**BỘ NGOẠI GIAO**

Số: 33 /2023/TB-LPQT

**CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM**
**Độc lập - Tự do - Hạnh phúc**

*Hà Nội, ngày 28 tháng 11 năm 2023*

# THÔNG BÁO
## Về việc điều ước quốc tế có hiệu lực

Thực hiện quy định tại Điều 56 của Luật Điều ước quốc tế năm 2016, Bộ Ngoại giao trân trọng thông báo:

*Bản ghi nhớ giữa Chính phủ nước Cộng hòa xã hội chủ nghĩa Việt Nam và Chính phủ Bru-nây Đa-rút-xa-lam liên quan Mục D (Dịch vụ thẻ thanh toán điện tử) của Phụ lục 11-B (Các cam kết cụ thể) của Hiệp định Đối tác Toàn diện và Tiến bộ xuyên Thái Bình Dương,* ký ngày 08 tháng 3 năm 2018 tại San-ti-a-gô đờ Chi-lê, có hiệu lực từ ngày 12 tháng 7 năm 2023.

Bộ Ngoại giao trân trọng gửi bản sao Bản ghi nhớ theo quy định tại Điều 59 của Luật nêu trên./.

**TL. BỘ TRƯỞNG**
**KT. VỤ TRƯỞNG**
**VỤ LUẬT PHÁP VÀ ĐIỀU ƯỚC QUỐC TẾ**
**PHÓ VỤ TRƯỞNG**

**Nguyễn Lương Ngọc**

Tel. : (673) 2261177, 2261293
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MINISTRY OF FOREIGN AFFAIRS AND TRADE
BRUNEI DARUSSALAM

Your Reference:

Our Reference:

8 March 2018

His Excellency
Mr. Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam

Dear Minister,

I am pleased to acknowledge receipt of your letter of 8 March 2018 which reads as follows:

*"In connection with the signing on this date of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), I have the honour to confirm the following agreement reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Brunei Darussalam ("Brunei Darussalam"):*

*Nothing in Section D (Electronic Payment Card Services) of Annex 11-B (Specific Commitments) of the Agreement restricts the right of Viet Nam to adopt or maintain measures that condition the cross-border supply of electronic payment services into Viet Nam by a service supplier of another Party on a requirement that such electronic payment services are processed through a national switching facility licensed by the State Bank of Viet Nam, and that facility is positioned between such supplier and financial institutions1/payment intermediaries in Viet Nam. Any such requirement shall:*

*(1) not be used as a means of avoiding Viet Nam's obligations under Section D (Electronic Payment Card Services);*

*(2) not result in creating a competitive disadvantage to the service suppliers of another Party;*

[1] For the purpose of this letter, financial institutions include foreign bank branches in Viet Nam.

*(3) ensure the security, speed or reliability of the services, and preserve the ability of service suppliers of another Party to innovate; and*

*(4) not impose unreasonable costs, directly or indirectly, on service suppliers of another Party.*

*The Government of Viet Nam and the Government of Brunei Darussalam further agree that the above is subject to the principle of reciprocity and is without prejudice to any dispute settlement procedures under Chapter 28 (Dispute Settlement) of the Agreement as modified by Article 11.21 (Dispute Settlement) of Chapter 11 (Financial Services) of the Agreement.*

*If the national switching facility of Viet Nam and a supplier of another Party enter into an agreement or agreements for the processing of electronic payment transactions that set out standards for operation of that facility, compliance with the terms of the agreement or agreements shall be deemed to satisfy Viet Nam's obligations under paragraphs (2), (3) and (4) with respect to that supplier.*

*I have the honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement as between Viet Nam and Brunei Darussalam."*

I have the honour to confirm that my Government shares this understanding, and that your letter and this letter of confirmation in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement as between Brunei Darussalam and the Socialist Republic of Viet Nam.

Yours sincerely,

**DATO ERYWAN PEHIN YUSOF**
Second Minister of Foreign Affairs and Trade

8 March 2018

The Honourable
Dato Erywan Pehin Yusof
Second Minister of Foreign Affairs and Trade
Brunei Darussalam

Dear Minister,

In connection with the signing on this date of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the "Agreement"), I have the honour to confirm the following agreement reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Brunei Darussalam ("Brunei Darussalam"):

Nothing in Section D (Electronic Payment Card Services) of Annex 11-B (Specific Commitments) of the Agreement restricts the right of Viet Nam to adopt or maintain measures that condition the cross-border supply of electronic payment services into Viet Nam by a service supplier of another Party on a requirement that such electronic payment services are processed through a national switching facility licensed by the State Bank of Viet Nam, and that facility is positioned between such supplier and financial institutions[1]/payment intermediaries in Viet Nam. Any such requirement shall:

(1) not be used as a means of avoiding Viet Nam's obligations under Section D (Electronic Payment Card Services);

(2) not result in creating a competitive disadvantage to the service suppliers of another Party;

(3) ensure the security, speed or reliability of the services, and preserve the ability of service suppliers of another Party to innovate; and

(4) not impose unreasonable costs, directly or indirectly, on service suppliers of another Party.

The Government of Viet Nam and the Government of Brunei Darussalam further agree that the above is subject to the principle of reciprocity and is without prejudice to any dispute settlement procedures under Chapter 28 (Dispute Settlement) of the Agreement as modified by Article 11.21 (Dispute Settlement) of Chapter 11 (Financial Services) of the Agreement.

If the national switching facility of Viet Nam and a supplier of another Party enter into an agreement or agreements for the processing of electronic payment transactions that set out standards for operation of that facility, compliance with the terms of the agreement or

[1] For the purpose of this letter, financial institutions include foreign bank branches in Viet Nam.

agreements shall be deemed to satisfy Viet Nam's obligations under paragraphs (2), (3) and (4) with respect to that supplier.

I have the honour to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement as between Viet Nam and Brunei Darussalam.

Sincerely,

Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam