

# Legal news

November 2013

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## HIGHLIGHTED

### 1. New regional minimum wage rates for employees

*On 14 November 2013, the Government issued Decree No. 182/2013/ND-CP, providing the regional minimum wage rates for employees working in enterprises, co-operatives, co-operative groups, farms, households, individuals, and other agencies or organizations hiring labour.*

Under the Decree, new regional minimum wage rates will be applied to employees who working in:

- (a) Enterprises, which are established, managerially organized and operate in accordance with Law on Enterprises (including enterprises with foreign owned capital in Vietnam);
- (b) Co-operatives, federations of co-operatives, co-operative groups, farms, households, individuals and other Vietnamese organizations, which hire labour;
- (c) Foreign agencies and organizations, international organizations, and foreign individuals in Vietnam that hire labour (unless otherwise required by an international treaty of which Vietnam is a member).

All the enterprises, co-operatives, federations of co-operatives, co-operative groups, farms, households, agencies, organizations and individuals mentioned in (a), (b) and (c) above hereinafter collectively referred to as enterprises.

Below are the regional minimum wage rates to be applied by the enterprises:

- (a) VND 2,700,000 per month for enterprises operating in all urban or rural districts of Ho Chi Minh City; all urban districts and some rural districts of Hanoi and of Hai Phong; Bien Hoa City and some rural districts of Dong Nai Province; Thu Dau Mot City and some rural districts of Binh Duong Province; and Vung Tau City.
- (b) VND 2,400,000 per month for enterprises operating in the remaining rural districts of Hanoi and of Haiphong; urban and rural districts of Da Nang City; Hung Yen City and some rural districts of Hung Yen Province; Vinh Yen City, Phuc Yen town and some rural districts of Vinh Phuc Province; Bac Ninh City, Tu Son Town and some rural districts of Bac Ninh Province; Hai Duong, Ha Long, Mong Cai, Thai Nguyen, Viet Tri, Lao Cai, Ninh Binh, Hue, Nha Trang, Cam Ranh, Da Lat, Bao Loc, Phan Thiet, Ba Ria, Tan An, My Tho, Rach Gia, Long Xuyen, Ca Mau Cities...; and a number of other towns and rural districts.
- (c) VND 2,100,000 per month for enterprises operating in the remaining provincial-run cities; rural districts of Can Tho City; remaining rural districts of Hung Yen Province; Chi Linh, Song Cong, Tam Diep, Bim Son, Ninh Hoa, La Gi, Dong Xoai, Phuoc Long, Binh Long, Go Cong, Binh Minh, Ha Tien, Tan Chau, Nga Bay Towns...; and a number of other rural districts.
- (d) VND 1,900,000 per month for enterprises operating in the remaining areas.

Enterprises are encouraged to reach an agreement on and pay the employees' wages at rates higher than the above regional minimum wage rates. The lowest wage rates payable to employees who have passed vocational training courses (including courses, which are organized by enterprises themselves) must be at least 7% higher than the regional minimum wage rates.

This Decree takes effect on 31 November 2013.

## 2. Sanctioning administrative violations in commercial activities

*On 15 November 2013, the Government issued Decree No. 185/2013/ND-CP, on sanctioning administrative violations in commercial activities, production and trade of counterfeit or prohibited goods, and protection of the consumers' rights ("Decree 185").*

Under the new Decree, if Vietnamese organizations/ individuals or foreign organizations/ individuals commit any administrative violations specified in this Decree in Vietnam territory, they may be subject to one of the following sanctions:

- (a) A warning.
- (b) A monetary fine varying from VND 200,000 to VND 70,000,000 VND, based on the violation's nature.
- (c) Confiscation of evidences and means used for administrative violations.
- (d) Deprivation of the right to use licenses and practice certificates for a limited duration, or suspension of activities for a limited duration.
- (e) Application of measures to remedy the consequences: forced destruction of the evidences, forced return of the earned illegal benefits, forced retrieval of goods from circulation due to the violations; forced elimination of violating factors, forced retrieval of violating factors from circulation due to the violations.

Decree 185 further defines the administrative violations in commercial activities, production and trade of counterfeit or prohibited goods, and protection of the rights of consumers to include:

- (a) Violations in business activities specified in business registration certificate, business license, business eligibility certificate, and practicing certificate for business in goods or services;
- (b) Conducting business in prohibited services, or producing and trading counterfeit or prohibited goods;
- (c) Trading goods, which are illegally imported; domestically-circulated goods, which are subject to urgent measures; goods and services in which business is restricted or conditional; goods, of which use term has been expired or origin is unknown, or goods committing other violations;
- (d) Violations in producing and trading tobacco;
- (e) Violations in producing or trading alcohols;
- (f) Violations in goods speculation and hoarding;
- (g) Violations in trade promotion activities;
- (h) Violations in trade intermediate activities;

- (i) Violations in exporting and importing goods or services, which are related to the export and import of goods;
- (j) Violations in protecting the rights of consumers;
- (k) Violations in e-commerce;
- (l) Violations in establishment and operation of foreign traders and foreigners in Vietnam; and
- (m) Other violations in commercial activities.

This Decree will take effect on 1 January 2014.

### **3. Publicizing financial information**

On 20 November 2013, the Ministry of Finance issued Circular No.171/2013/TT-BTC (“Circular 171”) to provide guidelines for the publication of financial information as stipulated in Decree No. 61/2013/ND-CP, dated 25 June 2013.

Applicable subjects of this Circular include:

- (a) State-owned enterprises;
- (b) Enterprises operating in financial, banking, insurance, lotteries and securities sectors, which have to publicize financial information in accordance with the specialized laws;
- (c) Owner of capital invested by the State in the enterprises;
- (d) State management agencies on corporate finance (the Ministry of Finance, the Department of Finance of provinces and central-run cities).
- (e) Enterprises with State-owned capital implementing the publication of financial information in accordance with the applicable laws and enterprises’ charters.

According to Circular 171, the contents of the publication of financial information comprise:

- (a) Contents contained in the Financial assessment report; Financial supervision report, and Report on the results of financial supervision.
- (b) Contents of information about incomes and average incomes of employees; the situation of fulfilling obligations towards the employees with respect to health insurance, social insurance, and unemployment insurance (if any); the situation of wages, remunerations, bonuses and monthly incomes of each enterprises’ manager in the immediate preceding year.
- (c) Contents of information about audited financial statements; commentary, confirmative, conclusive, and suggestive opinions of auditors, owners and corporate finance management agencies.
- (d) List of enterprises, which have been put in or out of the list of enterprises subject to special supervision.
- (e) Decision on assignment of annual review criteria to each enterprise; evaluation result of the owner on assessing the performance efficiency of the enterprises and classifying operations of the enterprises’ managerial staffs.

Forms of publication of financial information include publication in writing or on the media. In case where organizations or individuals are in breach of any provision of laws on publicizing financial information, depending on the nature and seriousness of the breach, they will be subject to the following sanctions:

- (a) A monetary fine varying from VND 5,000,000 to VND 10,000,000 if the contents of publicized information are insufficient or the publication is behind the prescribed time-limit from 1 month to 3 months.
- (b) A monetary fine varying from VND 20,000,000 to VND 30,000,000 if the publication is behind the prescribed time-limit more than 3 months, or the publicized information and data are untruthful.
- (c) A warning or reprimand applicable to the enterprises' managerial staff depending on the violations' seriousness.

This Circular will take effect on 5 January 2014.

## **Other Sectors**

### **Finance - Banking**

- On 21 November 2013, the Government issued Decree No. 192/2013/ND-CP, on sanctioning administrative violations in the management and use of State-owned assets; thrift practice and waste combating; national reserves; and State treasury.
- Decree No. 156/2013/ND-CP, dated 11 November 2013, providing for the functions, duties, powers and organizational structure of the State Bank of Vietnam.
- On 1 November 2013, the Ministry of Finance stipulated Decision No. 2714/QD-BTC, on correcting Circular No. 89/2013/TT-BTC, dated 28 June 2013, of the Ministry of Finance, on amending and supplementing Circular No. 228/2009/TT-BTC, dated 7 December 2009, of the Ministry of Finance, providing guidelines for the appropriation and use of provisions for devaluation of inventories, loss of financial investments, accounts receivable of bad debts, and warranty for products, goods, and construction and installation works at enterprises.
- Circular No. 23/2013/TT-NHNN, dated 19 November 2013, of the State Bank of Vietnam, providing for the State credit institutes' maintenance of deposit balances at the Vietnam Bank for Social Policies.
- On 15 November 2013, the Ministry of Finance issued Circular No.167/2013/TT-BTC, on amending and supplementing a number of articles of Circular No.34/2012/TT-BTC, dated 1 March 2012, providing guidelines on the issuance of bonds guaranteed by the Government.
- Inter-ministerial Circular No. 163/2013/TTLT-BTC-BNV, dated 15 November 2013, of the Ministry of Finance and the Ministry of Home Affairs, providing guidelines on the standards and requirements of and procedures for appointment, re-appointment, arrangement, dismissal, replacement and determination of responsibility allowance of chief accountants or persons in charge of accounting in accounting units in the field of State accounting.
- On 14 November 2013, the Ministry of Finance stipulated Circular No.161/2013/TT-BTC, on amending and supplementing Circular No.77/2013/TT-BTC, dated 4 June 2013, of the Ministry of Finance, on providing for the interest rates applicable to the State's investment credits and export credits and the difference of the interest rates accounted as post-investment support.
- Circular No. 158/2013/TT-BTC, dated 13 November 2013, of the Ministry of Finance, providing guidelines on a number of contents of financial supervision and operational efficiency assessment of State-owned enterprises and enterprises with State-owned capital.

- On 6 November 2013, the Ministry of Finance issued Circular No. 155/2013/TT-BTC, providing for the duration of preservation of dossiers and documents, which are popularly formed in operations of the finance branch.

### Securities

- Decision No. 2882/QD-BTC, dated 22 November 2013, of the Ministry of Finance, on promulgating the organizational and operational charter of Hanoi Stock Exchange.
- On 22 November 2013, the Ministry of Finance stipulated Decision No.2881/QD-BTC, on promulgating the organizational and operational charter of Ho Chi Minh City Stock Exchange.
- Decision No. 2880/QD-BTC, dated 22 November 2013, of the Ministry of Finance, on promulgating the organizational and operational charter of Vietnam Securities Depository Centre.

### Taxation

- On 15 November 2013, the Ministry of Finance issued Circular No.166/2013/TT-BTC, on detailing the sanctions of administrative violations in taxation.
- Circular No. 162/2013/TT-BTC, dated 15 November 2013, of the Ministry of Finance, on promulgating the Special Preferential Import Tariff of Vietnam for the implementation of Vietnam - Chile Free Trade Agreement for the period from 2014 to 2016.
- On 11 November 2013, the Ministry of Finance stipulated Circular No.157/2013/TT-BTC, on amending the export tax rates applicable to the commodities of rubber under Headings 40.01, 40.02 and 40.05 in the Export Tariff accompanying Circular No. 193/2012/TT-BTC, dated 15 November 2012.
- Circular No. 156/2013/TT-BTC, dated 6 November 2013, of the Ministry of Finance, on providing guidelines for the implementation of a number of articles of Law on Tax Administration, Law on amending and supplementing a number of articles of the Law on Tax Administration and Decree No. 83/2013/ND-CP, dated 22 July 2013.

### Trade

- On 20 November 2013, the Government issued Decree No. 187/2013/ND-CP, detailing the implementation of Commercial Law with respect to international purchases and sales of goods; agencies' activities for purchases, sales and processing; and transit of goods involving foreign parties.
- Decree No. 181/2013/ND-CP, dated 14 November 2013, detailing the implementation of a number of articles of Law on Advertising.

