3.5. **customs clearance services** means activities consisting of carrying out on behalf of another Party customs formalities concerning the import, export or through transport of cargoes, whether this service is the main activities of the service supplier or a usual complement of its main activity.

3.6. **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 organised independently of the stevedoring or terminal operator companies. The activities include the organisation and supervision of:

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

(b) the lashing or unlashing of cargo;

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

3.7. **maritime agency services** means activities consisting of representing as an agent, the business interests of one or more shipping lines, for the following purposes:

(a) marketing and sales of maritime transport and related services, from quotation to invoicing, and issuing of bill of lading of the shipping lines; procurement and resale of the necessary related services, preparation of documentation, and provision of business information;

(b) acting on behalf of the shipping lines organising the call of a ship or taking over cargoes when required.

ANNEX II
SCHEDULE OF SPECIFIC COMMITMENTS FOR SERVICES

VIET NAM

EXPLANATORY NOTES

1. Letters indicated against individual sectors or subsectors and numbers in brackets are references to the Services Sectoral Classification List (GATT Document MTN.GNS/W/120 dated 10 July 1991).

2. The alphabetical and numerical divisions are only indicative of the description of specific commitments, but shall not be construed as being a part of the specific commitments.

3. The use of "**" against individual CPC codes indicates that the specific commitment for that code does not extend to the total range of services covered under that code. "CPC codes" means the codes as used in the Provisional Central Product Classification (Statistical Papers Series M No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991).

4. For greater certainty, in accordance with Article 8.12 (Transition), Viet Nam reserves the rights to adopt or maintain any measure affecting the supply of services when making commitments with respect to Article 8.11 (Local Presence), Article 10.6 (Prohibition of Performance Requirements), and Article 10.7 (Senior Management and Board of Directors) under the transition process.

5. For greater certainty, consistent with paragraph 3 of Article 8.12 (Transition), nothing in this Agreement shall be construed to require Viet Nam to make Most-Favoured-Nation (MFN) commitments on sectors or subsectors other than those marked with "MFN" in this Schedule under the transition process.

6. Viet Nam reserves the right to adopt or maintain any measure with respect to all sectors not identified in this Schedule, including new services.

7. For greater certainty, notwithstanding subparagraph 3(e)(iv) through (vi) of Article 8.2 (Scope), Viet Nam reserves the right to adopt or maintain any measure relating to specialty air services, ground handling services, and airport operation services.

8. For greater certainty, Viet Nam does not recognise permanent residents as natural persons according to its laws and regulations.

9. For greater certainty, paragraphs 3 and 4 of Article 8.7 (Schedules of Specific Commitments), and subparagraph 1(a) of Article 8.6 (Most-Favoured-Nation Treatment) shall only apply to sectors or subsectors which have "FL" and "MFN" indicated, respectively.

10. The mode for the supply of a service referred to in subparagraph (r)(iv) of Article 8.1 (Definitions) shall not be subject to obligations under Article 8.6 (Most-Favoured-Nation Treatment), paragraphs 3 and 4 of Article 8.7 (Schedules of Specific Commitments), and Article 8.10 (Transparency List).