



LEGAL DIGEST: BANGLADESH, CAMBODIA, LAOS, MYANMAR, VIETNAM

Legislative developments - October 2022

LAWS AND REGULATIONS
Energy sector
<p>SRO No. 257-Law/2022 on the “Electricity Rules 2022”, dated 4 August 2022</p> <p>The government introduced new rules based on the Electricity Act of 2018, named Electricity Rules 2022. The new rules provide, among many things, the procedure for formation of the electricity licensing board, the duties of the board, procedure for issuing licenses for electricians and supervisors, the examination procedure, and the licensing of the electrical contractors.</p>
Employment
<p>SRO No. 284- Law/2022 “Amendment of Bangladesh Labor Rule 2015”, dated 01 September 2022</p> <p>The Ministry of Labor and Employment introduced 101 new amendments to the Labor Rule 2015, on 01 September 2022. Among the major changes, conduct towards women, maternity benefits, arrangement of health centers that will provide consultation to women are significant. As per the amendment, Labor Ministry included a new section providing that in every establishment, there must be a committee that will control or take into account to every harassment-related issue. The complaint committee must contain 5 members, where the majority should be women, and among them, one woman will be the chairman and other representatives must be selected from that establishment. Amendments also clarify calculation of maternity benefits. Further, there is a requirement to establish a Health Centre to provide consultation to female employees. Employers are required to ensure safe transportation if women are required to attend to work between 10 PM and 6 AM.</p>
<p>SRO No. 295-Law/2022, on “The EPZ Labor Rule 2022”, dated 4 October 2022</p> <p>Under the new rules employees will be automatically be deemed permanent if an employer does not give a confirmation letter after expiry of 6 months. In case of taking leave, an employee must apply for leave 3-7 days in advance. Rules further provide guidance about acceptance of new employees, maternity benefits, penalties for non-compliance with employment rules, management of risks and safety procedure to be established.</p>
Environment
<p>SRO No. 255-Law/2022, on “The Air Pollution control Rules 2022”, dated 26 July 2022</p>



LAWS AND REGULATIONS

The government has published new rules based on section 20 of The Bangladesh Environment Conservation Act, 1995. The main objectives of the rules are to prevent, control, and reduce air pollution.

The government will appoint a director general who will be responsible for supervising environmental protection. The Rules specified several types of pollution such as pollution caused by factories, vehicles, construction, garbage, etc. According to the new rules, a committee will be established that will impose penalties for such pollution.

Banking

Bangladesh Bank Circular Letter No. 09 on ***“Considering Passport Number as Unique Identification Number for Purchasing US Dollar Premium Bond and US Dollar Investment Bond”*** dated 24 October 2022.

As per the circular, in connection with purchasing US Dollar premium bonds and US Dollar investment bonds, the investor can use their passport number as a “Unique Identification Number”, in case of such investor has no “National Identification Number”.

* * *

LAWS AND REGULATIONS

Public Health

*Notification No. 254 dated 3 October 2022 issued by the Ministry of Health on “**Border Entrance Control for Foreigners**”*

Notification provides that:

- Health declarations and vaccination certificates/cards are not required to enter Cambodia.
- Temperature scanners will still be in use.

Banking and Finance

*Notification No. T7.022.818 SCN dated 18 October 2022 issued by the National Bank of Cambodia on “**Supports for Borrowers who are affected by Severe Floods**”*

The National Bank of Cambodia has requested that banks and financial institutions continue to cooperate with the customer protection framework which provides support to flood-affected borrowers through loan restructuring. Financial institutions may consider providing its customers with the solutions as detailed in the notification.†

*Circulation No. 017/22 dated 20 October 2022 issued by the Commercial Gambling Management Commission of Cambodia on “**Gambling Business Operations in the Kingdom of Cambodia**”*

All gambling operations in Cambodia must comply with the relevant laws and regulations. The circular sets out the obligations that gambling operators in Cambodia are required to comply with. Non-compliance with the obligations set out in the circular will be deemed to be a violation of the Law on the Management of Commercial Gambling and violators will be subject to administrative penalties and/or the penalties as specified in the laws and regulations in force.

* * *



LAWS AND REGULATIONS#

Hydropower

Law No. 20/NA dated 7 July 2022 issued by the National Assembly on “Dam Safety”

Dam risks are classified into four categories: low, medium, high, and serious. Dam developers are required to register the type of risk with the relevant authorities within 60 days from the date of receiving approval of the basic design.

For dams that were built before the issuance of this law, dam developers must register the type of risk with the relevant authorities within 12 months from the date the law entered into force.

Tasks that are required to be done before dam construction:

- Appointing the engineering manager
- Obtaining approval of the basic design
- Obtaining approval of the disaster and emergency response plan
- Obtaining approval of the detailed designs
- Obtaining approval of the feasibility study
- Performing other obligations as specified in the contract

Dam construction

Dam developers must comply with the designs as specified in Article 17 (approval of basic design) and Article 18 (detailed designs) of the law, the technical standards set by relevant authorities or the higher international technical standards as well as the dam construction plan which has been approved. Dam developers must inform the relevant authorities immediately if the construction does not go as planned.

Dam construction quality control plan

Dam developers must create a plan to manage the dam construction and submit it to the relevant authorities. In practice, dam developers must appoint a management unit and hire engineers to be in charge of the plan to monitor and ensure safety. A monitoring report must be submitted to the relevant authorities from time to time.

Disaster and emergency response plan

LAWS AND REGULATIONS#

Dam developers must create a plan for emergency response to three situations: 1. emergency response plan for the construction; 2. emergency response plan for water storage; and 3. emergency response plan for dam operation. The mentioned plans must be submitted to the relevant authorities in order to obtain approval.

The implementation of the disaster and emergency response plan consists of four steps: 1. monitoring of the situation; evaluation and classification of the emergency level; 2. notification of local population and cooperation with the authorities; 3. responding to the emergency; and 4. termination of the emergency and monitoring of the result.

The government supervises overall dam safety, and the Ministry of Energy and Mines is assigned to supervise this work directly. The law entered into force on 1 October 2022.

Banking

Decision No. 779/BOL dated 11 October 2022 issued by the Bank of the Lao PDR (“BOL”) on “Determination of Exchange Rates”

Commercial bank exchange rates

- The purchase and sale exchange rates for Lao Kip (“LAK”) to US dollars (“USD”) must be set to fall within the range of $\pm 4.50\%$ of the reference exchange rate published daily by the BOL’s Monetary Policy Department, and the difference between the purchase and sale rates must not exceed 1%.
- Likewise, the difference between the purchase and sale exchange rates for LAK to Thai baht, Chinese yuan renminbi, and euros must not exceed 1%.

Currency exchange shop exchange rates

Currency exchange shops must set the purchase rate for USD within the range of $\pm 3\%$ of the daily reference exchange rate of the BOL. In addition, the purchase rates for other currencies must be the same exchange rates used by the commercial bank to which they belong.

Currency exchange shops are not allowed to sell foreign currency.

Publishing of exchange rates and reporting to the BOL



LAWS AND REGULATIONS#
<p>The exchange rates of commercial banks and currency exchange shops must be published via their website or other platforms clearly and accurately.</p> <p>The exchange rates and the total amount of foreign currency purchased and sold must be reported to the BOL by 16:00 on a daily basis.</p> <p>The decision entered into force on the date of signing and replaces Decision No. 525/BOL dated 15 September 2021 on the Determination of Exchange Rates. #</p>
Dispute Resolution
<p><i>Decree No. 293/GOV dated 29 August 2022 issued by the Government on “Establishment of a Private Office for Economic Dispute Mediation”</i></p> <p>Individuals and legal entities wishing to establish a private office for economic dispute mediation, which requires a license from the Ministry of Justice (“MOJ”), must have the following:</p> <ul style="list-style-type: none"> ▪ An appropriate name, location, and office; ▪ At least five mediators; ▪ A domestic and international tax payment identification number ▪ Adequate financial resources; and ▪ Internal articles of association. <p>The application for establishing a private office for economic dispute mediation will be considered by the MOJ within 10 working days. The office is able to start operation from the date the license is issued, which has a duration of three years, and is renewable.</p> <p>The implementation of the mediation and its outcome must be in accordance with the mediation process as specified in the Law on the Resolution of Economic Disputes.</p> <p>The MOJ, the Center for Economic Dispute Resolution, and the Justice Division of the province and capital are assigned to supervise private offices for economic dispute mediation.</p> <p>The decree entered into force on 10 October 2022.</p>
<p><i>Decree No.294/GOV dated 29 August 2022 issued by the Government on “Fees for the Resolution of Economic Disputes”</i></p>



LAWS AND REGULATIONS#

The fee for mediators or mediation committees is set as agreed by the disputing parties and the mediators or mediation committee. If the fee cannot be agreed on, it will be calculated using the rates in the table as specified in Article 4 of the decree.

