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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. Decree No. 24/2022/ND-CP amending and supplementing Decrees on investment and operation conditions in the field of vocational education, takes effect from June 01st, 2022

On April 6th, 2022, the Government issued Decree No. 24/2022/ND-CP amending and supplementing Decrees on investment and operation conditions in the field of vocational education (“**Decree No. 24/2022/ND-CP**”), which takes effect from June 01st, 2022.

Conditions for establishing the vocational education institutions

The conditions for establishing vocational education institutions are stipulated in the previous decrees such as Decree No. 143/2016/ND-CP on investment and operation conditions in the field of vocational education, Decree No. 140/2018/ND-CP amending and supplementing decrees related to business conditions and administrative procedures under the management of the Ministry of Labor, War Invalids and Social Affairs.

According to Decree 24/2022/ND-CP, from June 01st, 2022, the conditions for establishing the vocational education institutions includes:

- (i) the vocational education institution shall be established in conformity with the planning for Vietnam’s vocational education institution networks. Public vocational education institutions shall operate on the principle of autonomy of public service providers as stipulated by the Government;
- (ii) every vocational education institution shall have a premise with the minimum area of 1,000 m² (for vocational training centers); 10,000 m² for urban areas or 20,000 m² for non-urban area (for vocational schools); 20,000 m² for urban areas or 40,000 m² for non-urban area (for colleges). If the locations for constructing the physical facilities of vocational schools or colleges have land areas on both urban areas and non-urban areas, the



conversion of the land areas shall be carried out pursuant to the appropriate ratio between land in urban areas and non-urban areas of 1:2; and

- (iii) investments in establishment of vocational education institutions shall be mobilized from lawful sources of finance, excluding land. Specifically:
- for vocational training centers: at least 05 billion dong;
 - for vocational schools: at least 50 billion dong; and
 - for colleges: at least 100 billion dong.

Suspension of vocational education activities

According to Decree 24/2022/ND-CP, the vocational education facilities, vocational education – continuing education centers and enterprises are suspended the vocational education activities if they meet one of the following cases:

- (i) infringing one of the cases stipulated in point a, b and c of Clause 1 of Law on Vocational Education;
- (ii) conducting the vocational education activities under the incompetent certificate of registration of vocational education activities, certificate of additional registration of vocational education activities;
- (iii) falling to publicize the conditions to ensure the vocational education activities for training majors after receiving the certificate of registration of vocational education activities, certificate of additional registration of vocational education activities granted by the competent authorities on their websites; falling to send the public result to the Department of Labor, War Invalids and Social Affairs where the vocational education activities are conducted; and
- (iv) falling to update the vocational education diplomas, certificates granted by their institutions on the Information page for looking up vocational education diplomas at <http://vanbang.gdnn.gov.vn>.

Amending the conditions for international joint training



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Vo Thi Sau Ward, District 3,
Ho Chi Minh City, Viet Nam



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The forms of international joint training are stipulated in Decree No. 15/2019/ND-CP guiding Law on Vocational Education (“Decree 15/2019/ND-CP”). In Decree 24/2022/ND-CP, this regulation is open wider and not distinguished the programs entirely or partly conducted in Vietnam.

Decree 15/2019/ND-CP also regulates the conditions for international joint training, including:

- (i) condition on training majors and levels;
- (ii) condition on recruitment entities for training programs;
- (iii) condition on physical facilities, educational equipment;
- (iv) condition on educational programs, curriculums, documents;
- (v) condition on teaching staffs;
- (vi) condition on teaching and learning languages; and
- (vii) foreign education facilities having certificate of educational quality verification issued by the foreign verified authority or acknowledged by competent authorities.

Generally, Decree 24/2022/ND-CP also guides more on the above conditions. However, the most different thing of the conditions for international joint training between Decree 15/2019/ND-CP and Decree 24/2022/ND-Cp is the condition for autonomy deciding the international joint training. Accordingly, for public vocational education facilities, after receiving the financial autonomy right issued by the competent authority, they have the right to decide the international joint training (not including the majors in the field of health, security, defense) when they meet seven above conditions and other conditions pursuant to Decree 24/2022/ND-CP.

Revoking the certificate of registration of international joint training

This is a new content in Decree 24/2022/ND-CP. Accordingly, the vocational education facilities, vocational education – continuing education centers, enterprises are revoked



the certificate of registration of international joint training when they are in one of the following cases:

- (i) infringing the regulations on conducting international joint training activities causing serious consequences;
- (ii) at the end of the time limit for suspending joint training activities with foreign countries, for the violations specified in Clause 1, Article 26 of this Decree, the cause leading to the suspension cannot be remedied;
- (iii) infringing the law on vocational education shall be administratively sanctioned to the extent that it must be withdrawn; and
- (iv) other cases as prescribed by law.

2. Decree No. 25/2022/ND-CP on amending and supplementing a number of articles of Decree No. 47/2011/ND-CP CP detailing the implementation of a number of contents of Law on Post, takes effect from June 01st, 2022

On April 12th, 2022, the Government issued Decree No. 25/2022/ND-CP on amending and supplementing a number of articles of Decree No. 47/2011/ND-CP detailing the implementation of a number of contents of Law on Post (“Decree 25/2022/ND-CP”, “Decree 47/2011/ND-CP”), takes effect from June 01st, 2022.

Changing the word interpretation

Previously, according to Decree 47/2011/ND-CP, supplying of postal services in inter-provincial scope was explained as “supplying of postal services *at* two provinces or central-affiliated cities or more”.

However, Decree 25/2022/ND-CP has changed the interpretation of this definition. Specifically, supplying of postal services in inter-provincial scope means “the supplying of postal services in two provinces or central-affiliated cities or more”. So, the limitations in the interpretation have been overcome.



Supplementing the changes must be notified

Decree 47/2011/ND-CP does not have specific regulations on changing the phone number of the legal representative, changing the charter capital of the enterprise and the regulation on “changing of notified contents compared with the application for approval of notification of postal activities...”. Decree 47/2011/ND-CP also stipulates only one form of written notification to the competent authority.

Since then, Decree 25/2022/ND-CP has specified the contents to be notified when changing, specifically:

- (i) legal representative; phone number of the legal representative;
- (ii) charter capital of the enterprise;
- (iii) postal service charges; postal service quality norms;
- (iv) form of contract for the supply and use of postal services;
- (v) regulations on complaints, compensation for damage related to postal services provided by enterprises.

In addition, the decree also supplements the form of notification through the online information system according to the guidance of the Ministry of Information and Communications (besides the form of written notice).

Supplementing the order and procedures for revocation of postal licenses

Pursuant to Article 24 of Law on Post, the Decree supplements the order and procedures for revocation of postal licenses when enterprises commit acts specified in Clause 1, Article 24 of the Law on Post. The revocation of a postal license shall be conducted by a competent authority that has granted a postal license by announcing its expiration.

The lapsed announcement shall be publicized on the web portal of the competent authority that has granted the postal license and notify the enterprise registration



certificate-issuing authority and relevant competent authority. Previously, Decree 47/2011/ND-CP did not have regulations on this content.

Supplementing regulations on postal service supply and use contracts, documents on confirming acceptance of postal items

Decree 47/2011/ND-CP does not have regulations on postal service supply and use contracts, documents on confirming the acceptance of electronic postal items and responsibility for storing and providing them to authority upon request. Decree 25/2022/ND-CP has supplemented the contract of supply and use of electronic postal services, electronic documents on certifying the acceptance of postal items.

Contracts for the supply and use of electronic postal services and electronic documents on certifying the acceptance of postal items shall comply with this Decree and the law on electronic transactions. Enterprises are responsible for storing and providing electronic postal service supply and use contracts, electronic documents on certifying the acceptance of postal items to competent authority upon written request or in cases permitted by law.

Supplement the information about postal services, senders and recipients

Decree 47/2011/ND-CP only stipulates the responsibility of postal enterprises in providing full-service information to the users. This has been supplemented by Decree 25/2022/ND-CP on postal services, senders and recipients and related to postal items.

Specifically, before providing postal services, enterprises are responsible for providing the users in one or several forms (such as posting at service points, writing notices, posting on websites or other forms) the following information:

- (i) type of service;
- (ii) service quality;
- (iii) service charges;



- (iv) the principle of compensation for damages; the level of compensation for damages;
- (v) rights and obligations of postal service providers and users; and
- (vi) other relevant information.

Publicizing of postal service charges

Decree 25/2022/ND-CP also supplements on publicizing postal service charges. Specifically, postal service providers; postal service delivery agents have the right to decide and adjust postal service charges.

Accordingly, the time of disclosure is considered from the time the service is provided by the enterprise or organization. The Decree also stipulates that the posted postal service charges must be consistent with the rates that enterprises and organizations have notified to the competent authority.

Promotion in supplying postal services

Decree 25/2022/ND-CP supplements the promotion in the provision of postal services. Accordingly, the maximum rate reduction for postal services (promoted in the form of a discount) must not exceed 50% of the most recent announced postage rates to ensure the sustainable competition of the postal market.

3. Circular No. 19/2022/TT-BCA on receiving, classification, handling of written complaints, recommendations and reports into the People's Public Security, takes effect as of June 15th, 2022

On April 29th, 2022, The Minister of Public Security issued the Circular No. 19/2022/TT-BCA on receiving, classification, handling of written complaints, recommendations and reports into the People's Public Security ("Circular No. 19/2022/TT-BCA"). This Circular has affected since June 15th, 2022.

Principles of handling the applications



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According to Circular 19/2022/TT-BCA, handling applications must meet two following principles:

- (i) handling the applications shall ensure compliance with the law, quickly; clearly, consistency and facilitate the authorities, organizations, individuals to perform the procedures on complaints, denunciation and response; and
- (ii) the applications shall be transferred to the exact competent authorities, entities, units and personals.

Conditions for resolving the applications

According to Circular 19/2022/TT-BCA, the applications what are fully satisfied shall meet the following requirements:

- (i) for the form of application: the application must be written in Vietnamese; fully state the date, month, year; full name, address of the applicant; signature or fingerprint of the applicant. If the applications are written in foreign language, they must be attached with a notarized translated version;
- (ii) for the content of application: written complaints, recommendations, reports must clearly state name, address of agencies, organizations and personals who are complained, recommended, reported; contents and reasons for complaints, recommendations, reports; requirement of the applicant; and
- (iii) the application must attach documents relating to the complaints, recommendation, report (if any).

In addition to the above conditions, Circular 19/2022/TT-BCA also provides for cases where the application is not eligible for processing, including:

- (i) the applications do not meet the above requirements;
- (ii) the application is sent to many agencies, organizations, units, individuals. Among them, there are some entities having competence, but the application-receiving agencies or units are not competent to settle it;



- (iii) the applications have the same contents as the applications have been transferred or guided under law;
- (iv) the application's content opposing the Party's guidelines and policies, the State's policies and laws;
- (v) the application's content contains division ethnicity and religion; the application contains profanity, libel, and insults the honor and reputation of individuals, agencies, organizations and units; and
- (vi) the applications are torn, erased, unclear and unreadable.

If the application has many contents about complaints, denunciations, recommendations, reports, the application-handling staff shall instruct the applicant to separate and send each content to the competent agencies, organizations, units or individuals.

The period of handling the complaints is 10 days from the date of receiving the complaint applications under Article 7 of the Law on Complaints 2011; the period of handling the recommendations and reports is 10 working days, from the date of receiving these applications under Article 28 of the Law on Reception of citizens 2013.

Handling the written complaints, recommendations, reports belong to People's Public Security's competence

According to Circular 19/2022/TT-BCA, the People's Public Security has the authority to solve the following types of applications:

- (i) written complaints on administrative decisions or acts;
 - (ii) written complaints on disciplinary decisions;
 - (iii) written complaints on procedural criminal decisions or acts;
 - (iv) illegal decisions or acts in enforcement of criminal judgment;
 - (v) written complaint against a legally effective complaint settlement decision;
- and



(vi) written recommendations and reports.

For handling the written complaints on administrative decisions or acts: In principle, the application-handling officer shall request the competent head of the agency or police unit to accept and settle the application. If the complaint falls into one of the cases in Article 11 of the Law on Complaints 2011 (complaints are not accepted for settlement), the application-handling officer must report to the head of the agency or unit and notify in written about the non-acceptance of the complaint to the complainant. If the complaint on administrative decisions or acts is not within the competence of the head of the agency or police unit that receives the application, the complaint-handling officer shall:

- (i) propose to transfer the complaint to the competent head of a police agency or unit for consideration and settlement;
- (ii) notify in written the complainant, the agency, organization or individual that the complaint is forwarded; and
- (iii) notify the transfer of the application to the Police Inspectorate of the same level (if any).

