

No. 03-2016-QH14

Ha Noi, 22 November 2016

LAW
AMENDING AND ADDING TO ARTICLE 6 OF THE LAW ON
INVESTMENT AND ITS APPENDIX 4 WITH THE LIST OF
INDUSTRIES AND TRADES
IN WHICH BUSINESS INVESTMENT IS
CONDITIONAL

Pursuant to the Constitution of the Socialist Republic of Vietnam;

The National Assembly hereby promulgates this Law amending and adding to article 6 of *Law 67-2014- QH13 on Investment* and its Appendix 4 with the List of industries and trades in which business investment is conditional.

Article 1

To amend and add to the *Law on Investment* as follows:

- 1 To add sub-clause (g) to article 6.1 [prohibited investment] as follows: "(g) Trading firecrackers;"
- 2 To replace Appendix 4 to the *Law on Investment* with the new Appendix issued with this Law, with the List of industries and trades in which business investment is conditional.

Article 2

- 1 This Law shall be of full force and effect from 1 January 2017, except for the provision in clause 2 below.
- 2 The provision on the following industries and trades in which business is conditional shall be of full force and effect as from 1 July 2017:
 - (a) Trading equipment and camouflage software used for sound recording, image recording and locating;
 - (b) Manufacture, assembly and import of automobiles.

The Government shall provide transitional provisions applicable to organizations and individuals currently investing in business in the industries and trades prescribed in this

clause.

3 The following clause and article are hereby repealed:

(a) Clause 1 of article 19 of *Law 43-2013-QH13 on Tendering* [permitting services of training and capacity building on tendering];

(b) Article 151 of *Law 50-2014-QH13 on Construction* [permitting services of formulating and verifying investment projects for construction].

This Law was passed by Legislature XIV of the National Assembly of the Socialist Republic of Vietnam at its 2nd session on 22 November 2016.

Chairwoman of the National Assembly
NGUYEN THI KIM NGAN

Appendix 4

LIST OF INDUSTRIES AND TRADES IN WHICH BUSINESS IS CONDITIONAL

No	Industry or Trade
1	Production of seals
2	Trading support devices [small size weaponry and combat gear] (including repair)
3	Trading fireworks, except for firecrackers
4	Trading equipment and camouflage software used for sound recording, image recording and
5	Trading paintball guns
6	Trading military equipment and supplies for the people's armed forces, military weapons, technical equipment, ammunition and specialized vehicles used for the army and police; and components, accessories, spare parts and specialized equipment and technology used for their production
7	Pawnshop services
8	Massage services
9	Trading signalling or warning equipment for priority [or emergency] vehicles
10	Debt collection services
11	Security guard services
12	Fire prevention and firefighting services
13	Lawyer's practice
14	Notary's practice
15	Judicial assessment [legal evaluation] practice in the sectors of finance, banking, construction, antiques, relics, and authorship [copyright]
16	Auctioneer's practice
17	Services of commercial arbitration organizations
18	Bailiff's practice
19	Practice by asset managers and liquidators regarding assets of enterprises and co-operatives during resolution of bankruptcy
20	Accounting services
21	Auditing services
22	Tax agency services
23	Customs agency services
24	Trading duty-free goods
25	Bonded warehouse business and business of [leasing out] locations for gathering small
26	Business of [leasing out] locations for conducting customs procedures, laydown areas [of goods], and for customs inspection and supervision
27	Securities trading

28	Services of securities registration, depository and clearance by securities depository centres/organizing markets for trading listed and other securities
29	Insurance business

No	Industry or Trade
30	Reinsurance business
31	Insurance brokerage
32	Insurance agency
33	Price evaluation services
34	Lotteries business
35	Electronic games with prizes for foreigners
36	Debt trading services
37	Credit rating services
38	Casino business
39	Betting business
40	Voluntary retirement fund management services
41	Petrol and oil trading
42	Gas trading
43	Manufacture and repair of liquefied petroleum gas containers (LPG containers)
44	Commercial assessment services
45	Trading industrial explosives (including destruction)
46	Trading explosives precursors
47	Business in industries and trades using industrial explosives and explosives precursors
48	Blasting services
49	Trading chemicals except for prohibited chemicals under the International Convention on prohibition of the development, production, stockpiling and use of chemical
50	Trading wine and spirits [alcohol]
51	Trading tobacco products, tobacco raw materials, and specialized machinery and equipment for the tobacco industry
52	Trading foods under the specialized management of the Ministry of Industry and Trade
53	Commodity Exchange operations
54	Electricity generation, transmission, distribution, wholesaling, retail, import and export, and consultancy to the power industry
55	Rice export
56	Temporary import for re-export of goods subject to special sales tax
57	Temporary import for re-export of frozen food
58	Temporary import for re-export of goods on the List of second-hand goods
59	Franchising
60	Logistics services
61	Trading minerals
62	Trading industrial precursors

