
THE MINISTRIES

INTER – MINISTERIAL

**THE MINISTRY OF TRADE - THE MINISTRY OF
NATURAL RESOURCES AND ENVIRONMENT**

**JOINT CIRCULAR No. 14/2005/TTLT-BTM-
BTNMT OF JULY 11, 2005, GUIDING THE
MANAGEMENT OF THE IMPORT, EXPORT,
TEMPORARY IMPORT FOR RE-EXPORT OF
OZONE LAYER-DEPLETING SUBSTANCES
UNDER THE MONTREAL PROTOCOL ON
SUBSTANCES THAT DEplete THE OZONE
LAYER**

*Pursuant to the August 20, 1998 Ordinance of
the National Assembly Standing Committee on the
Conclusion and Implementation of Treaties;*

*Pursuant to the 1985 Vienna Convention for the
Protection of the Ozone Layer, the 1987 Montreal
Protocol on Substances that Deplete the Ozone
Layer and amendments to the Montreal Protocol,
which have been ratified and acceded to by the
State of the Socialist Republic of Vietnam;*

*Pursuant to the Government's Decree No. 29/
2004/ND-CP of January 16, 2004, defining the
functions, tasks, powers and organizational
structure of the Ministry of Trade;*

*Pursuant to the Government's Decree No. 91/
2004/ND-CP of November 11, 2002, defining the
functions, tasks, powers and organizational*

structure of the Ministry of Natural Resources and Environment;

Pursuant to the Prime Minister's Decision No. 46/2001/QĐ-TTg of April 4, 2001, on the management of goods import and export in the 2001-2005 period;

Pursuant to the Prime Minister's Decision No. 41/2005/QĐ-TTg of March 2, 2005, promulgating the Regulation on goods import licensing;

In furtherance of the Prime Minister's direction in Document No. 286/TTg-KTTH of March 22, 2005, on managing the import and export of ozone layer-depleting substances and CFC-using refrigeration appliances;

The Ministry of Trade and the Ministry of Natural Resources and Environment hereby jointly guide the management of the import, export and temporary import for re-export of ozone layer-depleting substances under the Montreal Protocol on Substances that Deplete the Ozone Layer as follows:

I. SCOPE OF REGULATION AND PRINCIPLES ON THE MANAGEMENT OF THE IMPORT, EXPORT AND TEMPORARY IMPORT FOR RE-EXPORT OF OZONE LAYER-DEPLETING SUBSTANCES

1. This Circular guides the order and procedures for the grant of import licenses and the certification of registration for the import, export and temporary import for re-export of ozone layer-depleting substances listed in the Montreal Protocol on Substances that Deplete the Ozone Layer (hereinafter called the Protocol for short), applicable to all enterprises conducting one of the above-said activities in Vietnam's territory.

2. Ozone layer-depleting substances to be managed under this Circular are substances listed in Appendix 1 to this Circular (substances listed in Annex A and Annex B of the Protocol, for which Vietnam must grant import licenses and allocate import quotas till 2010 under its phasing-out obligation) and substances listed in Appendix 2 of this Circular (substances listed in Annex C of the Protocol, for which Vietnam temporarily does not have to grant import licenses till 2015).

3. The management of the import, export and temporary import for re-export of ozone layer-depleting substances shall be carried out on the following principles:

a/ Enterprises that import, export or temporarily import for re-export ozone layer-depleting substances must make registration with the Ministry of Natural Resources and Environment and obtain the Ministry's certification thereof;

b/ The import of substances listed in Appendix 1 shall be carried out under Import licenses granted by the Ministry of Trade;

c/ Procedures for the import of substances listed in Appendix 1, which are in re-cycled form, and substances listed in Appendix 2, for the export and temporary import for re-export of substances listed in Appendix 1 and Appendix 2 shall be carried out at the customs offices on the basis of enterprises' written registrations certified by the Ministry of Natural Resources and Environment.

