**Modes of Supply: 1) Cross-border Supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons**

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|---|
| | joint venture.<br>- In the telecommunications sector, foreign investors in BCC will have the possibility to renew current arrangements or to convert them into another form of establishment with conditions no less favourable than those they currently enjoy.<br>(4) Unbound, except as indicated in Viet Nam's Schedule in Annex IV (Schedules of Specific Commitments on Temporary Movement of Natural Persons). | (4) Unbound, except as indicated in Viet Nam's Schedule in Annex IV (Schedules of Specific Commitments on Temporary Movement of Natural Persons). | |
| (o*) Other services<br>• Virtual Private Network (VPN)[21] | (1) *Wire-based and mobile terrestrial* services: Service must be offered through commercial arrangements with an entity established in Viet Nam and licensed to provide international telecommunication services.<br><br>*Satellite-based services:* Subject to commercial arrangements with Vietnamese | (1) None | Viet Nam undertakes the obligations in the Reference Paper attached hereto.<br><br>For consortium submarine cable links where Viet Nam is member, foreign service suppliers shall be permitted to control fully-owned submarine cable transmission capacity (e.g. IRU or consortium ownership) terminating at a licensed cable landing station in |

[21] Services, provided on commercial terms, establishing and managing a private network over public (shared) networks for the purpose of carrying out, on a non-profit basis, voice and data telecommunications between members of a closed user group defined prior to the creation of the VPN. Such group may include a corporate group or organisation, or a group of legal entities with an established relationship affiliated through the pursuit of a common interest. Initial members of a closed user group using VPN service must be listed in a dialling or routing plan approved by the competent authority and subject to its oversight. VPN service suppliers shall notify to the competent authority changes of membership at least two working weeks prior to actually commencing commercial service and can commence commercial service provided that no objection from the competent authority is issued during these two weeks. Members are not allowed to resell VPN services to unaffiliated third parties. Virtual private networks are not allowed to carry or transfer traffic of or between unaffiliated third parties. VPN services can be offered by licensed foreign-invested service suppliers bundled with Internet access service and value-added services (h) through (n).

**Modes of Supply: 1) Cross-border Supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons**

| Sector or Subsector | Limitations on Market Access | Limitations on National Treatment | Additional Commitments |
|---|---|---|---|
| | international satellite service suppliers duly licensed in Viet Nam, except satellite-based services offered to:<br><br>- Off-shore or on sea based business customers, government institutions, facilities-based service suppliers, radio and television broadcasters, official international organisations' representative offices, diplomatic representatives and consulates, high tech and software development parks who are licensed to use satellite-earth stations;<br><br>Multinational companies[22], which are licensed to use satellite-earth stations.<br>(2) None<br>(3) - *Non-facilities-based services:* Joint venture will be allowed without limitation on choice of partner. Foreign capital contribution shall not exceed 70 per cent of legal capital of the joint ventures. | (2) None<br>(3) None | Viet Nam, and to provide such capacity to international facilities-based service suppliers licensed in Viet Nam and international VPN and IXP service suppliers licensed in Viet Nam. |

[22] A multinational is a corporation which: a) has a commercial presence in Viet Nam; b) operates in at least one other Party; c) has been in operation for at least five years; d) is publicly listed on the stock exchange of a Party; and e) is licensed to use satellite services in at least one Party.