The fee for arbitrators or arbitration committees must be calculated individually based on the rates as specified in Article 5 of the decree.

The Organization of Economic Dispute Resolution will collect the fees based on the agreement and as specified in Articles 4 and 5 of the decree.

Collection of fees

- Fees for mediation must be paid by both disputing parties within five working days from the date of selecting the mediators or mediation committee onwards.
- Fees for arbitration must be paid by the applicant who requests the resolution, within five working days from the date of selecting the arbitrators or arbitration committee.

The Organization of Economic Dispute Resolution will pay the fees to the mediators or mediation committees and arbitrators or arbitration committees.

The decree entered into force on 10 October 2022.

* * *



LAWS AND REGULATIONS

Banking

*Letter No. FE-73(23/2022) dated 30 September 2022 published by the Foreign Exchange Supervisory Committee regarding “**Repayment of Trade Finance Debt in Chinese Yuan**”*

The letter states that companies importing petroleum and using trade financing for US dollars can settle their loan repayments also with Chinese Yuan. The letter instructs authorized dealer (“**AD**”) banks to sell US dollars they bought at CBM rate, to the said borrowers to enable them to repay their loans.

The letter further instructs the AD banks to buy US dollars from

- Entities exempted from foreign currency conversion requirement;
- Income from foreign currency inward remittances by workers;
- US dollar purchased from 35% of export earnings of export companies.

*Directive No. 12/2022 dated 7 October 2022 published by the Central Bank of Myanmar regarding “**Amendment to the calculation of Minimum Reserve Ratio**”*

The Central Bank of Myanmar requires the state-owned banks, private banks and foreign banks to maintain a minimum reserve in Myanmar Kyat in an amount equal to 3% of the total deposits made by their customers. The directive states that out of the 3%, the banks are required to:

- (i) deposit with CBM an amount equal to 2.5%; and
- (ii) retain cash at the bank, in an amount equal to 0.5%

respectively, of the total deposits.

*Letter No. MABABA/MP/FIR/ Monetary Policy 1/383/2022-2023 dated 7 October 2022 regarding “**Interest on Excess Reserve Deposit by the Banks at the Central Bank of Myanmar**”*

LAWS AND REGULATIONS

The letter states that banks that deposit funds with the Central Bank of Myanmar in excess of the percentage stipulated under the Directive 12/2022 will be eligible to receive interest on such excess reserve at the rate of 3.5% provided that the amount of the excess reserve is between a minimum of Myanmar Kyat 10 billion and a maximum of Myanmar Kyat 50 billion.

Commerce

Letter No. 10/2022 dated 31 October 2022 published by the Ministry of Commerce regarding “Using the Banking System for the Payment of Border Trade Imports”

This letter states that all border trade transactions are required to be settled only through licensed financial institutions. In implementing this requirement, the said letter allows importers to procure foreign currency from: (a) export earnings; (b) remittance of overseas income of citizens; or (c) other sources of foreign currency income.

It also provides instructions regarding the conduct of import approval process in connection with the Thai-Myanmar border trade as follows:

- (a) When applying for import license, companies are required to provide evidence of having sufficient funds through submission of credit advice and bank statement evidencing the source of funds proposed to be used for the payment of imports - only foreign currency earnings received after 1 April 2022 may be able for satisfying this evidence requirement;
- (b) The Directorate of Trade is required to assess the source of funds submitted by the company and issue the Import License for an amount not exceeding the bank balance as stated in the applicant’s bank statements; and
- (c) For importation of products not requiring an import license, the importer is required to submit the credit advice and bank statement when filing the Import Declaration to the Customs Department.

