

**THE NATIONAL
ASSEMBLY**

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. 07/2015/L-CTN

Hanoi, July 6, 2015

ORDER
On the promulgation of law¹

**THE PRESIDENT OF THE SOCIALIST REPUBLIC OF
VIETNAM**

*Pursuant to Articles 88 and 91 of the Constitution of the Socialist
Republic of Vietnam;*

*Pursuant to Article 91 of the Law on Organization of the National
Assembly;*

Pursuant to Article 57 of the Law on Promulgation of Legal Documents,

PROMULGATES

The Law on Promulgation of Legal Documents,

which was passed on June 22, 2015, by the XIIIth National Assembly of
the Socialist Republic of Vietnam at its 9th session.

President of the Socialist Republic of Vietnam

TRUONG TAN SANG

¹ Công Báo Nos 867-868 (28/7/2015)

LAW

On promulgation of legal documents²

*Pursuant to the Constitution of Socialist Republic of Vietnam;
The National Assembly promulgates the Law on Promulgation of Legal Documents.*

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Law prescribes the principles, competence, forms, order and procedures for formulation and promulgation of legal documents, and responsibilities of state agencies, organizations and individuals in the formulation of legal documents.

This Law does not govern the formulation and revision of the Constitution.

Article 2. Legal documents

A legal document is a document that contains legal norms and is promulgated according to the competence, order and procedures and in a form prescribed in this Law.

A document that contains legal norms but is promulgated not according to the competence, order and procedures or not in a form prescribed in this Law is not a legal document.

Article 3. Interpretation of terms

In this Law, the terms below are construed as follows:

1. *Legal norm* means a general rule of conduct, commonly binding on and applied repeatedly to agencies, organizations and individuals nationwide or within a certain administrative unit, promulgated by a competent state

² Công Báo Nos 867-868 (28/7/2015)

agency or person defined in this Law, and the implementation of which is guaranteed by the State.

2. *Subjects directly affected by a legal document* means agencies, organizations or individuals whose rights, obligations and responsibilities are directly affected by the application of such document after it is promulgated.

3. *Interpretation of the Constitution, a law or an ordinance* means the clarification by the Standing Committee of the National Assembly of the ideas and contents of certain articles, clauses and points in the Constitution, a law or an ordinance so that they are perceived, implemented and applied correctly and uniformly.

Article 4. The system of legal documents

1. The Constitution.

2. Codes, laws (below collectively referred to as laws) and resolutions of the National Assembly.

3. Ordinances and resolutions of the Standing Committee of the National Assembly; joint resolutions between the Standing Committee of the National Assembly and the Presidium of the Central Committee of the Vietnam Fatherland Front.

4. Orders and decisions of the President.

5. Decrees of the Government; joint resolutions between the Government and the Presidium of the Central Committee of the Vietnam Fatherland Front.

6. Decisions of the Prime Minister.

7. Resolutions of the Judicial Council of the Supreme People's Court.

8. Circulars of the Chief Justice of the Supreme People's Court; circulars of the Procurator General of the Supreme People's Procuracy; circulars of ministers, heads of ministerial-level agencies; joint circulars between the Chief Justice of the Supreme People's Court and the Procurator General of the Supreme People's Procuracy; joint circulars between ministers, heads of ministerial-level agencies and the Chief Justice of the Supreme People's Court and the Procurator General of the Supreme People's Procuracy; decisions of the State Auditor General.

9. Resolutions of People's Councils of provinces and centrally run cities (below collectively referred to as provincial-level People's Councils).

10. Decisions of provincial-level People's Committees.

11. Legal documents of local administrations in special administrative-economic units.

12. Resolutions of People’s Councils of districts, towns and provincial cities (below collectively referred to as district-level People’s Councils).

13. Decisions of district-level People’s Committees.

14. Resolutions of People’s Councils of communes, wards and townships (below collectively referred to as commune-level People’s Councils).

15. Decisions of commune-level People’s Committees.

Article 5. Principles of formulation and promulgation of legal documents

1. Ensuring the constitutionality, lawfulness and uniformity of legal documents in the legal system.

2. Complying with the competence, form and order and procedures for formulating and promulgating legal documents.

3. Ensuring transparency of provisions of legal documents.

4. Ensuring the feasibility, economy, effectiveness, timeliness, accessibility and enforceability of legal documents; ensuring the integration of gender equality issues in legal documents; ensuring requirements for reform of administrative procedures.

5. Ensuring national defense, security and environmental protection requirements without obstructing the implementation of treaties to which the Socialist Republic of Vietnam is a contracting party.

6. Ensuring publicity and democracy in the receipt of, and response to, opinions and proposals of individuals, agencies and organizations during the formulation and promulgation of legal documents.

Article 6. Contribution of opinions on the formulation of legal documents

1. The Vietnam Fatherland Front, Vietnam Chamber of Commerce and Industry, other member organizations of the Vietnam Fatherland Front, other agencies and organizations and individuals are entitled and shall be provided with conditions to contribute their opinions on proposals for formulation of legal documents and on draft legal documents.

2. During the formulation of legal documents, drafting agencies or organizations and related agencies and organizations shall create conditions for other agencies, organizations and individuals to contribute opinions on proposals for formulation of legal documents and on draft legal documents; and collect opinions from subjects directly affected by legal documents.

3. Contributed opinions on proposals for formulation of legal documents and on draft legal documents shall be studied and assimilated during the process of revising draft documents.

Article 7. Responsibilities of competent agencies, organizations and persons in the formulation and promulgation of legal documents

1. The agency, organization or person competent to submit a draft legal document must be responsible for the submission schedule and quality of such draft.

2. The agency or organization in charge of drafting a legal document must be responsible to the agency, organization or person competent to submit or the agency, organization or person competent to promulgate the document for the drafting schedule and quality of such draft.

3. Competent agencies, organizations and persons consulted on proposals for formulation of legal documents or draft legal documents must be responsible for the contents and timeliness of their opinions.

4. The appraising agency must be responsible to the agency, organization or person competent to submit or the agency or person competent to promulgate the legal document for the result of appraisal of the proposal for formulation of the legal document or of the draft.

The verifying agency must be responsible to the agency competent to promulgate the legal document for the result of verification of the draft legal document.

5. The National Assembly, People's Councils and other agencies and persons competent to promulgate legal documents must be responsible for the quality of documents they promulgate.

6. Competent agencies and persons must be responsible for the late promulgation of documents detailing laws or resolutions of the National Assembly, ordinances or resolutions of the Standing Committee of the National Assembly, or orders or decisions of the President.

7. Competent agencies and persons must be responsible for the promulgation of legal documents that contravene the Constitution, laws or resolutions of the National Assembly, ordinances or resolutions of the Standing Committee of the National Assembly, orders or decisions of the President, decrees of the Government, decisions of the Prime Minister, legal documents of superior state agencies, or for the promulgation of detailing documents that are beyond their assigned tasks.

8. Heads of the agency or organization in charge of drafting, agency appraising, agency submitting, agency verifying and agency promulgating a legal document must be responsible for their failure to fulfill their tasks within the scope of their respective tasks and powers, and shall be handled in accordance with the law on cadres and civil servants and other relevant laws if the quality of the draft document is unsatisfactory, the drafting is behind

schedule, or the constitutionality, lawfulness and uniformity of the legal document are not ensured.

Article 8. Language and presentation of legal documents

1. The language used in legal documents is Vietnamese.

The language used in legal documents must be accurate, common, clear and understandable.

2. Legal documents must prescribe subject matters specifically, but not vaguely, and must not prescribe those already prescribed in other legal documents.

3. Depending of its content, a legal document may be divided into parts, chapters, sections, sub-sections, articles, clauses and points, with each part, chapter, section, sub-section and article having a title. A separate chapter must not be devoted to issues related to inspection, complaints, denunciation, commendation and reward, and handling of violations, unless there are new contents.

4. The Standing Committee of the National Assembly shall prescribe the format and techniques of presentation of legal documents of the National Assembly, the Standing Committee of the National Assembly, and the President.

The Government shall prescribe the format and techniques of presentation of legal documents of other competent agencies and persons prescribed in this Law.

Article 9. Translation of legal documents into ethnic minority languages and foreign languages

Legal documents may be translated into ethnic minority languages and foreign languages. The translations are for reference purpose only.

The Government shall detail this Article.

Article 10. Numbers and signs of legal documents

1. The number and sign of a legal document must specify the ordinal number, year of promulgation, type of document and promulgating agency.

2. Legal documents shall be numbered by type of document and year of promulgation. Laws and resolutions of the National Assembly, and ordinances and resolutions of the Standing Committee of the National Assembly shall be numbered by type of document and term of the National Assembly.

3. Numbers and signs of legal documents shall be arranged as follows:

a/ Numbers and signs of laws and resolutions of the National Assembly shall be arranged in the following order: “type of document: ordinal number of document/year of promulgation/abbreviated name of promulgating agency and ordinal number of the National Assembly’s tenure”;

b/ Numbers and signs of ordinances and resolutions of the Standing Committee of the National Assembly shall be arranged in the following order: “type of document: ordinal number of document/year of promulgation/abbreviated name of promulgating agency and ordinal number of the National Assembly’s tenure”;

c/ Numbers and signs of legal documents other than those prescribed at Points a and b of this Clause shall be arranged in the following order: “number of document/year of promulgation/abbreviated name of document type - abbreviated name of promulgating agency.”

Article 11. Detailing documents

1. Legal documents must contain specific provisions so that they can be promptly enforced once they become effective. In case there is an article, a clause or a point that is related to a specific procedure, technical regulation and another content that needs detailing, a competent state agency may be assigned to detail such content right in such article, clause or point. The detailing document may only prescribe the content assigned and must not repeat the content of the document being detailed.

2. The agency assigned to promulgate a detailing document may not assign this task to a third agency.

The draft of a detailing document shall be prepared and submitted together with the draft law or ordinance and shall be promulgated to be effective at the same time with the document, article, clause or point being detailed.

3. In case an agency is assigned to detail multiple contents of a legal document, it shall promulgate a single document to detail all these contents, unless they are required to be prescribed in different documents.

In case an agency is assigned to detail contents of various legal documents, it may promulgate a single document to detail all of them.

Article 12. Amendment, supplementation, replacement, annulment or suspension of implementation of legal documents

1. A legal document may only be amended, supplemented, replaced, or annulled by another legal document promulgated by the same state agency that has promulgated the previous one, or may be suspended from implementation or annulled by a document of a competent superior agency. The amending, supplementing, replacing, annulling, or suspending document

must clearly state the name of the document, part, chapter, section, sub-section, article, clause or point to be amended, supplemented, replaced, annulled, or suspended from implementation.

The document that annuls a legal document shall be published on Cong Bao (Official Gazette) and posted as prescribed.

2. When promulgating a legal document, the promulgating agency shall amend, supplement or annul documents and parts, chapters, sections, sub-sections, articles, clauses and points of documents which contravene regulations of the new document right within the new document. If it cannot make such amendments and supplements immediately, the promulgating agency shall include in the new document a list of documents, parts, chapters, sections, sub-sections, articles, clauses and points which contravene the new document, and shall make amendments and supplements before the new document takes effect.

3. A legal document may be promulgated to amend, replace and annul contents of many legal documents promulgated by the same agency.

Article 13. Sending of legal documents, dossiers of draft legal documents

1. Legal documents shall be sent to competent agencies for supervision and inspection.

Within 3 days after a law or resolution of the National Assembly or an ordinance or a resolution of the Standing Committee of the National Assembly is promulgated, or another legal document is signed for authentication or promulgation, the promulgating agency or person shall send it to the competent agency defined in Clause 1, Article 164 of this Law for supervision and to the competent agency defined in Clause 3, Article 165; Clause 1, Article 166; or Clause 1, Article 167, of this Law for inspection.

2. Dossiers of draft legal documents and the original legal documents shall be archived in accordance with the law on archives.

Article 14. Prohibited acts

1. Promulgating legal documents that contravene the Constitution or legal documents promulgated by superior state agencies.

2. Promulgating documents other than those in the system of legal documents prescribed in Article 4 of this Law but containing legal norms.

3. Promulgating legal documents against this Law's provisions on competence, form, order and procedures.

4. Establishing administrative procedures in circulars of the Chief Justice of the Supreme People's Court; circulars of the Procurator General of the Supreme People's Procuracy; circulars of ministers or heads of ministerial-

level agencies; joint circulars between the Chief Justice of the Supreme People's Court and the Procurator General of the Supreme People's Procuracy; joint circulars between ministers, heads of ministerial-level agencies and the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy; decisions of the State Auditor General, resolutions of provincial-level People's Councils, decisions of provincial-level People's Committees, legal documents of local administrations in special administrative-economic units; resolutions of district-level People's Councils, decisions of district-level People's Committees, resolutions of commune-level People's Councils, decisions of commune-level People's Committees, unless assigned by a law.

Chapter II

COMPETENCE TO PROMULGATE LEGAL DOCUMENTS, CONTENTS OF LEGAL DOCUMENTS

Article 15. Laws and resolutions of the National Assembly

1. The National Assembly shall promulgate laws to prescribe:

a/ The organizational structure and operation of the National Assembly, the President, the Government, People's Courts, People's Procuracies, the National Election Council, the State Audit Office, local administrations, special administrative-economic units and other agencies established by the National Assembly;

b/ Human rights, and fundamental rights and obligations of citizens that shall be prescribed by a law according to the Constitution; restrictions on human rights and citizens' rights; crimes and punishments;

c/ Basic policies on national financial and monetary issues and state budget; introduction, change or abolition of taxes;

d/ Basic policies on culture, education, healthcare, science, technology and environment;

dd/ National defense and security;

e/ State policies on ethnicities and religions;

g/ Titles and ranks in the people's armed forces; diplomatic titles and ranks; other state titles and ranks; orders, medals and honorary state titles;

h/ Fundamental foreign policies;

i/ Referenda;

k/ Mechanism to defend the Constitution;

l/ Other issues within the competence of the National Assembly.

2. The National Assembly shall promulgate resolutions to prescribe:

a/ Ratio of division of revenues and expenditures between the central budget and local budgets;

b/ Pilot implementation of some new policies within the deciding competence of the National Assembly that are not yet regulated by any law or different from current law;

c/ Suspension or extension of the period of implementation of the whole or part of a law or resolution of the National Assembly in order to meet urgent requirements of socio-economic development, and guarantee human rights and citizens' rights;

d/ States of emergency and other special measures to ensure national defense and security;

dd/ General amnesty;

e/ Other issues falling within the competence of the National Assembly.

Article 16. Ordinances and resolutions of the Standing Committee of the National Assembly

1. The Standing Committee of the National Assembly shall promulgate ordinances to regulate the issues assigned by the National Assembly.

2. The Standing Committee of the National Assembly shall promulgate resolutions to:

a/ Interpret the Constitution, laws and ordinances;

b/ Suspend or extend the period of implementation of the whole or part of an ordinance or resolution of the Standing Committee of the National Assembly to meet urgent requirements of socio-economic development;

c/ Annul ordinances or resolutions of the Standing Committee of the National Assembly; in case of annulling an ordinance, the Standing Committee of the National Assembly shall report it to the National Assembly at its next session;

d/ Decide on general or partial mobilization; declare and cancel a state of emergency nationwide or in a particular locality;

dd/ Guide the operation of the People's Councils;

e/ Prescribe other issues within the competence of the Standing Committee of the National Assembly.

Article 17. Orders and decisions of the President

The President shall promulgate orders or decisions to:

1. Decide on general or partial mobilization; declare and cancel a state of emergency in pursuance to a resolution of the Standing Committee of the National Assembly; declare and cancel a state of emergency nationwide or in

a particular locality in case the Standing Committee of the National Assembly cannot hold a meeting;

2. Decide on other issues within the competence of the President

Article 18. Joint resolutions between the Standing Committee of the National Assembly or the Government and the Presidium of the Central Committee of the Vietnam Fatherland Front

The Standing Committee of the National Assembly or the Government and the Presidium of the Central Committee of the Vietnam Fatherland Front shall promulgate joint resolutions to specify issues assigned by a law.

Article 19. Decrees of the Government

The Government shall promulgate decrees to:

1. Detail articles, clauses and points assigned in the laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, and orders and decisions of the President;

2. Determine specific measures for organizing the implementation of the Constitutions, laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, and orders and decisions of the President; measures for implementation of socio-economic policies, policies on national defense and security, finance, monetary issues, budget, taxation, ethnicities, religions, culture, education, healthcare, science, technology, environment, foreign relations, cadres, civil servants and public employees, rights and obligations of citizens, and other issues within the management and execution of the Government; issues related to tasks and powers of two or more ministries or ministerial-level agencies; tasks, powers and organizational structures of ministries, ministerial-level agencies, government-attached agencies, and other agencies under the competence of the Government;

3. Regulate other necessary issues within the competence of the National Assembly or the Standing Committee of the National Assembly but yet to be governed by a law or an ordinance to meet requirements of state management, economic management and social management due to lack of conditions. Approval of the Standing Committee of the National Assembly is required before this type of decree is promulgated.

Article 20. Decisions of the Prime Minister

The Prime Minister shall promulgate decisions to prescribe:

1. Measures for leading and executing the operation of the Government and state administration system from the central to the local level, regulations

on working with members of the Government, local administrations and other issues within the competence of the Prime Minister;

2. Measures for directing and coordinating activities of members of the Government; inspecting activities of ministries, ministerial-level agencies, government-attached agencies and local administrations in implementing the line and policies of the Party, and policies and laws of the State.

Article 21. Resolutions of the Judicial Council of the Supreme People's Court

The Judicial Council of the Supreme People's Court shall promulgate resolutions to guide the uniform application of law to adjudication by summarizing the application of law and supervising adjudication.

Article 22. Circulars of the Chief Justice of the Supreme People's Court

The Chief Justice of the Supreme People's Court shall promulgate circulars to manage People's Courts and military courts in terms of organization and other issues assigned by the Law of Organization of People's Courts and relevant laws.

Article 23. Circulars of the Procurator General of the Supreme People's Procuracy

The Procurator General of the Supreme People's Procuracy shall promulgate circulars to regulate issues assigned by the Law of Organization of People's Procuracies and relevant laws.

