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HIGHLIGHTED**1. Promulgating regulations on the operations of Authorized representatives of the State capital invested in Enterprises**

This content is specified in Circular No. 21/2014/TT-BTC issued by the Ministry of Finance on 14 February 2014.

Authorized representatives of the State capital invested in enterprises are individuals authorized in writing by the Owner of the State capital (Ministries, Ministerial-level agencies, People's Committees of provinces or central-run cities) to exercise the Owner's rights, responsibilities and obligations.

The representatives will work specialized in management/ executive boards of enterprises, and concurrently hold a position in Members' Councils or Boards of Directors.

The representatives have the duties to exercise the rights of shareholders or capital contributing members as assigned by the Owner, including:

- (a) Representatives at the enterprises in which more than 50% of capital is hold by the State must seek the Owner's written consent to be eligible to express opinions, cast votes and make decisions in meetings of Members' Council, Board of Directors, the General Shareholders' Meeting, and/or other meetings (if any) with regard to contents prescribed in Article 20.4 of Decree No. 99/2012/ND-CP dated 15 November 2012 of the Government ("**Decree 99**").
- (b) Representatives at the enterprises in which 50% of capital is hold by the State are entitled to express opinions, cast votes and/or make decisions in meetings of Members' Council, Board of Directors, the General Shareholders' Meeting, and/or other meetings (if any) with respect to contents specified in Article 29.4 of Decree 99. For the contents which are not specified in Article 29.4 of Decree 99, but influence the State's interests such as reducing the capital portion owned by the State in enterprises or reducing the ratio of capital owned by the State or other State's interests in the enterprises (if any), the representatives must obtain (written) approval from the Owner of the capital owned by the State before expressing opinions, casting votes and/or making decisions.
- (c) In addition, the Representatives are also responsible for periodic reports (quarterly and annually) on the basis of (quarterly and annual) financial statements and other enterprises' reports, extraordinarily required reports, and extraordinary reports.
- (d) The Representatives have the following rights: to be considered by the Owner of the capital owned by the State to be appointed to participate in the Members' Council or to be nominated to participate in the Board of Directors in accordance with the Law on Enterprises, the enterprises' charters, and other relevant legal documents; to be

authorized by the Owner of the capital owned by the State to express opinions and cast votes in meetings in accordance with the quantity of shares (capital level) authorized by the Owner of the capital owned by the State. For the contents which must be consulted with the Owner of the capital owned by the State, after obtaining an approval from the Owner of the capital owned by the State, the Representative must express opinions, cast votes and/or make decisions in accordance with written directions of the Owner of the capital owned by the State. In case where any additional content, which has not yet been approved by the Owner of the capital owned by the State, occurs, the meeting shall be suggested to have later voting and decisions. The Representatives are eligible for salaries, bonuses, professional allowances and other benefits in compliance with the laws; are entitled to participate in professional training programs and skills improvement as well as information update organized by the Owner of the capital owned by the State; and have other rights under the laws and enterprises' charters.

- (e) The Representatives will be directly responsible for the results of the works assigned by the Owner of the capital owned by the State, be collectively responsible together with other representatives for the overall performance of Representatives (where there are 2 or more Representatives in an enterprise).
- (f) The Representatives of the Owner of the capital owned by the State are responsible for gathering Representatives' opinions and data into working reports and programs/plans to be sent to the Owner of the capital owned by the State, and for the overall performance of the Representatives (in the case where there are 02 or more Representatives in an enterprise).

This Circular shall take effect on 01 April 2014.

2. Eleven new administrative procedures in foreign exchange activities

On 17 February 2014, the Governor of the State Bank (SBV) issued Decision No. 198/QĐ-SB promulgating new administrative procedures to replace administrative procedures in foreign exchange and monetary activities under the SBV's management authority. The Decision takes effect as from the signing date.

Accordingly, the SBV officially announced a newly-issued administrative procedure in the field of monetary operations, which is procedure for approval of the proposal on issuance of bonds on domestic markets in financial year of credit institutions or foreign banks' branches.

This administrative procedure was stipulated in Circular No. 34/2013/TT-NHNN date 31 December 2013 of the State Bank on the issuance of bonds, treasury bills, certificates of deposit, bonds of domestic credit institutions and foreign banks' branches, and 10 newly-issued administrative procedures in the field of foreign exchange activities. In particular:

- (i) Registration of a direct investment capital account and transfer schedule of investment capital to abroad for investors who are credit institutions;
- (ii) Registration of changes in direct investment capital account and transfer schedule of investment capital to abroad for investors who are credit institutions;
- (iii) Registration of transfer of foreign currencies to abroad before being granted with investment certificates for investors who directly invest abroad in gas and oils;
- (iv) Procedures for registration of direct investment capital accounts and the transfer schedule of investment capital to abroad for investor who are not credit institutions;
- (v) Procedures for registration of changes in direct investment capital accounts, the transfer schedule of investment capital to abroad for investors who are not credit institutions;
- (vi) Registration of overseas lending by economic organizations;
- (vii) Registration of changes in overseas lending by economic organizations;
- (viii) Registration of recovery of economic organizations' debts, which are guarantees for non-residents;
- (ix) Registration of recovery of debts of credit institutions or foreign banks' branches, which are guarantees for non-residents;
- (x) Registration of changes in recovery of debts of economic organizations, credit institutions and foreign banks' branches, which are guarantees for non-residents.

These administrative procedures are specified in Circular No. 36/2013/TT-NHNN dated 31 December 2013 of the SBV providing for the opening and use of foreign currency accounts to conduct overseas direct investments and Circular No. 37/2013/TT-NHNN dated 31 December 2013 of the SBV providing guidelines for the management of foreign exchange in overseas lending and recovery of debts being guarantees for non-residents.

The contents of the above-mentioned procedures include implementation process and methods, the composition of dossier, requirements and conditions, etc., and the stand forms and declaration forms will be publicized on the National database on administrative procedures and the SBV website. The announcement of the administrative procedures is conducted in accordance with Decree No. 63/2010/ND-CP of the Government on the control of administrative procedures and satisfaction of the requirements on publicity and transparency in the process of implementing administrative procedures.

With the announcement of 11 administrative procedures in the field of foreign exchange and monetary activities, the State Bank's set of administrative procedures currently consists of 284 procedures in the fields of monetary and foreign exchange activities, establishment and operation of banks, payments and other fields.

3. Employees exposed to one of dangerous or toxic elements shall be equipped with personal protection items

On 12 February 2014, the Ministry of Labour, War Invalids and Social Affairs issued Circular No. 04/2014/TT-BLDTBXH providing guidelines for the implementation of regulations on personal protective equipment.

This Circular applies to: The employers in enterprises, agencies, organizations, co-operatives; individuals using labourers; Public officials and servants, employees working in environment with dangerous or toxic elements including managers regularly going for on-site inspections, examinations and supervisions, research officers, teachers, internships, apprentices or labourers on probationary in enterprises.

Accordingly, personal protective equipment includes: Head protective devices; Eye and face protective devices; Hearing protective devices; Respiratory protective devices; Hand and foot protective devices; Body protective devices; Protective devices preventing of falling from height; Protective devices preventing of electric shock, electromagnetic field; Protective devices preventing down; Other devices ensuring occupational safety and health.

Conditions for being equipped with personal protective equipment: Will be provided with personal protective equipment workers who during their work are in contact with one of dangerous or toxic elements such as those are in contact with disadvantageous physical element; harmful dust or chemicals; harmful biological elements and disadvantageous working environment: harmful virus, bacteria (transmittal diseases), harmful insects; polluted dung, water, sewage; and other harmful biological elements; and those work with the machines, equipment, and working tools; in a dangerous working position highly exposed to occupational accident, in the height, in a mine, location which lacks of oxygen; on river or water, in forest or under other dangerous or toxic working conditions.

Circular 04 also provides for the employers' obligations: Based on provisions of this Circular on personal protective equipment and the life time of personal protective equipment already decided, the employer shall consult opinions of grassroots trade union or representatives of employees collective to set up an annual procurement plan; periodically report to the provincial Departments of Labour, War Invalids and Social Affairs on implementation situations of personal protective equipment work together with occupational safety and hygiene work.

This Circular shall take effect on 15 April 2014.

4. Criteria for identifying specialized transport vehicles in technological lines

On 18 February 2014, Ministry of Science and Technology issued Circular No. 01/2014/TT-BKHCHN providing guidelines for identifying specialized transport vehicles in technological lines ("Circular 01"), including notably

rules on criteria for identifying specialized transport vehicles necessary for petroleum activities.

Specifically, in addition to being specialized transport vehicles, which are listed in the list of machinery and equipment of investment projects already approved by competent authorities, specialized transport vehicles necessary for petroleum activities also have specialized structural characteristics, have installed specialized equipment in service of the search, exploration, mining and exploitation of oils and gases, including activities directly serving these activities. In case of transporting petroleum products, vehicles must install storage tanks and special equipment for safe transportation of petroleum-formed products.

Besides, Circular 01 also details criteria for identifying specialized transport vehicles in technological lines to create fixed asset in the investment projects and transport vehicles in technological lines to create fixed assets of the shipyards. Accordingly, transport vehicles in technological lines must meet the following criteria: having structural and technical features to meet the requirements of the technological line in accordance with the goals, capacity and scale of the investment project; being necessary means to perform a specific function to ensure synchronous operation of technological lines, being used to serve the technological line, and not performing any other transportation function... Where moving outside installation area of technological lines, they must move under predetermined route and space according to the operational objectives of the investment project.

This Circular shall take effect on 15 April 2014.

5. Officially defined carpet area for apartments

On 20 February 2014, the Ministry of Construction issued Circular No.03/2014/TT-BXD (“Circular 03”) supplementing and amending Circular 16/2010/TT-BXD in order to overcome the deficiencies in the calculation of used area of apartments.

Circular 03 stated that: In the condominium sale and purchase contract signed with the investor, both parties must specify the commonly-owned/used area, private area of the condominium owner, built area of the condominium, usable area (net residential area) of the condominium that is used to impose the price. Besides, other amounts including maintenance expenditure valued at 2% of the sale price, the rates and rules for adjustment in the charges for operation of condominium building while a management board of the condominium building is not yet established must also be specified in condominium sale and purchase contracts.

Specially, the net residential area of the condominium is taken as the basis to calculate usable area of the condominium and shall be recorded in the Certificate issued to the buyer, including the area of the walls separating the rooms inside the apartment and the area of balcony and loggia (if any), excluding the area of boundary walls of the building, the walls separating the condominiums, the columns, and technical boxes inside the condominium.

The area of the balcony is the area of its floor. If the balcony shares a wall, the boundary is the inner edge of that wall. When handing over the condominium, the usable area of the condominium actually handed over and the area of the condominium in the signed condominium sale and purchase contract must be stated by the parties in the minutes of hand-over or an appendix to such contract, which shall constitute an integral part of the condominium sale and purchase contract.

In brief, with the above said contents, the Ministry of Construction has officially annulled the provisions on calculation of condominiums' areas from heart of the condominiums' boundary walls and condominium-separating walls as stipulated in the previous documents, in order to fix the inequalities of households owning condominiums with columns and technical boxes, and households owning condominiums without columns and technical boxes where the areas and prices under condominium sale and purchase contracts between the investor and such households are the same, but the condominiums' actual usable areas are different.

Circular 03 shall take effect on 8 April 2014. As from its effective date, transactions which do not comply with the laws will be no longer valid and cannot be taken as a basis for granting Certificates. Where the parties have signed a contract before the effective date of this Circular, the determination of the condominium's area will be subject to the condominium sale and purchase contract already signed./.

Other Sectors

Finance - Banking

- On 20 February 2014, the Ministry of Finance issued Decision No.328/QD-BTC correcting Circular No. 218/2013/TT-BTC dated 31 December 2013 of the Ministry of Finance providing for the financial management of programs and projects funded by official development assistance (ODA) and foreign preferential loans of donors.
- Decision No. 747/QD-UBND dated 19 February 2014 of the People's Committee of Ho Chi Minh City promulgating the annulment of administrative procedures in the field of State Budget management under the settlement authority of the Department of Finance of Ho Chi Minh City.
- On 12 February 2014, the Ministry of Finance stipulated Decision No. 281/QD-BTC promulgating administrative procedures for process of examination of requests for withdrawing ODA capital and borrowing foreign preferential capital in the field of foreign financial affairs within the scope of the Ministry of Finance' State management function.
- Circular No. 04/2014/TT-NHNN dated 26 February 2014 of the State Bank of Vietnam providing for statistic reports and publicity and transparency of information about the operation of Vietnam Asset Management Company.
- On 25 February 2014, the Ministry of Finance issued Circular No. 28/2014/TT-BTC providing guidelines on financial management mechanism of local development investment funds.

Taxation

- Decision No. 247/QD-TTg dated 13 February 2014 of the Prime Minister on approving the Second Protocol amending the Double Taxation Avoidance Agreement between the Government of Vietnam and the Government of Luxembourg.
- On 11 February 2014, the Ministry of Industry and Trade stipulated Circular No.06/2014/TT-BCT providing for the imports under quota in 2014 with the import tax rate of 0% for goods having their origins in the Lao People's Democratic Republic.
- Circular No. 17/2014/TT-BTC dated 8 February 2014 of the Ministry of Finance on amending import tax rates applicable to tapioca under the heading 07.14 in the Preferential Import Tariff attached to Circular No. 164/2013/TT-BTC dated 15 November 2013 of the Ministry of Finance.

Trade

- On 21 February 2014, the Prime Minister issued Decision No. 283/QD-TTg approving the Overall planning for construction in Cha Lo Border Gate Economic Zone, Quang Binh Province until 2030.
- Decision No. 265/QD-TCHQ dated 14 February 2014 of the Vietnam Customs General Department promulgating the Process of specialized inspection in the Customs branch.
- On 26 February 2014, the Ministry of Finance stipulated Circular No.29/2014/TT-BTC on amending and supplementing a number of articles in Circular No. 205/2010/TT-BTC dated 15 December 2010 of the Ministry of Finance providing guidelines for Decree No. 40/2007/ND-CP dated 16 March 2007 providing common valuation methods for imported and exported goods.
- Circular No. 25/2014/TT-BTC dated 17 February 2014 of the Ministry of Finance providing the general valuation methods for goods and services.
- On 17 February 2014, the Ministry of Finance issued Circular No. 23/2014/TT-BTC providing for a number of matter regarding traditional flags, pennants, symbols, icons, bagdes, tags, costumes and identification papers of Customs branch.
- Circular No. 22/2014/TT-BTC dated 14 February 2014 of the Ministry of Finance providing the e-customs procedures for imported, exported or traded goods.
- On 11 February 2014, the Ministry of Finance stipulated Circular No.19/2014/TT-BTC providing procedures for temporary import, re-export, destruction and assignment of automobiles and motorized bicycles of subjects eligible for previlleges and immunities in Vietnam.

Health

- Decision No. 654/QD-BYT dated 24 February 2014 of the Ministry of Health promulgating the document “Guidance on technical process of medical examination and treatment in Musculoskeletal speciality - Internal medicine faculty”.
- On 26 February 2014, the Ministry of Health issued Circular No. 08/2014/TT-BYT on the activities of supporting to clinical trial researches in Vietnam.
- Circular No. 06/2014/TT-BYT dated 14 February 2014 of the Ministry of Health promulgating the List of basic statistical index system of the Health branch.
- On 14 February 2014, the Ministry of Health stipulated Circular No. 05/2014/TT-BYT providing for the usage of herbal or traditional medicines in medical examination and treatment establishments.
- Circular No. 04/2014/TT-BYT dated 6 February 2014 of the Ministry of Health

providing conditions for operation and procedures for the establishment of Red Cross blood-donation institutions.

