

Second Protocol
to amend the Protocol
between
the Government of the Socialist Republic of Viet Nam
and
the Government of the Republic of Belarus
on supporting the production of motor transport vehicles
in the territory of the Socialist Republic of Viet Nam

The Government of the Socialist Republic of Viet Nam and the Government of the Republic of Belarus, hereinafter referred to individually as a "Party" and collectively as the "Parties";

Pursuant to Article 6 of the Protocol between the Government of the Socialist Republic of Viet Nam and the Government of the Republic of Belarus on supporting the production of motor transport vehicles in the territory of the Socialist Republic of Viet Nam done at Minsk on 23 March 2016, hereinafter referred to as the "2016 Protocol";

Taking into account the Protocol to amend the Protocol between the Government of the Socialist Republic of Viet Nam and the Government of the Republic of Belarus on supporting the production of motor transport vehicles in the territory of the Socialist Republic of Viet Nam, done at Minsk on 27 July 2017, hereinafter referred to as the "2017 Amendment Protocol";

Have agreed as follows:

Article 1

1. Paragraph 7 of Article 2 (Specific Requirements) of the 2016 Protocol shall be replaced by the following:

“7. Motor transport vehicles manufactured by the joint venture shall have the level of localization as provided for in Article 1 (Definitions) of this Protocol, which will be gradually increased and reach 30 percent by 2022 and 45 percent by 2025 for trucks and 35 percent by 2022 and 50 percent by 2025 for motor transport vehicles for the transport of ten or more persons, including driver. If motor transport vehicles manufactured by the joint venture(s) are not meeting such localization level requirements by 10 years since 5 October 2016, the Establishment License/ Business Registration Certificate of the joint venture(s) shall be withdrawn.”

2. Paragraph 8 of Article 2 (Specific Requirements) of the 2016 Protocol shall be replaced by the following:

“8. The origin of motor transport vehicles and the origin of sets of parts and components of motor transport vehicles imported by joint venture(s) for industrial assembly in the territory of the Socialist Republic of Viet Nam, if assembled into complete motor transport vehicles in the territory of the Republic of Belarus, shall be approved by Certificate of Origin issued with indication of not less than 55 percent value added content calculated in accordance with Chapter 4 (Rules of Origin) of the EAEU-VN FTA.”

3. Paragraph 10 of Article 2 (Specific Requirements) of the 2016 Protocol shall be added by the following:

“10. All motor transport vehicles and sets of parts and components imported by the joint venture(s) into Viet Nam under this Protocol must be brand new and unused. Motor transport vehicles imported by the joint venture(s) must be produced/manufactured no more than two years prior to the year of their arrival at ports or border gates of Viet Nam.”

4. Paragraphs 1 and 2 of Article 3 (Preferences) of the 2016 Protocol shall be replaced by the following:

“1. The Socialist Republic of Viet Nam shall grant the following tariff rate quotas for duty free import of the models of motor transport vehicles imported by the joint venture(s) to the Socialist Republic of Viet Nam, which are included in the production plan(s) in the territory of the Socialist Republic of Viet Nam of such joint venture(s), approved by the Vietnamese Party:

For year 2020: 100 units;

For year 2021: 100 units;

For year 2022: 100 units.

2. The Socialist Republic of Viet Nam shall grant the following tariff rate quotas for duty free import to the Socialist Republic of Viet Nam of sets of parts and components of motor transport vehicles necessary for the production of motor transport vehicles imported by the joint venture(s):

For year 2020: 100 sets;

For year 2021: 500 sets;

For year 2022: 700 sets;

For year 2023: 900 sets;

For year 2024: 900 sets.”

5. Paragraph 4 of Article 3 (Preferences) of the 2016 Protocol shall be replaced by the following:

“4. On the basis of the principle of calculating the amount of tariff quotas granted in the following year as stipulated in Paragraph 3 of this Article, the Ministry of Industry and Trade of Viet Nam shall allocate

import tariff quotas once each year for each joint venture based on the following documents:

- a) An application for import tariff quota;
- b) The production plan of the joint venture approved by the Ministry of Industry and Trade of Viet Nam, which includes Harmonized System 8-digit tariff lines corresponding to motor transport vehicles and/or all motor transport vehicles parts and components necessary for production of motor transport vehicles, except for the parts and components of motor transport vehicles produced in the territory of the Socialist Republic of Viet Nam.

Within 14 working days after receiving the complete and valid documents mentioned in this clause, the Ministry of Industry and Trade of Viet Nam shall grant import tariff quotas to the joint venture. Tariff quotas are valid until December 31 every year.

Based on the granted quotas and within their validity, upon import documentation for each consignment submitted by the joint venture(s) for customs clearance, Viet Nam Customs shall deduct the volume of imported motor transport vehicles and/or sets of part and components until it reaches the maximum quantity allowable in the annual quotas.”

6. Paragraph 2 of Article 7 (Entry into Force) of the 2016 Protocol shall be replaced by the following:

“2. This Protocol shall remain in force until 31 December 2026.”

Article 2

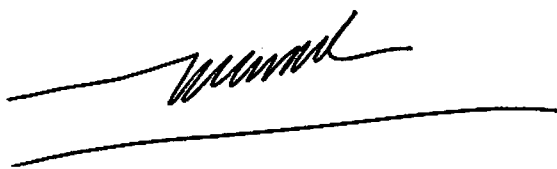
1. This Protocol is an integral part of the 2016 Protocol as amended by the 2017 Amendment Protocol and applies to the relations of the Parties arising from the date of entry into force of this Protocol.

2. This Protocol shall enter into force 10 days after the date of receipt of the latter written notification of the Parties, through diplomatic channels, upon completion of internal procedures necessary for its entry into force.

3. This Protocol expires concurrently with the termination of the 2016 Protocol.

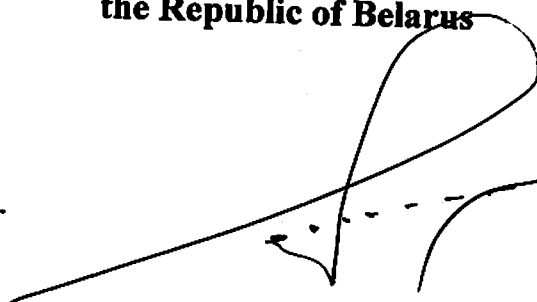
Done at Ha Noi, on 03 December 2020, in duplicate in the English language.

**For the Government of
the Socialist Republic of Viet Nam**



**H.E, Mr. Tran Tuan Anh
Minister of Industry and Trade**

**For the Government of
the Republic of Belarus**



**H.E, Mr. Vladimir Anatolievich Goshin
Ambassador Extraordinary and
Plenipotentiary of the Republic of Belarus
to Viet Nam**