Article 24. Circulars of ministers and heads of ministerial-level agencies

Ministers and heads of ministerial-level agencies shall promulgate circulars to:

1. Detail articles, clauses and points assigned in the laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, orders and decisions of the President, decrees of the Government, and decisions of the Prime Minister;

2. Determine measures for performing their state management functions.

Article 25. Joint circulars between the Chief Justice of the Supreme People's Court and the Procurator General of the Supreme People's Procuracy; joint circulars between ministers, heads of ministerial-level agencies and the Chief Justice of the Supreme People's Court

The Chief Justice of the Supreme People's Court and the Procurator General of the Supreme People's Procuracy; ministers, heads of ministerial-level agencies and the Chief Justice of the Supreme People's Court and the Procurator General of the Supreme People's Procuracy shall promulgate joint

circulars to regulate their coordination in the implementation of legal proceedings.

Article 26. Decisions of the State Auditor General

The State Auditor General shall promulgate decisions on state audit standards, audit procedures and audit dossiers.

Article 27. Resolutions of provincial-level People's Councils

Provincial-level People's Councils shall promulgate resolutions to:

1. Detail articles, clauses and points assigned in the legal documents promulgated by superior state agencies;
2. Introduce policies and measures for ensuring the implementation of the Constitution, laws and legal documents promulgated by superior state agencies;
3. Determine measures for local socio-economic development, budget and national defense and security;
4. Adopt special measures that suit the local socio-economic development conditions.

Article 28. Decisions of provincial-level People's Committees

Provincial-level People's Committees shall promulgate decisions to:

1. Detail articles, clauses and points assigned in the legal documents promulgated by superior state agencies;
2. Determine measures for implementation of the Constitutions, laws and legal documents promulgated by superior state agencies, and resolutions of the People's Councils at the same level on local socio-economic development, budget and national defense and security;
3. Introduce measures for performing their state management function in their localities.

Article 29. Legal documents promulgated by local administrations in special administrative-economic units

The People's Councils in special administrative-economic units shall promulgate resolutions; the People's Committees in special administrative-economic units shall promulgate decisions in accordance with this Law and relevant laws.

Article 30. Resolutions of People's Councils, decisions of People's Committees of district and commune levels

District- and commune-level People's Councils shall promulgate resolutions; district- and commune-level People's Committees shall promulgate decisions to regulate issues assigned by a law.

Chapter III
FORMULATION AND PROMULGATION OF LEGAL DOCUMENTS
OF THE NATIONAL ASSEMBLY AND THE STANDING
COMMITTEE OF THE NATIONAL ASSEMBLY

Section 1
FORMULATION OF LAW- AND ORDINANCE-MAKING
PROGRAMS

Article 31. Law- and ordinance-making programs

1. Law- and ordinance-making programs shall be formulated annually on the basis of the line and policies of the Party, policies of the State, socio-economic development strategy, national defense and security strategy and state management requirements in each period, guaranteeing human rights, and fundamental rights and obligations of citizens.

2. The National Assembly shall decide on the law- and ordinance-making program at the first session of the previous year.

Article 32. Law and ordinance formulation proposals of agencies and organizations

1. The President, the Standing Committee of the National Assembly, Ethnic Council, Committees of the National Assembly, the Government, the Supreme People's Court, the Supreme People's Procuracy, State Audit Office, Central Committee of the Vietnam Fatherland Front, central bodies of member organizations of the Vietnam Fatherland Front who are entitled to submit draft laws to the National Assembly and draft ordinances to the Standing Committee of the National Assembly are entitled to propose law or ordinance formulation.

2. A law or ordinance formulation proposal shall be based on:

- a/ The line and policies of the Party and policies of the State;
- b/ Results of law implementation or assessment of social relations related to policies of the draft law or ordinance;
- c/ Requirements of state management and socio-economic development; guarantee of human rights, fundamental rights and obligations of citizens; assurance of national defense and security;
- d/ Commitments in relevant treaties to which the Socialist Republic of Vietnam is a contracting party.

Article 33. Law or ordinance motions, law or ordinance formulation proposals of National Assembly deputies

1. National Assembly deputies have the right to make law or ordinance motions. Law or ordinance motions shall be based on the line and policies of the Party and policies of the State, requirements of socio-economic development; guarantee of human rights and fundamental rights and obligations of citizens; assurance of national defense and security; and commitments in relevant treaties to which Socialist Republic of Vietnam is a contracting party.

2. National Assembly deputies have the right to propose law or ordinance formulation. A law or ordinance formulation proposal shall be made in accordance with Clause 2, Article 32 of this Law.

3. National Assembly deputies have the right to make written law or ordinance motions or dossiers of law or ordinance formulation proposal as prescribed in Article 37 of this Law, or request the Office of the National Assembly or Office of the National Assembly deputies' delegation, or the Legal Research Institute to assist in doing so.

4. The Office of the National Assembly shall ensure conditions for National Assembly deputies to exercise their right to make law or ordinance motions and law or ordinance formulation proposals.

Article 34. Responsibilities of agencies, organizations and National Assembly deputies for making law or ordinance formulation proposals

1. Before proposing law or ordinance formulation, an agency, an organization, or a National Assembly deputy shall perform or request a competent agency or organization to perform the following tasks:

a/ To review the law implementation related to the law or ordinance formulation proposal; to survey and assess social relations relevant to the law or ordinance formulation proposal;

b/ To conduct scientific research into relevant issues to assist the making of the law or ordinance formulation proposal; to study information, materials, and treaties to which the Socialist Republic of Vietnam is a contracting party relevant to the law or ordinance formulation proposal. To request, when necessary, related agencies, organizations and individuals to provide documents and information relating to the law or ordinance formulation proposal;

c/ To formulate policies in the law or ordinance formulation proposal; to assess the impacts of such policies;

d/ To propose resources and conditions for assurance of the implementation of the law or ordinance after it is passed by the National Assembly or the Standing Committee of the National Assembly.

2. To prepare a dossier of law or ordinance formulation proposal as prescribed in Article 37 of this Law.

3. To collect opinions of related agencies, organizations and individuals on the law or ordinance formulation proposal; to summarize, study, give explanations to and accept the contributed opinions.

4. For a law or ordinance formulation proposal that is not submitted by the Government, the agency, organization, or National Assembly deputy that proposes the law or ordinance formulation shall also collect opinions of the Government, and study and accept these opinions.

Article 35. Assessment of impacts of policies in law or ordinance formulation proposals

1. Agencies and organizations shall assess the impact of each policy in every law or ordinance formulation proposal. National Assembly deputies shall assess impacts of each policy in the law or ordinance formulation proposal or request a competent agency to do so.

During the process of drafting, appraising, verifying, considering and commenting on a draft law or ordinance, if new policies are proposed, the proposing agency shall assess their impact.

2. The assessment of impacts of each policy in the law or ordinance formulation proposal must clearly state: issues to be solved; targets of the policy; solutions for implementation of the policy; positive and negative impacts of the policy; costs and benefits of solutions; comparison of costs and benefits of solutions; selected solution and reason for such selection; assessment of impacts of administrative procedures; gender-related impact (if any).

3. When assessing impacts of policies in their law or ordinance formulation proposals, agencies, organizations and National Assembly deputies shall study and draft a draft report on impact assessment; collect opinions and feedbacks about the draft report and accept these opinions and revise the draft report.

4. The Government shall detail this Article.

Article 36. Collection of opinions on law or ordinance formulation proposals

1. Agencies, organizations and National Assembly deputies that make law or ordinance formulation proposals shall:

a/ Post the review report, report on impacts of policies in the law or ordinance formulation proposal on the portal of the National Assembly, for proposals of the Standing Committee of the National Assembly, Ethnic Council, Committees of the National Assembly, or National Assembly

deputies, or on the portal of the Government, for proposals of the Government, or the portal of the proposing agency or organization, for at least 30 days;

b/ Collect opinions of the Ministry of Finance, the Ministry of Home Affairs, the Ministry of Foreign Affairs, the Ministry of Justice, and related agencies and organizations, and subjects directly affected by the policies and solutions for implementation of such policies in the law or ordinance formulation proposal. Hold meetings, when necessary, to collect opinions on basic policies in the law or ordinance formulation proposal;

c/ Summarize, study, give explanations to and accept contributed opinions; post the explanation and opinion acceptance report on the portal prescribed in this Clause.

2. Within 15 days after receiving proposals for opinions on a law or an ordinance formulation proposal, the consulted agencies and organizations shall give their opinions in writing; the Ministry of Finance shall send a report on financial sources, the Ministry of Home Affairs shall send a report of assessment of human resources, the Ministry of Foreign Affairs shall send a report on compatibility with relevant treaties to which the Socialist Republic of Vietnam is a contracting party, and the Ministry of Finance shall send a report on constitutionality, legality and consistency of the law or ordinance formulation proposal with the legal system, to the proposal-making agency, organization or National Assembly deputy.

Article 37. Dossiers of law or ordinance formulation proposal; written law or ordinance motions

1. A dossier of law or ordinance formulation proposal must comprise:

a/ A report on the law or ordinance formulation proposal which specifies the necessity of promulgation of such law or ordinance; the law or ordinance formulation purposes and viewpoints; subjects and scope of regulation of the law or ordinance; objectives and principal contents of policies in the law or ordinance formulation proposal, solutions for implementation of the selected policy and reasons for the selection; estimated resources and conditions for ensuring the implementation of the law or ordinance after it is passed by the National Assembly or the Standing Committee of the National Assembly; projected time for submission to the National Assembly or the Standing Committee of the National Assembly for consideration and passage;

b/ Report on assessment of impacts of policies in the law or ordinance formulation proposal;

c/ Report on law implementation or social relations related to the law or ordinance formulation proposal;

d/ A report on summarization, giving of explanations to and acceptance of opinions of the Ministry of Finance, the Ministry of Home Affairs, the Ministry of Foreign Affairs, the Ministry of Justice and other agencies and organizations; photocopies of the opinions;

dd/ The outline of the draft law or ordinance.

2. A written law or ordinance motion must specify the necessity of such law or ordinance, subjects and scope of regulation, purposes and requirements of promulgation, viewpoints, policies and main contents of the law or ordinance.

Article 38. Responsibility to propose formulation of laws or ordinances to be submitted by the Government

1. For a draft law or ordinance to be submitted by the Government, a ministry or ministerial-level agency shall make the law or ordinance formulation proposal at its own will or as assigned by the Prime Minister.

2. The ministry or ministerial-level agency that makes a law or ordinance formulation proposal shall carry out the activities prescribed in Article 34 of this Law.

Article 39. Appraisal of proposals for formulation of laws or ordinances to be submitted by the Government

1. The Ministry of Justice shall assume the prime responsibility for, and coordinate with the Ministry of Finance, the Ministry of Home Affairs, the Ministry of Foreign Affairs, related agencies and organizations in, appraising the law or ordinance formulation proposal before submitting it to the Government within 20 days after receiving a complete dossier of law or ordinance formulation proposal.

2. The ministry or ministerial-level agency that makes the law or ordinance formulation proposal shall send the proposal dossier to the Ministry of Justice for appraisal. The dossier must comprise documents specified in Clause 1, Article 37 of this Law.

The documents specified at Points a and b, Clause 1, Article 37 of this Law shall be sent in writing, while other documents may be sent electronically.

3. The appraisal shall focus on:

a/ Necessity of promulgation of the law or ordinance; subjects and scope of regulation by the law or ordinance;

b/ Conformity of policy contents with the line and policies of the Party and policies of the State;

c/ The constitutionality, legality and consistency of policies with the legal system; feasibility and predictability of policy contents; solutions and conditions for ensuring the implementation of the proposed policies in the law or ordinance formulation proposal;

d/ Compatibility of policy contents in the law or ordinance formulation proposal with relevant treaties to which Socialist Republic of Vietnam is a contracting party;

dd/ Necessity, reasonability and compliance cost of administrative procedures of the policies in the law or ordinance formulation proposal, if they are related to administrative procedures; integration of gender equality issues in the proposal, if they are related to gender equality;

e/ Observance of the order and procedures for making the law or ordinance formulation proposal.

4. The appraisal report must contain opinions of the Ministry of Justice on the contents specified in Clause 3 of this Article and whether or not the law or ordinance formulation proposal is satisfactory enough to be submitted to the Government.

5. The appraisal report shall be sent to the ministry or ministerial-level agency that makes the law or ordinance formulation proposal within 10 days after the completion of the appraisal. The proposal-making agency shall study, give explanations to and accept appraisal opinions and revise and finalize the law or ordinance formulation proposal, send the revised law or ordinance formulation proposal together with the explanation and opinion acceptance report addressed to the Ministry of Justice when submitting it to the Government.

Article 40. Submission of proposals for formulation of laws or ordinances to be submitted by the Government

1. The ministry or ministerial-level agency that makes a law or ordinance formulation proposal shall submit the dossier of law or ordinance formulation proposal to the Government at least 20 days before the date of meeting of the Government.

2. A dossier to be submitted to the Government must comprise:

a/ The documents specified in Clause 1, Article 37 of this Law;

b/A report on appraisal of the law or ordinance formulation proposal; a report on the giving of explanations to and acceptance of appraisal opinions;

c/ Other documents (if any).

The documents specified at Points a and b, Clause 1, Article 37 of this Law and Point b of this Clause shall be sent in writing, while other documents may be sent electronically.

Article 41. Consideration and approval by the Government of proposals for formulation of laws or ordinances to be submitted by the Government

The Government shall hold a meeting to consider a law or ordinance formulation proposal in the following order:

1. A representative of the ministry or ministerial-level agency that proposes the formulation of a law or an ordinance presents the report on law or ordinance formulation proposal;
2. A representative of the Ministry of Justice presents the appraisal report;
3. Representatives of agencies and organizations that attend the meeting present their opinions;
4. The Government discusses and votes on the policies in each law or ordinance formulation proposal. A policy shall be adopted when it is voted for by more than half of the total number of the Government members;
5. The Government issues a resolution on the law or ordinance formulation proposal with the adopted policies.

Article 42. Revision and sending of dossiers of proposal for formulation of laws or ordinances to be submitted by the Government

The ministry or ministerial-level agency that makes the law or ordinance formulation proposal shall assume the prime responsibility for, and coordinate with related agencies in, completing the dossier of law or ordinance formulation proposal based on the Government's resolution and send it to the Ministry of Justice for making the Government's proposals for law- and ordinance-making program.

Article 43. Making of the Government's proposals for law- and ordinance-making program

1. The Government shall make and submit proposals for law- and ordinance-making program to the Standing Committee of the National Assembly.

The Ministry of Justice shall assist the Government in making proposals for law- and ordinance-making program based on the law or ordinance formulation proposals approved by the Government.

2. The Government shall consider and discuss the proposals for law- and ordinance-making program in the following order:

a/ A representative of the Ministry of Justice presents the draft proposals for law- and ordinance-making program;

b/ Representatives of agencies and organizations that attend the meeting present their opinions;

c/ The Government discusses the proposals;

d/ The Government votes on the proposals for law- and ordinance-making program. The Government's proposals for law- and ordinance-making program shall be approved when they are voted for by more than half of the total number of the Government members.

Article 44. Giving by the Government of opinions on proposals for formulation of laws or ordinances not to be submitted by the Government, and law or ordinance motions

1. For a proposal for formulation of a law or an ordinance not to be submitted by the Government and law or ordinance motions, before submitting it to the Standing Committee of the National Assembly, the agency, organization or National Assembly deputy shall send a dossier of law or ordinance formulation proposal or the written law or ordinance motion prescribed in Article 37 of this Law to the Government for opinion.

The Government shall consider and issue a written response within 30 days after receiving the proposal dossier or written motion.

2. The Ministry of Justice shall assume the prime responsibility for, and coordinate with other ministries and ministerial-level agencies in, presenting the Government's opinions on the proposal for formulation of the law or ordinance not to be submitted by the Government and law or ordinance motion for the Government to discuss.

3. The Government shall consider and discuss the proposal for formulation of the law or ordinance not to be submitted by the Government or law or ordinance motion in the following order:

a/ A representative of the Ministry of Justice presents the draft opinions of the Government;

b/ Representatives of agencies and organizations that attend the meeting present their opinions;

c/ The Government discusses the proposal;

d/ The Prime Minister makes conclusions.

4. The Ministry of Justice shall revise the Government's draft opinions based on the Prime Minister's conclusion and submit them to the Prime Minister for consideration and decision.

Article 45. Responsibility for making, considering and approving proposals for formulation of laws or ordinances not to be submitted by the Government

1. The President, the Standing Committee of the National Assembly, the Ethnic Council, Committees of the National Assembly, the Chief Justice of

the Supreme People's Court, the Procurator General of the Supreme People's Procuracy, the State Auditor General, the President of the Central Committee of the Vietnam Fatherland Front, and heads of central bodies of member organizations of the Front shall direct the making of law or ordinance formulation proposals; and assign an agency or a unit to take charge of making the proposal.

2. The assigned agency or unit shall carry out the activities prescribed in Article 34 of this Law.

For law or ordinance formulation proposals made by the Supreme People's Court or the Supreme People's Procuracy, the assigned unit shall collect opinions of the Judicial Council of the Supreme People's Court and the Procuration Committee of the Supreme People's Procuracy before reporting them to the Chief Justice of the Supreme People's Court or the Procurator General of the Supreme People's Procuracy.

3. The Standing Committee of the National Assembly, the Ethnic Council, Committees of the National Assembly, the Central Committee of the Vietnam Fatherland Front, central bodies of member organizations of the Vietnam Fatherland Front shall hold a meeting to consider and approve a law or ordinance formulation proposal in the following order:

a/ A representative of the assigned agency or unit presents the report on the law or ordinance formulation proposal;

b/ A representative of the Government presents opinions on the law or ordinance formulation proposal;

c/ Representatives of other agencies and organizations that attend the meeting present their opinions;

d/ The Standing Committee of the National Assembly, the Ethnic Council, Committees of the National Assembly, the Central Committee of the Vietnam Fatherland Front, central bodies of member organizations of the Vietnam Fatherland Front discuss and vote to adopt policies in the law or ordinance formulation proposal. The policies shall be adopted when they are voted for by more than half of the total number of the members of the Standing Committee of the National Assembly, the Ethnic Council, Committees of the National Assembly, the Central Committee of the Vietnam Fatherland Front, and central bodies of member organizations of the Vietnam Fatherland Front.

4. The President, the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy or the State Auditor General shall consider and approve a law or ordinance formulation proposal in the following order:

a/ The assigned agency or unit presents a report on the law or ordinance formulation proposal to the President, the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy or the State Auditor General;

b/ The President, the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy or the State Auditor General considers and decides on the law or ordinance formulation proposal.

