

Legal news

July 2012

Contents

LAW ON ADVERTISING	2
Other Sectors	14
Banking - Finance.....	14
Taxation.....	14
Trade.....	15
Labour.....	15
Education.....	16
Health.....	16
Transport.....	17
Natural Resources - Environment.....	19
Information - Communications.....	19
Administration - Judiciary.....	20
Agriculture.....	21
Forestry - Aquaculture.....	21
Enterprise.....	22
Miscellaneous.....	22
Contact Details	24

This **Legal news** is published solely for our clients and other interested persons. It is intended to be used for general information purpose only and should not be relied upon as legal advice or opinion. Professional advice should be sought for any specific situation. Please direct your inquiries to our offices or persons listed at the end of this Legal news.

This **Legal news** is also available online at www.vision-associates.com

© Vision & Associates 2012. All rights reserved

LAW ON ADVERTISING

Law on Advertising of 2012: A brief overview - changes

By Do Quoc Binh

On 21 June 2012, at the 2nd session, the National Assembly of Socialist Republic of Vietnam had ratified Law on Advertising No. 16/2012/QH13 that will take effect on 1 January 2013 (“Advertising Law”), and replace the Ordinance on Advertising No. 39/2001/PL-UBTVQH issued by the Standing Committee of the National Assembly on 16 November 2011 (“Advertising Ordinance”).

Advertising Law comprises 5 chapters and 43 articles, summarized as follows:

- Chapter I (General Provisions) comprises 11 articles (Articles 1-11) providing for general requirements and principles, including: governing scope; applicable subjects; definition of terms; the State’s policies on advertising activities; contents of the State administration of advertising activities; the State management over advertising activities; responsibilities of the State’s authorities for advertising activities; contracts for advertising; protection of intellectual property; handling of violations in advertising activities; advertising bans regarding certain products, goods and services; and prohibited acts in advertising activities.
- Chapter 2 (Rights and obligations of organizations and individuals in advertising activities) comprises 5 articles (Articles 12-16) regulating issues related to rights and obligations of advertisers; advertising service dealers; advertisement issuers; lessors of locations or means for advertisement; and advertisement viewer.
- Chapter III (Advertising activities) comprises 22 articles (Articles 17-38) providing for advertising means; voices and scripts used in advertisements; requirements for contents of advertisements; conditions for advertisements; advertisement on printed, audio, or visual press; advertisement on electronic press and websites, on electronic means, terminals and other telecommunications equipment; advertisement on printed products, on audio records and video records; advertisement on billboards, banderoles, signboards, illuminated panels, advertising display screens; advertisement on means of transportation; advertisement on loudspeakers and similar forms; advertisement in cultural or sport programs, conferences, seminars, fairs, exhibitions, organization of events, groups of people assembled for the purpose of advertisement; advertisement on luminescent, aerial or underwater objects; and other advertising means; outdoor advertising planning; and permit for construction of advertising works.
- Chapter IV (Advertisement involving foreign elements) comprises 3 articles (Articles 39-41), providing regulations on issues related to advertising activities of Vietnamese organizations and individuals in foreign countries; advertising activities of foreign organizations and individuals in Vietnam;

foreign cooperation and investment in advertising activities; and representative offices of foreign advertising enterprises in Vietnam.

- Chapter V (Implementation provisions) comprises 2 articles (Articles 42 and 43, on effectiveness and guidelines for the implementation.

In comparison with the legal system based on Ordinance on Advertising, Decree No.24/2003/ND-CP dated 13 March 2003, and the former guiding circulars and documents, the Advertising Law introduces certain amendment and addition to be more in line with the socio - economic development status, needs and practices of current advertising activities, in particular, as follows:

Contents	The former laws on advertising	Advertising Law
<i>Advertising activities involving foreign elements</i>	Foreign organizations and individuals dealing in advertising services can establish their branches in Vietnam.	Foreign organizations and individuals dealing in advertising services are no longer permitted to establish their branches in Vietnam.
<i>Prohibited products, goods, services and acts in advertising activities</i>	No detailed provisions on: directly comparative advertising acts; Use of advertised products adversely affect health and development of children's personality; Advertising in forms of distributing leaflets and flyers, posting and painting advertising products in public areas without compliance with regulations; and Use of groups of people for advertising purpose.	<p>The Law provides more detailed provisions on a number of acts prohibited or restricted, specifically stipulated in Article 7 and Article 8, such as:</p> <ul style="list-style-type: none"> • Advertisement which is untrue or misleading about the business capacity or ability to provide products, goods or services of organizations or individuals doing business in products, goods or services; or about the quantity, quality, price, usage, design, package, trademark, origin, type, service mode or warranty period of products, goods or services which has been registered or declared; • Advertisement through the method of directly comparing the price, quality or efficacy of the products, goods or services with that of those of the same type of another organization or individual; • Advertisement with the use of