63	Trading goods and activities directly relating to trading goods [distribution] by foreign investors and economic organizations with foreign invested capital
64	Pyramid [multi-level] sales
65	E-commerce activities
66	Petroleum activities

No	Industry or Trade
67	Energy auditing
68	Vocational educational activities
69	Quality control testing of vocational education
70	Occupational skill assessment services
71	Labour safety [occupational] technical accreditation services
72	Occupational safety and hygiene training services
73	Employment agency services
74	Overseas employment agency services [for workers going to work overseas]
75	Voluntary drug rehabilitation services
76	Labour sub-leasing [outsourcing] services
77	Road transport services
78	Automobile warranty and maintenance services
79	Manufacture, assembly and import of automobiles
80	Motor vehicle testing services
81	Automobile driving instruction services
82	Traffic safety inspector training services
83	Vehicle driving test services
84	Traffic safety assessment services
85	Waterway transport services
86	Services of new building, rebuilding and repair of inland watercraft
87	Services of training crew and operators of inland watercraft
88	Training maritime crew and arranging recruitment and supply of maritime crew
89	Maritime navigation services
90	Sea transport, and shipping agency services
91	Shipping tugboat [ship towing] services
92	Import and dismantling of second-hand ships
93	Ship building, conversion and repair services
94	Seaport operation business
95	Air transport business
96	Services of design, manufacture, maintenance and testing of aircraft, aircraft engines, propellers and other aircraft equipment in Vietnam
97	Airport and aerodrome business
98	Aviation services at airports and aerodromes
99	Air navigation [flight operation assurance] services
100	Airline staff [flight crew] training services

101	Rail transport business
102	Rail infrastructure business [commercial operation of rail infrastructure]
103	Urban rail business
104	Multimodal transport services
105	Services of transport of dangerous [hazardous] goods

No	Industry or Trade
106	Conduit [pipeline] transport services
107	Real estate trading
108	Services of training in real estate brokerage, in real estate evaluation and operation of real estate trading floors
109	Services of training and refresher training in professional and technical knowledge of apartment building management and operation
110	Construction project management consultancy
111	Construction survey services
112	Services of arranging construction design and evaluation of construction design
113	Construction [building of works] supervision consultancy services
114	Construction [building of works] services
115	Foreign contractors' construction activities
116	Construction investment costs management services
117	Accreditation services of quality of construction works
118	Specialized construction laboratory testing services
119	Services of management and operation of apartment buildings
120	Services of management and operation of crematoriums
121	Services of formulation of design of construction planning
122	Consultancy by foreign organizations and individuals on formulation of urban planning
123	Trading white asbestos of the Serpentine group
124	Postal services
125	Telecom services
126	Digital signature authentication services
127	Publishers' activities
128	Printing services excluding printing on packaging
129	Publication issuance services
130	Social network services
131	Games on telecom networks and the internet
132	Pay radio and television services
133	General website development services
134	Services of processing, repairing and refurbishing second-hand information technology [IT] products on the List of second-hand IT products prohibited from import for foreign
135	Services of provision of information contents on mobile telecom networks and the internet
136	Registration and maintenance of ".vn" internet domain name services

137	Network information safety products and services
138	Civil cryptography products and services

No	Industry or Trade
139	Trading telecom jamming devices
140	Operation of kindergartens
141	Operation of elementary schools
142	Operation of universities
143	Operation of foreign invested education establishments, of representative offices in Vietnam of foreign education establishments and of branches of foreign invested education establishments
144	Operation of continuing education establishments
145	Operation of specialized schools
146	Training activities in association with foreign parties
147	Educational quality accreditation services
148	Overseas study consultancy services
149	Aquaculture exploitation [fisheries]
150	Aquaculture business [trading]
151	Trading aquaculture feed and feed for bred animals
152	Services of testing aquatic feed and feed for bred animals
153	Trading biological preparations, micro-organisms, chemicals and environment remedial agents [used] during aquaculture cultivation
154	Construction of new fishing vessels and repair of old fishing vessels
155	Breeding, cultivation and artificial propagation of wild flora and fauna species on the CITES Convention Appendix
156	Breeding, cultivation and artificial propagation of wild rare, precious or endangered flora and fauna species not on the CITES Convention Appendix
157	Breeding and raising normal wild animals
158	Export, import, re-export, transit, and entry into Vietnam from the sea of natural specimens on the CITES Convention Appendix
159	Export, import, and re-export of bred, raised or artificially propagated specimens on the CITES Convention Appendix
160	Trading forest plants and animals restricted regarding exploitation and use for commercial
161	Trading plant protection products
162	Services of treating objects subject to plant quarantine
163	Plant protection product testing services
164	Plant protection services
165	Trading veterinary medicines, vaccines, biological preparations, micro-organisms and chemicals used in veterinary medicine

