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Committee on Technical Barriers to Trade

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NOTIFICATION

Addendum

The following communication, dated 27 April 2020, is being circulated at the request of the delegation of Viet Nam.

Draft Decree amending and supplementing a number of articles of Decree No.116/2017/ND-CP on business requirements for manufacturing, assembly and imports of automobiles, automobiles warranty and maintenance services

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Summary:

Viet Nam would like to inform the WTO Members that draft decree amending Decree 116/2017/ND-CP on business requirements for manufacturing, assembly and imports of automobiles, automobiles warranty and maintenance services, which was notified in notification G/TBT/N/VNM/116/Add.1 has been promulgated in Decree No.17/2020/ND-CP on 5 February 2020.

The detailed promulgated provisions are as followed:

1. The Decree supplemented the regulation on suspending the validity and revocation of license granted to enterprises in case they import or temporarily import automobiles which were installed navigation software with maps violating the sovereignty, unity and territorial integrity of the Socialist Republic of Vietnam. Specifically:

1.1 Validity of automobile import business licenses granted to the enterprises who import or temporarily import automobiles which were installed navigation software with maps violating the sovereignty, unity and territorial integrity of the Socialist Republic of Vietnam will be suspended. Within 06 months from the date of suspension, if the violated enterprise comprehensively overcomes the violation, cancellation of such suspension will be considered. In case the enterprise fails to do so from the date of suspension, their import business licenses shall be revoked.

1.2 In addition, Decree 17/2020/ND-CP also amended the provision on quality of imported unused automobiles. For imported automobiles manufactured by countries where management by vehicle type approval is applied, the quality management authority shall evaluate the vehicle type based on technical safety and environment protection testing and inspection results of representative samples and quality ensuring conditions evaluation results in manufacturing facility. For imported automobiles manufactured by countries where management by self-declaration is applied, the quality management authority shall evaluate the vehicle type based on technical safety and environment protection testing and inspection results of representative samples and inspection of samples taken on the market.

1.3 Maximum type evaluation frequency is 36 months.

2. Viet Nam Ministry of Transport is responsible for detailing and guiding the inspection of technical safety and environment protection for domestically manufactured and assembled automobiles and imported automobiles in accordance with existing legislation on products and goods quality and above-mentioned Decree

3. Provisions on business requirements for manufacturing, assembly and imports of automobiles, automobiles warranty and maintenance services in Decree 17/2020/ND-CP has come in force on 5 February 2020.

The text of the Decree is available on Government website in Vietnamese:

https://bientap.vbpl.vn//FileData/Tw/Lists/vbpq/Attachments/140944/VanBanGoc_17.signed.pdf