- On 14 November 2013, the Government stipulated Decree No. 177/2013/ND-CP, detailing and providing guidelines for the implementation of a number of articles of Law on Pricing.
- Decree No. 164/2013/ND-CP, dated 12 November 2013, on amending and supplementing a number of articles of Decree No. 29/2008/ND-CP, dated 14 March 2008, on industrial zones, export-processing zones and economic zones.
- On 27 November 2013, the General Department of Vietnam Customs issued Decision No. 3949/QD-TCHQ, on promulgating the process of assessment and appraisal, recognition, re-evaluation, extension, temporary suspension, suspension and management of prioritized enterprises.
- Decision No. 72/2013/QD-TTg, dated 26 November 2013, of the Prime Minister, providing for financial mechanism and policies applicable to border-gate economic zones.
- On 15 November 2013, the Ministry of Industry and Trade stipulated Circular No.31/2013/TT-BCT, providing for the implementation of Rules of Origin under the Free Trade Agreement between Vietnam and Chile.
- Circular No. 29/2013/TT-BCT, dated 13 November 2013, of the Ministry of Finance, providing for the organizational structure and operations of the bodies, which are assigned to perform specialized inspection of the Industry and Trade branch.
- On 5 November 2013, the Ministry of Justice, the Ministry of Transport, the Ministry of Natural Resources and Environment, and the Ministry of Public Security jointly issued Inter-ministerial Circular No. 15/2013/TTLT-BTP-BGTVT-BTNMT-BCA, providing guidelines on the exchange and provision of information about properties used as security among secured transaction registration agencies and notarial organizations, civil judgement enforcement agencies and registration agencies for ownership, use rights and circulation rights of properties.

## Education

- Decision No. 5580/QD-BGDĐT, dated 26 November 2013, of the Ministry of Education and Training, promulgating the Regulations on elaboration, promulgation, and consolidation of legal documents.
- On 11 November 2013, the Prime Minister stipulated Decision No. 64/2013/QD-TTg, promulgating the conditions and procedures for establishing or allowing establishment and training activities, suspending training activities, merging, splitting, and dissolving universities and academies.
- Circular No. 36/2013/TT-BGDĐT, dated 6 November 2013, of the Ministry of Education and Training, on amending and supplementing a number of articles of



the Regulations on conditions, standards and procedures for recognition of generalizing preschools for five years old children, accompanying Circular No.32/2010/TT-BGDDT, dated 2 December 2010, of the Ministry of Education and Training.

### Labour

- On 26 November 2013, the Government issued Decree No. 200/2013/ND-CP, on detailing Article 11 of Law on Trade Union regarding the Trade Unions' rights to and responsibilities for participation in State management and socio-economic management.
- Decree No. 191/2013/ND-CP, dated 21 November 2013, on detailing the finance of Trade Unions.
- On 11 November 2013, the Prime Minister stipulated Decision No. 2155/QD-TTg, on approving the Scheme on improving the capacity of inspectors of Labour, War Invalids and Social Affairs branch up to 2020.
- Circular No. 46/2013/TT-BGTVT, dated 26 November 2013, of the Ministry of Transport, on providing guidelines for the implementation of mechanism on specific labour disciplines applicable to airline staffs.
- On 18 November 2013, the Ministry of Labour, War Invalids and Social Affairs issued Circular No. 27/2013/TT-BLDTBXH, providing for the training on labour safety and labour hygiene.
- Inter-ministerial Circular No.31/2013/TTLT-BLDTBXH-BTC, dated 12 November 2013, of the Ministry of Labour, War Invalids and Social Affairs and the Ministry of Finance, on providing guidelines for the implementation of Decision No. 1465/QD-TTG, dated 20 August 2013, of the Prime Minister, on the pilot implementation of deposit for employees going to work in Korea under the Republic of Korea's Program on Licensed Work for foreign employees.
- On 5 November 2013, the Ministry of Agriculture and Rural Development stipulated Circular No. 46/2013/TT-BNNPTNT, on promulgating the national standards of vocational skills for vocations under the group of agricultural vocations.

### Health

- Decree No. 178/2013/ND-CP, dated 14 November 2013, on sanctioning administrative violations against food safety.
- On 14 November 2013, the Government issued Decree No. 176/2013/ND-CP, on sanctioning administrative violations in the field of health.
- Circular No. 28/2013/TT-BCT, dated 6 November 2013, of the Ministry of Industry and Trade, providing for State examination on food safety of imported

foods under the management responsibility of the Ministry of Industry and Trade.

- On 1 November 2013, the Ministry of Finance stipulated Circular No.154/013/TT-BTC, providing for the collection levels and the regime on collection, payment, management and use of evaluation charge for licensing and fee for grant of the operating licenses to addiction treatment facilities using alternative medicines.

## **Transport**

- Decree No. 171/2013/ND-CP, dated 13 November 2013, on sanctioning administrative violations in the fields of land road traffic and railway traffic.
- On 12 November 2013, the Government issued Decree No. 165/2013/ND-CP, providing for the management and use and the list of specialized technical means and equipment used to detect administrative violations of traffic order and safety and environmental protection.
- Decree No. 161/2013/ND-CP, dated 12 November 2013, on the registration and the sales, purchases and new constructions of sea-going ships.
- On 4 November 2013, the Government stipulated Decree No. 152/2013/ND-CP, on the management of motorized vehicles brought in Vietnam by foreign tourists.
- Decision No. 70/2013/QD-TTg, dated 19 November 2013, of the Prime Minister, on publicizing the Classification list of Vietnam seaports.
- On 5 November 2013, the Ministry of Transport issued Decision No. 3530/QD-BGTVT, on amending, supplementing, replacing and repealing administrative procedures within the scope of the Ministry of Transport's management functions.
- Circular No. 45/2013/TT-BGTVT, dated 19 November 2013, of the Ministry of Transport, providing the procedures for granting, approving, and retrieving the Declaration of conformity to the Maritime Labour and the Maritime Labour Certificate.
- On 15 November 2013, the Ministry of Finance stipulated Circular No.165/2013/TT-BTC, providing for the collection rates and the regime on collection, payment, management and use of charges for registration of sea-going ships and marine works; fees for assessing, examining, evaluating and certifying systems of safety and security management of sea-going vessels and marine works; and fees for approval, examination, assessment and certification of maritime labour under the supervision scope of the Vietnam Register.
- Circular No. 44/2013/TT-BGTVT, dated 15 November 2013, of the Ministry of Transport, on amending and supplementing a number of articles of Circular No.14/2012/TT-BGTVT, dated 27 April 2012, of the Ministry of Transport, on transportation of passengers, luggages and baggages by speedboats on fixed

waterway routes among ports and stations in inland waters of Vietnam.

- On 14 November 2013, the Ministry of Transport issued Circular No.42/2013/TT-BGTVT, on supplementing the Appendix of the Economic - technological norms of marine pilot services of public use, accompanying Circular No. 69/2011/TT-BGTVT, dated 30 December 2011, of the Ministry of Transport.
- Circular No. 159/2013/TT-BTC, dated 14 November 2013, of the Ministry of Finance, providing guidelines for the regime on collection, payment, management and use of land road use charges to recover the land road construction investment capital.
- On 1 November 2013, the Ministry of Transport stipulated Circular No.40/2013/TT-BGTVT, on promulgating the National technical regulations on fire safety structures for vehicles and fire safety requirements of materials used in interior structures of vehicles.

