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Validity: **Valid** Effective date: **January 1, 2018****MINISTRY OF INDUSTRY AND TRADE.**

No. : 28/2017 / TT-BCT

SOCIAL REPUBLIC OF VIETNAM**Independence - Freedom - Happiness**

Hanoi, December 8, 2017

CIRCULARS**Amending, supplementing and abolishing a number of Circulars in petroleum business, business of conformity assessment and import and export services under the state management of Ministry of Industry and Trade***Pursuant to the Government's Decree No. 98/2017 / ND-CP of August 18, 2017, defining the functions, tasks, powers and organizational structure of the Ministry of Industry and Trade;**Pursuant to the Government's Decree No. 83/2014 / ND-CP of September 3, 2014, on petrol and oil trading;**Pursuant to the Government's Decree No. 132/2008 / ND-CP of December 31, 2008, detailing a number of articles of the Law on Product and Goods Quality;**Pursuant to the Government's Decree No. 107/2016 / ND-CP of July 1, 2016, providing conditions for conformity assessment service business;**Pursuant to the Government's Decree No. 34/2016 / ND-CP of May 14, 2016, detailing a number of articles and measures to implement the Law on Promulgation of Legal Documents;**Pursuant to the Government's Decree No. 63/2010 / ND-CP of June 8, 2010, on control of administrative procedures and the Government's Decree No. 48/2013 / ND-CP of May 14, 2013. and supplementing some articles of the Decrees related to the control of administrative procedures and Decree No. 92/2017 / ND-CP of August 7, 2017 of the Government amending and supplementing a number of articles of the proposals regulations related to administrative procedure control;**At the proposal of the Director of Legal Department,**The Minister of Industry and Trade issued a Circular to amend, supplement and abolish a number of Circulars in petroleum business, business of conformity assessment and import and export services under the state management scope of Ministry of Industry and Trade.***Thing 1. Amending and supplementing Article 6 of Circular No. 38/2014 / TT-BCT dated October 24, 2014 of the Minister of Industry and Trade on detailing a number of articles of Decree 83/2014 / ND-CP September 3, 2014 of the Government on petroleum business****" Article6. Issuing License, Certificate, Certificate**

1. Traders wishing to grant, supplement, amend or re-grant petrol and oil export and import licenses, certificates of eligibility for petrol and oil distribution traders, certificates of full satisfaction Lawsuit of acting as a general agent of petroleum business, Certificate of eligibility for a petrol retail agent, Certificate of a store that qualifies for retail petrol and oil, traders send 01 (one) set of documents to the Ministry of Industry Thuong and Department of Industry and Trade via official dispatch or online via the address announced by the Ministry of Industry and Trade and the Department of Industry and Trade on the website.

2. Administrative procedures are implemented by the Ministry of Industry and Trade

a) In case of not having enough valid dossiers, within 7 working days after receiving traders' dossiers, the Ministry of Industry and Trade shall request in writing additional traders;

b) Within 30 working days after receiving a complete and valid dossier, the Ministry of Industry and Trade shall have to consider, appraise and check the actual capacity and grant the export and import business license. oil and gas export; Certificate of eligibility for being a petrol and oil distributor; A certificate of satisfaction of conditions for being a general petrol and oil trading agent (with a petrol and oil distribution system in 02 or more provinces or centrally-run cities) for traders;

c) Depending on each specific case, the Ministry of Industry and Trade shall coordinate or authorize the Department of Industry and Trade where traders locate their headquarters, the Department of Industry and Trade where traders have petrol and oil trading establishments shall be responsible for appraisal and inspection. the actual capacity of traders, making a document to send to the Ministry of Industry and Trade for consideration and issuance of certificates of eligibility for petrol and oil distribution traders, certificates of eligibility for being a petrol and oil general agent;

d) In case the actual inspection results are inconsistent with the trader 's dossier of request, the Ministry of Industry and Trade shall notify in writing the reasons for refusal to grant the license or the certificate to the trader;

d) In case the actual inspection results are consistent with the trader 's dossier of request, the Ministry of Industry and Trade shall grant permits and certifications according to Form No. 2 and Form 6 and **FROM THE BEGINNING OF THE PAGE** Decree No. 83/2014 / ND-CP.

