

LEGAL UPDATES

March
ISSUE NO.1

2202
EDITION



Inquiries@likonlaw.com



+84 828 022 279



Room 6A, 6th Floor, HALO Building, 51-53 Vo Van Tan
Vo Thi Sau Ward, District 3

1. Circular No. 22/2021/TT-BTTTT detailing a number of articles of Decree No. 91/2020/ND-CP on preventing spam messages, spam emails and spam calls, which takes effect as of March 01st, 2022

On December 13th, 2021, the Ministry of Information and Communications issued Circular No. 22/2021/TT-BTTTT detailing a number of articles of Decree No. 91/2020/ND-CP on preventing spam messages, spam emails and spam calls (“**Circular 22/2021/TT-BTTTT**”), which takes effect from March 01st, 2022.

Criteria for identifying spam messages, spam calls, spam emails

According to Circular 22/2021/TT-BTTTT, the criteria for identifying spam messages, spam calls and spam emails is the frequency, characteristics of using behavior and technology of sending and receiving email.

Specifically, messages are identified as spam messages based on the following criteria:

- (i) the sending frequency is the number of messages sent from the sending source in a period of time;
- (ii) characteristics of using behavior: the sending source is mainly used for sending messages; the rate of making and receiving calls is low; the rate of sending messages to non-relationship subscribers is the ratio of sending messages to non-relationship subscribers (who have never texted before) on the total number of sending messages; and
- (iii) spam message samples are common character patterns to identify spam messages, including spam message samples collected and shared by telecommunications enterprises.

Calls are identified as spam calls based on the following criteria:

- (i) calling frequency is the number of calls made from the calling source during a period of time; and
- (ii) characteristics of using behavior: the sending source is mainly used for making calls, not for receiving and sending messages; the ratio of calls with short time is the ratio of the number of calls with a short duration (from the beginning to the end of the call) to the total number of calls; the ratio of calls with short time



between calls is the ratio of the number of calls with short time between calls (the time interval between two consecutive outgoing calls) to the total number of calls; making calls rate for non-relationship subscribers is the ratio of calls to non-relational phone numbers (that have never been called before) on the total calls.

Emails are identified as spams based on the following criteria:

- (i) email delivery frequency: is the number of emails sent from an email address over a period of time;
- (ii) characteristics of use behavior: the sending source is only used for the purpose of sending email, not for receiving and exchanging information; the ratio of sending emails to other non-relationship email addresses is the ratio of sending emails to non-relationship email addresses (have never exchanged emails) on the total number of sending emails; and
- (iii) technology of sending and receiving emails.

Instructions for reporting spam messages, spam emails, spam calls

According to Circular 22/2021/TT-BTTTT, in case of receiving spam messages, emails or calls, users can report and provide evidences by:

- (a) for spam messages:
 - (i) reporting via switchboard 5656 by sending a message with the following syntax: S [Distribution source][Spam message content] or S (distribution source)(Spam message content) to 5656; or
 - (ii) reporting at website thongbaorac.ais.gov.vn or via call center or application.
- (b) for spam calls:
 - (i) reporting via switchboard 5656 by sending a message with the following syntax: V [Distribution source][Spam message content] or V (distribution source)(Spam message content) to 5656; or
 - (ii) reporting at website thongbaorac.ais.gov.vn or via call center or application.
- (c) for spam email:
 - (i) forwarding spam emails to email address: chongthurac@vncert.vn; or
 - (ii) reporting at website thongbaorac.ais.gov.vn or via call center or application.



Sending the first and only registered advertising message

According to the current law, advertising messages are messages that are meant to introduce profitable/non-profitable products and services and their sellers to the public; except news; social policies; personal information; customer service messages of telecommunication enterprises.

Previously, Decree No.91/2020/ND-CP on preventing spam messages, spam emails and spam calls, stipulating the sending of advertising messages. Accordingly, advertisers may only send first and only registered advertising message. However, this regulation is not clear.

Currently, Circular 22/2021/TT-BTTTT clearly stipulates that the advertisers are only allowed to send the first and only registered advertising message to a phone number, from 7:00 to 22:00 o' clock. The registered advertising message that is attached the label of DKQC. The label is displayed in the beginning of the message.

The minimum content of a message includes:

- (i) introduction the advertiser to request for registration;
- (ii) instructions for registering to receive advertising through the system set up by the advertiser; and
- (iii) instructions for refusing through the system set up by the advertiser.