5. A National Assembly deputy may make a law or ordinance formulation proposal by himself/herself or ask a competent agency to assist him/her in doing so. If soliciting assistance from a competent agency, a National Assembly deputy shall consider and decide on submitting the law or ordinance formulation proposal in the following order:

a/ The agency assisting the National Assembly deputy in making the law or ordinance formulation proposal reports on the law or ordinance formulation proposal to the National Assembly deputy;

b/ The National Assembly deputy considers and decides on submitting the law or ordinance formulation proposal.

Article 46. Time limits and dossiers of law or ordinance formulation proposal and written law or ordinance motions

1. Not later than March 1 of the previous year, the law or ordinance formulation proposal or law or ordinance motion shall be sent to the Standing Committee of the National Assembly in order to make a tentative law- and ordinance-making program, and to the Law Committee of the National Assembly for verification.

2. Dossiers of law or ordinance formulation proposal and written law or ordinance motions of National Assembly deputies shall be sent to the Standing Committee of the National Assembly as follows:

a/ For the Government's proposals regarding law- and ordinance-making program, a dossier must comprise the report of the Government, the tentative program and electronic files of the documents specified in Clause 1, Article 37 of this Law;

b/ For law or ordinance formulation proposals of other agencies and organizations and National Assembly deputies, a dossier must comprise documents specified at Point a, Clause 1, Article 37 of this Law and the Government's opinions on the law or ordinance formulation proposal enclosed with electronic files of other documents specified in Article 37 of this Law.

For law or ordinance motions of National Assembly deputies, a dossier must comprise the written law or ordinance motion and the Government's opinions on the law or ordinance motion.

Article 47. Verification of law or ordinance formulation proposals and law or ordinance motions

1. The Law Committee shall collect and assume the prime responsibility for verifying proposals regarding law- and ordinance-making program of agencies, organizations, National Assembly deputies, and law or ordinance motions of National Assembly deputies.

The verification must focus on the necessity of promulgation, scope and subjects of regulation, basic policies, uniformity, feasibility, order of priority, time of submission and conditions for formulating and implementing the documents.

2. The Ethnic Council and Committees of the National Assembly shall coordinate with the Law Committee in verifying law or ordinance formulation proposals, law or ordinance motions and give their opinions on the necessity of promulgation, policies, and order of priority of submission of draft laws or ordinances in the fields under their charge.

Article 48. Formulation of tentative law- and ordinance-making programs

1. The Standing Committee of the National Assembly shall consider law or ordinance formulation proposals and law or ordinance motions in the following order:

a/ A representative of the Government presents the report of the Government's proposals regarding law- and ordinance-making program; and opinions on the proposals for formulation of laws or ordinances not to be submitted by the Government, and law or ordinance motions

Representatives of other agencies, organizations and National Assembly deputies may be invited to present their opinions on their law or ordinance formulation proposals and law or ordinance motions;

b/A representative of the Law Committee presents the verification report;

c/ Participants present their opinions;

d/The Standing Committee of the National Assembly discusses;

dd/ Representatives of the Government and other agencies and organizations, and National Assembly deputies who make law or ordinance formulation proposals and law or ordinance motions may additionally present issues raised at the meeting;

e/ The meeting chairperson makes conclusions.

2. Based on the law or ordinance formulation proposals made by agencies, organizations and National Assembly deputies, and law or ordinance motions of National Assembly deputies and verification opinions of the Law Committee, the Standing Committee of the National Assembly shall formulate a tentative law- and ordinance-making program and submit it to the National Assembly for consideration and decision.

A dossier of the tentative law- and ordinance-making program must comprise a report and a draft resolution of the National Assembly on the law- and ordinance-making program, enclosed with electronic files of the documents specified in Clause 2, Article 46 of this Law. The tentative law- and ordinance-making program shall be posted on the portal of the National Assembly.

3. The Law Committee shall assume the prime responsibility for, and coordinate with related agencies in, assisting the Standing Committee of the National Assembly in formulating tentative law- and ordinance-making programs.

Article 49. Order of considering and approving tentative law- and ordinance-making programs

1. The National Assembly shall consider and approve a tentative law- and ordinance-making program in the following order:

a/ A representative of the Standing Committee of the National Assembly presents a report on the tentative law- and ordinance-making program;

b/ The National Assembly discusses the tentative law- and ordinance-making program at a plenary meeting. Before being discussed at a plenary meeting, the tentative law- and ordinance-making program may be discussed by groups of National Assembly deputies;

c/ After the tentative law- and ordinance-making program is discussed by the National Assembly, the Standing Committee of the National Assembly shall direct the Law Committee to assume the prime responsibility for, and coordinate with representatives of the Government and related agencies and organizations in, giving explanations to, accepting opinions and revising the draft resolution of the National Assembly on the law- and ordinance-making program, and make a report on the giving of explanations to and acceptance of opinions and revision of the draft resolution;

d/ The Standing Committee of the National Assembly reports to the National Assembly on the giving of explanations to and acceptance of opinions and revision of the draft resolution of the National Assembly;

dd/ The National Assembly votes on the resolution of the National Assembly on the law- and ordinance-making program.

2. The resolution on the law- and ordinance-making program must specify the name of every draft law or ordinance and projected time for submitting it to the National Assembly or the Standing Committee of the National Assembly for consideration and passage.

Article 50. Implementation of law- and ordinance-making programs

1. The Standing Committee of the National Assembly shall direct and deploy the implementation of a law- and ordinance-making program by carrying out the following activities:

a/ To assign agencies, organizations and National Assembly deputies to submit draft law, ordinances or resolutions; agencies in charge of, and agencies participating in, verifying draft laws, ordinances or resolutions.

For a draft law or resolution of the National Assembly to be submitted by the Standing Committee of the National Assembly, the National Assembly shall decide on the verifying agency or establish an ad-hoc committee for verification.

For a draft law, ordinance or resolution to be submitted by the Ethnic Council or a Committee of the National Assembly, the Standing Committee of the National Assembly shall decide on the verifying agency;

b/ To form drafting boards of draft laws, ordinances or resolutions in accordance with Clause 1, Article 52 of this Law;

c/ To decide on the schedule for formulation of draft laws and ordinances and specific measures for ensuring the implementation of the law- and ordinance-making program.

2. The Law Committee shall assist the Standing Committee of the National Assembly in organizing the implementation of the law- and ordinance-making program.

3. The Ministry of Finance shall propose drafting agencies and coordinating agencies to the Prime Minister for decision, and assist the Prime Minister in urging the drafting of laws, ordinances and resolutions to be submitted by the Government.

Article 51. Adjustments to law- and ordinance-making programs

1. The Standing Committee of the National Assembly shall decide on adjustments to a law- and ordinance-making program at its own will or at the proposal of the agencies, organizations and National Assembly deputies that submit draft laws or ordinances in the following cases:

a/ Removing from the program draft laws and ordinances that are unnecessary because of socio-economic changes or necessary change of submission time;

b/ Adding to the program draft laws and ordinances to meet urgent requirements of socio-economic development, assurance of national defense and security, or protection of life and property of the people; draft laws or ordinances that need adjustment to conform with newly promulgated documents in order to ensure uniformity of the legal system or implement treaties to which the Socialist Republic of Vietnam is a contracting party.

The addition must comply with Articles 32 thru 42, Articles 44, 45 and 47, and Clause 1, Article 48 of this Law.

2. The Standing Committee of the National Assembly shall report on adjustments to the law- and ordinance-making program to the National Assembly at the nearest session.

Section 2

DRAFTING OF LAWS, ORDINANCES AND RESOLUTIONS

Article 52. Establishment of Drafting Boards and appointment of agencies in charge of drafting laws and resolutions of the National Assembly, and ordinances and resolutions of the Standing Committee of the National Assembly

1. The Standing Committee of the National Assembly shall establish a Drafting Board and assign an agency in charge of drafting in the following cases:

a/ The draft law, ordinance or resolution is related to multiple sectors and fields;

b/ The draft law or resolution is submitted by the Standing Committee of the National Assembly;

c/ The draft law, ordinance or resolution is submitted by a National Assembly deputy and the Drafting Board composition is decided by the Standing Committee of the National Assembly at the proposal of the National Assembly deputy.

2. For a draft law, ordinance or resolution submitted by the Government, the Prime Minister shall assign a ministry or ministerial-level agency as the agency in charge of drafting which shall establish a Drafting Board, except the case specified at Point a, Clause 1 of this Article.

3. For a draft law, ordinance or resolution submitted by another agency or organization, such agency or organization shall establish a Drafting Board and take charge of the drafting, except the case specified at Point a, Clause 1 of this Article.

Article 53. Composition of the Drafting Board

1. The Drafting Board shall be led by the head of the agency or organization in charge of drafting and joined by members who are representatives of the agency or organization in charge of drafting and related agencies and organizations, specialists and scientists. The Drafting Board of a draft law, ordinance or resolution to be submitted by the Government must have members who are representatives of the leaderships of the Ministry of Justice and the Government Office. A Drafting Board must have at least nine members.

2. Members of the Drafting Board who are specialists and scientists must be knowledgeable about specialized issues of the draft and able to participate in all activities of the Drafting Board.

Article 54. Duties of the Drafting Board, head and members of the Drafting Board

1. The Drafting Board shall organize the drafting and take responsibility to the agency or organization in charge of drafting for the quality and schedule of drafting of the law, ordinance or resolution.

2. Duties of the Drafting Board:

a/ To consider and approve the detailed outline of the draft law, ordinance or resolution;

b/ To discuss contents of the draft document, report on the draft document, and the giving of explanations to and acceptance of opinions of agencies, organizations and individuals;

c/ To ensure that regulations of the draft are conformable with the policies and line of the Party; to ensure the constitutionality, legality and consistency of the draft document with the legal system; to ensure the feasibility of the document.

3. Duties of the head of the Drafting Board:

a/ To establish an editorial group to assist the Drafting Board, and direct the editorial group to edit and revise the draft document;

b/ To hold meetings and organize other activities of the Drafting Board;

c/ To assign specific duties to each member of the Drafting Board.

4. Members of the Drafting Board shall attend every meeting of the Drafting Board, take responsibility for the quality, constitutionality, legality, uniformity and feasibility of the assigned contents in the draft document, and the schedule of drafting the document. A member who cannot attend a meeting because of an objective reason shall give his/her opinions in writing.

Article 55. Duties of an agency or organization in charge of drafting a law, an ordinance or a resolution

1. To organize the drafting of the law, ordinance or resolution according to the purpose, requirements, scope of regulation and policies determined in the dossier of law or ordinance formulation proposal; to take responsibility for the quality and schedule of drafting of the law, ordinance or resolution to the agency or organization that shall submit the draft document.

2. To prepare the draft, submission report and documents related to the draft.

3. To collect opinions on the draft document from related agencies, organizations and individuals and post the draft on the portal prescribed at Point a, Clause 1, Article 36 of this Law and on its own portal; to summarize, study, give explanations to and accept the opinions; to post the report on such explanation and acceptance and the revised draft document on the portal prescribed at Point a, Clause 1, Article 36 of this Law and on its portal.

4. To study and accept appraisal opinions or opinions of the Government on the draft document which is not submitted by the Government.

5. To prepare an explanatory report on new policies to be added to the draft and submit it to competent agencies, organizations and National Assembly deputies for consideration and decision.

6. To anticipate contents of the draft law, ordinance or resolution to be assigned for detailing; to propose assignment of the agency in charge of drafting to detail articles, clauses and points of the draft law, ordinance or resolution.

7. For a draft document to be submitted by the Standing Committee of the National Assembly or for a document drafted by a National Assembly deputy, the agency in charge of drafting as appointed by the Standing Committee of the National Assembly or the National Assembly deputy shall report on the drafting progress to the Standing Committee of the National Assembly.

For a draft document to be submitted by the Government, the ministry or ministerial-level agency assigned to take charge of drafting shall report on the drafting progress to the Ministry of Justice for summarization and reporting to the Government.

In the course of accepting opinions and revising the draft law, ordinance or resolution, if there are major changes to the policy approved by the Government, the ministry or ministerial-level agency in charge of drafting shall promptly report them to the Government and the Prime Minister for consideration and decision.

Article 56. Duties of an agency or organization or a National Assembly deputy submitting a draft law, ordinance or resolution

1. An agency or organization or a National Assembly deputy that submits a draft law, ordinance or resolution has the following duties:

a/ To direct the agency in charge of drafting during the drafting process.

For a draft document prepared by a National Assembly deputy, he/she may request assistance of the Office of the National Assembly, the Office of the National Assembly deputies' delegation or the Legislative Research Institute and related agencies and organizations during the drafting process;

b/ To consider and decide on the submission of the draft document to the National Assembly or the Standing Committee of the National Assembly; if the submission has to be delayed for a special reason, to promptly report it stating the reason, to the Standing Committee of the National Assembly for consideration and decision.

2. For a draft law, ordinance or resolution not submitted by the Government, the submitting agency, organization or National Assembly deputy shall send a dossier of the draft document to the Government for opinion at least 40 days before the opening date of the meeting of the Standing Committee of the National Assembly.

Article 57. Collection of opinions on draft laws, ordinances or resolutions

1. During the drafting process, the agency, organization or National Assembly deputy in charge of drafting shall collect opinions of the subjects directly affected by the document and of related agencies and organizations; identify issues that need opinions of each category of subjects and specify the addresses for receipt of opinions; post the full texts of the draft document and submission report on the portal prescribed at Point a, Clause 1, Article 36 of this Law and on the portal of the agency or organization in charge of drafting for at least 60 days in order to receive opinions, except those to be promulgated according to the simplified order and procedures. During this time limit, if the draft document is revised, the revised one shall be posted.

In case of collecting opinions in writing, the consulted agencies and organizations shall give written responses within 20 days after receiving the request for opinion.

2. In addition to the posting as prescribed in Clause 1 of this Article, opinions may be collected via direct meeting, sending the draft document, holding meetings and using the mass media.

3. The agency or organization in charge of drafting shall summarize, study and accept opinions and post the explanation and acceptance contents on the portal of the Government and its own portal for public knowledge.

4. For a draft document prepared by a National Assembly deputy, the Office of the National Assembly, the Office of the National Assembly deputies' delegation or the Legislative Research Institute shall organize the collection of opinions as prescribed in this Article.

Article 58. Appraisal of draft laws, ordinances or resolutions to be submitted by the Government

1. The Ministry of Justice shall appraise draft laws, ordinances or resolutions before they are submitted to the Government.

For a draft document containing complicated contents related to multiple sectors and fields or prepared by the Ministry of Justice, the Minister of Justice shall establish an appraisal council composed of representatives of related agencies and organizations, specialists and scientists.

2. A dossier sent for appraisal must comprise:

a/ A report on the draft document to the Government;

b/ The draft document;

c/ The written assessment of administrative procedures in the draft document (if any);

d/ A report on integration of gender equality issues in the draft document (if any);

dd/ A report on summarization, giving of explanations to and acceptance of opinions; photocopies of written opinions of ministries and ministerial-level agencies;

e/ Other documents (if any).

The documents specified at Points a and b of this Clause shall be sent in writing, while other documents may be sent electronically.

3. The appraisal must focus on:

a/ The conformity of the draft document with purposes, requirements, scope of regulation and policies in the approved proposal for law or ordinance formulation;

b/ The constitutionality, legality and consistency of the draft document with the legal system; the compatibility of the draft document with relevant treaties to which Socialist Republic of Vietnam is a contracting party;

c/ The necessity, reasonability and compliance costs of administrative procedures (if any) in the draft document;

d/ Necessary human resources and financial resources to ensure the implementation of the legal document;

dd/ Integration of gender equality issues in the draft document (if any);

e/ Language, drafting techniques and process of the document.

When necessary, the appraising agency shall request the agency in charge of drafting to report on issues related to the draft document.

4. The appraisal report must contain opinions of the appraising agency on the appraised issues specified in Clause 3 of this Article and whether or not the draft document is satisfactory to be submitted to the Government. If the Ministry of Justice concludes that the draft document is not satisfactory, documents shall be returned to the agency in charge of drafting for further revision and finalization of the draft document.

The appraisal report shall be sent to the agency in charge of drafting within 20 days after the complete dossier for appraisal is received.

5. The agency in charge of drafting shall study, give explanations to and accept appraisal opinions to revise and finalize the draft document, send a report on such explanation and acceptance together with the revised draft document to the appraising agency when submitting the draft law, ordinance or resolution to the Government.

Article 59. Dossiers of draft laws, ordinances or resolutions submitted to the Government

1. A report on the draft document to the Government.

2. The draft document.

3. The appraisal report and report on the giving of explanations to and acceptance of appraisal opinions.

4. A written assessment of administrative procedures in the draft document (if any).

5. A report on integration of gender equality issues in the draft document (if any).

6. A report on summarization, giving of explanations to and acceptance of collected opinions.

7. Other documents (if any).

The documents specified in Clauses 1, 2 and 3 of this Article may be sent in writing, while other documents may be sent electronically.

Article 60. Revision and finalization of draft laws, ordinances and resolutions before submission to the Government

If there are different opinions between ministries and ministerial-level agencies on the draft document, the Minister-Chairperson of the Government Office shall convene a meeting with representatives of leaders of the agency in charge of drafting, the Ministry of Justice, and related ministries and

ministerial-level agencies in order to reach agreement before submitting the draft document to the Government for consideration and decision. Based on the opinions presented at the meeting, the agency in charge of drafting shall coordinate with related agencies in revising and finalizing the draft document for submission to the Government.

Article 61. Consideration and decision by the Government on submission of draft laws, ordinances or resolutions

1. The Government shall consider and discuss collectively and cast votes of majority on the submission of the draft document at the meeting of the Government in the following order:

a/ A representative of the agency in charge of drafting presents the draft document, the giving of explanations to and acceptance of opinions from the appraising agency;

b/ A representative of the appraising agency presents opinions on the giving of explanations to and acceptance of appraisal opinions by the agency in charge of drafting;

c/ A representative of the Government Office presents controversial issues of the draft document;

d/ The Government discusses;

dd/ The Government votes on the submission of the draft document.

2. If the Government does not approve the submission of the draft document, the Prime Minister shall fix a time for reconsidering the draft document.