### **Construction**

- Decision No. 1148/QD-BXD, dated 12 November 2013, of the Ministry of Construction, on promulgating administrative procedures among State administrative agencies in relation to organizations, individuals and enterprises under the scope of the Ministry of Construction's management functions.
- On 11 November 2013, the Hanoi People's Committee issued Decision No.49/2013/QD-UBND, on promulgating the Regulations on responsibilities for management of construction works' quality in the area of Hanoi.
- Inter-ministerial Circular No. 20/2013/TTLT-BXD-BNV, dated 21 November 2013, of the Ministry of Construction and the Ministry of Home Affairs, providing guidelines for a number of articles of Decree No. 11/2013/ND-CP, dated 14 January 2013, of the Government, on the management of urban development investment.

### **Land - Real estate**

- On 20 November 2013, the Government stipulated Decree No. 188/2013/ND-CP, on development and management of residential housing for low-income people.
- Decision No. 7122/QD-UBND, dated 22 November 2013, of the Hanoi People's Committee, on approving the Scheme on provision of information about land use planning and plans in Hanoi.
- On 19 November 2013, the Hanoi People's Committee issued Decision No.6982/QD-UBND, on providing "one-stop-shop" mechanism for procedures for assessing and appraising the demands for land use to implement investment projects, in which the Department of Natural Resources and Environment plays a

role of clue to receive the dossiers and return the settlement results of administrative procedures.

- Decision No. 2174/QD-TTg, dated 12 November 2013, of the Prime Minister, on approving the Scheme on exploitation of financial resources from land and State-owned properties for the socio-economic development for the period from 2013 to 2020.

### **Natural Resources - Environment**

- On 28 November 2013, the Government stipulated Decree No. 203/2013/ND-CP, providing for the methods of calculation and the collection rates of charge for granting mining rights.
- Decree No. 201/2013/ND-CP, dated 27 November 2013, of the Government, detailing the implementation of a number of articles of Law on Water Resources.
- On 14 November 2013, the Government issued Decree No. 179/2013/ND-CP, on sanctioning administrative violations in the field of environmental protection.
- Decree No. 173/2013/ND-CP, dated 13 November 2013, on sanctioning administrative violations in the field of hydrometeorological, measuring and cartographical sectors.
- On 11 November 2013, the Prime Minister stipulated Decision No. 2157/QD-TTg, on promulgating the Set of norms for monitoring and evaluating the local sustainable development for the period from 2013 to 2020.

### **Energy**

- Decision No. 69/2013/QD-TTg, dated 19 November 2013, of the Prime Minister, providing for the adjustment mechanism of the electricity's average retail price.
- On 11 November 2013, the Prime Minister issued Decision No. 2165/QD-TTg, on the price frame of the electricity's average retail price from 2013 to 2015.
- Decision No. 63/2013/QD-TTg, dated 8 November 2013, of the Prime Minister, providing for the roadmaps, conditions and structure of electricity branch to form and develop the levels of electric market in Vietnam.
- On 8 November 2013, the Prime Minister stipulated Decision No. 2081/QD-TTg, on approving the Program on supplying power to rural and mountainous areas, and sea islands for the period from 2013 to 2020.
- Circular No. 30/2013/TT-BCT, dated 14 November 2013, of the Ministry of Industry and Trade, providing for conditions and process of suspension and reduction of power supply.

### **Information - Communications**

- On 13 November 2013, the Government issued Decree No. 174/2013/ND-CP, on

sactioning administrative violations in the field of posts, telecommunications, information technology and radio frequencies.

- Decree No. 159/2013/ND-CP, dated 12 November 2013, on sanctioning administrative violations in press and publication activities.
- On 8 November 2013, the Government stipulated Decree No. 154/2013/ND-CP, on concentrated zones of information technology.
- Decision No. 1487/QD-BTTTT, dated 15 November 2013, of the Ministry of Information and Communications, on promulgating the amended and supplemented administrative procedures under the scope of the Ministry of Information and Communications's management functions.
- On 13 November 2013, the Ministry of Construction issued Decision No.1153/QD-BXD, promulgating the Ministry of Construction's Regulation on speaking and providing information to the press.
- Decision No. 6263/QD-BCA, dated 12 November 2013, of the Ministry of Public Security, promulgating the Ministry of Public Security's Regulation on speaking and providing information to the press.
- On 11 November 2013, the Prime Minister stipulated Decision No. 2159/QD-TTg, on approving and signing the Memorandum of understanding between the Association of South-east Asia Nations and the People Republic of China on co-operation in the field of Information technology and Communications.
- Decision No. 3483/QD-BKHCH, dated 8 November 2013, of the Ministry of Science and Technology, promulgating the Ministry of Science and Technology's Regulation on speaking and providing information to the press.
- On 5 November 2013, the Ministry of Health issued Decision No. 4445/QD-BYT, promulgating the Ministry of Health's Regulation on speaking and providing information to the press.

