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Validity: **Valid** Effective date: **11/15/2018****MINISTRY OF INDUSTRY AND TRADE**

No. 30/2018 / TT-BCT

 1/01 / clip_image001.gif "width=" 77 "> **MINISTRY OF****INDUSTRY AND TRADE**

No. 30/2018 / TT-BCT

SOCIAL REPUBLIC OF VIETNAM**Independence - Freedom - Happiness***Hanoi, October 1, 2018***SOCIAL REPUBLIC OF VIETNAM****Independence - Freedom - Happiness** 1/01/clip_image002.gif" width="240" />*Hanoi, October 1, 2018***CIRCULARS****Detailing a number of articles of Decree No. 107/2018 / ND-CP
August 15, 2018 of the Government on rice export business** 1/01/clip_image003.gif" width="124" />*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. 107/2018 / ND-CP of August 15, 2018 on rice export business (hereinafter referred to as Decree No. 107/2018 / ND-CP);**At the proposal of the Director of the Import and Export Department,**The Minister of Industry and Trade issued a Circular detailing a number of articles of Decree No. 107/2018 / ND-CP dated August 15, 2018 of the Government on rice export business.***Chapter I****GENERAL PROVISIONS****Thing 1. Scope of adjustment**

This Circular provides for:

1. The export of rice into the market has a centralized contract and the signing and organization of the implementation of centralized contracts.
2. Reporting regime of rice export traders.

Thing 2. Subjects of application

This Circular applies to rice export traders and related agencies, organizations and individuals.

chapter II**TRANSACTION OF RICE INTO THE CENTRAL CONTRACT MARKET AND THE SIGNING AND ORGANIZATION OF IMPLEMENTATION
CONCENTRATION CONTRACT****Thing 3. Assign a trader of a transaction point**

1. The designation of centralized traders for contractual transactions shall be based on the criteria specified in Clause 2, Article of Decree No. 107/2018 / ND-CP.
2. In cases where two or more traders are appointed to act as focal points in a centralized market, the coordinating mechanism shall be implemented according to the provisions of Article 4 of this Circular.

Thing 4. Alternate clue mechanism

1. Alternate clue mechanism is the mechanism applied when two or more traders are designated as focal points in a market and centralized contracts but the competent authorities or foreign importers It is appointed to request each bid for rice import on centralized contracts only one trader can participate in contract signing and trading.

2. The order of the key clue mechanism is as follows:

a) Within 01 day at the latest from the date of receiving the notice of the importing country on the import of rice, traders shall alternately report to the Ministry of Industry and Trade and Vietnam Food Association on the possibility of participating in bidding.

In case the key merchant turns to propose not to participate, he / she must report the cause to the Ministry of Industry and Trade.

1945 to 1950
1951 to 1960
1961 to 1970
1971 to 1980
1981 to 1990
1991 to 2000
2001 to 2010
2011 to 2020

and notify the Vietnam Food Association and other key traders (s).

b) No later than 01 day from the date of receiving the petition of refusing to participate in the bidding of the key traders, in turn, key trader shall alternately take turns to reach agreement with the Food Association. Vietnam on the ability to participate in bidding. The replacement of the transaction, the bidding will not be counted as the turn of the traders sent to replace and the traders allowed to participate in the bidding for the next bidding in accordance with their official turns.

c) If all of the key traders do not participate in the bidding, the Vietnam Food Association reports to the Ministry of Industry ; Trade the reason that the key traders do not attend and may propose other traders to join. translation, bid.

d) Traders participating in the bidding shall report to the Ministry of Industry and Trade in case of necessity to support procedure related to transactions and bidding.

3. Allocating quotas to key traders according to the rotating mechanism as follows:

The key traders under the rotating mechanism are allowed to directly export 20% of the rice in the centralized contract, in which: The focal point of the contract is to conduct two-thirds (two-thirds) of the 20% quantity of rice in the centralized contract. The traders who do not sign the centralized contract are allocated 1/3 (one-third) of the 20% quantity of rice in the centralized contract

Thing 5. Responsibilities of key traders in the rotating focal mechanism

1. Key traders who sign contracts to concentrate on rotating clue mechanisms shall:

a) Performing the responsibilities specified in Clause 4, Article 19 of Decree No. 107/2018 / ND-CP.

b) Two-thirds (two-thirds) of the rice that traders are assigned but not executed or returned.

2. Key traders who do not sign contracts to concentrate on rotating clue mechanisms shall:

a) Together with the focal trader to sign the centralized contract and the Vietnam Food Association to formulate the plan of trade and bidding.

b) Coordinate with key traders to sign contracts to focus on monitoring the market situation and issues related to the bidding round discuss with the Vietnam Food Association on the plan of trading and bidding.

c) Participate in preparing goods sources for contract performance; together with key traders to sign centralized contracts organize the performance of signed contracts.

d) Implementing 1/3 (one-third) of the rice that traders are assigned but not done or returned.

