



# IRVING

*Seminar & Training*



# VIETNAM CUSTOMS DUTY Planning & Problem Solving

2nd of December, 2010  
Sheraton Hotel Saigon  
Ho Chi Minh City - Vietnam



*Knowledge that works*

# Introduction

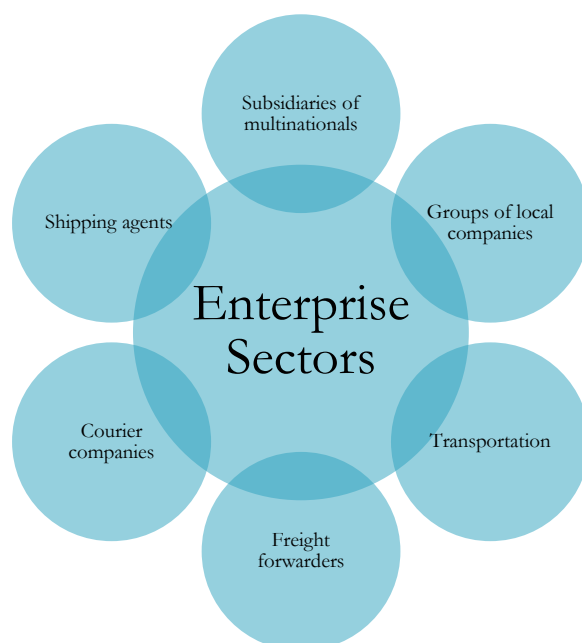
Vietnam's laws pertaining to custom duty has, as so many other fields that are closely related to international trade, followed a quick pace of change and modernization. As the WTO's 150th member Vietnam has in recent years adopted the body of customs and tariff rules that are binding for all WTO members. This body of rules is extensive and complicated, even if we only regard those in relation to customs law. The valuation of imported goods for customs duty purposes, for example, is a matter regulated by the so-called GATT Customs Valuation Code. It is implemented in Vietnamese law by means of special regulations, as is the case with other WTO-related customs rules.

Another strong international influence on Vietnam's international trade policy is obviously the growing number of trade agreements. The ASEAN Free Trade Agreement "AFTA" provides in complete or almost complete exemptions in custom duty for a wide range of goods that originate from within the ASEAN countries. More and more goods can be made in ASEAN, even partially with raw materials from outside of ASEAN and then move throughout the ASEAN countries without tariff. Vietnam has also concluded a large number of trade agreements with other countries, and many of those agreements have an impact on tariff policy and other customs issues.

## Key Points

- How to determine the value of imported goods for customs duty purposes?
- How to benefit from "rules of origin" within FTA? Design your company's FTA import duty strategy!
- Duty reduction schedules under free trade agreements: learn how to use them in practice!
- Exemption and suspension of customs duty: practical pitfalls
- Interpreting and applying exemption of customs duty for foreign invested enterprises
- Resolving disputes with the Customs Department

## Business that benefited



# SEMINAR PROGRAM

**08:30 Registration**

**09:00 Introduction**

**Mr. Franck Daviniere**

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**09:05 Keynote from Customs Dept. VN**

**Mr. Tran Thoang**

Sr. Customs Expert,  
Headquarter of Vietnam Customs

**09:30 The GATT Customs Valuation Code and its Implementation in Vietnam:**

- Transaction value
- Transaction value of identical goods
- Transaction value of similar goods
- Deductive value
- Computed value
- Other calculation systems

**Mr. Nguyen Hong Son**

PwC

**10:20 Leveraging on Vietnam's FTA network**

- Exemptions under FTA
- Which schedules apply to your case?
- Major new regulations?
- Rules of origin within FTA
- How to examine your trade flow?
- Design your planning

**Mr. Paul Sumner**

PwC

**11:10 REFRESHMENT TEA BREAK**

**11:30 Practical Issues on the Exemption of Customs Duties under the Investment Law**

- How to interpret the exemption?
- Procedures to be followed
- Important tax rulings
- Excluded from the exemption
- How long in time can you benefit?

**Ms. Huong Vu**

Ernst & Young

**12:30 LUNCHEON**

**14:00 Customs Duty Dispute Procedures**

- Which penalties may apply?
- How do you need to safeguard your rights at the time of import?
- Which role is there for the customs broker?
- Can you reduce the amount in dispute by putting up a guarantee?
- Administrative appeal procedures
- Practical experiences

**Ms. Orsolya Szotyory-Grove**

Russin & Vecchi

**14:45 Import Licensing, Customs & Transfer Pricing**

- Which import licenses apply?
- How to obtain import licenses from the regulating authorities?
- Administrative short cuts
- Case studies

**Mr. Tuan Phung**

VCI Legal

**15:30 REFRESHMENT TEA BREAK**

**15:45 Import and Export Documentation: Practical Issues**

- Which documentation packages apply for which cases;
- How to avoid losing precious time in preparing correct documentation
- Exportation required documents
- Special cases

**Mr. James Lockett**

Baker & McKenzie

**16:30 Case study: Rules and Practice of Adding Royalties and Service Fees to the Value of Imported Goods**

- What are royalties and service fees?
- GATT interpretation notes
- What is a "condition of sale"?
- Can you reduce the taxable amount for the transferor?
- Optimization strategies

**Mr. Edwin Vanderbruggen**

DFDL Mekong