Contents	The former laws on advertising	Advertising Law
		<p>the superlative words “most”, “unique”, “best” “number one” or others of similar meaning without any lawful supporting document in accordance with the regulations of the Ministry of Culture, Sports and Tourism.</p> <p>In addition, the Law also imposes stricter control on restricted advertisement and additional prohibited acts, such as:</p> <ul style="list-style-type: none"> • Decrease of the concentration of alcohol permitted for advertisement, to under 15 degrees (from under 30 degrees according to Advertising Ordinance); • Additional prohibited products for advertisement, comprising: Breast milk substitutes used for children under the age of 24 months and supplementary nutrition products used for children under the age of 6 months; Feeding bottles and teats; Various types of sexual stimulation products or goods; Sporting guns and their ammunition, sporting arms and others of violence stimulation nature, etc.
<p><i>Rights and obligations of organizations and individuals engaged in advertising activities</i></p>		<p>Apart from the subjects referred to in the previous Advertising Ordinance, rights and obligations of two additional subjects including lessors of locations for advertisement and advertisement viewers are regulated in Advertising Law.</p>
<p><i>Advertising means</i></p>	<p>No detailed provisions on the advertising means in</p>	<ul style="list-style-type: none"> • Providing detailed regulations on advertising means such as

Contents	The former laws on advertising	Advertising Law
	<p>evolution such as telecommunications networks, electronic means, the person conveying advertising products.</p>	<p>computer information networks under the former Advertising Law, which presently comprise websites, electronic equipment, terminals and other telecommunications equipment;</p> <ul style="list-style-type: none"> • Introducing a number of new advertising means, comprising: signboards, illuminated panels; seminars, conferences, organization of events; the person conveying advertising products.
<p><i>Voices and scripts used in advertisements</i></p>	<p>Not providing regulations on the methods of reading advertising products on radio, television or audio-visual means.</p>	<p>If the former Advertising Law only stipulated that the text in foreign language must not be in larger size than that in Vietnamese, new Advertising Law requires the text in foreign language must not be larger than three-quarters of the size of the Vietnamese text, and further requires that on radio, television or audio-visual means, the Vietnamese language must be read first, followed by foreign language.</p>
<p><i>Conditions for advertising</i></p>		<p>The Advertising Law providing more detailed regulations on conditions for advertisement of each type of products and services.</p>
<p><i>Advertisement on press</i></p>	<ul style="list-style-type: none"> • The area for advertisements on printed press must not exceed 10%, except for specialized publications for advertisement; the period must not exceed 5 days in case of daily newspaper, or 5 consecutive issues in case 	<p>The new Law allows the increase of area and time for advertisement on press as follows:</p> <ul style="list-style-type: none"> • Printed press: The area for advertisements shall not exceed 15% of the total area of one issue of a newspaper or 20% of one issue of a

Contents	The former laws on advertising	Advertising Law
	<p>of periodical; the interval between two periods must be at least 5 days in case of daily newspaper, or 4 consecutive issues in case of periodical;</p> <ul style="list-style-type: none"> The time for advertisements on audio or visual press must not exceed 5% of the duration of its program, except for specialized channels for advertisement; the period of broadcast of one advertising product must not exceed 8 days, except in special cases stipulated by the Government, and must not exceed 10 times in one day; the interval between two periods of the one advertisement must be at least five days; and it must not be immediately after signature tunes or in news programs; Specialized advertising supplements and supplementary advertising issues must be licensed before advertising. 	<p>magazine except for specialized publications for advertisement;</p> <ul style="list-style-type: none"> Audio or visual press: the time must not exceed 10% of the total duration of its program broadcasted in one day by a broadcasting organization, 5% in case of pay television channel, except for specialized channels or programs for advertisement. <p>The Law repeals:</p> <ul style="list-style-type: none"> Regulations on periods and their interval for advertisement; Regulations to prohibit advertisement immediately after signature tunes; License for specialized advertising supplements and supplementary advertising issues (The new Law only requires a press agency to notify in writing to the State management authority on the press at least 30 days prior to the date of publication of the first issue of such advertising supplement); <p>In addition, the Law introduces new regulations, such as:</p> <ul style="list-style-type: none"> Advertisements shall not be allowed on live radio or television programs of special political events or ceremonies of nationally important events; Interruption of any feature film program for advertisement shall not be over twice, and each shall not exceed 5 minutes, of entertainment program – four

