



# EXPORT/IMPORT CONTROL SYSTEM OF VIET NAM





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# Legal and Regulatory Framework

**Commercial Law and Foreign Trade Management Law provides legal basis**

**Government Decree detailing the implementation of Laws**

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

**Related documents: Criminal Code, the Administrative violations Law, the Customs Law...**



## Export Goods

# Control list of Goods for export

### **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, 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

## ***Licensing authorities: Line Ministries***

- \* *Export licensing*: The goods is controlled under the regulations by national laws as well as international treaties/agreements.
- \* *Temporarily imported and re-export*: Traders must have the license for the goods of the Prohibition list, Export Suspension list and some controlled by line ministries.
- \* *Transshipment*: 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 Export License issued by the line Ministries
- Check the HS code of the export/import 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 via 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

**Apply risk management techniques into process of customs operation, in order to ensure the requirements of control duty and to facilitate trade activities.**

**Devices: camera surveillance systems, Container Scanners ...to detect trading activities of weapons, ammunition, prohibited goods ... at seaports.**

**Conduct customs procedures at border gates and operation of the specialized control forces**



## Enforcement, investigation and prosecution of violations

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





## Enterprise 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, publishing either in the official newspapers, gazettes, a book/compendium or in dissemination workshop, training.
- ❖ Establishing hotline, forum in order to exchange the law implementation as well as to explain the laws and regulations.



## International co-operation

- ❖ Working with WCO, US, EU and other partners to conduct workshops and training courses about non-proliferation and export control.
- ❖ Looking for further co-operation with partners in raising awareness and capacity building such as: CIT, STCE.



## CONCLUSION

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