3. Administrative procedures are implemented by the Department of Industry and Trade

1945 to 1950	a) In case of not having enough valid dossiers, within 03 working days from the date of receiving traders' dossiers, the Industry and Trade Department shall send a written request for additional traders;
1951 to 1960	b) Within 20 working days after receiving a complete and valid dossier, the Department of Industry and Trade is responsible for reviewing, appraising, examining the actual capacity and issuing a Certificate of Eligibility. petrol and oil trading agency (with a petrol and oil distribution system in the area of 01 (one) province or centrally-run city); Certificate of eligibility for petrol and oil retail agent; Certificate of store eligible for retail gasoline;
1961 to 1970	c) In case the actual inspection results are inconsistent with the traders' request dossiers, the Industry and Trade Services shall notify in writing the reasons for refusal to grant the certificates and certificates to the traders;
1971 to 1980	d) In case the actual inspection results are in conformity with the trader's application dossier, the Department of Industry and Trade shall grant certificates and certificates to traders according to Form No. 4, Form 8 and Form 10 in the Appendix. issued with Decree No. 83/2014 / ND-CP.
1981 to 1990	4. Traders shall have to pay charges and fees according to law provisions. The use of fees and charges is prescribed by the Ministry of Finance and the Ministry of Industry and Trade. "
1991 to 2000	Thing 2. Amend, supplement and abolish some articles of Circular No. 48/2011 / TT-BCT dated December 30, 2011 of the Minister of Industry and Trade on regulating quality management of products and goods Group 2 is under the management of Ministry of Industry and Trade
2001 to 2010	1. Add Article 10b as follows: " Article10b. Requirements for designated conformity assessment organizations
2011 to 2020	1. Registered field of operation in accordance with Article 5, Article 9, Article 13 and Article 17 of Decree No. 107/2016 / ND-CP dated July 1, 2016 of the Government regulating business conditions conformity assessment service and being granted conformity assessment registration certificate by the competent authority. 2. Having sufficient technical documents, necessary standards and testing procedures in conformity with relevant technical regulations promulgated by the Ministry of Industry and Trade. " 2. Abolish Article 11, Article 12, Article 13 and Article 14. Thing 3. Amending, supplementing and abolishing a number of articles of the Circular No. 33/2015 / TT-BCT dated October 27, 2015 of the Minister of Industry and Trade regulating the technical safety inspection of equipment and utilities electric tools 1. To amend Point b, Clause 2, Article 6 as follows: "B) For electrical equipment other than those specified at Point a of this Clause, they shall be periodically inspected according to the manufacturer's regulations, but must not exceed 36 months for electric equipment and tools specified in Section II and Section III Appendix I issued together with Circular No. 33/2015 / TT-BCT. 2. Amending Article 7 as follows: "first. Inspection of electrical equipment and devices is carried out by accrediting organizations that meet the requirements of Article 9 of Decree No. 107/2016 / ND-CP dated July 1, 2016 of the Government regulating economic conditions. conformity assessment service business and is granted Certificate of registration of inspection activities by the Ministry of Industry and Trade. Dossiers, order and procedures for grant of inspection registration certificates comply with Article 10, Article 11 and Article 12 of Decree No. 107/2016 / ND-CP. 2. Contents of the inspection process shall be elaborated by the expertising organization for each type of equipment and tools on the basis of national technical standards and regulations in Appendix II enclosed with Circular No. 33/2015. / TT-BCT; foreign technical standards and regulations are applied in Vietnam; manufacturer's regulations and instructions. Inspection items and methods must be shown in each specific process. 3. Immediately after the completion of inspection, equipment and organizations performing the inspection shall affix stamps of expertising equipment and devices to meet the requirements. a) Form of inspection stamp according to Appendix III issued together with Circular No. 33/2015 / TT-BCT . The position of stamping is not obscured, easy to observe and avoid the unfavorable impact of the environment; b) In case the equipment and electric tools in the location or environment are unable to carry out the stamping, at the end of the inspection, the organization shall conduct the inspection of the granting of certificates of expertise for electric equipment and instruments. instead of stamping. " 3. Modify Point b, Clause 1, Article 10 as follows: "B) Receive application for registration of inspection activities, review and publish the list of accrediting organizations on the Ministry of Industry and Trade's Web Portal". 4. Amending point h clause 4 Article 10 as follows: "Organizing professional training, granting inspector cards to verify technical safety of electric equipment and devices according to law provisions. Training materials include metrology and product quality according to law provisions and inspection contents according to the provisions of Circular No. 33/2015 / TT-BCT ". 5. To annul Clause 2, Article 3, Clause 9, Article 5, Article 8, Article 9, Point a, Clause 4, Article 10, Section I, Appendix I, Appendix IV, V, VI, VII and VIII, issued together with the Circular No. 33/2015 / TT-BCT. Thing 4. Amending and supplementing a number of articles of Circular No. 12/2016 / TT-BCT dated July 5, 2016 of the Minister of Industry and Trade amending and supplementing a number of articles of Circular No. 41/2012 / TT -BCT on December 21, 2012 of the Minister of Industry and Trade regulating the export of minerals 1. Remove the phrase "certified by the import border-gate customs office" in Clause 2, Article 1. 2. Replace the phrase "Certified copy as prescribed" by the phrase "Copy from original book or certified copy or copy of the original copy for comparison" in Clause 3 Article 1. Thing 5. Amending and supplementing a number of articles of Circular No. 15/2013 / TT-BCT dated July 15, 2013 of the Minister of Industry and Trade regulating export of coal Add Clause 2a Article 5 as follows: "2 a. The papers specified at Points a and b, Clause 2, Article 5 of this Circular are copies from the original books or certified

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copies or copies to be presented with the originals for comparison ".

Thing 6. Abolish some Circulars

1. Repeal Chapter IV of Circular No. 44/2010 / TT-BCT dated December 31, 2010 of the Minister of Industry and Trade detailing a number of articles of Decree No. 109/2010 / ND-CP dated 4 months 2010 11th of the Government on rice export business.
2. Abolish Circular No. 20/2011 / TT-BCT dated May 12, 2011 of the Minister of Industry and Trade on supplementing procedures for importing passenger cars of 09 seats or under and Circular No. 04 / 2017 / TT-BCT dated March 9, 2017 of the Minister of Industry and Trade amending and supplementing the Circular 20/2011 / TT-BCT dated May 12, 2011 of the Minister of Industry and Trade regulating additional procedures Importing passenger cars of 09 seats or less.

Thing 7 . Forwarding terms

The dossiers of application for permits, certificates and certifications already received by the agencies carrying out administrative procedures before the effective date of this Circular shall be carried out according to current regulations. at the time of receiving records.

Thing 8. Terms of execution

1. This Circular takes effect from January 1, 2018.
2. In the course of implementation, if any problems or problems arise, organizations and individuals should report them to the Ministry of Industry and Trade for consideration and settlement.

MINISTER
(Signed)

Tran Tuan Anh

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