

## LEGAL UPDATES (July 7<sup>th</sup>, 2019)

In these legal updates, we would like to send clients the legal updates on some following issues:

- Decree No. 51/2019/NĐ-CP issued on June 13th, 2019 by Government on prescribing administrative fines for violations arising from scientific and technological activities, and technology transfer.
- Decree No.54/2019/NĐ-CP issued on June 19th, 2019 by Government on stipulating the business of karaoke and nightclubs services.

### **1. Decree No. 51/2019/NĐ-CP issued on June 13th, 2019 by Government on prescribing administrative fines for violations arising from scientific and technological activities, and technology transfer**

This Decree shall be applied to individuals and organizations operating in the field of science, technology and technology transfer; persons authorized to issue the violation notice and persons authorized to impose administrative fines for violations arising from scientific and technological activities and technology transfer.

According to this Decree, the maximum fine imposed on individuals and organizations involved in scientific and technological activities or technology transfer shall be 50,000,000 dong and 100,000,000 dong, respectively.

Remarkable notes in this Decree are as follow:

- Imposing the fine ranging from 40,000,000 dong to 60,000,000 dong and depriving of the right to use the certificate of registration of technology transfer, the certificate of registration of extension, revision and supplementation of contents of technology transfer or the technology transfer license for the period from 01 to 03 months for the organization which fails to conform to requirements included in the technology transfer license, the certificate of registration of technology transfer or the certificate of registration of extension, revision and supplementation of contents of technology transfer that has already been issued;
- Imposing the fine ranging from 40,000,000 dong to 60,000,000 dong for the organizations which use of technologies which are not the same as those approved or licensed by competent regulatory authorities;
- Imposing the fine ranging from 60,000,000 dong to 80,000,000 dong for the organizations which making the inbound transfer of technologies from abroad to Vietnam or making the outbound transfer of technologies from Vietnam to foreign countries without obtaining the certificate of registration of technology transfer.

Decree No. 51/2019/ND-CP comes into effect **on August 1st, 2019.**

### **2. Decree No.54/2019/NĐ-CP issued on June 19th, 2019 by Government on stipulating the business of karaoke and nightclubs services**

This Decree shall be applied with Vietnamese and foreign businesses, enterprises operating karaoke, nightclubs; other agencies, organizations, individuals who are involved in the karaoke, nightclub operations.

This Decree stipulates the detail conditions for operating karaoke and night clubs as follows:

**For operating the karaoke service:**

- Enterprises or businesses must be established under the legislation;
- Ensure fire safety, public security and order as specified in Decree No. 96/2016/ND-CP dated July 01, 2016 of the Government on security, order conditions of conditional business lines;
- Have singing rooms with usable areas of 20 square meters or larger, excluding the auxiliary works;
- Ensure no door locks or alarming devices (except fire alarm) are installed inside the singing rooms.

**For operating the night club:**

- Enterprises or businesses must be established under the legislation;
- Ensure fire safety, public security and order as specified in Decree No. 96/2016/ND-CP dated July 01, 2016 of the Government on security, order conditions of conditional business lines;
- Have a usable area of 80 square meters or larger, excluding the auxiliary works;
- Ensure no door locks or alarming devices (except fire alarm) are installed inside the singing rooms;
- Be located at least 200 meters away from schools, hospitals, religious establishments, cultural – historical heritage;

Besides that, this Decree also stipulates that the Enterprises or the businesses which operates in karaoke service must not operate from 00AM to 08AM. For the Enterprises or the businesses which operates in night club service, must not operate from 02AM to 08AM.

Decree No. 54/2019/ND-CP comes into effect **on September 1st, 2019.**

We hope this short Letter of legal updates would bring you useful information.

Best regards.

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We are also honored to receive numerous recognitions and/or articles posted by world-leading and local organizations and publications including: The Law Association for Asia and the Pacific (LawAsia, 1966), The Legal500, IP Link, IP Coster, Lexology, Global Trade Review (GTR), The Saigon Times, etc.

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