Article 62. The Government giving opinions on draft laws, ordinances or resolutions not submitted by the Government

1. For a draft law, ordinance or resolutions not submitted by the Government, before submitting it to the National Assembly or the Standing Committee of the National Assembly, the agency, organization or National Assembly deputy shall send the following documents to the Government for opinion:

a/ A report on the draft document submitted to the National Assembly or the Standing Committee of the National Assembly;

b/ The draft document;

c/ A report on summarization, giving of explanations to and acceptance of collected opinions; photocopies of written opinions;

d/ Other documents (if any).

The documents specified at Points a and b of this Clause shall be sent in writing, while other documents may be sent electronically.

2. The Government shall consider and give written responses within 20 days after receiving the proposal dossier, clearly stating whether or not the draft document is satisfactory to be submitted to the National Assembly or Standing Committee of the National Assembly.

3. The ministries and ministerial-level agencies assigned by the Prime Minister to prepare opinions shall assume the prime responsibility for, and coordinate with the Ministry of Justice in, identifying issues that need opinions, then submit them to the Government for consideration and decision.

Section 3

VERIFICATION OF DRAFT LAWS, ORDINANCES AND RESOLUTIONS

Article 63. Verification of draft laws, ordinances and resolutions by the Ethnic Council and Committees of the National Assembly

1. Before a draft document is submitted to the National Assembly or Standing Committee of the National Assembly for consideration and discussion, it shall be verified by the Ethnic Council or a Committee of the National Assembly (below referred to as the verifying agency).

The verifying agency shall assume the prime responsibility for verifying draft documents in the field under its charge and other draft documents assigned by the National Assembly or Standing Committee of the National Assembly; participate in the verification of draft documents under the charge of other agencies of the National Assembly as assigned by the Standing Committee of the National Assembly.

2. The agency in charge of verification shall invite representatives of the Standing Members of the Law Committee, Standing Members of the Social Affairs Committee and other agencies assigned to participate in the verification to the verification meeting and present opinions on the contents of the draft document related to the fields under their charge and other contents of the draft document.

3. The agency in charge of verification may invite representatives of related agencies and organizations, specialists, scientists and representatives of subjects directly affected by the document to the meeting it holds to present opinions on relevant contents of the draft document.

4. The verifying agency may request the agency, organization or National Assembly deputy submitting the draft document to report, provide explanations, information and documents about relevant contents of the draft

document; organize seminars and surveys about issues of the draft document by itself or in cooperation with the agency in charge of drafting.

Agencies, organizations and individuals shall provide information and documents and must comply with other requests of the verifying agency.

Article 64. Dossiers and deadlines for sending dossiers of draft laws, ordinances or resolutions for verification

1. A dossier of a draft document to be verified must comprise:

a/ A report on the draft document to the National Assembly and the Standing Committee of the National Assembly;

b/ The draft document;

c/ The appraisal report, if the draft document is submitted by the Government; opinions of the Government, if the draft document is not submitted by the Government; a report on summarization, giving of explanations to and acceptance of collected opinions; photocopies of written opinions;

d/ A review report on law implementation, assessment of social relations related to principal contents of the draft document; a report on impacts of policies in the draft document;

dd/ Report on integration of gender equality issues in the draft document (if any);

e/ The draft of the detailing document and other documents (if any).

The documents specified at Points a and b of this Clause shall be sent in writing, while other documents may be sent electronically.

2. For a draft document to be submitted to the Standing Committee of the National Assembly, at least 20 days before the opening date of the meeting of the Standing Committee of the National Assembly, the agency, organization or National Assembly deputy submitting the draft document shall send a dossier of the draft document as prescribed in Clause 1 of this Article to the agency in charge of verification, the Law Committee, the Social Affairs Committee and other verifying agencies for verification.

For a draft document to be submitted to the National Assembly, at least 30 days before the opening date of the session of the National Assembly, the agency, organization or National Assembly deputy submitting the draft document shall send a dossier of the draft document as prescribed in Clause 1 of this Article to the agency in charge of verification, the Law Committee, the Social Affairs Committee and other related agencies for verification.

3. The verifying agency shall not carry out the verification if the dossier of the draft document is incomplete or is not sent within the time limit prescribed in Clause 1 or 2 of this Article.

Article 65. Contents of verification of draft laws, ordinances and resolutions

The verification must focus on:

1. Scope and subjects of regulation of the document;
2. Contents of the draft document and controversial issues; assignment and preparation of detailing documents (if any);
3. Conformity of the draft document with the policy and line of the Party; constitutionality, legality and consistency of the draft document with the legal system; the compatibility with relevant treaties to which the Socialist Republic of Vietnam is a contracting party;
4. Feasibility of regulations in the draft document;
5. Necessary human resources and financial resources to ensure the implementation of the legal document;
6. Integration of gender equality issues in the draft document (if any);
7. Language and drafting techniques and process of the document.

When necessary, the verifying agency may request the submitting agency to report on issues related to contents of the draft document.

Article 66. Method of verifying draft laws, ordinances and resolutions

1. The agency in charge of verification shall hold a general meeting for verification; for a draft document to be submitted to the Standing Committee of the National Assembly for opinion before submission to the National Assembly, a meeting with the Standing Members of the Ethnic Council and Standing Members of the Committee concerned may be held for preliminary verification.

2. The agency in charge of verification shall invite other verifying agencies or their standing members to the verification meeting.

Article 67. Reports on verification of draft laws, ordinances or resolutions

1. A verification report must contain the views of the verifying agency on issues to be verified specified in Article 65 of this Law and proposed necessary amendments and supplements.

2. The verification report must reflect all opinions of members of the agency in charge of verification and the verifying agency on contents of the

draft document and whether or not it is satisfactory to be submitted to the Standing Committee of the National Assembly or the National Assembly.

If the agency in charge of verification concludes that the draft document is not satisfactory, it shall report such to the Standing Committee of the National Assembly to return the dossier to the submitting agency for further revision and finalization of the draft document.

Article 68. Responsibility of the Law Committee in the verification to ensure the constitutionality, legality and consistency of draft laws, ordinances and resolutions with the legal system

1. The Law Committee shall participate in the verification of draft documents under the charge of another agency of the National Assembly in order to ensure their constitutionality, legality and consistency with the legal system.

2. The Law Committee shall hold a meeting among its Standing Members or all of its members to prepare verification opinions and appoint representatives to participate in the verification meeting held by the agency in charge of verification.

3. Contents of the verification to ensure the constitutionality, legality and consistency of the draft document with the legal system include:

a/ Conformity of regulations in the draft law or resolution of the National Assembly with the Constitution; conformity of regulations in the draft ordinance or resolution of the Standing Committee of the National Assembly with the Constitution, laws and resolutions of the National Assembly;

b/ Consistency between regulations in the draft law or resolution of the National Assembly with other laws and resolutions of the National Assembly; between regulations in the draft ordinance or resolution of the Standing Committee of the National Assembly with other ordinances and resolutions of the Standing Committee of the National Assembly, among regulations in the draft law, ordinance or resolution; and consistency of document format.

Article 69. Responsibility of the Social Affairs Committee in the verification of the integration of gender equality issues in draft laws, ordinances and resolutions

1. The Social Affairs Committee shall participate in the verification of draft documents under the charge of another agency of the National Assembly in order to ensure the integration of gender equality issues in the draft document (if any).

2. The Social Affairs Committee shall hold a meeting among its Standing Members or all of its members to prepare opinions and appoint

representatives to participate in the verification meeting held by the agency in charge of verification.

3. Contents of verification of the integration of gender equality issues must include:

- a/ Determination of gender issues in the draft document;
- b/ Ensure adherence to basic gender equality principles in the draft document;
- c/ Compliance with the order and procedures for assessing the integration of gender equality issues in the draft document;
- d/ Feasibility of regulations in the draft document to ensure gender equality.

Section 4

THE STANDING COMMITTEE OF THE NATIONAL ASSEMBLY CONSIDERING AND PRESENTING OPINIONS ON DRAFT LAWS AND RESOLUTIONS OF THE NATIONAL ASSEMBLY

Article 70. Deadline for sending documents to the Standing Committee of the National Assembly for opinion on draft laws and resolutions of the National Assembly

At least 7 days before the opening date of the meeting of the Standing Committee of the National Assembly, the agency, organization or National Assembly deputy submitting the draft law or resolution of the National Assembly shall send the dossier specified in Clause 1, Article 64 of this Law to the Standing Committee of the National Assembly for opinion.

The draft document, its report and report on verification of the draft document shall be posted on the portal of the National Assembly.

Article 71. Order for the Standing Committee of the National Assembly to consider and present opinions on draft laws and resolutions of the National Assembly

1. Depending on the characteristics and contents of the draft law or resolution of the National Assembly, the Standing Committee of the National Assembly may consider and present opinions once or many times.

2. The Standing Committee of the National Assembly shall consider and present opinions in the following order:

- a/ A representative of the agency, organization or National Assembly deputy submitting the draft document presents primary contents of the draft document.

A representative of the Government presents opinions on the draft document not submitted by the Government;

b/ A representative of the agency in charge of verification presents the report on verification and proposes issues for the National Assembly to discuss;

c/ Representatives of agencies, organizations and individuals that attend the meeting present their opinions;

d/ The Standing Committee of the National Assembly discusses;

dd/ The meeting chairperson makes conclusions.

Article 72. Acceptance of, and revision of draft laws and resolutions of the National Assembly according to, opinions of the Standing Committee of the National Assembly

1. The agency, organization or National Assembly deputy submitting the draft document shall study and accept opinions presented by the Standing Committee of the National Assembly to revise the draft document.

If the draft document is submitted by the Government, the person authorized by the Prime Minister shall coordinate with the Ministry of Justice in studying and accepting opinions and revising the draft document, except issues to be reported to the Prime Minister for consideration and decision.

2. If the agency, organization or National Assembly deputy submitting the draft document disagrees with opinions of the Standing Committee of the National Assembly, a report thereon shall be submitted to the National Assembly for consideration and decision.

Section 5

DISCUSSION, ACCEPTANCE OF OPINIONS, REVISION AND PASSAGE OF DRAFT LAWS, ORDINANCES AND RESOLUTIONS

Article 73. Consideration and passage of draft laws, ordinances and resolutions

1. The National Assembly shall consider and pass a draft law or resolution at one or two sessions; if the draft law is large and contains complicated articles and clauses, the National Assembly may consider and pass it at three sessions.

At least 20 days before the opening date of a session of the National Assembly, the dossier of each draft document shall be sent to all National Assembly deputies.

2. The Standing Committee of the National Assembly shall consider and pass a draft ordinance or resolution at one or two meetings.

At least 20 days before the opening date of a meeting of the Standing Committee of the National Assembly, the dossier of each draft document shall be sent to all members of the Standing Committee of the National Assembly.

3. A dossier of a draft document submitted to the National Assembly or Standing Committee of the National Assembly must comprise the documents specified in Clause 1, Article 64 of this Law and the report on verification of the draft document.

The report on the draft document, draft document and verification report shall be sent in writing, while other documents may be sent electronically.

Article 74. Order of considering and passing draft laws and resolutions at one session of the National Assembly

The National Assembly shall consider and pass a draft law or resolution at one session in the following order:

1. A representative of the agency, organization or National Assembly deputy submitting the draft document presents the draft document;

2. A representative of the agency in charge of verification presents the verification report;

3. The National Assembly discusses basic contents and controversial major issues of the draft document at a plenary meeting. Before being discussed at the plenary meeting, the draft document may be discussed by groups of National Assembly deputies;

4. During the discussion, the representative of the agency, organization or National Assembly deputy submitting the draft document explains the issues raised by National Assembly deputies;

5. The National Assembly casts votes on controversial important and major issues of the draft document at the proposal of the Standing Committee of the National Assembly.

The agency in charge of verification shall assume the prime responsibility for, and coordinate with the agency, organization or National Assembly deputy submitting the draft document, the Secretary General of the National Assembly and related agencies and organizations in, assisting the Standing Committee of the National Assembly in anticipating controversial important and major issues of the draft document to be voted by the National Assembly;

6. After the draft document is discussed by National Assembly deputies, the Standing Committee of the National Assembly shall direct and organize the study, giving of explanations to, acceptance of opinions on and revision of the draft document in the following order:

a/ The agency in charge of verification assumes the prime responsibility for, and coordinates with the agency, organization or National Assembly deputy submitting the draft document, the Law Committee, the Ministry of Justice and related agencies and organizations in, studying, giving explanations to and accepting opinions on and revising the draft document and making a report on such study, acceptance and revision to be submitted to the Standing Committee of the National Assembly;

b/ At least 7 days before it is voted by the National Assembly, the draft document shall be sent to the Standing Members of the Law Committee for review and completion in terms of technical matters. The Standing Members of the Law Committee shall assume the prime responsibility for, and coordinate with the agency in charge of verification, and representative of the agency or organization or National Assembly deputy submitting the draft document in, reviewing the draft document to ensure its constitutionality, legality and consistency with the legal system;

7. The Standing Committee of the National Assembly reports on the giving of explanations to and acceptance of opinions on and revision of the draft document to the National Assembly.

If the agency, organization or National Assembly deputy submitting the draft document has different opinions on the draft document or the Government has different opinions on the draft document not submitted by the Government, the Government or the agency, organization or National Assembly deputy submitting the draft document shall report its/his/her opinions to the National Assembly for consideration and decision;

8. The National Assembly casts votes on the draft document. If the draft document still has controversial issues, the National Assembly shall cast votes on these issues at the proposal of the Standing Committee of the National Assembly before casting votes on the entire draft document;

9. The Chairperson of the National Assembly signs the law or resolution of the National Assembly.

In case the draft document is not passed or only partially passed, the National Assembly shall consider and decide on re-submitting it or considering and passing it at the next session at the proposal of the Standing Committee of the National Assembly.

Article 75. Order of considering and passing draft laws and resolutions at two sessions of the National Assembly

The National Assembly shall consider and pass a draft law or resolution at two sessions in the following order:

1. At the first session:

a/ A representative of the agency, organization or National Assembly deputy submitting the draft document presents the draft document;

b/ A representative of the agency in charge of verification presents the verification report;

c/ The National Assembly discusses basic contents and controversial major issues of the draft document at a plenary meeting. Before being discussed at the plenary meeting, the draft document may be discussed by groups of National Assembly deputies.

During the discussion, the representative of the agency, organization or National Assembly deputy submitting the draft document explains the issues raised by National Assembly deputies;

d/ The National Assembly casts votes on controversial important and major issues of the draft document at the proposal of the Standing Committee of the National Assembly.

The agency in charge of verification shall assume the prime responsibility for, and coordinate with the agency, organization or National Assembly deputy submitting the draft document, the Secretary General of the National Assembly and related agencies and organizations in, assisting the Standing Committee of the National Assembly in anticipating controversial important and major issues of the draft document to be voted by the National Assembly;

dd/ The Standing Committee of the National Assembly directs the Secretary General of the National Assembly to summarize opinions presented by National Assembly deputies and voting results as the basis for revision;

2. During the interval between two sessions of the National Assembly, the Standing Committee of the National Assembly shall direct and organize the study, giving of explanations to and acceptance of opinions on and revision of the draft document in the following order:

a/ The standing member of the agency in charge of verification assumes the prime responsibility for, and coordinates with the agency, organization or National Assembly deputy submitting the draft document, the Standing Members of the Law Committee, the Ministry of Justice and related agencies and organizations in, studying, giving explanations to and accepting opinions on, and revising the draft document and drafting a report on such study, explanation, acceptance and revision. The agency in charge of verification holds a meeting with the agency, organization or National Assembly deputy submitting the draft document, the Law Committee, the Ministry of Justice and related agencies and organizations to discuss the draft report and the revised draft document;

b/ The Standing Committee of the National Assembly discusses the explanation, acceptance and revision report and revised draft document; if the agency, organization or National Assembly deputy submitting the draft document has opinions different from those of the verifying agency in the giving of explanations to and acceptance of opinions and revision of the draft document, a representative of such agency or organization or the National Assembly deputy shall report its/his/her opinions to the Standing Committee of the National Assembly for consideration and decision;

c/ The Standing Committee of the National Assembly sends the revised draft document and explanation, acceptance and revision report to National Assembly deputies' delegations, the Ethnic Council and Committees of the National Assembly at least 45 days before the opening date of the session.

National Assembly deputies' delegations, the Standing Members of the Ethnic Council and Standing Members of Committees of the National Assembly shall organize discussion and contribution of opinions and send reports on summarized opinions to the agency in charge of verification at least 20 days before the opening date of the session of the National Assembly;

d/ The agency in charge of verification summarizes opinions presented by National Assembly deputies, National Assembly deputies' delegations, the Ethnic Council and Committees of the National Assembly and coordinate with the agency, organization or National Assembly deputy submitting the draft document in studying, giving explanations to and accepting these opinions and revising the draft document and complete the explanation, acceptance and revision report to be submitted to the Standing Committee of the National Assembly.

3. At the second session:

a/A representative of the Standing Committee of the National Assembly presents the explanation, acceptance and revision report.

If the agency, organization or National Assembly deputy submitting the draft document has different opinions or the Government has different opinions on the draft document not submitted by the Government, the Government or such agency, organization or National Assembly deputy shall report its/his/her opinions to the National Assembly for consideration and decision;

b/ The National Assembly discusses controversial issues of the draft document;

c/ The Standing Committee of the National Assembly directs and organizes the study, giving of explanations to and acceptance of opinions and revision of the draft document;

d/ At least 7 days before it is voted, the draft document shall be sent to the Standing Members of the Law Committee for review and completion of the format of the draft document. The Standing Members of the Law Committee shall assume the prime responsibility for, and coordinate with the standing members of the agency in charge of verification, and representative of the agency, organization or the National Assembly deputy submitting the draft document in, reviewing the draft document to ensure its constitutionality, legality and consistency with the legal system;

dd/ The National Assembly casts votes on the draft document. If the draft document still has controversial issues, the National Assembly shall cast votes on these issues at the proposal of the Standing Committee of the National Assembly before the draft document is voted;

e/ The Chairperson of the National Assembly signs the law or resolution of the National Assembly.

In case the draft document is not passed or only partially passed, the National Assembly shall consider and decide on submitting it again or considering and passing it at the next session at the proposal of the Standing Committee of the National Assembly.

