

Analyzing Relevant Regulations and the logistics services in Vietnam

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ABSTRACT

Purpose: This research paper aims to present Analyzing Relevant Regulations and the logistics services in Vietnam. Ronald Hballou, Stephen Mgilbert, Ashok, Yukherjee (2000) suggests that supply chain is an emerging term that emphasizes the interaction between marketing, logistics and production.

Method: The panel approach allows the authors to explore the heterogeneity in data across countries. Fixed effects (FE) and random effects (RE) models were used to estimate the model.

Findings: The estimated results of the FTA variable show that participation in free trade agreements has a positive impact on Vietnam's exports when this coefficient is positive, however this positive result is insignificant. Because of statistical significance, this study discontinued analyzing the effect of the free trade agreement variable.

Keywords: Logistics Performance Index (LPI), Export, Gravity Model, OLS, Efficiency

I. INTRODUCTION

First according to:
DECREE

REGULATIONS ON BUSINESS OF LOGISTICS
SERVICES
No: 163/2017/ND-CP

Hanoi, December 30, 2017

The Government promulgates the Decree regulating the business of logistics services.

Chapter I

GENERAL RULES

Article 1. Scope

This Decree stipulates conditions for logistics service business and limits of liability for traders providing logistics services.

Article 2. Subjects of application

This Decree applies to traders providing logistics services and related organizations and individuals.

Article 3. Classification of logistics services

Logistics services provided include:

1. Container handling services, except services provided at airports.
2. Container warehousing service belongs to sea transport support services.
3. Warehousing service is a service that supports all modes of transport.
4. Delivery service.
5. Cargo agency service.
6. Customs clearance agency services (including customs clearance services).
7. Other services, including the following activities: Bill of lading checking, freight brokerage services, goods inspection, sampling and weight determination

services; receiving and accepting services; Transport document preparation service.

8. Wholesale and retail support services, including inventory management, collection, collection, classification and delivery of goods.
9. Cargo transportation service belongs to sea transportation service.
10. Cargo transport service belongs to inland waterway transport service.
11. Cargo transport service under railway transport service.
12. Cargo transportation service belongs to the road transport service.
13. Air freight services.
14. Multimodal transport services.
15. Technical analysis and verification services.
16. Other transportation support services.
17. Other services agreed upon by the trader providing logistics services and the customer in accordance with the basic principles of the Commercial Law.

Purpose of this study is: Discussion on The efficiency of the logistics services in Vietnam

According to recent statistics from the Viet Nam Logistics Business Association, there are currently more than 3 000 domestic enterprises active in the logistics sector.

We summarize related studies in below table:

Table 1 – Summary of previous studies

Authors	Year	Content, results
Pham Nguyen my Linh, Nguyen Thi Thu Huong	2020	focuses on analyzing the status of logistics development in Vietnam, showing the results, limitations and causes of logistics development in Vietnam, thereby proposing some recommendations for development in the context of international economic integration.
Dao Thi Thuong et al	2022	Vietnam is one of four Southeast Asian countries with great potential to develop both infrastructure and logistics systems.
Doan Thi Hong Van	2003	logistics was born to help people use resources (human, material and financial resources) optimally to meet the increasing demands of themselves and society in the best way (Doan Thi Hong Van, 2003)

(source: author synthesis)

2. Theoretical framework

The theoretical basis indicates that there needs to be more research on the impact of logistics on the trade value of a particular country. (Bensassi, 2015).

II. Materials and Methods

The panel approach allows the authors to explore the heterogeneity in data across countries. Fixed effects (FE) and random effects (RE) models were used to estimate the model

Table 2 - Descriptive statistics of variables used in the model

Dependent variable	Number of observations	Average value	Standard deviation	Minimum value	The most significant t value.
LnEX	195	9.236	1.406	6.29	13.027
lnGDPi	214	12.110	0.171	11.720	12.106
lnGDPj	195	13.109	1.348	9.201	15.762
lnD	214	8.561	0.892	6.182	9.805
FTA	240	0.172	0.376	0.000	1.000
lnLPIi	214	3.044	0.132	2.885	3.272
lnLPIj	214	3.158	0.554	1.862	4.201
Infrastructurei	195	2.759	0.223	2.550	3.101
Infrastructurej	214	3.709	0.673	1.658	4.192
Competencei	195	2.942	0.173	2.601	3.009
Competencej	214	3.152	0.570	1.701	4.316
Shipmenti	240	3.118	0.057	3.001	3.290
Shipmentj	195	3.120	0.483	1.723	4.239
Timelinessi	214	3.949	0.150	3.600	3.801
Timelinessj	195	3.544	0.533	2.008	3.310
Trackingi	214	3.000	0.203	2.831	3.429
Trackingj	240	3.2430	0.553	1.508	4.312
TOP	195	0.420	0.373	0.000	1.000

