

A Comparison Between Vietnam’s Trade In Service Commitments under WTO 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, and EVFTA Agreement for certain service sectors. The comparison is done by Tran Thuy Tien 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	EVFTA
	Foreign investors in sectors not included in WTO Commitments are not 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 EVFTA Commitments are not 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)	<p>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.</p> <p>1.2. <i>Foreign ownership</i>: Unlimited.</p> <p>1.3. <i>Scope of commitment</i>:</p> <p>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.</p> <p>1.3.2. <i>No commitments for</i>:</p> <p>(a) participation in legal proceedings in the capacity of defenders or representatives of their</p>	<p>1.4. <i>Form of investment</i>: Same as 1.1.</p> <p>1.5. <i>Foreign ownership</i>: Unlimited.</p> <p>1.6. <i>Scope of commitment</i>: Same as 1.3.</p> <p>1.6.1. <i>No commitments for</i>:</p> <p>(a) participation in legal proceedings in the capacity of defenders or representatives of their clients before the courts of Viet Nam; and</p> <p>(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></p>

Sectors and sub-sectors	WTO	EVFTA
	<p>clients before the courts of Viet Nam; and</p> <p>(b) legal documentation and certification services of the laws of Viet Nam.</p>	
<p>2. Accounting and auditing and bookkeeping services (CPC 862)</p>	<p>2.1. No limitation.</p>	<p>2.2. No limitation.</p>
<p>3. Taxation services (CPC 863)</p>	<p>3.1. No limitation.</p>	<p>3.2. No limitation.</p>
<p>4. Architectural services (CPC 8671)</p>	<p>4.1. No limitation.</p>	<p>4.2. No limitation.</p>
<p>5. Engineering services (CPC 8672) and Integrated engineering services (CPC 8673)</p>	<p>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.</p>	<p>5.2. 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.</p>
<p>6. Urban planning and urban landscape architectural services (CPC 8674)</p>	<p>6.1. No limitation except</p> <p>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</p> <p>6.1.2. 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</p>	<p>6.2. 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.</p>

Sectors and sub-sectors	WTO	EVFTA
	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 - 7.3.
8. Judicial expertise services	8.1. No commitment.	8.2. No commitment.
9. Bailiff services	9.1. No commitment.	9.2. No commitment.
10. Property auction services relating to property	10.1. No commitment.	10.2. No commitment.
11. Notary and certification services	11.1. No commitment.	11.2. No commitment.
12. Proper managing and liquidating according to the regulations of the law on bankruptcy	12.1. No commitment.	12.2. No commitment.
13. Services in the exercise of governmental authority	13.1. No commitment.	13.2. No commitment.
14. Nursing services, physiotherapist	14.1. No commitment.	14.2. No limitation.

Sectors and sub-sectors	WTO	EVFTA
s and para-medical personnel (CPC 93191)		
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. Same as 15.1 and 15.2.
16. R&D services on natural sciences (CPC 851)	16.1. No limitation.	16.2. No limitation.
17. R&D services on social science and humanity (CPC 852)	17.1. No commitment.	17.2. No commitment.
17.3. Interdisciplinary R&D services (CPC 853)	17.4. No commitment.	17.5. <i>Form of investment:</i> Joint venture. 17.6. <i>Foreign ownership:</i> not exceeding 70%.
18. Relating to aircraft (CPC 83104)	18.1. No limitation.	18.2. No limitation.
19. Relating to other machinery and equipment (CPC 83109)	19.1. No commitment for setting up new commercial presence. 19.2. Acquisition of up to 30% shares in local companies.	19.3. <i>Form of investment:</i> Joint venture with Vietnamese partners. 19.4. <i>Foreign ownership:</i> Foreign equity not exceeding 51%. 19.5. <i>Scope of commitment:</i> 19.5.1. Mining and oil field equipment; commercial radio, television and

