SECOND PROTOCOL

between the Government of the Socialist Republic of Viet Nam and the Government of the Russian Federation to amend the Protocol between the Government of the Socialist Republic of Viet Nam and the Government of the Russian Federation on supporting the production of motor transport vehicles in the territory of the Socialist Republic of Viet Nam

The Government of the Socialist Republic of Viet Nam and the Government of the Russian Federation, hereinafter referred to as "the Parties";

Pursuant to Article 7 of the Protocol between the Government of the Socialist Republic of Viet Nam and the Government of the Russian Federation on supporting the production of motor transport vehicles in the territory of the Socialist Republic of Viet Nam (hereinafter referred to as "the 2016 Protocol"), done at Moscow on 21 March 2016;

Taking into account the Protocol to amend the Protocol between the Government of the Socialist Republic of Viet Nam and the Government of the Russian Federation on supporting the production of motor transport vehicles in the territory of the Socialist Republic of Viet Nam (hereinafter referred to as the "2017 Amendment Protocol"), done at Ha Noi on 27 December 2017;

have agreed as follows:

Article 1

1. Definition of the term "SKD set" shall be amended as follows:

"SKD set" shall mean a set of parts and components as specified in the Annex I to the Protocol, which is imported by the joint venture(s) into the territory of the Socialist Republic of Viet Nam and necessary for semi-knocked down industrial assembly of motor transport vehicles within the quotas granted under the Protocol, except for the parts and components produced in the territory of the Socialist Republic of Viet Nam.

2. Paragraph 7 of Article 3 (Special Requirements) of the 2016 Protocol shall be replaced by the following:

"7. The level of localization that the joint venture(s) shall achieve for years 2022 and 2025 is set as follows:

Year	2022	2025
SUV of "UAZ"	30%	40%
Motor transport vehicles for the transport of ten or more persons, including the driver	35%	50%
Trucks	30%	45%
Special purpose motor transport vehicles	25%	40%

If motor transport vehicles manufactured by the joint venture(s) are not meeting such localization level requirements by 10 years since 5 October 2016, the Establishment License/ Business Registration Certificate of the joint venture(s) shall be withdrawn."

3. Paragraph 8 of Article 3 (Special Requirements) of the 2016 Protocol shall be replaced by the following:

"8. The origin of the motor transport vehicles and the origin of the SKD sets imported by the joint venture(s) for the semi-knocked down industrial assembly in the territory of the Socialist Republic of Viet Nam, if assembled into complete motor transport vehicles in the territory of Russian Federation, shall be approved by the Certificate of Origin issued with indication of not less than 55 percent value added content calculated in accordance with Chapter 4 (Rules of Origin) of the VN-EAEU FTA".

4. Article 3 (Specific Requirements) of the 2016 Protocol shall be added by the following Paragraph 10:

"10. All motor transport vehicles and SKD sets imported by the joint venture(s) into the territory of the Socialist Republic of Viet Nam under the 2017 Amendment Protocol must be brand new and unused. All motor transport vehicles imported by the joint venture(s) must be manufactured no

more than two years prior to the year of their arrival at ports or border gates of the Socialist Republic of Viet Nam."

5. Article 4 (Preferences) of the 2016 Protocol shall be added by the following Paragraph 7:

"7. On the basis of Paragraph 1 and 2 of Article 4, the Ministry of Industry and Trade of Russian Federation shall send the Ministry of Industry and Trade of Viet Nam an officially-written letter of proposal on quota allocation for each authorized enterprise for each year (principle allocation) by 28 February every year."

6. Paragraph 4 of Article 4 (Preferences) of the 2016 Protocol shall be replaced by the following:

"4. On the basis the principle of calculating the amount of tariff quotas granted in the following year as stipulated in Paragraph 3 of this Article, the Ministry of Industry and Trade of Viet Nam shall allocate import tariff quotas each year for each joint venture based on the following documents:

a. An application for import tariff quota;

b. The annual production plan of the joint venture(s) approved by the Ministry of Industry and Trade of Viet Nam, which includes Harmonized System 8-digit tariff lines corresponding to motor transport vehicles and/or all SKD sets necessary for production of motor transport vehicles, except for the parts and components of motor transport vehicles produced in the territory of the Socialist Republic of Viet Nam;

c. The letter of proposal on the allocation of tariff quotas by the Ministry of Industry and Trade of the Russian Federation based on paragraph 7 of this Article;

Within 14 working days after receiving the complete and valid documents mentioned in this clause, the Ministry of Industry and Trade of Viet Nam shall grant import tariff quotas to the joint venture. Tariff quotas are valid until 31 December every year.

Based on the granted quotas and within their validity, upon import documentation for each consignment submitted by the Joint Venture(s) for customs clearance, the customs authority of the Government of the Socialist Republic of Viet Nam shall deduct the volume of imported motor transport

vehicles and/or SKD sets until it reaches the maximum quantity allowable in the quotas."

7. Paragraph 2 of Article 8 (Entry into Force) of the 2016 Protocol shall be replaced by the following:

"2. This Protocol shall remain in force until 31 December 2026."

Article 2

1. This Protocol is an integral part of the 2016 Protocol and the 2017 Amendment Protocol and applies to the relations of the Parties arising from the date of entry into force of this Protocol.

2. This Protocol shall enter into force 10 days after the date of receipt of the latter written notification of the Parties, through diplomatic channels, upon completion of internal procedures necessary for its entry into force.

3. This Protocol shall expire concurrently with the termination of the 2016 Protocol.

Done at Moscow, on 01st December 2021, in duplicate in the English language.

For the Government of the Socialist Republic of Viet Nam

Mr. Nguyen Hong Dien
Minister of Industry and Trade

For the Government of the Russian Federation

ANNEX I

LIST OF SKD SETS

No.	Description of components and systems that can be imported by Joint Venture under the New Protocol in combination with the SKD	HS Codes
1.	Bodies or cabs have been painted and assembled or ED-coated for the motor vehicles of headings 87.02; 87.03; 87.04	87079029 87079090 87071090
2.	Assembled chassis frames and/or have been painted or parts thereof of headings 87.02; 87.03; 87.04	87089961 87089962 87089963
3.	Reciprocating piston engines, fully assembled, cylinder capacity exceeding 2,000 cc but not exceeding 3,000 cc, for vehicles of heading 87.02; 87.03; 87.04	84073472
	Compression-ignition internal combustion piston engines, fully assembled, cylinder capacity exceeding 2,000 cc but not exceeding 3,500 cc, for vehicles of heading 87.02; 87.03; 87.04	84082022
	Compression-ignition internal combustion piston engines, fully assembled, cylinder capacity exceeding 3,500 cc, for vehicles of heading 87.02; 87.03; 87.04	84082023
4.	New pneumatic tires of rubber, of a kind used on motor cars	40111000
5.	New pneumatic tires of rubber, of a kind used on buses or lorries, width not exceeding 450 mm	40112010
6.	New pneumatic tyres of rubber, of a kind used on buses or lorries, width exceeding 450 mm	40112090

No.	Description of components and systems that can be imported by Joint Venture under the New Protocol in combination with the SKD	HS Codes
7.	New pneumatic tyres of rubber, other, of a kind used on vehicles of Chapter 87	40119010
8.	Leaf-springs and leaves for springs, of iron or steel, suitable for use on motor vehicles of heading 87.02, 87.03 or 87.04	73201011
9.	Fuel pumps of a kind used for internal combustion piston engine of motor vehicles of heading 87.02, 87.03 or 87.04	84133030
10.	Water pumps of a kind used for internal combustion piston engines of motor vehicles of heading 87.02, 87.03 or 87.04	84133040
11.	Intake air filters for internal combustion engines for motor vehicles of Chapter 87	84213120
12.	Brake drums, brake discs or brake pipes for vehicles of heading 87.02 or 87.04	87083030
13.	Brake drums, brake discs or brake pipes for vehicles of heading 87.03	87083021
14.	Gear boxes, assembled for vehicles of heading 87.03	87084026
15.	Gear boxes, assembled for vehicles of heading 87.04 or 87.05	87084027
16.	Gear boxes, assembled for vehicles of heading 87.02	87084029
17.	Drive-axles with differential, whether or not provided with other transmission components, and non-driving axles; parts thereof, assembled, for vehicles of heading 87.03	87085026 87085094 87085095
18.	Drive-axles with differential, whether or not provided with other transmission components, and non-driving	87085027

No.	Description of components and systems that can be imported by Joint Venture under the New Protocol in combination with the SKD	HS Codes
	axles; parts thereof, assembled, for vehicles of heading 87.04 or 87.05	87085096 87085099
19.	Drive-axles with differential, whether or not provided with other transmission components, and non-driving axles; parts thereof, assembled, for vehicles of heading 87.02	87085029 87085096 87085099
20.	Hub-caps for vehicles of heading 87.03	87087016
21.	Hub-caps for vehicles of heading 87.02; 87.04 excluding subheading 8704.10	87087018
22.	Hub-caps for vehicles of heading 8704.10	87087017
23.	Wheels fitted with tyres for vehicles of heading 87.03	87087022
24.	Wheels fitted with tyres for vehicles of heading 87.02 or 87.04 (excluding subheading 8704.10)	87087023
25.	Wheels fitted with tyres for vehicles of subheading 8704.10	87087029
26.	Wheels not fitted with tyres for vehicles of heading 87.03	87087032
27.	Wheels not fitted with tyres for vehicles of heading 87.02 or other vehicles of heading 87.04, excluding dumpers designed for highway use with g.v.w. exceeding 45 ton	87087034
28.	Suspension systems for vehicles of heading 87.03	87088016
29.	Suspension systems for vehicles of heading 87.02 or 87.04	87088017 87088019
30.	Shock- absorbers for vehicles of heading 87.02, 87.03, 87.04	87088092 87089099

