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Highlighted

1. Strengthening supervision of transactions on the stock market

On 25 October 2017, the Ministry of Finance issued Circular No.115/2017/TT-BTC, providing guidelines for supervision of trading on the stock market ("Circular 115").

Whereby:

- (a) Vietnam Securities Depository (VSD) will become another supervisory entity, apart from two existing entities, including the State Securities Commission (SSC) and the Stock Exchange (SE).

VSD plays a major role in monitoring the rate of use of deposit as collateral assets per each account of investor and member of the clearing house; and monitoring the limit of position of investor during participation in trading derivative securities.

- (b) At the same time, securities companies which are securities trading members or derivative securities trading members shall have to make monthly reports to the SE.

Circular 115 replaces Circular No. 13/2013/TT-BTC dated 25 January 2013 and shall come into effect on 8 December 2017.

Also from this date, the SE and VSD will use the issued forms accompanying Circular No. 116/2017/TT-BTC dated 25 October 2017 of the Ministry of Finance to prepare and submit their reports on compliance with the laws to the SSC.

2. Publishing the process for settling taxpayers' complaints

On 24 October 2017, the General Department of Taxation issued Decision No. 1848/QĐ-TCT on the Process of making publicly available the steps and results of settling taxpayers' complaints in tax offices at all levels.

In particular:

- (a) This procedure will be published on the Taxation branch's portal to assist complainants in following and monitoring over progress of settling their complaints; ensuring accuracy, transparency and timeliness.
- (b) The tax office is responsible to publish written replies to taxpayers in the course of settling their complaints and results of the settlement of such complaints within a period of at least 15 days from the date of publication of the notice.
- (c) Forms used in the process include:

- (i) Form No. 01/KN-MS: Notice of Reference Code for Complaint settlement dossier;
- (ii) 13 other forms accompanying Decision 878/QD-TCT.

This Decision shall take effect on 1 January 2018.

3. National technical regulations on formaldehyde limits in garment or textile products

On 23 October 2017, the Ministry of Industry and Trade issued Circular No.21/2017/TT-BCT promulgating the National Technical Regulations QCVN 01: 2017/BCT on the limits of formaldehyde and aromatic amino acids transformed from azo dyes in garment or textile products ("Circular 21").

Whereby:

- (a) The level of formaldehyde content in garment or textile products ("Products") must not exceed:
 - (i) 30mg/kg in Products for children under 36 months;
 - (ii) 75 mg/kg in Products directly in contact with the skin;
 - (iii) 300mg/kg for Products in indirect contact with the skin.
- (b) The limit for aromatic amines transformed from azo dyestuffs shall not exceed 30 mg/kg.
- (c) Products' and goods' conformity to applicable national regulations before being sold on the Vietnamese market must be properly notified in one of the following ways:
 - (i) Self-notification of conformity based on self-evaluation results of organizations and individuals.
 - (ii) Notification of conformity based on the certification/verification results of the designated certifying/accrediting body.

Circular 21 shall take effect on 1 May 2018.

4. Conditions for automobile manufacture and assembly, and business of warranty and maintenance services for automobiles

On 17 October 2017, the Government issued Decree No. 116/2017/ND-CP, providing the conditions for manufacture, assembly, import and business of warranty and maintenance services for automobiles ("Decree 116").

Accordingly,

- (a) In order to be granted with a certificate of satisfaction of conditions for manufacture and assembly of automobiles, enterprises must meet the following conditions:
 - (i) Legally having the right to use the workshop, assembly technological line, welding line, painting line, product quality inspection line and automobile test way; and meeting the minimum requirements as prescribed;
 - (ii) Having facilities for automobile warranty and maintenance, which meet the prescribed conditions;
 - (iii) Technical manager for automobile manufacture and assembly lines must at least have a university degree in mechanical engineering or automobile industry and have at least 5 years of experience in the field of automobile manufacture and assembly;
 - (iv) Having adequate human resources, and plans for ensuring occupational safety and hygiene;
 - (v) Satisfying fire prevention and fighting conditions and having fire prevention and fighting plans;
 - (vi) Adequately having the dossiers on environmental protection for automobile manufacture and assembly plants already approved by competent authorities.

- (b) In order to be granted with a certificate of authorized automobile warranty and maintenance facility, enterprises must meet the requirements under National technical regulations TCVN 11794: 2017 and:
 - (i) Land for workshop construction must be under the enterprise's lawful right to use;
 - (ii) Premises and workshops must be sufficient for warranty and maintenance process;
 - (iii) Designated areas must meet the different stages of the process (reception, delivery, maintenance, etc.);
 - (iv) Having sufficient tools and equipment for warranty and maintenance; Measurement systems must comply with the laws on measurement; having a commitment on support from domestic or foreign automobile manufacturing or assembling enterprises;
 - (v) Diagnostic equipment must be suitable for each type of vehicles; Software installed on diagnostic devices complies with intellectual property laws.
 - (vi) Enterprises must keep an adequate staffing level; meet the conditions on fire safety and occupational safety and hygiene, have all approved dossiers on environmental protection; and have a quality management system for warranty and maintenance.

Decree 116 took effect from the signing date.

5. Detailed regulations and guidelines for implementation of a number of articles of the Law on Chemicals

On 9 October 2017, the Prime Minister signed to issue Decree No.113/2017/ND-CP, detailing and providing guidelines for implementation of a number of articles of the Law on Chemicals. The Decree shall take effect on 25 November 2017.

Accordingly, this Decree details and provides guidelines for implementation of a number of articles of the Law on Chemicals such as: General requirements to ensure safety in chemical production and trading; chemicals subject to conditional production and business in the field of industry; Conditions, dossiers, order and procedures for granting certificates of satisfaction of conditions for production or trading of chemicals subject to conditional production or trading in the field of industry; Conditions for production and trading of industrial precursor substances; Dossiers, order and procedures for granting permits for export or import of industrial precursor substances; etc.

In order to ensure safety in the production and trading of chemicals, the new Decree also stipulates the following requirements:

- (a) For workshops and warehouses: workshops must meet the requirements of standards and national technical regulations, in accordance with the nature, scale and technology of chemical production and storage.
- (b) Workshops and warehouses must have entrances, exits, emergency doors and escape exits to be clearly indicated by signs and warning lights and be designed to facilitate escape, rescue and salvage in emergency cases.
- (c) For outdoor tanks, dike must be constructed or other technical measures shall be taken to ensure that chemicals are not released into the environment when a chemical incident occurs; and fire, explosion and lightning prevention and fighting measures are applied; etc.
- (d) Regarding packaging and containers, the Decree requires that packaging must be sealed, robust, resistant to chemicals, weathering and normal effects when loaded, stacked or transported. Used packaging must be stored separately. Prior to filling the chemical, the filling station must check the chemical packaging and container and clean the used packaging to eliminate the possibility of reaction and explosion in filling the chemical. Used but unrecycled containers and packing must be collected and treated in accordance with the laws on environmental protection.
- (e) Containers and packages containing chemicals must be labeled in full in accordance with the regulations on labeling chemicals. The label of

the chemicals must be legible, readable and resistant to the effects of chemicals, weathering and normal effects when loaded, stacked and transported.

- (f) Chemical repacking and packing activities must be carried out at locations which meet the conditions for fire and explosion prevention and fighting, environmental protection, occupational safety and hygiene according to the provisions of the relevant laws.
- (g) Equipment for chemical repacking and packing must meet the general safety requirements according to the current standards and national technical regulations. Machines, equipment and supplies with strict safety requirements as well as testing and measurement equipment must be validated, calibrated, adjusted and maintained according to the current regulations on machine and equipment validation.
- (h) Packages, containers and labels of chemicals after packing and repacking must meet all statutory requirements; Workers who are involved in chemical packing and repacking must be trained in chemical safety.

6. Management of conventional money and reporting regime for casino business enterprises

On 5 October 2017, the Ministry of Finance issued Circular No.102/2017/TT-BTC, providing guidelines for Decree No. 03/2017/ND-CP on casino business ("Circular 102").

Whereby,

Casino players being Vietnamese citizens must provide documentation as proof for financial capacity in one of the following cases:

- (a) In case of evidence of taxable income of level 3 or higher: A certified copy of the personal income tax declaration already finalized by the tax office or a certificate of tax payment proving that the taxable income is at level 3 or higher for 1 year prior to playing casino.
- (b) In case of evidence of monthly income of VND 10 million or more: one of the following documents will be required:
 - (i) A certified copy of the monthly income statement, payroll or remuneration decision certified by the employer in the latest 3 months from the date of entry into the casino with an income of 10 million dong/month or more;
 - (ii) A certified copy of a valid house lease or property lease contract with the total rental value of VND 10 million/month or more;
 - (iii) A certified copy of savings book, statement of bank deposit with a term of 1 year or more and interest of VND 10 million/month or more;
 - (iv) Other supporting documents.

The management of conventional money is carried out as follows:

- (a) The enterprise must register the form, model, quantity and type of the conventional currency with the provincial-level Department of Finance and its direct tax authority at least 5 working days prior to putting it in use;
- (b) The enterprise has the right to temporarily suspend the use of the conventional currency, but must notify the State management authority in writing at least 5 working days in advance;
- (c) The enterprise shall open a book for controlling conventional currency with the following contents:
 - (i) Form of a conventional currency;
 - (ii) Number and type of conventional currency, in particular denominations of each par value and foreign currency; dates of purchase, re-export or destruction; name of the manufacturer or supplier (if any);
 - (iii) Other contents necessary for management of the enterprise.

The new Circular also details the reporting regime applicable to enterprises in the following cases:

- (a) For financial statements:
 - (i) At the end of the quarterly accounting period, casino business enterprises must make and send financial statements to the local Tax Departments within 30 days as from the end day of the quarterly accounting period.
 - (ii) Casino business enterprises will send annual financial statements to the Ministry of Finance, the provincial-level Department of Finance and the local Tax Department within 90 days from the end day of the financial year.
 - (iii) The legal representative of a casino business enterprise is responsible before the laws for the accuracy and truthfulness of these reports.
- (b) For reports on business operations: Every 6 months and at the end of each year, casino business enterprises must make and send reports made according to a standard form at least 30 days as from the end day of the corresponding accounting period to the following authorities:
 - (i) Ministry of Finance;
 - (ii) Provincial-level Department of Finance;
 - (iii) Provincial-level Department of Culture, Sports and Tourism;
 - (iv) Local Tax Department.

Circular 102 shall take effect on 1 December 2017.

7. Guidelines for limits of transportation of hazardous waste products

This is the highlighted content of Circular No. 34/2017 / TT-BTNMT dated 4 October 2017 of the Ministry of Natural Resources and Environment, on recovery and disposal of waste products, which shall take effect on 20 November 2017.

Accordingly, transportation of hazardous waste products from consumers' location to collection points does not require a hazardous waste management permit or a hazardous waste treatment permit, but a shipment must not exceed the following quantity:

- (a) 100 kg or 50 waste products, whichever to be applicable, for waste products which are small electronic devices and batteries, accumulators, compact lamps, and fluorescent lamps;
- (b) 1 waste product for those which are large electrical or electronic equipment, automobiles and motorcycles;
- (c) 20 liters of waste lubricant oil;
- (d) Transportation of hazardous waste products in excess of the above-mentioned limits must be carried out by service providers having appropriate hazardous waste management permit or hazardous waste treatment permit.

Other sectors

Finance

- Resolution No. 104/NQ-CP dated 9 October 2017 of the Government, on simplification of administrative procedures and civil papers related to population administration within the scope of management functions of the Ministry of Finance.
- Decision No. 2018/QD-BTC dated 9 October 2017 of the Ministry of Finance, on addition to a list of automobiles and motorbikes' prices used for determination of registration fee rates, accompanying Circular No. 304/2016/TT-BTC dated 15 November 2016 of the Minister of Finance.

Trade

- Decree No. 115/2017/ND-CP dated 16 October 2017, detailing the order of, procedures for and levels of submitting fees payable by commercial legal entities for enforcement of judgments; temporarily retaining, refunding and paying to the State budget of the paid amount.
- Decision No. 2061/QD-BTC dated 13 October 2017 of the Ministry of Finance, on pilot application of automatic customs management and supervision of exported or imported goods and goods in transit at Noi Bai International Airport.
- Decision No. 899/QD-BCD389 dated 12 October 2017 of the National Steering Committee against smuggling, trade frauds and counterfeit goods, on promulgation of the Regulation on operations of the Standing Office of the National Steering Committee against smuggling, trade frauds and counterfeit goods.
- Circular No. 15/2017/TT-NHNN dated 5 October 2017 of the State Bank of Vietnam, amending and supplementing a number of articles of Circular No.18/2014/TT-NHNN dated 1 August 2014 of the Governor of the State Bank of Vietnam, providing guidelines for activities of importing goods subject to specialized management of the State Bank of Vietnam.

Labour

- Decree No. 110/2017/ND-CP dated 4 October 2017, on the organization and operations of the Inspectorate of the Labour, War Invalids and Social Affairs branch.

- Decision No. 262/QD-BHXH dated 20 October 2017 of the Social Insurance of Ho Chi Minh City, promulgating the Regulations on receiving dossiers and returning results of settlement of administrative procedures through public postal services under the “one-stop-shop” mechanism of the Social Insurance of Ho Chi Minh City.

Health

- Decree No. 111/2017/ND-CP dated 5 October 2017, on practical training in health care training.
- Decision No. 4448/QD-BYT dated 3 October 2017 of the Ministry of Health, promulgating the "Plan for implementation of a scheme on strengthening control over drug prescription and prescription drug sale for the period 2017-2020 under Decision No. 4041/QD-BYT dated 7 September 2017 of the Minister of Health".
- Decision No. 4432/QD-BYT dated 2 October 2017 of the Ministry of Health, issuing the Ministry of Health's Program on economical and efficient energy use.
- Circular No. 39/2017/TT-BYT dated 18 October 2017 of the Ministry of Health, on the basic health service package for the grassroots healthcare level.
- Circular No. 38/2017/TT-BYT dated 17 October 2017 of the Ministry of Health, on the list of infectious diseases, and scope and subjects of compulsory use of vaccines and medicinal biological products.

Education

- Circular No. 25/2017/TT-BGDĐT dated 10 October 2017 of the Ministry of Education and Training, promulgating the list of level-IV education and training for master and doctor degrees.
- Circular No. 24/2017/TT-BGDĐT dated 10 October 2017 of the Ministry of Education and Training, promulgating the list of level-IV education and training for university/college degree.

Transport

- Resolution No. 437/NQ-UBTVQH14 dated 21 October 2017 of the Standing Committee of the National Assembly, on some tasks and solutions to further improve and promote the implementation of policies on investment in and exploitation transport works of in the form of Build-Operate-Transfer (BOT) contracts.

- Decision No. 53/2017/QĐ-UBND dated 5 October 2017 of the People's Committee of Ho Chi Minh City, on the regulations for tendering and ordering supply of public-use products and services in the field of transport in the area of Ho Chi Minh City.
- Circular No. 40/2017/TT-BYT dated 23 October 2017 of the Ministry of Health, providing for hygiene and safety standards applicable to foods and drinking water and quantity of meals of crew members working on Vietnamese ships.
- Combined Document No. 12/VBHN-BGTVT dated 12 October 2017 of the Ministry of Transport, combining the Minister of Transport's Circulars providing for non-refundable advance compensation in transportation of passengers by air.
- Circular No. 37/2017/TT-BGTVT dated 9 October 2017 of the Ministry of Transport, providing for the standard forms of minutes and decisions used in sanctioning administrative violations in the fields of land transportation and railway transportation.
- Circular No. 36/2017/TT-BGTVT dated 9 October 2017 of the Ministry of Transport, providing for training, retraining and testing skills for validation of loading, unloading equipment and pressure equipment in the field of transportation.
- Circular No. 35/2017/TT-BGTVT dated 9 October 2017 of the Ministry of Transport, on amendment and supplement to a number of articles of Circular No.50/2015/TT-BGTVT dated 23 September 2015 of the Minister of Transport, providing guidelines for a number of articles of Decree No. 11/2010/ND-CP dated 24 February 2010, on management and protection of land transportation infrastructures.
- Circular No. 34/2017/TT-BGTVT dated 5 October 2017 of the Ministry of Transport, on amendment and supplement to Circular No. 56/2015/TT-BGTVT dated 8 October 2015 of the Minister of Transport, providing for the management of environmental tasks funded by the State budget and under the authority of the Ministry of Transport.

Natural Resources - Environment

- Decision No. 1670/QĐ-TTg dated 31 October 2017 of the Prime Minister, approving the Target program for response to climate change and green growth for the period 2016-2020.
- Decision No. 1618/QĐ-TTg dated 24 October 2017 of the Prime Minister, approving the Project on development of the National database system for natural

resources and environment monitoring.

- Decision No. 1598/QD-TTg dated 17 October 2017 of the Prime Minister, promulgating the National plan for implementation of the Stockholm Convention on Persistent Organic Pollutants up to 2025, with an orientation to 2030.
- Decision No. 33/2017/QD-UBND dated 9 October 2017 of the People's Committee of Hanoi, on decentralization in collecting environmental protection fee applicable to industrial waste water in Hanoi.
- Circular No. 46/2017/TT-BTNMT dated 23 October 2017 of the Ministry of Natural Resources and Environment, on development of a database on administrative boundaries.
- Circular No. 108/2017/TT-BTC dated 16 October 2017 of the Ministry of Finance, on amendment and supplement to Article 3 of Circular No. 187/2016/TT-BTC dated 8 November 2016 of the Minister of Finance, providing for the collection levels and regime for collection, submission, exemption, management and use of charges for exploitation and use of national remote sensing data.
- Circular No. 37/2017/TT-BTNMT dated 6 October 2017 of the Ministry of Natural Resources and Environment, promulgating the technical Regulations and economic-technical norms for surveying and assessing the actual discharges of waste water into the water sources.
- Circular No. 36/2017/TT-BTNMT dated 6 October 2017 of the Ministry of Natural Resources and Environment, promulgating the technical Regulations and economic-technical norms for surveying and measuring water resources, and assessment and forecast of water resources by flow model.
- Circular No. 34/2017/TT-BTNMT dated October 4, 2017 of the Ministry of Natural Resources and Environment regulating the collection and disposal of waste products.

Construction

- Resolution No. 101/NQ-CP dated 6 October 2017 of the Government, on simplification of administrative procedures, civil papers related to population administration within the scope of State management functions of the Ministry of Construction.
- Decision No. 145/QD-BXD dated 10 October 2017 of the Ministry of Construction, publishing the update and adjustment of multiple-choice questions for testing for the purpose of issuance of certificates of construction practice.
- Decision No. 54/2017/QD-UBND dated 5 October 2017 of the People's

Committee of Ho Chi Minh City, providing for the price list used for calculation of ownership registration fee applicable to houses, which is issued by Ho Chi Minh City.

- Decision No. 52/2017/QD-UBND dated 5 October 2017 of the People's Committee of Ho Chi Minh City, on the process of pilot implementation of the electronic "one-stop shop" mechanism in issuance of Construction permits under the authority of the Department of Construction of Ho Chi Minh City.

Information - Communications

- Decision No. 44/2017/QD-TTg dated 17 October 2017 of the Prime Minister, on application of the financial mechanism to the Authority of Broadcasting, and Electronic Information.
- Decision No. 1756/QD-BTTTT dated 13 October 2017 of the Ministry of Information and Communications, providing for the functions, tasks, powers and organizational structure of Vietnam Internet Network Information Center.
- Circular No. 27/2017/TT-BTTTT dated 20 October 2017 of the Ministry of Information and Communications, providing for the management, operation, connection, use and information security assurance on the specialized data transmission networks used by the Party organs and State agencies.
- Circular No. 26/2017/TT-BTTTT dated 17 October 2017 of the Ministry of Information and Communications, promulgating the National technical regulations on electronic compatibility for DECT equipment.
- Circular No. 25/2017/TT-BTTTT dated 17 October 2017 of the Ministry of Information and Communications, promulgating the "National technical regulations on E-UTRA FDD mobile repeater equipment - Radio access part".
- Circular No. 24/2017/TT-BTTTT dated 17 October 2017 of the Ministry of Information and Communications, on issuance of the "National technical regulation on E-UTRA mobile base station - Radio access part".
- Combined document No. 07/VBHN-BTTTT dated 12 October 2017 of the Ministry of Information and Communications, combining the Circulars on the process of inspecting the base stations of public terrestrial mobile telecommunications networks.

Administration - Judiciary

- Resolution No. 112/NQ-CP dated 30 October 2017 of the Government, on

simplification of administrative procedures and civil papers related to population administration within the scope of State management functions of the Ministry of Public Security.

- Resolution No. 100/NQ-CP dated 6 October 2017 of the Government, on simplification of administrative procedures and civil papers related to population administration within the scope of management functions of the Ministry of Industry and Trade.
- Decision No. 5692/QD-UBND dated 25 October 2017 of the People's Committee of Ho Chi Minh City, publishing administrative procedures within the scope of management functions of the Department of Science and Technology, which are standardized in Ho Chi Minh City.
- Decision No. 7242/QD-UBND dated 18 October 2017 of the People's Committee of Hanoi, on the establishment of the Council for assessing, evaluating and grading of the Public Administration Reform (PAR) Index 2017 with respect to the departments and agencies at the provincial level and the People's Committees of the districts and towns of Hanoi, and a Task force assisting this Council in determining of PAR Index.
- Decision No. 6902/QD-UBND dated 4 October 2017 of the People's Committee of Hanoi, on publishing administrative procedures within the scope of State management functions of Hanoi Department for Foreign Affairs.
- Decision No. 364/QD-VKSTC dated 2 October 2017 of the Director of the Supreme People's Procuracy, promulgating Regulations on supervision over settlement of civil cases.
- Circular No. 08/2017/TT-BNV dated 27 October 2017 of the Ministry of Home Affairs, providing for detailed regulations on implementation of a number of articles of Decree No.91/2017/ND-CP dated 31 July 2017, detailing the implementation of a number of articles of the Law on Emulation and Commendation.
- Combined Document No. 01/VBHN-TTCP dated 9 October 2017 of the Inspector General of Government Inspectorate, combining Circulars on the process of settling administrative complaints.

Agriculture - Forestry - Fishery

- Resolution No. 111/NQ-CP dated 23 October 2017 of the Government, on simplification of administrative procedures and civil papers related to population

administration under Scheme 896 within the scope of management functions of the Ministry of Agriculture and Rural Development.

- Decision No. 4154/QD-BNN-BVTV dated 16 October 2017 of the Ministry of Agriculture and Rural Development, on the removal of Trichlorfon plant protection pesticides from the list of pesticides allowed to use and addition of 2 Trichlorfon and Carbofuran active substances to the list of plant protection pesticides prohibited from use in Vietnam.
- Decision No. 5144/QD-UBND dated 2 October 2017 of the People's Committee of Ho Chi Minh City, publishing the administrative procedures within the scope of management functions of the Department of Agriculture and Rural Development Rural, which are standardized in Ho Chi Minh City.
- Circular No. 18/2017/TT-BNNPTNT dated 9 October 2017 of the Ministry of Agriculture and Rural Development, providing guidelines for support to development of production and income diversification, and the project on expansion of the poverty reduction model under the National target program on sustainable poverty reduction for the period 2016-2020.

Miscellaneous

- Decision No. 1668/QD-TTg dated 31 October 2017 of the Prime Minister, on establishment of the National Steering Committee for Economic restructuring and renovation of the growth model.
- Circular No. 116/2017/TT-BTC dated 25 October 2017 of the Ministry of Finance, providing guidelines for the State Securities Commission to supervise compliance with respect to securities activities of the Stock Exchanges and Vietnam Securities Depository Center.
- Circular No. 101/2017/TT-BTC dated 4 October 2017 of the Ministry of Finance, providing guidelines for a number of articles in Decree No. 06/2017/ND-CP dated 24 January 2017 on business of betting on horse races, greyhound races and international football matches.

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