Article 76. Order of considering and passing a draft law at three sessions of the National Assembly

The National Assembly shall consider and pass a draft law at three sessions in the following order:

1. At the first session, the procedures for considering and discussing the draft law are the same as those prescribed in Clause 1, Article 75 of this Law;

2. During the interval between the first and second sessions of the National Assembly, the study, giving of explanations to and acceptance of opinions on and revision of the draft law shall be carried out in the following order:

a/ The agency, organization or National Assembly deputy submitting the draft law assumes the prime responsibility for, and coordinates with agency in charge of verification, the Law Committee, the Ministry of Justice and related agencies and organizations in studying, giving explanations to and accepting opinions on and revising the draft document and making a report on such explanation, acceptance and revision;

b/ Collecting public opinions on the draft law under a decision of the Standing Committee of the National Assembly (if any);

c/ The agency in charge of verification organizes the verification of the revised draft law;

d/ The Standing Committee of the National Assembly considers and gives opinions on the revision of the draft law in the order prescribed in Article 71 of this Law. The agency, organization or National Assembly deputy submitting the draft document shall study and accept these opinions for revising the draft law as prescribed in Article 72 of this Law;

3. At the second session:

a/ A representative of the agency, organization or National Assembly deputy submitting the draft document presents the explanation, acceptance and revision report and result of the collection of public opinions on the draft law (if any).

b/ A representative of the agency in charge of verification presents the report on verification of the revised draft law;

c/ The National Assembly discusses the draft law at a plenary meeting. Before being discussed at the plenary meeting, the draft law may be discussed by groups of National Assembly deputies.

During the discussion, a representative of the agency or organization or National Assembly deputy submitting the draft law shall explain issues related to the draft law raised by National Assembly deputies;

d/ The National Assembly casts votes on controversial major issues of the draft law at the proposal of the Standing Committee of the National Assembly.

The agency in charge of verification shall assume the prime responsibility for, and coordinate with the agency, organization or National Assembly deputy submitting the draft law, the Secretary General of the National Assembly and related agencies and organizations in, assisting the Standing Committee of the National Assembly in anticipating controversial issues of the draft law to be voted by the National Assembly;

dd/ The Standing Committee of the National Assembly directs the Secretary General of the National Assembly to summarize opinions presented by National Assembly deputies and voting results as the basis for revision;

4. During the interval between the second and third sessions of the National Assembly, the Standing Committee of the National Assembly shall direct and organize the study, giving of explanations to and acceptance of opinions and revision of the draft law in the following order:

a/ The agency in charge of verification assumes the prime responsibility for, and coordinates with the agency, organization or National Assembly deputy submitting the draft law, the Law Committee, the Ministry of Justice and related agencies and organizations in, studying, giving explanations to and accepting opinions and revising the draft law and drafting a report on

study, explanation, acceptance and revision. The agency in charge of verification holds a meeting with the agency, organization or National Assembly deputy submitting the draft law, the Law Committee, the Ministry of Justice and related agencies and organizations to discuss the draft report and the revised draft law;

b/ The Standing Committee of the National Assembly considers and discusses the draft explanation, acceptance and revision report and revised draft law; if the agency, organization or National Assembly deputy submitting the draft law has opinions different those of the agency in charge of verification in the giving of explanations to and acceptance of opinions and revision of the draft law, a representative of the agency or organization or the National Assembly deputy submitting the draft law shall report its/his/her opinions to the Standing Committee of the National Assembly for consideration and decision;

c/ The Standing Committee of the National Assembly sends the revised draft law and draft explanation and acceptance and revision report to National Assembly deputies' delegations, the Ethnic Council and Committees of the National Assembly at least 45 days before the opening date of the session.

National Assembly deputies' delegations, the Standing Member of the Ethnic Council and Standing Members of Committees of the National Assembly shall organize discussion and contribution of opinions and send reports on summarized opinions to the agency in charge of verification at least 20 days before the opening date of the session of the National Assembly;

d/ The agency in charge of verification summarizes opinions presented by National Assembly deputies, National Assembly deputies' delegations, the Ethnic Council and Committees of the National Assembly and coordinates with the agency, organization or National Assembly deputy submitting the draft law in studying, giving explanations to and accepting these opinions and revising the draft law and complete the explanation, acceptance and revision report to be submitted to the Standing Committee of the National Assembly;

5. At the third session, the order of considering and passing a draft law is the same as that prescribed in Clause 3, Article 75 of this Law.

In case the draft law is not passed or only partially passed, the National Assembly shall consider and make decision at the proposal of the Standing Committee of the National Assembly.

Article 77. Order of considering and passing draft ordinances or resolutions of the Standing Committee of the National Assembly

1. The Standing Committee of the National Assembly shall consider and pass a draft ordinance or resolution at one meeting in the following order:

a/ A representative of the agency, organization or National Assembly deputy submitting the draft document presents the draft document;

b/ A representative of the agency in charge of verification presents the verification report;

c/ Representatives of agencies, organizations and individuals that attend the meeting present their opinions;

d/ The Standing Committee of the National Assembly discusses; the meeting chairperson makes conclusions;

dd/ The standing member of the agency in charge of verification assumes the prime responsibility for, and coordinates with the agency, organization or National Assembly deputy submitting the draft document, Standing Members of the Law Committee, the Ministry of Justice and related agencies and organizations in, studying, giving explanations to and accepting opinions and revising the draft document. The agency in charge of verification holds a meeting with the agency, organization or National Assembly deputy submitting the draft document, the Law Committee, the Ministry of Justice and related agencies and organizations to discuss the draft explanation, acceptance and revision report and the revised draft document;

e/ At least 7 days before it is voted, the draft document shall be sent to the Standing Members of the Law Committee for review and completion of its format. The Standing Members of the Law Committee shall assume the prime responsibility for, and coordinate with the standing member of the agency in charge of verification and a representative of the agency, organization or National Assembly deputy submitting the draft document in, reviewing the draft document to ensure its constitutionality, legality and consistency with the legal system;

g/ A representative of the agency in charge of verification reports on the giving of explanations to and acceptance of opinions and revision of the draft document to the Standing Committee of the National Assembly.

If the agency, organization or National Assembly deputy submitting the draft document has different opinions or the Government has different opinions on the draft document not submitted by the Government, the Government or the agency, organization or National Assembly deputy submitting the draft document shall report its/his/her opinions to the Standing Committee of the National Assembly for consideration and decision;

h/ The Standing Committee of the National Assembly casts votes on the draft document. If the draft document still has controversial issues, the Standing Committee of the National Assembly shall cast votes on these issues at the proposal of the meeting chairperson before the draft document is voted;

i/ The Chairperson of the National Assembly signs the ordinance or resolution of the Standing Committee of the National Assembly.

2. The Standing Committee of the National Assembly shall consider and pass a draft ordinance or resolution at two meetings in the following order:

a/ At the first meeting, the submission and discussion must follow the order prescribed at Points a, b, c and d, Clause 1 of this Article. The Standing Committee of the National Assembly discusses and casts votes on important and major issues of the draft document at the proposal of the agency in charge of verification as the basis for revision;

b/ During the interval between two meetings, the agency in charge of verification coordinates with the agency, organization or National Assembly deputy submitting the draft document, the Standing Members of the Law Committee, the Ministry of Justice and related agencies and organizations in revising the draft document as directed by the Standing Committee of the National Assembly. The agency in charge of verification holds a meeting with the agency, organization or National Assembly deputy submitting the draft document, the Law Committee, the Ministry of Justice and related agencies and organizations to discuss the draft explanation, acceptance and revision report and the revised draft document;

c/ At least 5 days before it is voted, the draft document shall be sent to the Standing Members of the Law Committee for review and completion of its format. The Standing Members of the Law Committee shall assume the prime responsibility for, and coordinate with the Standing Member of the agency in charge of verification, and representative of the agency, organization or National Assembly deputy submitting the draft document in, reviewing the draft document to ensure its constitutionality, legality and consistency with the legal system;

d/ At the second meeting, a representative of the agency in charge of verification reports the revision of the draft document to the Standing Committee of the National Assembly.

If the agency, organization or National Assembly deputy submitting the draft document has different opinions or the Government has different opinions on the draft document not submitted by the Government, the Government or the agency, organization or National Assembly deputy submitting the draft document shall report its/his/her opinions to the Standing Committee of the National Assembly for consideration and decision;

dd/ The Standing Committee of the National Assembly casts votes on the draft document. If the draft document still has controversial issues, the Standing Committee of the National Assembly shall cast votes on these issues at the proposal of the meeting chairperson before the draft document is voted;

e/ The Chairperson of the National Assembly signs the ordinance or resolution of the Standing Committee of the National Assembly.

Article 78. Dossiers of draft laws, ordinances or resolutions submitted to the National Assembly or Standing Committee of the National Assembly for passage

1. The report on the giving of explanations to and acceptance of opinions and revision of the draft document.

2. The revised draft document.

Article 79. Date of passage of laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly

The date of passage of a law or resolution of the National Assembly, or an ordinance or a resolution of the Standing Committee of the National Assembly is the date on which such law, ordinance or resolution is voted for by the National Assembly or Standing Committee of the National Assembly.

Section 6

PROMULGATION OF LAWS, ORDINANCES AND RESOLUTIONS

Article 80. Promulgation of laws, ordinances and resolutions

1. The President shall promulgate a law or an ordinance within 15 days from the date on which it is passed.

In case the President proposes the Standing Committee of the National Assembly to re-consider an ordinance passed by the Standing Committee of the National Assembly under Clause 1, Article 88 of the Constitution, the President shall send the written proposal to the Standing Committee of the National Assembly within 10 days after the ordinance is passed. The Standing Committee of the National Assembly shall re-consider at the nearest meeting the issues raised by the President. After the ordinance is voted and passed again by the Standing Committee of the National Assembly, the President shall promulgate it within 15 days after it is passed again by the Standing Committee of the National Assembly. If the President still disagrees, the President shall present the case to the National Assembly for decision at the nearest session.

The President shall promulgate a law or an ordinance formulated and passed according to the simplified order and procedures within 5 days after it is passed.

2. The Secretary General of the National Assembly shall promulgate a resolution of the National Assembly or a resolution of the Standing Committee of the National Assembly within 15 days after it is passed.

The Secretary General of the National Assembly shall promulgate a resolution formulated and passed according to the simplified procedures within 5 days after it is passed.

Chapter IV

FORMULATION AND PROMULGATION OF LEGAL DOCUMENTS OF THE PRESIDENT

Article 81. Formulation and promulgation of orders and decisions of the President

1. The President shall appoint an agency to draft an order or a decision at his/her own will or at the proposal of the Government, the Supreme People's Court or the Supreme People's Procuracy.

2. The agency in charge of drafting draft shall the order or decision.

3. The President may request the agency in charge of drafting to discuss important issues of the draft order or decision of the President.

4. Based on the contents of the draft order or decision, the President shall decide whether to post the whole document on the portal of the agency in charge of drafting. The draft order or decision shall be posted for at least 60 days for public opinion, unless it is promulgated according to the simplified order and procedures.

5. The agency in charge of drafting shall study and accept opinions of other agencies, organizations and individuals to revise the draft order or decision, then report it to the President.

6. The President shall consider and sign the order or decision.

Chapter V

FORMULATION AND PROMULGATION OF LEGAL DOCUMENTS OF THE GOVERNMENT, THE PRIME MINISTER, MINISTERS AND HEADS OF MINISTERIAL-LEVEL AGENCIES

Section 1

MAKING OF LISTS OF DOCUMENTS DETAILING LAWS AND RESOLUTIONS OF THE NATIONAL ASSEMBLY, ORDINANCES AND RESOLUTIONS OF THE STANDING COMMITTEE OF THE NATIONAL ASSEMBLY, ORDERS AND DECISIONS OF THE PRESIDENT

Article 82. Responsibility to make lists of detailing documents

1. The Prime Minister shall direct the making of lists of documents detailing laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, or orders

and decisions of the President which the Government, the Prime Minister, ministers of heads of ministerial-level agencies are assigned to promulgate.

2. The list of detailing documents issued by the Prime Minister includes decrees of the Government; joint resolutions between the Government and Presidium of the Central Committee of the Vietnam Fatherland Front, decisions of the Prime Minister, and circulars of ministers and heads of ministerial-level agencies. The list must specify the titles of documents, promulgating agencies, bases for promulgation, main contents of documents, and intended date of promulgation.

Article 83. Formulation of detailing documents

1. The Ministry of Justice shall supervise the promulgation of documents detailing laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, and orders and decisions of the President; and send quarterly and annual reports to the Government.

2. Ministers and heads of ministerial-level agencies shall formulate and promulgate documents within their competence or submit to competent authorities for promulgation documents detailing laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, and orders and decisions of the President on the list of detailing documents; send quarterly and annual reports on the progress of document promulgation to the Ministry of Justice for monitoring, summarization and reporting to the Government.

Section 2

FORMULATION AND PROMULGATION OF DECREES

Article 84. Decree formulation proposals

1. Decree formulation proposals shall be made in the case of formulation and promulgation of decrees prescribed in Clauses 2 and 3, Article 19 of this Law.

2. Ministers and heads of ministerial-level agencies shall themselves, or under the direction of the Government or the Prime Minister, or at the request of agencies, organizations and individuals, prepare proposals for formulation of decrees within their sectors or fields and submit them to the Prime Minister for consideration and decision.

3. A decree formulation proposal shall be based on:

a/ Line and policies of the Party and policies of the State;

b/ Action programs of the Government; requirements of management and administration of the Government that need to be regulated by decrees;

c/ Results of theoretical research and practical review;

d/ Commitments in relevant treaties to which the Socialist Republic of Vietnam is a contracting party.

Article 85. Responsibilities of agencies proposing decree formulation

1. To review the implementation of laws and assess existing legal documents related to the decree formulation proposal; to survey and assess social relations relevant to the decree formulation proposal.

When necessary, to request related agencies and organizations to review and assess the implementation of legal documents in the fields under their management that are related to the decree formulation proposal.

2. To study information, materials and treaties to which the Socialist Republic of Vietnam is a contracting party relevant to the decree formulation proposal. When necessary, to request related agencies, organizations and individuals to provide documents and information relating to the decree formulation proposal.

3. To develop policies in the decree formulation proposal; to assess the impacts of such policies; to anticipate resources and conditions for ensuring the implementation of the decree after it is approved by the Government.

4. To prepare a dossier of decree formulation proposal as prescribed in Article 87 of this Law.

5. To collect opinions from related agencies, organizations and individuals on the decree formulation proposal; to summarize, study, give explanations to and accept the collected opinions.

Article 86. Collection of opinions on decree formulation proposals

The agency making decree formulation proposal has the following responsibilities:

1. To collect opinions from subjects directly affected by the proposed policies in the decree formulation proposal and related agencies and organizations; identify issues that need opinions and the address for receipt of opinions; post the whole dossier of decree formulation proposal on the portal of the Government and its portal for at least 30 days for public opinion.

In case of collecting opinions in writing, depending on the characteristics and contents of the decree formulation proposal, the agency that makes the decree formulation proposal shall send written requests for opinion to ministries, ministerial-level agencies and government-attached agencies, which shall give written responses within 15 days after receiving such requests.

The Ministry of Finance shall give opinions on financial resources; the Ministry of Home Affairs shall give opinions on human resources; the Ministry of Foreign Affairs shall give opinions on compatibility with relevant treaties to which the Socialist Republic of Vietnam is a contracting party; the Ministry of Justice shall give opinions on the constitutionality, legality and uniformity of the decree formulation proposal with the legal system;

2. To collect opinions directly or hold workshops and meetings to collect opinions on intended policies in the decree formulation proposal;

3. To summarize, study, give explanations to and accept collected opinions; and post the explanation and acceptance report on the portal of the Government and its portal.

Article 87. Dossier of decree formulation proposal

1. A report on the decree formulation proposal, which must specify the necessity of the decree; purposes and viewpoints on the decree formulation; subjects and scope of regulation of the decree; purposes and contents of policies in the decree; solutions for implementation of selected policies and reasons for such selection; expected time for the Government to consider and approve the decree; and projected resources and conditions for implementation of the decree.

2. A written assessment of impacts of each policy in the proposal, which must specify issues to be solved; purposes of the policies; solutions for implementation of the policies; positive and negative impacts of the policies; costs and benefits of solutions; comparison of costs and benefits of solutions; selected solutions and reasons for such selection; assessment of impacts of administrative procedures; and assessment of gender-related impacts (if any).

3. A report on implementation of laws or assessment of issues related to the policies.

4. A report on summarization, giving of explanations to and acceptance of opinions; and photocopies of written opinions.

5. The outline of the draft decree.

6. Other documents (if any).

Article 88. Appraisal of decree formulation proposals

1. The Ministry of Justice shall assume the prime responsibility for, and coordinate with the Ministry of Finance, the Ministry of Home Affairs, the Ministry of Foreign Affairs, and related agencies and organizations in, appraising the decree formulation proposal.

2. A dossier sent to the Ministry of Justice for appraisal must comprise the documents specified in Article 87 of this Law.

The documents specified in Clauses 1 and 2, Article 87 of this Law shall be sent in writing, while other documents may be sent electronically.

3. The Ministry of Justice shall appraise the decree formulation proposal within 20 days after receiving a complete dossier. Its appraisal must focus on:

- a/ Necessity of the decree; scope and subjects of regulation of the decree;
- b/ Conformity of the proposed policies with the line and policies of the Party and policies of the State;
- c/ Constitutionality, legality and uniformity of the proposed policies with the legal system; feasibility of their contents and solutions for implementation of these policies;
- d/ Compatibility of the proposed policies and solutions for implementation thereof with relevant treaties to which the Socialist Republic of Vietnam is a contracting party;
- dd/ Necessity, reasonability and compliance cost of administrative procedures of the proposed policies, if these policies are related to administrative procedures; and integration of gender equality issues in the proposal, if these policies are related to gender equality;
- e/ Compliance with the order and procedures for proposing decree formulation.

4. The Ministry of Justice shall conclude whether the dossier of decree formulation proposal is satisfactory for submission to the Government, it needs improvement or it is unsatisfactory.

5. The appraisal report shall be sent to the agency proposing the decree formulation within 10 days from the end of the appraisal. The agency proposing the decree formulation shall study and give explanations to the appraisal opinions to revise and complete the dossier of decree formulation proposal for submission to the Government.

Article 89. Consideration and approval by the Government of decree formulation proposals

1. A ministry or ministerial-level agency shall submit the decree formulation proposal to the Government.

2. A dossier to be submitted to the Government must comprise:

- a/ The documents specified in Article 87 of this Law which have been revised;
- b/ The appraisal report and the report on the giving of explanations to and acceptance of appraisal opinions;
- c/ Other documents (if any).

