

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

MEMORANDUM OF UNDERSTANDING
Between
GENERAL DEPARTMENT OF VIETNAM CUSTOMS
and VIETNAM BUSINESS FORUM CONSORTIUM

In accordance with acknowledgement/awareness of the General Department of Vietnam Customs and the Vietnam Business Forum Consortium (VBF Consortium) on:

- The importance of the customs-business partnership in implementing customs' missions, ensuring facilitation of legitimate trading, community protection and trade security;

- The business community's role in developing and optimizing customs-related policies, laws and regulations for better business community consensus towards policies and regulations with respect to their post-issuance;

- The meaningful value of the establishment and maintenance of the business consultation process, encompassing the accelerating of the customs reform and modernization process, transparency of customs activities, service quality improvements as well as the promotion of the image, reputation and standing of customs agencies;

- Acknowledgment of business community benefits when it is informed and consulted in a timely manner with respect to customs-related procedures and policies. Such timely consultations will promote compliance with customs regulations and prevents infringements of customs-related regulations;

- The mutual benefits of a strong partnership between the business community and customs agencies. This partnership will promote a transparent business environment, fair competition between businesses, administrative procedure cost reductions, access to optimum customs services and reputational improvements in the market.

Today, the Twenty-fifth of September, 2014, in Hanoi, the General Department of Vietnam Customs and the VBF Consortium mutually agree to conclude the Memorandum of Understanding on mechanisms for information exchanges, support and promotion of the customs-business partnership during 2014-2020 with the following terms and contents:

Article 1. Cooperation Objectives

1.1 To fully implement the Party and the Government's policies, resolutions, directives on the development of businesses, entrepreneurs and promotion of a favourable business environment to facilitate business operations;

1.2 To promote and facilitate business community trade and export-import activities with equality, healthiness and compliance with customs-related regulations;

1.3 To provide guidance and support to businesses in effectively implementing customs-related regulations to limit and prevent customs law violations;

1.4 To improve customs agencies' operations efficiency, to promote transparency of customs activities and improve the quality of handling administrative procedures in the customs field.

Article 2. Description of the Partnership

2.1 Development and optimization of customs-related policies, laws and regulations:

- Arrange for consultations and recommendations on amendments, updates and improvements to customs-related legislation to incentivize and promote lawful and legitimate trading activities;
- Identify gaps in the enforcement of customs-related laws and regulations, and propose interventions/solutions for optimization of the customs-related legal framework.

2.2 Upgrade customs-related public management capacity:

- Provide inputs to optimize strategies and plans to reform, modernize and develop the customs system as well as propose viable action to meet these needs;
- Share information on the trajectories of global trade development, international trade practices as well as advanced governance and business management methods employed by companies that may affect the customs administration;
- Identify gaps and challenges in the customs system at various levels and propose responsive actions;
- Suggest adoption of advanced management processes and technologies in customs work;
- Gather business community feedback on the performance of customs administrations at various levels;
- Comment on any new technical and operational procedures adopted in customs administration systems.

2.3 Support and promote communication with businesses for effective compliance with customs-related policies, laws and regulations:

- Share information and help communicate customs-related laws and regulations with member companies;
- Offer training to companies on administrative procedures and the adoption of new customs system technological advancements;

- Provide assistance and answers in response to companies' queries and concerns on customs procedures
- Explore, propose and implement targeted partnerships and limited partnerships (with trusted partners) to improve companies' awareness of laws and facilitate trading activities
- Encourage member companies to subscribe to customs-business association-company commitments on effective compliance with prevailing customs-related laws, encourage companies to participate in partnerships and become partners in customs administrations, share information and support the fight against customs-related infringements.

Article 3. Cooperation Mechanism

3.1 Each party shall have in place a Customs-Business working group to coordinate activities.

3.2 Duties of the Working Groups include:

- Develop annual work plans to be approved by the leaderships of both parties;
- Implement cooperative objectives set forth in the approved plans;
- Report implementation outcomes to the leaders of the two parties;

3.3 The two parties shall, on a six-monthly basis, conduct review meetings on partnership outcomes;

3.4 Operational expenses: the two parties shall agree on available funding for individual implementation activities on a consensus basis and take into account each party's capabilities.