### **Culture - Sports - Tourism**

- Decree No. 180/2013/ND-CP, dated 14 November 2013, on amending and supplementing a number of articles of Decree No. 92/2007/ND-CP, dated 1 June 2007, detailing the implementation of a number of articles of Law on Tourism.
- On 12 November 2013, the Government stipulated Decree No. 158/2013/ND-CP, on sanctioning administrative violations in the fields of culture, sports, tourism and advertising.
- Decision No. 2162/QD-TTg, dated 11 November 2013, of the Prime Minister, on approving the "Overall Planning for development of tourism in Central Highlands area until 2020, with orientation to 2030".
- On 11 November 2013, the Prime Minister issued Decision No. 2161/QD-TTg, on approving "Overall Planning for development of tourism in the North Central

region until 2020, with orientation to 2030”.

- Decision No. 2160/QD-TTg, dated 11 November 2013, of the Prime Minister, on approving “Planning for development of Vietnam’s exercise and sports up to 2020, with orientation to 2030”.
- On 11 November 2013, the Prime Minister stipulated Decision No. 2156/QD-TTg, on approving the “Strategy for development of cinematography until 2020, with orientation to 2030”.
- Circular No. 08/2013/TT-BVHTTDL, dated 20 November 2013, of the Ministry of Culture, Sports and Tourism, on providing for the processes of and procedures for elaboration and issuance of legal documents of which their elaboration is presided or launched by the Ministry of Culture, Sports and Tourism.

### **Administration - Judiciary**

- On 12 November 2013, the Government issued Decree No. 169/2013/ND-CP, on sanctioning administrative violations in the field of management and protection of national borders.
- Decree No. 167/2013/ND-CP, dated 12 November 2013, on sanctioning administrative violations in the field of security, order, social safety; social evils prevention and combat; fire prevention and fighting; and domestic violence prevention and combat.
- On 12 November 2013, the Government stipulated Decree No. 166/2013/ND-CP providing for the enforcement of decisions on sanction of administrative violations.
- Decree No. 162/2013/ND-CP, dated 12 November 2013, on sanctioning administrative violations in the sea areas, islands and continental shelf of the Socialist Republic of Vietnam.
- On 1 November 2013, the Government issued Decree No. 150/2013/ND-CP, on amending and supplementing a number of articles of Decree No. 158/2007/ND-CP, dated 27 October 2007, providing for the list of work positions subject to periodical interchange and the interchange term for cadres, public officials and servants.
- Decision No. 7117/QD-UBND, dated 22 November 2013, of the Hanoi People’s Committee, promulgating the sample Regulation on records and archives in Hanoi’s agencies and organizations.
- On 19 November 2013, the Ho Chi Minh City People’s Committee stipulated Decision No. 50/2013/QD-UBND, promulgating the process of implementing the decisions on resolution of complaints, which had legal effect.
- Decision No. 124/QD-TANDTC, dated 15 November 2013, of the Supreme People’s Court, on promulgating the Plan of implementating the rights and

obligations of Vietnam as a member of The Hague Conference on private international laws in the People's Court branch.