166	Veterinary technical services
167	Animal testing and surgery services [veterinary practice]
168	Animal vaccination, diagnosis, prescription, treatment and healthcare services [veterinary
169	Services of testing and experimenting veterinary medicine (comprising veterinary drugs, aquatic veterinary drugs, vaccines, biological preparations, micro-organisms and chemicals used in veterinary medicine and aquaculture veterinary medicine)
170	Services of concentrated [large scale] breeding
171	Abattoirs for slaughtering domestic animals and poultry

No	Industry or Trade
172	Trading foods under the management of the Ministry of Agriculture and Rural Development
173	Services of quarantining animals and animal products
174	Trading fertilizers
175	Services of testing fertilizers
176	Trading plant [seed] varieties and animal breeds
177	Trading aquaculture [aquatic or fisheries] seeds
178	Services of testing seed varieties and animal breeds
179	Services of testing aquaculture seeds
180	Services of testing biological preparations, micro-organisms, chemicals and environment remedial agents serving aquaculture
181	Trading genetically modified products
182	Medical diagnostic and treatment services
183	HIV testing services
184	Tissue bank services
185	Childbirth assistance, sperm and embryo preservation services
186	Infectious micro-organism testing services
187	Vaccination services
188	Opioid replacement therapy services
189	Plastic surgery services
190	Surrogacy services
191	Trading pharmaceutical drugs
192	Production of cosmetics
193	Trading anti-insect and anti-bacterial chemicals used in the household and medical sectors
194	Trading foods under the specialized management of the Ministry of Health
195	Trading medical equipment
196	Activities of establishments classifying medical equipment
197	Medical equipment accreditation services
198	Industrial property assessment services (comprising assessment of copyright and related rights, assessment of industrial property ownership and assessment of rights relating to
199	Services of conducting radiation work

200	Ancillary services of atomic energy application
201	Conformity assessment services
202	Services of inspection, calibration and testing of measurement instruments and standards
203	Manufacture of safety helmets for persons travelling on motorcycles and motored vehicles
204	Technology assessment, valuation and evaluation services
205	Intellectual property representation services
206	Services of film production, release and distribution
207	Antiques assessment services

No	Industry or Trade
208	Services of project planning or organizing actual building work and supervising such building work to maintain, refurbish or restore relics [or monuments]
209	Karaoke and dance club business
210	Travel [tourism] services
211	Sports business activities of sports enterprises and of professional sports clubs
212	Art performances, fashion shows, beauty and model contest services
213	Trading audios and videos of dance, music and stage performances
214	Accommodation services
215	Services of introducing advertising products to the public
216	Trading national treasures, relics and antiques
217	Export of relics and antiques not owned by the State or by political or socio-political organizations; import of cultural articles under the specialized management of the
218	Museum services
219	Trading electronic games (except for electronic games with prizes for foreigners and online
220	Land survey and assessment consultancy services
221	Services of formulation of land use master planning and plans
222	Services of formulation of land information IT infrastructure and software development services for such land information systems
223	Services of formulation of land databases
224	Land pricing services
225	Measurement and mapping services
226	Hydrological and meteorological forecasting and warning services
227	Underground water drilling and exploration services
228	Services of exploitation and use of water resources, and of discharge of waste water into
229	Services of basic surveys of, and consultancy on planning and formulation of proposals and reports on water resources
230	Mineral exploration services
231	Mineral mining
232	Services of transportation and treatment of hazardous waste
233	Import of scrap

234	Environmental surveillance [monitoring] services
235	Trading bioproducts during waste treatment
236	Operation of commercial banks
237	Operation of non-banking credit institutions
238	Operation of cooperative banks, people's credit funds and micro-finance institutions
239	Supply of intermediary payment services
240	Supply of credit information services
241	Foreign exchange activities of organizations which are not credit institutions
242	Gold trading
243	Money printing and minting activities.