The documents specified in Clauses 1 and 2, Article 87 of this Law and at Point b of this Clause shall be sent in writing, while other documents may be sent electronically.

3. The Government Office shall receive and check dossiers of decree formulation proposal of ministries and ministerial-level agencies and propose to bring the decree formulation proposals up for discussion at meetings of the Government.

4. The Government shall consider and approve a decree formulation proposal at a meeting of the Government in the following order:

a/ A representative of the ministry or ministerial-level agency presents the report on the decree formulation proposal;

b/ A representative of the Ministry of Justice presents the appraisal report;

c/ Representatives of agencies and organizations that attend the meeting present their opinions;

d/ The Government discusses;

dd/ The Government casts votes on the decree formulation proposal.

5. Based on the Government's discussion and approval of the decree formulation proposal, the Government Office shall assume the prime responsibility for, and coordinate with the Ministry of Justice and the agency proposing decree formulation in, drafting a resolution on the proposal for formulating government decree and submit it to the Prime Minister for consideration and signing.

Article 90. Tasks of the agency in charge of drafting a decree

1. The agency in charge of drafting a decree must be responsible to the Government for the contents, quality and schedule of drafting the decree.

2. The agency in charge of drafting a decree has the following tasks:

a/ To organize the drafting based on the policies approved by the Government, for the decrees defined in Clauses 2 and 3, Article 19 of this Law; to ensure the consistency of the detailing documents with the detailed document. In case of detailing policies which have been prescribed in laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, or orders and decisions of the President, to assess the impacts of these policies, for the decrees defined in Clause 1, Article 19 of this Law;

b/ When necessary, the ministry or ministerial-level agency may establish a Drafting Board. The head of the Drafting Board must be the head or deputy head of the ministry or ministerial-level agency, while other

members must be representatives of the agency in charge of drafting and related agencies and organizations, specialists and scientists who are conversant with specialized issues of the draft decree and able to participate in all activities of the Drafting Board; to ensure conditions for activities of the Drafting Board;

c/ To collect, study and accept opinions and revise the draft decree; to make a report on the draft decree and a report on the giving of explanations to and acceptance of collected opinions and post these reports on the portals of the Government and agency in charge of drafting.

Article 91. Collection of opinions on draft decrees

In the course of drafting a decree, the agency in charge of drafting shall collect opinions from subjects directly affected by the decree, and ministries, ministerial-level agencies and government-attached agencies as prescribed in Clauses 1, 2, 3 Article 57 of this Law.

Article 92. Appraisal of draft decrees

1. The Ministry of Justice shall appraise a draft decree before submitting it to the Government.

If the draft decree is complicated and involves various sectors or fields or is drafted by the Ministry of Justice, the Minister of Justice shall establish an appraisal council which must consist of representatives of related agencies and organizations, specialists and scientists.

2. A dossier sent for appraisal must comprise:

a/ A report on the draft decree to the Government;

b/ The draft decree;

c/ A report on summarization, giving of explanations to and acceptance of opinions of agencies, organizations and individuals and subjects directly affected by the decree; and photocopies of written opinions of ministries, ministerial-level agencies and government-attached agencies;

d/ A written assessment of administrative procedures in the draft decree, if the draft decree establishes administrative procedures; and a report on integration of gender equality issues, if the draft decree contains any provisions related to gender equality;

dd/ Other documents (if any).

The documents specified at Points a and b of this Clause shall be sent in writing, while other documents may be sent electronically.

3. The appraisal must focus on:

a/ Constitutionality, legality and uniformity of the draft decree with the legal system; the compatibility of the draft decree with relevant treaties to which the Socialist Republic of Vietnam is a contracting party;

b/ Consistency of the draft decree with the detailed document, for the decrees defined in Clause 1, Article 19 of this Law; the consistency of the draft decree with approved policies in the decree formulation proposal, for the decrees defined in Clauses 2 and 3, Article 19 of this Law;

c/ Necessity, reasonability and compliance cost of administrative procedures in the draft decree, if the draft decree establishes administrative procedures; and integration of gender equality issues in the draft decree, if the draft decree contains any provisions related to gender equality;

d/ Necessary human and financial resources to ensure the implementation of the decree;

dd/ Language and drafting techniques and process.

4. When necessary, the appraising agency may request the agency in charge of drafting to report the issues related to the draft decree; and conduct surveys into these issues by itself or in coordination with the agency in charge of drafting. The agency in charge of drafting shall provide information and documents serving the appraisal of the draft decree.

5. The appraisal report must contain opinions of the appraising agency on the issues specified in Clause 3 of this Article and whether or not the draft decree is satisfactory for submission to the Government.

The appraisal report shall be sent to the agency in charge of drafting within 15 days after the appraising agency receives a complete dossier for appraisal.

6. The agency in charge of drafting shall study, give explanations to and accept appraisal opinions to revise and complete the draft decree, and send a report on such explanation and acceptance together with the revised draft decree to the appraising agency when submitting the draft decree to the Government.

Article 93. Dossier of a draft decree to be submitted to the Government

1. A report on the draft decree to the Government.

2. The draft decree.

3. An appraisal report and a report on the giving of explanations to and acceptance of appraisal opinions.

4. A report on summarization, giving of explanations to and acceptance of opinions of agencies, organizations and individuals and subjects directly affected by the decree.

5. A written assessment of administrative procedures in the draft decree, if the draft decree establishes administrative procedures; and a report on integration of gender equality issues, if the draft decree contains any provisions related to gender equality;

6. The resolution of the Government approving the policies in the decree formulation proposal, for the decrees defined in Clauses 2 and 3, Article 19 of this Law.

7. Other documents (if any).

The documents specified in Clauses 1, 2 and 3 of this Article shall be sent in writing, while other documents may be sent electronically.

Article 94. Revision and finalization of draft decrees before submission to the Government

If there are different opinions among ministries, ministerial-level agencies and government-attached agencies on major issues of a draft decree, the Minister-Chairperson of the Government Office shall convene a meeting with representatives of leaders of the agency in charge of drafting, the Ministry of Justice and related ministries, ministerial-level agencies and government-attached agencies to discuss these issues before submitting the draft decree to the Government for consideration and decision. Based on the opinions given at the meeting, the agency in charge of drafting shall coordinate with related agencies in further revising and completing the draft decree for submission to the Government.

Article 95. Collection of opinions from the Standing Committee of the National Assembly on promulgation of decrees

1. Before promulgating a decree defined in Clause 3, Article 19 of this Law, the Government shall submit it to the Standing Committee of the National Assembly for opinion.

2. A dossier to be submitted to the Standing Committee of the National Assembly must comprise:

a/ A Government's report on the promulgation of the decree, which specifies the necessity, basic policies and main contents of the draft decree; scope and subjects of regulation of the decree; issues that need opinions and issues that remain controversial;

b/ The draft decree;

c/ A report on assessment of impacts of the decree;

d/ A report on implementation of laws or assessment of social relationships related to the main contents of the draft decree;

dd/ An appraisal report and a report on giving of explanations to and acceptance of appraisal opinions;

e/ Other documents (if any).

3. The draft decree shall be verified by the Ethnic Council or Committees of the National Assembly before being submitted to the Standing Committee of the National Assembly for consideration and opinion.

4. The Standing Committee of the National Assembly shall consider, give opinions and decide to permit the promulgation of the decree.

5. The Government shall accept opinions of the Standing Committee of the National Assembly.

Article 96. Order of considering and approving a draft decree

The Government shall consider and approve a draft decree in the following order:

1. A representative of the agency in charge of drafting presents the draft decree;

2. A representative of the Ministry of Justice presents opinions on the giving of explanations to and acceptance of appraisal opinions;

3. A representative of the Government Office raises issues to be discussed;

4. Representatives of agencies and organizations that attend the meeting present their opinions;

5. The Government discusses.

The agency in charge of drafting shall coordinate with the Ministry of Justice, the Government Office and related agencies in revising the draft decree according to opinions of the Government;

6. The Government votes on the draft decree.

If the draft decree is yet to be approved, the Prime Minister shall direct the revision and set a deadline for the re-submission of the draft decree and assign the agency in charge of drafting to complete the draft decree for submission to the Government for consideration and approval.

7. The Prime Minister signs the decree.

Section 3

FORMULATION AND PROMULGATION OF DECISIONS OF THE PRIME MINISTER

Article 97. Tasks of agencies in charge of drafting decisions of the Prime Minister

1. A ministry or ministerial-level agency shall take charge of drafting a decision of the Prime Minister as assigned by the Prime Minister.

2. The agency assigned to take charge of drafting has the following tasks:

a/ To review the implementation of laws; to survey and assess social relationships; to study information, materials and relevant treaties to which the Socialist Republic of Vietnam is a contracting party;

b/ To assess impacts of each policy in the draft decision, specifying issues to be solved; purposes of the policies; solutions for implementation of the policies; positive and negative impacts of the policies; costs and benefits of solutions; comparison of costs and benefits of solutions; selected solution and reason for such selection; to assess impacts of administrative procedures and gender (if any);

c/ To organize the drafting of the decision with the participation of representatives of the Ministry of Justice, the Government Office and related agencies and organizations; to mobilize fully qualified specialists and scientists to participate in the drafting process;

d/ To collect opinions from the subjects directly affected by the policies in the draft decision and from related agencies and organizations; to identify issues that need opinions as suitable to each consulted entity and the address for receipt of opinions; to post the entire draft decision on the portals of the Government and agency in charge of drafting for at least 60 days for public opinion.

In case of collecting opinions in writing, depending on the characteristics and contents of the draft decision, the agency in charge of drafting shall send written requests for opinions to ministries, ministerial-level agencies and government-attached agencies. Consulted agencies shall give written replies within 20 days after receiving the written requests.

The Ministry of Finance shall present opinions on financial resources; the Ministry of Home Affairs shall present opinions on human resources; the Ministry of Foreign Affairs shall present opinions on compatibility of the draft decision with relevant treaties to which the Socialist Republic of Vietnam is a contracting party; the Ministry of Justice shall present opinions on the constitutionality, legality and uniformity of the draft decision with the legal system;

dd/ To summarize, study, give explanations to and accept the collected opinions; to post the explanation, acceptance and revision report on the portals of the Government and agency in charge of drafting.

Article 98. Appraisal of draft decisions of the Prime Minister

1. The Ministry of Justice shall appraise a draft decision of the Prime Minister before submitting it to the Prime Minister.

If the draft decision is complicated and involves various fields or sectors or is drafted by the Minister of Justice, the Minister of Justice shall establish an appraisal council which must consist of representatives of related organizations and agencies, specialists and scientists.

2. A dossier sent for appraisal must comprise:

a/ A report on the draft decision to the Prime Minister;

b/ The draft decision;

c/ A report on summarization, giving of explanations to and acceptance of opinions of agencies, organizations and individuals and subjects directly affected by the decision; and photocopies of written opinions of ministries, ministerial-level agencies and government-attached agencies;

d/ A written assessment of administrative procedures, if the draft decision establishes administrative procedures; and a report on integration of gender equality issues if the draft decision has provisions concerning gender equality;

dd/ Other documents (if any).

The documents specified at Points a and b of this Clause shall be sent in writing, while other documents may be sent electronically.

3. The appraisal must focus on:

a/ Subjects and scope of regulation of the draft decision, necessity of the decision, for the decisions defined in Article 20 of this Law;

b/ Conformity of the draft decision with the line and policies of the Party and policies of the State;

c/ Constitutionality, legality and consistency of the draft decision with the legal system; the compatibility of the draft decision with relevant treaties to which the Socialist Republic of Vietnam is a contracting party;

d/ Necessity, reasonability and compliance cost of administrative procedures in the draft decision, if the draft decision has provisions on administrative procedures; and integration of gender equality issues in the draft decision, if the draft decision has provisions concerning gender equality;

dd/ Necessary human and financial resources to ensure the implementation of the decision;

e/ Language and drafting techniques and process of the decision.

4. When necessary, the appraising agency shall request the agency in charge of drafting to report issues related to the draft decision; and conduct

surveys into issues of the draft decision by itself or in coordination with the agency in charge of drafting. The agency in charge of drafting shall provide information and documents serving the appraisal of the draft decision.

5. The appraisal report must contain opinions of the appraising agency on the issues specified in Clause 1 of this Article and whether or not the draft decision is satisfactory for submission to the Prime Minister.

The appraisal report shall be sent to the agency in charge of drafting within 15 days after the receipt of a complete dossier for appraisal.

6. The agency in charge of drafting shall study, give explanations to and accept appraisal opinions to revise and complete the draft decision, and send a report on such explanation and acceptance together with the revised draft decision to the appraising agency when submitting the draft decision to the Prime Minister.

Article 99. Dossier of a draft decision to be submitted to the Prime Minister

1. A report on the draft decision.
2. The draft decision revised based on appraisal opinions.
3. An appraisal report; and a report on giving of explanations to and acceptance of appraisal opinions.
4. A report on assessment of impacts of policies in the draft decision.
5. A report on summarization, giving of explanations to and acceptance of opinions of agencies, organizations and individuals.
6. Other documents (if any).

The documents specified in Clauses 1, 2 and 3 of this Article shall be sent in writing, while other documents may be sent electronically.

Article 100. Examination and processing of dossiers and submission of decisions of the Prime Minister for signing and promulgation

1. Within 10 days after receiving a complete dossier of a draft decision, the Government Office shall check the dossier. If there remain different opinions among ministries, ministerial-level agencies and government-attached agencies on major issues of the draft decision, the Minister-Chairperson of the Government Office shall convene a meeting with representatives of leaders of the agency in charge of drafting, the Ministry of Justice and related ministries, ministerial-level agencies and government-attached agencies to discuss these issues before submitting the draft decision to the Prime Minister for consideration and decision.

Based on the opinions given at the meeting, the agency in charge of drafting shall coordinate with related agencies in further revising and completing the draft decision in order to be submitted to the Prime Minister.

If the Prime Minister gives opinions on the draft decision, the agency in charge of drafting shall assume the prime responsibility for, and coordinate with the Ministry of Justice and the Government Office in, revising and completing the draft decision for submission to the Prime Minister for signing and promulgation.

2. The Prime Minister shall consider and sign the decision.

Section 4

FORMULATION AND PROMULGATION OF CIRCULARS OF MINISTERS AND HEADS OF MINISTERIAL-LEVEL AGENCIES

Article 101. Drafting of circulars

1. Ministers or heads of ministerial-level agencies shall direct the formulation and promulgation of circulars; and assign units attached to ministries or ministerial-level agencies to assume the prime responsibility for, and coordinate with the legal organizations, if the legal organizations are not in charge of drafting, and related units in, drafting circulars.

2. In the process of drafting a circular, the ministry or ministerial-level agency shall collect opinions from subjects directly affected by the circular; identify issues that need opinions as suitable to each consulted group and the address for receipt of opinions; and post the entire draft circular on the portals of the Government and ministry or ministerial-level agency for at least 60 days.

Depending on the characteristics and contents of the draft circular, the ministry or ministerial-level agency may collect opinions of other ministries and ministerial-level agencies, government-attached agencies, provincial-level People's Councils and People's Committees, other agencies and organizations, specialists and scientists. The consulted agencies and organizations shall give written replies within 20 days after receiving the request for opinion.

3. The assigned drafting unit shall coordinate with related units in studying and accepting opinions to complete the draft circular.

Article 102. Appraisal of draft circulars

1. The legal organization attached to the ministry or ministerial-level agency shall appraise the draft circular before submitting it to the minister or head of the ministerial-level agency.

If the circular contains provisions that directly affect the rights, obligations, and interests of people and enterprises, involves multiple fields or

sectors, or is drafted by the legal organization, the minister or head of the ministerial-level agency shall establish an advisory council for appraisal which shall be joined by related agencies, organizations and units, specialists and scientists.

2. A dossier sent for appraisal must comprise:

a/ A report on the draft circular;

b/ The draft circular;

c/ A report on summarization, giving of explanations to and acceptance of opinions of agencies, organizations and individuals and subjects directly affected by the circular; photocopies of written opinions;

d/ A report on impact assessment; a written assessment of administrative procedures if the establishment of administrative procedures is assigned by law; and a report on integration of gender equality issues (if any);

dd/ Other documents (if any).

The documents specified at Points a and b of this Clause shall be sent in writing, while other documents may be sent electronically.

3. The appraisal must focus on:

a/ Necessity of the circular; subjects and scope of regulation of the circular;

b/ Conformity of the draft circular with the line and policies of the Party and the policies of the State;

c/ Constitutionality, legality and consistency of the draft circular with the legal system; and compatibility of the draft circular with relevant treaties to which the Socialist Republic of Vietnam is a contracting party;

d/ Necessity, reasonability and compliance cost of administrative procedures in the draft circular, if the draft circular establishes any administrative procedures; and integration of gender equality issues in the draft circular, if the draft circular contains provisions relating to gender equality;

dd/ Necessary human and financial resources to ensure the implementation of the circular;

e/ Language, drafting techniques and process of the circular.

4. The appraisal report must contain opinions of the legal organization on the issues specified in Clause 3 of this Article.

The appraisal report shall be sent to the agency in charge of drafting within 10 days after the receipt of a complete dossier for appraisal.

5. The assigned drafting unit shall coordinate with related units in studying and accepting the appraisal opinions to revise the draft circular.

Article 103. Dossier of a draft circular to be submitted to a minister or the head of a ministerial-level agency

1. A report on the draft circular to the minister or head of the ministerial-level agency.

2. The draft circular.

3. An appraisal report; and a report on the acceptance and receipt of appraisal opinions.

4. A report on summarization, giving of explanations to and acceptance of opinions of agencies, organizations and individuals and subjects directly affected by the draft circular.

5. A report on impact assessment; a written assessment of administrative procedures, if the establishment of administrative procedures is assigned by law; and a report on integration of gender equality (if any);

6. Other documents (if any).

The documents specified in Clauses 1, 2 and 3 of this Article shall be sent in writing, while other documents may be sent electronically.

Article 104. Order of considering and signing a circular

1. The unit in charge of drafting shall report on the draft circular to the minister or head of the ministerial-level agency.

If there remain different opinions among units on the draft circular, the legal organization shall assume the prime responsibility for, and coordinate with related units in, reaching agreement before submitting the draft circular to the minister or head of the ministerial-level agency.

Based on opinions presented at this meeting, the unit in charge of drafting shall coordinate with the legal organization and related units in revising and completing the draft circular for submission to the minister or head of the ministerial-level agency.

2. The minister or head of the ministerial-level agency considers and signs the circular.

Chapter VI

FORMULATION AND PROMULGATION OF LEGAL DOCUMENTS OF THE JUDICIAL COUNCIL OF THE SUPREME PEOPLE'S COURT, THE CHIEF JUSTICE OF THE SUPREME PEOPLE'S COURT, THE PROCURATOR GENERAL OF THE SUPREME PEOPLE'S PROCURACY, AND THE STATE AUDITOR GENERAL

Article 105. Formulation and promulgation of resolutions of the Judicial Council of the Supreme People’s Court

1. The drafting of resolutions of the Judicial Council of the Supreme People’s Court shall be organized and directed by the Chief Justice of the Supreme People’s Court.

2. The draft resolution shall be posted on the portals of the Government and the Supreme People’s Court for at least 60 days for public opinion.

The draft resolution shall be sent to the Supreme People’s Procuracy, the Ministry of Justice, related ministries and ministerial-level agencies, Vietnam Lawyers Association and the Vietnam Bar Federation for opinion.

3. The Chief Justice of the Supreme People’s Court shall direct the acceptance of collected opinions on the draft resolution.

4. The Chief Justice of the Supreme People’s Court shall establish an advisory council to appraise the draft resolution of the Judicial Council of the Supreme People’s Court, which shall be joined by the Supreme People’s Procuracy, the Ministry of Justice, related agencies, organizations and units, specialists and scientists.

5. The draft resolution shall be discussed at the meeting of the Judicial Council of the Supreme People’s Court which shall be attended by the Procurator General of the Supreme People’s Procuracy and the Minister of Justice.

6. The Judicial Council of the Supreme People’s Court shall hold a meeting to approve the draft resolution.

If the Procurator General of the Supreme People’s Procuracy or the Minister of Justice disagrees with the resolution of the Judicial Council of the Supreme People’s Court, he/she is entitled to report it to the Standing Committee of the National Assembly for consideration and opinion at the nearest session.

7. The Chief Justice of the Supreme People’s Court shall sign resolutions of the Judicial Council of the Supreme People’s Court.

Article 106. Formulation and promulgation of circulars of the Chief Justice of the Supreme People’s Court

1. The drafting of circulars of the Chief Justice of the Supreme People’s Court shall be organized and directed by the Chief Justice of the Supreme People’s Court.

2. The assigned drafting unit shall review the implementation of laws concerning the draft circular; study relevant information and materials; prepare an outline of, write and revise the draft circular; organize collection of opinions; and prepare a report on the draft circular and relevant documents.

The draft circular shall be posted on the portal of the Supreme People's Court for at least 60 days for public opinion.

Depending on the characteristics and contents of the draft circular, the Chief Justice of the Supreme People's Court shall decide to send it to local people's courts, military courts and related agencies and organizations for opinion.

3. The Judicial Council of the Supreme People's Court shall discuss and give opinions on the draft circular of the Chief Justice of the Supreme People's Court.

4. The Chief Justice of the Supreme People's Court shall direct the acceptance of collected opinions, and consider and sign the circular.

Article 107. Formulation and promulgation of circulars of the Procurator General of the Supreme People's Procuracy

1. The drafting of circulars of the Procurator General of the Supreme People's Procuracy shall be organized and directed by the Procurator General of the Supreme People's Procuracy.

2. The assigned drafting unit shall review the implementation of laws concerning the draft circular; study relevant information and materials; prepare an outline of, and write and revise the draft circular; organize collection of opinions; and prepare a report on the draft circular and relevant documents.

The draft circular shall be posted on the portal of the Supreme People's Procuracy for at least 60 days for public opinion.

Depending on the characteristics and contents of the draft circular, the Procurator General of the Supreme People's Procuracy shall decide to send the draft circular to local people's procuracies, military procuracies and related agencies and organizations for opinion.

3. The Procuracy Committee of the Supreme People's Procuracy shall discuss and present opinions on the draft circular of the Procurator General of the Supreme People's Procuracy.

4. The Procurator General of the Supreme People's Procuracy shall direct the acceptance of collected opinions, and consider and sign the circular.

Article 108. Formulation and promulgation of decisions of the State Auditor General

1. The drafting of decisions of the State Auditor General shall be organized and directed by the State Auditor General.

2. The draft decision shall be posted on the portal of the State Audit Office of Vietnam for at least 60 days for public opinion.

3. Depending on the characteristics and contents of the draft decision, the State Auditor General shall decide to send the draft decision to related agencies and organizations for opinion.

4. The State Auditor General shall direct the acceptance of collected opinions, and consider and sign the decision.

Chapter VII

FORMULATION AND PROMULGATION OF JOINT LEGAL DOCUMENTS

Article 109. Formulation and promulgation of joint resolutions

1. The Standing Committee of the National Assembly or the Government shall assign the agency in charge of drafting a joint resolution between the Standing Committee of the National Assembly or the Government and the Presidium of the Central Committee of the Vietnam Fatherland Front.

2. The agency in charge of drafting shall organize the drafting.

3. While drafting the joint resolution, the agency in charge of drafting shall collect opinions from agencies, organizations and individuals under Clauses 1, 2 and 3, Article 57 of this Law.

4. Before being promulgated, the draft joint resolution between the Standing Committee of the National Assembly and the Presidium of the Central Committee of the Vietnam Fatherland Front shall be verified by the Ethnic Council and Committees of the National Assembly; and the draft joint resolution between the Government and the Presidium of the Central Committee of the Vietnam Fatherland Front shall be appraised by the Ministry of Justice.

The appraisal dossier and contents must comply with Clauses 2 and 3, Article 58; the verification dossier and contents must comply with Clause 1, Article 64, and Article 65, of this Law.

5. The agency in charge of drafting shall accept collected opinions to revise the draft resolution.

6. The draft joint resolution shall be approved if it is agreed upon by the agencies and organizations competent to promulgate joint resolutions.

The Chairperson of the National Assembly or the Prime Minister and the President of the Central Committee of the Vietnam Fatherland Front shall sign the joint resolution.

Article 110. Formulation and promulgation of joint circulars

1. The Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy and ministers or heads of ministerial-level agencies shall reach agreement and assign agencies in charge

of drafting joint circulars between the Chief Justice of the Supreme People’s Court and the Procurator General of the Supreme People’s Procuracy, or joint circulars between the Chief Justice of the Supreme People’s Court or the Procurator General of the Supreme People’s Procuracy and ministers or heads of ministerial-level agencies.

2. The agency in charge of drafting shall organize the drafting.

3. The draft joint circulars shall be posted on the portal of the agency in charge of drafting for at least 60 days for public opinion.

The draft joint circulars between the Chief Justice of the Supreme People’s Court and the Procurator General of the Supreme People’s Procuracy; and draft joint circulars between ministers or heads of ministerial-level agencies and the Chief Justice of the Supreme People’s Court or the Procurator General of the Supreme People’s Procuracy shall be put up for opinion from members of the Judicial Council of the Supreme People’s Court and members of the Procuracy Committee of the Supreme People’s Procuracy.

4. The agency in charge of drafting shall study collected opinions to revise the draft joint circular.

5. The draft joint circular shall be approved if it is agreed upon by the agencies competent to promulgate joint circulars.

The Chief Justice of the Supreme People’s Court, the Procurator General of the Supreme People’s Procuracy, the minister or the head of the ministerial-level agency shall sign the joint circular.

Chapter VIII

FORMULATION AND PROMULGATION OF RESOLUTIONS OF PROVINCIAL-LEVEL PEOPLE’S COUNCILS

Article 111. Resolution formulation proposals

1. Pursuant to legal documents of superior state agencies, provincial-level People’s Committees, departments of provincial-level People’s Councils, and provincial-level Vietnam Fatherland Front Committees shall make proposals for formulation of resolutions of the People’s Councils themselves or at the request of agencies, organizations or deputies of the People’s Councils to detail issues assigned in legal documents of superior state agencies or to perform the tasks and powers of provincial-level People’s Councils.

2. The proposal for formulation of a resolution of the provincial-level People’s Council shall be sent to the Standing Body of the People’s Council for consideration and decision.

3. If the proposal for formulation of a resolution of the provincial-level People's Council has the contents prescribed in Clauses 2, 3 and 4, Article 27 of this Law, it must comply with Articles 112 thru 116 of this Law before being submitted to the Standing Body of the People's Council.

Article 112. Tasks of agencies proposing resolution formulation

1. To review the implementation of laws or assess current legal documents related to the resolution formulation proposal; to survey and assess social relationships relevant to the main contents of the draft resolution.

When necessary, to request related agencies and organizations to review and assess the implementation of legal documents concerning their fields that are related to the draft resolution.

2. To study information, materials and relevant treaties to which the Socialist Republic of Vietnam is a contracting party. When necessary, to request related agencies, organizations and individuals to provide documents and information related to the draft resolution.

3. To develop policies in the resolution formulation proposal; to assess the impacts of such policies; to anticipate necessary resources and conditions for ensuring the implementation of the resolution after it is passed by the People's Council.

4. To prepare a dossier of resolution formulation proposal as prescribed in Article 114 of this Law.

5. To collect opinions from related agencies and organizations on the resolution formulation proposal; to summarize, study, give explanations to and accept the collected opinions.

Article 113. Collection of opinions on resolution formulation proposals

1. The agency that makes the resolution formulation proposal shall collect opinions from the subjects directly affected by the policies in the proposal and from related agencies and organizations; identify issues that need opinions as suitable to each consulted group and the address for receipt of opinions; and post the entire dossier of resolution formulation proposal on the portal of the province or centrally run city for at least 30 days for public opinion.

Apart from the posting as prescribed in this Clause, opinions may be collected by asking directly, sending the draft resolution, holding meetings, or using the media.

2. The agency that collects opinions from subjects directly affected by the draft resolution shall identify issues that need opinions and give these subjects at least 10 days to provide their opinions. When necessary, the

agency that makes the resolution formulation proposal may hold dialogues about the proposed policies with these subjects.

3. The consulted agencies and organizations shall give written replies within 10 days after receiving the request for opinion on the resolution formulation proposal.

Article 114. Dossier of resolution formulation proposal

1. A report on the resolution formulation proposal, which must specify the necessity of the resolution; purposes and viewpoints on the resolution formulation; scope and subjects of regulation of the resolution; purposes and contents of policies in the draft resolution and solutions for implementation of selected policies; intended time for proposing the People's Council to consider and pass the resolution; and anticipated resources and conditions for implementation of the resolution.

2. A written assessment of impacts of each policy in the resolution formulation proposal, which must specify issues to be solved; purposes of the policies; solutions for implementation of the policies; positive and negative impacts of the policies; costs and benefits of solutions; comparison of costs and benefits of solutions; selected solution and reason for such selection; and identification of gender-related issues and gender-related impacts of the policies.

3. A review report on implementation of laws or assessment of issues related to the policies.

4. A report on summarization, giving of explanations to and acceptance of opinions of agencies, organizations and individuals and subjects directly affected by the draft resolution; and photocopies of written opinions.

5. The outline of the draft resolution.

6. Other documents (if any).

Article 115. Appraisal of proposals for formulation of resolutions to be submitted by provincial-level People's Committees

1. The provincial-level Department of Justice shall assume the prime responsibility for, and coordinate with the provincial-level Department of Finance and Department of Home Affairs and related agencies and organizations in, appraising the resolution formulation proposal.

2. A dossier of resolution formulation proposal for appraisal must comprise the documents specified in Article 114 of this Law.

The documents specified in Clauses 1 and 2, Article 114 of this Law shall be sent in writing, while other documents may be sent electronically.

3. The resolution formulation proposal shall be appraised within 15 days from the date of receipt of a complete dossier. The appraisal contents must comply with Clause 3, Article 39 of this Law.

4. The appraisal report must contain opinions of the provincial-level Department of Justice about the appraisal contents specified in Clause 3 of this Article and whether or not the resolution formulation proposal is satisfactory to be submitted to the provincial-level People's Committee for consideration and decision.

5. The appraisal report shall be sent to the agency proposing the resolution formulation within 10 days from the end of the appraisal. The agency making the resolution formulation proposal shall give explanations to and accept the appraisal opinions to revise the resolution formulation proposal and send an explanation and acceptance report together with the revised resolution formulation proposal to the provincial-level Department of Justice when submitting the draft resolution to the provincial-level People's Committee.

Article 116. Adoption of policies in resolution formulation proposals

1. For proposals for formulation of resolutions to be submitted by the provincial-level People's Committee, the People's Committee shall consider, discuss collectively and cast votes to adopt by vote of majority the policies in each proposal.

2. If the resolution formulation proposal is made by another agency or organization as prescribed in Article 111 of this Law, such agency or organization shall adopt the policies in the proposal.

Article 117. Submission of resolution formulation proposals

1. The agency or organization specified in Clause 1, Article 111 of this Law shall submit a dossier of resolution formulation proposal to the Standing Body of the provincial-level People's Council.

2. A dossier of resolution formulation proposal specified in Clause 1, Article 27 of this Law must comprise:

a/ A report on the resolution formulation proposal;

b/ A written description of bases for promulgation of the resolution; subjects and scope of regulation of the resolution; principal contents of the resolution; intended time for proposing the People's Council to consider and pass the resolution; and anticipated resources and conditions for implementation of the resolution.

3. A dossier of resolution formulation proposal specified in Clause 2, 3 or 4, Article 27 of this Law must comprise:

a/ The documents specified in Article 114 of this Law;

b/ The provincial-level Department of Justice's report on appraisal of the resolution formulation proposal;

c/ The decision adopting the policies in the proposal, issued by a competent agency prescribed in Article 116 of this Law.

Article 118. Assignment of agencies or organizations in charge of drafting resolutions

The Standing Body of the provincial-level People's Council shall consider the resolution formulation proposal; if approving the proposal, it shall assign an agency or organization to submit the draft resolution and decide on the deadline for submitting the draft resolution to the provincial-level People's Council; the submitting agency shall assign an agency or organization to take charge of drafting and agency(ies) to coordinate in drafting the resolution.

Article 119. Tasks of agencies or organizations in charge of drafting resolutions

1. To organize the drafting of the resolution, ensuring the conformity of the draft resolution with provisions in the legal document to be detailed, for the resolutions specified in Clause 1, Article 27 of this Law, and the consistency of the draft resolution with approved policies, for the resolutions specified in Clauses 2, 3 and 4, Article 27 of this Law.

2. To collect, study and accept opinions and revise the draft resolution; to make a report on the draft resolution and a report the giving of explanations to and acceptance of collected opinions and other documents; to post these documents on the portal of the province or centrally run city.

Article 120. Collection of opinions on draft resolutions

1. A draft resolution of a provincial-level People's Council shall be posted in full on the portal of the province or centrally run city for at least 30 days for public opinion.

2. The agency in charge of drafting shall collect opinions from related agencies and organizations.

In case of collecting opinions from subjects directly affected by the resolution, the opinion-collecting agency shall identify issues that need opinions and give these subjects at least 30 days to provide their opinions.

3. The consulted agencies and organizations shall give written replies within 10 days after receiving the draft resolution.

Article 121. Appraisal of draft resolutions submitted by provincial-level People's Committees

1. A draft resolution of a provincial-level People's Council which is submitted by the provincial-level People's Committee shall be appraised by the provincial-level Department of Justice before being submitted to the People's Committee.

When necessary, the provincial-level Department of Justice shall request the agency in charge of drafting to report issues related to the draft resolution; and conduct surveys into issues of the draft resolution by itself or in coordination with the agency in charge of drafting. The agency in charge of drafting shall provide information and documents serving the appraisal of the draft resolution.

If the draft resolution involves various fields or sectors or is drafted by the provincial-level Department of Justice, the Director of the provincial-level Department of Justice shall form an advisory council for appraisal which must consist of representatives of related agencies and organizations, specialists and scientists.

The agency in charge of drafting shall send a dossier of the draft resolution to the provincial-level Department of Justice for appraisal at least 20 days before the People's Committee holds a meeting.

2. A dossier sent for appraisal must comprise:

a/ A report on the draft resolution to the People's Committee;

b/ The draft resolution;

c/ A report on summarization, giving of explanations to and acceptance of collected opinions; and photocopies of written opinions;

d/ Other documents (if any).

The documents specified at Points a and b of this Clause shall be sent in writing, while other documents may be sent electronically.

3. Appraisal contents include:

a/ Scope and subjects of regulation of the draft resolution;

b/ Constitutionality, legality and consistency of the draft resolution with the legal system;

c/ Consistency of the draft resolution with provisions in the document to be detailed by the People's Council, and with policies in the resolution formulation proposal which have been approved under Article 116 of this Law;

d/ Language, drafting techniques and process of the resolution.

4. The appraisal report must contain opinions of the appraising agency on issues specified in Clause 3 of this Article and whether or not the draft resolution is satisfactory to be submitted to the People's Committee.

The appraisal report shall be sent to the agency in charge of drafting within 10 days from the date the provincial-level Department of Justice receives a complete dossier for appraisal.

5. The agency in charge of drafting shall give explanations to and accept appraisal opinions to revise and complete the draft resolution, send a report on such explanation and acceptance together with the revised draft resolution to the provincial-level Department of Justice when submitting the draft resolution to the People's Committee.

Article 122. Dossiers of draft resolutions submitted to provincial-level People's Committees

1. A dossier of a draft resolution submitted to the provincial-level People's Committee must comprise:

a/ A report on the draft resolution to the provincial-level People's Committee;

b/ The draft resolution;

c/ A report on appraisal and a report on the giving of explanations to and acceptance of appraisal opinions;

d/ A report on summarization, giving of explanations to and acceptance of collected opinions;

dd/ Other documents (if any).

The documents specified at Points a, b and c of this Clause shall be sent in writing, while other documents may be sent electronically.

2. The agency in charge of drafting shall send the dossier of the draft resolution to the People's Committee for forwarding to members of the People's Committee at least 3 working days before the date the People's Committee holds a meeting.

Article 123. Responsibilities of provincial-level People's Committees for draft resolutions of provincial-level People's Councils

1. The provincial-level People's Committee that submits the draft resolution shall consider, discuss collectively, cast votes and decide by vote of majority on the submission of such draft resolution to the provincial-level People's Council.

2. If the draft resolution is submitted by another agency or organization, the People's Committee shall give opinions in writing.