II. QUOTAS FOR THE IMPORT OF SUBSTANCES LISTED IN APPENDIX 1

1. The Ministry of Trade shall allocate quotas for the import of substances listed in Appendix 1 to this Decree till 2010 according to Vietnam's

phasing-out obligation under the Protocol. The total volume of import quotas for each year from now till 2010 for each group of substances shall be as follows:

Name of substances' group	Total quota for 2005 (ton)	Total quota for 2006 (ton)	Total quota for 2007 (ton)	Total quota for 2008 (ton)	Total quota for 2009 (ton)	Total quota for 2010 (ton)
CFCs	240	200	75	40	10	0
Halons	1.8	1.8	1.8	1.8	1.8	0
CTCs	0.19	0.19	0.19	0.19	0.19	0

2. Quotas shall not apply to substances listed in Appendix 1, which are in the re-cycled form, exported and temporarily imported for re-export.

3. Quotas for the import of substances listed in Appendix 1 to this Circular shall be allocated only to enterprises having imported these substances for 3 years before the effective date of this Circular.

4. For enterprises that import these substances under quotas but later export them (directly or in trust), if they have documents proving the export and wish to continue importing these substances, they shall be allocated additional quotas not exceeding the exported volume.

5. Quotas for the import of substances listed in Appendix 1 must not be transferred. Substances, for which quotas have been allocated, must be imported into Vietnam before December 31 of the quota-allocating year. After that day, the imported substances shall be calculated into subsequent year's quotas.

III. PROCEDURES FOR THE REGISTRATION AND GRANT OF LICENSES FOR THE IMPORT, EXPORT, TEMPORARY IMPORT FOR RE-EXPORT OF OZONE LAYER-DEPLETING SUBSTANCES

1. Procedures for the registration of the import,

export and temporary import for re-export of ozone layer-depleting substances at the Ministry of Natural Resources and Environment

a/ Enterprises that register for the import of substances listed in Appendix 1 shall send dossiers to the Ministry of Natural Resources and Environment. Such a dossier set comprises:

- 03 written registrations for the import, made according to a set form;
- A copy of the business registration certificate with suitable business lines;
- A copy of the certificate of import-export business code registration, granted by a provincial/ municipal Customs Department;
- A copy of at least one customs declaration on the fulfillment of import procedures for one of substances listed in Appendix 1 within 3 years before the effective date of this Circular, for enterprises that register for the import of substances listed in Appendix 1.

The enterprises' directors shall certify these copies and bear responsibility for the certification contents.

b/ Enterprises that register for the import of substances listed in Appendix 2 or substances listed in Appendix 1 in the re-cycled form; and for the export or temporary import for re-export of

substances listed in Appendix 1 and Appendix 2 shall send dossiers to the Ministry of Natural Resources and Environment, each comprising:

- 03 written registrations, made according a set form;
- A copy of the business registration certificate with suitable business lines;
- A copy of the certificate of import-export business code registration, granted by a provincial/ municipal Customs Department;
- Documents proving that these substances are in the re-cycled form, for substances listed in Appendix 1.

The enterprises' directors shall certify these copies and bear responsibility for the certification contents.

c/ The Ministry of Natural Resources and Environment shall have to make certification in the written registrations within three (03) working days after receiving registration dossiers of enterprises, return 02 registrations to enterprises and keep 01 registration.

2. Procedures for the grant of licenses for the import of substances listed in Appendix 1 at the Ministry of Trade

a/ Enterprises that import substances listed in Appendix 1 shall send the import registration, certified by the Ministry of Natural Resources and Environment according to a set form, to the Ministry of Trade for fulfillment of licensing procedures.

b/ The Ministry of Trade shall have to grant import licenses to enterprises within five (05) working days after receiving their written registrations.