If the police agency or unit receives a complaint on an administrative decision or act under the settlement competence of the head of the agency or unit of the police at the immediate lower level, but the time limit for first handling of complaint is expired, the officer shall propose the competent head of the agency or unit of the police to accept and settle the second time; and notify in written the applicant, agencies, organizations, individuals to which the complaint is forwarded.

For handling the complaints on disciplinary decisions: After classifying, the written complaints shall be proposed to the heads of the police agencies, units to settle if they fall under the competence of that heads of the police agencies, units.



For handling complaints on criminal procedural decisions or acts; illegal decisions and acts in enforcement of criminal judgment:

- (i) for complaints on criminal procedural decisions and acts of investigator, investigating staff, deputy head and head of investigating offices, persons who are tasked to conduct investigation activities, complication - handling officer shall propose the competent agencies, units or individuals under Article 475 of the Criminal Procedure Code 2015;
- (ii) for complaints on the investigation conclusions of the deputy heads of the investigating offices, the officer shall propose to transfer them to the heads of investigating offices at the same level;
- (iii) for complaints on the investigation conclusions of heads of the investigating offices, the officer shall propose to transfer them to People's Procuracy at the same level;
- (iv) for complaints on procedural decisions or acts on urgent detention, arrest, custody or temporary detention, the officer shall transfer them to the competent heads of agency or unit under Article 474 of the Criminal Procedure Code 2015;
- (v) for complaints on illegal decisions or acts in enforcement of criminal judgment, the officer shall transfer them to competent heads of agencies, units or individuals under Clauses 2, Clause 3, Clause 4, Clause 5, Clause 6 and Clause 7 of Article 178 of the Law on Enforcement of Criminal Judgments 2019.

For handling the complaints on valid settlement decisions: This is done as follows:

- (i) application classification;



- (ii) failing to accept or transfer all kinds of complaints on valid settlement decisions as prescribed in Clauses 1 and 2, Article 44 of the Law on Complaints 2011; and
- (iii) guiding the complainant to send the complaint to the exact competent authority.

After considering the complaints on valid settlement decisions, if the complaint handling is violated the law, causing damages to the interest of State, rights and obligations of complainant as prescribed in Article 38 of the Decree No.124/2020/ND-CP on guidelines for certain articles and implementation of the Law on Complaints, the officer must report to the heads of the agency or unit to consider and handle at the same level.

For handling the recommendations and reports: The application's contents are about payroll, staff, internal political protection, policy, and insurance in the People's Public Security under Clause 8, Article 4 of Circular No. 19/2022/TT-BCA, shall be transferred to the same level competent heads of police agencies or units for settlement.

The written recommendations and reports under the competence shall be forwarded to the competent agency or unit and saved as prescribed in Article 16 of this Circular.

Handling the complaints, recommendations and reports that are not under the competent of People's Public Security

For handling the complaints, recommendations and reports: This is done as follows:

The handling of complaints, denunciations and responses shall be done as follows:

- (i) classifying according to Circular No. 19/2022/TT-BCA;
- (ii) guiding the complainants, petitioners, and responders to submit or forward applications to the competent agencies, units, organizations or individuals;



- (iii) returning the original documents of the complainant, petitioners, and responders (if any);
- (iv) the instruction of submitting and transferring the applications shall be made in writing by a competent authority in the People's Public Security; and
- (v) in case of receiving complaints, recommendations, and reports transferred by agencies, organizations or individuals under Clause 3, Article 5 of Circular No. 19/2022/TT-BCA, the officer shall report to the heads of the agency, unit to settle and response in writing.

For handling the complaints, recommendations and reports with full names and signatures of many people: The officer shall guide the representative in accordance with the law and send the application to the competent agencies, organizations or individuals.