The letter states that the instructions will come into effect from 1 November 2022 and will not thereby be applicable to import licenses applied for prior to it. Further, import shipments under the import licenses issued up to 31 October 2022 may be completed until 30 November 2022, otherwise such import licenses will be deemed revoked.

The Registration of Associations Law dated 28 October 2022 passed by the State Administrative Council



LAWS AND REGULATIONS

The State Administrative Council passed the new Registration of Associations Law 2022 on 28 October 2022 ("**RAL**") to regulate the registration and other related aspects of Non-governmental Organizations ("**NGOs**") and International Non-Governmental Organizations ("**INGOs**").

The RAL stipulates, among other things:

- (a) The Registration of Associations Law, 2014 is repealed on and from the date of its publication;
- (b) The organizations which are not registered under the previous law shall register within 60 days starting from 28th Oct 2022 (being the date of enactment of RAL),
- (c) The process and fees for registering an NGO/INGO in Myanmar;
- (d) The validity of the permanent registration certificate is 5 years starting from the date of the certificate issued by the relevant registration body;
- (e) The rights and duties of NGOs and INGOs.

* * *



LAWS AND REGULATIONS

Banking and Finance

Decision No. 1606/QD-NHNN dated 22 September 2022 of the State Bank of Vietnam on the “The Refinancing Rate, Rediscount Rate, and Overnight Rate for Interbank Electronic Payments, and the Interest Rate for Loans to Cover the Capital Shortfall regarding Clearing of the State Bank of Vietnam for Credit Institutions and Branches of Foreign Banks”

The interest rates of the State Bank of Vietnam have been increased by 1.0%/year compared to those listed under Decision No. 1728/QD-NHNN dated 30 September 2020, and are now:

- Refinancing rate: 5.0%/year
- Rediscount rate: 3.5%/year
- Overnight rate for interbank electronic payments and the interest rate for loans to cover the capital shortfall regarding clearing of the State Bank of Vietnam for credit institutions and branches of foreign banks: 6.0%/year

Decision No. 1606/QD-NHNN entered into force on 23 September 2022 and replaces Decision No. 1728/QD-NHNN.

Circular 12/2022/TT-NHNN dated 30 September 2022 of the State Bank of Vietnam “Guiding the Management of Foreign Exchange for Borrowing and Paying Foreign Debts of Enterprises”

Borrowers must register changes in foreign loans with the State Bank if any changes related to the loan are mentioned in the written confirmation of registration or the written confirmation of registration of loan change, except for the following cases:

- A change in the capital withdrawal or principal repayment timing if it is within 10 working days compared with the plan confirmed by the State Bank.



LAWS AND REGULATIONS

- A change in the borrower’s address as long as there is no change in the province or city where the borrower's head office is located.
- A change in the lender, relevant information about the lender in a syndicated loan with the appointment of representatives of the lenders, unless the lender is concurrently the representative of the lenders and the change is one that changes the roles of the representatives of the lenders.
- A change in the name of the bank providing account services, the bank serving security transactions.
- A change in the planned payment of interest and fees on the loan compared to the plan confirmed by the State Bank if there is no change in the method of determining the interest and fees specified in the loan agreement.
- A change in the capital withdrawal, repayment of principal, or interest and fee amount that is within 100 currency units of the foreign loan currency compared to the registered amount.
- A change in the actual amount of capital withdrawal and principal repayment for a specific period that is less than the amount stated in the plan for capital withdrawal and debt repayment.

Circular 12/2022/TT-NHNN takes effect on 15 November 2022 and replaces Circular 03/2016/TT-NHNN, Circular 05/2016/TT-NHNN, and Circular 05/2017/TT - NHNN.

*Circular No. 11/2022/TT-NHNN dated 30 September 2022 of the State Bank of Vietnam on “**Bank Guarantees**”*

The effective period and contents of a guarantee contract for off-the-plan houses (the “**Contract**”) are regulated as follows:

The Contract is effective from the date on which it is signed to the date of expiration of the guarantee obligations of all letters of guarantee for the purchaser according to Article 23 of Circular 11/2022/TT-NHNN.



LAWS AND REGULATIONS

Also, all of the investor’s obligations to the commercial bank under the Contract must be fulfilled by that time.