3. Import, export, temporary import for re-export dossiers to be produced to customs offices

a/ Dossiers on the import of substances listed in Appendix 1 (except for those in the re-cycled form):

- Import licenses granted by the Ministry of Trade;
- Other documentation as required by the customs.

b/ Dossiers on the import of substances list in Appendix 1, which are in the re-cycled form, and substances listed in Appendix 2, and dossiers on the export and temporary import for re-export of substances listed in Appendix 1 and Appendix 2:

- The enterprise's written registration, certified by the Ministry of Natural Resources and Environment according to a set form;
- Other documentation as required by the customs.

IV. IMPLEMENTATION EFFECT

1. This Circular takes effect 15 days after its publication in "CONG BAO."

2. Enterprises are requested to report on any problem arising in the course of implementation to the Ministry of Trade and the Ministry of Natural Resources and Environment for consideration and settlement.

For the Minister of Trade
Vice Minister
PHAN THE RUE

For the Minister of Natural
Resources and Environment
Vice Minister
NGUYEN CONG THANH

Appendix 1

(to Joint Circular No. 14/2005/TTLT-BTM-BTNMT of July 11, 2005)

GROUP OF OZONE LAYER-DEPLETING SUBSTANCES SUBJECT TO IMPORT LICENSING AND IMPORT QUOTAS

Substance's name	Chemical name	Chemical formula	ASHRAE number (for refrigerants)	Custom code
CFC-11	Trichlorofluoromethane	CFCl_3	R-11	-- 2903.41.00
CFC-12	Dichlorodifluoromethane	CF_2Cl_2	R-12	-- 2903.42.00
CFC-113	Trichlorotrifluoromethanes	$\text{C}_2\text{F}_3\text{Cl}_3$	R-113	-- 2903.43.00
CFC-114	Dichlorotetrafluoroethanes	$\text{C}_2\text{F}_4\text{Cl}_2$	R-114	-- 2903.44.00
CFC-115	Chloropentafluoroethane	CClF_2CF_3	R-115	-- 2903.44.00
Halon-1211	Bromochlorodifluoromethane	CF_2BrCl	R-12B1	-- 2903.46.00
Halon-1301	Bromotrifluoromethane	CF_3Br	R-13B1	-- 2903.46.00
Halon-2402	Dibromotetrafluoroethane	$\text{C}_2\text{F}_4\text{Br}_2$	R-114B2	-- 2903.46.00
CFC-13	Chlorotrifluoromethane	CF_3Cl	R-13	-- 2903.45.10
CFC-111	Pentachlorofluoromethane	C_2FCl_5	R-111	-- 2903.45.90
CFC-112	Tetrachlorodifluoromethane	$\text{C}_2\text{F}_2\text{Cl}_4$	R-112	-- 2903.45.90
CFC-211	Heptachlorofluoropropane	C_3FCl_7	R-211	-- 2903.45.31
CFC-212	Hexachlorodifluoropropane	$\text{C}_3\text{F}_2\text{Cl}_6$	R-212	-- 2903.45.32
CFC-213	Pentachlorotrifluoropropane	$\text{C}_3\text{F}_3\text{Cl}_5$	R-213	-- 2903.45.33
CFC-214	Tetrachlorotetrafluoropropane	$\text{C}_3\text{F}_4\text{Cl}_4$	R-214	-- 2903.45.34
CFC-215	Trichloropentafluoropropane	$\text{C}_3\text{F}_5\text{Cl}_3$	R-215	-- 2903.45.35
CFC-216	Dichlorohexafluoropropane	$\text{C}_3\text{F}_6\text{Cl}_2$	R-216	-- 2903.45.36
CFC-217	Chloroheptafluoropropane	$\text{C}_3\text{F}_7\text{Cl}$	R-217	-- 2903.45.37
TCA, CTC	Tetrachloromethane or carbon tetrachloride	CCl_4		-- 2903.14.00
	1,1,1-trichloroethane or methyl chloroform	$\text{C}_2\text{H}_3\text{Cl}_3$	R-140a	-- 2903.19.10