Natural Resources - Environment

- On 12 February 2014, the Government issued Resolution No. 10/NQ-CP on entering into the Nagoya - Kuala Lumpur Supplementary Protocol on legal liabilities and compensations within the frame of the Cartagena Protocol on biosafety.
- Decision No. 218/QD-TTg dated 7 February 2014 of the Prime Minister on approving the Strategy on management of the system of specialized forests, sea reserves and inland water reserves until 2020, with an orientation to 2030.
- On 17 February 2014, the Ministry of Natural Resource and Environment stipulated Circular No. 13/2014/TT-BTNMT providing for techniques of investigation and evaluation of underground water resources.
- Circular No. 12/2014/TT-BTNMT dated 12 February 2014 of the Ministry of Natural Resource and Environment providing for techniques of investigation and evaluation of surface water resources.
- On 17 February 2014, the Ministry of Natural Resource and Environment issued Circular No. 11/2014/TT-BTNMT providing for techniques of mapping quality of underground water at the scale of 1:200.000.
- Circular No. 10/2014/TT-BTNMT dated 17 February 2014 of the Ministry of Natural Resource and Environment providing for techniques of mapping quality of underground water at the scale of 1:100.000.
- On 17 February 2014, the Ministry of Natural Resource and Environment stipulated Circular No. 09/2014/TT-BTNMT providing for techniques of mapping quality of underground water at the scale of 1:50.000.
- Circular No. 08/2014/TT-BTNMT dated 17 February 2014 of the Ministry of Natural Resource and Environment providing for techniques of mapping quality of underground water at the scale of 1:25.000.

Construction - Land

- On 27 February 2014, the Prime Minister issued Decision No. 310/QD-TTg on the establishment of State Agency for Construction Quality Inspection.
- Decision No. 927/QD-UBND dated 12 February 2014 of the People's Committee of Hanoi on the authorization to the Director of Department of Construction of Hanoi to decide on setting up State ownership over houses' areas used for public utilities and service business in resettlement or affordable housing areas with investment capital funded by the State's budget and other sources to be delivered to the City's government for management and use arrangement.

- On 12 February 2014, the Ministry of Construction stipulated Circular No.02/2014/TT-BXD detailing and providing guidelines for a number of articles of Decree No. 121/2013/ND-CP dated 10 October 2013 on sanctioning administrative violations in the fields of construction; real estate business; exploitation and manufacture of and trade in construction materials; management of technical infrastructure works, and development of houses and offices.

Science - Technology

- Decree No. 11/2014/ND-CP dated 18 February 2014 on the activities of scientific and technological information.
- On 27 February 2014, the Prime Minister issued Decision No. 300/QD-TTg on the establishment of the National Centre for Research and Development of Open Technologies under the Ministry of Science and Technology.
- Decision No. 1008/QD-BCT dated 8 February 2014 of the Ministry of Industry and Trade approving the “Planning for development of the paint - printing ink industry in Vietnam until 2020, with an orientation to 2030”.
- On 18 February 2014, the Ministry of Finance and the Ministry of Industry and Trade jointly stipulated Inter-ministerial Circular No. 26/2014/TTLT-BTC-BCT providing guidelines on the process of formulation, management and use of expenditures for the national or local industry promotions.

Information - Communications

- Decision No. 342/QD-BVHTTDL dated 21 February 2014 of the Ministry of Culture, Sports and Tourism providing for the functions, tasks and organization of the Portal of Ministry of Culture, Sports and Tourism.
- On 6 February 2014, the People' Committee of Hanoi issued Decision No.05/2014/QD-UBND promulgating the Regulation on speaking and providing information to newspapers in Hanoi.
- Circular No. 01/2014/TT-BTTTT dated 20 February 2014 of the Ministry of Information and Communications detailing the priorities, which are reserved for domestically-manufactured information technology products and services, in investments and procurements funded by the State budget.

Administration - Judiciary

- On 27 February 2014, the Government stipulated Decree No. 15/2014/ND-CP detailing a number of articles and measures for implementation of Law on Mediation at grass-roots level.
- Decision No. 783/QD-UBND dated 22 February 2014 of the People's Committee of Ho Chi Minh City promulgating newly-issued, amended or supplemented

administrative procedures under the settlement authority of Department of Justice, and replacing administrative procedures under settlement authority of People's Committees of wards, communes and towns in Ho Chi Minh City.

