

THE GOVERNMENT

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SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

Hanoi, November 12, 2015

DECREE

GUIDELINES FOR SOME ARTICLES OF THE LAW ON INVESTMENT

Pursuant to the Law on Government organization dated December 25, 2001;

Pursuant to the Law on Investment dated November 26, 2014;

Pursuant to the Law on Investment dated November 26, 2014;

At the request of the Minister of Planning and Investment,

The Government promulgates a Decree to provide guidelines for some Articles of the Law on Investment

Chapter I

GENERAL PROVISIONS

Article 1. Scope and regulated entities

1. This Decree elaborates and provides guidelines for some Articles of the Law on Investment on application, control, announcement of conditions for investment; measures for investment assurance, investment incentives; investment procedures, execution of investment projects, and management of investment by regulatory bodies.

2. This Decree applies to investors, competent authorities, organizations, and individuals involved in investment.

Article 2. Interpretation of terms

In this Circular, the terms below are construed as follows:

1. Valid copy means a copy extracted from the master register or a copy authenticated by a competent authority, or a copy that has been compared with the original, or a copy printed from the national database about residents, enterprise registration, and investment.

2. Vietnam's WTO Schedule of specific commitments in services (hereinafter referred to as "Vietnam's WTO Schedule of commitments") means the document No. WT/ACC/48/Add.2

dated October 27, 2006 of the Working Party on the Accession of Vietnam, including general commitments, commitments of sectors and sub-sectors, and list of MFN exemptions.

3. National Foreign Investment Web Portal means the web portal used to follow procedures for issuance, adjustment of the Investment Registration Certificate; posting and updating legislative documents, policies, investment conditions applied to foreign investors; updating and accessing information about investment promotion and foreign investment in Vietnam.

4. National Foreign Investment Database means a collection of information about foreign investment projects nationwide that is stored and managed in the National Foreign Investment Information System.

5. Incentive-applying authority means the authority having the power to apply tax incentives, land incentives, and other kinds of incentives prescribed by law.

6. Investment conditions applied to foreign investors are conditions that foreign investors must satisfy before making investment in the business lines subject to conditions applied to foreign investors specified in relevant Laws, Ordinances, Decrees, and international agreements on investment. Investment conditions applied to foreign investors are applied in the following cases:

a) Investment in establishment of a business organization;

b) Investment in the form of capital contribution, purchase of shares/stakes in a business organization;

c) Investment in the form of a business cooperation contract;

d) Receipt of an investment project;

dd) Change or addition of business lines of a foreign-invested business organization.

7. Investment conditions are conditions that every organization and individual must satisfy when making investment in the business lines specified in Appendix 4 of the Law on Investment according to relevant Laws, Ordinances, Decrees, and international agreements.

8. International agreement on investment means an agreement to which Socialist Republic of Vietnam is a signatory which specifies rights and obligations of Socialist Republic of Vietnam to investment by investors from the nations that are signatories of the agreement. Such agreements include:

a) Protocol on the accession of the Socialist Republic of Vietnam to WTO dated November 07, 2006;

b) Bilingual agreements on encouragement and protection of investment;

c) Other free trade agreements and regional economic integration agreements;

d) Other international agreements specifying rights and obligations of Socialist Republic of Vietnam to investment.

9. National Foreign Investment Information System is a system used for issuing, adjusting, revoking Investment Registration Certificates; sending, receiving, storing, displaying data to serve management of foreign investment by the State. National Foreign Investment Information System consists of: National Foreign Investment Web Portal, National Foreign Investment Database, National Investment Promotion Database, and infrastructure system.

10. Application for investment registration means an application compiled by an investor for issuance, adjustment, revocation of the Investment Registration Certificate, decision on investment guidelines, and following other investment procedures prescribed by the Law on Investment and this Decree.

11. A valid application means an application that contains sufficient documents specified in the Law on Investment, this Decree, and such documents contain sufficient information as prescribed by law.

12. The Law on Investment means the Law No. 67/2014/QH13 ratified by the National Assembly of the Socialist Republic of Vietnam on November 26, 2014.

13. The Law on Investment 2005 means the Law No. 59/2005/QH11 ratified by the National Assembly of the Socialist Republic of Vietnam on November 29, 2005.

14. Sectors and sub-sectors excluded from commitments are those specified in Vietnam's WTO Schedule of commitments and other international agreements on investment in which the Socialist Republic of Vietnam is entitled to regulate or not to regulate investment conditions, or prohibit foreign investors from making investments in such sectors and sub-sectors of services.

15. Investment capital of a project means the capital contributed by the investor and capital raised by the investor to execute the investment project written on the decision on investment guidelines and/or Investment Registration Certificate.

16. Rural area means an administrative division that does not include wards and districts in urban areas.

Article 3. Assurance of investment when law is change

1. Where a new legislative document promulgated by a competent authority changes investment incentives that have been applied to investors before such document comes into force, investors shall have their investment incentives guaranteed in accordance with Article 13 of the Law on Investment.

2. Guaranteed investment incentives mentioned in Clause 1 of this Article are incentives to which an investor is entitled according to legislative documents applicable before the effective date of the new legislative document, including:

a) Investment incentives specified in an Investment License, Business License, Investment Incentive Certificate, Investment Certificate, Investment Registration Certificate, decision on investment guidelines, or other documents issued by a competent authority;

b) Investment incentives to which the investor is entitled as prescribed by law other than those specified in Point a of this Clause.

3. When an investment assurance measure is needed as prescribed in Clause 4 Article 13 of the Law on Investment, the investor shall submit a written request to the investment registration authority together with the Investment License, Business License, Investment Incentive Certificate, Investment Certificate, Investment Registration Certificate, decision on investment guidelines, or other documents issued by a competent authority which specifies investment incentives (if any). The written request shall contain:

a) Name and address of the investor;

b) The investment incentives applicable before the effective date of the new legislative document, including: Types of incentives, conditions for receiving incentives, levels of incentives (if any);

b) The content of the new legislative document which changes the investment incentives mentioned in Point b of this Clause;

d) The investor's request for implementation of an investment incentive assurance measures specified in Clause 4 Article 13 of the Law on Investment.

4. The investment registration authority shall decide the implementation of investment incentive assurance measure within 30 days from the receipt of the valid application as set out in Clause 3 of this Article. The investment registration authority shall submit the cases beyond its competence to competent authority.

Article 4. Language of application for investment registration

1. The language of the application for investment registration, documents, and reports submitted to a competent authority shall be Vietnamese.

2. If the application has a document in a foreign language, the investor must enclose a valid Vietnamese translation to such document.

3. If a document in the application is written in both Vietnamese and a foreign language, the Vietnamese version shall be used to implement investment procedures.

4. The investor is responsible for any discrepancy between the translation or copy and the original, and between the copy in Vietnamese version and foreign language version.

Article 5. Codes of investment project

1. A code of an investment project is a 10-digit number automatically generated by National Foreign Investment Information System and written on the Investment Registration Certificate.
2. Each investment project has a single code which remains unchanged throughout the operation of the project and must not be given to another project. The code of an investment project expires when the investment project is shut down.
3. With regard to an investment project executed according to the Investment Certificate, Investment License, or another equivalent document, the code of the investment project is the number of the Investment Certificate, Investment License, or the equivalent document issued to the investment project. Where the Investment License, Investment Certificate, or the equivalent document is adjusted, the investment project will be issued with a new code as specified in Clause 1 of this Article.
4. Competent authority shall use codes of investment projects uniformly to manage and exchange information about investment projects.

Article 6. Rules for following investment procedures

1. When receiving an application for investment registration and resolving investment procedures, the investment registration authority shall assess the validity of the application. The investor is legally responsible for the legitimacy, accuracy, truthfulness of the application for investment registration and documents submitted to the competent authority.
2. The investment registration authority must not require the investor to submit any documents together with the application for investment registration other than those specified in the Law on Investment and this Decree.
3. When an application for investment registration needs to be supplemented, the investment registration authority shall send a written notification of necessary supplementations to the investor (applicant). The notification must specify the supplementations and reasons.
4. While following administrative procedures for investment, the enquired agencies shall make comments about the investment project by the deadline specified in the Law on Investment and this Decree. If an agency does not make any comments by the deadline, it is considered that it concurs with the content of the investment project under its management.
5. The competent authority shall send a written notification to the investor and provide explanation if the application for issuance/adjustment of the decision on investment guidelines, Investment Registration Certificate, or other investment procedures is rejected according to the Law on Investment and this Decree.
6. The investment registration authority and other regulatory bodies shall not settle disputes among investors and between investors and relevant entities during the course of investments.

Article 7. Addressing inaccurate, fraudulent documents

1. Where information provided in the application for investment registration is found inaccurate, within 05 working days from the day on which the valid application is received, the investment registration authority shall request the investor to remake it.
2. If there are grounds to determine that an investor use fraudulent documents in the application for issuance or adjustment of the Investment Registration Certificate, the investment registration authority shall make a notification of the investor's violations and invalidate the Investment Registration Certificate or cancel the adjustments to the Investment Registration Certificate which are based on fraudulent information and restore the original Investment Registration Certificate based on the latest valid application, and notify a competent authority.
3. The investor is responsible for the damage caused by provision of incorrect information or use of fraudulent documents.

Chapter II

BUSINESS LINES

Section 1. IMPLEMENTATION OF REGULATIONS ON BUSINESS LINES BANNED FROM INVESTMENT AND BUSINESS LINES SUBJECT TO CONDITIONS

Article 8. Implementation of regulations on business lines banned from investment

1. Organizations and individuals must not make investment in the business lines specified in Article 6 and Appendix 1 through 3 of the Law on Investment.
2. The manufacturing, use of products specified in Appendix 1 through 3 of the Law on Investment for analysis, testing, scientific study, healthcare, manufacture of pharmaceutical products, criminal investigation, national defense and security are specified below:
 - a) Permission for production and use of narcotic substances specified in Appendix 1 of the Law on Investment are specified in regulations of the Government on the list of narcotic substances and precursors, Single Convention on Narcotic Drugs 1961, and United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988;
 - b) Permission for production and use of chemicals and minerals specified in Appendix 1 of the Law on Investment are specified in regulations of the Government management of controlled chemicals under Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, instructional documents of Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;
 - c) Permission for the use of specimens of wild flora and fauna specified in Appendix 3 of the Law on Investment is specified in regulations of the Government on management of rare, endangered wild flora and fauna, and Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Article 9. Implementation of regulations on business lines subject to conditions and investment conditions

1. Individuals and business organizations may make investment in the business lines subject to conditions specified in Appendix 4 of the Law on Investment if all conditions are fulfilled and the fulfillment of such conditions is maintained throughout the course of business.

2. Investment conditions include:

a) License;

b) Certificate of eligibility;

c) Practising certificate;

d) Certificate of professional liability insurance;

dd) Written certification;

e) Documents other than those specified in Point a through dd of this Clause;

g) Conditions that must be fulfilled to make investment without the written certification or approval specified in Point a through e of this Clause.

3. Every individual or organization that fulfills investment conditions is entitled to the documents specified in Point a through e Clause 2 of this Article (hereinafter referred to as licenses) or to make investment and do business when the conditions specified in Point g Clause 2 of this Article are fulfilled. If the issuance, renewal, adjustment, or supplementation of a license is rejected, the competent authority must send a written notification to the applicant and provide explanation.

4. While following administrative procedures for issuance of a license or fulfilling the conditions specified in Point g Clause 2 of this Article, it is not required to write the business lines subject to conditions on the Certificate of Enterprise Registration.

Article 10. Implementation of regulations on investment conditions applied to foreign investors

1. Investment conditions applied to foreign investors mentioned in Clause 6 Article 2 of this Decree include:

a) Ratio of the foreign investor's charter capital in a business organization;

b) Investment method;

d) Scope of investment;

d) Vietnamese partners participating in the investment;

Other conditions specified in Laws, Ordinances, Decree, and international agreements on investment.

2. Rules for applying investment conditions to foreign investors

a) A foreign investor that makes investment in various business lines must fulfill all conditions applied to these business lines;

b) A foreign investor that is regulated by international agreements on investment that provide for different investment conditions may apply the investment conditions provided for in one of such international agreements and must fulfill the foreign investor's rights and obligations under the selected international agreement.

c) With regard to sectors and sub-sectors excluded from commitments or not specified in Vietnam's WTO Schedule of commitments and other international agreements on investment, if investment conditions applied to foreign investors are already provided for in Vietnam's law, such Vietnam's law shall apply;

d) Where a foreign investor in a territory that is not a WTO member makes investment in Vietnam, such investor shall apply the same investment conditions as investors in WTO members, unless otherwise prescribed by law and international agreements between Vietnam and such WTO members;

dd) With regard to sectors and sub-sectors excluded from commitments or not specified in Vietnam's WTO Schedule of commitments and other international agreements on investment, if investment conditions applied to foreign investors are also not provided for in Vietnam's law, the investment registration authority shall consult with the Ministry of Planning and Investment and relevant Ministries;

e) Where a foreign investor permitted to make investment in the service sectors and sub-sectors specified in Point dd of this Clause and they have been posted on National Foreign Investment Web Portal specified in Article 13 of this Decree, the investment registration authority shall consider deciding foreign investors' investment in the same business lines without consulting with Ministries.

Article 11. Application of investment conditions and procedures to investors holding both Vietnamese and foreign nationality

1. With regard to investments made in Vietnam, an investor holding both Vietnamese and foreign nationality may decide whether to apply investment conditions and procedures applied to Vietnamese investors or foreign investors.

