(Note 2) The term "reasonable and non-discriminatory terms and conditions" means, for the purposes of multimodal transport operations, terms and conditions where the multimodal transport operator is able to arrange for the conveyance of its merchandise on a timely basis, including priority over other merchandise which has entered the port at a later date.

Definitions

1. The term "other forms of commercial presence for the supply of international maritime transport services" means commercial presence where international maritime transport service suppliers of Viet Nam are able to undertake in Japan all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element. (This commitment shall however not be construed as limiting in any manner the specific commitments undertaken under subparagraph (u)(i) of Article 58).

These activities include, but are not limited to:

(a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;

(b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any domestic transport and related services, including inward transport services by any mode, particularly inland waterways, road, and rail, but excluding air, necessary for the supply of the integrated service;

(c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;

(d) the provision of business information by any means, including computerized information systems and electronic data interchange (subject to the provisions of the Annex on Telecommunications to the GATS);

(e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to the commitments provided for in Chapter 8) with any locally established shipping agency; and

(f) acting on behalf of the companies organizing the call of the ship or taking over cargoes when required.

2. The term "maritime cargo handling services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dockers, when this workforce is organized independently of the stevedoring or terminal operator companies. Maritime cargo handling services include the organization and supervision of:

(a) the loading/discharging of cargo to/from a ship;

(b) the lashing/unlashing of cargo; and

(c) the reception/delivery and safekeeping of cargoes before shipment or after discharge.

3. The term "container station and depot services" means activities consisting of storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making them available for shipments.

4. The term "maritime agency services" means activities consisting of representing, within a given geographic area, as an agent the business interests of one or more shipping lines or shipping companies, for the following purposes:

(a) marketing and sales of maritime transport and related services, from quotation to invoicing, and issuance of bills of lading on behalf of the companies, acquisition and resale of the necessary related services, preparation of documentation, and provision of business information; and

(b) acting on behalf of the companies organizing the call of the ship or taking over cargoes when required.

5. The term "maritime freight forwarding services" means activities consisting of organizing and monitoring shipment operations on behalf of shippers, through the acquisition of transport and related services, preparation of documentation and provision of business information. Maritime freight forwarding services include those provided by a person on whose behalf the bill of lading or any other document evidencing a contract of carriage of goods is issued and who is responsible for the carriage of goods pursuant to the contract of carriage.

B.	Internal Waterways Transport			
d)	Maintenance and repair of vessels (CPC 8868**)	1) Unbound* 2) None 3) None except that establishing or extending docks or berths which can be used to manufacture or repair the vessels beyond a fixed scale is subject to an economic needs test. 4) None	1) Unbound* 2) None 3) None 4) None	
e)	Pushing and towing services (CPC 7224)	1) Unbound* 2) None 3) None 4) None	1) Unbound* 2) None 3) None 4) None	
f)	Salvaging and refloating services, watering services, fueling services and garbage collecting services (CPC 7454, 7459)	1) None 2) None 3) None 4) None	1) None 2) None 3) None 4) None	
C.	Air Transport Services			
d)	Aircraft repair and maintenance services defined in paragraph (a) of Article 58	1) Unbound* 2) None 3) None except that the number of licenses conferred to service suppliers may be limited.	1) Unbound* 2) None 3) None	