Appendix 2

(to Joint Circular No. 14/2005/TTLT-BTM-BTNMT of July 11, 2005)

GROUP OF OZONE LAYER-DEPLETING SUBSTANCES FOR WHICH IMPORT LICENSES ARE
TEMPORARILY NOT REQUIRED TILL 2015

Substance's name	Chemical name	Chemical formula	ASHRAE number (for refrigerants)	Customs code
HCFC-2111		CHFCI_2	R-21	-- 2903.49.10
HCFC-22	Chlorodifluoromethane	CHF_2Cl	R-22	-- 2903.49.10
HCFC-31		CH_2FCI	R-31	-- 2903.49.10
HCFC-121	Tetrachlorofluoroethanes	C_2HFCl_4		-- 2903.49.10
HCFC-122	Trichlorodifluoroethanes	$\text{C}_2\text{HF}_2\text{Cl}_3$		-- 2903.49.10
HCFC-123	Dichlorotrifluoroethanes	$\text{C}_2\text{HF}_3\text{Cl}_2$	R-123	-- 2903.49.10
HCFC-123	2,2-dichloro- 1,1,1 trifluoroethane	CHCl_2CF_3		-- 2903.49.10
HCFC-124	Chlorotetrafluoroethanes	$\text{C}_2\text{HF}_4\text{Cl}$		-- 2903.49.10
HCFC-124	2-chloro-1,1,1,2-tetrafluoroethane	CHFClCF_3	R-124	-- 2903.49.10
HCFC-131	Trichlorofluoroethanes	$\text{C}_2\text{H}_2\text{FCl}_3$		-- 2903.49.10
HCFC-132	Dichlorodifluoroethanes	$\text{C}_2\text{H}_2\text{F}_2\text{Cl}_2$		-- 2903.49.10
HCFC-133	Chlorotrifluoroethanes	$\text{C}_2\text{H}_2\text{F}_3\text{Cl}$		-- 2903.49.10
HCFC-141	Dichlorofluoroethanes	$\text{C}_2\text{H}_3\text{FCl}_2$		-- 2903.49.10
HCFC-141b	1,1-dichloro-1-fluoroethane	CH_3CFCl_2	R-141b	-- 2903.49.10
HCFC-142	Chlorodifluoroethanes	$\text{C}_2\text{H}_3\text{F}_2\text{Cl}$		-- 2903.49.10
HCFC-142b	1-chloro-1,1- difluoroethane	$\text{CH}_3\text{CF}_2\text{Cl}$	R-142b	-- 2903.49.10
HCFC-151	Chlorofluoroethanes	$\text{C}_2\text{H}_4\text{FCI}$		-- 2903.49.10
HCFC-221	Hexachlorofluoropropanes	C_3HFCl_6		-- 2903.45.32
HCFC-222	Pentachlorodifluoropropanes	$\text{C}_3\text{HF}_2\text{Cl}_5$		-- 2903.49.10
HCFC-223	Tetrachlorotrifluoropropanes	$\text{C}_3\text{HF}_3\text{Cl}_4$		-- 2903.49.10
HCFC-224	Trichlorotetrafluoropropanes	$\text{C}_3\text{HF}_4\text{Cl}_3$		-- 2903.49.10
HCFC-225	Dichloropentafluoropropanes	$\text{C}_3\text{HF}_5\text{Cl}_2$		-- 2903.49.10
HCFC-225ca	1,1-dichloro-2,2,3,3,3-pentafluoropropane	$\text{CF}_3\text{CF}_2\text{CHCl}_2$	R-225ca	-- 2903.49.10
HCFC-225cb	1,3-dichloro-1,2,2,3,3-pentafluoropropane	$\text{CF}_2\text{ClCF}_2\text{CHClF}$	R-225cb	-- 2903.49.10
HCFC-226	Chlorohexafluoropropanes	$\text{C}_3\text{HF}_6\text{Cl}$		-- 2903.49.10

