

Exemption for Viet Nam on National Treatment

1. In the following sectors, subsectors or activities, Viet Nam may adopt or maintain any measure with respect to the operation of an enterprise as defined in subparagraphs 1(e) and 1(m) of Article 8.2 (Definitions) that is not in conformity with paragraph 2 of Article 8.5 (National Treatment), provided that such measure is not inconsistent with the commitments set out in Annex 8-B (Viet Nam's Schedule of Specific Commitments):
 - (a) newspapers and news-gathering agencies, printing, publishing, radio and television broadcasting, in any form;
 - (b) production and distribution of cultural products, including video records;
 - (c) production, distribution, and projection of television programmes and cinematographic works;

- (d) investigation and security;
- (e) geodesy and cartography;
- (f) secondary and primary education services;
- (g) oil and gas, mineral and natural resources exploration, prospecting and exploitation;
- (h) hydroelectricity and nuclear power; power transmission and/or distribution;
- (i) cabotage transport services;
- (j) fishery and aquaculture;
- (k) forestry and hunting;
- (l) lottery, betting and gambling;

- (m) judicial administration services, including but not limited to services relating to nationality;
- (n) civil enforcement;
- (o) production of military materials or equipment;
- (p) operation and management of river ports, sea ports and airports; and
- (q) subsidies.

2. If Viet Nam adopts or maintains such a measure after the date of entry into force of this Agreement, it shall not require an investor of the Union, by reason of its nationality, to sell or otherwise dispose of an enterprise existing when that measure enters into effect.