Contents	The former laws on advertising	Advertising Law
		<p>times of 5 minutes.</p> <ul style="list-style-type: none"> • An advertising product attached to the main program and expressed by way of moving texts or images, must be at the bottom of the screen, not exceed 10% of the screen height nor affect the main content of the program. Advertising in this form shall not be included in the time for advertisements on visual press.
<p><i>Advertisement on computer information network</i></p>	<ul style="list-style-type: none"> • The electronic press may carry advertisements like the printed press as above; • The advertisement on computer information networks must be licensed; • An advertising service provider shall not be permitted to send more than 5 advertising messages to a single telephone number or more than 5 emails to a single email address within 24 hours, unless otherwise agreed by the recipient. 	<p>Repealing the license for advertising on the computer information networks and detailing as follows:</p> <ul style="list-style-type: none"> • Advertisement on electronic press: <ul style="list-style-type: none"> ✓ Advertisements shall not be designed or arranged to insert into items of news; ✓ Advertisements put on unfixed positions must be designed so that readers may themselves open or close the advertisements and the maximum period for awaiting opening or closure of an advertisement shall be one and a half seconds; ✓ Advertisement on websites of foreign organizations and individuals dealing in cross-border advertising services and earning revenue from advertisement in Vietnam must comply with this Law and other relevant laws. • Advertisement on electronic means, terminals and other telecommunications

Contents	The former laws on advertising	Advertising Law
		<p>equipment: An electronic information or telecommunication service provider shall not be permitted to send more than 3 advertising messages to a single telephone number or more than three emails to a single email address within 24 hours, unless otherwise agreed by the recipient.</p>
<p><i>Advertisement on catalogues, leaflets and flyers and other printed products other than publications</i></p>	<ul style="list-style-type: none"> • Only advertisements being useful for study may appear on the covers of notebooks; • Business activities, goods and services must not be advertised on the front cover of books, and advertisements must not appear in textbooks, teaching materials or political works. 	<ul style="list-style-type: none"> • With respect to various types of books and to materials in the form of a book, only advertisements about the author, work and publishing house are allowed on the second, third and fourth cover page except for specialized advertising books. In other words, the Law permits advertisements on the front cover of specialized advertising books (e.g.: Telephone directories, Yellow Pages, etc.). • With respect to materials not for commercial purpose, only advertisements about the followings: the author, works of the author, publishing house, or symbol, logo or trademark, or products, goods, services and the operations of the organization or individual permitted to publish such materials, are allowed. • Advertisements shall not cover more than 20% of the area of each product with respect to pictures, photographs, posters, catalogues, leaflets and flyers with contents of political,

Contents	The former laws on advertising	Advertising Law
		<p>economic, cultural, social, scientific, technological, literary or artistic promotion or propagation.</p> <ul style="list-style-type: none"> • Symbol, logo or trademark of the advertiser must be placed at the bottom of printed products. • Advertisements shall not be allowed on printed products being money or valuable papers, diplomas, certificates and the State’s administration document. • The name and address of the organization or individual dealing in advertising services may be presented instead of those of advertisers as stipulated in the former Ordinance.
<p><i>Advertisement on billboards, signboards, banderoles</i></p>	<ul style="list-style-type: none"> • Not providing detailed regulations on the State’s administration responsibility of related bodies, especially in master planning for outdoor advertisement to ensure urban aesthetics and order; • The period of advertisements on billboards and panels must not exceed 3 years; any extension of such period must be approved by Department of Culture and Information; • Advertisement on banderoles, luminescent, aerial or underwater objects, or other mobile objects, about an event of fixed duration, advertising 	<ul style="list-style-type: none"> • Specifying responsibilities of the People's Committees of provinces and the Ministry of Construction for development and directing the implementation of the master plan for outdoor advertisement (Article 38), and order and procedures for issuance of a construction permit for an advertisement work. • Repealing regulations on periods of advertisements and their intervals.

Contents	The former laws on advertising	Advertising Law
	<p>shall be permitted for the whole duration of the event, and no more than 5 working days beforehand and 2 working days afterward;</p> <p>If the event is of an unfixed duration, the period of one advertisement shall not exceed 15 working days, and the interval between the periods shall be at least 8 working days.</p>	
<p><i>Advertisement on means of transportation or other mobile objects</i></p>	<ul style="list-style-type: none"> • Advertisement on means of transportation and other mobile objects such as wheelchairs and tow trucks, or any other means served for construction and repair of electricity, environment or hygiene purposes, shall be licensed by the Department of Culture and Information of the locality where such vehicles are registered; and the advertisements may not change more than 50% area of the vehicles painted colour as recorded in their registration issued by the competent body; and it must not be expressed on the front or back of the vehicle. Advertisements on containers with an 0.5 m² or more surface area, attached to a motor-cycle must be licensed by Department of Culture and Information of the locality where such vehicle is registered; 	<ul style="list-style-type: none"> • Repealing the license of advertising on means of transportations and other mobile objects; • Advertisement shall not be expressed on the top of the means of transportation besides the front and rear. The surface for advertisement shall not exceed 50% of the area of each permissible side of the means of transportation. The display of the logo or symbol of the owner of means of transportation or of the transport enterprises on the means of transportation must comply with the laws on traffic; • Cancellation of the periods for advertisement or their intervals.