Sectors and sub-sectors	WTO	EVFTA
		<p>communication equipment are excluded.</p> <p>19.5.2. 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 relevant laws on telecommunications licensing as well as licenses on use of frequencies and radio equipment.</p>
20. Relating to ships (CPC 83103)	20.1. No commitment.	<p>20.2. <i>Form of investment</i>: Joint venture.</p> <p>20.3. <i>Foreign ownership</i>: not exceeding 70%.</p>
21. Advertising services (CPC 871)	<p>21.1. <i>Form of investment</i>: Joint venture or business cooperation contract (BCC) with Vietnamese partners who are legally authorized to do advertising services.</p> <p>21.2. <i>Foreign ownership</i>: less than 100%</p> <p>21.3. <i>Scope of commitment</i>:</p> <p>21.3.1. Advertising for cigarettes is excluded.</p> <p>21.3.2. The advertising for wines and spirits subject to State regulations.</p>	<p>21.4. <i>Form of investment</i>: Joint venture or BCC with Vietnamese partners who are legally authorized to do advertising services.</p> <p>21.5. <i>Foreign ownership</i>: less than 100%.</p> <p>21.6. <i>Scope of commitment</i>:</p> <p>21.6.1. Advertising for cigarettes is excluded.</p> <p>21.6.2. The advertising for wines and spirits subject to State regulations.</p>
22. Market research services (CPC 864, excluding 86402)	22.1. No limitation.	<p>22.2. <i>Form of investment</i>: Joint venture or 100% foreign invested enterprise.</p> <p>22.3. <i>Foreign ownership limit</i>: Joint venture has foreign capital contribution not exceeding 51%.</p>
23. Management consultant services (CPC 865)	<p>23.1. No limitation.</p> <p>23.2. Branching is allowed.</p>	<p>23.3. No limitation.</p> <p>23.4. Branching is allowed. The chief of the branch has to be a resident in Viet Nam.</p>

Sectors and sub-sectors	WTO	EVFTA
<p>24. Services related to management consulting including Arbitration and conciliation services for commercial disputes between businesses (CPC 866)</p>	<p>24.1. No limitation.</p> <p>24.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.</p>	<p>24.3. Same as 24.1 and 24.2.</p>
<p>25. Arbitration and conciliation services (CPC 86602), excluding arbitration and conciliation services for commercial disputes between businesses</p>	<p>25.1. No commitment.</p>	<p>25.2. No commitment.</p>
<p>26. Technical testing and analysis services (CPC 8676)</p>	<p>26.1. <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.</p> <p>26.2. <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>26.3. <i>Scope of commitment:</i>26.3.1. Access to certain geographic areas may be restricted for national</p>	<p>26.4. Same as 26.1; 26.2; 26.3.</p>

Sectors and sub-sectors	WTO	EVFTA
	<p>security reasons; and</p> <p>26.3.2. Excluding: Conformity testing of transport vehicles and certification of transport vehicles is excluded.</p>	
<p>27. Services incidental to agriculture, hunting and forestry (CPC 881)</p>	<p>27.1. <i>Form of investment:</i> Joint venture or BCC.</p> <p>27.2. <i>Foreign ownership limit:</i> not exceed 51%.</p> <p>27.3. <i>Scope of commitment:</i></p> <p>27.3.1. 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 dusting, microbial plant, animal genetic resource in agriculture.</p> <p>27.3.2. Including: Animal husbandry and the improvement of breeding stock are included in this commitment.</p>	<p>27.4. Same as 27.1; 27.2; 27.3.</p>
<p>28. Forestry and hunting (excluding CPC 881)</p>	<p>28.1. No commitments.</p>	<p>28.2. No commitments.</p>
<p>29. 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</p>	<p>29.1. No commitments.</p>	<p>29.2. No commitments.</p>

Sectors and sub-sectors	WTO	EVFTA
and processed matter taken from animals)		
30. Services incidental to mining (CPC 883)	<p>30.1. <i>Form of investment</i>: No limitation</p> <p>30.2. <i>Foreign ownership limit</i>: No limitation</p> <p>30.3. <i>Scope of commitment</i>:</p> <p>30.3.1. Excluding: supply of equipment, materials and chemicals, supply base services, offshore/marine support vessels, accommodation and catering, helicopter services are excluded.</p> <p>30.3.2. 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>30.4. <i>Form of investment</i>: joint venture or 100% foreign-invested company.</p> <p>30.5. <i>Foreign ownership limit</i>: Joint ventures has foreign capital contribution not exceeding 51%.</p> <p>30.6. <i>Scope of commitment</i>: Same as 30.3.</p> <p>30.7. No commitments for commercial presence under national treatment basis.</p>
31. Services incidental to manufacturing (CPC 884 and 885)	31.1. No limitation	<p>31.2. <i>Form of investment</i>: Only joint ventures or 100% foreign-invested enterprises.</p> <p>31.3. <i>Foreign ownership limit</i>: Joint ventures has foreign capital contribution not exceeding 50%.</p> <p>31.4.</p>
32. Related incidental to manufacturing (CPC 86751, 86752 and 86753 only)	<p>32.1. <i>Form of investment</i>: No limitation</p> <p>32.2. <i>Foreign ownership limit</i>: No limitation</p> <p>32.3. <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>	<p>32.4. <i>Form of investment</i>: joint venture or 100% foreign-invested enterprise.</p> <p>32.5. <i>Foreign ownership limit</i>: Joint ventures has foreign capital contribution not exceeding 51%.</p> <p>32.6. Same as 32.3.</p> <p>Note: Name of this service under EVFTA is "Related scientific and technical consulting services".</p>
33. Maintenance and repair of equipment	<p>33.1. <i>Form of investment</i>: No limitation</p> <p>33.2. <i>Foreign ownership limit</i>: No limitation</p>	<p>33.4. <i>Form of investment</i>: joint venture or 100% foreign-invested enterprise.</p> <p>33.5. <i>Foreign ownership limit</i>: Joint ventures</p>

