

4. *Similar goods* means goods which are identical or which are similar in terms of function, use, quality indicators and technical properties and belong to the same group with the same fundamental characteristics.
5. *Directly competing goods* means goods with the capacity for a purchaser to agree that they may replace goods in the category of applicability of self-protective measures due to an advantage in price or use purpose.

CHAPTER II

concerned on the forms of application of self-protective measures (if applicable) and the consequences of such application, the Ministry of Trade shall issue a decision to apply or not to apply self-protective measures. Any such decision must be announced publicly.

Article 6 *Contents of file requesting application of self-protective measures*

The Ministry of Trade shall regulate files requesting application of self-protective measures, which shall include the following principal items:

1. Detailed description of imported goods, including their technical qualities, use purpose, code number under the import tariff list, and applicable import duty rate under the current list of export-import goods of Vietnam;
2. Detailed description of similar goods or directly competing goods, including their technical qualities and use purpose;
3. Names and addresses of the representatives of individuals, organizations and enterprises named in the application and of the representatives of manufacturers of similar goods or directly competing goods;

Article 10 *Consultation during investigation*

1. Parties concerned in the investigative process shall have the right to present written evidence, to participate in debate and to express their opinions on the socio-economic benefits which would result from application of self-protective measures.
2. The Ministry of Trade shall consult the parties concerned in the investigative process and shall prepare minutes of consultation and announce them publicly, unless the information is confidential.

CHAPTER III**Application of Self-Protective Measures****Article 11** *Notification of application of interim self-protective measures*

Any decision to apply interim self-protective measures prior to conclusion of an investigation shall be made in accordance with the principles stipulated in article 20 of the *Ordinance on Self-Protection in Import of Foreign Goods into Vietnam*. Any such decision shall be announced publicly and contain the following items:

1. Detailed description of imported goods which are the subject of investigation, including their technical qualities, use purpose, code number under the import tariff list, and applicable import duty rate under the current list of export-import goods of Vietnam;
2. Detailed description of similar goods or directly competing goods, including their technical qualities and use purpose;
3. Names of enterprises manufacturing similar goods or directly competing goods (if any);
4. Name(s) of country(ies) of origin of goods which are the subject of application of interim measures;
5. Rate of increased import duty upon application of interim measures;
6. Duration of applicability of interim measures;
7. Information and evidence proving that the increase in imports of goods which are the subject of investigation causes or threatens to cause serious loss to a domestic manufacturing industry, if any;
8. Information and evidence proving that any delay in the application of interim measures will cause, or threaten to cause, serious loss to a domestic manufacturing industry, and the difficulty in overcoming such loss.

Article 12 *Refund of import duty difference upon application of interim self-protective measures*

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Article 14 *Notification of application of self-protective measures*

A decision on application of self-protective measures must be announced publicly

2. The Ministry of Trade may reach agreement with countries which benefit significantly as stipulated in clause 1 of this article on forms of compensation for loss to overcome unfavourable consequences caused by the application of self-protective measures.

CHAPTER IV

Implementing Provisions

Article 16

This Decree shall be of full force and effect after fifteen (15) days from the date of its publication in the Official Gazette.