Contents	The former laws on advertising	Advertising Law
	<ul style="list-style-type: none"> • Duration of advertisement on means of transportation does not exceed 3 years; and any its extension must be permitted by Departure of Culture and Information; • Advertisements on other mobile objects about an event with a fixed duration shall be permitted for the whole duration of the event and no more than 5 working days beforehand and no more than 2 working days afterward. <p>If the event is of an unfixed duration, a period for advertisement shall not exceed 15 working days, and the interval between periods shall be at least 8 working days.</p>	
<i>Advertising by loudspeaker and similar forms</i>		<p>Additional regulations on prohibition of:</p> <ul style="list-style-type: none"> • Advertisements at the head offices of bodies, units of armed forces, schools, or hospitals; • Advertisements on the broadcasting system used for political duties of a commune, ward or township. • Advertising by loudspeakers attached to a means of transportation and other mobile means in the inner city or inner town of a city or town.
<i>Signboards of organizations or individuals conducting</i>	No specific regulations on signboard other than those on advertisement board.	To unify the regulations, the Law requires that a signboard must have the following contents:

Contents	The former laws on advertising	Advertising Law
<i>production or business activities</i>		<p>a. Name of the directly superior body (if any);</p> <p>b. Name of the production or business establishment in accordance with the business registration certificate;</p> <p>c. Address and telephone number.</p> <p>Dimensions of a signboard:</p> <p>a. With respect to horizontal signboards, the maximum height shall be 2 metres and the length shall not exceed the width of the frontage;</p> <p>b. With respect to vertical signboards, the maximum width shall be one metre and the maximum height shall be 4 metres but shall not exceed the height of the storey on which the signboard is placed.</p> <p>Position: Signboards shall not hide or block the space for emergency exit and for fire extinguishing; and shall not encroach the pavement or road-bed nor affect public traffic.</p>
<i>Advertisement in Cultural or Sporting Programs, Conferences, Seminars, Fairs, Exhibitions, Organization of Events or Groups of people assembled for the purpose of Advertising Objects</i>	<ul style="list-style-type: none"> • No provisions on contents of advertisements in festivals, conferences, seminars, artistic performances, cultural exchanges, gymnastics and sport competitions, or entertainment programs on television; • Where an event has only one sponsor, no more than two advertising products may be hung, placed, affixed or erected. Where there is more than one sponsor, each sponsor may hang, place, affix or erect 	<p>Although the new Law adds the regulations that advertising products must not be hung, placed, glued or erected at the same height or higher than the height of the symbol, logo or name of the program; the size of text on the advertising product shall not exceed a half of the size of the name of the program; however, it repeals the provision of former Ordinance on quantity of advertising products permitted for sponsors. This may cause difficulty to the Law implementation;</p> <p>In addition, the Law further</p>

Contents	The former laws on advertising	Advertising Law
	only one advertising product.	defines "Group of people assembled for the purpose of advertisement" and the procedures that Organizations and Individuals organize such Group must do to obtain approval from local competent bodies for advertising.

All of above contents codified undertakings of Vietnam's accession to the World Trade Organization (WTO), after signing the ASEAN General Agreements on Trade in Services and others international treaties on advertising to which Vietnam is a party. We can hope that after being full force and effect, Advertising Law will encourage the expansion of healthy advertising activities, protection of the national interests, rights and legitimate interests of organizations and individuals that are engaged in advertising activities, and will contribute to socio – economic development./.

Other Sectors

Banking - Finance

- On 20 July 2012, the Government issued Decree No. 57/2012/ND-CP on the financial regime applicable to credit institutions and foreign banks' branches.
- Decision No. 3386/QD-UBND dated 26 July 2012 of the People's Committee of Hanoi approving the groups of subjects and interest rate frame applicable to loans given by the charter capital of Hanoi Investment Fund for Development.
- On 11 July 2012, the Ministry of Finance stipulated Decision No. 1759/QD-BTC correcting Circular No. 82/2012/TT-BTC dated 22 May 2012 of the Ministry of Finance.
- Decision No. 852/QD-TTg dated 10 July 2012 of the Prime Minister approving the Development Strategy of Vietnam Bank for Social Policies for the period from 2011 to 2020.
- On 10 July 2012, the Ministry of Finance issued Decision No. 1738/QD-BTC approving a scheme on training and fostering public officials and servants of finance branch up to 2015.
- Decision No. 1577/QD-BNN-TC dated 2 July 2012 of the Ministry of Agriculture and Rural Development adjusting the estimate of expenditures funded by State budget and reciprocal capital for the year 2012.
- On 27 July 2012, the Ministry of Finance stipulated Circular No. 122/2012/TT-BTC providing for the management of precious and rare assets and valuable papers deposited and preserved at the State Treasury.
- Circular No. 113/2012/TT-BTC dated 17 July 2012 of the Ministry of Finance detailing investment activities to ensure and develop the insurance funds managed by Vietnam Social Insurance.
- On 3 July 2012, the Ministry of Finance issued Circular No. 110/2012/TT-BTC amending and supplementing a number of articles of Decision No. 33/2008/QD-BTC dated 2 June 2008 of the Minister of Finance on the system of the State budget's index.

