



ACTIVITY REPORT

CODE: ICB-13

**“Support MOIT to draft a circular to clarify
the beneficiaries of the intra-corporate transferee
GATS commitments”**

IMPLEMENTATION PERIOD: Q3/2013-Q3/2014

Address: Suite 1203, 12th floor, Office Building, Hanoi Tower, 49 Hai Ba Trung, Hoan Kiem, Ha Noi
Tel: 04 3937 8472 **Fax:** 04 3937 8476 **Email:** mutrap@mutrap.org.vn **Website:** www.mutrap.org.vn

1. Activity Code: ICB-13: “Support MOIT to draft a circular to clarify the beneficiaries of the intra-corporate transferee GATS commitments”

2. Objective:

This activity, which forms part of the 2nd component, has the objective to support the Planning Department of the Ministry of Industry and Trade (MOIT) in all the background activities (researches, technical analysis, collection of international best practices, etc.) to draft a circular aimed to clearly identify the persons which, according to the legislation of Viet Nam, will benefit from the intra-corporate transferee horizontal commitments of GATS in the 11 services sectors covered by Viet Nam’s GATS/WTO commitments.

Beneficiaries: Planning Department, MOIT

3. Actual inputs

| Actual Inputs | Timing | Remarks |
|---|---|---------|
| 02 DMI experts Expert 1: 20 days Expert 2: 35 days | 1 st mission, DMI expert No. 1 September - October, 2013 2 nd mission, DMI expert No. 2 February, 2014 | |
| 02 local experts: Expert 1: 30 days Expert 2: 30 days | September 2013 - June 2014 | |
| 2 PNSs on “Draft Circular on foreigners as intra-corporate transferees exempted from work permit” | Ha Noi, 23 rd October and 29 th November, 2013 | |

4. Contact list

| No. | Name | Current organization | Contact Details |
|-----|---------------------|--|-----------------------|
| 1 | Pham Thi Huyen | Senior Researcher – Associate Professor of National Economics University | huyenpt@neu.edu.vn |
| 2 | Hoang Tho Xuan | Researcher – Associate Professor of Vietnam Institute of Trade | xuanht@moit.gov.vn |
| 3 | Mr. Markus Handelin | Lawyer, senior partner of Innocom Ky Law Firm | hmhandelin@yahoo.com |
| 4 | Mr. David Luff | Lawyer/ Researcher/Partner of Appleton Luff – International Lawyers | luff@appletonluff.com |

5. Actual outputs:

| | Name of report | Authors | Final submission | Remarks |
|---|--|--|------------------|---------|
| 1 | A research to “Support MOIT to draft a circular to clarify the beneficiaries of the intra-corporate transferee | Mr. David Luff Ms. Pham Thi Huyen Mr. Hoang Tho Xuan | July 2014 | |

| | | | | |
|---|--|--|-----------------------------|--|
| | GATS commitments” | | | |
| 2 | A set of PNS document on the “Decree which regulate foreigners as intra-corporate transferees exempted from work permit” | | 11 th April 2014 | |