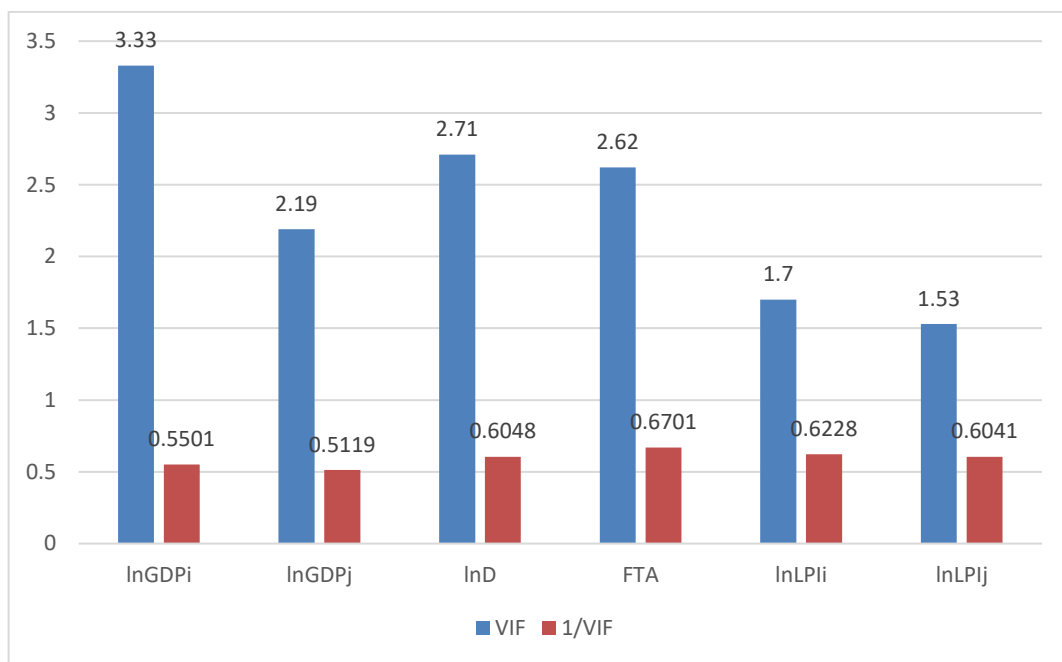
FTA	214	0.0420	0.293	0.000	1.000
Landlock	240	91.973	67.047	0,218	430.569

III. Findings

The estimated results of the FTA variable show that participation in free trade agreements has a positive impact on Vietnam's exports when this coefficient is positive, however this positive result is insignificant. Because of statistical significance, this study discontinued analyzing the effect of the free trade agreement variable.

The test results using the variance exaggeration factor (VIF) method are presented in Table 5. Here we can conclude that the model's estimated effects are not affected by the current multicollinearity.

Chart 1. Multicollinearity Test.



Source: Author's calculation, 2022

Moreover according to:

DECREE No: 163/2017/ND-CP

Hanoi, December 30, 2017

REGULATIONS ON BUSINESS OF LOGISTICS SERVICES

chapter II

CONDITIONS FOR BUSINESS OF LOGISTICS SERVICES AND LIMITATION OF LIABILITY FOR TRADERS BUSING LOGISTICS SERVICES

Article 4. Conditions for providing logistics services

1. Traders providing specific logistics services specified in Article 3 of this Decree must satisfy the

investment and business conditions prescribed by law for such services.

2. Traders conducting part or all of logistics business activities by electronic means connected to the Internet, mobile telecommunications networks or other open networks, in addition to complying with the provisions of law on For specific services specified in Article 3 of this Decree, regulations on e-commerce must also be complied with.

3. Conditions for foreign investors providing logistics services:

In addition to meeting the conditions specified in Clauses 1 and 2 of this Article, foreign investors belonging to countries or territories that are members of the World Trade Organization may provide logistics services under the following conditions: :

a) In case of trading in freight transport services of sea transport services (except for domestic transportation):

- To establish companies operating fleets of ships flying the Vietnamese flag or contribute capital, purchase shares or capital contributions in enterprises, in which the capital contribution ratio of foreign investors does not exceed 49%. The total number of foreign crew members working on ships flying the Vietnamese flag (or registered in Vietnam) owned by these companies in Vietnam does not exceed one third of the vessel's manning. The captain or first mate must be a Vietnamese citizen.

- A foreign shipping company may establish an enterprise or contribute capital, purchase shares or contributed capital in the enterprise.

b) In case the business of container handling services belongs to sea transport support services (it is possible to set aside some areas to provide services or apply licensing procedures in these areas), establish an enterprise or contribute capital, purchase shares or contributed capital in an enterprise, in which the capital contribution ratio of foreign investors does not exceed 50%. Foreign investors are allowed to establish a commercial presence in Vietnam in the form of a business cooperation contract.

c) In case the business of container handling services belongs to services supporting all modes of transport, except services provided at airports, it is possible to establish an enterprise or contribute capital, purchase shares or capital contributions in enterprises, in which the capital contribution ratio of foreign investors does not exceed 50%.

d) In case of trading in customs clearance services belonging to the maritime transport support service, may establish an enterprise or contribute capital, purchase shares or contributed capital in an enterprise, including capital contributed by domestic investors. .