2. If investment conditions and procedures applied to Vietnamese investors are selected, the investor mentioned in Clause 1 of this Article does not have the rights and obligations of a foreign investor.

Section 2. CONTROL AND PUBLISHING OF INVESTMENT CONDITIONS AND INVESTMENT CONDITIONS APPLIED TO FOREIGN INVESTORS

Article 12. Publishing of investment conditions

1. The Ministry of Planning and Investment shall take charge and cooperate with other Ministries and ministerial agencies in reviewing and aggregating investment conditions to be published on National Enterprise Registration Portal.

2. Investment conditions to be published as set out in Clause 1 of this Article include:

a) The business lines subject to conditions specified in Appendix 4 of the Law on Investment;

b) The basis for applying investment conditions to the business lines specified in Point a of this Clause;

c) Conditions that must be fulfilled to make investment specified in Clause 2 Article 9 of this Decree.

3. Where investment conditions are changed according to a Law, Ordinance, or Decree, they shall be updated as follows:

a) Within 05 working days from the day on which the Law, Ordinance, or Decree is promulgated, the relevant Ministry or ministerial agency shall send a written request for update of investment conditions on National Enterprise Registration Portal to the Ministry of Planning and Investment;

b) Within 03 working days from the day on which the aforementioned request is received, the Ministry of Planning and Investment shall update the investment conditions or changes to investment conditions on National Enterprise Registration Portal.

Article 13. Publishing of investment conditions applied to foreign investors

1. The Ministry of Planning and Investment shall take charge and cooperate with other Ministries and ministerial agencies in reviewing and aggregating investment conditions applied to foreign investors according to Laws, Ordinances, Decrees, and international agreements on investors, and sectors and sub-sectors specified in Point e Clause 2 Article 10 of Decree in order to publish them on National Foreign Investment Web Portal.

2. Investment conditions applied to foreign investors to be published as set out in Clause 1 of this Article include:

- a) Business lines subject to conditions applied to foreign investors;
- b) Basis for application for investment registration to foreign investors;
- c) Contents of investment conditions applied to foreign investors as set out in Clause 1 Article 10 of this Decree;
- d) The sectors and sub-sectors specified in Point e Clause 2 Article 10 of this Decree.

3. The Investment conditions specified in Clause 2 of this Article shall be updated in the following cases:

- a) Investment conditions applied to foreign investors are changed according to a Law, Ordinance, Decree, or international agreement on investment;
- b) The sectors and sub-sectors specified in Point e Clause 2 Article 10 of this Decree shall be adjusted according to the review result specified in Clause 1 of this Article.

4. The updates mentioned in Clause 3 of this Article shall be published on National Foreign Investment Web Portal following the procedures specified in Clause 3 Article 12 of this Decree.

Article 14. Proposal for changes or addition of business lines subject to conditions and investment conditions

1. In consideration of socio-economic development, state management requirements at that time, and international agreements on investment, Ministries and ministerial agencies shall submit proposals for changes or addition of business lines subject to conditions or investment conditions to the Government.

2. Apart from regulations of law on promulgation of legislative documents the proposal for changes or addition of business lines subject to conditions or investment conditions shall specify:

- a) The business lines subject to conditions or investment conditions to be changed or added;
- b) Necessity, purpose of the changes or addition of business lines subject to conditions or investment conditions according to Clause 1, Clause 3, and Clause 4 Article 7 of the Law on Investment;
- c) The basis for the changes or addition of business lines subject to conditions or investment conditions, and subjects of such conditions;
- d) The rationality, feasibility of the changes or addition of business lines subject to conditions or investment conditions, and conformity with international agreements on investment;

dd) Assessment of impacts of the changes or addition of business lines subject to conditions or investment conditions on state management works and investment by the subjects of such conditions.

3. Ministries, ministerial agencies shall consult with the Ministry of Planning and Investment about the proposal mentioned in Clause 2 of this Article during the process of reviewing, approving the proposal for formulation of the Law, Ordinance, Decree in accordance with regulations of law on promulgation of legislative documents.

Article 15. Review, assessment of implementation of regulations on business lines subject to conditions

1. Annually and on demand, Ministries and ministerial agencies shall review, assess the implementation of regulations on business lines subject to conditions and investment conditions under their management.

2. Review and assessment content:

a) Assess the implementation of regulations of law on to business lines subject to conditions and investment conditions under their management at the time of review, assessment;

b) Assess the impacts and effectiveness of regulations on business lines subject to conditions and investment conditions; difficulties that arise during the course of implementation;

c) Assess the socio-economic changes, technological changes, management requirements, and other conditions that affect the implementation of regulations on business lines subject to conditions and investment conditions (if any);

d) Propose amendments to regulations on business lines subject to conditions and investment conditions (if any);

3. Ministries and ministerial agencies shall send their proposals to the Ministry of Planning and Investment for consolidation and reporting to the Prime Minister.

Chapter III

INVESTMENT INCENTIVES AND INVESTMENT ASSISTANCE

Section 1. INVESTMENT INCENTIVES

Article 16. Entities eligible for investment incentives and rules for applying investment incentives

1. The entities eligible for investment incentives specified in Clause 2 Article 15 and Article 16 of the Law on Investment include:

- a) Investment projects in business lines eligible for investment incentives or special investment incentives specified in Appendix I of this Decree;
- b) Investment projects in disadvantaged areas or extremely disadvantaged areas specified in Appendix II of this Decree;
- c) Any investment project whose capital is VND 6,000 billion or over, at least VND 6,000 billion is disbursed within 03 years from the issuance date of the Investment Registration Certificate or the decision on investment guidelines (if the project is not required to obtain an Investment Registration Certificate);
- d) Any investment project in a rural area which employs 500 workers or more (not including part-time workers and workers whose employment contracts are shorter than 12 months);
- dd) High technology enterprises, science and technology enterprises, science and technology organizations defined by regulations of law on high technology, science and technology.

2. Rules for applying investment incentives:

- a) Investment projects specified in Point c Clause 1 of this Article are eligible for the same investment incentives as investment projects in extremely disadvantaged areas;
- b) Investment projects specified in Point d Clause 1 of this Article are eligible for the same investment incentives as investment projects in disadvantaged areas;
- C) Investment projects in business lines eligible for investment incentives in disadvantaged areas are eligible for the same investment incentives as investment projects in extremely disadvantaged areas;
- d) an investment project that is eligible for various levels of investment incentive may apply the highest level;
- dd) Corporate income tax (CIT) incentives for investment projects in industrial parks, export-processing zones specified in Section 55 of Appendix II to this Decree shall comply with regulations of law on CIT;
- e) Land rent incentives in industrial parks, export-processing zones specified in Section 55 of Appendix II to this Decree do not apply to investment projects in industrial parks and export-processing zones in urban districts of special class and class I central affiliated cities, and class I provincial cities.

Article 17. Procedures for applying investment incentives

- 1. Investment incentives written on an Investment Registration Certificate or decision on investment guidelines include:

- a) The entity eligible for investment incentives as set out in Article 16 of this Decree;
 - b) The basis for application of investment incentives according to regulations of law on taxes and land.
2. The investor in an investment project required to obtain an Investment Registration Certificate or decision on investment guidelines shall receive investment incentives according to the investment incentives on the Investment Certificate or decision on investment guidelines. The basis for applying investment incentives to science and technology enterprises is the Certificate of Science and Technology Enterprise.
3. Investors in projects other than those specified in Clause 2 of this Article shall determine their investment incentives and follow procedures for receiving investment incentives at incentive-applying authorities according to Clause 1 Article 16 of this Decree and relevant regulations of law.
4. Investment incentives are adjusted in the following cases:
- a) Where an investment project satisfies conditions for receiving additional investment incentives, the investor shall receive them for the remaining incentive period;
 - b) The investor shall not receive incentives written on the Investment Registration Certificate or decision on investment guidelines if the project fails to satisfy conditions for investment incentives specified in the Investment Registration Certificate or decision on investment guidelines. Where the project satisfies conditions for other investment incentives, the investor shall receive such incentives;
 - c) Where an investment project fails to satisfy conditions for investment incentives for a certain period of time, the investor shall not receive such incentives over such period.
5. A new business organization or a business organization executing an investment project derived from a corporate conversion, ownership transfer, division, acquisition, consolidation, or investment project transfer shall inherit the investment incentives to which the investment project is entitled before the conversion, division, acquisition, consolidation, or transfer.

Section 2. INVESTMENT ASSISTANCE FOR INDUSTRIAL PARKS, EXPORT-PROCESSING ZONES, HI-TECH ZONES, ECONOMIC ZONES

Article 18. Assistance in construction of infrastructure of industrial parks and export-processing zones

1. The scope, subjects, principles, criteria, limits of investment assistance from central government budget for construction of infrastructure of industrial parks and export-processing zones in disadvantaged areas or extremely disadvantaged areas shall comply with the applicable Industrial Park Infrastructure Investment Target Program.

2. The People's Committees of provinces shall balance their budgets to provide assistance for investors in development of infrastructure inside and outside industrial parks and export-processing zones.

Article 19. Assistance in development technical and social infrastructure of economic zones and hi-tech zones

1. State budget shall provide funding for assistance in:

a) Development of technical and social infrastructure in hi-tech zones; development of technical and social infrastructure, and important public facilities in economic zone;

b) Land clearance and compensation, demining in hi-tech zones and specialized areas of economic zones;

c) Land clearance and compensation, construction of technical and social infrastructure of housing areas for workers and relocation areas for people whose land in economic zones and hi-tech zones is withdrawn;

d) Investor in construction of concentrated solid waste treatment zone and concentrated sewage treatment systems that meet environmental standards of hi-tech zones and specialized areas in economic zones.

2. Apart from the types of assistances specified in Clause 1 of this Article, hi-tech zones shall receive other incentives for investment in development of technical infrastructure as specified in regulations of law on hi-tech zones.

3. The Prime Minister shall decide policies on development of housing in hi-tech zones.

Article 20. Investment in technical infrastructure in industrial parks and export-processing zones

1. Investment in operation of technical infrastructure of an industrial park or export-processing zone must conform to detailed construction planning of the industrial park or export-processing zone which is approved by a competent authority.

2. With regard to a disadvantaged area, depending on its conditions, the People's Committee of the province shall request the Prime Minister to establish or appoint a revenue-earning public service agency as an investor in the project for construction and operation of technical infrastructure or the industrial park or export-processing zone.

Chapter IV

MAKING INVESTMENT

Section 1. GENERAL REGULATIONS ON EXECUTION OF INVESTMENT PROJECTS

Article 21. Responsibility to publish and provide information about investment projects

1. Investment registration authorities, planning, resources, and environment authorities, and other regulatory bodies shall make publicly available the planning and list of investment projects in accordance with law.
2. Where an investor requests information about the planning or list of investment project and other information related to investment projects, the authorities mentioned in Clause 1 of this Article shall provide information within their competence for such investor within 05 working days from the receipt of the investor's request.
3. Investors are entitled to use information mentioned in Clause 1 and Clause 2 of this Article to compile their investment applications.

Article 22. Procedures for execution of investment projects

1. Depending on the characteristics, scale, and conditions of each project, it shall be executed under one of some procedures below:
 - a) Obtain a decision on investment guidelines, Investment Registration Certificate in accordance with the Law on Investment and this Decree;
 - b) Establish a business organization according to Article 44 of this Decree (for foreign investors making investment by establishing business organizations);
 - c) Follow procedures for land allocation, land lease/sublease, land repurposing in accordance with regulations of law on land (if any);
 - d) Follow construction procedures in accordance with regulations of law on construction (if any).
2. The investor that is the successful bidder for the land use right or for an investment project using land shall execute the investment project in accordance with the decision on approval for bidding result or decision on approval of investor selection result and regulations of law on investment, construction, and relevant regulations of law without having to obtain a decision on investment guidelines.

Article 23. Following investment procedures on National Foreign Investment Information System

1. Before following procedures for issuance or adjustment of the Investment Registration Certificate, the investor shall provide information about the investment project on National Foreign Investment Information System. Within 15 days from the day on which information is provided, the investor shall submit an application for issuance or adjustment of the Investment Registration Certificate to the investment registration authority.
2. After the application is received by the investment registration authority, the investor shall be given an account to access National Foreign Investment Information System to monitor the application processing.
3. The investment registration authority shall use National Foreign Investment Information System to receive, process applications, and return results, update the processing, and issue project codes.
4. In case National Foreign Investment Information System is inaccessible, investment registration authority shall issue the Investment Registration Certificate under backup procedures below:
 - a) The investment registration authority shall receive the physical application and request the Ministry of Planning and Investment to issue a code to the investment project. Within 02 days from the day on which the request is received, the Ministry of Planning and Investment shall issue the project code and notify the investment registration authority;
 - b) Within 05 days from the day on which the Investment Registration Certificate is issued under the backup procedures, the investment registration authority shall update information about the project on National Foreign Investment Information System.

Article 24. Mechanism for cooperating in resolving procedures for investment and enterprise registration for foreign investors

1. Apart from procedures for issuance of the Investment Registration Certificate and enterprise registration specified in the Law on Investment, this Decree, and regulations of law on enterprises, foreign investors may follow these procedures at a single unit in the following order:
 - a) The investor shall the application for investment registration and application for enterprise registration to the investment registration authority;
 - b) Within 01 working days from the day on the applications are received, the investment registration authority shall send the application for enterprise registration to the business registration authority;
 - c) Within 02 working days from the day on the application for enterprise registration is received, the business registration authority shall assess its validity and send a notification to the investment registration authority;

d) If the application for investment registration or application for enterprise registration needs adjusting or supplementing, the investment registration authority shall send a single notification to the investor within 05 working days from the day on which the applications are received;

dd) According to the application for investment conditions and application for enterprise registration received, the investment registration authority and business registration authority shall cooperate in processing them and return the result to the investor at the investment registration authority.

2. The Ministry of Planning and Investment shall provide guidance on following the procedures specified in Clause 1 of this Article and other procedures that require cooperation between the investment registration authority and business registration authority.

Article 25. Procedures for obtaining opinions about investment projects required to have decisions on investment guidelines

1. During the process of assessing a project before issuing a decision on investment guidelines, the Ministry of Planning and Investment and the investment registration authority shall consult with other competent authorities about the content of the projects under their management. 2. A competent authority shall not reconsider the issues appraised and approved previously by other competent authorities.

3. If the project is intended to be executed against the planning approved by a competent authority, the investment registration authority shall consult with the planning authority in order to request a decision on investment guidelines.

4. With regard to projects of foreign investors that use land in islands, bordering communes, or coastal communes which are subject to decision on investment guidelines for the People's Committee of the provinces, the investment registration authority shall consult with relevant authorities in accordance with regulations of law on land while following procedures for obtaining the decision on investment guidelines, except for investment projects in industrial parks, export-processing zones, hi-tech zones, economic zones that are conformable with planning approved by competent authority.

Article 26. Procedures for execution of investment projects

1. During the process of execution of an investment project, the investor shall comply with regulations of law on investment, construction, land, environmental protection, employment, and relevant regulations of law.

2. With regard to an investment project executed under the Investment Registration Certificate or decision on investment guidelines, the investor shall execute it in accordance with the Investment Registration Certificate or decision on investment guidelines and relevant regulations of law.

3. The investor shall report investment activities in accordance with the Law on Investment, this Decree, and relevant regulations of law; provide documents and information related to investment inspection and supervision for competent authorities as prescribed by law.

Article 27. Performance security

1. The investor must pay a deposit when receiving land, leasing land, or permitted to repurpose land by the State to execute the investment project, except for the following cases:

a) The investor is the successful bidder for land use right to execute the investment project and receives levied land from the State or leases land from the State and pay a lump sum rent for the entire lease term;

b) The investor is a successful bidder for an investment project using land according to regulations of law on bidding;

c) The investor receives land or lease land from the State on the basis of transfer of an investment project has paid the deposit of completely contributed capital and/or raised capital according to the schedule specified in the Investment Registration Certificate or decision on investment guidelines;

d) The investor receives land or leases land from the State to execute an investment project on the basis of receipt of land use right or property on land of another land user;

dd) The investor is a revenue-earning public service agency, a hi-tech zone development company established under a decision of a competent authority to execute investment projects that receive land or lease land from the State to develop infrastructure of industrial parks, export-processing zones, hi-tech zones, specialized areas in economic zones.

2. The deposit mentioned in Clause 1 of this Article shall be paid under a written agreement between the investment registration authority and the investor after a decision on investment guidelines is issued and before the time of land transfer, land lease, or land repurposing. If the investment project is not required to have a decision on investment guidelines, the time for paying the deposit is the time of land transfer, land lease, or land repurposing.

3. The deposit is a progressive percentage of the project capital written on the decision on investment guidelines or Investment Registration Certificate. To be specific:

a) If the capital does not exceed VND 300 billion, the deposit is 3%;

b) The deposit on the amount of capital in surplus of VND 300 billion but not exceeding VND 1,000 billion is 2%;

c) The deposit on the amount of capital in surplus of VND 1,000 billion is 1%.

4. Capital of the project mentioned in Clause 3 of this Article does not include land levy or land rent payable to the State and the cost of construction of public works of the project. If the project receives land or leases land from the State in stages, the deposit shall depend on the capital of the project in each stage.

5. The deposit shall be paid to the account of the investment registration authority a Vietnamese commercial bank selected by the investor. The investor shall incur the cost of opening, maintaining the deposit account, and making transactions related to the deposit account.

6. The investor shall receive a deposit reduction in the following cases:

a) 25% reduction of deposit for investment projects in business lines eligible for investment incentives; investment projects in disadvantaged areas, investment projects in industrial parks and export-processing zones, including projects for construction and operation of infrastructure in industrial parks and export-processing zones;

b) 50% reduction of deposit for investment projects in business lines eligible for special investment incentives; investment projects in extremely disadvantaged areas, investment projects in business lines eligible for investment incentives located in disadvantaged areas; investment projects in hi-tech zones and economic zones, including projects for construction and operation of infrastructure in hi-tech zones and economic zones;

7. The investor that has advanced the payment for land clearance and relocation may delay paying the amount of deposit equal to the advance payment for land clearance and relocation.

8. The investor shall receive refund of the deposit as follows:

a) 50% of the deposit shall be returned when the investor completes procedures for land transfer, land lease, or land repurposing and obtain other licenses/approvals to commence the construction (if any) according to the schedule on the Investment Registration Certificate or decision on investment guidelines;

b) The remaining deposit and interest on which (if any) shall be returned when the investor accepts the construction and installation for the project to be inaugurated according to the schedule on the Investment Registration Certificate or decision on investment guidelines;

c) Where the project capital is decreased, the investor shall receive a refund of an amount of deposit which is equal to the decrease in capital according to the adjusted Investment Registration Certificate or adjusted decision on investment guidelines;

d) Where the execution of an investment project cannot be continued because of a force majeure event or on account of a competent authority while following administrative procedures, the investor may claim the refund of the deposit under an agreement of the investment registration authority.

9. The deposit shall be transferred to state budget except for the cases specified in Clause 8 of this Article.

10. Where adjustments to an investment project also change the deposit conditions, the investment registration authority and the investor shall reach an agreement on deposit adjustment in accordance with provisions of this Article.

Section 2. PROCEDURES FOR ISSUANCE OF DECISION ON INVESTMENT GUIDELINES, INVESTMENT REGISTRATION CERTIFICATE

Article 28. The power to receive applications, issue, adjust, and revoke Investment Registration Certificates

1. The Department of Planning and Investment of each province shall receive applications, issue, adjust, and revoke Investment Registration Certificates of:

a) Investment projects outside industrial parks, export-processing zones, hi-tech zones, and economic zones;

b) Projects of investment in development of infrastructure of industrial parks, export-processing zones, hi-tech zones, and investment projects in industrial parks, export-processing zones, and hi-tech zones in areas without management boards of industrial parks, export-processing zones, and hi-tech zones.

2. Management boards of industrial parks, export-processing zones, hi-tech zones, and economic zones shall receive applications, issue, adjust, revoke Investment Registration Certificates of investment projects therein, including:

a) Projects of investment in development of infrastructure of industrial parks, export-processing zones, and hi-tech zones;

b) Investment projects executed within industrial parks, export-processing zones, hi-tech zones, and economic zones.

3. The Department of Planning and Investment of the province in which the investor's premises or offices are located or intended to be located shall receive applications, issue, adjust, revoke Investment Registration Certificates of:

a) Any investment project that is executed in more than one province;

b) Any investment project executed both inside and outside an industrial park, export-processing zone, hi-tech zone, or economic zone.

4. The authorities specified in Clause 1 through 3 of this Article have the power to adjust and revoke the Investment Licenses, Investment Incentive Certificates, Investment Certificates, and equivalent documents issued to investors before the effective date of the Law on Investment.

Article 29. Procedures for issuance of Investment Registration Certificate to investment project that is not required to have a decision on investment guidelines

1. The investor shall submit 01 application for investment registration specified in Clause 1 Article 33 to the investment registration authority.
2. If the investment project is being executed, the project proposal in the application mentioned in Clause 1 of this Article shall be replaced with a report on project execution for the period from the beginning of the project execution to the submission of the application for the Investment Registration Certificate.
3. The investment registration authority shall issue the Investment Registration Certificate within 15 days from the receipt of the valid application as set out in Clause 1 of this Article if the conditions below are satisfied:
 - a) The project does not involve the business lines banned from investment;
 - b) The project satisfied conditions applied to foreign investors specified in Clause 1 Article 10 of this Decree (if any).

Article 30. Procedures for issuance of Investment Registration Certificates to investment projects whose decisions on investment guidelines are issued by the People's Committees of provinces

1. Investment projects whose decisions on investment guidelines are issued by the People's Committees of provinces are specified in Article 32 of the Law on Investment.
2. The investor shall submit 04 sets of application for investment registration specified in Clause 1 Article 33 of the Law on Investment to the investment registration authority of the administrative division in which the project is intended to be located.
3. The investment registration authority shall consult with other competent authorities about the content of the project under their management, including:
 - a) Conformity of the project with overall planning for socio-economic development, sector development planning, and land-use planning;
 - b) Land use demand, conditions for land transfer, land lease, land repurposing (if the project receives or leases land from the State, or is permitted to repurpose land);
 - c) Investment conditions applied to foreign investors (if the project involves multiple business lines subject to conditions applied to foreign investors);
 - d) Investment incentives and conditions for receiving them (if the project is eligible for such investment incentives);

dd) Technologies used by the project (if the project uses technologies restricted from transfer according to regulations of law on technology transfers specified in Point b Clause 1 Article 32 of the Law on Investment).

4. Procedures and content of decisions on investment guidelines issued by the People's Committees of provinces are specified in Clause 2 through 8 Article 33 of the Law on Investment.

5. Within 25 days from the receipt of the valid application as set out in Clause 2 of this Article, the investment registration authority shall make and submit a review report to the People's Committee of the province. Within 07 working days from the receipt of the review report, the People's Committee of the province shall consider issuing the decision on investment guidelines.

6. Within 05 working days from the receipt of the decision on investment guidelines from the People's Committee of the province, the investment registration authority shall issue the Investment Registration Certificate to the investor.

7. With regard to a project that receives land or leases land from the State without bidding, receives a land use right or property on land, or requires land repurposing specified in Point a Clause 1 Article 32 of the Law on Investment and is executed in an industrial park, export-processing zone, hi-tech zone, or economic zone in conformity with the planning approved by a competent authority, the investment registration authority shall consult with relevant authorities in order to issue the Investment Registration Certificate within 25 days from the day on which the valid application is received without having to request the People's Committee of the province to issue a decision on investment guidelines.

Article 31. Procedures for issuance of Investment Registration Certificates to investment projects whose decisions on investment guidelines are issued by the Prime Minister

1. Investment projects whose decisions on investment guidelines are issued by the Prime Minister are specified in Article 31 of the Law on Investment.

2. The investor shall submit 08 sets of application for investment conditions specified in Clause 1 Article 34 of the Law on Investment to the investment registration authority of the administrative division in which the project is intended to be located.

3. Within 03 working days from the receipt of the valid application as set out in Clause 2 of this Article, the investment registration authority shall send 02 sets to the Ministry of Planning and Investment and one set to each competent authority related to the investment project to receive comments about the issues specified in Clause 3 Article 30 of this Article.

4. Within 15 days from the day on which the request of the investment registration authority is received, the authorities mentioned in Clause 3 of this Article shall send the Ministry of Planning and Investment their comments about the issues within their management.

5. Within 25 days from the receipt of the valid application as set out in Clause 2 of this Article, the investment registration authority shall request the People's Committee of the province to consider and send comments about the following issues to the Ministry of Planning and Investment:

b) Land use demand, conditions for land transfer, land lease, land repurposing (if the project receives or leases land from the State, or is permitted to repurpose land);

b) Plan for land clearance, relocation (if any) if the project receives or leases land from the State, or is permitted to repurpose land;

c) Other issues within the competence of the People's Committee of the province (if any).

6. Within 15 days from the receipt of the comments from the People's Committee of the province, the Ministry of Planning and Investment shall make and submit a review report which contains the information specified in Clause 6 Article 33 of the Law on Investment to the Prime Minister for issuance of a decision on investment guidelines.

7. Within 07 working days the receipt of the review report, the Ministry of Planning and Investment and the Prime Minister shall issue a decision on investment guidelines which contain the information specified in Clause 8 Article 33 of the Law on Investment. The decision on investment guidelines shall be sent to the Ministry of Planning and Investment, the People's Committee of the province, and the investment registration authority.

8. Within 05 working days from the receipt of the decision on investment guidelines, the investment registration authority shall issue the Investment Registration Certificate to the investor.

9. With regard to an investment project whose capital is VND 5,000 billion or over as specified in Clause 2 Article 31 of the Law on Investment and is conformable with planning approved by a competent authority, the investment registration authority shall consult with the Ministry of Planning and Investment and relevant authorities as set out in Clause 3 Article 30 of this Decree in order to issue the Investment Registration Certificate as follows:

a) With regard to an investment project specified in Clause 1 and Clause 3 Article 28 of this Decree, within 05 working days from the receipt of comments from the Ministry of Planning and Investment and relevant authorities, the investment registration authority shall make and submit a review report to the People's Committee of the province for issuance of a decision on investment guidelines. Within 05 working days from the receipt of review report from the investment registration authority, the People's Committee of the province shall issue the decision on investment guidelines. Within 05 working days from the receipt of the decision on investment guidelines from the People's Committee of the province, the investment registration authority shall issue the Investment Registration Certificate to the investor;

b) With regard to an investment project specified in Clause 2 Article 28 of this Decree, within 05 working days from the receipt of comments from the Ministry of Planning and Investment and

relevant authorities, the management board of the industrial park, export-processing zone, hi-tech zone, or economic zone shall issue the Investment Registration Certificate to the investor.

Article 32. Procedures for issuance of decisions on investment guidelines to investment projects that are not required to have Investment Registration Certificate

1. The issuance of decisions on investment guidelines to projects that are not required to have Investment Registration Certificates is specified in Article 30 and Article 31 of this Decree.

2. With regard to a project that receives land or leases land from the State without bidding, receives a land use right or property on land, or requires land repurposing specified in Point a Clause 1 Article 32 of the Law on Investment and is executed in an industrial park, export-processing zone, hi-tech zone, or economic zone in conformity with the planning approved by a competent authority, the management board of the industrial park, export-processing zone, hi-tech zone, or economic zone shall request comments as set out in Clause 3 Article 30 of this Decree to issue a decision on investment guidelines.

3. With regard to an investment project whose capital is VND 5,000 billion or over as specified in Clause 2 Article 31 of the Law on Investment and is conformable with planning approved by a competent authority, the investment registration authority shall consult with the Ministry of Planning and Investment and relevant authorities as set out in Clause 3 Article 30 of this Decree in order to issue the decision on investment guidelines as follows:

a) With regard to an investment project specified in Clause 1 and Clause 3 Article 28 of this Decree, within 05 working days from the receipt of comments from the Ministry of Planning and Investment and relevant authorities, the investment registration authority shall make and submit a review report to the People's Committee of the province for issuance of a decision on investment guidelines. The People's Committee of the province shall issue the decision on investment guidelines within 05 working days from the receipt of review report from the investment registration authority. The decision on investment guidelines shall be sent to the Ministry of Planning and Investment, the investment registration authority, and the investor;

b) With regard to an investment project specified in Clause 2 Article 28 of this Decree, within 05 working days from the receipt of comments from the Ministry of Planning and Investment and relevant authorities, the management board of the industrial park, export-processing zone, hi-tech zone, or economic zone shall consider issuing the decision on investment guidelines. The decision on investment guidelines shall be sent to the Ministry of Planning and Investment and the investor.

Section 3. PROCEDURES FOR ADJUSTING INVESTMENT REGISTRATION CERTIFICATE AND DECISION ON INVESTMENT GUIDELINES

Article 33. Procedures for adjusting Investment Registration Certificates of investment projects that are not required to have decisions on investment guidelines

1. In case of a change to the investment project's name, investor's address, or investor's name, the investor shall submit an application for adjustments to the investment project to the investment registration authority together with documents about such changes. The investment registration authority shall adjust the Investment Registration Certificate within 03 working days from the day on which the application for adjustment is received.

2. In case of a change in the investment project's location, land area, targets, scale, capital, capital contribution schedule or capital raising schedule, operating duration, execution schedule, investment incentives, investment assistance (if any) and conditions to be fulfilled by the investor, the investor shall submit an application to the investment registration authority, which consists of:

a) A written request for permission for project adjustments;

b) A report on the project's progress up to the time of adjustment;

c) The investor's decision on project adjustment (in case of changes specified in Clause 4, Clause 5, Clause 6, Clause 7, Clause 8, and Clause 10 Article 39 of the Law on Investment);

d) Explanation or documents related to the changes specified in Point b through g Clause 1 Article 33 of the Law on Investment (if any).

3. Within 10 working days from the receipt of the valid application as specified in Clause 2 of this Article, the investment registration authority shall adjust the Investment Registration Certificate.

4. Provisions of Article 37, Article 38, and Article 39 of this Decree shall apply to change of investors.

Article 34. Procedures for adjusting Investment Registration Certificates of investment projects whose decisions on investment guidelines are issued by the People's Committees of provinces

1. In case of a change in the investment project's target, location, primary technology, increase or decrease in capital by over 10% that changes the project's target, scale, and capacity; execution period, or conditions to be fulfilled by the investor (if any), the investor shall follow procedures for adjusting the Investment Registration Certificate as follows:

a) The investor shall submit 04 sets of application specified in Clause 2 Article 33 of this Decree to the investment registration authority;

b) Within 03 working days from the receipt of the valid application, the investment registration authority shall send the application to relevant authorities to receive comments about the adjustments;

c) Within 10 working days from the day on which the request of the investment registration authority is received, the authorities mentioned in Point b of this Clause shall make comments about the issues under their management;

d) Within 05 days from the receipt of the comments from the authorities mentioned in Point c of this Clause, the investment registration authority shall make and submit a review report to the People's Committee of the province;

dd) Within 05 working days from the receipt of review report from the investment registration authority, the People's Committee of the province shall issue the decision on adjustments to investment guidelines and send it to the investment registration authority;

e) According to the decision on adjustments to investment guidelines for the People's Committee of the province, the investment registration authority shall adjust the Investment Registration Certificate within 03 working days from the day on which the decision is received.

2. The procedures specified in Article 33 of this Decree shall apply to the changes that are not specified in Clause 1 of this Article.

Article 35. Procedures for adjusting Investment Registration Certificates of investment projects whose decisions on investment guidelines are issued by the Prime Minister

1. In case of a change in the investment project's target, location, primary technology, increase or decrease in capital by over 10% that changes the project's target, scale, and capacity; execution period, or conditions to be fulfilled by the investor (if any), the investor shall follow procedures for adjusting the Investment Registration Certificate as follows:

a) The investor shall submit 08 sets of application specified in Clause 2 Article 33 of this Decree to the investment registration authority;

b) Within 03 working days from the receipt of the valid application as set out in Point a of this Clause, the investment registration authority shall send 02 sets of the application to the Ministry of Planning and Investment and one set to each relevant competent authority to receive comments about the issues specified in Clause 3 Article 30 of this Article;

c) Within 10 working days from the day on which the request of the investment registration authority is received, the authorities mentioned in Point b of this Clause shall make comments about the issues under their management;

d) Within 20 days from the receipt of the valid application as set out in Point a of this Clause, the investment registration authority shall request the People's Committee of the province to consider and send comments about the issues specified in Clause 5 Article 31 of this Decree to the Ministry of Planning and Investment;

dd) Within 15 days from the receipt of the comments from the People's Committee of the province as set out in Point d of this Clause, the Ministry of Planning and Investment shall make and submit a review report to the Prime Minister for issuance of a decision on adjustments to investment guidelines;

e) Within 07 working days the receipt of the review report, the Ministry of Planning and Investment and the Prime Minister shall consider issuing a decision on adjustments to investment guidelines. The decision on adjustments to investment guidelines shall be sent to the Ministry of Planning and Investment, the People's Committee of the province, and the investment registration authority;

g) Within 05 working days from the receipt of the decision on adjustments to investment guidelines, the investment registration authority shall adjust the Investment Registration Certificate.

2. The procedures specified in of Article 33 of this Decree shall apply to the changes that are not specified in Clause 1 of this Article.

Article 36. Procedures for adjusting decisions on investment guidelines for investment projects that are not required to have Investment Registration Certificates

1. With regard to an investment project which is required to have a decision on investment guidelines and not required to have an Investment Registration Certificate, its investor shall follow procedures for adjusting the decision on investment guidelines in the following cases:

a) The project's target, location, primary technology is changed;

b) An increase or decrease in total capital by over 10% changes the project's target, scale, and capacity;

c) The project's execution period or conditions to be fulfilled by the investor are changed (if any).

2. The procedures specified in Article 34 and Article 35 of this Decree shall apply to issuance of the decision on adjustments to investment guidelines.

3. With regard to an investment project specified in Clause 2 Article 32 of this Decree, the management board of the industrial park, export-processing zone, hi-tech zone, or economic zone shall collect comments about the adjustments in accordance with Clause 3 Article 30 of this Decree. Within 05 working days from the receipt of comments, the management board of the industrial park, export-processing zone, hi-tech zone, or economic zone shall issue a decision on adjustments to investment guidelines.

4. With regard to an investment project specified in Clause 3 Article 32 of this Decree, the investment registration authority shall request the Ministry of Planning and Investment and relevant authorities to make comments as set out in Clause 3 Article 30 of this Decree in order to issue a decision on adjustments to investment guidelines as follows:

a) With regard to an investment project specified in Point a Clause 3 Article 32 of this Decree, within 05 working days from the receipt of comments from the Ministry of Planning and Investment and relevant authorities, the investment registration authority shall make and submit

a review report to the People's Committee of the province for issuance of a decision on adjustments to investment guidelines. The People's Committee of the province shall issue the decision on adjustments to investment guidelines within 05 working days from the receipt of review report from the investment registration authority. The decision on adjustments to investment guidelines shall be sent to the Ministry of Planning and Investment, the investment registration authority, and the investor;

b) With regard to an investment project specified in Point b Clause 3 Article 32 of this Decree, within 05 working days from the receipt of comments from the Ministry of Planning and Investment and relevant authorities, the management board of the industrial park, export-processing zone, hi-tech zone, or economic zone shall consider issuing the decision on adjustments to investment guidelines. The decision on adjustments to investment guidelines shall be sent to the Ministry of Planning and Investment and the investor.

Article 37. Procedures for changing investors in case of investment project transfer

1. An investor (the transferor) may transfer part of or the whole investment project to another investor (the transferee) in accordance with the conditions specified in Clause 1 Article 45 of the Law on Investment. If the project transfer generates income, the transferor shall fulfill his/her tax liability as prescribed by law.

2. Procedures for changing the investor of a project operating under an Investment Registration Certificate which is not required to have a decision on investment guidelines:

a) The transferor shall submit a set of application to the investment registration authority, which consists of: a written request for permission for project adjustments, a report on the project's progress up to the time of transfer; the project transfer contract or another document with equivalent legal value; copies of the ID card or passport (if the investor is an individual) or Certificate of Enterprise Registration or another document with equivalent legal value (if the investor is an organization); copies of the Investment Registration Certificate or decision on investment guidelines (if any); copies of the BCC contract (for BCC projects); copies of one of the following documents of the transferee: financial statements of the last 02 years; commitment to provide financial support by the parent company, commitment to provide financial support by a financial institution, the guarantee of transferee's financial capacity, documents describing the transferee's financial capacity;

b) the investment registration authority shall consider the fulfillment of conditions for project transfer specified in Clause 1 Article 45 of the Law on Investment to adjust the Investment Registration Certificate within 10 working days from the day on which the valid application specified in Point a of this Clause is received.

3. Procedures for changing the investor of a project operating under an Investment Registration Certificate whose decision on investment guidelines is issued by the People's Committee of the province:

a) The investor shall submit 04 sets of application specified in Point 2 Clause 2 of this Article to the investment registration authority;

b) Within 03 working days from the receipt of the valid application as set out in Point a of this Clause, the investment registration authority shall send 02 it to competent authorities to receive comments about the conditions for project transfer specified in Clause 1 Article 45 of the Law on Investment;

c) Within 10 working days from the day on which the request of the investment registration authority is received, the authorities mentioned in Point b of this Clause shall make comments about the issues under their management;

d) Within 20 days from the receipt of the valid application, the investment registration authority shall make a report on fulfillment of conditions for project transfer according to Clause 1 Article 45 of the Law on Investment and submit it to the People's Committee of the province;

dd) Within 05 working days from the receipt of the report from the investment registration authority, the People's Committee of the province shall consider issuing a decision on adjustments to investment guidelines;

e) Within 03 working days from the receipt of the decision on adjustments to investment guidelines, the investment registration authority shall adjust the Investment Registration Certificate of the transferee.

4. Procedures for changing the investor of a project operating under an Investment Registration Certificate whose decision on investment guidelines is issued by the Prime Minister:

a) The investor shall submit 08 sets of application specified in Point 2 Clause 2 of this Article to the investment registration authority;

b) Within 03 working days from the receipt of the valid application as set out in Point a of this Clause, the investment registration authority shall send 02 it to competent authorities to receive comments about the conditions for project transfer specified in Clause 1 Article 45 of the Law on Investment;

c) Within 10 working days from the day on which the request of the investment registration authority is received, the authorities mentioned in Point b of this Clause shall make comments about the issues under their management;

d) Within 25 days from the receipt of the valid application as set out in Point a of this Clause, the investment registration authority shall request the People's Committee of the province to consider and send comments about the issues specified in Point c and Point d Clause 1 Article 45 of the Law on Investment (if any) to the Ministry of Planning and Investment.

dd) Within 10 working days from the receipt of comments from the People's Committee of the province, the Ministry of Planning and Investment shall make a report on fulfillment of conditions for project transfer as set out in Clause 1 Article 45 of the Law on Investment;

e) Within 07 working days the receipt of the report, the Ministry of Planning and Investment and the Prime Minister shall consider issuing a decision on adjustments to investment guidelines. The decision on adjustments to investment guidelines shall be sent to the Ministry of Planning and Investment, the People's Committee of the province, and the investment registration authority;

g) Within 05 working days from the receipt of the decision on adjustments to investment guidelines, the investment registration authority shall adjust the Investment Registration Certificate of the transferee.

5. The procedures specified in Clause 3 and Clause 4 of this Article shall apply to the change of the investor of a project that is required to have a decision on investment guidelines and not required to have an Investment Registration Certificate.

6. With regard to a project having a decision on investment guidelines issued by the management board of an industrial park, export-processing zone, hi-tech zone, or economic zone (hereinafter referred to as management board), the management board shall decide the adjustments to investment guidelines when the conditions specified in Clause 1 Article 45 of the Law on Investment are fulfilled.

7. With regard to a project having a decision on investment guidelines, if the investor in which has finished contributing and/or raising capital, and the project has been put into operation, it is not required to follow the procedures for adjusting investment guidelines specified in Clause 3 through 6 of this Article. Where project is executed under an Investment Registration Certificate, the investor shall follow procedures for adjusting the Investment Registration Certificate as set out in Clause 2 of this Article.

8. Where a foreign investor receives a project and establish a business organization to execute it, such foreign investor shall follow procedures for issuing or adjusting the Investment Registration Certificate, then follow procedures for establishing a business organization in accordance with regulations of law on establishment of the corresponding type of business organization.

Article 38. Procedures for adjusting a project in case of corporate division, acquisition, consolidation, or conversion

1. A business organization established on the basis of a corporate division, acquisition, consolidation, or conversion shall inherit the investor's rights and obligations to the investment project before restructuring.

2. The investor shall decide the restructuring and settle the assets, rights and obligations to the project in accordance with regulations of law on enterprises and relevant regulations of law.

3. After the procedures mentioned in Clause 2 of this Article are completed, the investor shall submit an application for project adjustments to the investment registration authority of the administrative division in which the project is located. The application consists of:

- a) A written request for permission for project adjustments;
- b) Copies of the Certificate of Enterprise Registration or an equivalent document of the transferee;
- c) Copies of the investor's resolution or decision on restructuring which specifies the settlement of assets, rights and obligations to the project.

4. Within 15 working days from the receipt of the valid application as specified in Clause 3 of this Article, the investment registration authority shall adjust or issue the Investment Registration Certificate.

5. If the project is not executed under an Investment Registration Certificate, the investor is not required to follow procedures for change of investor specified in Clause 3 and Clause 4 of this Article. Ownership or assets shall be transferred to the transferee in accordance with civil law, regulations of law on enterprises, and relevant regulations of law.

Article 39. Procedures for adjusting an investment project according to a court decision or arbitral award

1. Where a project has to be adjusted according to a court decision or arbitral award, the investor shall make such adjustments in accordance with the court decision or arbitral award and keep executing the project.

2. With regard to an investment project executed under an Investment Registration Certificate, the investor shall submit 01 set of application to the investment registration authority of the administrative division where the project is located. The application consists of:

- a) A written request for permission for project adjustments;
- b) Copies of the ID's card or passport (if the investor is an individual); copies of the Certificate of Enterprise Registration or an equivalent document which certifies the investor's legal status (if the investor is an organization);
- c) The effective court decision or arbitral award.

3. The investment registration authority shall adjust the Investment Registration Certificate within 15 working days from the receipt of the valid application as specified in Clause 2 of this Article.

Article 40. Procedures for reissuance of Investment Registration Certificate and correction of information thereon

1. Where an Investment Registration Certificate is lost or damaged, the investor shall submit an application for its reissuance to the investment registration authority. The investment registration authority shall consider reissuing the Investment Registration Certificate within 05 working days from the day on which the application is received.

2. If information on the Investment Registration Certificate is different from that on the application for investment registration, the investment registration authority shall rectify information on the Investment Registration Certificate within 03 working days from the day on which the investor's request is received.

3. With regard to a project having an Investment Registration Certificate without having to follow procedures for issuance of the Investment Registration Certificate specified in Clause 1 Article 36 of the Law on Investment, the investor may keep executing the project and return the Investment Registration Certificate.

Section 4. PROCEDURES FOR SHUTTING DOWN INVESTMENT PROJECTS

Article 41. Conditions and procedures for shutting down an investment project and revoking its Investment Registration Certificate

1. A project is shut down in the cases specified in Clause 1 Article 48 of the Law on Investment.

2. Procedures for shutdown of a project:

a) If the investor decides to shut down the project as set out in Point a Clause 1 Article 48 of the Law on Investment, the investor shall send the decision on project shutdown to the investment registration authority within 15 days from its issuance date together with the Investment Registration Certificate (if any);

b) Where a project is shut down under the conditions of a contract, enterprise's charter, or upon the expiration of its operating period specified in Point b and Point c Clause 1 Article 48 of the Law on Investment, the investor shall submit a notification and return the Investment Registration Certificate (if any) to the investment registration authority within 15 days from the date of shutdown of the project together with documents about the shutdown;

c) In case of shut down of a project set out in Point d, dd, e, g, and h Clause 1 Article 48 of the Law on Investment, the investment registration authority shall issue a decision on project shutdown and revoke the Investment Registration Certificate (if the project has one). The Investment Registration Certificate is annulled from the effective date of the decision on project shutdown.

3. With regard to a project operating under an Investment Certificate (also the certificate of business registration) or Investment License, the investment registration authority shall issue a decision on project shutdown without revoking the Investment Certificate (also the certificate of business registration) or Investment License. In this case, the business registration information

on the Investment Certificate (also the certificate of business registration) or Investment License is still effective.

4. In case of concurrent shutdown of a project and a business organization, the project shall be shutdown as set out in this Article and the investor shall follow procedures for shutting down the business organization according to relevant regulations of law.

5. After the project is shut down, it shall be liquidated as follows:

a) The investor liquidates the project in accordance with regulations of law on asset liquidation;

b) With regard to a project that receives land, leases land from the State, or repurposes land, the right to use land and property on land shall comply with regulations of law on land;

c) During the course of liquidation of a project, if the investor is a business organization that is dissolved or goes bankrupt, the project shall be liquidated in accordance with regulations of law on dissolution and bankruptcy of business organizations.

Article 42. Shutdown of a project in case the investment registration authority cannot contact the investor

1. Where a project is shut down and the investment registration authority cannot contact the investor or the investor's legal representative, the investment registration authority shall follow the procedures below:

a) Make a record on the shutdown of the project and failure to contact the investor;

b) Send a request that the investor contact the investment registration authority to settle the project shutdown to the address registered by the investor with the investment registration authority. Within 30 working days from the day on which the request is sent, if the investor does not contact, the investment registration authority take the step in Point c of this Clause;

c) Send a request for assistance in contacting the investor to, if the investor is a Vietnamese person, the People's Committee of the commune where the investor resides, or, if the investor is a foreign entity, the diplomatic mission in Vietnam of the investor's home country and publish a notice that the investor contact the investment registration authority for 90 days on National Foreign Investment Web Portal.

2. After all the measures specified in Clause 1 of this Article are taken and the investor or the investor's legal representative cannot be contacted after 12 months from the date of shutdown of the project, the investment registration authority shall issue a decision on project shutdown.

3. After the investment registration authority issues such decision, assets of the project shall be managed in accordance with regulations of law on management of property of absent residents.

4. Within the scope of their competence, competent authority shall perform the following tasks:

- a) The investment registration authority shall appoint a person to supervise the management of assets of the project after its shutdown at the request of competent authority and persons having relevant rights and benefits, unless otherwise prescribed by law;
 - b) The tax authority and customs authority shall take the measures prescribed by regulations of law on tax administration and relevant regulations of law to collect tax debts and other financial obligations to the State of the investor (if any);
 - c) The land authority shall withdraw land and settle property on land if the project's land is withdrawn as prescribed by regulations of law on land;
 - d) The labor authority shall assist workers who lose their jobs and provide relevant benefits in accordance with regulations of law on labor;
 - dd) Other competent authorities shall perform other management tasks related to the project within the scope of their competence.
5. Every request of dispute between the investor and other entities over rights and obligations relevant to the project shall be settled through court or arbitration proceedings as agreed by the parties and in accordance with law.

Article 43. Invalidation of the decision on investment guidelines

The decision on investment guidelines and decision on adjustments to investment guidelines shall be invalidated if a project is shut down as specified in Article 48 of the Law on Investment.

Section 5. ESTABLISHMENT OF BUSINESS ORGANIZATIONS, CAPITAL CONTRIBUTION, PURCHASE OF SHARES/STAKES BY FOREIGN INVESTORS

Article 44. Establishment of business organizations by foreign investors

1. A foreign investor shall establish a business organization as follows:
 - a) Follow procedures for issuance of an Investment Registration Certificate specified in Article 29 through 31 of this Decree;
 - b) Follow procedures for establishment of a business organization after being granted the Investment Registration Certificate mentioned in Point a of this Clause in order to launch the project and business operation.
2. Documentation and procedures for establishment of a business organization shall comply with regulations of law on enterprises and other regulations of law relevant to the type of business entity. The business registration authority must not request the investor to submit any other document other than those specified in regulations of law on enterprises and relevant regulations of law. The content of the Investment Registration Certificate shall not be reconsidered.

3. Charter capital of a business organization established by a foreign investor for execution of an investment project is not necessarily equal to the capital of the project. The business organization mentioned in Point b Clause 1 of this Article shall contribute capital and raise capital to execute the project according to the schedule on the Investment Registration Certificate.

Article 45. Execution of investment project and business operation of foreign-invested business organization

1. From the day on which the Certificate of Enterprise Registration or an equivalent document is issued, the business organization established by a foreign investor shall be the investor that executes the project as set out in the Investment Registration Certificate.

2. If there is new project besides the project granted the Investment Registration Certificate, the foreign-invested business organization shall follow these procedures:

a) The business organization specified in Point a through c Clause 1 Article 23 of the Law on Investment shall follow procedures for issuance of the Investment Registration Certificate as set out in Article 29 through 31 of this Decree;

b) A business organization other than those specified in Point a of this Clause shall make a report in accordance with Clause 5 Article 71 of the Law on Investment. The report shall specify: The project's name, targets, scale, capital, location, schedule, labor demand, and investment incentives (if any).

3. The foreign-invested business organization may adjust the enterprise registration information at the business registration authority without having to have an investment project. The addition of business lines of a foreign-invested business organization must satisfy investment conditions applied to foreign investor (if any).

4. The foreign-invested business organization may open branches, representative offices, and business locations without having to have an investment project. Documentation and procedures for establishment of branches, representative offices, business locations of a business organization shall comply with regulations of law on enterprises and other regulations of law relevant to the type of business entity.

5. When making investment or trading in securities on securities market, foreign-invested business organizations that are listed public companies and public funds are only required to apply regulations on investment, charter capital holdings, unless regulations of law and international agreements on investment specify otherwise. The Ministry of Finance shall take charge and cooperate with the Ministry of Planning and Investment in providing guidance on this Clause.

Article 46. Procedures for investment through capital contribution, purchase of shares/stakes by foreign investors

1. Foreign investors who make investment through capital contribution or purchase of shares/stakes of business organizations are not required to obtain Investment Certificates.

2. Any business organization invested by a foreign investor through capital contribution or purchase of shares/stakes shall follow procedures for registration of change of members/shareholders at a business registration authority in accordance with regulations of law on enterprises and other regulations of law relevant to its type of business entity, except for the following cases:

a) The investor contributes capital to or purchase shares/stakes of the business organization whose business lines are subject to conditions applied to foreign investors;

b) The capital contribution or purchase of shares/stakes that leads to a foreign investor or business organization specified in Point a, Point b, and Point c Clause 1 Article 23 of the Law on Investment holds 51% of charter capital of the business organization or more in the following cases: The charter capital held by the foreign investor is increased to 51% or over and the charter capital held by the foreign investor is increased while such foreign investor is holding 51% charter capital of the business organization or more.

3. A foreign investor that makes investment through capital contribution or purchase of shares/stakes of a business organization in the cases specified in Point a and Point b Clause 2 of this Article shall follow these procedures:

a) The investor shall submit 01 application for registration of capital contribution or purchase of shares/stakes as set out in Clause 2 Article 26 of the Law on Investment to the Department of Planning and Investment of the province where the business organization's headquarters is located;

b) Within 15 days from the receipt of the valid application as set out in Point a of this Clause, the Department of Planning and Investment shall assess the foreign investor's fulfillment of investment conditions and send a notification to the investor;

c) After receiving the notification specified in Point b of this Clause, the business organization invested by the foreign investor through capital contribution or purchase of shares/stakes shall follow procedures for registration of change of members/shareholders at a business registration authority in accordance with regulations of law on enterprises and other regulations of law relevant to its type of business entity.

4. The business organization invested by the foreign investor is not required to follow procedures for issuance or adjustment of the Investment Registration Certificates or decisions on investment guidelines for the projects executed before the foreign investor makes such investment.

Section 6. INVESTMENT IN INDUSTRIAL PARKS, EXPORT-PROCESSING ZONES, HI-TECH ZONES, ECONOMIC ZONES

Article 47. Operation of investors executing investment projects in industrial parks, export-processing zones, economic zones, and hi-tech zones

1. Leasing or purchasing existing buildings, offices, warehouses and depots to serve their business operation.
2. Paying for the use of technical infrastructure and service facilities, including roads, electricity supply, water supply and drainage, communications, treatment of wastes and wastewater, and other public facilities (hereinafter referred to as infrastructure charges)
3. Transferring, receiving the right to use land or lease land with available infrastructure to construct buildings, offices, and other works serving their business operation in accordance with regulations of law on land and real estate trading.
4. Leasing, subleasing their buildings, offices, and other works to serve their business operation in accordance with regulations of law on land and real estate trading.
5. Performing other activities specified in the Law on Investment, this Decree, and relevant regulations of law.

Article 48. Operation of investors executing investment projects and operating infrastructure of industrial parks, export-processing zones, economic zones, and hi-tech zones

1. Constructing buildings, offices, warehouses and depots for sale or for lease.
2. Fixing rents for land with available infrastructure; charges for using infrastructure; rents and selling prices for buildings, offices, warehouses and depots, and other services charges as registered with management board. Price brackets and prices for use of infrastructure shall be registered every 6 months or when there are changes.
3. Collecting infrastructure charges.
4. Transfer the right to use land, lease land, sublease land with available infrastructure in industrial parks, export-processing zones, hi-tech zones, economic zones to other investors in accordance with regulations of law on land and real estate trading.
5. Performing other activities specified in the Law on Investment, this Decree, and relevant regulations of law.

Chapter V

STATE MANAGEMENT OF INVESTMENT

Section 1. STATE MANAGEMENT OF INVESTMENT PROMOTION

Article 49. Rules for state management of investment promotion

1. Investment promotion shall be managed as follows:

a) Investment promotion activities of Ministries, regulatory bodies, the People's Committee of the province must be aggregated into investment promotion programs after reaching agreements with the Ministry of Planning and Investment.

b) Promotion of investment in key fields and key economic regions is encouraged according to the orientation for investment attraction at that time; other investment promotion activities must be carried out according to assessment of demand for investment, data analysis, updated information, and be practical;

c) Focus on investment promotion of executed projects through assistance in resolving difficulties;

d) It is encouraged to combine investment promotion with promotion of trade, tourism, diplomatic and cultural propagation programs;

d) It is encouraged to mobilize social resources to investment promotion.

2. The Prime Minister shall provide specific regulations on cooperation among Ministries, regulatory bodies, and the People's Committees of provinces in investment promotion.

Article 50. Duties and entitlements of investment promotion authorities

1. The Ministry of Planning and Investment shall assist the Government in uniform management of investment promotion.

2. The Ministry of Planning and Investment shall:

a) Take charge and cooperate with other Ministries, regulatory bodies, and the People's Committees of provinces in establishing investment promotion orientation, programs, and plans; providing guidance on development of annual investment promotion programs of Ministries, regulatory bodies, and the People's Committees of provinces; develop and implement National Investment Promotion Programs;

b) Provide guidance on provision of information and reports on investment promotion;

c) Carry out investment promotion activities of investment promotion programs specified in Point a of this Clause;

d) Cooperate with the Ministry of Foreign Affairs and the Ministry of Home Affairs in establishing overseas investment promotion units, appointing Vietnamese representatives, and submit them to the Prime Minister for decision;

dd) Provide training in investment promotion;

e) Submit periodic reports to the Prime Minister on progress and orientation of investment promotion.

3. The Ministry of Finance shall:

a) Take charge and cooperate with the Ministry of Planning and Investment in providing guidance on limitation of funding from state budget and financial management of investment promotion activities;

b) Cooperate with the Ministry of Planning and Investment, other Ministries, regulatory bodies, and the People's Committees of provinces in estimating investment promotion costs of National Investment Promotion Program and investment promotion programs of Ministries, regulatory bodies, and the People's Committees of provinces;

c) Take charge and cooperate with the Ministry of Foreign Affairs and the Ministry of Planning and Investment in providing state funding for overseas investment promotion units;

d) Take charge and cooperate with the Ministry of Planning and Investment, other Ministries, regulatory bodies, and the People's Committees of provinces in resolving difficulties related to the provision and use of state funding for investment promotion.

4. The Ministry of Foreign Affairs shall:

a) Cooperate with the Ministry of Planning and Investment, other Ministries, regulatory bodies, and the People's Committees of provinces in implementing investment promotion programs and activities, combining investment promotion with diplomatic tasks;

b) Provide support and participate in investment promotion overseas as approved in a notice of the Ministry of Planning and Investment; Overseas representative bodies of Vietnam shall notify the Ministry of Planning and Investment of new investment promotion activities and reach an agreement before execution;

c) Take charge and instruct Overseas representative bodies of Vietnam to manage the operation of overseas investment promotion units;

d) Take charge and cooperate with the Ministry of Planning and Investment, and the Ministry of Home Affairs in requesting the Prime Minister to decide the establishment and payroll of overseas investment promotion units;

dd) Appoint officials working at overseas investment promotion units and award them diplomatic titles in consideration of the request of the Ministry of Planning and Investment;

e) Provide sufficient facilities, means of transport, working conditions, and funding for overseas investment promotion units.

5. Duties and entitlements of other Ministries, regulatory bodies, and the People's Committees of provinces:

- a) Take charge and cooperate with the Ministry of Planning and Investment, relevant Ministries and regulatory bodies in developing annual and long-term investment promotion programs; propose activities to National Investment Promotion Program;
- b) Carry out investment promotion activities within the scope of their competence;
- c) Cooperate with Ministries, regulatory bodies, and the People's Committees of other provinces in investment promotion.

Article 51. Funding for investment promotion

1. Funding for annual investment promotion programs is part of annual budget estimates.
2. Funding for investment promotion of Ministries, regulatory bodies, and the People's Committees of provinces is part of their annual budget estimates.
3. Funding for investment promotion of Ministries, regulatory bodies, and the People's Committees of provinces is only provided for investment promotion activities of approved investment promotion programs.

Section 2. INVESTMENT REPORT AND OPERATION OF NATIONAL FOREIGN INVESTMENT INFORMATION SYSTEM

Article 52. Report content and reporting period of investment authorities

1. Reports submitted by investment registration authorities to the People's Committees of provinces include;
 - a) Quarterly reports made before the 12th of the first month of the quarter succeeding the reported quarter, which specify: receipt of applications, issuance, adjustment and revocation of Investment Registration Certificates, and status of the projects;
 - b) Biannual reports made before July 15, which specify: assessment of investment over the first 6 months of the year, the plan for attracting and using capital for the next 6 months;
 - c) Annual reports made before February 15 of the year succeeding the reported year, which specify: assessment of investment over the whole year, the plan for attracting and using capital for the next year, list of investment projects in which investors are interested.
2. Every quarter, every 6 months, and every year, the People's Committee of each province shall aggregate reports submitted by investment registration authorities under their management in order to report to the Ministry of Planning and Investment as set out in Clause 1 of this Article after 05 working days from the deadline for investment registration authorities to report.

3. Regulatory bodies shall provide information for the Ministry of Planning and Investment as follows:

a) The Ministry of Finance shall submit quarterly reports on issuance, adjustment, and revocation of Investment Registration Certificates or equivalent documents of insurers and securities companies before the 12th of the first month of the quarter succeeding the reported quarter; aggregate annual financial statements of foreign-invested business organizations nationwide to make and submit annual reports on export, import, production, business operation, payments to state budget of foreign-invested business organizations before May 31 of the year succeeding the reported year;

b) The Ministry of Industry and Trade shall submit quarterly reports on issuance, adjustment of Investment Registration Certificates, shutdown, and business outcomes of foreign projects of investment in petroleum exploration and extraction in Vietnam before the 12th of the first month of the quarter succeeding the reported quarter;

c) The Ministry of Justice shall submit quarterly reports on issuance, adjustment of Investment Registration Certificates, shutdown, and business outcomes of branches and law firms before the 12th of the first month of the quarter succeeding the reported quarter;

d) The State bank of Vietnam shall submit quarterly reports on issuance, adjustment of Investment Registration Certificates, shutdown, and business outcomes of commercial presences in Vietnam of foreign finance companies and foreign credit institutions before the 12th of the first month of the quarter succeeding the reported quarter.

dd) The Ministry of Labor, War Invalids and Social Affairs shall submit annual reports on registration and licensing of foreign workers in foreign-invested business organizations before March 31 of the year succeeding the reported year;

e) The Ministry of Natural Resources and Environment shall submit annual reports on land received, leased, and used by foreign-invested business organizations before March 31 of the year succeeding the reported year;

g) The Ministry of Science and Technology shall submit annual reports on technology transfers by foreign-invested business organizations before March 31 of the year succeeding the reported year.

4. The Ministry of Planning and Investment shall aggregate the reports and submit quarterly and annual reports on nationwide investment to the Prime Minister as set out in Point dd Clause 2 Article 71 of the Law on Investment.

Article 53. Report content and reporting period of investment authorities

Any business organization that executes an investment project shall submit reports to the local investment registration authority and statistics authority as follows:

1. Monthly reports on use of capital: If capital is provided during the month, the business organization must submit a report within 12 days from the end of that month.
2. Each quarterly report shall be submitted by the 12th of the first month of the quarter succeeding the reported quarter, which specify: capital, net revenue, export, import, workers, taxes, amounts payable to state budget, use of land and water surface.
3. Each annual report shall be submitted by March 31 of the next year, which specifies: information on the quarterly reports, profit, incomes of workers, expenditures and investment in research and development, environmental protection, origins of technologies used.

Article 54. Sending reports

1. The business organization that executes an investment project shall submit reports only via National Investment Information System.
2. The investment registration authority shall submit physical and electronic reports on National Investment Information System.
3. The Ministry of Planning and Investment shall provide forms and inspect the adherence to reporting provisions of this Decree.

Article 55. Duties and entitlements of regulatory bodies to management and operation of National Investment Information System

1. The Ministry of Planning and Investment shall take charge and cooperate with relevant regulatory bodies in developing and operating the National Investment Information System; provide instructions on its management, operation, and use.
2. Ministries, regulatory bodies, and the People's Committees of provinces shall update and provide information about investment activities within their management on National Investment Information System; organize the operation and use of National Investment Information System in accordance with the Law on Investment, this Decree and relevant regulations.
3. Investment registration authorities shall use National Investment Information System to receive applications, issue, adjust, revoke Investment Registration Certificates; monitor and assess the execution of investment projects; receive reports, and instruct investors to use National Investment Information System in accordance with this Decree.
4. The agency in charge of operation of National Investment Information System and National Enterprise Registration Information System shall exchange information about enterprise registration of foreign-invested business organizations, capital contribution, purchase of shares/stakes by foreign investors when they follow the procedures specified in Article 44 and Article 46 of this Decree, investment conditions applied to foreign investors, list of business lines subject to conditions and investment conditions.

5. The business organizations that execute investment projects shall be given accounts to log in to National Investment Information System in order to submit periodic reports.

6. The Ministry of Planning and Investment shall provide specific instructions on management, operation, and use of National Investment Information System.

Section 3. DUTIES AND ENTITLEMENTS OF MINISTRIES, REGULATORY BODIES, AND THE PEOPLE'S COMMITTEES OF PROVINCES

Article 56. Duties and entitlements of the Ministry of Planning and Investment

1. Perform the duties and entitlements specified in Clause 3 Article 68 of the Law on Investment and other duties and entitlements specified in this Decree.

2. Supervise, inspect, and assess investment activities within its management; inspect the issuance, adjustment, revocation of Investment Registration Certificates by investment registration authorities; supervise the adherence to planning approved by competent authorities during the course of investment.

3. Take charge and cooperate with other Ministries and ministerial agencies in reviewing, gathering, posting investment conditions on National Enterprise Registration Portal and investment conditions applied to foreign contractor on National Foreign Investment Web Portal.

4. Take charge and cooperate with other Ministries and ministerial agencies in reviewing, making periodic reports on implementation of regulations of law on to business lines banned from investment, business lines subject to conditions, and investment conditions applied to foreign investors, and submitting such reports to the Prime Minister.

5. Instruct and assist investment registration authorities, business registration authorities in resolving difficulties during the course of investment and enterprise registration.

Article 57. Duties and entitlements of other Ministries and ministerial agencies

1. The Ministry of Finance shall take charge and cooperate with relevant regulatory bodies in developing policies on tax and financial incentives (land rents, land levies) for investment and submit them to competent authorities for promulgation, instruction, and inspection of implementation thereof; carry out inspections and make comments about finance, Government guarantees for investment projects whose investment guidelines are decided by the Prime Minister or the National Assembly.

2. The Ministry of Natural Resources and Environment shall take charge and cooperate with relevant regulatory bodies in promulgating regulations on environmental protection and resources related to investment activities and submit them to competent authorities for promulgation, instruction, and inspection of implementation thereof, carry out inspections and make comments about land and environmental issues of investment projects whose investment guidelines are decided by the Prime Minister or the National Assembly.

3. The Ministry of Science and Technology shall take charge and cooperate with relevant regulatory bodies in establishing regulations on investment in science and technology and request competent authority to promulgate them, provide instructions, and inspection of implementation thereof; submit master plans for development of hi-tech zones to the Prime Minister; carry out inspections and make comments about scientific and technological issues of investment projects whose investment guidelines are decided by the Prime Minister or the National Assembly.

4. The Ministry of Construction shall take charge and cooperate with relevant regulatory bodies in establishing regulations on construction of investment projects and submit them to competent authorities for promulgation, instruction, and inspection of implementation thereof; carry out inspections and make comments about construction of investment projects whose investment guidelines are decided by the Prime Minister or the National Assembly.

5. The State bank of Vietnam shall take charge and cooperate with relevant regulatory bodies in establishing regulations on credit and foreign currency management related to investment activities and submit them to competent authorities for promulgation, instruction, and inspection of implementation thereof; carry out inspections and make comments about credit and foreign currency management of investment projects whose investment guidelines are decided by the Prime Minister or the National Assembly.

6. The Ministries and ministerial agencies specified in Clause 1 through 5 of this Article shall perform the duties and entitlements specified in Clause 4 Article 68 of the Law on Investment and other duties and entitlements specified in this Decree and relevant regulations of law.

Article 58. Duties and entitlements of the People's Committees of provinces

1. Develop planning and plans for attracting investment; make and publish Lists of local projects that need investing.

2. Issue decision on investment guidelines for investment projects under their management as set out in Article 32 of the Law on Investment.

3. Provide instructions for and supervise investment registration authorities issuing Investment Registration Certificates and managing local investment activities.

4. Provide instructions on making detailed planning for construction of industrial parks and export-processing zones; approve detailed planning for construction of industrial parks and export-processing zones; detailed planning for construction of specialized areas in economic zones.

5. Instruct investment registration authorities, business registration authorities, land authorities, environment authorities, and construction authorities to simplify procedures to enable investors to make investment.

