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Ngoc Trung Tran is Special Counsel in our tax practice, specialising in international trade, customs and tax services. Tran focuses particularly on international trade and compliance including transactional documentation, advising on accessing to Vietnamese market in aspects of tax, customs, technical barriers, and international commitments.
He also has experience advising clients on customs and tax issues (Import Duty, VAT, SCT) for exports and imports of various categories, including administrative complaints, litigations, day-to-day business advice, trade remedies, including AD/CVD investigations, safeguard, etc. as well as transfer pricing and tax treaty exemption.

Tran, as a former senior government official, has assisted clients in various advocacy works in customs and tax issues. Currently, he is a member of Vietnamese negotiation teams in various trade and tax agreements, WTO trade policy review of Vietnam,... and a member of the American Chamber of Commerce in Vietnam.

Professional Experience

Representative Legal Matters

- Providing advice on various aspects of direct and indirect tax, customs valuation, rules of origin, customs procedure for different types of exports/imports, day-to-day business issues involving trade issues such as advertising, sales promotion, regulatory compliance.
- Assisting MNC clients to restructure their supply chainto optimise tax benefits available following a series of cross-regional FTAs integrating Vietnam into global trade.
- Assisting MNC clients in administrative complaints/litigation procedure in aspect of customs administrative sanctions.

Location & Information

Hanoi

+ 84 24 3825 1428

Practices

Tax, International Commercial & Trade

Languages Spoken

English / Vietnamese / Mandarin

- Assisting clients in anti-dumping investigations initiated by Vietnamese and foreign authorities.
- Organizing legal review of Vietnam food industry for foreign governments.
- Provision of legal advice and reviewing transactional documents on international trade; Advise on participation of foreign organizations and individuals in the Vietnamese market; the setting up of businesses in Vietnam, including structure and restrictions.
- Provision of legal advice on international trade commitments including WTO framework, regional and bilateral Free Trade Agreements.
- Provision of legal analysis of trade and investment compliance issues in various fields.
- Provision of legal advice on customs and tax procedures for exports and imports of various categories.
- Provision of legal advice on trading activities in Vietnam.
- Direct involvement in the formation of foreign investment projects in Vietnam, including provision of legal advice, negotiating and drafting of application dossiers, charters, and joint venture contracts in various fields.
- Provision of continued legal assistance to established investment projects in Vietnam, including advising on, reviewing, negotiating and drafting commercial contracts, land lease agreements, and other matters concerning the operation of the projects.
- Participation in assisting a consumer goods corporation to revisit their business model and the validity of the tax treatment applied under old regulations and assess its sustainability with solutions addressing both legal and tax feasibility.
- Assisted two large car companies in court litigations against customs authority's assessment as customs valuations of transactions between related parties had been rejected, causing additional tax payment and penalties.
- Assisted one branch of an American clothing company in Hue province to defend their position against tax authority decision to reject transfer pricing adjustment and impose additional tax assessment & penalties.
- Assisted an entity of a global healthcare company in restructuring the transfer pricing rule from Resale Minus on average across all products" to "Resale Minus on a product-by-product basis" and analysing impact on customs valuation.
- Assisted the Vietnam branch of a global car brand from Japan to defend their position against tax authority after they wrongly applied arm's length principle in identifying the transaction value and imposed additional import duty, special consumption tax, and VAT.
- Assisted a leading global e-commerce platform to register the operation in Vietnam.
- Assisted a number of Chinese steel manufacturers to secure favourable results in an anti-dumping investigation.

Professional Associations & Memberships

- Vietnamese governmental official at Ministry of Industry and Trade, specializing in Vietnam -the United States economic and trade relations development, including the implementation of Vietnam - US bilateral trade agreement, WTO commitments, TIFA, etc (2005-2013).
- Member of Vietnamese negotiation teams in various trade and tax agreements, WTO trade policy review of Vietnam, etc.
- Member of the American Chamber of Commerce in Vietnam

Qualifications & Education

Education

- Foreign Trade University, Hanoi, Vietnam (Bachelor, in International Trade) (2004)
- Hanoi Law University (LLB) (2008)
- University of Sydney (Master, of Financial Economics) (2010)

  Scholarship Award