

# **VIETNAM'S EEE REGULATORY REGIME**

APEC Seminar on understanding and  
implementing APEC EE MRA - May 2009



# Former Vietnam's Regulatory Regime Decision 50/2006/QD-TTg

- List of Regulated EEE
- List of EEE Regulatory Authorities
- List of designated technical bodies (testing labs only) for regulated EEE quality control
- EEE quality control procedures in accordance with 1091/1999/QD-BKHHCN on *import-export product quality control procedures*
- No provisions on conformity mark
- No provisions on registration

# Legal basis for new EEE regulatory regime

- Law on Standards and Technical Regulations  
*(effective from 1/1/2007)*
- Decree 127/2007/ND-CP  
*(effective from September 2007)*
- Law on Products and Goods Quality  
*(effective from 1/7/ 2008)*
- Decree 132/2008/ND-CP  
*(effective from February 2009)*
- Circulars under Decrees : 01/2009/TT-BKHCHN;  
08/2009/TT-BKHCHN; 09/2009/TT-BKHCHN.

## ASEAN references for new EEE regulatory regime

- ASEAN Sectoral Mutual Recognition Arrangement for EEE (ASEAN EE MRA)
- Agreement on the ASEAN Harmonized EEE Regulatory Regime
- Frequently-Asked Questions (FAQs) on the ASEAN EE MRA
- ASEAN EE MRA Information Booklet

## Changes in Vietnam's EEE Regulatory Regime Final Draft QCVN 4 : 2009/BKHCHN

- Name: National Technical Regulation on safety for EEE
- Listed CABs:
  - Both testing labs (ISO 17025 ) & certification bodies (ISO Guide 65)
- Provisions on CABs designation procedures (Circular 08 and 09/2009/TT-BKHCHN)

## Changes in Vietnam's EEE Regulatory Regime Final Draft QCVN 4 : 2009/BKHCHN

- Provisions on conformity assessment procedures  
(Circular 24/2007/TT-BKHCHN)
- Provision on Conformity Mark  
(Circular 24/TT-BKHCHN)
- Provisions on registration & declaration  
(Circular 24/2007/TT-BKHCHN)

# APEC EE Part II and/or Part III Participation

- No impediments to participate in Part II and/or Part III of the APEC EE
  - I) Completed internationally harmonized legal framework
  - II) Listed CABs under ASEAN EE MRA:
    - EEE testing labs: QUATEST1, QUATEST3
    - EEE certification body: QUACERT
  - II) NAB: BoA - Signatory of ILAC, APLAC and PAC

# Experience dealing with EEE transacted over internet

- At a very initial steps
- Website of STAMEQ, Vietnam TBT Office and MOST
  - List of relevant EEE legislative documents
  - List of EEE designated testing and CBs
- In near future: Online registration



# Experience dealing with counterfeit EEE

- **Legal framework**

- Prime Minister's Directive 31/1999/CT-TTg of Oct.27/1999 on the combat against fake goods production and trading
- Joint Circular 10/2000/TTLT-BTM-BTC-BCA-BKHCMNT of Apr.2000 guiding the implementation of the Directive 31

# Experience dealing with counterfeit EEE

- **Violation in property**

- Decree 106/2006/ND-CP of Sep.22/2006 providing for sanctioning of administrative violations in the domain of industrial property

- **Violation in quality**

- Decree 126/2005/ND-CP of Oct.10/2006 on sanctioning of administrative violations in the domain of metrology and goods & product quality

- Decree 95/2007/ND-CP of Jun.06/2007 on amendment & supplement of Decree 126/2005/ND-CP

- Final Draft Revised Decree to be replaced the two above Decrees

# Experience dealing with counterfeit EEE

- **Responsible Organizations:**
  - Steering Committee 127 (central & local) against smuggling, fake goods and trade fraud
  - Ministry of Public Security (MPS)
  - Ministry of Finance (MOF)
  - Ministry of Science and Technology (MOST)
  - Ministry of Agriculture & Rural Development
  - Ministry of Health (MOH)
  - Ministry of Culture, Sport and Tourism
  - Ministry of Information and Telecommunication

# Experience dealing with counterfeit EEE

- Manufactures: Have counter-measures for their products and timely inform of any violations detected to relevant regulatory authorities: product insurance, counterfeit label...
- Consumers: purchase goods and products of clear origin
- Regulators: - Completion of legal framework
  - Strengthening surveillance measures
  - Assistance to manufactures

**Thank you for attention!**

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