Taxation

- Decree No. 60/2012/ND-CP dated 30 July 2012 providing guidelines for the Resolution No. 29/2012/QH13 on a number of tax policies aiming to resolve difficulties for organizations and individuals.
- On 27 July 2012, the Ministry of Finance stipulated Circular No. 123/2012/TT-BTC providing guidelines for the implementation a number of articles of the Law on Corporate Income Tax No. 14/2008/QH12 and providing guidelines for the implementation of Decree No. 24/2008/ND-CP dated 11 December 2008 and

Decree No. 122/2011/ND-CP dated 27 December 2011 detailing the implementation of a number of articles of the Law on Corporate Income Tax.

- Circular No. 119/2012/ND-CP dated 20 July 2012 of the Ministry of Finance amending and supplementing Circular No. 157/2011/TT-BTC dated 14 November 2011 of the Ministry of Finance promulgating the Export Tariff and Preferential Import Tariff according to the list of taxable items.
- On 19 July 2012, the Ministry of Finance issued Circular No. 117/2012/TT-BTC providing guidelines for tax procedure services practice.
- Circular No. 114/2012/ND-CP dated 18 July 2012 of the Ministry of Finance amending the export tax rate applicable to coconut under the heading 0801 in the Export Tariff.
- On 4 July 2012, the Ministry of Finance stipulated Circular No. 111/2012/TT-BTC promulgating the list of goods and import tax rates subject to tariff quotas.
- Circular No. 109/2012/ND-CP dated 3 July 2012 of the Ministry of Finance providing guidelines for the application of the preferential import tax rates to a number of items under the heading 2710 in the Preferential Import Tariff.

Trade

- On 25 July 2012, the Prime Minister issued Decision No. 950/QD-TTg promulgating the action program implementing the goods import and export strategy for the period from 2011 to 2020, with orientation towards 2030.
- Decision No. 1628/QD-TCHQ dated 20 July 2012 of the General Department of Vietnam Customs promulgating the inspection process of exported goods and imported goods using container scanners.
- On 19 July 2012, the Ministry of Agriculture and Rural Development stipulated Decision No. 1677/QD-BNN-CB adjusting and supplementing trade promotion and investment promotion duties for the year 2012.
- Circular No. 20/2012/TT-BCT dated 20 July 2012 of the Ministry of Industry and Trade promulgating the general statistics report regime applicable to Departments of Industry and Trade of provinces and cities under central management.
- On 20 July 2012, the Ministry of Industry and Trade issued Circular No.19/2012/TT-BCT promulgating the System of Statistical indices for Industrial and Commercial sectors.

Labour

- Resolution No. 33/NQ-CP dated 28 July 2012 of the Government approving the Agreement between the Socialist Republic of Vietnam and the Government of New Zealand on Working Scheme in Holidays.

- On 26 July 2012, the Ministry of Labour, War Invalids and Social Affairs stipulated Decision No. 939/QD-LDTBXH announcing the amended administrative procedures under the Ministry of Labour, War Invalids and Social Affairs's management function.
- Circular No. 17/2012/TT-BLDTBXH dated 26 July 2012 of the Ministry of Labour, War Invalids and Social Affairs promulgating the framework program at vocational junior college and intermediate levels for profession of Technology - Production and Processing - Arts.
- On 26 July 2012, the Ministry of Labour, War Invalids and Social Affairs issued Circular No. 16/2012/TT-BLDTBXH dated 26 July 2012 providing for the framework program at vocational junior college and intermediate levels for a number of professions of Production and Processing – Technical Technology - Science and Life - Business and Management - Agriculture, Forestry and Agriculture - Hotel, Tourism, Sports and personal Services.
- Circular No. 113/2012/TT-BTC dated 17 July 2012 of the Ministry of Finance detailing investment activities to preserve and develop the insurance funds managed by Vietnam Social Insurance.
- On 6 July 2012, the Ministry of Finance stipulated Circular No. 112/2012/TT-BTC amending and supplementing a number of articles of Circular No.101/2009/TT-BTC dated 20 May 2009 of the Ministry of Finance providing guidelines for the management, usage and finalization of expenditures to ensure the implementation of projects and programs under the scheme on “Supporting youth with vocational education and job training for the period from 2008 to 2015”.

Education

- Decision No. 2478/QD-BGDDT dated 9 July 2012 of the Ministry of Education and Training promulgating the Regulation on elaboration and issuance of legal documents.
- On 20 July 2012, the Ministry of Industry and Trade issued Circular No.21/2012/TT-BCT providing for the primary statistical reporting regime applicable to schools under the Ministry of Industry and Trade.
- Circular No. 26/2012/TT-BGDDT dated 10 July 2012 of the Ministry of Education and Training promulgating the Regulation on regular fostering teachers of preschools, schools and regular educational establishments.

Health

- On 24 July 2012, the Ministry of Health stipulated Decision No. 2570/QD-BYT providing guidelines for supportive treatment for the patients having elevated liver enzymes in the community.

