

LEGAL UPDATE (March 13th, 2024)

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

- The Ministry of Information and Communications is drafting a Decree on electronic signatures and trusted services
- Revocation of Certificate of Food Safety Compliance for Establishments

1. **The Ministry of Information and Communications is drafting a Decree on electronic signatures and trusted services**

The Law on Electronic Transactions No. 20/2023/QH15 will take effect on July 3, 2024. Due to the need to amend and supplement certain new regulations in the Law and Decree 130/2018/ND-CP, the Government needs to issue a new Decree on electronic signatures and trusted services. The purpose of this Decree is to ensure transparency and consistency in the implementation of the Law on Electronic Transactions, to create a legal basis for the implementation of the Law in practice, and to ensure the effectiveness and efficiency of the Law.

The draft of the Decree consists of 5 Chapters and 62 Articles, detailing the following:

Chapter I: Scope of regulation, applicable subjects, and interpretation of terms.

Chapter II: Electronic signatures: electronic signature certificates, specialized electronic signatures, digital signatures, and timestamps.

Chapter III: Trusted service business: trusted services, procedures for providing services, trusted service activities, and activities providing public digital signature services.

Chapter IV: Organization providing national electronic certification services and interconnection with organizations providing national electronic certification services.

Chapter V: Effective date, transitional provisions, and responsibilities for implementation.

2. **Revocation of Certificate of Food Safety Compliance for Establishments**

Ministry of Health issued Circular 31/2023/TT-BYT which took effect on February 15, 2024, regulates the authority to revoke certificates of eligibility for food safety conditions under the Ministry of Health's management.

The authority to revoke certificates lies with the issuing authority if the establishment fails to meet the following conditions:

- Fails to meet the food safety conditions for production, processing, and trading of food in accordance with each type of production as stipulated in the Law of Food Safety 2010, Decree 155/2018/ND-CP amending and supplementing some regulations on business conditions under the state management of the Ministry of Health, and Decree 15/2018/ND-CP regulates the elaboration of some articles of the Law of Food safety 2010.
- Does not have a registered food business line or occupation in the Business Registration Certificate/Enterprise Registration Certificate.

Revocation Procedure:

- The inspecting and examining authority proposes the revocation of the Certificate.
- The authority with the right to revoke the Certificate must issue a Decision to revoke the Certificate within 05 working days.

We hope this Newsletter would bring you useful information.

Best regards.

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