- On 4 November 2013, the Ministry of Justice issued Decision No. 2611/QD-BTP, promulgating the Plan of initiating the implementation of Law on Conciliation at grassroots level.
- Circular No. 173/2013/TT-BTC, dated 20 November 2013, of the Ministry of Finance, providing guidelines for a number of contents on the management and treatment of material evidences and means used for administrative violations, which are temporarily seized or confiscated according to administrative procedures.
- On 20 November 2013, the Ministry of Justice stipulated Circular No.18/2013/TT-BTP, providing guidelines on the calculation of implementation time and procedures for payment of legal assistance performance costs.
- Circular No. 16/2013/TT-BTP, dated 11 November 2013, of the Ministry of Justice, on amending and supplementing a number of articles of Circular No.13/2011/TT-BTP, dated 27 June 2011, of the Minister of Justice, promulgating and providing guidelines for the usage of standard forms and sample of judicial record books.
- On 31 October 2013, the Government Inspectorate issued Circular No.07/2013/TT-TTTP, providing for the process of settlement of administrative complaints.
- Circular No. 153/2013/TT-BTC, dated 31 October 2013, of the Ministry of Finance, providing the procedures for collection and payment of fines, fine payment receipts, and the expenditures funded by the State Budget for ensuring the operation of forces sanctioning administrative violations.
- On 31 October 2013, the Government Inspectorate stipulated Circular No.08/2013/TT-TTTP, providing guidelines for the implementation of regulations on the transparency of properties and incomes.

### **Agriculture - Forestry - Fishery**

- Decree No. 202/2013/ND-CP, dated 27 November 2013, on the management of fertilizers.
- On 26 November 2013, the Government issued Decree No. 199/2013/ND-CP, providing for the functions, duties, powers and organizational structure of the Ministry of Agriculture and Rural Development.
- Decree No. 157/2013/ND-CP, dated 11 November 2013, on sanctioning administrative violations in the management, development and protection of forests and management of forest products.
- On 12 November 2013, the Ministry of Agriculture and Rural Development

stipulated Decision No. 2694/QD-BNN-PC, promulgating the “Plan of systematizing legal documents in the fields, which are under the State management of the Ministry of Agriculture and Rural Development”.

- Circular No. 50/2013/TT-BNNPTNT, dated 19 November 2013, of the Ministry of Agriculture and Rural Development, providing for the processes of and procedures for elaboration and issuance of legal documents of the Ministry of Agriculture and Rural Development.
- On 19 November 2013, the Ministry of Agriculture and Rural Development issued Circular No. 49/2013/TT-BNNPTNT, providing guidelines on the criteria for determining the concentrated production and cultivation areas satisfying the requirements on food safety.
- Circular No. 48/2013/TT-BNNPTNT, dated 12 November 2013, of the Ministry of Agriculture and Rural Development, providing for the examination and certification of food safety for exported seafoods.

### Enterprise

- On 20 November 2013, the Government stipulated Decree No. 189/2013/ND-CP, on amending and supplementing a number of articles of Decree No. 59/2011/ND-CP, dated 18 July 2011, on the conversion of enterprises with 100% State-owned capital into joint-stock companies.
- Decree No. 172/2013/ND-CP, dated 13 November 2013, on the establishment, re-organization and dissolution of State-owned single member limited liability companies and their subsidiaries, which are single member limited liability companies.

### Miscellaneous

- On 13 November 2013, the Government issued Decree No. 170/2013/ND-CP, on amending and supplementing a number of articles of Decree No. 26/2007/ND-CP, dated 15 February 2007, detailing the implementation of Law on E-transactions with respect to digital signatures and digital signature certification service and Decree No. 106/2011/ND-CP, dated 23 November 2011, amending and supplementing a number of articles of Decree No. 26/2007/ND-CP, dated 15 February 2007.
- Decree No. 163/2013/ND-CP, dated 12 November 2013, on sanctioning administrative violations in chemical, fertilizer and industrial explosives sectors.
- On 11 November 2013, the Government stipulated Decree No. 155/2013/ND-CP, on sanctioning administrative violations in the fields of planning and investment.
- Decision No. 2075/QD-TTg, dated 8 November 2013, of the Prime Minister, approving the Program on development of science and technology market until 2020.



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