

[DATE]

HE Dr Vu Huy Hoang
Minister of Trade and Industry
Socialist Republic of Vietnam

Your Excellency

In connection with the signing [*on this date*] of the Trans-Pacific Partnership Agreement (the “TPP Agreement”), I have the honour to confirm the following mutual understandings reached between the Government of the Socialist Republic of Viet Nam and the Government of Australia during the course of negotiations on the TPP Agreement.

Australia and Viet Nam recognise the increasing importance of distance and blended learning models in the education sector and their potential to broaden access to education and facilitate enhanced learning outcomes by providing greater numbers of students with flexible, high quality and internationally-recognised skills and qualifications.

Consultations on Technical Assistance on Distance and Blended Learning

1. With a view to broadening access to higher education in Viet Nam, including for students in regional areas and for time-poor working adults, officials from Viet Nam’s Ministry of Education and Training and the Australian Department of Education and Training will, consult, ideally within six months following signature of the TPP Agreement, to determine the technical assistance that Australia could provide Vietnam to develop tools to enable Viet Nam to:
 - a. obtain an informed understanding of distance and blended learning delivery models;
 - b. assess applications from [Australian] providers seeking to deliver higher education courses involving an online component; and
 - c. evaluate the recognition of qualifications obtained through distance/blended online courses.
2. The relevant Australian experts will work together with Viet Nam’s Ministry of Education and Training to develop these tools prior to the entry into force of the TPP Agreement.

Pilot Program

3. Following the provision of technical assistance by Australia to Viet Nam that addresses the objectives outlined in paragraph 1, Viet Nam will cooperate with Australia to facilitate a pilot program under which Australian universities would deliver courses in Viet Nam that may be delivered wholly or substantially online. Should Viet Nam agree to the pilot program, it could include the following elements:
 - a. The establishment of criteria to select Australian universities through an open Expression of Interest process, which officials from Viet Nam’s Ministry of Education and Training and the Australian Department of Education and Training could develop and agree on.
 - b. An invitation to Australian universities to present proposals on a model for the

delivery of a distance/blended course in Viet Nam that is tailored to maximise learning outcomes for the discipline concerned. These proposals may include recommendations on the components of the course which will be taught online, or face-to face (if any); as appropriate for the relevant discipline.

- c. The establishment of a selection committee to choose the successful Australian universities, which would comprise representatives from Viet Nam's Ministry of Education and Training and the Australian Department of Education and Training.
 - d. Australian universities wishing to submit an expression of interest to undertake the pilot project would not be required to have a commercial presence, such as a representative office, in Viet Nam as a condition of participating in the pilot project.
 - e. Courses delivered through the pilot program would conform to the Viet Nam Qualifications Framework (VQF). Subject to satisfactory compliance with the requirements of the VQF, Viet Nam would recognise the qualification arising from completion of the pilot program.
 - f. Australian education services providers would be permitted to deliver these courses in all disciplines except national security, defence, political science, religion, Vietnamese culture and other fields of study necessary to protect Vietnamese public morals.
4. Should Viet Nam agree to the pilot program, officials from Viet Nam's Ministry of Education and Training and the Australian Department of Education and Training would work together to outline the details, including the timeframes for the commencement and conclusion of the pilot program. The pilot program would commence within one year of the first date that the TPP Agreement is in force for both Viet Nam and Australia.
 5. Should Australia and Viet Nam agree that the pilot program is a success, subject to the completion of their respective internal procedures, Viet Nam and Australia will work together towards an arrangement to guarantee that Australian providers will be able to deliver higher education services (CPC923) and adult education (including foreign language training; CPC924) in Viet Nam, wholly or partially online.

I have the further honour to propose that this letter and your letter in reply confirming these mutual understandings, constitute a Memorandum of Understanding between the Government of the Socialist Republic of Viet Nam and the Government of Australia will come into effect on the first date on which the TPP Agreement is in force for both Australia and Viet Nam.

Yours sincerely

Andrew Robb

[DATE]

The Honorable Andrew Robb
Minister for Trade and Investment
Australia

Dear Minister Robb

I have the honour to acknowledge receipt of your letter of *[date]* which reads as follows.

“In connection with the signing *[on this date]* of the Trans-Pacific Partnership Agreement (the “TPP Agreement”), I have the honour to confirm the following mutual understandings reached between the Government of the Socialist Republic of Viet Nam and the Government of Australia during the course of negotiations on the TPP Agreement.

Australia and Viet Nam recognise the increasing importance of distance and blended learning models in the education sector and their potential to broaden access to education and facilitate enhanced learning outcomes by providing greater numbers of students with flexible, high quality and internationally-recognised skills and qualifications.

Consultations on Technical Assistance on Distance and Blended Learning

6. With a view to broadening access to higher education in Viet Nam, including for students in regional areas and for time-poor working adults, officials from Viet Nam’s Ministry of Education and Training and the Australian Department of Education and Training will, consult, ideally within six months following signature of the TPP Agreement, to determine the technical assistance that Australia could provide Vietnam to develop tools to enable Viet Nam to:
 - a. obtain an informed understanding of distance and blended learning delivery models;
 - b. assess applications from [Australian] providers seeking to deliver higher education courses involving an online component; and
 - c. evaluate the recognition of qualifications obtained through distance/blended online courses.
7. The relevant Australian experts will work together with Viet Nam’s Ministry of Education and Training to develop these tools prior to the entry into force of the TPP Agreement.

Pilot Program

8. Following the provision of technical assistance by Australia to Viet Nam that addresses the objectives outlined in paragraph 1, Viet Nam will cooperate with Australia to facilitate a pilot program under which Australian universities would deliver courses in Viet Nam that may be delivered wholly or substantially online. Should Viet Nam agree to the pilot program, it could include the following elements:
 - a. The establishment of criteria to select Australian universities through an open Expression of Interest process, which officials from Viet Nam’s Ministry of

Education and Training and the Australian Department of Education and Training could develop and agree on.

- b. An invitation to Australian universities to present proposals on a model for the delivery of a distance/blended course in Viet Nam that is tailored to maximise learning outcomes for the discipline concerned. These proposals may include recommendations on the components of the course which will be taught online, or face-to face (if any); as appropriate for the relevant discipline.
 - c. The establishment of a selection committee to choose the successful Australian universities, which would comprise representatives from Viet Nam's Ministry of Education and Training and the Australian Department of Education and Training.
 - d. Australian universities wishing to submit an expression of interest to undertake the pilot project would not be required to have a commercial presence, such as a representative office, in Viet Nam as a condition of participating in the pilot project.
 - e. Courses delivered through the pilot program would conform to the Viet Nam Qualifications Framework (VQF). Subject to satisfactory compliance with the requirements of the VQF, Viet Nam would recognise the qualification arising from completion of the pilot program.
 - f. Australian education services providers would be permitted to deliver these courses in all disciplines except national security, defense, political science, religion, Vietnamese culture and other fields of study necessary to protect Vietnamese public morals.
9. Should Viet Nam agree to the pilot program, officials from Viet Nam's Ministry of Education and Training and the Australian Department of Education and Training would work together to outline the details, including the timeframes for the commencement and conclusion of the pilot program. The pilot program would commence within one year of the first date that the TPP Agreement is in force for both Viet Nam and Australia.
10. Should Australia and Viet Nam agree that the pilot program is a success, subject to the completion of their respective internal procedures, Viet Nam and Australia will work together towards an arrangement to guarantee that Australian providers will be able to deliver higher education services (CPC923) and adult education (including foreign language training; CPC924) in Viet Nam, wholly or partially online.

I have the further honour to propose that this letter and your letter in reply confirming these mutual understandings, constitute a Memorandum of Understanding between the Government of the Socialist Republic of Viet Nam and the Government of Australia will come into effect on the first date on which the TPP Agreement is in force for both Australia and Viet Nam.”

I have the further honour to confirm that the above reflects the mutual understandings reached between the Government of the Socialist Republic of Viet Nam and the Government of Australia during the course of negotiations on the TPP Agreement and that your letter and this letter in reply

constitute a Memorandum of Understanding between the Government of the Socialist Republic of Viet Nam and the Government of Australia.

Yours Sincerely

HE Dr Vu Huy Hoang