In addition to the content specified in Clause 2, Article 15 of Circular No. 11/2022/TT-NHNN (except for contents of Point h and Point i in the case of a guarantee on the basis of a counter-guarantee), the Contract must have the following content:

- The commercial bank will issue a letter of guarantee to the purchaser when receiving the contract for the purchase or lease-purchase of a house sent by the investor before the deadline to transfer the house according to the contract;
- The commercial bank and the investor specifically agree that the commercial bank or investor will send a letter of guarantee to the purchaser after the commercial bank issues the letter of guarantee;
- The investor’s financial obligations; and
- The application for guarantee sent by the purchaser to the commercial bank must be enclosed with a letter of guarantee issued by the commercial bank to the purchaser.

Circular No. 11/2022/TT-NHNN enters into force on 1 April 2023 and replaces Circular No. 07/2015/TT-NHNN dated 25 June 2015 and Circular No. 13/2017/TT-NHNN dated 29 September 2017.

Decision No. 1812/QD-NHNN dated 24 October 2022 by the State Bank of Vietnam on “Maximum Interest Rates of Deposits in Vietnam Dong at Credit Institutions and Foreign Bank Branches According to Circular No. 07/2014/TT-NHNN”

Regulations on the maximum interest rates of organizations (except for credit institutions and foreign bank branches) and individuals at credit institutions and foreign bank branches according to Circular No. 07/2014/TT-NHNN are as follows:

- The maximum interest rate applicable to demand deposits and deposits with a term of less than one month is 1.0% per year (an increase of 0.5% compared to Decision No. 1607/QD-NHNN in 2022).



LAW AND REGULATIONS

- The maximum interest rate applicable to deposits with a term of from one to less than six months is 6.0% per year (an increase of 1% compared to Decision No. 1607/QD-NHNN in 2022).

With regard to People's Credit Funds and microfinance institutions, the maximum interest rate applicable to deposits with a term of from one to less than six months is 6.5% per year (an increase of 1% compared to Decision No. 1607/QD-NHNN in 2022).

Note that interest rates set before 25 October 2022 will remain in force until the end of the specific term.

Upon the expiry of the agreed term, if organizations and individuals do not come withdraw their deposits, the new interest rate will be applicable according to this decision.

Decision No. 1812/QD-NHNN entered into force on 25 October 2022 and replaces Decision No. 1607/QD-NHNN dated 22 September 2022.

*Decision No. 1813/QD-NHNN dated 24 October 2022 by the State Bank of Vietnam on the “**Maximum Short-Term Loan Interest Rates in Vietnam Dong of Credit Institutions and Foreign Bank Branches for Borrowers to Satisfy the Capital Requirements for Certain Economic Fields and Sectors According to Circular No. 39/2016/TT-NHNN**”*

The maximum interest rates for short-term loans in Vietnam Dong have been increased as follows:

- For credit institutions and foreign bank branches (except for People's Credit Funds and microfinance institutions), the maximum short-term loan interest rate to be charged is 5.5% per year.

(Currently, according to Decision No. 1730/QD-NHNN dated 30 September 2022, the maximum interest rate for short-term loans in Vietnam Dong is 4.5% per year.)

- For People's Credit Funds and microfinance institutions, the maximum short-term loan interest rate to be charged is 6.5% per year.

(Currently, according to Decision No. 1730/QD-NHNN dated 30 September 2022, the maximum interest rate for short-term loans in Vietnam Dong is 4.5% per year.)



LAWS AND REGULATIONS

The applicable interest rate for credit contracts or loan agreements concluded before 25 October 2022 will continue in force according to such contracts and agreements in compliance with the regulations at the time of their conclusion.

Decision No. 1813/QD-NHNN entered into force on 25 October 2022 and replaces Decision No. 1730/QD-NHNN dated 30 September 2022.

Certification; Medicine

Decree No. 80/2022/ND-CP dated 13 October 2022 by the Government "Amending Decree No. 35/2016/ND-CP on Guidelines for the Law on Veterinary Medicines"

Good Manufacturing Practice ("GMP")* certificate renewal applications no longer require an environmental impact assessment report approved by the environmental authorities.

