

VIETNAM DOMESTIC RULES AND REGULATIONS RELEVANT TO THE LOGISTICS AND TRANSPORT SECTORAL SERVICES

Decree 163 of the Government on logistics services was issued on 30 December 2017 (Decree 163/2017). It is going to take effect on 20 February 2018 and replace Decree 140 of the Government on logistics services dated 5 September 2007 (Decree 140/2007).

Decree 163/2017 no longer requires the logistics services providers to meet the condition of adequate equipment and personnel. That condition was applied to some logistics services, but under Decree 163/2017, the logistics services providers have only to meet conditions specific to the logistics service that they provide.

Decree 163/2017 allows foreign investors to apply, at their discretion, investment conditions regarding logistics services under an international treaty where multiple treaties are applicable.

Decree 163/2017 classifies logistics services in accordance with Vietnam's commitments to the WTO and the investment conditions and foreign ownership limit provided in Decree 163/2017 are generally consistent with other Viet Nam's International Commitments.

Logistics services Definition under Article 3 of Decree 163

1. Container handling services, except for provision of such services at airports;
2. Container warehousing services as part of maritime transport support services;
3. Warehousing services as part of support services for all modes of transport;
4. Delivery services;
5. Freight transport agency services;
6. Customs brokerage services (including customs clearance services);
7. Other services including the following activities: bill of lading inspection, freight brokerage services, cargo inspection, sampling and weighing services; goods receipt and acceptance services; and transport documentation preparation services;
8. Wholesaling support services and retailing support services including activities being management of goods in storage, collection, sorting and classification of goods, and goods delivery;
9. Freight transport services as part of maritime transport services;
10. Freight transport services as part of inland waterway transport services;
11. Freight transport services as part of rail transport services;
12. Freight transport services as part of road transport services;
13. Air transport services;
14. Multimodal transport services;
15. Technical analysis and testing services;
16. Other transport support services;
17. Other services provided by logistics service providers and as agreed with their clients in accordance with the basic principles of the Commercial Law.

No.	Sub-Sectors	Relevant Laws and Regulations
	Maritime cargo handling services	Maritime Code, 2005. Trade Law, 2005. Decree No.140/2007/ND-CP.
	Storage & warehousing services	Law on Trade, 2005. Decree No.140/2007/ND-CP
	Freight transport agency services	Maritime Code, 2005. Law on Trade, 2005. Decree No.140/2007/ND-CP.
	Other auxiliary services	Maritime Code, 2005. Law on Trade, 2005. Decree No.140/2007/ND-CP.
	Courier services	Law on Postal, 2010 Decree No.47/2011/ND-CP.
	Packaging services	
	Customs clearance services	Law on Custom, 2001 and Amended, 2005 Decree No. 140/2007/ND-CP
	International Freight Transportation excluding Cabotage	Maritime Code, 2005. Law on Trade, 2005. Decree No.140/2007/ND-CP.
	International rail freight transport services	Law on Railway, 2005. Decree No. 140/2007/ND-CP
	International road freight transport services	Law on Road traffic, 2008. Decree No. 140/2007/ND-CP