (alternatively “customs house brokers’ services”) means activities consisting in carrying out on behalf of another party customs formalities concerning imports, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity.	109.4. No limitation.	109.5. Same as 109.1 - 109.3.
110. Maritime auxiliary services: Maritime agency services <sup>3</sup> (CPC 748*)	110.1. No commitments	110.2. <i>Form of investment:</i> Joint venture or share acquisition.  110.3. <i>Foreign ownership limit:</i> 49%.	110.4. <i>Form of investment:</i> joint venture.  110.5. <i>Foreign ownership limit:</i> 49%.  110.6. <i>Scope of commitment:</i> Maritime agency services or ship agency is a service which the ship agent is authorised to undertake, in the name of



Sectors and sub-sectors	WTO	CPTPP	EVFTA
			the shipowner or the ship operator, to perform services connected with the ship's operations at the port including arrangement of the ship's entry and departure; concluding contracts of carriage, marine insurance contracts, contracts for cargo handling, charter parties, and recruitment agreements; issuing and signing bills of lading or similar documents; supplying stores, bunkers and provisions to the ship; submitting ship's sea protests; communicating with the ship owner or the ship operator; arranging relevant services for ship crew; receiving and paying all amounts incident to the ship's operation; handling claims arising from contracts of carriage and or marine accidents, and supplying other services in connection with the ship as required.
111. Maritime auxiliary services: Container Station and Depot Services	111.1. <i>Form of investment and Foreign ownership:</i> No limitation.  111.2. "container station and depot services" means activities consisting in storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making	111.3. No limitation.	111.4. Same as 111.1 and 111.2.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	them available for shipments.		
112. Maritime auxiliary services: Maintenance and repair of vessels (CPC 8868*)	112.1. No commitments.	112.2. No limitation.	112.3. <i>Form of investment</i> : joint venture.  112.4. Foreign ownership limit: 51%.
113. Internal Waterways Transport: Passenger transport (CPC 7221); and Freight transport (CPC 7222)	113.1. <i>Form of investment</i> : Joint venture.  113.2. <i>Foreign ownership limit</i> : 49%.	113.3. <i>Form of investment</i> : Joint venture or share acquisition.  113.4. <i>Foreign ownership limit</i> : 49%.	113.5. No commitments.
114. Sales and marketing air products services	114.1. Airlines are permitted to provide service in Viet Nam through their ticketing offices or agents in Viet Nam.	114.2. No limitation.	114.3. Same as 114.1.
115. Computer reservation services	115.1. The foreign service supplier must use public telecommunication network under the management of Viet Nam telecommunication authority.	115.2. No limitation.	115.3. Same as 115.1
116. Maintenance and repair of aircraft (CPC 8868**)	116.1. No limitation.	116.2. No limitation.	116.3. No limitation.
117. Ground-handling services, excluding aircraft servicing and cleaning, surface transport,	117.1. No commitments.	117.2. No commitments.	117.3. Unbound. Five year after Viet Nam allows private suppliers access to an airport or terminal, foreign service suppliers are permitted to provide

Sectors and sub-sectors	WTO	CPTPP	EVFTA
airport management and air service navigation.			<p>services to such airport or terminal only through the establishment of joint ventures with Vietnamese partners, with foreign equity not exceeding 49%. Three years thereon, this capital limitation shall be 51%.</p> <p>117.4. Categories of activities depend on the size of the airport. The number of service suppliers in each airport can be limited, due to available-space constraints.</p> <p>117.5. For greater certainty, Viet Nam reserves the rights to consider the authorization and/or licensing of the above-mentioned joint-venture(s) based on the following considerations, among others: (i) the next socio-economic benefits that the Union investor(s) can generate, including but not limited to their long-term commitments, capacity building and technology transfer for Viet Nam's economy; (ii) their financial capability and relevant experience; and (iii) possible impact of Viet Nam national security and defense.</p> <p>117.6. The private access to the sector mentioned above means the authorisation for the</p>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
			participation of at least one Vietnamese 100 % privately owned company or one joint-venture in which Viet Nam's private capital contribution accounts for at least 51 %.
118. In-flight meal serving services	118.1. No commitments.	118.2. No limitation.	118.3. <i>Form of investment:</i> Joint-venture with Vietnamese partners.  118.4. <i>Foreign ownership limit:</i> 49%
119. Rail Transport Services - Passenger transportation (CPC 7111)	119.1. No commitments.	119.2. No commitments.	119.3. No commitments.
120. Rail Transport Services - Freight transportation (CPC 7112)	120.1. <i>Form of investment:</i> Joint venture or share acquisition.  120.2. <i>Foreign ownership limit:</i> 49%.	120.3. Same as 120.1 - 120.2.	120.4. Same as 120.1 - 120.2.
121. Road Transport Services - Passenger transportation (CPC 7121+7122); and Freight transportation (CPC 7123)	121.1. <i>Form of investment:</i> Joint venture or BCC.  121.2. <i>Foreign ownership limit:</i> 49%. Subject to the needs of the market, 51% for freight transport services.  121.3. 100% of joint-venture's drivers shall be	121.4. <i>Form of investment:</i> BCC, joint venture or share acquisition.  121.5. Same as 121.2 - 121.3.	121.6. Same as 121.1 - 121.3.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	Vietnamese citizen.		
122. Container handling services, except services provided at airports (part of CPC 7411)	122.1. <i>Form of investment:</i> Joint venture. 122.2. <i>Foreign ownership limit:</i> 50%.	122.3. <i>Form of investment:</i> Joint venture or share acquisition. 122.4. <i>Foreign ownership limit:</i> 50%.	122.5. Same as 122.1 - 122.2.
123. Storage and warehouse services (CPC 742)	123.1. No limitation	123.2. No limitation.	123.3. No limitation
124. Packaging services (CPC 876)	124.1. No commitments.	124.2. <i>Form of investment:</i> Joint venture. 124.3. <i>Foreign ownership limit:</i> not exceeding 49%.	124.4. <i>Form of investment:</i> Joint venture. 124.5. <i>Foreign ownership limit:</i> 70%. 124.6. Under EVFTA, this service is categorized under other section (see 37).
125. Freight transport agency services (CPC 748)	125.1. <i>Form of investment and Foreign ownership limit:</i> No limitation. 125.2. Freight transport agency services include freight forwarding services. These services mean the activities consisting of organizing and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation	125.3. No limitation.	125.4. Same as 125.1 and 125.2.

Sectors and sub-sectors	WTO	CPTPP	EVFTA
	and provision of business information.		
126. Other Services Auxiliary to all Modes of Transport (part of CPC 749)	<p>126.1. <i>Form of investment:</i> Joint venture.</p> <p>126.2. <i>Foreign ownership limit:</i> less than 100%.</p> <p>126.3. This includes the following activities: bill auditing; freight brokerage services; freight inspection, weighing and sampling services; freight receiving and acceptance services; transportation document preparation services. These services are provided on behalf of cargo owners.</p>	126.4. No limitation.	126.5. Same as 126.1 - 126.3.
127. Air-transport related services	127.1. No commitments except for those discussed at 114 - 118.	127.2. No commitment regarding specialty air services (except for commercial flight training); Ground handling; and Airport operation services.	127.3. No commitments except for those discussed at 114 - 118.
128. Maritime cargo handling services (CPC 741)	128.1. No commitments.	<p>128.2. <i>Form of investment:</i> Joint venture or share acquisition.</p> <p>128.3. <i>Foreign ownership limit:</i> 50%.</p>	<p>128.4. <i>Form of investment:</i> Joint-venture with Vietnamese partners.</p> <p>128.5. <i>Foreign ownership limit:</i> 49%</p>
129. Dredging services	129.1. No commitments.	129.2. No limitation.	<p>129.3. <i>Form of investment:</i> Joint venture with Vietnamese partners.</p> <p>129.4. <i>Foreign ownership limit:</i> 49%. Five years from</p>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
			the date of entry into force of EVFTA, this capital limitation shall be 51%.
130. Real estate services involving own or leased property (CPC 821)	130.1. Foreign-invested enterprises shall be permitted by competent authorities of Viet Nam to lease the land to carry out their investment projects. The land leasing period shall correspond to the time of operation of those enterprises and shall be stipulated in their investment licenses and shall be extended whenever the time of operation of those enterprises is extended by competent authorities.	<p>130.2. No limitation regarding market access.</p> <p>130.3. Foreign invested enterprises may only:</p> <p>130.3.1. with respect to residential real estate:</p> <p>(a) construct residential real estate for sale, lease or lease-purchase on land allocated by the State;</p> <p>(b) construct residential real estate for lease on land leased by the State;</p> <p>(c) purchase, lease-purchase or rent commercial residential real estate in housing development investment projects;</p> <p>(d) rent residential real-estate for sub-lease; and</p> <p>(e) obtain the transfer of residential real estate projects, partly or as a whole, to construct residential buildings for sale or for lease;</p> <p>130.3.2. with respect to commercial real estate:</p> <p>(a) construct commercial buildings for sale, lease</p>	<p>130.5. No commitment for land ownership, acquisition of land use rights, land lease, usage of land, land planning, term of land use, rights and obligations of land users.</p> <p>130.6. Natural resources found in land belong to the State of Viet Nam. Cultural heritage, whose owner cannot be identified, found in land belong to the State of Viet Nam.</p> <p>130.7. No commitment for measures relating to the purchase, selling, ownership and leasing of residential real estates by foreigners.</p>

Sectors and sub-sectors	WTO	CPTPP	EVFTA
		<p>or lease-purchase on land leased by the State;</p> <p>(b) construct commercial buildings on land which is leased out in industrial parks, industrial complexes, export-processing zones, hi-tech zones or economic zones for trading for their proper land use;</p> <p>(c) purchase or lease-purchase commercial real estate for use according to their proper utility;</p> <p>(d) rent commercial real estate for use or sublease; and</p> <p>(e) obtain the transfer of commercial real estate projects, partly or as a whole, to construct commercial buildings for sale or for lease.</p> <p>130.4. Foreign invested enterprises may also supply real estate brokerage services, real estate exchange floors, real estate consulting services and real estate management services, with respect to both residential and commercial real estate.</p>	
131. Real estate services on a free	131.1. Same as 130.1.	131.2. Same as 130.2 - 130.4.	131.3. Same as 130.5 - 130.7.



Sectors and sub-sectors	WTO	CPTPP	EVFTA
-------------------------	-----	-------	-------

or contract basis

*End of document*