4. Circular No. 06/2022/TT-BKHDT guiding a number of articles of Decree No. 80/2021/ND-CP detailing and guiding the implementation of the Law on Support for Small- and Medium-sized Enterprises, takes effect from June 25th, 2022

On May 10th, 2022, the Ministry of Planning and Investment issued Circular No. 06/2022/TT-BKHDT guiding Decree No. 80/2021/ND-CP detailing and guiding the implementation of the Law on Support for Small- and Medium-sized Enterprises (“SME”, “Circular No. 06/2022/TT-BKHDT”).

Guiding to support small and medium enterprises

Circular No. 06/2022/TT-BKHDT clearly states that the agencies, organizations supporting SMEs shall prioritize the allocating funds to support women-owned SMEs, SMEs that have lots of female workers, and SMEs that are social enterprises. At the same time, the agencies, organizations supporting SMEs must base on the criteria for identifying SMEs in Decree No. 80/2021/ND-CP to select criteria for determining the



size of micro-enterprises, small enterprises, and medium enterprises that are guaranteed to receive the most benefits.

SMEs can propose multiple support contents in an application. However, at the same time with a support content, SMEs only send to one SME support agency or organization. In addition, SMEs are not limited on:

- (i) the number of times of support; or
- (ii) the number of support contracts for the specified contents in millions of VND/year/enterprises or millions of VND/years.

But SMEs must ensure that the support(s) must not exceeded the maximum support level specified in Decree No. 80/2021/ND-CP.

Supporting digital transformation in small and medium enterprises

Circular 06/2022/TT-BKHDT clearly states that SMEs are supported with technology according to the support content and level in Decree No. 80/2021/ND-CP. In addition, Circular 06/2022/TT-BKHDT also provides some new guidelines on digital transformation to support technology for SMEs. Specifically:

- (i) SMEs are supported the digital transformation solutions hiring and purchasing costs announced on the Portal or the website of the Ministry of Information and Communications or the website of the provider;
- (ii) SMEs assess their readiness for digital transformation to propose appropriate support. SMEs use the digital conversion assessment toolkit posted at <https://digital.business.gov.vn> or <https://dbi.gov.vn> or by SMEs support agencies and organizations promulgate; and
- (iii) SME support agencies and organizations use the results of SME's digital transformation assessment to consider support in line with the SME's receiving capacity.



Supporting innovative small and medium businesses

Previously, Decree 80/2021/ND-CP also stipulates support contents for innovative start-up SMEs. Currently, Circular 06/2022/TT-BKHDT also clearly states that innovative start-up SMEs are supported according to the support content and level under Decree 80/2021/ND-CP and provides some more specific instructions to support this group of businesses. Specifically:

- (i) supporting SMEs' trainees to participate in domestic and foreign intensive training, including: tuition fees, materials, meals, accommodation, and transportation (including airfares). The contents of short-term intensive training courses abroad include: product formulation and development; commercialization of products; e-commerce development; investment capital mobilization; market development; connecting start-up networks and other contents according to the innovative start-up SMEs' demand;
- (ii) supporting SMEs to maintain accounts on e-commerce floors: for domestic e-commerce floors, payment fees, fixed fees and service fees, the sellers must be paid to e-commerce floors. For international e-commerce floors, merchant account fees, referral fees, order fulfillment fees, storage fees, product barcode registration costs, product design and photography costs, advertising costs on the e-commerce floor; and
- (iii) supporting SMEs to participate in international competitions on innovative start-ups, including: fees, contest participation fees; accommodation fee in the host country; travel fee (including airfare); documents, products, equipment transportation fee for participating in the contest.



DOCUMENTS ISSUED IN JUNE 2022

DATE OF ISSUANCE	NO	TYPE OF DOCUMENT	ISSUED BY	MAIN ISSUE
01/06/2022	10/2022/TT-BCT	Circular	Ministry of Industry and Trade	Amending and supplementing a number of Circulars providing for the implementation of the Rules of Origin of goods in the ASEAN Trade in Goods Agreement
06/06/2022	37/2022/ND-CP	Resolution	Government	Amending and supplementing a number of articles of the Decrees on sanctioning of administrative violations in the field of national defense and cipher; manage and protect national borders; on the seas, islands and continental shelf of the Socialist Republic of Vietnam



12/6/2022	38/2022/ND-CP	Resolution	Government	Regulations on minimum wages for employees working under labor contracts
29/6/2022	44/2022/ND-CP	Decree	Government	On building, managing and using the information system on housing and real estate market