Within 24 hours from the time of sending the first and only registered advertising message, if the user does not respond, the advertiser is not allowed to send any registered advertising or advertising message to that phone number.

In addition, the advertiser must simultaneously send a copy of the first and only registered advertisement message to the switchboard 5656 and synchronize the registration data, refuse to receive the first and only advertising message to the Non-Advertising List management system.

2. Law No. 03/2022/QH15 amending and supplementing a number of articles of the Law on Public investment, Law on Public-private partnership investment, Law on Investment, Law on Housing, Law on Procurement, Law on Electricity, Law on



Enterprises, Law on Special Consumption Tax and Law on Civil judgment enforcement, which takes effect as of March 01st, 2022

On January 11th, 2022, the National Assembly passed Law No. 03/2022/QH15 amending and supplementing a number of articles of the Law on Public investment, Law on Public-private partnership investment, Law on Investment, Law on Housing, Law on Procurement, Law on Electricity, Law on Enterprises, Law on Special Consumption Tax and Law on Civil judgment enforcement ("**Law 03/2022/QH15**"). This law takes effect as of March 01st, 2022.

Supplementing trading network security products and services into the list of Conditional business line

Previously, in Annex IV of Law No. 61/2020/QH14 on Investment ("**Law on Investment 2020**"), trading network security products and services is not considered as a one of the conditional businesses which were listed in Annex IV. However, from March 01st, 2022, this business line is one of the conditional business lines.

Amending, supplementing a number of articles of Law on Housing

According the previous law, the investment projects on commercial housing construction is only conducted in residential land which has legal use right. From March 01st, 2022, in addition to this kind of land, the investment projects on commercial housing construction are also conducted in other types of non-residential land meet the conditions for converting land use purposes for implementing of an investment project.

However, the use of land for implementing of commercial housing construction projects must consistent with the master plans, the plans on land use already approved by competent authorities, except for lands revoked for security or economics-society development purposes by the government.

After getting the approval of competent authorities and investors under investment laws, investors are obliged to change the purpose of using land if any requests and fulfill all relevant financial obligations in accordance with land laws.

Amending, supplementing a number of articles of Law on Enterprises



For the obligations of members in multi-member limited liability company: according to the current law, if the chairperson and minute writer refuses to sign the minutes of the meeting of the Members' Council, the minutes still shall be effective if they are signed by all other members of Members' Council who attended, approved the minutes and have the contents as prescribed in law. The signatory of the minutes of the meeting is jointly responsible for the accuracy and truthfulness of the contents of the meeting minutes. The chairperson and the minutes writer are personally responsible for the damages caused to the enterprise due to refusing to sign the minutes of the meeting in accordance with this law, the company's charter and relevant laws.

For the mid-year financial statements of enterprises: previously, according to Law on Enterprises, the enterprises are bound to published the mid-year financial statements or summarized statements audited by independent audit organizations. However, from March 01st, 2022, the published mid-year financial statements or summarized statements do not need to be audited.

Amending, supplementing a number of articles of Law on Special Consumption Tax

Law 03/2022/QH15 stipulates the reduction of special consumption tax of battery-powered electric car as follows:

	Passenger car with under 9 seats	Passenger car with 10 seats to 16 seats	Passenger car with 16 to 24 seats
From March 01 st , 2022 to the end of February 28 th , 2027	3%	2%	1%
From March 01 st , 2027	11%	7%	4%

3. Circular No.13/2022/TT-BTC detailing a number of articles of the Decree No. 10/2022/ND-CP on registration fee, which takes effect as of March 01st, 2022



On February 28th, 2022, the Ministry of Finance issued Circular No.13/2022/TT-BTC detailing a number of articles of the Decree No. 10/2022/ND-CP on registration fee (“**Circular 13/2022/TT-BTC**”). This circular takes effect as of March 01st, 2022.

Property subjecting to registration fee

According to the Decree No. 10/2022/ND-CP on registration fee (“**Decree 10/2022/ND-CP**”), property subjecting to registration fee includes:

- (i) house, land;
- (ii) hunting gun, gun used for training or sports;
- (iii) ships in accordance with the Law on inland waterway transport and the maritime law, including barges, canoes, tugs, pushers, submarines, and submersibles; except for floating docks, floating storage units, and mobile offshore drilling units;
- (iv) boats including yachts;
- (v) aircrafts;
- (vi) two-wheeled or three-wheeled motorcycles, mopeds, and equivalences subject to registration fees and fitted with license plates issued by competent authorities;
- (vii) motor vehicles, trailers or semi-trailers towed by motor vehicles, and equivalences subject to registration fees and fitted with license plates issued by competent state agencies; and
- (viii) frame, chassis assembly, engine assembly, and engine block of the property prescribed in this Decree, when replaced, subject to registration with competent authorities.

