

LEGAL UPDATE (September 28th, 2022)

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

- Reducing and simplifying administrative procedures related to maritime business activities;
- Proposal to expand the object of unemployment insurance.

1. **Reducing and simplifying administrative procedures related to maritime business activities**

The Government has just promulgated Decree No. 69/2022/ND-CP dated September 23th, 2022 amending a number of articles of Decrees related to business activities in the field of maritime business activities.

Decree 69/2022/ND-CP includes 6 articles, amending and supplementing 5 Decrees related to business activities in the maritime sector, including:

- Procedures for ship routing (Article 19 of Decree No. 70/2017/ND-CP);
- Issuance of Certificate of eligibility for seaport operation business (Article 10 of Decree No. 37/2017/ND-CP);
- Procedures for issuance of Certificate of conformity on recruitment and supply of seafarers (Article 13 of Decree No. 29/2017/ND-CP);
- Procedures for announcing the putting of navigational channels into use in case the navigational channels are announced after the time of announcement of the opening of seaports or the navigation channels are newly invested or re-announced due to adjustment, expansion or upgrading (Clause 5, Article 13 of Decree No. 58/2017/ND-CP);
- Procedures for announcing the opening of ports, wharves, floating terminals and water zones and water areas (Article 14 of Decree No. 58/2017/ND-CP).

This Decree takes effect from October 30th, 2022.

2. **Proposal to expand the object of unemployment insurance**

The Ministry of Labor, War Invalids and Social Affairs is proposing to develop the Employment Law (amended). In which, the Ministry proposed to amend the unemployment insurance policy.

Specifically, the Ministry of Labor, War Invalids and Social Affairs proposes to amend regulations on compulsory subjects of employees participating in unemployment insurance, including employees who have entered into a working contract or a labor contract with definite term, indefinite term or labor contract with a definite term of 01 month or longer.

Supplementing a number of regulations on participation in unemployment insurance: the employer's notification responsibility, handling in case the employer is unable to fully perform the unemployment insurance obligation, ...

Proposing to amend regulations on salary as a basis for paying unemployment insurance premiums, including salary and allowances; amending regulations on the ceiling of unemployment insurance premiums in line with the guidelines in Resolution No. 27-NQ/TW and orientations for amending the Law on Social Insurance.

Amending regulations on unemployment benefits: Amending and supplementing conditions for enjoying unemployment benefits by stipulating some additional cases not entitled to unemployment benefits such as: termination of the working contract/labor contract, the employee being disciplined, the person who is receiving the monthly pension or loss of working capacity allowance.

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)**

5th 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

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

Scan QR code:

