

**THE MINISTRY OF TRADE - THE
MINISTRY OF
TRANSPORTATION - THE
MINISTRY OF FINANCE - THE
MINISTRY OF PUBLIC
SECURITY**

SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom - Happiness

No. 03/2006/TTLT-BTM-BGTVT-
BTC-BCA

Hanoi, March 31, 2006

JOINT CIRCULAR

**GUIDING THE IMPORT OF USED MOTOR CARS OF LESS THAN 16 SEATS
UNDER THE GOVERNMENT'S DECREE No. 12/2006/ND-CP of JANUARY 23,
2006**

Pursuant to the Government's Decree No. 29/2004/ND-CP of January 16, 2004, defining the functions, tasks, powers and organizational structure of the Ministry of Trade;

Pursuant to the Government's Decree No. 34/2003/ND-CP of April 4, 2003, defining the functions, tasks, powers and organizational structure of the Ministry of Transport;

Pursuant to the Government's Decree No. 77/2003/ND-CP of July 1, 2003, defining the functions, tasks, powers and organizational structure of the Ministry of Finance;

Pursuant to the Government's Decree No. 136/2003/ND-CP of November 14, 2003, defining the functions, tasks, powers and organizational structure of the Ministry of Public Security;

Pursuant to the Government's Decree No. 12/2006/ND-CP of January 23, 2006, detailing the implementation of the Commercial Law regarding international sale and purchase of goods and sale and purchase agency, processing and transit of goods with foreign parties;

The Ministry of Trade, the Ministry of Transport, the Ministry of Finance and the Ministry of Public Security hereby jointly guide the import of used motor cars of less than 16 seats (hereinafter referred to as used cars for short) under Decree No. 12/2006/ND-CP as follows:

I. GENERAL PROVISIONS

1. Used cars mean cars which have been used, registered for at least 6 months and have run at least 10,000 (ten thousand) km up to the time they arrive at Vietnam's ports.
2. To be imported into Vietnam, used cars must comply with the provisions of the Government's Decree No. 12/2006/ND-CP of January 23, 2006, this Circular, and the Transport Minister's Decision
3. Imported used cars shall be liable to taxes according to the provisions of the Import Tax and Export Tax Law, the Special Consumption Tax Law, the Value Added Tax Law and current legal documents.

II. CONDITIONS FOR THE IMPORT OF USED CARS

1. To be imported, used cars must meet the following conditions: The duration from the manufacturing year to the time of arrival to Vietnam's ports shall not exceed 05 years. Specifically, in 2006 only cars manufactured in 2001 onwards are allowed to be imported. The manufacturing year of cars shall be determined in the following order of priority:
2. It is prohibited to import right-hand drive cars, including those which are in knock-down form or with converted drive before being imported into Vietnam, except for specialized right-hand drive vehicles operating within confined areas, including crane trucks, ditch excavators; road sweepers, water sprayers; garbage trucks, road-construction machines; passenger transfer vehicles used in airports, forklift trucks used in warehouses and ports; concrete-pumping vehicles, and vehicles used in golf courses and parks only.
3. Used ambulances must not be imported.
4. Cars must not be knocked down when being transported and imported.
5. It is banned to import assorted cars which have their structures or functions modified from their original designs, including cars whose functions are incompatible with the identification numbers or frame numbers announced by manufacturers; and cars with forged frame numbers and/or engine numbers in any case and any form.

III. IMPORT AND CIRCULATION REGISTRATION PROCEDURES

1. For imported used cars, apart from customs dossiers as required, the importers shall submit to customs offices 01 original and 01 copy (signed and stamped by enterprises' directors) of one of the following papers:

Certificates specified at Points a, b, and c above

2. Used cars shall be imported into Vietnam only through the international border-gate seaports of Cai Lan - Quang Ninh province, Hai Phong, Da Nang and Ho Chi Minh city. Customs procedures shall be carried out at border gates of importation.
3. Within 3 working days as from the day the customs office inspects the actual conditions of cars, the importers shall submit registry-application dossiers and notify the registry office of the sites for quality, technical safety and environmental protection inspection.
4. Within 30 days after receiving registry-application dossiers, the registry office shall notify the registry results to the importers.
5. Customs offices shall release goods and fulfill customs procedures only after obtaining registry offices' quality inspection results, certifying the satisfaction of the prescribed import conditions. Past 33 days counting from the day of customs inspection of the actual conditions of goods, if the importers still fail to produce the quality inspection results or the inspection results show that the import conditions are not fully met, handling measures shall be applied according to the provisions of law.
6. Where it is necessary to prolong the inspection duration for survey as specified at Points e and f, Section 1, Part II of this Circular, registry offices shall notify customs offices and the importers thereof in writing.

7. Traffic police agencies shall inspect dossiers of imported cars before carrying out registration procedures. If detecting that the import conditions are not fully met, they shall not carry out registration procedures and notify in writing customs offices thereof for handling according to regulations.

IV. ORGANIZATION OF IMPLEMENTATION

1. Ministries shall, according to their competence, organize the implementation of the provisions of this Circular, Decree No. 12/2006/ND-CP of January 23, 2006, and relevant legal provisions. Any difficulties and problems arising in the course of implementation should be reported to the Ministry of Trade and concerned ministries for the latter to direct, discuss possible solutions and work together for making timely amendments.
2. Previous regulations contrary to the provisions of this Circular are hereby annulled.
3. This Circular takes effect as from May 1, 2006.

**FOR THE MINISTER OF
TRANSPORT
VICE MINISTER**

**FOR THE MINISTER OF TRADE
VICE MINISTER**

**Pham The Minh
FOR THE MINISTER OF FINANCE
VICE MINISTER**

**Phan The Rue
FOR THE MINISTER OF PUBLIC
SECURITY
VICE MINISTER
SENIOR LIEUTENANT-GENERAL**

Truong Chi Trung

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