

## LEGAL UPDATE (July 4<sup>th</sup>, 2022)

In this issue, we would like to bring to your attention to the following:

- New regulations on compulsory insurance for third parties in construction.
- Proposal on bidding to select investors for construction and business of golf courses.

### 1. **New regulations on compulsory insurance for third parties in construction**

Taking effective from July 1<sup>st</sup>, 2022, the Government's Decree 20/2022/ND-CP issued on March 10<sup>th</sup>, 2022 amending Decree 119/2015/ND-CP on November 13<sup>th</sup>, 2015 stipulates compulsory insurance in construction investment activities.

In particular, Decree 20/2022/ND-CP requires civil liability insurance for third parties.

Regarding the one who must buy compulsory insurance in construction investment activities, the Decree amends Clause 3, Article 4 as follows: Construction contractors must buy compulsory insurance for their employees on site and compulsory civil liability insurance for third parties.

### 2. **Proposal on bidding to select investors for construction and business of golf courses**

The Ministry of Planning and Investment is publishing the draft Circular guiding bidding for selecting investors to implement investment projects on construction and business of golf courses for public comments.

According to the draft, the bidding conditions for investment projects on construction and business of golf courses include: belonging to the list of projects that need to be acquired land approved in accordance with the law on land, belonging to the land area currently under management of the State and will be approved by the competent authority to allocate or lease land to investors; being consistent with the provincial socio-economic development plannings and plans, 1/2,000 or 1/500 construction plannings or the urban zoning planning with the ratio of 1/2,000 or 1/5,000 as prescribed by law; being ineligible to organize an auction of land use rights in accordance with the law on land.

The list of investment projects in the construction and business of golf courses must be selected according to the form of bidding. Investment projects on construction and business of golf courses are subject to approval of investment policies according to the provisions of the law on investment. Based on the decision approving the investment policy of the project, the Department of Planning and Investment shall be responsible for the prime responsibility

for, and coordinating with relevant agencies in, determining the preliminary requirements on the investor's capacity and experience, reporting to the provincial People's Committee for approval before announcing the project list.

The order and procedures for bidding to select investors to implement investment projects on golf course construction and business shall comply with the provisions of Article 16 of Decree 25/2020/ND-CP detailing the implementation of the Bidding Law on investor selection (amended and supplemented in Decree No. 31/2021/ND-CP).

We hope this Newsletter would bring you useful information.

Best regards.

**Disclaimer:** All materials have been prepared for general information purposes only. The information is not intended as, and should not be taken as, legal advice. Do not act or refrain from acting based upon information provided herein without first consulting our lawyers about your particular factual and legal circumstances. Apolat Legal can accept no responsibility for loss occasioned to any person acting or refraining from action as a result of any material in this publication. On any specific matter, reference should be made to the appropriate adviser.

## 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)**

5<sup>th</sup> Floor, IMM Building  
99-101 Nguyen Dinh Chieu, District 3  
Ho Chi Minh City, Vietnam

**THE BRANCH IN HA NOI CITY**

Room A8, 29th Floor, East Tower, Lotte Center  
54 Lieu Giai, Cong Vi Ward, Ba Dinh District  
Hanoi City, Vietnam

Tel: +84-28-3899 8683

Email: [info@apolatlegal.com](mailto:info@apolatlegal.com)

Website: [www.apolatlegal.com](http://www.apolatlegal.com)

**SINGAPORE (Affiliated office)**

#26-10, SBF Center,  
160 Robinson Road  
Singapore 068914

Tel: +84-93-2014 986

Email: [info@apolatlegal.com](mailto:info@apolatlegal.com)

Website: [www.apolatlegal.com](http://www.apolatlegal.com)

Scan QR code:

