

THE PRIME MINISTER

THE SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom – Happiness

No.: 30/2018/QĐ-TTg

Hanoi, July 31, 2018

DECISION

**REGARDING PROCEDURES FOR CERTIFICATION OF GOODS SERVING
DEVELOPMENT OF TECHNOLOGY INCUBATION, SCIENCE AND TECHNOLOGY
ENTERPRISE INCUBATION AND TECHNOLOGICAL INNOVATION; SPECIALIZED
VEHICLES USED IN TECHNOLOGICAL LINE DIRECTLY SERVING
MANUFACTURING ACTIVITIES OF INVESTMENT PROJECTS**

Pursuant to the Law on government organization dated June 19, 2015;

Pursuant to the Law on export and import duties dated April 06, 2016;

*Pursuant to the Government's Decree No. 134/2016/ND-CP dated September 01, 2016
providing guidelines for the Law on export and import duties;*

*Pursuant to the Government's Resolution No. 82/NQ-CP dated June 26, 2018 on promulgation
of the Prime Minister's Decision providing for procedures for certification of goods serving
development of technology incubation, science and technology enterprise incubation and
technological innovation; specialized vehicles used in technological line directly serving
manufacturing activities of investment projects;*

At the request of the Minister of Science and Technology;

*The Prime Minister promulgates a Circular providing for procedures for certification of goods
serving development of technology incubation, science and technology enterprise incubation and
technological innovation; specialized vehicles used in technological line directly serving
manufacturing activities of investment projects.*

Article 1. Scope and regulated entities

1. This Decision elaborates and provides guidelines for implementation of regulations in Points b, c Clause 4 Article 19 and Point e Clause 2 Article 31 of the Government's Decree No. 134/2016/ND-CP dated September 01, 2016 providing guidelines for the Law on export and import duties with respect to procedures for certification of goods serving development of technology incubation, science and technology enterprise incubation and technological innovation; specialized vehicles used in technological line directly serving manufacturing activities of investment projects.

2. This Decision applies to regulatory authorities, organizations and individuals concerning the process of certifying goods serving development of technology incubation, science and technology enterprise incubation and technological innovation; specialized vehicles used in technological line directly serving manufacturing activities of investment projects.

Article 2. Application for certification of goods serving development of technology incubation, science and technology enterprise incubation and technological innovation

An application for certification consists of:

1. The application form for certification (using Form No. 01).
2. The description of goods which must be in the List of goods serving development of technology incubation, science and technology enterprise incubation and technological innovation, or meet the criteria established by the Ministry of Science and Technology.
3. The sale contract or the import mandate contract (certified copy or the copy presented with its original for verification) or other relevant documents proving the sale or import of goods.
4. In addition to the abovementioned documents, an applicant must submit the followings:
 - a) The certified copies (or the copies presented with their originals for verification) of the investment registration certificate and certificate of enterprise registration (if any);
 - b) The list of specialized machinery, equipment, parts and supplies serving the performance of science and technology tasks by a technology incubator, or science and technology enterprise incubator (if the applicant applies for certification of goods which are specialized machinery, equipment, parts and supplies serving the development of technology incubation/ science and technology enterprise incubation);
 - c) The list of machinery and equipment serving the performance of science and technology tasks or the execution of an investment project on technological innovation (if the applicant applies for certification of goods which are machinery and equipment serving technological innovation).

Article 3. Procedures for certification of goods serving development of technology incubation, science and technology enterprise incubation and technological innovation

1. The applicant shall submit an application, which consists of all documents prescribed in Article 2 hereof, directly or by post to the People's Committee of province where the investment project, the technology incubator, or the science and technology enterprise incubator is located or to the supervisory Ministry of that investment project, technology incubator, or science and technology enterprise incubator, if any.
2. Within 03 working days from the receipt of the application, the competent authority prescribed in Clause 1 of this Article shall consider the received application and request the applicant in writing to supplement or modify the application if it is insufficient or invalid.

3. Within 10 working days from the receipt of a valid application, the competent authority prescribed in Clause 1 of this Article shall give an official dispatch (made according to Form No. 02) to the applicant, which indicates the list of goods serving the development of technology incubation, and science and technology enterprise incubation. If an application is refused, written reasons for such refusal shall be given to the applicant.

The competent authority prescribed in Clause 1 of this Article shall give a written notification to the applicant of any extension of deadline for response to the applicant in case the application must be examined and verified under regulations of Clause 4 of this Article.

4. The competent authority prescribed in Clause 1 of this Article shall establish a council for appraising the received application before giving written response to the applicant if it is deemed necessary. The time-limit for application examination and response to the applicant shall not exceed 20 days from the receipt of a valid application. If an application is refused, written reasons for such refusal shall be given to the applicant.

Funding for application examination shall be covered by state budget.

Article 4. Procedures for certification of goods serving technological innovation

1. The applicant shall prepare and submit an application, which consists of all documents prescribed in Article 2 hereof, directly or by post to the Ministry of Science and Technology.

2. Within 03 working days from the receipt of the application, the Ministry of Science and Technology shall consider the received application and request the applicant in writing to supplement or modify the application if it is insufficient or invalid.

3. Within 10 working days from the receipt of a valid application, the Ministry of Science and Technology shall give an official dispatch (made according to Form No. 02) to the applicant, which indicates the list of goods serving the technological innovation. If an application is refused, written reasons for such refusal shall be given to the applicant.

The Ministry of Science and Technology shall give a written notification to the applicant of any extension of deadline for response to the applicant in case the application must be examined and verified under regulations of Clause 4 of this Article.

4. The Ministry of Science and Technology shall establish a council to examine and verify the received application before giving a written response to the applicant if it is deemed necessary. The time-limit for application examination and response to the applicant shall not exceed 20 days from the receipt of a valid application. If an application is refused, written reasons for such refusal shall be given to the applicant.

Funding for application examination shall be covered by state budget.

Article 5. Application for certification of specialized vehicles used in technological line directly serving manufacturing activities of investment projects

An application for certification consists of:

1. The application form for certification (using Form No. 03).
2. The description of specialized vehicles which must meet the criteria established by the Ministry of Science and Technology for specialized vehicles used in technological line directly serving manufacturing activities of investment projects.
3. Technical documents about specialized vehicles, indicating the name, manufacturing year, technical features, status, capacity, functions and photos of each specialized vehicle.
4. The sale contract or the import mandate contract (certified copy or the copy presented with its original for verification) or other relevant documents proving the sale or import of specialized vehicles.
5. The list of machinery and equipment serving the investment project approved by the investor in accordance with applicable laws.
6. In addition to the abovementioned documents, the applicant must submit the certified copies (or the copies presented with their originals for verification) of the investment registration certificate and certificate of enterprise registration (if any).

Article 6. Procedures for certification of specialized vehicles used in technological line directly serving manufacturing activities of investment projects

1. The applicant shall prepare and submit an application, which consists of all documents prescribed in Article 5 hereof, directly or by post to the Ministry of Science and Technology.
2. Within 03 working days from the receipt of the application, the Ministry of Science and Technology shall consider the received application and request the applicant in writing to supplement or modify the application if it is insufficient or invalid.
3. Within 10 working days from the receipt of a valid application, the Ministry of Science and Technology shall give an official dispatch (made according to Form No. 04) to the applicant. If an application is refused, written reasons for such refusal shall be given to the applicant.

The Ministry of Science and Technology shall give a written notification to the applicant of any extension of deadline for response to the applicant in case the application must be examined and verified under regulations of Clause 4 of this Article.

4. The Ministry of Science and Technology shall establish a council to examine and verify the received application before giving a written response to the applicant if it is deemed necessary. The time-limit for application examination and response to the applicant shall not exceed 20 days from the receipt of a valid application. If an application is refused, written reasons for such refusal shall be given to the applicant.

Funding for application examination shall be covered by state budget.

Article 7. Implementation

1. This Decision comes into force from September 15, 2018.
2. Ministers, Heads of ministerial-level agencies, Heads of Government's affiliated agencies, Chairpersons of People's Committees of central-affiliated provinces and cities and relevant agencies shall implement this Decision./.

THE PRIME MINISTER

Nguyen Xuan Phuc