

Hanoi, May 31, 2007

DECISION

On issuing Vietnam's Products List and Special Preferential Import Tariff rates to implement the ASEAN-Korea FTA

MINISTER OF THE MINISTRY OF FINANCE

Pursuant to Law No. 45/2005/QH11 dated 14 May 2005 on Import tax and Export Tax;

Pursuant to Government's Decree No. 77/2003/NĐ-CP dated 1 July 2003 on regulation of functions, responsibilities, rights and organizational structure of the Ministry of Finance;

Pursuant to Government's Decree No. 149/2005/NĐ-CP dated 8 December 2005 detailing the implementation of the Import tax and Export tax Law;

Pursuant to the Framework Agreement on Comprehensive Economic Cooperation among the Governments of the Member Countries of the Association of Southeast Asian Nations and the Republic of Korea, approved by the President of the Social Republic of Vietnam on 12 April 2006;

Pursuant to the Agreement on Trade in Goods under the Framework Agreement on Comprehensive Economic Cooperation (hereinafter the Agreement on Trade in Goods) among the Governments of the Member Countries of the Association of Southeast Asian Nations and the Republic of Korea signed on 13 December 2005 at Kuala Lumpur, Malaysia and on 16 May 2006 at Manila, the Philippines;

Pursuant to the guidance given by the Prime Minister on the Official Document No. 1743/TTg-QHQT dated 30 October 2006 of the Prime Minister Office;

According to the proposal of the Director General of the International Cooperation Department,

DECIDES:

Article 1. To promulgate Vietnam's Products List and Special Preferential Import Tariff Rates to implement the ASEAN-Korea FTA.

Article 2. Imported goods which are eligible for Vietnam's Special Preferential Import Tariff Rates to implement the ASEAN-Korea FTA (AKFTA) under this Decision must meet the following conditions:

a) Be included in the Products List promulgated with this Decision.

b) Be imported into Vietnam from the following countries:

Country' name	Abbreviation
Brunei Darussalam	BN
Kingdom of Cambodia	KH
Republic of Indonesia	IN
Lao People's Democratic Republic	LA
Malaysia	MY
Union of Myanmar	MM
Republic of the Philippines	PH
Republic of Singapore	SG
Republic of Korea	KR

Column "4" specifies the countries which denote non-application of the Vietnam AKFTA rates on importation of the product from those countries. Any subsequent changes the country's name at the Column "4" will be notified by the Ministry of Finance.

c) Be consigned directly from any AKFTA Member Country stated-above to Vietnam, subject to the applicable rules and conditions set forth by the Ministry of Industry and Trade of Vietnam

d) Comply with the origin requirement of ASEAN-Korea FTA, be supported by a certificate of the origin of ASEAN-Korea FTA (C/O-AK Form) issued by a competent authority designated by the exporting AKFTA Member Country as followings:

- Brunei Darussalam: Ministry of Foreign Affairs and Trade
- Kingdom of Cambodia: Ministry of Trade
- Republic of Indonesia: Ministry of Trade
- Lao People's Democratic Republic: Ministry of Industry and Commerce
- Malaysia: Ministry of International Trade and Industry
- Union of Myanmar: Ministry of Commerce
- Republic of Philippines: Ministry of Finance
- Republic of Singapore: Singapore Customs
- Republic of Korea: Chamber of Commerce and Industry (KCCI) or Korea Customs;

Article 3: Goods produced at the Gaesong Industrial Zone under North Korea's territory (GIC products) shall be eligible for Vietnam's AKFTA Rate if satisfying the following conditions:

- a) Be marked "GIC" at Column "5"
- b) Be imported and consigned directly from the Republic of Korea to Vietnam, subject to the applicable rules and conditions set forth by the Ministry of Industry and Trade of Vietnam
- c) Be supported with a C/O-AK Form, which indicated "Rule 6" in the Box 8, issued by a competent authority designated by the Korea Government, subject to the applicable rules and conditions set forth by the Ministry of Industry and Trade of Vietnam
- d) Comply with the origin requirement of ASEAN-Korea FTA for products applies Rule 6 – AKFTA, is in accordance with regulations set in Appendix IV of Rules of Origin for AKFTA, promulgated with the Decision No. 02/2007/QĐ-BTM dated 8 January 2007 of Minister of Trade.

Article 4. This Decision takes effect 15 days since its publication in the Government Gazette; applied for all Custom Declarations registered with Custom's offices from this Decision put into effect.

Article 5: Ministers, Heads of Ministerial-level Agencies, Heads of the Government-attached Agencies and Presidents of Provincial/Municipal People's Committees shall be responsible for coordinating to guide the implementation of this Decision./.

To:

- Prime Minister, Deputy Prime Ministers;
- Central Committee Office of Vietnam Communist Party;
- Office of National Assembly;
- Office of the President;
- Prime Ministerial Office
- People's Supreme Inveterate, People's Supreme Court;
- Ministries, Ministerial-level Agencies, Offices and Organs under the Government;
- The National Auditing;
- General Department of Legal Document Supervision, Ministry of Justice;
- Organs of; under the Ministry of Finance;
- Custom Departments of Provinces, Cities under the Central Authority;
- Gazette;
- The Government's website, Ministry of Finance's website;
- For archiving: VT, HTQT

**ON BEHALF OF MINISTER
VICE MINISTER**

(Signed)

Truong Chi Trung