- Decision No. 2497/QD-BYT dated 18 July 2012 of the Ministry of Health approving the Frame plan for co-ordination between National target program on HIV/AIDS prevention and Anti-tuberculosis project under the National health target program.
- On 18 July 2012, the Ministry of Health issued Decision No. 2496/QD-BYT promulgating the Regulation on the co-ordination between National target program on HIV/AIDS prevention and Anti-tuberculosis project under the National health target program.
- Decision No. 2495/QD-BYT dated 18 July 2012 of the Ministry of Health promulgating the guidance for active diagnosis of tuberculosis and preventive treatment using isoniazid (INH) for HIV-infected individuals.
- On 18 July 2012, the Ministry of Finance and the Ministry of Labour, War Invalids and Social Affairs jointly stipulated Inter-ministerial Circular No.115/2012/TTLT-BTC-BLDTBXH providing for the management and use of expenditures for the implementation of the project on Social support and rehabilitation for patients suffering from mental illnesses and mind disorders for the period from 2011 to 2020.
- Circular No. 12/2012/TT-BYT dated 5 July 2012 of the Ministry of Health promulgating the technical process of artificial insemination and in vitro fertilization.

Transport

- On 30 July 2012, the Government issued Resolution No. 34/NQ-CP approving the Agreement on providing favourable conditions for road vehicles crossing the borders between the Government of the Socialist Republic of Vietnam and the Government of the Lao People's Democratic Republic.
- Resolution No. 31/NQ-CP dated 25 July 2012 of the Government on signing the Agreement amending the Treaty on air transportation between the Government of Socialist Republic of Vietnam and the Government of the United-States.
- On 30 July 2012, the People's Committee of Ho Chi Minh City stipulated Decision No. 32/QD-UBND providing for vehicle-keeping charges in the area of Ho Chi Minh City.
- Decision No. 31/QD-UBND dated 30 July 2012 of the People's Committee of the Ho Chi Minh City providing for the collection rates and use of fees for licensing business of transportation by car.
- On 20 July 2012, the People's Committee of Hanoi issued Decision No.3270/QD-UBND approving the service charges on automobiles for entry and exit from stations in the area of Hanoi.

- Decision No. 1689/QD-BGTVT dated 19 July 2012 of the Ministry of Transport providing for the establishment of Vietnam Railway Rescue and Natural Calamity Response Centre under Vietnam Railways Corporation.
- On 30 July 2012, the Ministry of Transport stipulated Circular No. 29/2012/TT-BGTVT providing for the improvement of inland motorized transport means.
- Circular No. 27/2012/TT-BGTVT dated 20 July 2012 of the Ministry of Transport providing for the reporting on and investigation of maritime accidents.
- On 20 July 2012, the Ministry of Transport issued Circular No. 26/2012/TT-BGTVT providing for the determination and handling of dangerous positions on land roads being in use.
- Circular No. 25/2012/TT-BGTVT dated 3 July 2012 of the Ministry of Transport providing guidelines for the regime on collection, submission, management and use of charges for participation in International Maritime Organization (IMO).

Construction

- Decision No. 626/QD-BXD dated 16 July 2012 of the Ministry of Construction on the establishment of the Steering Committee for implementation of the project on “Training, fostering and improving capacity of constructive management and urban development for public officials who are leaders and urban experts at all levels for the period from 2010 to 2015”.
- On 10 July 2012, the Prime Minister stipulated Decision No. 851/QD-TTg approving the overall planning on construction of Hon La economic zone in Quang Binh Province up to 2030.

Land

- Decision No. 1767/QD-BTC dated 12 July 2012 of the Ministry of Finance on retaining the houses and land for continued management and use.
- On 6 July 2012, the People’s Committee of Ho Chi Minh City stipulated Decision No. 28/2012/QD-UBND promulgating adjustment coefficients of land prices for calculation of land use levies on households and individual in the area of Ho Chi Minh City.
- Decision No. 15/2012/QD-UBND dated 4 July 2012 of the People’s Committee of Hanoi promulgating the regulations on determination of the land rental units in the area of Hanoi.
- On 4 July 2012, the People’s Committee of Hanoi issued Decision No.14/2012/QD-UBND promulgating the Policy on selling resettlement houses in the form of payment by instalments to households and individuals when the State revokes land, and carries out compensation, assistance and resettlement in the area of Hanoi.

Natural Resources - Environment

- On 26 July 2012, the Ministry of Natural Resources and Environment stipulated Decision No. 1193/QD-BTNMT promulgating the Regulation on management and use of the Ministry of Natural Resources and Environment's headquarters.
- Decision No. 1044/QD-BTNMT dated 11 July 2012 of the Ministry of Natural Resources and Environment promulgating the Economical and technical norms for the geological and mineral investigations.
- On 4 July 2012, the Ministry of Natural Resources and Environment issued Circular No. 07/2012/TT-BTNMT providing for the criteria, orders and procedures for recognizing environmentally friendly plastic bags.

