

Transitional Measures for the implementation of this Chapter by Vietnam

1. Article VI (Notices): Notwithstanding the requirement in Article VI.1 that the notices of intended procurement are accessible by electronic means free of charge through a single point of access or links in a single gateway electronic site, Vietnam may allow its procuring entities not to publish these notices by electronic means no longer than ten years from the entry into force of this Agreement. Vietnam may charge a fee for the access to these notices of intended procurement, when these notices are already made accessible by electronic means during this period.

2. Article VI (Notices): Notwithstanding the requirement in Article VI.2 that a notice of intended procurement includes a list and a brief description of any conditions for participation of suppliers and limitations on the number of qualified supplier to be invited to tender, unless such information is included in tender documentation that is made available to all interested suppliers at the same time as the notice of intended procurement, Vietnam may allow its procuring entities to omit such information from notices of intended procurement no longer than ten years from the entry into force of this Agreement. For greater certainty, during this period, procuring entities shall provide such information in tender documentation in accordance with Article X.1 (b).

3. Article VI (Notices): Notwithstanding the requirement in Article VI.3 that a procuring entity publishes a summary notice in English, Vietnam may delay the implementation of this obligation for five years after the entry into force of this Agreement.

4. Article XI (Time Periods): Notwithstanding the requirement in Article XI.2 that a procuring entity using selective tendering provides no less than 25 days for the final date for submission of requests for participation, Vietnam may allow its procuring entities to establish a final date for submission of requests for participation that is not less than 15 days from the date of publication of the notice of intended procurement no longer than ten years from the entry into force of this Agreement.

5. Article XI (Time Periods): Notwithstanding the requirement in Article XI.3 that a procuring entity provides no less than 40 days for the final date for submission of tenders, Vietnam may allow its procuring entities to establish a final date for submission of tenders that is not less than 25 days from the date on which:

- (a) in the case of open tendering, the notice of intended procurement is published;
or
- (b) in the case of selective tendering, the entity notifies the suppliers that they will be invited to submit tenders;

no longer than ten years from the entry into force of this Agreement.

6. Article XVI (Post Award Information): Notwithstanding the requirement in Article XVI.3 that the post-award notice includes a brief description of the circumstances justifying the use of a limited tendering procedure, Vietnam may allow its procuring entities to omit such

information from post-award notices no longer than ten years from the entry into force of this Agreement.

7. Notwithstanding Chapter.X (Dispute Settlement), Vietnam shall not be subject to dispute settlement with respect to its obligations under Chapter.X (Government Procurement) for five years from the date of entry into force of this Agreement. During this transitional period, upon the EU's request, both Parties shall enter into consultations on issues concerning Vietnam's implementation of its obligations.