The renewal application must include originals of the following documents:

- GMP re-inspection application form
- A report on operations and changes in the facility over the past five years and a description of the facility's environmental protection measures prepared as prescribed by the law
- A report on remedies taken to address shortcomings found in the previous inspection
- A report on training at the facility
- A list of available equipment at the facility
- A list of products being manufactured



LAWS AND REGULATIONS

- A list of standard operating procedures
- The latest minutes of the self-inspection and evaluation of the facility (within the past three months) in terms of the GMP application

*GMP are the rules, regulations, and guidelines on requirements for manufacturing drugs in order to ensure that these drugs meet quality standards.

Decree No. 80/2022/ND-CP entered into force on 13 October 2022.

Construction; Bidding

Circular No. 20/2022/TT-BKHDT dated 30 September 2022 by the Ministry of Planning and Investment providing “Instructions for the Preparation of Bidding Documents on Consultancy Services for Contract Packages Regulated by CPTPP, EVFTA, and UKVFTA Agreements”

When preparing, processing, and approving bidding documents on consultancy services for contract packages under CPTPP, EVFTA, and UKVFTA Agreements, the following requirements must be met:

- Procuring entities must establish suitable requirements based on the scope and nature of each contract package and the rules of competition, fairness, transparency, and economic efficiency.
- The bidding documents must include sufficient necessary information for bidders to use as the basis for the preparation of their bids
- Procuring entities must refrain from establishing:
- Conditions intended to limit the participation of bidders or give an advantage to one or certain bidders, thereby resulting in unfair competition
- Requirements that bidders must have one or multiple previous contracts with procuring entities of a specific country or territory or that bidders must have experience with the supply of goods or services within the territory of such country or territory as a criterion for disqualification
- If there is any modification to the bidding document template, the entities in charge of preparing, processing, and approving the bidding documents must ensure that the modification makes the bidding documents better organized and more in conformity with the CPTPP, EVFTA and UKVFTA Agreements and does not contravene them.



LAWS AND REGULATIONS
<ul style="list-style-type: none"> ▪ The request for approval of the bidding documents must specify the modifications compared to the original bidding document template and the reason for the modification for the project owner to consider. ▪ Circular No. 20/2022/TT-BKHDT enters into force on 20 November 2022.
<p><i>Circular No. 21/2022/TT-BKHDT dated 30 September 2022 of the Ministry of Planning and Investment providing “Instructions for the Preparation of Bidding Documents on Non-Consultancy Services for Contract Packages Regulated by CPTPP, EVFTA, and UKVFTA Agreements”</i></p> <p>When preparing, processing, and approving bidding documents on contract packages for non-consultancy services regulated by CPTPP, EVFTA, and UKVFTA Agreements, the following requirements must be met:</p> <ul style="list-style-type: none"> ▪ Procuring entities must establish suitable requirements based on the scope and nature of each contract package and the rules of competition, fairness, transparency, and economic efficiency ▪ Procuring entities must refrain from establishing: <ul style="list-style-type: none"> - Conditions intended to limit the participation of bidders or give advantage to one or certain bidders, thereby resulting in unfair competition - Requirements that bidders must have one or multiple previous contracts with procuring entities of a specific country or territory or that bidders must have experience of the supply of goods or services within the territory of such country or territory as a criterion for disqualification ▪ If there is any modification the bidding document template, the entities in charge of preparing, processing, and approving the bidding documents must ensure that modification makes the bidding documents better organized and more in conformity with the CPTPP, EVFTA and UKVFTA Agreements, and does not contravene them. <p>The request for approval of the bidding documents must specify the modifications compared to the original bidding document template and the reason for the modification for the project owner to consider.</p> <p>Circular No. 21/2022/TT-BKHDT enters into force on 20 November 2022 and replaces Circular No. 11/2015/TT-BKHDT.</p>
Telecommunications



LAWS AND REGULATIONS

Decree No. 71/2022/ND-CP dated 1 October 2022 by the Government on “Amendments to Decree No. 06/2016/ND-CP on the Management, Provision, and Use of Radio and Television Services”

The decree sets out the procedure for editing process and classification of radio and television content under paid services.

Decree No. 71/2022/ND-CP enters into force on 1 January 2023.