Information - Communications

- Decision No. 1895/QD-BCTC dated 30 July 2012 of the Ministry of Finance providing standards for application of information technology in administrative bodies and professional non-business units under the Ministry of Finance.
- On 27 July 2012, the Prime Minister issued Decision No. 32/2012/QD-TTg approving the Planning on development of national telecommunication up to 2020.
- Decision No. 3963/QD-BCT dated 11 July 2012 of the Ministry of Industry and Trade approving the Plan of application of information technology to administrative procedure modernization in the last six months of 2012.
- On 2 July 2012, the Ministry of Information and Communications stipulated Decision No. 1186/QD-BTTTT announcing the list of legal documents on information and communications, which are no longer valid.
- Circular No. 13/2012/TT-BTTTT dated 30 July 2012 of the Ministry of Information and Communications providing for the examination and treatment of legal documents in the field of information and communications.
- On 30 July 2012, the Ministry of Information and Communications issued Circular No. 12/2012/TT-BTTTT providing for competitive examination regarding the right to use radio frequency.
- Circular No. 11/2012/TT-BTTTT dated 17 July 2012 of the Ministry of Information and Communications promulgating a list of used information and technology products prohibited from import.
- On 10 July 2012, the Ministry of Information and Communications stipulated Circular No. 10/2012/TT-BTTTT promulgating the list of telecommunication services stipulated in Clause 1, Article 3 of Decree No. 25/2011/ND-CP dated 6 April 2011 detailing and providing guidelines for the implementation of a number of articles of the Law on Telecommunications.

- Circular No. 09/2012/TT-BTTTT dated 6 July 2012 of the Ministry of Information and Communications promulgating the List of domestic telecast channels serving political tasks and essential propagation information.

Administration - Judiciary

- On 23 July 2012, the Government issued Decree No. 59/2012/ND-CP on supervision of the laws enforcement.
- Decision No. 31/2012/QD-TTg dated 26 July 2012 of the Prime Minister promulgating the Regulation on co-ordination in the implementation of the United Nations's Anti-corruption convention.
- On 17 July 2012, the Ministry of Justice stipulated Decision No. 2006/QD-BTP promulgating the list of legal documents and regulations issued and jointly issued by the Ministry of Justice that are expired up to the date of 30 June 2012.
- Decision No. 1985/QD-BTP dated 13 July 2012 of the Ministry of Justice promulgating the Implementation plan for registration of adoption according to the Law on Adoption.
- On 6 July 2012, the Ministry of Labour, War Invalids and Social Affairs issued Decision No. 852/QD-LDTBXH announcing amended and supplemented administrative procedures within the management scope and function of the Ministry of Labour, War Invalids and Social Affairs.
- Decision No. 1571/QD-BGTVT dated 5 July 2012 of the Ministry of Transport announcing the list of legal documents on transport which are no longer valid in the first 6 months of 2012.
- On 4 July 2012, the Ministry of Finance stipulated Decision No. 1681/QD-BTC promulgating the Regulation on preparation of estimate, management, use and finalization of expenditures to ensure the works of inspecting, handling, reviewing and systemizing legal documents in administrative agencies and professional non-business units under the Ministry of Finance.
- Circular No. 07/2012/TT-BTP dated 31 July 2012 of the Ministry of Justice providing guidelines for legal assistance collaborators of the State legal assistance centres.
- On 13 July 2012, the Government Inspectorate issued Circular No. 02/2012/TT-TTCp detailing and providing guidelines for inspection authority and contents regarding responsibilities for implementing legal regulations on prevention of and fighting against corruption.
- Circular No. 39/2012/TT-BCA dated 4 July 2012 of the Ministry of Public Security providing for the management and detention of persons sentenced to capital punishment.

Agriculture

- On 6 July 2012, the Hanoi People's Committee stipulated Decision No.16/2012/QD-UBND promulgating the regulations on the pilot implementation of a number of incentive policies on encouraging development of agricultural production and construction of rural infrastructures in Hanoi for the period from 2012 to 2016.
- Circular No. 35/2012/TT-BNNPTNT dated 27 July 2012 of the Ministry of Agriculture and Rural Development supplementing Circular No. 14/2011/TT-BNNPTNT providing for inspection and evaluation of establishments producing or trading in agricultural materials and agricultural, forestry and fisheries products.
- On 20 July 2012, the Ministry of Agriculture and Rural Development issued Circular No. 34/2012/TT-BNNPTNT providing for conditions for hygiene and food safety applicable to establishments collecting, preserving and trading in fresh poultry eggs for use as food.
- Circular No. 33/2012/TT-BNNPTNT dated 20 July 2012 of the Ministry of Agriculture and Rural Development providing conditions for hygiene and food safety applicable to establishments trading in raw meats and edible parts of animals for use as food.
- On 20 July 2012, the Ministry of Agriculture and Rural Development stipulated Circular No. 31/2012/TT-BNNPTNT promulgating an additional list of fertilizers allowed for manufacture, trade and use in Vietnam.
- Circular No. 30/2012/TT-BNNPTNT dated 3 July 2012 of the Ministry of Agriculture and Rural Development promulgating the National technical regulations on veterinary hygiene conditions.
- On 3 July 2012, the Ministry of Agriculture and Rural Development issued Circular No. 29/2012/TT-BNNPTNT promulgating the National technical regulations on quality of raw sugarcane.