6. Performing other duties and entitlements specified in this Decree and relevant regulations of law.

Chapter VI

IMPLEMENTATION

Section 1. TRANSITION CLAUSES

Article 59. Projects executed before effective date of the Law on Investment

1. Investments in such projects executed before effective date of the Law on Investment shall keep executing their projects in accordance with their Investment Licenses, Investment Incentive Certificates, Investment Certificates, and equivalent documents that were granted by competent authorities before the effective date of the Law on Investment.

2. Investment Licenses, Investment Incentive Certificates, Investment Certificates, and equivalent documents that were granted by competent authorities before the effective date of the Law on Investment have the same legal value as the Investment Registration Certificate.

3. The aforesaid investors are not required to obtain the Investment Registration Certificate or decision on investment guidelines for projects that have been executed or have their investment guidelines approved or permitted by competent authorities before the effective date of the Law on Investment.

Article 60. Enterprises operating under Investment Licenses or Investment Certificates (also Certificates of Business Registration)

1. Every enterprise operating under an Investment License may keep operating in accordance with such Investment License and its charter. With regard to regulations that are not specified on the Investment License and the enterprise's charter, the enterprise shall follow the Law on Enterprises, the Law on Investment, and relevant regulations of law as follows:

a) Regulations applied to single-member limited liability companies also apply to any wholly foreign-owned enterprise owned by a single foreign investor;

b) Regulations applied to multi-member limited liability companies also apply to any joint-venture or wholly foreign-owned enterprise owned by more than one foreign investor;

c) Regulations applied to joint-stock companies also apply to foreign-invested joint-stock companies established under the Government's Decree No. 38/2003/ND-CP dated April 15, 2003 on conversion of foreign-invested companies into joint-stock companies.

2. Every enterprise operating under an Investment Certificate (also Certificate of Business Registration) may keep operating in accordance with such Investment Certificate (also Certificate of Business Registration) and its charter. With regard to regulations that are not

specified on the Investment Certificate (also Certificate of Business Registration) and the enterprise's charter, the enterprise shall follow the Law on Enterprises, the Law on Investment, and relevant regulations of law.

Article 61. Replacement of old documents with Investment Registration Certificates and Certificates of Enterprise Registration

1. Every investor whose project is granted an Investment License, Investment Incentive Certificate, Investment Certificate, or an equivalent document before the effective date of the Law on Investment may replace it with an Investment Registration Certificate as follows:

a) Each investor shall submit 01 set of application for issuance of the Investment Registration Certificate to the investment registration authority, which consists of a written request for the issuance of the Investment Registration Certificate and copies of the Investment License, Investment Incentive Certificate, Investment Certificate, or equivalent documents;

b) The investment registration authority shall issue the Investment Registration Certificate to the investor within 03 working days from the day on which the application specified in Point a of this Clause is received. The Investment Registration Certificate shall contain every information on the Investment License, Investment Incentive Certificate, Investment Certificate, or equivalent documents. The business registration information on the Investment License, Investment Incentive Certificate, Investment Certificate, or equivalent documents shall remain effective.

2. Every enterprise operating under an Investment License or Investment Certificate (also Certificate of Business Registration) or an equivalent document granted before the effective date of the Law on Investment may replace it with a Certificate of Enterprise Registration as follows:

a) The enterprise shall submit 01 set of application for issuance of the Certificate of Enterprise Registration to the business registration authority of the area where the enterprise's headquarters is located, which consists of a written request for update or addition of information about enterprise registration, copies of the Investment License or Investment Registration Certificate (also Certificate of Business Registration) or an equivalent document, and copies of the Tax Registration Certificate;

b) The investment registration authority shall issue the Certificate of Enterprise Registration within 03 working days from the day on which the application specified in Point a of this Clause is received. The Certificate of Enterprise Registration shall contain every business registration information on the Investment License, Investment Certificate (also Certificate of Business Registration), or the equivalent document. The business registration information on the Investment License or Investment Certificate (also Certificate of Business Registration) or an equivalent document is annulled from the day on which the enterprise is granted the Certificate of Enterprise Registration; information about the project on the Investment License or Investment Certificate (also Certificate of Business Registration) or an equivalent document shall remain effective.

3. Any investor that wishes to replace his/her Investment License, Investment Certificate (also Certificate of Business Registration), or an equivalent document with the Certificate of Enterprise Registration shall follow these procedures:

a) Obtain the Certificate of Enterprise Registration as set out in Clause 2 of this Article;

b) Obtain the Investment Registration Certificate as set out in Clause 1 of this Article (the application for issuance of an Investment Registration Certificate consists of copies of the Certificate of Enterprise Registration granted in accordance with Clause 2 of this Article and documents specified in Point a Clause 1 of this Article)

4. The enterprise granted the Certificate of Enterprise Registration as set out in Clause 2 and Clause 3 of this Article inherits all rights and obligations written on the Investment License or Investment Certificate (also Certificate of Business Registration) or an equivalent document from the day on which the Certificate of Enterprise Registration is granted, which contains rights and obligations to the investment project; The investor specified in the Investment License or Investment Certificate (also Certificate of Business Registration) or an equivalent document have the same rights and obligations to the project as those of the enterprise's partners or shareholders.

5. Branches and/or representative offices of an enterprise operating under Investment Licenses or Investment Certificates (also Certificates of Business Registration) or equivalent documents granted before the effective date of the Law on Investment may replace them with Certificates of Branch/Representative Office Registration as set out in the Law on Enterprises. Documentation and procedures for obtaining a Certificate of Branch/Representative Office Registration are the same as those specified in Clause 2 and Clause 3 of this Article.

6. Every enterprise shall update information about enterprise registration and is not required to replace the Investment License, Investment Certificate (also Certificate of Business Registration), or an equivalent document with a Certificate of Enterprise Registration when following procedures for enterprise dissolution, business suspension, notification of seal; establishment, change of operating contents, shutdown of a branch/representative office.

Article 62. Adjusting investment projects before the effective date of the Law on Investment

1. If adjustments to a project lead to changes in the Investment License, Investment Incentive Certificate, Investment Certificate, or an equivalent document granted before the effective date of the Law on Investment, the investor shall follow procedures to adjust the Investment Registration Certificate specified in Article 33 of this Decree at an investment registration authority to obtain the Investment Registration Certificate. The Investment Registration Certificate shall contain information about the adjusted project and all unchanged and effective information about the project on the Investment License, Investment Incentive Certificate, Investment Certificate, or equivalent documents.

2. If an Investment License, Investment Certificate, or an equivalent document specified in Clause 1 of this Article also contains business registration information, the investment

registration authority shall issue an Investment Registration Certificate to the investor to replace information about the project on the Investment License, Investment Certificate (also Certificate of Business Registration) or another equivalent document as set out in Clause 1 of this Article. The business registration information on the Investment License, Investment Certificate (also Certificate of Business Registration) or another equivalent document shall remain effective.

3. With regard to a project that is not required to have a decision on investment guidelines as set out in regulations effective before the effective date of the Law on Investment and are required to have a decision on investment guidelines specified in the Law on Investment or this Decree, it is not mandatory to obtain a decision on investment guidelines or adjust the decision on investment when adjusting the project, except for the following cases:

a) The project's expansion makes a decision on investment guidelines mandatory as set out in Article 30 and Article 31 of the Law on Investment;

b) Additional targets of the project are subject to issuance of a decision on investment guidelines as set out in Article 30 and Article 31 of the Law on Investment;

c) Additional content of the project include: request for land allocation or land lease by the State without bidding or tendering, receipt of transfer of right to use land or property on land; request for permission for land repurposing or use of technologies on the list of technologies restricted from transfer according to regulations of law on technology transfers.

4. In the cases mentioned in Point a through c Clause 3 of this Article, the investor shall follow procedures for adjusting the decision on investment guidelines in accordance with Section 3 Chapter IV of this Decree. In such cases, the issuer of the decision on investment guidelines shall consider adjustments to the decision on investment guidelines.

5. In case of adjustments to a project that is required to have a decision on investment guidelines as set out in regulations effective before the effective date of the Law on Investment leads to changes in the decision on investment guidelines, the investor shall follow procedures for adjusting the decision on investment guidelines specified in this Decree.

Article 63. Changing business registration information on an Investment License or Investment Certificate (also Certificate of Business Registration)

1. An enterprise operating under an Investment License, Investment Certificate (also Certificate of Business Registration), or an equivalent document shall adjust business registration information at a business registration authority as follows:

a) Documentation and procedures for adjusting business registration information shall comply with regulations of law on enterprises;

b) The business registration authority shall issue a Certificate of Enterprise Registration to replace the business registration information on the Investment License, Investment Certificate (also Certificate of Business Registration), or the equivalent document;

c) The Certificate of Enterprise Registration shall contain adjusted enterprise registration information and other unchanged and effective enterprise registration information on the Investment License, Investment Certificate (also Certificate of Business Registration), or the equivalent document.

d) The business registration information on the Investment License or Investment Certificate (also Certificate of Business Registration) or an equivalent document is annulled from the day on which the enterprise is granted the Certificate of Enterprise Registration; information about the project on the Investment License or Investment Certificate (also Certificate of Business Registration) or an equivalent document shall remain effective;

dd) If the enterprise wishes to change business registration information because a foreign investor contributes capital or purchases shares/stakes as specified in Point a and Point b Clause 2 Article 46 of this Decree, the investor shall follow procedures for registration of capital contribution or purchase of shares/stakes specified in Point a and Point b Clause 3 Article 46 of this Decree before the enterprise follows procedures for issuance of the Certificate of Enterprise Registration;

e) After the Certificate of Enterprise Registration is granted, the enterprise shall keep performing all rights and obligations written on the Investment License or Investment Certificate (also Certificate of Business Registration) or the equivalent document.

2. In case of adjustment of both business registration information and information about the project, the enterprise shall follow procedures for adjusting business registration information at a business registration authority in order to obtain a Certificate of Enterprise Registration as set out in Clause 1 of this Article. After a Certificate of Enterprise Registration is granted, the enterprise shall adjust information about the project at an investment registration authority in order to obtain the Investment Registration Certificate as set out in Article 62 of this Decree.

3. In case of adjustment to information about registration of a branch or representative office of an enterprise operating under an Investment License or Investment Certificate (also Certificate of Business Registration) or an equivalent document granted before the effective date of the Law on Investment, the enterprise shall follow procedures for adjustment of the Certificate of Branch/Representative Office Registration as set out in Clause 1 and Clause 2 of this Article.

Article 64. Regulations applied to investors that have made commitments transfer their assets to Vietnam's government without compensation

1. With regard to a project that has commitments to transfer its assets to Vietnam's government or a Vietnam's state-owned enterprise without compensation, the investor therein must not change the commitments to asset transfer without compensation unless permitted by a competent authority.

2. Assets transferred without compensation mentioned in Clause 1 of this Article shall be kept intact until they are transferred to the Vietnamese party or Vietnam's government.

Article 65. Shutdown, restructuring, dissolution of enterprises operating under Investment Licenses or Investment Certificates (also Certificates of Business Registration)

1. An enterprise operating under an Investment License or Investment Certificate (also Certificate of Business Registration) shall follow procedures for suspension, shutdown, restructuring, or dissolution at a business registration authority.
2. Documentations and procedures for suspension, shutdown, restructuring, or dissolution of enterprises operating under Investment Licenses or Investment Certificates (also Certificates of Business Registration) shall comply with regulations of law on enterprises.

Section 2. IMPLEMENTATION CLAUSES

Article 66. Effect

1. This Decree comes into force from December 27, 2015 and replaces the Government's Decree No. 108/2006/ND-CP dated September 22, 2006.
2. The following documents are annulled:
 - a) List of areas eligible for corporate income tax incentives promulgated together with the Government's Decree No. 218/2013/ND-CP dated December 26, 2013;
 - b) List of business lines eligible for import duty incentives promulgated together with the Government's Decree No. 87/2010/ND-CP dated August 13, 2010;
 - c) Clause 4 Article 19 and “List of administrative divisions eligible for land rent incentives” in Clause 3 Article 19 of the Government's Decree No. 46/2014/ND-CP dated May 15, 2014.
3. If the Investment Registration Certificate is required while following administrative procedures but the project is not required to have an Investment Registration Certificate as set out in the Law on Investment, the investor is not required to submit the Investment Registration Certificate.

Article 67. Responsibility for implementation

1. The Ministry of Planning and Investment shall promulgate specific regulations on establishment, management, and operation of venture capital funds; provide instructions on transition in the cases not specified in Section 1 Chapter VI and other regulations of this Decree.
2. Ministers, Heads of ministerial agencies, Heads of Governmental agencies, Presidents of the People’s Committees of provinces shall provide guidance on the implementation of this Decree within the scope of their competence./.

**ON BEHALF OF THE PRIME
MINISTER
THE PRIME MINISTER**

Nguyen Tan Dung

APPENDIX I

LIST OF BUSINESS LINES ELIGIBLE FOR INVESTMENT INCENTIVES
(Promulgated together with the Government's Decree No. 118/2015/ND-CP dated November 12, 2015)

A. BUSINESS LINES ELIGIBLE FOR SPECIAL INVESTMENT INCENTIVES

I. HIGH TECHNOLOGY, INFORMATION TECHNOLOGY, ANCILLARY INDUSTRIES

1. Application of high technologies on the List of high technologies given priority under the Prime Minister's decisions.
2. Production of products on the list of hi-tech products given priority under the Prime Minister's decisions.
3. Production of ancillary industry products under the Prime Minister's decisions.
4. Development of high technologies and high technology enterprises; venture investment in high technology development; application, research and development of high technology according to regulations of law on high technology; manufacturing of biotechnology products.
5. Production of software products, digital products, key information technology products, software service, information security services, information protection service according to regulations of law on information technology.
6. Production of renewable energy, clean energy, and waste-to-energy production.
7. Manufacture of composite materials, light building materials, and rare materials.