Sectors and sub-sectors	WTO	EVFTA
(CPC 633)	33.3. <i>Scope of commitment:</i> Maritime vessels, aircraft or other transport equipment are excluded	has foreign capital contribution not exceeding 51%. 33.6. <i>Scope of commitment:</i> Maritime vessels, aircraft or other transport equipment are excluded.
34. Building-cleaning services (CPC 874)	34.1. No commitments	34.2. <i>Form of investment and foreign ownership limit:</i> no limitation. 34.3. <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.
35. Special photography services except aerial photography (CPC 87504)	35.1. No commitments	35.2. <i>Form of investment:</i> BCC and joint venture. 35.3. <i>Foreign ownership limit:</i> less than 100%.
36. Packaging services (CPC 876)	36.1. This service is categorized in other section (see 121).	36.2. <i>Form of investment:</i> joint venture. 36.3. <i>Foreign ownership limit:</i> not exceed 70%.
37. Trade fairs and exhibitions services (CPC 87909**)	37.1. No commitments.	37.2. <i>Form of investment:</i> joint venture. 37.3. <i>Foreign ownership limit:</i> 37.3.1. 49% for first five years after the date of entry into force of EVFTA; 37.3.2. 51% for next three years thereon; 37.3.3. less than 100%. 37.4. <i>Scope of commitment:</i> 37.4.1. No commitment for cross-border supply of this service; and 37.4.2. The organising trade fairs and exhibitions shall be subject to authorisation

Sectors and sub-sectors	WTO	EVFTA
		in line with Viet Nam's relevant laws and regulations.
38. Printing (CPC 88442)	[38.1. No commitments]	[38.2. No commitments]
39. Public opinion polling (CPC 864)	See 22	39.1. <i>Form of investment</i> : No limitation. 39.2. <i>Foreign ownership limit</i> : Joint ventures shall be allowed with foreign capital contribution not exceeding 51% of the legal capital of the joint venture. 39.3. <i>Scope of commitment</i> : excluding 86402.
40. Placement and supply services of personnel (CPC 872)	40.1. No commitment.	40.2. No commitment.
41. Services incidental to fishing (CPC 882), (excluding specialized consultancy services related to marine or freshwater fisheries, fish hatchery services)	41.1. No commitment.	41.2. No commitment.
42. Services incidental to fishing (only specialized consultancy services related to marine or freshwater fisheries, fish	42.1. No commitment.	42.2. No commitment.

Sectors and sub-sectors	WTO	EVFTA
hatchery services) (CPC 882)		
43. Fishery	43.1. No commitment.	43.2. No commitment.
44. Courier services (CPC 7512**)	<p>44.1. <i>Form of investment</i>: No limitation.</p> <p>44.2. <i>Foreign ownership limit</i>: No limitation.</p> <p>44.3. <i>Scope of commitment</i>:</p> <p>44.3.1. 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>44.3.2. Excluding: the handling of items of written communication</p> <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>44.3.3. Express delivery services may include, in addition to greater speed and reliability, value</p>	<p>44.4. <i>Form of investment</i>: No limitation.</p> <p>44.5. <i>Foreign ownership limit</i>: No limitation.</p> <p>44.6. <i>Scope of commitment</i>:</p> <p>44.6.1. Excluding: public services and reserved service.</p> <p>44.6.2. 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	EVFTA
	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.	
45. Mass communication: Press and news-gathering agencies, publishing, radio and television broadcasting, in any form	45.1. No commitment.	45.2. No commitment.
46. General provision	46.1. 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).	46.2. Same as 46.1.
47. Basic communication services	47.1. <i>Scope of commitment:</i> Basic communication services include: 47.1.1. Voice telephone services (CPC 7521); 47.1.2. Packet-switched data transmission services (CPC 7523**); 47.1.3. Circuit-switched data transmission services (CPC 7523**); 47.1.4. Telex services (CPC 7523**);	47.5. <i>Scope of commitment:</i> Same as 47.1. 47.6. Non-facilities-based services: 47.6.1. <i>Form of investment:</i> joint venture or BCC. 47.6.2. <i>Foreign ownership limit:</i> not exceed 65%. Five years from the date of entry into force of EVFTA, this limit will be 75%. 47.7. Facilities-based services: Same as 47.3.