Thing 6. Subjects to allocate export mandate targets

1. The allocation of centralized contract performance quotas to rice export traders for entrusted export shall comply with provisions and criteria prescribed in Clauses 6 and 7, Article 19 of Decree No. 107 / 2018 / ND-CP.

2. The Vietnam Food Association shall not allocate export quotas to traders without certificates of eligibility for rice export business according to the provisions of Decree No. 107/2018 / ND- CP.

Thing 7. Process of allocating export mandate targets

1. After receiving reports of key traders about negotiation, transaction, bid or results of signing centralized contracts, the Vietnam Food Association immediately announces in writing to traders Rice export enterprises know to register export mandate targets.

2. Within 07 working days, from the date of notification of Vietnam Food Association, traders shall send dossiers of registration export entrustment norms to Vietnam Food Association in writing or by mail. mail (email), profile includes:

a) A written request for allocation of traders' export entrustment norms, clearly stating the volume and type of rice entrusted export.

b) Report on the achievement of direct rice export in the previous 6 months and the situation of traders' rice and rice inventory (according to each category), clearly stating the amount of rice in stock due to the purchase of temporary storage under the direct of the agency. competent authorities and organizations (if any).

c) Report the results of construction of material areas and purchase of paddy and rice produced from traders' raw material areas (material areas are built).

Traders send registration dossiers beyond the time limit specified in Clause 2 of this Article, calculated according to the postmark the receiving places or at the time of receiving e-mails (emails), shall not be considered and allocated targets.

3. Based on traders' registration dossiers, balancing sources of commodity rice and the situation of domestic harvest season Vietnam Food Association shall elaborate plans on allocation of norms according to the provisions of Article 6 of the Information Circular, written notice to registered traders know and implement.

The Vietnam Food Association monitors and urges the implementation of centralized contracts, including signing and implementing export entrustment contracts and reporting on the implementation situation to the Ministry of Industry and Trade.

Thing 8. Return the entrusted export quota

1. In cases where traders fail to fulfill all or part of the entrusted quotas, traders shall have to return documents to such traders ; Vietnam Food Association. within 3 days of the decision to allocate targets of the Vietnam Food Association. Past this time limit, trader is determined not to perform the mandate.

2. On the basis of the total amount of rice that traders return to the mandate of exporting or not, the Vietnam Food Association reallocate to other rice exporters or traders. transactions, contract signing. In case of reallocating to key traders in the rotating focal mechanism, the principle of key traders signing contracts shall concentrate on the implementation of 2/3 (two-thirds) of rice ; traders. The focal point for not signing contracts focuses on implementing one-third (one-third) of rice.

Chapter III

REPORTING REGIME OF BUSINESS PEOPLE

EXPORT RICE

Article 9. Report on the situation of signing and implementing rice export contracts and quantity of rice ; inventories

1. Periodically on the 20th of every month, traders report to the Ministry of Industry and Trade the situation of signing ; implementing rice export contracts according to the report form prescribed in Appendix I attached to this Circular.

2. Periodically on every Thursday, traders report to the Ministry of Industry and Trade about the actual volume of paddy and ; inventories of traders according to each specific category to synthesize data for operation. The report form is provided in Appendix issued together with this Circular.

3. Report in the form of an electronic data file is sent to the Ministry of Industry and Trade (Import and Export Department) via email

Thing 10. Quarterly, annual reports and extraordinary reports

1. Traders shall make quarterly and annual reports according to Form No. 04 prescribed in the Appendix to Decree No. 107/2018/ND-CP.

Quarterly reports, traders send to the Ministry of Industry and Trade before the 20th day of the first month of the subsequent quarter. Reporting annually, traders send to the Ministry of Industry and Trade before January 20 of the following year.

2. Traders shall carry out extraordinary reports as prescribed in Clause 4, Article 24 of Decree No. 107/2018 / ND-CP at the request of the Ministry of Industry and Trade on the export market situation, production and price of rice paddy, production and business situation and other requirements for the purpose of managing and managing rice exports.

Chapter IV

TERMS ENFORCEMENT

Thing 11. Effect

1. This Circular takes effect from November 15, 2018.

2. This Circular annulled Circular No. 44/2010 / TT-BCT dated December 31, 2010 detailing a number of articles of Decree 109/2010 / ND-CP dated November 4, 2010 of the Government about rice export business.

3. Traders who have been designated as contact points before the effective date of this Circular shall continue performing until the end of the signed contracts.

4. For rice export contracts already registered, concentrated contracts already allocated before the effective date of this Circular shall continue to be performed.

5. In the course of implementing this Circular, if any problems or problems arise, agencies, organizations and traders of rice export business shall report them to the Ministry of Industry and Trade for consideration and settlement.