Article 4. Parties' Responsibilities

4.1 VBF Consortium's responsibilities:

- Communicate, educate and disseminate applicable customs policies, laws and regulations in a dynamic and active manner to member companies, to help them understand and successfully comply with prevailing laws;
- Encourage member companies to take an active part in the partnership with customs offices of various levels, cooperate in information sharing and support initiatives against law violations;
- Act as a focal point to gather, compile, analyze, assess and screen member companies' feedback in relation to law enforcement and realization of customs' public administration responsibilities;
- Collect, upload and document businesses' obstacles/difficulties/queries on the official VBF website and recommendations which have generated customs feedback/answers;
- Closely work with customs administrators in industry development policy-making, customs law-making and optimization as well as work towards the improvement and enhancement of managerial and operational performance of customs administration at various levels;

- Provide consultations and advice to customs agencies regarding customs-business partnership initiatives that benefit local implementation settings;
- Support surveys and assessments of business sentiment towards customs activities of customs agencies at various levels;
- Share and assist customs to update itself on global knowledge, experiences, practices or advancements in relation to customs, trade, production and business processes;
- Disseminate progress and contributions made by customs agencies in trade facilitation, community protection and national economic development.

4.2 Responsibilities of the General Department of Vietnam Customs:

- Collaborate with and assist the VBF Consortium to communicate, educate and disseminate customs policies, laws and regulations to the business community;
- Create opportunities for VBF Consortium members to engage in partnerships and cooperation with customs administrations at various levels;
- Provide assistance and answers to businesses' queries and concerns on customs procedures;
- Collect business community feedback through VBF Consortium focal points and collaborate with the VBF Consortium to consider and recommend viable actions to be taken by relevant authorities;
- Consider applying feedback from the VBF Consortium and other sources in the formulation and implementation of an annual Improvement and Optimization Plan;
- Formulate a consultative mechanism at General Department, Department and Sub-department levels to facilitate the VBF Consortium, business associations and member companies to participate in consultative opportunities offered by customs;
- Play an active role in VBF Consortium's forums, dialogues and activities and other joint initiatives designed by both parties.

Article 5: Contact Details

5.1 VIETNAM BUSINESS FORUM CONSORTIUM

Vietnam Business Forum Secretariat

Address: G/F Sofitel Plaza, No.1 Thanh Nien Road, Hanoi

Telephone: 04 37152223

Email: info@vbf.org.vn

5.2 GENERAL DEPARTMENT OF VIETNAM CUSTOMS

Customs Reform and Modernization Board, GDVC

Address: Lot E3, Duong Dinh Nghe, Trung Hoa, Cau Giay, Hanoi

Telephone: 04 39440833

Email: bancchdh@customs.gov.vn

Article 6. General provisions

6.1 This Memorandum of Understanding is in effect from the date of execution.

6.2 Any disputes that may arise during the implementation of this Memorandum of Understanding shall be discussed, counseled and informed between the two parties to reach a mutual resolution.

6.3 When one of the two parties has an intention to amend, supplement or terminate this Memorandum of Understanding, written notification should be sent to the other party for agreement on settlement option.

6.4 This Memorandum of Understanding is made into six (06) originals in Vietnamese language and six (06) originals in English language of equal validity. Each party shall preserve three (03) original copies in Vietnam language and three (03) original copies in English language. In the case of any conflict in provisions between the Vietnamese and English language versions, the Vietnamese language version's provisions shall prevail.

**For VIETNAM BUSINESS
FORUM CONSORTIUM**

**For GENERAL DEPARTMENT
OF VIETNAM CUSTOMS**

**VIRGINIA B. FOOTE
Co-Chairman**

**VU NGOC ANH
Deputy Director-General**