Forestry - Aquaculture

- Decision No. 1667/QD-BNN-TCLN dated 18 July 2012 of the Ministry of Agriculture and Rural Development approving the Project on transfer of the Forestry Trust Fund to the Vietnam Forest Protection and Development Fund.
- On 6 July 2012, the Department for Quality Management of agricultural, forestry and aquacultural products stipulated Decision No. 157/QD-QLCL on public officials assigned to carry out duty of professionally inspecting quality and food safety of agricultural, forestry and aquacultural products.
- Circular No. 37/2012/TT-BNNPTNT dated 30 July 2012 of the Ministry of Agriculture and Rural Development on the amended list of products for treating

and improving the aquacultural environment that are allowed to be marketed in Vietnam.

- On 30 July 2012, the Ministry of Agriculture and Rural Development issued Circular No. 36/2012/TT-BNNPTNT on the amended list of aquaculture feed allowed to be marketed in Vietnam.
- Circular No. 32/2012/TT-BNNPTNT dated 20 July 2012 of the Ministry of Agriculture and Rural Development promulgating the List of objects subject to quarantine of aquaculture and aquacultural products; and the List of aquaculture and aquacultural products subject to quarantine.

Enterprise

- On 19 July 2012, the Ministry of Agriculture and Rural Development stipulated Decision No. 1676/QD-BNN-DMDN on the adjustment in the implementation plan of program on training and fostering the human resources for small and medium sized enterprises in agriculture and rural areas.
- Decision No. 929/QD-TTg dated 17 July 2012 of the Prime Minister approving the project on “Restructuring state-owned enterprises, focusing on economic groups and State corporations for the period from 2011 to 2015”.

Miscellaneous

- On 9 July 2012, the Government issued Resolution No. 28/NQ-CP approving the agreement on the establishment of ASEAN co-ordination center for humanitarian assistance and disaster settlement.
- Decree No. 58/2012/ND-CP dated 20 July 2012 detailing and providing guidelines for the implementation a number of articles of the Law on Securities and the Law amending and supplementing a number of articles of the Law on Securities.
- On 20 July 2012, the Prime Minister stipulated Decision No. 943/QD-TTg approving the overall planning on socio - economic development in the South-eastern Vietnam up to 2012.
- Decision No. 79/QD-BCDHNQT dated 19 July 2012 of the National Steering Committee for International Integration of education and science, technology promulgating the Regulation on operations of the National Steering Committee for International Integration of education and science, technology.
- On 19 July 2012, the Prime Minister issued Decision No. 939/QD-TTg approving the overall planning on socio - economic development in Mekong Delta up to 2020.

- Decision No. 936/QD-TTg dated 18 July 2012 of the Prime Minister approving the overall planning on socio - economic development in Highlands area up to 2020.
- On 18 July 2012, the Prime Minister stipulated Decision No. 30/2012/QD-TTg on the criteria to determine hamlets with specially difficult socio – economic conditions, communes in ethnic minority and mountainous regions for the period from 2012 to 2015.
- Decision No. 1223/QD-KTNN dated 6 July 2012 of the State Audit promulgating the inspection process to implement audit petitions of the State Audit.
- On 16 July 2012, the Ministry of Culture, Sports and Tourism issued Circular No. 07/2012/TT-BVHTTDL providing guidelines for Decree No. 32/2012/ND-CP dated 12 April 2012 on the management of export and import of cultural products for non-commercial purposes.

Contact Details

Hanoi Office

Mr. Pham Nghiem Xuan Bac

Managing Partner

Mr. Luu Tien Ngoc

Director, Business Development

Mr. Pham Minh Hai

Partner, Consulting Practice

Ms. Le Quynh Anh

Executive Partner, Legal Practice

Ms. Le Thi Kim Dzung

Partner, Intellectual Property Practice

Unit 308-310, 3rd Floor, Hanoi Towers
49 Hai Ba Trung, Hanoi, Vietnam

Tel: 84-4-3934 0629/ 3826 4797 Fax: 84-4-3934 0631

E-mail: vision@vision-associates.com

Ho Chi Minh City Office

Mr. Luu Tien Ngoc

Director, Business Development

Mrs. Nguyen Thi Van

Head of Ho Chi Minh City Office

Unit 905, 9th Floor, CitiLight Tower
45 Vo Thi Sau, District 1, Ho Chi Minh City, Vietnam.

Tel: 84-8-3823 6495 Fax: 84-8-3823 6496

E-mail: hcmvision@vision-associates.com

www.vision-associates.com