Circular 13/2022/TT-BTC clearly stipulates on one of the above subjects. Specifically:

- (i) for house, land: houses including residential house, working house and house used for other purposes. Lands including agriculture and non-agriculture land pursuant to land law (regardless of land in which works have been built or not);
- (ii) for boats, including yachts: they must be registered the ownership and use rights with competent authorities; and



- (iii) frame, chassis assembly, engine assembly, and engine block of the property are alternative parts that can change the chassis number, engine number of the property which has been granted the Certificate of ownership, right to use by competent authorities.

Price subjecting to registration fee

Circular 13/2022/TT-BTC clearly promulgates the price subjecting to registration fee as follows:

Property subjecting to registration fee	Price subjecting to registration fee	Notes
Lands	$\text{Land area subjecting to registration fee (m}^2\text{)} \times \text{Price of one square meter of land (dong/m}^2\text{) in the Land Price List issued by the People's Committee of the province or central-affiliated city}$	<p>If the land price in the land use right transfer contract is higher than that issued by the provincial People's Committee, the land price in contract shall be used as the price subjecting to registration fee.</p> <p>Otherwise,</p>



		the price subjecting to registration fee is the price in the Land Price List issued by the provincial People's Committee at the registration fee declaration time.
Houses	$\begin{matrix} \text{House} \\ \text{area} \\ \text{subjecting} \\ \text{to} \\ \text{registratio} \\ \text{n fee (m}^2\text{)} \end{matrix} \times \begin{matrix} \text{Price of} \\ \text{one} \\ \text{square} \\ \text{meter of} \\ \text{land} \\ \text{(dong/m}^2\text{)} \\ \text{)} \end{matrix} \times \begin{matrix} \text{Rate of the} \\ \text{remaining} \\ \text{quality of} \\ \text{the house} \\ \text{that} \\ \text{subjects to} \\ \text{registratio} \\ \text{n fee} \end{matrix}$	If the house price in sales contract is higher than that issued by the provincial People's Committee, the house price in the contract is used as the price



			subjecting to registration fee. Otherwise, the price subjecting to registration fee is the price issued by the provincial People's Committee at the registration fee declaration time
House, land in land use right transfer contract, sales contract which does not separate house and land		If the total house and land price in land use right transfer contract, sales contract is higher than that issued by the provincial People's Committee, the price subjecting to registration fee is the price in the contracts Otherwise, the price subjecting to registration fee is price issued by the provincial People's Committee at the registration fee declaration time	
Propertie	Motor vehicles,	Price subjecting to registration fee is the price in Decision on list of price subjecting	If the new type of



s	motorcycles (except for trailers or semi-trailers towed by motor vehicles; specialized motor vehicles, specialized motorcycles)	to registration fee issued by the Ministry of Finance in Decree 10/2022/ND-CP	motor vehicle, motorcycle appears and is not in the Price List, tax authority shall depend on Decree 10/2022/ND-CP to decide the price subjecting to registration fee for these new types motor vehicles or motorcycles
	Transportation vehicles attached the specialized equipment	Price subjecting to registration is the price of all property, including specialized equipment attached in this transportation vehicle	
Used properties		Price subjecting to registration fee is the remaining price calculated pursuant to use lifetime of this property	Use lifetime of property is calculated from the year of production



		to the year of declaration of registration fee. If the year of production cannot be determined, the use lifetime of property is counted from the year of using to the year of declaration of registration fee
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4. Decree No. 20/2022/ND-CP amending, supplementing a number of articles of Decree No. 119/2015/ND-CP on compulsory insurance in construction investment activities, which takes effect as of July 01st, 2022

On March 10th, 2022, the Government issued Decree No. 20/2022/ND-CP amending, supplementing a number of articles of Decree No. 119/2015/ND-CP on compulsory insurance in construction investment activities ("**Decree 20/2022/ND-CP**"). Decree 20/2022/ND-CP takes effect as of July 01st, 2022. This Decree supplements provisions on civil liability compulsory insurance for third party.

Civil liability compulsory insurance for third party



According to Decree No. 119/2015/ND-CP on compulsory insurance in construction investment activities ("**Decree 119/2015/ND-CP**"), entities required to buy compulsory insurance in construction investment activities includes:

- (i) project owners or contractors if construction insurance premiums have been included in the contractual price for types of construction works as prescribed in this Decree;
- (ii) consultancy service contractors for construction consulting or designing of construction projects ranked II or more; and
- (iii) engineering construction contractors must buy insurance policies for employees working at construction sites.

In addition to the above entities, from July 01st, 2022, according to Decree 20/2022/ND-CP, the engineering construction contractors is required to buy the civil liability compulsory insurance for third party. This insurance fee is calculated in enterprises' production and business costs.

Period of the insurance

According to the current law, the validity period of construction insurance during the construction progress is from the opening date to the closing date of construction activities with reference to the investment decision (even including any modification or amendment if possible) issued by a competent authority and agreed upon in an insurance contract.

Professional liability insurance for construction consultancy service shall be valid from the date of conducting construction consultancy service to the end of warranty time of construction works in accordance with laws.

Insurance term for employees working at construction sites shall be valid from the date on which they start performing their work to the date on which the warranty term of construction works ends in accordance with laws. The determination of specific validity period of insurance for employees shall be consistent with their employment contracts.

Decree 20/2022/ND-CP supplements the insurance term for civil liability compulsory insurance of third party. Accordingly, this term is calculated from the construction



beginning day to ending day, based on construction contract and written in insurance contract.

Scope of civil liability compulsory insurance for third party

According to Decree 20/2022/ND-CP, from July 01st, 2022, for civil liability compulsory insurance for third party, the insurance enterprises must pay compensation of non-contractual damages to health, life, property directly incurred during the construction process and relevant legal costs (if any) for engineering construction contractors under the insurance contract.

Minimum amount of civil liability compulsory insurance for third party

The minimum insurance amount for loss of health or life is VND100 million per person in one case and there is no limit to the number of losses.

The minimum insurance amount for property damage and related legal costs (if any) are determined as follows:

- (i) for constructions valued at less than VND1,000 billion, the minimum insurance amount for property damage and related legal costs (if any) is 10% of the value of the work for the entire insurance period and unlimited number of loss cases; and
- (ii) for constructions valued at VND 1,000 billion or more, the minimum insurance amount for property damage and related legal costs (if any) is VND100 billion for the whole insurance period and unlimited number of loss cases.



DOCUMENTS ISSUED IN MARCH 2022

DATE OF ISSUED	NO	TYPE OF DOCUMENT	PLACE OF ISSUED	MAIN CONTENT
07/3/2022	27/NQ-CP	Revolution	Government	Approving documents making the decree on protecting personal data
10/3/2022	21/2022/NQ-CP	Decree	Government	Amending, supplementing a number of articles of Decree No. 57/2019/ND-CP on preferential export tariff schedule and special import tariff schedule under the Comprehensive and progressive agreement for trans-pacific partnership in the 2019-2022 period
10/3/2022	03/VBHN-BYT	Circular	Ministry of Health	Detailing and guiding a number of articles of Decree No. 146/2018/ND-CP on detailing and guiding a number of articles of Law on Health insurance
15/3/2022	1606/VPCP-	Official	Office of the	Restoring the immigration policies in



	QHQT	Dispatch	Government	Vietnam
15/3/2022	05/VBHN-BCT	Circular	Ministry of Industry and Trade	On managing the e-commerce activities through application on mobile phone
21/3/2022	1403/BCT-TTN	Official Dispatch	Ministry of Industry and Trade	Managing the petroleum trading
21/3/2022	19/2022/TT-BTC	Circular	Ministry of Finance	Prescribing the rates, collection, remittance, management and use of the service charges for maintaining the system checking digital certificate validation status
23/3/2022	07/2022/TT-BCT	Circular	Ministry of Industry and Trade	Guiding the implementation of trade remedy measures in the RCEP
25/3/2022	22/2022/NQ-CP	Decree	Government	Amending, supplementing a number of articles of Decree No.32/2012/ND-CP on management of the export and import of culture products for non-



				commercial purposes
28/3/2022	12/VBHN-BTNMT	Decree	Ministry of Natural resources and Environment	Handling administrative violations in field of water and mineral resources