- On 18 February 2014, the Ministry of Justice issued Decision No. 376/QD-BTP promulgating the Model Regulation on the inter-sectorial co-operation in the settlement of adoption involving foreign elements.
- Decision No. 958/QD-UBND dated 13 February of the People's Committee of Hanoi temporarily providing for the division of regulating rates of revenues from fines for administrative violations and confiscations due to administrative violations in the area of Hanoi.
- On 12 February 2014, the Ministry of Justice stipulated Decision No. 339/QD-BTP promulgating the List of legal instruments in areas under the State management of the Ministry of Justice, which have wholly or partly expired in 2013.
- Decision No. 07/2014/QD-UBND dated 11 February 2014 of the People's Committee of Ho Chi Minh City promulgating the Process of settlement of complains in the area of Ho Chi Minh City.
- On 24 February 2014, the Ministry of Justice issued Circular No. 07/2014/TT-BTP providing guidelines on evaluation of administrative procedures' impacts, and check and evaluation of administrative procedures.
- Circular No. 05/2014/TT-BTP dated 7 February 2014 of the Ministry of Justice providing guidelines on publicizing and displaying administrative procedures and reporting on situation and results of performing the control of administrative procedures.
- On 14 February 2014, the Ministry of Justice, the Government Inspectorate and the Ministry of National Defense jointly stipulated Joint Circular No.06/2014/TTLT-BTP-TTCP-BQP providing guidelines for lodging and settling complaints about State's compensation in the administrative management and civil judgement enforcement activities.
- Circular No. 18/2014/TT-BTC dated 11 February 2014 of the Ministry of Finance providing for the collection rates and the regime on collection, submission, management and use of charges for civil delegation.
- On 10 February 2014, the Ministry of National Defense, the Ministry of Labour - War Invalids and Social Affairs, and the Ministry of Foreign Affairs jointly issued Inter-ministerial Circular No. 01/2014/TTLT-BCA-BLDTBXH-BNG providing guidelines on process of, procedures for and co-operative relation in verification, determination, receipt and return of human trafficking victims.

Agriculture - Forestry - Fishery

- Decision No. 08/2014/QĐ-UBND dated 12 February 2014 of the People's Committee of Ho Chi Minh City promulgating the economic and technological norms in the models of agriculture and fishery promotions in the area of Ho Chi Minh City.
- On 18 February 2014, the Ministry of Agriculture and Rural Development stipulated Decision No. 218/QĐ-BNN-PC announcing the List of legal instruments in areas under the State management of the Ministry of Agriculture and Rural Development, which have wholly or partly expired in 2013.
- Decision No. 217/QĐ-TTg dated 7 February 2014 of the Prime Minister approving the Draft Treaty on "Co-operation in undertaking research on and development of cereals and fruit trees in Mozambique for the period from 2013 to 2017" between Vietnamese Government and Mozambican Government.

Miscellaneous

- On 26 February 2014, the Government issued Decree No. 14/2014/NĐ-CP detailing the implementation of Electricity Law with respect to electric safety.
- Decision No. 209/QĐ-BHXH dated 28 February 2014 of the Vietnam Social Insurance Agency on the promulgation of 3 additional processes of settling administrative procedures in accordance with the standard TCVN ISO 9001:2008 in the field of implementation of social-insurance policies.
- On 13 February 2014, the Prime Minister stipulated Decision No. 252/QĐ-TTg on approving the Overall planning for socio - economic development of the Southern major economic area in Mekong Delta region until 2020, with an orientation to 2030.
- Decision No. 245/QĐ-TTg dated 12 February 2014 of the Prime Minister on approving the Overall planning for socio - economic development of the major economic area in Mekong Delta until 2020, with an orientation to 2030.
- On 6 February 2014, the People's Committee of Hanoi issued Decision No.07/2014/QĐ-UBND on promulgating the Regulations on Management of domestic wharfs where entertainment and leisure operations are organized in the area of Hanoi.
- Decision No. 06/2014/QĐ-UBND dated 6 February 2014 of the People's Committee of Hanoi on promulgating the Regulation on the operation of non-governmental organizations in the area of Hanoi.
- On 25 February 2014, the Ministry of Education and Training stipulated Circular No. 03/2014/TT-BGDĐT on promulgating the Regulation on management of foreigners studying in Vietnam.
- Circular No. 20/2014/TT-BTC dated 12 February 2014 of the Ministry of

Finance providing for the imports of automobiles and motorcycles in accordance with the asset movement regime of abroad-residing Vietnam citizens whose registrations for permanent residence in Vietnam have been settled.

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