

THE GOVERNMENT

No. 89/2011/ND-CP

SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom – Happiness

Hanoi, October 10, 2011

DECREE

AMENDING, SUPPLEMENTING SOME ARTICLES OF THE DECREE NO. 87/2009/ND-CP
DATED OCTOBER 19, 2009 OF THE GOVERNMENT ON MULTIMODAL TRANSPORT

Pursuant to the December 25, 2001 Law on Organization of the Government;

*Pursuant to the June 14, 2005 Maritime Code of Vietnam; Pursuant to the November 13, 2008
Law on Road Traffic; Pursuant to the June 29, 2006 Law on Vietnam Civil Aviation;*

*Pursuant to the June 15, 2004 Law on Inland Waterway Navigation; Pursuant to the June 14,
2005 Law on Railways;*

*Pursuant to the November 29, 2005 Enterprise Law; Pursuant to the November 26, 2003 Law on
Cooperatives; Pursuant to the November 29, 2005 Investment Law;*

Pursuant to the June 29, 2001 Customs Law and the June 14, 2005 Law

Amending and Supplementing a Number of Articles of the Customs Law;

At the proposal of the Minister of Transport,

DECREES:

Article 1. To amend, supplement some articles of the Decree No.87/2009/ND-CP dated October 19, 2009 of the Government on multimodal transport with following contents:

1. To amend the title of Article 6 as follows:

“Procedures of application for international multimodal transport business licenses”

2. To amend clause 1, Article 6 as follows:

“Enterprises and cooperatives defined in Clauses 1 and 2, Article 5 of this Decree shall send a dossier of application for international multimodal transport business licenses directly to the Ministry of Transport or by post. Such a dossier comprises:

a/ An application for a license (made according to a form provided in Appendix I, not translated herein);

b/ A certified (or notarized) copy of the business registration certificate or the investment license which covers the international multimodal transport business line;

c/ The finance agency’s certification of the enterprise's asset value, or State Audit of Vietnam, audit enterprises. In the case that enterprises and cooperatives are not audited, they must be guaranteed by an equivalent bank”

3. To amend clause 2, Article 6 as follows:

“Enterprises and cooperatives defined in Clause 3, Article 5 of this Decree shall send a dossier of application for international multimodal transport business licenses directly to the Ministry of Transport or by post. Such a dossier comprises:

a/ An application for a license;

b/ A copy of the international multimodal transport business registration certificate, issued by a competent agency of that country and legalized by a consulate;

c/ A contract on professional liability insurance for international multimodal transport, or an equivalent guarantee.

4. To amend clause 4, Article 6 as follows:

“3. Within 07 working days after receiving a complete and valid dossier in accordance with regulations, the Ministry of Transport shall grant a multimodal transport business license to the applicant (made according to a form provided in Appendix III. not translated herein).

An international multimodal transport business license is valid for 5 years from the date of its grant.

5. To supplement clause 5, Article 6 as follows:

“5. In the case that a dossier of application for international multimodal transport business licenses is not fully in accordance with regulations, the Ministry of Transport shall have document answering enterprises with stated reasons within 03 working days after receiving direct dossiers or receiving date on post stamp.”

6. To amend clause 1, Article 7 as follows:

“1. Enterprises and cooperatives defined in Clauses 1, 2 and 3, Article 5 of this Decree shall send dossiers of application for re-grant of multimodal transport business licenses directly to the Ministry of Transport or by post. Such a dossier comprises:

a/ An application for re-grant of the license (made according to a form provided in Appendix II. not translated herein);

b/ A certified (or notarized) copy of the business registration certificate (in case of any change);

c/ The finance agency's certification of the enterprise's asset value or equivalent guarantee (in case of any change).

7. To amend clause 2, Article 7 as follows:

“2. Within 07 working days after receiving a complete and valid dossier, the Ministry of Transport shall re-grant an international multimodal transport business license to the applicant. Such a license is valid for 5 years from the date of its grant.”

8. To supplement clause 3, Article 7 as follows:

“3. In the case that a dossier of application for international multimodal transport business licenses is valid, the Ministry of Transport shall have document answering enterprises with stated reasons within 03 working days after receiving direct dossiers or receiving date on post stamp.”

Article 2. Effectiveness and implementation responsibility

1. This Decree takes effect on November 25, 2011.

2. Ministers, heads of ministerial-level agencies, heads of government- attached agencies, chairpersons of provincial-level People's Committees, and concerned organizations and individuals shall implement this Decree.

**FOR THE GOVERNMENT
PRIME MINISTER**

Nguyen Tan Dung