



# **EXPORT CONTROL SYSTEM OF VIETNAM**

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**Tokyo, Japan**



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# Legal and Regulatory Framework

**Commercial Law provides legal basis**

**Government Decree detailing the implementation of Commercial Law**

**Line Ministries: Circular and legal documents to control the specific items**

**Related documents: Criminal Code, the Law on handling of administrative violations, the Customs Law...**

# Control list of Goods for export

## Export Goods

### Prohibition

Weapons, ammunition, explosive materials (except industrial explosives), military technical equipment,  
Relics, antiques, toxic chemicals according to CWC...

### Commodities subject to ministerial management

Goods in pursuant to international treaties published by the MOIT from time to time; Industrial explosive materials, Toxic chemicals and products with toxic chemicals (type 2, 3), Addictive pre-chemicals for use in industry.

### Commodities of purely commercial nature

Agricultural products, aquatic products as rice, coffee, shrimp, fish...

# Licensing procedures and authorities

- \* The goods need to be controlled under the regulations by the international treaties and agreements.
- \* Traders shall have the license for the goods of the Prohibition list, Export Suspension list and some controlled by line ministries.
- \* Before exporting goods which fall under the Prohibition List, Export Suspension List, exporters must have the license granted by MOIT.

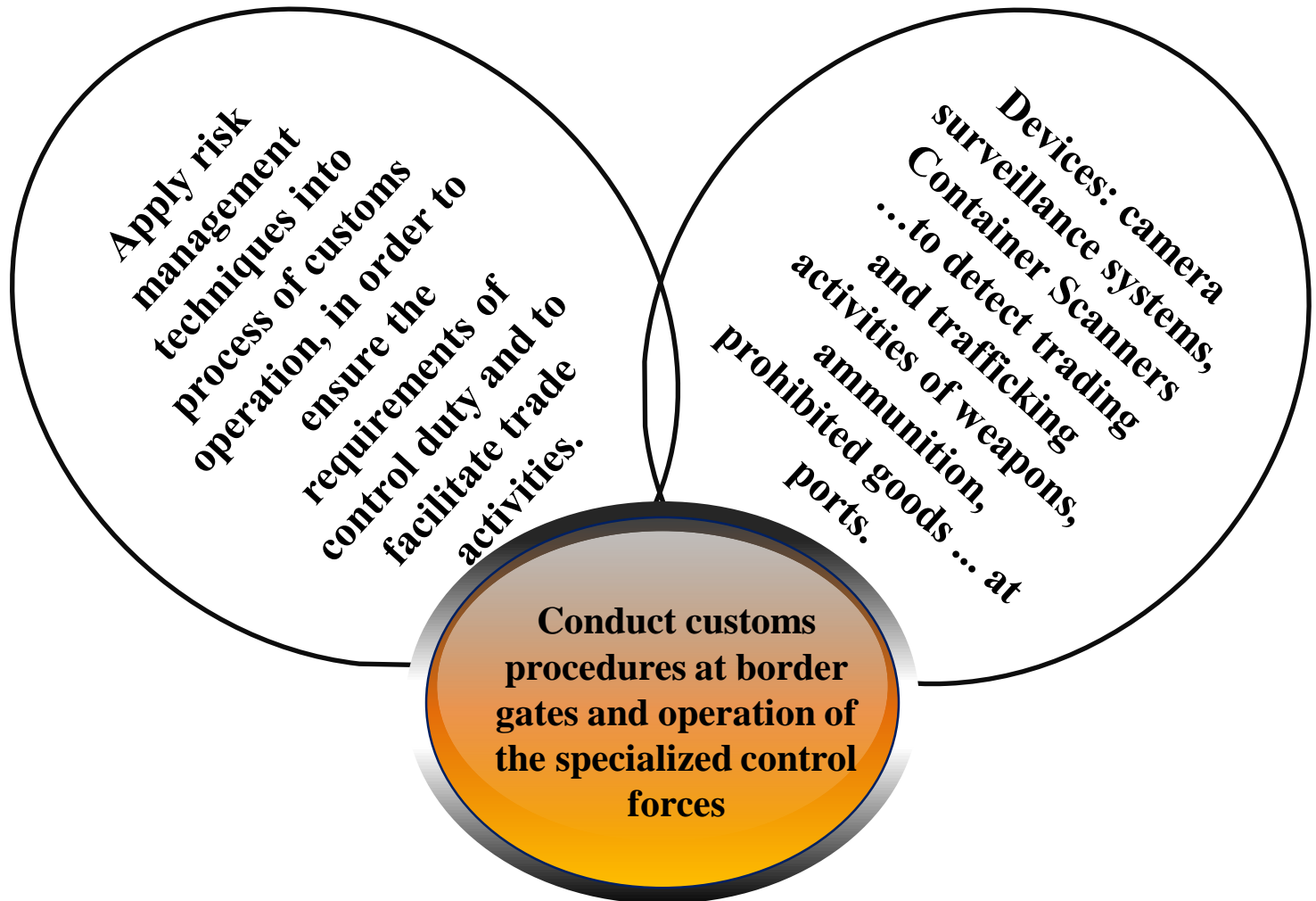
# Licensing procedures and authorities

## General Department of Customs

- Check the HS code of the export goods
- Carry out the customs procedures
- Supervise the goods temporarily imported (for re-export) until they are really exported.
- Supervise the goods transshipped through Vietnam's gate until they are exported.
- Supervise the goods transited in Vietnam during the time they stay in Vietnam, the gate of entry and exit, and route as regulated
- Extend the staying time of the goods which are temporarily imported (for re-export) but stay in Vietnam more than 120 days.
- Detect the fraud



# Enforcement, investigation and prosecution of violations



## **Enforcement, investigation and prosecution of violations**

- ❖ Investigation is delegated to the Ministry of National Defense, Ministry of Public Security, Ministry of Finance and others as stipulated by laws.
- ❖ With regards to sanctions, both criminal and administrative, in order to deter and prevent violations in this area, the sanctions are set to be rigorous, ranging from financial penalty, surveillance, or imprisonment.



# **Industry outreach and International co-operation**

## **Industry outreach:**

- ❖ One of the key factors to ensure voluntary compliance is to make sure that representatives of the private sector and other government agencies actively participate in the policy-making process, especially those related to trade management.
- ❖ After promulgating the statutory and regulatory documents, publish either in the official newspaper, gazette, a book/compendium or in workshop, event.

## CONCLUSION

Vietnam's export is changing sharply, from commercial nature to high tech products. Export commodities will become more complicated and have more dual use and sensitive items, the Vietnam export control system will improve to adapt a new era of international integration with opportunities come along with FTAs.