HCFC-231	Pentachlorofluoropropanes	$C_3H_2FCl_5$		-- 2903.49.10
HCFC-232	Tetrachlorodifluoropropanes	$C_3H_2F_2Cl_4$		-- 2903.49.10
HCFC-233	Trichlorotrifluoropropanes	$C_3H_2F_3Cl_3$		-- 2903.49.10
HCFC-234	Dichlorotetrafluoropropanes	$C_3H_2F_4Cl_2$		-- 2903.49.10
HCFC-235	Chloropentafluoropropanes	$C_3H_2F_5Cl$		-- 2903.49.10
HCFC-241	Tetrachlorofluoropropanes	$C_3H_3FCl_4$		-- 2903.49.10
HCFC-242	Trichlorodifluoropropanes	$C_3H_3F_2Cl_3$		-- 2903.49.10
HCFC-243	Dichlorotrifluoropropanes	$C_3H_3F_3Cl_2$		-- 2903.49.10
HCFC-244	Chlorotetrafluoropropanes	$C_3H_4F_4Cl$		-- 2903.49.10
HCFC-251	Trichlorotetrafluoropropanes	$C_3H_4FCl_3$		-- 2903.49.10
HCFC-252	Dichlorodifluoropropanes	$C_3H_4F_2Cl_2$		-- 2903.49.10
HCFC-253	Chlorotrifluoropropanes	$C_3H_4F_3Cl$		-- 2903.49.10
HCFC-261	Dichlorofluoropropanes	$C_3H_5FCl_2$		-- 2903.49.10
HCFC-262	Chlorodifluoropropanes	$C_3H_5F_2Cl$		-- 2903.49.10
HCFC-271	Chlorofluoropropanes	C_3H_6FCl		-- 2903.49.10
		CH_2FBr_2		-- 2903.49.20
HBFC-22B1	Bromodifluoromethane	CHF_2Br	R-22B1	-- 2903.49.20
		CH_2FBr		-- 2903.49.20
		C_2HFBr_4		-- 2903.49.20
		$C_2HF_2Br_3$		-- 2903.49.20
		$C_2HF_3Br_2$		-- 2903.49.20
		C_2HF_4Br		-- 2903.49.20
		$C_2H_2FBr_3$		-- 2903.49.20
		$C_2H_2F_2Br_2$		-- 2903.49.20
		$C_2H_2F_3Br$		-- 2903.49.20
		$C_2H_3FBr_2$		-- 2903.49.20
		C_2H_3FBr		-- 2903.49.20
		C_2H_4Br		-- 2903.49.20
		C_3HFBr_6		-- 2903.49.20
		$C_3HF_2Br_5$		-- 2903.49.20
		$C_3HF_3Br_4$		-- 2903.49.20
		$C_3HF_4Br_3$		-- 2903.49.20
		$C_3HF_5Br_2$		-- 2903.49.20
		C_3HF_6Br		-- 2903.49.20
		$C_3H_2FBr_5$		-- 2903.49.20

		$C_3H_2F_3Br$	-- 2903.49.20
		$C_3H_2F_4Br_2$	-- 2903.49.20
		$C_3H_2F_5Br$	-- 2903.49.20
		$C_3H_3FBr_4$	-- 2903.49.20
		$C_3H_3F_2Br_3$	-- 2903.49.20
		$C_3H_3F_3Br_2$	-- 2903.49.20
		$C_3H_3F_4Br$	-- 2903.49.20
		$C_3H_4FBr_3$	-- 2903.49.20
		$C_3H_4F_2Br_2$	-- 2903.49.20
		$C_3H_4F_3Br$	-- 2903.49.20
		$C_3H_5FBr_2$	-- 2903.49.20
		$C_3H_5F_2Br$	-- 2930.49.20
		C_3H_6FBr	-- 2930.49.20
	Bromochloromethane	CH_2BrCl	-- 2903.49.90