Foreign investors are allowed to establish a commercial presence in Vietnam in the form of a business cooperation contract.

d) Business case of other services, including the following activities: Bill of lading checking, freight brokerage services, goods inspection, sampling and weight determination services; receiving and accepting services; services of preparing transport documents, establishing an enterprise or contributing capital, buying shares or contributed capital in an enterprise, including capital contributed by domestic investors.

e) In case of business in freight transport services of inland waterway transport services, freight transport services of railway transport services, may establish an enterprise or contribute capital, purchase shares, or purchase shares. contributed capital in the enterprise, in which the capital contribution ratio of foreign investors does not exceed 49%.

g) In case the business of freight transport services belongs to the road transport service, it is carried out in the form of a business cooperation contract or is allowed to establish an enterprise or contribute capital, purchase shares or contributed capital; in enterprises, in which the capital contribution ratio of foreign investors does not exceed 51%. 100% of business drivers must be Vietnamese citizens.

h) In case of business in air transport services, comply with the provisions of the aviation law.

i) Business case of technical analysis and verification services

- For services provided to exercise the authority of the Government performed in the form of enterprises in which capital is contributed by domestic investors after three years or in the form of enterprises in which there is no limitation capital contributed by foreign investors after five years from the time the private service provider is allowed to trade in such services.

- Not allowed to do business in inspection and certification services for means of transport.

- The performance of technical analysis and verification services is restricted to geographical areas identified by competent authorities for reasons of national security.

4. In case a foreign investor is subject to the application of international treaties with different provisions on conditions for logistics service business, the investor may choose to apply the investment conditions specified in a in those treaties.

IV. Discussion

Law system of Vietnam on logistics:

multimodal transportation

Decree 87/2009/ND-CP on multimodal transport

Decree 144/2018/ND-CP amending and supplementing Decrees on multimodal transport

Marine transport service

Maritime Code 2015

Decree No. 160/2016/ND-CP on conditions for shipping business, ship agency services and towing services

Decision 1037/QD-TTg dated June 24, 2014 of the Prime Minister approving the adjustment of the master plan on development of Vietnam's seaport system to 2020, orientation to 2030.

Law of the Sea of Vietnam 2013

Inland waterway transport service

Law on Inland Waterway Traffic 2004

Decree 110/2014/ND-CP stipulating conditions for inland waterway transport business

Circular 66/2014/TT-BGTVT dated 12/11/2014 regulating the transport of passengers, luggage and bags by high-speed passenger ships between ports, wharves and waters within Vietnam's internal waters and across borders

Law on Inland Waterway Traffic Amended 2014

Air freight service

Law on Civil Aviation of Vietnam 2006

Decree 30/2013/ND-CP on air transportation business and general aviation activities

Circular 81/2014/TT-BGTVT regulating air transportation and general aviation activities

Law amending Civil Aviation Law 2014

Circular 21/2020/TT-BGTVT amending Circular 81/2014/TT-BGTVT regulating air transport and general aviation activities, Circular 14/2015/TT-BGTVT providing for advance compensation Non-refundable in air passenger transport and Circular 33/2016/TT-BGTVT regulating the reporting of activities and data reporting in Vietnam's civil aviation industry

Rail transport service

Railway Law 2017

Decree 65/2018/ND-CP guiding the Law on Railways

Circular 09/2018/TT-BGTVT stipulating the transport of passengers and luggage on national railways and special-use railways connecting rails with national railways

Road transport service

Road Traffic Law 2008

Decree 10/2020/ND-CP stipulating business and conditions for transport business by car

Circular 12/2020/TT-BGTVT stipulating the organization and management of transport activities by car and road transport support services

Warehouse system at the border

Decision 1093/QD-BCT dated February 3, 2015 approving the master plan on development of goods warehouses at border gates of Vietnam - China to 2025, with a vision to 2035

Conclusion

Pham Nguyen My Linh, Nguyen Thi Thu Huong (2020) stated Nowadays, in the current economy of Vietnam, logistics plays an important role in production and business activities of many enterprises, citizens and as well as the entire operation in the economy.

In this paper, to increase the efficiency and logistics efficiency of enterprises: The Vietnamese Government needs to cooperate and propose ideas to partner countries to improve logistics activities for exports from Vietnam.

Limitations and directions for future research

Authors might continue to clarify which logistics criteria will impact Vietnam's international trade most for policymakers. And come up with more specific policies.

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