Sectors and sub-sectors	WTO	EVFTA
	<p>47.1.5. Telegraph services (CPC 7523**);</p> <p>47.1.6. Facsimile services (CPC 7521** + 7529**);</p> <p>47.1.7. Private leased circuit services (CPC 7522** + 7523**); and</p> <p>47.1.8. Other services including:</p> <p>(a) Videoconference services (CPC 75292);</p> <p>(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</p> <p>(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.</p> <p>47.2. Non-facilities-based services</p> <p>47.2.1. <i>Form of investment:</i> Joint ventures or BCC.</p> <p>47.2.2. <i>Foreign ownership limit:</i> not exceed 65%.</p> <p>47.3. Facilities-based services</p> <p>47.3.1. <i>Form of investment:</i> Joint ventures or BCC with telecommunications services suppliers duly licensed in Viet Nam.</p> <p>47.3.2. <i>Foreign ownership limit:</i> not exceed 49%. 51% gives management control.</p> <p>47.4. For consortium submarine cable links where Viet Nam is member, foreign service suppliers shall be permitted to control fully-</p>	<p>47.8. Same as 47.4.</p>

Sectors and sub-sectors	WTO	EVFTA
	<p>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 licensed in Viet Nam.</p>	
<p>48. Basic Telecommunication services: Virtual Private Network (VPN)</p>	<p>48.1. Non facilities-based services</p> <p>48.1.1. <i>Form of investment:</i> Joint ventures without limitation on choice of partner.</p> <p>48.1.2. <i>Foreign ownership limit:</i> 70%.</p> <p>48.2. Facilities-based services:</p> <p>48.2.1. <i>Form of investment:</i> Joint venture with duly licensed telecommunications service suppliers.</p> <p>48.2.2. <i>Foreign ownership limit:</i> 49%.</p> <p>48.3. Same as 47.4.</p>	<p>48.4. Non facilities-based services</p> <p>48.4.1. <i>Form of investment:</i> Joint ventures without limitation on choice of partner.</p> <p>48.4.2. <i>Foreign ownership limit:</i> 70%. Five years from the date of entry into force of ECFTA, this limit will be 75%.</p> <p>48.5. Facilities-based services: Same as 48.2.</p> <p>48.6. Same as 48.3.</p>
<p>49. Value-added services</p>	<p>49.1. <i>Scope of commitments</i></p> <p>Value-added services include:</p> <p>49.1.1. Electronic mail (CPC 7523**);</p> <p>49.1.2. Voice mail (CPC 7523**);</p> <p>49.1.3. On-line information and database retrieval (CPC 7523**);</p> <p>49.1.4. Electronic data interchange (EDI) (CPC 7523**);</p> <p>49.1.5. Enhance/value-added facsimile services, including store and forward, store and retrieve (CPC 7523**);</p>	<p>49.4. <i>Scope of commitments:</i> Same as 49.1.</p> <p>49.5. Non facilities-based services</p> <p>49.5.1. <i>Form of investment:</i> BCC or joint ventures.</p> <p>49.5.2. <i>Foreign ownership limit:</i> 65%. Five years from the date of entry into force of EVFTA, this limit will be 100%.</p> <p>49.6. Facilities-based services:</p> <p>49.6.1. <i>Form of investment:</i> BCC or joint ventures with duly licensed telecommunication service suppliers in Viet Nam.</p> <p>49.6.2. <i>Foreign ownership limit:</i> 50%. Five</p>

Sectors and sub-sectors	WTO	EVFTA
	<p>49.1.6. Code and protocol conversion; and</p> <p>49.1.7. On-line information and data processing (including transaction processing) (CPC 843**).</p> <p>49.2. Non facilities-based services</p> <p>49.2.1. <i>Form of investment:</i> joint ventures or BCC.</p> <p>49.2.2. <i>Foreign ownership limit:</i> 65%.</p> <p>49.3. Facilities-based services</p> <p>49.3.1. <i>Form of investment:</i> Joint ventures or BCC with licensed telecommunications services suppliers.</p> <p>49.3.2. <i>Foreign ownership limit:</i> 50%. 51% gives management control.</p>	<p>years from the date of entry into force of EVFTA, this limit will be 65%. 51% gives management control of the joint venture.</p>
<p>50. Value added services - Internet Access Services (IAS) being services providing internet access to the end users.</p>	<p>50.1. Non facilities-based services</p> <p>50.1.1. <i>Form of investment:</i> Joint venture.</p> <p>50.1.2. <i>Foreign ownership limit:</i> 65%.</p> <p>50.2. Facilities-based services</p> <p>50.2.1. <i>Form of investment:</i> Joint venture with licensed telecommunications suppliers in Viet Nam.</p> <p>50.2.2. <i>Foreign ownership limit:</i> 50%.</p>	<p>50.3. Non facilities-based services:</p> <p>50.3.1. <i>Form of investment:</i> Joint venture will be allowed without limitation on choice of partner.</p> <p>50.3.2. <i>Foreign ownership limit:</i> 65%. Five years after the date of entry into force of EVFTA, this limit will be 100%.</p> <p>50.4. Facilities-based services:</p> <p>50.4.1. <i>Form of investment:</i> Joint venture or share acquisition with licensed telecommunications suppliers.</p> <p>50.4.2. <i>Foreign ownership limit:</i> 50%. Five years from the date of entry into force of EVFTA, this limit will be 65%.</p>
<p>51. General provisions</p>	<p>51.1. 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>[51.2. No commitments.]</p>

Sectors and sub-sectors	WTO	EVFTA
52. Motion picture production (CPC 96112)	52.1. <i>Form of investment:</i> Joint venture or BCC with Vietnamese licensed service providers. 52.2. <i>Foreign ownership limit:</i> 51%. 52.3. <i>Scope of commitments:</i> Video tape is excluded.	[52.4. No commitments.]
53. Motion picture distribution (CPC 96113)	53.1. Same as 52.1 - 52.3.	[53.2. No commitments.]
54. Motion picture projection service (CPC 96121)	54.1. Same as 52.1 - 52.3. 54.2. 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	[54.3. No commitments.]
55. Sound recording	55.1. No commitment for establishment of new commercial presence. 55.2. Acquisition of up to 30% shares in local companies.	[55.3. No commitments.]
56. Production and distribution of video records	56.1. No commitments.	56.2. No commitments.
57. Production, distribution, and projection of television programs and cinematographic works	57.1. No commitments.	57.2. No commitments.
58. General construction work for building (CPC	58.1. No limitation except 58.1.1. no commitments for cross-border supply of this services; and 58.1.2. foreign enterprises for commercial	58.3. Same as 58.1 and 58.2.

Sectors and sub-sectors	WTO	EVFTA
512)	<p>presence mode have to be juridical persons of another party.</p> <p>58.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.</p>	
59. General construction work for civil engineering (CPC 513)	<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>	59.3. Same as 59.1 and 59.2.
60. Installation and assembly work (CPC 514, 516)	<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 another party.</p> <p>60.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.</p>	60.3. Same as 60.1 and 60.2.
61. Building completion and finishing work (CPC 517)	<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>	61.3. Same as 61.1 and 61.2.
62. Other construction and related engineering	<p>62.1. No limitation except</p> <p>62.1.1. no commitments for cross-border supply</p>	62.3. Same as 62.1 and 62.2.

Sectors and sub-sectors	WTO	EVFTA
services (CPC 511, 515, 518)	<p>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 the branch has to be a resident in Viet Nam.</p>	
63. River ports, sea ports and airports construction, operation and management.	63.1. No commitments.	63.2. No commitments.
64. Power development	64.1. No commitments.	64.2. No commitments.
65. General provision for distribution services	65.1. 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, 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.	65.2. Same as 65.1.
66. Commission agents' services (CPC 621, 61111, 6113, 6121)	66.1. No limitation except 65.1.	66.2. No limitation except 65.1.
67. Wholesale trade services (CPC 622, 61111, 6113,6121)	67.1. No limitation except Error! Reference source not found..	67.2. No limitation except 65.1.

Sectors and sub-sectors	WTO	EVFTA
68. Retailing services (CPC 631 + 632, 61112, 6113, 6121)	<p>68.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>68.2. <i>Scope of commitment:</i> This commitment 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>68.3. Outlets for retail services (beyond the first one) shall subject to an Economic Needs Test (ENT).</p>	<p>68.4. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>68.5. <i>Scope of commitment:</i></p> <p>68.5.1. 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 500m² 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>
69. Franchising services (CPC 8929)	<p>69.1. No limitation.</p> <p>69.2. Branching is allowed, however, the chief of the branch has to be a resident in Viet Nam.</p>	69.3. Same as 69.1 and 69.2.
70. Import/Export services	70.1. 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).	[70.2. No commitments.]
70.3. Traditional Markets	70.4. No commitments.	70.5. No commitments.
70.6. Commodity exchange	70.7. No commitments.	70.8. No commitments.
EDUCATIONAL SERVICES	<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 commitments:</i> Only in technical, natural sciences and technology, business administration and business studies, economics, accounting, international law and language training fields.
71. Secondary education services (CPC	71.1. No commitment for establishing of new commercial presence.	71.3. Same as 71.1 and 71.2.

