

**PROCEDURES FOR REGISTRATION FOR
BRANCH OF FOREIGN TRADERS IN VIETNAM**

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| Competent authority | <ul style="list-style-type: none"> - The Ministry of Industry and Trade may grant, re-grant, modify, extend or revoke the establishment license and terminate operation of a Branch in case the establishment of such Branch has not been regulated by any specialized legal document. |
| Condition | <p>A foreign trader may be licensed to establish a Branch when meeting the following conditions:</p> <ol style="list-style-type: none"> 1. The foreign trader has been established or has registered its operation under the law of a country or territory being member to a treaty to which Vietnam is a contracting party or recognized by the law of such country or territory. 2. The foreign trader has been operating for at least 5 years since its establishment or business registration. 3. In case the foreign trader's business registration certificate or equivalent paper indicates its term of operation, the remaining term must be at least one year by the date of submission of the application. 4. Contents of operation of the Branch must comply with Vietnam's commitments to market access in treaties to which Vietnam is a contracting party and with the business lines of the foreign trader. 5. In case contents of operation of the Branch fail to comply with Vietnam's commitments or the foreign trader is not located in a country or territory being member to a treaty to which Vietnam is a contracting party, the establishment of such Branch shall be approved by the minister of the line ministry concerned. |
| Dossier | <ol style="list-style-type: none"> 1. An application for a Branch establishment license, made according to a form set by the Ministry of Industry and Trade and signed by the foreign trader's competent representative; 2. A copy of the business registration certificate or equivalent paper of the foreign trader (which shall be certified or consularly legalized by an overseas Vietnamese diplomatic mission or consulate under Vietnamese law); 3. The foreign trader's document on appointment of head of the Branch; 4. Copies of audited financial statements or documents proving the fulfillment of tax liabilities or financial obligations in the latest fiscal year or equivalent paper issued or certified by a competent agency or organization of the locality where the foreign trader was established proving the actual existence and operation of the foreign trader in the latest fiscal year; 5. A copy of the Branch's operation charter; |

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| | <p>6. A copy of the passport, people' identity card or citizen's identity card (for a Vietnamese) or a copy of the passport (for a foreigner) of the head of the Branch;</p> <p>7. Documents on the expected location of the Branch's office, comprising:</p> <ul style="list-style-type: none"> - A copy of the memo of understanding or location rental agreement or documents proving the right to use the location for the Branch's office; - A copy of the document on the expected location of the Branch's office under Article 28 of Decree No. 07/2016/ND-CP and relevant laws. <p>8. The documents mentioned at Points 2, 3, 4, 5, 6 (for the copy of passport of the head of the Branch being a foreigner) must have their Vietnamese translations certified under Vietnamese law.</p> |
| Duration for implementation | 07 working days since receipt of the full dossier. |
| Result | <ul style="list-style-type: none"> - If the dossier is valid: Branch establishment license shall be issued. - If the dossier is invalid: Notice requesting amendment and supplement. |
| Legal basis | <ul style="list-style-type: none"> - Decree No. 07/2016/ND-CP Detailing the Commercial Law regarding Vietnam-based representative offices and branches of foreign traders. |

Above is the contents guiding the basic administrative dossiers and procedures for the Valued customer's reference. Detailed dossiers will be guided and supported by VN CONSULT for the Valued customer's drafting/completing during the implementation of the service.

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