

MONTHLY NEWSLETTER (November 21th, 2019)

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

- Our prominent legal article in October.
- Remarkable legislations in october 2019.
- The executed legislations in october 2019.

I. OUR PROMINENT LEGAL ARTICLE IN OCTOBER

In October, our lawyer – Mr. Le Tien Dat had an article addressing the problem of debt recovery of businesses with the title **“Some legal tips during the efficient recovery of bad debts in Vietnam”**. In this article, Mr. Dat provided the sanctions that can apply to the delay of performance of payment obligations as well as the solutions and recommendations for effective bad debt recovery process.

To read the entire article, please visit [here](#).

II. REMARKABLE LEGISLATIONS IN OCTOBER 2019

1. Remarkable points of the draft Labor Code (amendments) which expected to be approved by the end of November 2019

On October 23rd, 2019, the National Assembly of Vietnam discussed the draft of the Labor Code (amendments) with remarkable points as follows:

- Supplementing detailed description of labor contract;
- Supplementing more specific provisions on cases of overtime work from 200 hours to 300 hours per year;
- Changing the retirement age to 62 years for men and 60 years for women;
- Expanding the right to unilaterally terminate the labor contract of the employer;
- Supplementing the provision that employers are entitled to sign multiple time-definite labor contracts with employees who are the elders and foreigners.

The draft Labor Code (amendments) is expected to be approved at the end of the National Assembly session.

2. The draft decision in reducing the electricity purchase price of solar power projects on land

The Ministry of Industry and Trade has presented to the Government a draft decision to replace Decision 11/2017/QĐ-TTg of the Prime Minister on the incentive mechanism for the development of solar power projects in Vietnam.

In this draft decision, the purchase price of electricity has many changes by using region and project classification instead of only by project type as currently stipulated in Decision 11/2017/QĐ-TTg. More specifically, replacing the price of 2,086 VND / kWh (equivalent to 9.35 UScents / kWh) as presently prescribed, solar power projects would be applied the following purchase price:

- For floating solar power projects, depending on the region, the new purchase price ranges from 1,566 VND/kWh to 2,159 VND/kWh (equivalent to 6.85 UScent/kWh to 9.44 UScent/kWh);
- For solar power projects on land, depending on the region, the new purchase price ranges from 1,525 VND/kWh to 2,102 VND/kWh (equivalent to 6.67 UScent/kWh to 9.2 UScent/kWh);
- For solar power projects with integrated storage systems, depending on the region, the new purchase price ranges from VND 1,877/kWh to 1,944 VND/kWh (equivalent to 8.21 UScent/kWh to 8, 72 UScent/kWh);
- For rooftop solar power projects, depending on the region, the new purchase price ranges from 1,803 VND/kWh to 2,486 VND/kWh (equivalent to 7.89 UScent/kWh to 10.87 UScent/kWh).

In case this draft decision is approved by the Prime Minister, it will replace Decision 11/2017/QĐ-TTg of the Prime Minister on the incentive mechanism for the development of solar power projects in Vietnam.

III. THE EXECUTED LEGISLATIONS IN OCTOBER 2019

No.	DOCUMENT TITLE	EXECUTION DATE	EFFECTIVE DATE
1	Decree No. 79/2019/ND-CP amends Article 16 of Decree No. 45/2014/ND-CP dated 15th May 2019 of the Government on providing the collection of land use levy	26/10/2019	10/12/2019
2	Decree 78/2019/ND-CP amends and supplements Decree No. 148/2016/ND-CP dated 04th November 2016 of the Government on guiding some articles of Market Surveillance Ordinance.	14/10/2019	10/12/2019
3	Decree 77/2019/ND-CP stipulates the cooperative groups	10/10/2019	25/11/2019
4	Circular No.15/2019/TT-NHNN amends, supplements some regulations on dossiers and administrative procedures in the field of foreign exchange management	19/09/2019	01/12/2019

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

Best regards.

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ABOUT US,

Apolat Legal is a professional law firm with its offices in Ho Chi Minh city and Ha Noi city. The firm's lawyer team specializes in almost all legal practice areas in Vietnam including Enterprise and Investment; Labor and Employment; Intellectual Property; Dispute Resolution; Real Estate and Construction; Information and Communication; Natural Resources and Environment; Transport; Industry and Trade; Education and Training; Finance and Banking; Agriculture; Legal Document Translation; Legal Training.

Our reputation and the quality of its services are reflected by our clients. We are serving nearly 1,000 clients both local and multi-national companies.

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.

Contacts:

HO CHI MINH CITY (Head office)

5th Floor, IMM Building
99-101 Nguyen Dinh Chieu, District 3
Ho Chi Minh City, Vietnam
SDT: +84-28-3899 8683
Email: info@apolatlegal.com
Website: www.apolatlegal.com

SINGAPORE (Affiliated office)

#26-10, SBF Center,
160 Robinson Road
Singapore 068914
Tel: +84-93-2014 986
Email: info@apolatlegal.com
Website: www.apolatlegal.com