Sectors and sub-sectors	WTO	EVFTA
922)	71.2. Acquisition of up to 30% shares in local companies for secondary education services.	
72. Higher education services (CPC 923); Adult education (CPC 924) and other education services (CPC 929 including foreign language training)	<p>72.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>72.2. The education content must be approved by Viet Nam's Ministry of Education and Training.</p> <p>72.3. 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>72.4. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>72.5. The education content must be approved by Viet Nam's Ministry of Education and Training.</p>
73. Sewage services (CPC 9401)	<p>73.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>73.2. 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>73.3. 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>73.4. 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>	73.5. Same as 73.1 - 73.4.
74. Refusal disposal services (CPC 9402)	<p>74.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>74.2. Same as 73.2 - 73.4.</p> <p>74.3. For the purpose of ensuring public welfare,</p>	74.5. Same as 74.1 - 74.4.

Sectors and sub-sectors	WTO	EVFTA
	<p>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>74.4. Import of refuse is forbidden by law. Treatment and disposal of hazardous waste is regulated by law.</p>	
75. Sanitation and similar services (CPC 9403)	75.1. No commitments.	75.2. No limitation except 73.3.
76. Other services: Cleaning services of exhaust gases (CPC 94040) and noise abatement services (CPC 94050)	<p>76.1. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>76.2. Same as 73.2 and 73.3.</p>	76.3. Same as 76.1 and 76.2.
77. Other services: Nature and landscape protection (CPC 9406)	77.1. No commitments.	77.2. No limitation except 73.3.
78. Environmental impact assessment services (CPC 94090*)	78.1. No limitation except 73.3.	78.2. No limitation except 73.3.
79. Hospital services (CPC 9311); and	<p>79.1. <i>Form of investment and Foreign ownership limit:</i> No limitation</p> <p>79.2. The minimum investment capital for a</p>	79.3. No limitation.

Sectors and sub-sectors	WTO	EVFTA
Medical and dental services (CPC 9312)	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.	
80. Residential health facilities services other than hospital services (CPC 93193)	80.1. No commitments.	80.2. No commitments.
81. Other human health services (CPC 93199)	81.1. No commitments.	81.2. No commitments.
82. Social services (CPC 933)	82.1. No commitments.	<p>82.2. <i>Form of investment:</i> Joint venture.</p> <p>82.3. <i>Foreign ownership limit:</i> 70%.</p> <p>82.4. <i>Scope of commitment:</i> including</p> <p>82.4.1. Social services with accommodation (CPC 9331).</p> <p>82.4.2. Social services without accommodation (CPC 9332).</p>
83. Services provided by midwives, nurses, physiotherapists and paramedical personnel (CPC 93191)	83.1. No commitments.	83.2. No limitation. In EVFTA, this service is categorized other section with slightly different name (see 1483).
84. Hotel and restaurant including (1)	84.1. No limitation	84.2. No limitation

Sectors and sub-sectors	WTO	EVFTA
Lodging services (CPC 64110); (2) Catering food (CPC 642) and (3) drink services (CPC 643)		
85. Travel agencies and tour operator services (CPC 7471)	<p>85.1. <i>Form of investment:</i> Joint venture with Vietnamese partners.</p> <p>85.2. <i>Foreign ownership limit:</i> less than 100%</p> <p>85.3. 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>	85.4. Same as 85.1 - 85.3.
86. Tourist guides services	[86.1. No commitments.]	[86.2. No commitments.]
87. Entertainment services (including theatre, live bands and circus services) (CPC 9619)	<p>87.1. <i>Form of investment:</i> Joint venture.</p> <p>87.2. <i>Foreign ownership limit:</i> 49%.</p> <p>87.3. No commitment for cross-border supply of this service.</p>	87.4. Same as 87.1 - 87.3.
88. Electronic games business (CPC 964**)	<p>88.1. <i>Form of investment:</i> Joint venture or BCC with specially authorized Vietnamese partners.</p> <p>88.2. <i>Foreign ownership limit:</i> 49%.</p> <p>88.3. No commitment for cross-border supply of this service.</p>	88.4. Same as 88.1 - 88.3
89. Performing arts and fine	89.1. No commitments.	89.2. No commitments.