No.	Description of components and systems that can be imported by Joint Venture under the New Protocol in combination with the SKD	HS Codes
31.	Steering wheels, steering columns and steering boxes for vehicles of heading 87.03	87089495 87089419
32.	Steering wheels, steering columns and steering boxes for vehicles of heading 87.02, 87.04	87089499 87089419
33.	Radiators for vehicles of heading 87.03	87089116
34.	Radiators for vehicles of heading 87.02; 87.04, excluding subheading 8704.10	87089118
35.	Radiators for vehicles of subheading 8704.10	87089117
36.	Parts of radiators for vehicles of heading 87.02, 87.03 and 87.04	8708919x
37.	Silencers (mufflers) and exhaust pipes for vehicles of heading 87.03	87089220
38.	Silencers (mufflers) and exhaust pipes for vehicles of heading 87.02,87.04, excluding subheading 8704.10	87089261
39.	Silencers (mufflers) and exhaust pipes for vehicles of subheading 8704.10	87089251
40.	Parts of Silencers (mufflers) and exhaust pipes for vehicles of heading 87.02 and 87.04	87089252 87089262
41.	Parts of Silencers (mufflers) and exhaust pipes for vehicles of heading 87.03	87089290
42.	Clutches for vehicles of heading 87.03	87089360
43.	Clutches for vehicles of heading 87.04	87089370

No.	Description of components and systems that can be imported by Joint Venture under the New Protocol in combination with the SKD	HS Codes
44.	Clutches for vehicles of heading 87.02	87089390
45.	Fuel tanks for vehicles of heading 87.02; 87.03 or 87.04	87089921
46.	Electric accumulators, , lead-acid, of a kind used for starting piston engines, nominal voltage of 6 V or 12 V, with a discharge capacity not exceeding 200 Ah, of height (excluding terminals and handles) not exceeding 13 cm	85071092
47.	Electric accumulators, lead-acid, of a kind used for starting piston engines, nominal voltage of 6 V or 12 V, with a discharge capacity not exceeding 200 Ah, of height (excluding terminals and handles) exceeding 13 cm and not exceeding 23 cm	85071095
48.	Assembled starter motors for engines of vehicles of headings 87.02; 87.03 or 87.04	85114032
49.	Assembled alternators for engines of vehicles of headings 87.02; 87.03 or 87.04	85115032
50.	Air conditioning machine used for persons, in motor vehicles, cooling capacity not exceeding 26.38 kW for vehicles of heading 87.02; 87.03; 87.04	84152010
51.	Intercooler for vehicles of heading 87.02; 87.03; 87.04	87089980
52.	Unassembled lighting or visual signalling equipment, not a kind for cycles	85122020
53.	Assembled lighting, not a kind for cycles and motorcycles	85122099
54.	Horns and sirens, assembled	85123010

No.	Description of components and systems that can be imported by Joint Venture under the New Protocol in combination with the SKD	HS Codes
55.	Wiring harness sets of a kind used in vehicles, insulated with rubber or plastics, a kind used for vehicles of headings 87.02; 87.03; 87.04	85443012
56.	Wiring harness sets of a kind used in vehicles, uninsulated with rubber or plastics, a kind used for vehicles of headings 87.02; 87.03; 87.04	85443014
57.	Battery cables insulated with rubber or plastics for vehicles of headings 87.02; 87.03; 87.04	85444232
58.	Bumpers and parts thereof for vehicles of headings from 87.02 to 87.05	87081090
59.	Components of door trim assemblies excluding door handle for vehicles of heading 87.03	87082916
60.	Components of door trim assemblies for vehicles of heading 87.02 or other vehicles of heading 87.04	87082917 87082918
61.	Interior trim fittings for vehicles of headings 87.02 or 87.04	87082996
62.	Hood rods for vehicles of headings 87.02 or 87.04	87082997
63.	Interior trim fittings for vehicles of headings 87.03	87082993
64.	Hood rods for vehicles of headings 87.03	87082994
65.	Hand tool Kit of service instrument (ZIP) including: wrench, hydraulic jack, special key… for vehicles of headings 87.02; 87.03; 87.04	82060000
66.	Seats of a kind used for motor vehicles of headings 87.02; 87.03; 87.04	94012010
67.	Rear-view mirrors for vehicles	70091000

No.	Description of components and systems that can be imported by Joint Venture under the New Protocol in combination with the SKD	HS Codes
68.	Framed rear-view mirrors for vehicles	70091000
69.	Toughened (tempered) safety glass for vehicles of heading 87.02; 87.03 or 87.04	70071110
70.	Laminated safety glass for vehicles of heading 87.02; 87.03 or 87.04	70072110
71.	Threaded Coach screws	73181100
72.	Screw hooks and screw rings	73181300
73.	Self-tapping screws having a shank of an external diameter not exceeding 16 mm	73181410
74.	Other self-tapping screws	73181490
75.	Other screws and bolts, whether or not with their nuts or washers, having a shank of an external diameter not exceeding 16 mm	73181510
76.	Other screws and bolts, whether or not with their nuts or washers, having a shank of an external diameter exceeding 16 mm	73181590
77.	Nuts, for bolts having a shank of an external diameter not exceeding 16 mm	73181610
78.	Other nuts, for bolts having a shank of an external diameter exceeding 16 mm	73181690