Transportation

Circular No. 59/2022/TT-BTC dated 29 September 2022 of the Ministry of Finance on “Changes in Several Fees and Charges to Support Transport Business Activity Difficulties”

To address the business difficulties of those in the transport sector, several applicable fees and charges have been reduced by 20-50% for the period 1 October to 31 December 2022. Specifically:

- A decrease of 20% of the fees on the tonnage of vessels conducting domestic maritime activities, the fees for the assurance of domestic maritime activities, and the fees for entering and exiting seaports for domestic maritime activities.
- A decrease of 20% of the fees for the appraisal and issuance of diplomas, licenses, and certificates for civil aviation activities, the fees for the issuance of permits to enter and exit restricted areas at airports and airfields, and the fees for the registration of secured transactions for aircraft.
- A decrease of 50% of the fees for the use of railway infrastructure.
- A decrease of 50% of the fees for inland waterway reports and the fees for entering and exiting inland waterway ports.

Circular No. 59/2022/TT-BTC is in force from 1 October to 31 December 2022.

Circular No. 25/2022/TT-BGTVT dated 20 October 2022 by the Ministry of Transportation “Guiding the Assurance of Dignitaries’ Flights on Private and Commercial Planes”



LAWS AND REGULATIONS

Foreign pilots may only conduct flights of dignitaries on commercial planes, and must have at least 2,000 flight hours on the type of aircraft used for such flights.

(Currently, there is no regulation on foreign pilots to only conduct flights of dignitaries on commercial planes.)

To conduct flights of dignitaries on commercial planes, foreign pilots must satisfy the following standards:

- Have a labor contract of at least 24 months with a Vietnamese airline which is ordered to conduct dignitary's flights on commercial planes by the time of being considered to serve such flights.
- Have a pilot's license issued by the Civil Aviation Authority of Vietnam for the specific type of aircraft and a valid rating suitable for the type of aircraft to conduct a Vietnamese dignitary's flight on a commercial plane.
- Have a sense of responsibility, a good sense of discipline, and a clean background check.
- Have not received any disciplinary actions during flight operation for committing violations that threaten the safety of level D or higher for past 24 months by the time of conducting a dignitary's flight on a commercial plane.
- Conduct a Vietnamese dignitary's flight with Vietnamese co-pilots.
- Have received a written decision approving the implementation of Vietnamese dignitaries' flights on commercial planes from the head of the airline conducting such flights.

Circular No. 25/2022/TT-BGTVT enters into force on 15 December 2022 and replaces Circular No. 28/2010/TT-BGTVT and Circular No. 53/2015/TT-BGTVT.



LAWS AND REGULATIONS

Tax and Accounting

Decision No. 1521/QĐ-TCT dated 22 September 2022 by the General Department of Taxation on the “Procedures for the Management of Tax Practicing Services”

The procedures for the management of tax practicing service include:

- Procedures for the issuance and revocation of tax practicing certificates to provide tax services.
- Procedures for the management of the business activities of tax agents and the management of the practices of employees of tax agents. Procedures for the management of knowledge updates for employees of tax agents.
- The procedures include guidelines on how to handle tax agents who suspend their operations or business or resume their operations or business after a suspension period, as follows:
- Per the regulations on tax registration, the Tax Registration Module will automatically transfer information to the Tax Agent Management Module.
- For tax agents suspending their operations or business, the Tax Agent Management Module will:
- Automatically update the status of “tax agents suspending their business operation” while disclosing information on the Electronic Information Portal.
- Automatically send information to the Statement Processing Module to update the status of tax agents suspending their provision of tax preparation services and send information to taxpayers who are using the services of such tax agents (if any).
- For tax agents resuming their operations or business after a suspension period:



LAWS AND REGULATIONS

- The Tax Agent Management Division of the relevant Taxation Department will inspect the operating conditions of the tax agent and its employees. If the conditions are found to be satisfactory, it will update the information in the Tax Agent Management Module to annul the status “tax agents suspending their business operation” while disclosing information on the Electronic Information Portal.
- The Tax Agent Management Module will automatically send information to the Statement Processing Module to update the status of tax agents continuing the provision of tax preparation services.

Decision No. 1521/QD-TCT entered into force as of the date of its signing.

* * *

Information included in this document does not represent legal advice. This document is not intended to represent a comprehensive list of all new laws and regulations issued or published in the relevant jurisdictions.