Sectors and sub-sectors	WTO	EVFTA
arts		
90. Cultural heritage	90.1. No commitments.	90.2. No commitments.
91. Sporting and other recreational services, excluding electronic games business	91.1. No commitments.	91.2. No commitments.
92. Lottery, betting and gambling services	92.1. No commitments.	92.2. No commitments.
93. Portrait Photography services (CPC 87504)	93.1. No commitments.	93.2. <i>Form of investment:</i> BCC and joint venture. 93.3. <i>Foreign ownership limit:</i> less than 100%. Note: service is categorized in other section with slightly different name (see 35)
94. Specialty Photography services except aerial photography (CPC 87604)	94.1. No commitments.	94.2. No commitments.
95. Services related to the hosting of a sporting event (including promotion, organization and facilities management)	[95.1. No commitments.]	[95.2. No commitments.]
96. Maritime	Companies operating a fleet under the national	Companies operating a fleet under the

Sectors and sub-sectors	WTO	EVFTA
Transport Services: Passenger transportation (CPC 7211); and Freight transportation (CPC 7212)	<p>flag</p> <p>96.1. <i>Form of investment:</i> Joint venture.</p> <p>96.2. <i>Foreign ownership limit:</i> 49%.</p> <p>96.3. Foreign seafarers may be permitted to work 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.</p> <p>96.4. Cabotage is excluded.</p>	<p>national flag</p> <p>96.5. <i>Form of investment:</i> Joint venture.</p> <p>96.6. <i>Foreign ownership limit:</i> <u>70%</u>.</p> <p>96.7. Same as 96.3 and 96.4.</p>
	<p>Other forms of commercial presence for the supply of international maritime transport services</p> <p>96.8. <i>Form of investment:</i> Joint venture or share acquisition. 96.9. <i>Foreign ownership limit:</i> 49%.</p> <p>96.10. Scope of operation are limited to the following activities:</p> <p>96.10.1. Marketing and sales maritime transport services through direct contact with customers, from quotation to invoicing;</p> <p>96.10.2. Acting on behalf of the cargo owners;</p> <p>96.10.3. Provision of required business information;</p> <p>96.10.4. Preparation of documentation concerning transport documents including customs documents, or other documents related to the origin and character of the goods transported;</p> <p>96.10.5. Provision of maritime transport services including cabotage services by Vietnamese flagged vessels for the supply of integrated transport services;</p>	<p>Other forms of commercial presence for the supply of international maritime transport services</p> <p>96.12. <i>Form of investment and Foreign ownership limit:</i> No limitation.</p> <p>96.13. Same as 96.10 and 96.11.</p>

Sectors and sub-sectors	WTO	EVFTA
	<p>96.10.6. Acting on behalf of the company, organising the call of the ship or taking over cargoes when required; and 96.10.7. Negotiate and sign contracts for road, rail, inland waterways transportation related to cargoes transported by the company</p> <p>96.11. 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 substantial elements and is supplied by the concerned foreign shipping company.</p>	
97. Maintenance and repair of vessels (CPC 8868*)	97.1. No commitments.	97.2. Form of investment: joint venture. 97.3. Foreign ownership limit: 70%.
98. Maritime cabotage services	98.1. No commitments.	98.2. No commitments.
99. Internal waterway transport: cabotage services rental of vessels with crew (CPC 7223)	99.1. No commitments.	99.2. No commitments.
100. Space transport	100.1. No commitments.	100.2. No commitments.
101. Pipeline transport	101.1. No commitments.	101.2. No commitments.

Sectors and sub-sectors	WTO	EVFTA
102. Rail transport (cabotage services, infrastructure business services)	102.1. No commitments.	102.2. No commitments.
103. Road cabotage services	103.1. No commitments.	103.2. No commitments.
104. Pushing and towing services	104.1. No commitments.	104.2. No commitments.
105. Maritime auxiliary services: Container handling services (CPC 7411)	105.1. <i>Form of investment</i> : Joint venture. 105.2. <i>Foreign ownership limit</i> : 50%. 105.3. Public utility concession or licensing procedures may apply in case of occupation of the public domain.	105.4. Same as 105.1 - 105.3.
106. Maritime auxiliary services: Customs Clearance Services	106.1. <i>Form of investment</i> : Joint venture. 106.2. <i>Foreign ownership limit</i> : less than 100%. 106.3. “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.	106.4. Same as 106.1 - 106.3.
107. Maritime auxiliary services: Maritime agency	107.1. No commitments	107.2. <i>Form of investment</i> : joint venture. 107.3. <i>Foreign ownership limit</i> : 49%. 107.4. <i>Scope of commitment</i> : Maritime agency services or ship agency is a service which the

Sectors and sub-sectors	WTO	EVFTA
services3 (CPC 748*)		ship agent is authorised to undertake, in the name of the shipowner or the ship operator, to perform services connected with the ship's operations at the port including arrangement of the ship' 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.
108. Maritime auxiliary services: Container Station and Depot Services	108.1. <i>Form of investment and Foreign ownership:</i> No limitation. 108.2. "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 them available for shipments.	108.3. Same as 108.1 and 108.2.
109. Maritime auxiliary services: Maintenance and repair of vessels (CPC 8868*)	109.1. No commitment.	109.2. <i>Form of investment:</i> joint venture. 109.3. Foreign ownership limit: 51%.
110. Internal Waterways Transport: Passenger	110.1. <i>Form of investment:</i> Joint venture. 110.2. <i>Foreign ownership limit:</i> 49%.	[110.3. No commitment.]