II. AGRICULTURE

1. Cultivation, protection, and development of forests.

2. Farming, processing, preserving agriculture, forestry, and aquaculture products.
3. Production, breeding, cross-breeding plant varieties, animal breeds, and aquatic breeds.
4. Salt production, extraction, and refinement.
5. Offshore fishing combined with advanced fishing methods; fishing logistics services; construction of shipyards and ship-building.
6. Rescue services at sea.

III. ENVIRONMENTAL PROTECTION, INFRASTRUCTURE CONSTRUCTION

1. Concentrated waste collection, treatment, recycling, and reuse.
2. Construction, operation of infrastructure of industrial parks, export-processing zones, hi-tech zones, and specialized areas in economic zones.
3. Development of water plants, power plants, water supply and drainage system; bridges, roads, railroads, airports, seaports, river ports; airfields, train stations, and other particularly important infrastructural works decided by the Prime Minister.
4. Development of public transportation in urban areas.
5. Construction, management, and operation of rural markets.

IV. CULTURE, SOCIETY, SPORTS, HEALTHCARE

1. Construction of social houses and relocation housing.
2. Investment in epidemic prevention facilities.
3. Research and development of preparation technology and biotechnology for production of new medicines.
4. Production of medicines ingredients and essential medicines, medicines for prevention and treatment of sexually transmitted diseases, vaccines, biological, herbal medicines, oriental medicines; medicines whose patents are about to expire or relevant proprietary medicines; application of advanced technology and biotechnology to production of medicines for humans according to international GMP standards; production of primary packages of medicines.
5. Investment in manufacture of methadone.
6. Investment in centers for high-performance sports, sports training centers for the disabled; construction of sports facilities having training and competition equipment suitable for used at international competitions; professional sports training facilities.

7. Investment in geriatric centers, psychiatry centers, centers for treatment of dioxin patients, centers for caring elders, the disabled, orphans, and homeless children.

8. Investment in Social Treatment – Education – Labor centers; rehabilitation centers smoking cessation centers; HIV/AIDS treatment centers.

9. Investment in national museums, ethnic culture centers; traditional theatre groups; theatres, film studios, film production facilities, film development facilities; fine art – photography exhibition centers; production, repair of traditional musical instruments, maintenance of ethnic museums and art schools; facilities and trade villages for introduction and development of traditional trades.

B. BUSINESS LINES ELIGIBLE FOR INVESTMENT INCENTIVES

I. SCIENCE AND TECHNOLOGY, ELECTRONICS, MECHANICS, MATERIAL PRODUCTION, INFORMATION TECHNOLOGY

1. Production of products on the list of key mechanical products under the Prime Minister's decisions.

2. Investment in research and development.

3. Production of steel billets from iron ore, high-grade steel, alloys.

4. Production of coke and activated carbon.

5. Production of energy-saving products.

6. Production of petrochemical products, pharmaceutical-chemical products, technical plastic – rubber components.

7. Production of products with at least 30% added value (according to instructions of the Ministry of Planning and Investment).

8. Production of automobiles, automobile parts, ship-building.

9. Production of electronic components and electronic clusters other than those specified in (A).

10. Production of farming machines, equipment, components, machines serving agriculture, forestry, aquaculture, salt production, food processing machines, and irrigation equipment other than those specified in (A).

11. Production of materials to replace asbestos.

II. AGRICULTURE

1. Cultivating, gathering, processing herbs; protection of genetic resources, rare and special herbs.
2. Production, processing of animal feeds.
3. Technological services related to cultivation, breeding, aquaculture, protection of plants and animals.
4. Construction, upgrade or slaughterhouses; industrial preservation and processing poultry and livestock.
5. Development of material areas serving processing industry.
6. Fishing.

III. ENVIRONMENTAL PROTECTION, INFRASTRUCTURE CONSTRUCTION

1. Construction and development of infrastructure of industrial complexes.
2. Construction of apartment buildings for workers in industrial parks, export-processing zones, hi-tech zones, economic zones; construction of dormitories for students and houses for beneficiaries of incentive policies; construction of urban areas (including kindergartens, schools, hospitals) serving workers.
3. Recovery of oil spill, landslide, dyke, riverbank, seashore, dam, reservoir erosion, and other environmental emergencies; application of technology to minimization of greenhouse gas emission.
4. Investment in operation of exhibition centers, logistics centers, warehouses, supermarkets, shopping malls.

IV. EDUCATION, CULTURE, SOCIETY, SPORTS, HEALTHCARE

1. Investment in operation of infrastructure of educational institutions, development of non-public educational institutions, including preschool education, compulsory education, and vocational education,
2. Production of medical equipment, construction of warehouses for preservation of pharmaceuticals and reserve of medicines for humans in case of disasters, epidemics.
3. Manufacture of ingredients of medicines and pesticides; drugs for animals and aquatic organisms.
4. Investment in biological testing facilities, bioavailability assessment, pharmaceutical facilities that meet good practice standards for manufacturing, preservation, testing, clinical trial of medicines.

5. Investment in research into scientific foundation of traditional medicines and establishment of standards for testing traditional medicines

6. Investment in sports centers, stadiums, swimming pools; facilities for production, repair sports equipment.

7. Investment in public libraries and cinemas.

8. Investment in construction of cemeteries, crematories.

V. OTHER BUSINESS LINES

1. People's credit funds and microfinance institutions.

APPENDIX II

LIST OF AREAS ELIGIBLE FOR INVESTMENT INCENTIVES

(Promulgated together with the Government's Decree No. 118/2015/ND-CP dated November 12, 2015)

| No. | Province | Extremely disadvantaged areas | Disadvantaged areas |
|-----|-------------|--|---|
| 1 | Bac Kan | All districts, towns, and Bac Kan city | |
| 2 | Cao Bang | All districts and Cao Bang city | |
| 3 | Ha Giang | All districts and Ha Giang city | |
| 4 | Lai Chau | All districts and Lai Chau city | |
| 5 | Son La | All districts and Son La city | |
| 6 | Dien Bien | All districts, towns, and Dien Bien city | |
| 7 | Lao Cai | All districts | Lao Cai city |
| 8 | Tuyen Quang | Na Hang, Chiem Hoa, Lam Binh districts | Ham Yen, Son Duong, Yen Son districts and Tuyen Quang city |
| 9 | Bac Giang | Son Dong district | Luc Ngan, Luc Nam, Yen The, Hiep Hoa districts |
| 10 | Hoa Binh | Da Bac, Mai Chau districts | Kim Boi, Ky Son, Luong Son, Lac Thuy, Tan Lac, Cao Phong, Lac Son, Yen Thuy districts |
| 11 | Lang Son | Binh Gia, Dinh Lap, Cao Loc, Loc | Chi Lang, Huu Lung districts |

| | | | |
|----|----------------|---|--|
| | | Binh, Trang Dinh, Van Lang, Van Quan, Bac Son districts | |
| 12 | Phu Tho | Thanh Son, Tan Son, Yen Lap districts | Doan Hung, Ha Hoa, Phu Ninh, Thanh Ba, Tam Nong, Thanh Thuy, Cam Khe districts |
| 13 | Thai Nguyen | Vo Nhai, Dinh Hoa, Dai Tu, Phu Luong, Dong Hy districts | Pho Yen, Phu Binh districts |
| 14 | Yen Bai | Luc Yen, Mu Cang Chai, Tram Tau districts | Tran Yen, Van Chan, Van Yen, Yen Binh, and Nghia Lo town |
| 15 | Quang Ninh | Ba Che, Binh Lieu districts, Co To islands, and other islands in the province | Van Don, Tien Yen, Hai Ha, Dam Ha districts |
| 16 | Hai Phong | Bach Long Vi, Cat Hai islands | |
| 17 | Ha Nam | | Ly Nhan, Thanh Liem, Binh Luc districts |
| 18 | Nam Dinh | | Giao Thuy, Xuan Truong, Hai Hau, Nghia Hung districts |
| 19 | Thai Binh | | Thai Thuy, Tien Hai districts |
| 20 | Ninh Binh | | Nho Quan, Gia Vien, Kim Son, Tam Diep, Yen Mo districts |
| 21 | Thanh Hoa | Muong Lat, Quan Hoa, Quan Son, Ba Thuoc, Lang Chanh, Thuong Xuan, Cam Thuy, Ngoc Lac, Nhu Thanh, Nhu Xuan districts | Thach Thanh, Nong Cong districts |
| 22 | Nghe An | Ky Son, Tuong Duong, Con Cuong, Que Phong, Quy Hop, Quy Chau, Anh Son districts | Tan Ky, Nghia Dan, Thanh Chuong districts, and Thai Hoa town |
| 23 | Ha Tinh | Huong Khe, Huong Son, Vu Quang, Loc Ha, Ky Anh districts | Duc Tho, Nghi Xuan, Thach Ha, Cam Xuyen, Can Loc districts |
| 24 | Quang Binh | Tuyen Hoa, Minh Hoa, Bo Trach districts | Other districts and Ba Don town |
| 25 | Quang Tri | Huong Hoa, Da Krong districts, Con Co island and other islands of the province | Other districts |
| 26 | Thua Thien Hue | A Luoi, Nam Dong districts | Phong Dien, Quang Dien, Phu Loc, Phu Vang districts and Huong Tra town |
| 27 | Da Nang | Hoang Sa archipelago | |

| | | | |
|----|-------------------|---|---|
| 28 | Quang Nam | Dong Giang, Tay Giang, Nam Giang, Phuoc Son, Bac Tra My, Nam Tra My, Hiep Duc, Tien Phuoc, Nui Thanh, Nong Son, Thang Binh districts and Cu Lao Cham island | Dai Loc, Que Son, Phu Ninh, Duy Xuyen districts |
| 29 | Quang Ngai | Ba To, Tra Dong, Son Tay, Son Ha, Minh Long, Binh Son, Tay Tra, Son Tinh districts and Ly Son island | Nghia Hanh district |
| 30 | Binh Dinh | An Lao, Vinh Thanh, Van Canh, Phu Cat, Tay Son, Hoai An, Phu My districts | Tuy Phuoc districts |
| 31 | Phu Yen | Song Hinh, Dong Xuan, Son Hoa, Phu Hoa, Tay Hoa districts | Song Cau town; Dong Hoa, Tuy An districts |
| 32 | Khanh Hoa | Khanh Vinh, Khanh Son districts, Truong Sa archipelago and other islands of the province | Van Ninh, Dien Khanh, Cam Lam districts, Ninh Hoa town, and Cam Ranh city |
| 33 | Ninh Thuan | All districts | Phan Rang - Thap Cham city |
| 34 | Binh Thuan | Phu Quy district | Bac Binh, Tuy Phong, Duc Linh, Tanh Linh, Ham Thuan Bac, Ham Thuan Nam, Ham Tan districts |
| 35 | Dak Lak | All districts and Buon Ho town | Buon Ma Thuot city |
| 36 | Gia Lai | All districts and towns | Pleiku city |
| 37 | Kon Tum | All districts and cities | |
| 38 | Dak Nong | All districts and towns | |
| 39 | Lam Dong | All districts | Bao Loc city |
| 40 | Ba Ria - Vung Tau | Con Dao district | Huyen Tan Thanh, Chau Duc, Xuyen Moc |
| 41 | Tay Ninh | Tan Bien, Tan Chau, Chau Thanh, Ben Cau districts | Other districts |
| 42 | Binh Phuoc | Loc Ninh, Bu Dang, Bu Dop, Bu Gia Map, Phu Rieng districts | Dong Phu, Chon Thanh, Hon Quan districts, Binh Long town, and Phuoc Long town |
| 43 | Long An | Duc Hue, Moc Hoa, Vinh Hung, Tan Hung districts | Kien Tuong town; Tan Thanh, Duc Hoa, Thanh Hoa districts |
| 44 | Tien Giang | Tan Phuoc, Tan Phu Dong districts | Go Cong Dong, Go Cong Tay districts |
| 45 | Ben Tre | Thanh Phu, Ba Tri, Binh Dai districts | Other districts |

| | | | |
|----|------------|---|--|
| 46 | Tra Vinh | Chau Thanh, Tra Cu districts | Cau Ngang, Cau Ke, Tieu Can districts, and Tra Vinh city |
| 47 | Dong Thap | Hong Ngu, Tan Hong, Tam Nong, Thap Muoi districts, and Hong Ngu town | Other districts |
| 48 | Vinh Long | | Tra On, Binh Tan, Vung Liem, Mang Thit, Tam Binh districts |
| 49 | Soc Trang | All districts, Vinh Chau town, and Nga Nam town | Soc Trang city |
| 50 | Hau Giang | All districts and Nga Bay town | Vi Thanh city |
| 51 | An Giang | An Phu, Tri Ton, Thoai Son, Tinh Bien districts, and Tan Chau town | Chau Doc city and other districts |
| 52 | Bac Lieu | All districts and towns | Bac Lieu city |
| 53 | Ca Mau | All districts and islands of the province | Ca Mau city |
| 54 | Kien Giang | All districts, islands of the province, and Ha Tien town | Rach Gia city |
| 55 | | Economic zones, hi-tech zones (including concentrated information technology zones established under regulations of the Government) | Industrial parks, export-processing zones established under regulations of the Government. |