- Recipients:**


 - Party Central Committee's Secretariat;
 - Prime Minister, Deputy Prime Ministers;
 - Ministries, ministerial-level agencies and Government-attached agencies;
 - People's Council, People's Committees of provinces and cities directly under the Central Government;
 - People's Procuratorate of the Supreme;
 - Supreme People's Court;
 - Central Office and Party Committees;
 - Congress office;
 - Office of the President;
 - State Audit;
 - National Financial Supervisory Committee;
 - General Department of Customs - Ministry of Finance;
 - Department of Legal Document Examination - Ministry of Justice;
 - Vietnam Food Association;
 - Announcement;
 - Government Website;
 - Ministry of Industry and Trade: Minister, Vice Ministers; General Departments, Departments, Institutes, units under the Ministry;
 - Website of Ministry of Industry and Trade;
 - Archive: Administrative, import and export (15).
- MINISTER

Tran Tuan Anh


APPENDIX I

FORM OF MONTHLY STATEMENT REPORT SIGNING AND IMPLEMENTING SITUATION OF RICE EXPORT CONTRACT

(Issued together with Circular No. 30/2018 / TT-BCT dated October 1, 2018 of the Ministry of Industry and Trade)

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NAME OF TRADERS

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SOCIAL REPUBLIC OF VIETNAM
Independence - Fr

Number:

..... , date.... month.... year

REPORT ON SIGNING AND PERFORMANCE OF RICE EXPORT CONTRACTS

(May.....)

To: Ministry of Industry and Trade (Import and Export Department)

Following the provisions of Circular No. 30/2018 / TT-BCT dated October 1, 2018, traders report the status of signing and implementing rice export contracts as follows:

1. Name of trader:

2. Number of certificates of eligibility for rice export business:

3. Phone: Fax:

4. Export situation of traders from the 15th of the previous month to the 15th of the month of reporting:

a) *Under the category of exported rice*

Contract type	No.	Types of rice	Product grade	FOB value (USD)

Commercial contract	1	Rice	5% broken	
	2	Rice	15% broken	
	3	Rice	25% broken	
	4	Rice	Others	
	5	Rice map		
	6	Sticky rice		
	7	Fragrant rice		
	8	Japonica rice		
	9	Broken rice		
	10	Others		
	total			
Concentrated contract (including export consignment)	1	Rice	5% broken	
	2	Rice	15% broken	
	3	Rice	25% broken	
	4	Rice map		
	total			

b) According to export markets

Reporting period	No.	Export market (write English name)	FOB value (USD)
Commercial contract	1		
	2		
	...		
	total		
Concentrated contract (including export consignment)	1		
	2		
	...		
	total		

5. The situation of contract signing of traders from the 15th of the previous month to the 15th of the month of reporting:

a) New signed trader contract:

No.	Contract type	Day contract	Types of rice	Product grade	Export market	Quantity (Ton)	FOB value
1							
2							
...							
total							

b) The signed contract which the trader canceled:

No.	Contract type	Day contract	Types of rice	Product grade	Export market	Quantity (Ton)	FOB value
1							
2							
total							

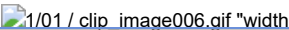
Note:

- Types of rice divided by: white rice, parboiled rice, sticky rice, fragrant rice, japonica rice, broken rice, others.
- Grade products according to 5% broken rice, 15% broken, 25% broken, 100% broken, others.
- Export market write the English name of the exporting country.
- In case of contract stipulating conditions of other delivery conditions FOB, redeemable traders are worth FOB.

The legal representative of the trader
(Signature, full name, title and stamp)

APPENDIX II
FORM OF REGULATION REPORT OF WEEKLY CARE, RICE
WAREHOUSE OF TRADERS

(Issued together with Circular No. 30/2018 / TT-BCT dated October 1, 2018 of the Ministry of Industry and Trade)



REPORT ON CARE, RICE AND RICE

(Week from day ... month year to date ... month ... year)

To: Ministry of Industry and Trade (Import and Export Department)

In accordance with the provisions of Circular No. 30/2018 / TT-BCT dated October 1, 2018, rice export traders report amount of rice and rice inventories as follows:

- 1. Name of trader:
- 2. Number of certificates of eligibility for rice export business:
- 3. Phone: Fax:
- 4. Email: Website:
- 5. The amount of paddy and rice in stock:

No.	Rice and rice varieties	Inventory at the time of reporting (Tan)	
		Rice	Paddy
1	Rice		
2	Rice map		
3	Sticky rice		
4	Fragrant rice		
5	Japonica rice		
6	Broken rice		
7	Others:		
total			

Traders are committed to the above content. /.

Dear:

- Vietnam Food Association;
- Local Department of Industry and Trade.

The legal representative of the trader

(Signature, full name, title and stamp)

MINISTER
(Signed)

Tran Tuan Anh

Download the attachment

PDF version:

Attached files:

Circular 30.2018.TT-BCT.doc - (Quick view)



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