Sectors and sub-sectors	WTO	EVFTA
transport (CPC 7221); and Freight transport (CPC 7222)		
111. Sales and marketing air products services	111.1. Airlines are permitted to provide service in Viet Nam through their ticketing offices or agents in Viet Nam.	111.2. Same as 111.1.
112. Computer reservation services	112.1. The foreign service supplier must use public telecommunication network under the management of Viet Nam telecommunication authority.	112.2. Same as 112.1
113. Maintenance and repair of aircraft (CPC 8868**)	113.1. No limitation.	113.2. No limitation.
114. Ground-handling services, excluding aircraft servicing and cleaning, surface transport, airport management and air service navigation.	114.1. No commitment.	<p>114.2. Unbound. Five year after Viet Nam allows private suppliers access to an airport or terminal, foreign service suppliers are permitted to provide 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>114.3. 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>114.4. 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</p>

Sectors and sub-sectors	WTO	EVFTA
		<p>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>114.5. The private access to the sector mentioned above means the authorisation for the 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 %.</p>
115. In-flight meal serving services	115.1. No commitment.	<p>115.2. <i>Form of investment:</i> Joint-venture with Vietnamese partners.</p> <p>115.3. <i>Foreign ownership limit:</i> 49%</p>
116. Rail Transport Services - Passenger transportation (CPC 7111)	116.1. No commitment.	116.2. No commitment.
117. Rail Transport Services - Freight transportation (CPC 7112)	<p>117.1. <i>Form of investment:</i> Joint venture or share acquisition.</p> <p>117.2. <i>Foreign ownership limit:</i> 49%.</p>	117.3. Same as 117.1 - 117.2.
118. Road Transport Services - Passenger transportation (CPC 7121+7122); and Freight	<p>118.1. <i>Form of investment:</i> Joint venture or BCC.</p> <p>118.2. <i>Foreign ownership limit:</i> 49%. Subject to the needs of the market, 51% for freight transport services.</p> <p>118.3. 100% of joint-venture's drivers shall be Vietnamese citizen.</p>	118.4. Same as 118.1 - 118.3.

Sectors and sub-sectors	WTO	EVFTA
transportation (CPC 7123)		
119. Container handling services, except services provided at airports (part of CPC 7411)	119.1. <i>Form of investment:</i> Joint venture. 119.2. <i>Foreign ownership limit:</i> 50%.	119.3. Same as 119.1 - 119.2.
120. Storage and warehouse services (CPC 742)	120.1. No limitation	120.2. No limitation
121. Packaging services (CPC 876)	121.1. No commitment.	121.2. <i>Form of investment:</i> Joint venture. 121.3. <i>Foreign ownership limit:</i> 70%. 121.4. Under EVFTA, this service is categorized under other section (see 36).
122. Freight transport agency services (CPC 748)	122.1. <i>Form of investment and Foreign ownership limit:</i> No limitation. 122.2. 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 and provision of business information.	122.3. Same as 122.1 and 122.2.
123. Other Services Auxiliary to all Modes of Transport (part of CPC 749)	123.1. <i>Form of investment:</i> Joint venture. 123.2. <i>Foreign ownership limit:</i> less than 100%. 123.3. 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.	123.4. Same as 123.1 - 123.3.

Sectors and sub-sectors	WTO	EVFTA
	These services are provided on behalf of cargo owners.	
124. Air-transport related services	124.1. No commitments except for those discussed at 111 - 115.	124.2. No commitments except for those discussed at 111 - 115.
125. Maritime cargo handling services (CPC 741)	125.1. No commitment.	125.2. <i>Form of investment:</i> Joint-venture with Vietnamese partners. 125.3. <i>Foreign ownership limit:</i> 49%
126. Dredging services	126.1. No commitment.	126.2. <i>Form of investment:</i> Joint venture with Vietnamese partners. 126.3. <i>Foreign ownership limit:</i> 49%. Five years from the date of entry into force of EVFTA, this capital limitation shall be 51%.
127. Involving own or leased property (CPC 821)	127.1. 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.	127.2. 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. 127.3. 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. 127.4. No commitment for measures relating to the purchase, selling, ownership and leasing of residential real estates by foreigners.
128. On a free or contract basis	128.1. Same as 127.1.	128.2. Same as 127.2 - 127.4.

End of document