At least 25 days before the opening date of the People's Council session, the agency or organization submitting the draft resolution shall send the report on the draft resolution, the draft resolution and relevant documents to the provincial-level People's Committee for opinion.

At least 20 days before the opening date of the People's Council session, the People's Committee shall send written opinions to the agency or organization submitting the draft resolution.

Article 124. Verification of draft resolutions of provincial-level People's Councils

1. A draft resolution of a provincial-level People's Council shall be verified by a board of the provincial-level People's Council before being submitted to the People's Council.

2. At least 15 days before the opening date of the People's Council session, the agency submitting the draft resolution shall send a dossier of the draft resolution to the board of the People's Council that is assigned with the verification task for verification. A dossier sent for verification must comprise:

a/ A report on the draft resolution to the People's Council;

b/ The draft resolution;

c/ An appraisal report and a report on the giving of explanations to and acceptance of appraisal opinions, for draft resolutions submitted by People's Committees; opinions of the People's Committee and a report on the giving of explanations to and acceptance of opinions of the People's Committee, for draft resolutions submitted by boards of the People's Councils or provincial-level Vietnam Fatherland Front Committees;

d/ A report on summarization, giving of explanations to and acceptance of collected opinions; and photocopies of written opinions;

dd/ Other documents (if any).

The documents specified at Points a, b and c of this Clause shall be sent in writing, while other documents may be sent electronically.

3. The verification must focus on:

a/ Contents of the draft resolution and controversial issues;

b/ Conformity of the draft resolution with the line and policies of the Party and policies of the State;

c/ Suitability of the draft resolution to the local socio-economic development situation and conditions;

d/ Constitutionality, legality and consistency of the draft resolution with the legal system.

4. The verification report must contain the opinions of the verifying agency on the issues specified in Clause 3 of this Article, proposals on revisions, and solutions for settling controversial issues.

The verification report shall be sent to the Standing Body of the People's Council at least 10 days before the opening date of the People's Council session.

Article 125. Dossiers of draft resolutions submitted to provincial-level People's Councils

1. The Standing Body of the provincial-level People's Council shall direct the preparation of a dossier of the draft resolution to be sent to deputies of the People's Council. A dossier of the draft resolution must comprise:

a/ The documents specified in Clause 2, Article 124 of this Law;

b/ The verification report;

c/ Opinions of the provincial-level People's Committee, if the draft resolution is submitted by another agency or organization;

d/ Other documents (if any).

The documents specified at Point a, Clause 2, Article 124 of this Law, and Point b of this Clause shall be sent in writing, while other documents may be sent electronically.

2. A dossier of the draft resolution shall be sent to deputies of the People's Council at least 7 days before the opening date of the People's Council session.

Article 126. Order of considering and approving draft resolutions of provincial-level People's Councils

1. A draft resolution shall be considered and approved at a People's Council session in the following order:

a/ A representative of the agency or organization submitting the draft resolution presents the draft resolution;

b/ A representative of the board of the People's Council that is assigned with the verification task presents the verification report;

c/ The People's Council discusses;

d/ The Standing Body of the provincial-level People's Council directs the board of the People's Council that is assigned with the verification task to assume the prime responsibility for, and coordinate with the agency or organization submitting the draft resolution and provincial-level Department

of Justice in, giving explanations to and accepting opinions on, and revising, the draft resolution;

dd/ The People's Council discusses and casts votes on the draft resolution.

2. The draft resolution shall be passed when it is voted for by more than half of the total number of the People's Council deputies.

3. The Chairperson of the People's Council signs the resolution.

Chapter IX

FORMULATION AND PROMULGATION OF DECISIONS OF PROVINCIAL-LEVEL PEOPLE'S COMMITTEES

Article 127. Proposals for formulation of decisions of provincial-level People's Committees

1. Specialized agencies of provincial-level People's Committees and chairpersons of district-level People's Committees are responsible for proposing formulation of decisions of provincial-level People's Committees.

2. A proposal for formulation of a decision must specify the name, necessity, scope and subjects of regulation and main contents of the decision, intended date of promulgation, and agency in charge of drafting. For a decision to detail issues as assigned, the agency proposing the decision formulation shall review legal documents of central state agencies and resolutions of the provincial-level People's Council to determine the contents and scope of detailing as assigned.

3. The Office of the provincial-level People's Committee shall assume the prime responsibility for, and coordinate with the provincial-level Department of Justice in, considering and examining the decision promulgation proposal and report it to the Chairperson of the provincial-level People's Committee for decision.

Article 128. Drafting of decisions of provincial-level People's Committees

1. The Chairperson of the provincial-level People's Committee shall assign an agency in charge of drafting the decision.

2. The agency in charge of drafting has the following tasks:

a/ To survey and assess social relationships in the locality; to study the line and policies of the Party and policies of the State, documents of superior state agencies, resolutions of the provincial-level People's Council, and documents related to the draft decision;

b/ To draft the decision and make a report on the draft decision;

c/ To assess the impacts of the decision if it contains provisions detailing the policies prescribed in a document of the superior state agency; to assess the impacts of administrative procedures, if assigned by a law, and gender-related impacts (if any);

d/ To summarize, study and accept opinions, and revise and complete the draft decision.

Article 129. Collection of opinions on draft decisions of provincial-level People's Committees

The agency in charge of drafting shall collect opinions from subjects directly affected by the document and from related agencies and organizations under Article 120 of this Law.

Article 130. Appraisal of draft decisions of provincial-level People's Committees

The provincial-level Department of Justice shall appraise the draft decision before submitting it to the provincial-level People's Committee. The time limit, dossier and contents of appraisal and appraisal report must comply with Article 121 of this Law.

Article 131. Dossiers of draft decisions submitted to provincial-level People's Committees

The agency in charge of drafting shall send a dossier of the draft decision to the provincial-level People's Committee at least 3 working days before the date the People's Committee holds a meeting for forwarding to members of the People's Committee. A dossier of the draft decision must comply with Clause 1, Article 125 of this Law.

Article 132. Order of considering and approving draft decisions of provincial-level People's Committees

1. Depending on the characteristics and contents of the draft decision, the Chairperson of the provincial-level People's Committee shall decide on the method for considering and approving the decision. At a meeting of the provincial-level People's Committee, a draft decision shall be considered and approved in the following order:

a/ A representative of the agency in charge of drafting presents the draft decision;

b/ A representative of the provincial-level Department of Justice presents the giving of explanations to and acceptance of appraisal opinions;

c/ A representative of the Office of the provincial-level People's Committee presents opinions;

d/ The provincial-level People's Committee discusses and casts votes on the draft decision.

2. The draft decision shall be approved when it is voted for by more than half of the total number of the provincial-level People's Committee members.

3. The Chairperson of the provincial-level People's Committee signs the decision.

Chapter X

FORMULATION AND PROMULGATION OF LEGAL DOCUMENTS OF DISTRICT-LEVEL PEOPLE'S COUNCILS AND PEOPLE'S COMMITTEES

Article 133. Drafting of resolutions of district-level People's Councils

1. Draft resolutions of district-level People's Councils shall be submitted by district-level People's Committees. Depending on the characteristics and contents of the resolution of the People's Council, the district-level People's Committee shall assign an agency in charge of drafting. The agency in charge of drafting shall draft the resolution and make a report on the draft resolution.

2. Depending on the characteristics and contents of the draft resolution, the agency in charge of drafting shall collect opinions from related agencies and organizations and subjects directly affected by the resolution.

The consulted agencies and organizations shall give written replies within 7 days after receiving the draft resolution.

In case of collecting opinions from subjects directly affected by the resolution, the opinion-collecting agency or organization shall identify issues that need opinions and the address for receipt of opinions, and give these subjects at least 7 days to provide their opinions.

Article 134. Appraisal of draft resolutions of district-level People's Councils

1. The district-level Division of Justice shall appraise the draft resolution of the district-level People's Council before submitting it to the district-level People's Committee.

The agency in charge of drafting shall send a dossier of the draft resolution of the district-level People's Council to the district-level Division of Justice for appraisal at least 10 days before the People's Committee holds a meeting.

2. The time limit, dossier and contents of appraisal and appraisal report must comply with Clauses 2, 3, 4 and 5, Article 121 of this Law.

Article 135. Responsibilities of district-level People's Committees for draft resolutions of district-level People's Councils

1. The district-level People's Committee shall consider, discuss and cast votes on submission of a draft resolution to the district-level People's Council.

2. The district-level People's Committee shall send the report on the draft resolution, the draft resolution and relevant documents to the Standing Board of the People's Council at least 7 days before the opening date of the People's Council session for forwarding to deputies of the People's Council.

Article 136. Verification of draft resolutions of district-level People's Councils

Every draft resolution of a district-level People's Council shall be verified by a board of the district-level People's Council before being submitted to the People's Council. At least 10 days before the opening date of the People's Council session, the People's Committee shall send the draft resolution to the board of the People's Council that is assigned with the verification task. The verification dossier and contents and verification report must comply with Clauses 2, 3 and 4, Article 124 of this Law.

The board of the People's Council that is assigned with the verification task shall send the verification report to the Standing Board of the People's Council at least 7 days before the opening date of the People's Council session for forwarding to deputies of the People's Council.

Article 137. Order of considering and passing draft resolutions of district-level People's Councils

1. A draft resolution shall be considered and passed at a session of the People's Council in the following order:

a/ A representative of the People's Committee presents the draft resolution;

b/ A representative of the board of the People's Council that is assigned with the verification task presents verification report;

c/ The People's Council discusses and casts votes on the draft resolution.

2. The draft resolution shall be passed when it is voted for by more than half of the total number of the People's Council deputies.

3. The Chairperson of the People's Council signs the resolution.

Article 138. Drafting of decisions of district-level People's Committees

1. The Chairperson of the district-level People's Committee shall assign and direct a specialized agency of the People's Committee to draft a decision of the People's Committee. The drafting agency shall draft the decision and make a report on the draft decision.

2. Depending on the characteristics and contents of the draft decision, the drafting agency shall collect opinions from related agencies and organizations and subjects directly affected by the decision.

The consulted agencies and organizations shall give written replies within 7 days after receiving the draft decision.

In case of collecting opinions from subjects directly affected by the decision, the opinion-collecting agency shall identify issues that need opinions and give these subjects at least 7 days to provide their opinions.

Article 139. Appraisal of draft decisions of district-level People's Committees

1. The district-level Division of Justice shall appraise the draft decision of the district-level People's Committee before it is submitted.

At least 10 days before the People's Committee holds a meeting, the drafting agency shall send a dossier of the draft decision to the district-level Division of Justice for appraisal.

2. A dossier sent for appraisal must comprise:

a/ A report on the draft decision to the People's Committee;

b/ The draft decision;

c/ A report on summarization of collected opinions on the draft decision;

d/ Other documents (if any).

3. Appraisal contents and appraisal report must comply with Clauses 3, 4 and 5, Article 121 of this Law.

4. At least 5 days before the People's Committee holds a meeting, the district-level Division of Justice shall send the appraisal report to the drafting agency.

Article 140. Dossiers of draft decisions submitted to district-level People's Committees

1. The drafting agency shall send a dossier of the draft decision to the district-level People's Committee at least 3 working days before the People's Committee holds a meeting for forwarding to members of the People's Committee.

2. A dossier of a draft decision submitted to the People's Committee must comprise:

a/ The documents specified in Clause 2, Article 139 of this Law;

b/ The appraisal report.

The documents specified at Points a and b, Clause 2, Article 139 of this Law and Point b of this Clause shall be sent in writing, while other documents may be sent electronically.

Article 141. Order of considering and approving draft decisions of district-level People's Committees

1. Depending on the characteristics and contents of the draft decision, the Chairperson of the district-level People's Committee shall decide on the method for considering and approving it. At a meeting of the People's Committee, a draft decision shall be considered and approved in the following order:

a/ A representative of the drafting agency presents the draft decision;

b/ A representative of the district-level Division of Justice presents the giving of explanations to and acceptance of appraisal opinions;

c/ The People's Committee discusses and casts votes on the draft decision.

2. The draft decision shall be approved when it is voted for by more than half of the total number of the People's Committee members.

3. The Chairperson of the People's Committee signs the decision.

Chapter XI

FORMULATION AND PROMULGATION OF LEGAL DOCUMENTS OF COMMUNE-LEVEL PEOPLE'S COUNCILS AND PEOPLE'S COMMITTEES

Article 142. Drafting of resolutions of commune-level People's Councils

1. Draft resolutions of commune-level People's Councils shall be drafted and submitted by commune-level People's Committees to the People's Councils.

2. Depending on the characteristics and contents of the draft resolution, the Chairperson of the People's Committee shall organize the collection of opinions from related agencies and organizations, people in villages, hamlets and street quarters on the draft resolution in appropriate forms, and the acceptance of these opinions.

Article 143. Order of considering and passing draft resolutions of commune-level People's Councils

1. Every draft resolution of the commune-level People's Council shall be verified by a board of the commune-level People's Council before being submitted to the commune-level People's Council. The People's Committee shall send the report on the draft resolution, the draft resolution and relevant

documents to deputies of the People's Council at least 3 days before the opening date of the People's Council session.

2. The draft resolution shall be considered and approved at a session of the People's Council in the following order:

a/ A representative of the People's Committee presents the draft resolution;

b/ A representative of the board of the People's Council that is assigned with the verification task presents the verification report;

c/ The People's Council discusses and casts votes on the draft resolution.

3. The draft resolution shall be passed when it is voted for by more than half of the total number of the People's Council deputies.

4. The Chairperson of the People's Council signs the resolution.

Article 144. Drafting of decisions of commune-level People's Committees

1. The Chairperson of the commune-level People's Committee shall organize and direct the drafting of its decisions.

2. Depending on the characteristics and contents of the draft decision, the Chairperson of the commune-level People's Committee shall organize the collection and acceptance of opinions on the draft decision from related agencies and organizations and people in villages, hamlets or street quarters, and revise the draft decision.

Article 145. Order of considering and approving draft decisions of commune-level People's Committees

1. The organization or person assigned with the drafting task shall send the report on the draft decision, the draft decision, the written summarization of collected opinions and relevant documents to members of the commune-level People's Committee at least 3 working days before the People's Committee holds a meeting.

2. The draft decision shall be considered and approved at a meeting of the commune-level People's Committee in the following order:

a/ A representative of the agency or person assigned with the drafting task presents the draft decision;

b/ The People's Committee discusses and casts votes on the draft decision.

3. The draft decision shall be approved when it is voted for by more than half of the total number of the commune-level People's Committee members.

4. The Chairperson of the commune-level People's Committee signs the decision.

Chapter XII

FORMULATION AND PROMULGATION OF LEGAL DOCUMENTS ACCORDING TO THE SIMPLIFIED ORDER AND PROCEDURES

Article 146. Cases of formulation and promulgation of legal documents according to the simplified order and procedures

1. State of emergency as prescribed by the law on state of emergency; urgent response to natural disasters, epidemics, fires and explosions; urgent situations for solving practical problems under decisions of the National Assembly.

2. Suspension of the effect of a legal document in part or in whole for a certain period.

3. Prompt revision to conform with a new legal document.

Article 147. Competence to decide on the formulation and promulgation of legal documents according to the simplified order and procedures

1. The Standing Committee of the National Assembly shall decide to apply the simplified order and procedures to formulation and promulgation of ordinances and resolutions of the Standing Committee of the National Assembly; propose the National Assembly to decide on the application of the simplified order and procedures to formulation and promulgation of laws and resolutions of the National Assembly.

2. The President shall decide to apply the simplified order and procedures to formulation and promulgation of orders and decisions of the President.

3. The Prime Minister shall decide to apply the simplified order and procedures to formulation and promulgation of decrees of the Government and decisions of the Prime Minister.

4. The Standing Body of the provincial-level People's Council shall decide to apply the simplified order and procedures to formulation and promulgation of resolutions of the provincial-level People's Council; the Chairperson of the provincial-level People's Committee shall decide to apply the simplified order and procedures to formulation and promulgation of decisions of the provincial-level People's Committee.

Article 148. Simplified order and procedures for formulation and promulgation of legal documents

The simplified order and procedures for formulation and promulgation of laws and resolutions of the National Assembly, ordinances and resolutions of

the Standing Committee of the National Assembly, orders and decisions of the President, decrees of the Government, decisions of the Prime Minister, resolutions of provincial-level People's Councils and decisions of provincial-level People's Committees are as follows:

1. The agency in charge of drafting organizes the drafting;
2. The agency in charge of drafting may collect opinions from related agencies, organizations and individuals on the draft document. The time limit for collecting opinions is 20 days;
3. Within 7 days after receiving the draft document, the appraising agency shall appraise the draft document and the agency in charge of verification shall verify the draft document.

A dossier for appraisal must comprise the report on the draft document and the draft document; a dossier for verification must comprise the report on the draft document, the draft document, the appraisal report and the report on the giving of explanations to and acceptance of appraisal opinions.

Article 149. Dossiers and consideration and approval of legal documents according to the simplified order and procedures

1. A dossier for consideration and approval of a legal document according to the simplified order and procedures is prescribed as follows:

a/ A dossier of a draft law or draft resolution of the National Assembly; a draft ordinance or draft resolution of the Standing Committee of the National Assembly; or a draft resolution of a provincial-level People's Council must comprise the report on the draft document, the draft document and the verification report;

b/ A dossier of a draft order or draft decision of the President must comprise the report on the draft document and the draft document;

c/ A dossier of a draft decree of the Government, a draft decision of the Prime Minister, or a draft decision of a provincial-level People's Committee must comprise the report on the draft document, the draft document and the appraisal report.

2. Order of consideration and passage:

a/ The National Assembly shall consider and pass its draft law or its draft resolution at the nearest meeting according to the order prescribed in Article 74 of this Law;

b/ The Standing Committee of the National Assembly shall consider and pass its draft ordinance or draft resolution at the nearest meeting according to the order prescribed in Clause 1, Article 77 of this Law;

c/ The President shall consider and sign an order or a decision immediately after receiving the draft order or draft decision according to the order prescribed in Article 81 of this Law;

d/ The Government shall consider and approve its draft decree at the nearest meeting according to the order prescribed in Article 96 of this Law;

dd/ The Prime Minister shall consider and sign a decision immediately after receiving the draft decision according to the order prescribed in Article 100 of this Law;

e/ The provincial-level People's Council shall consider and pass a draft resolution at the nearest meeting according to the order prescribed in Article 126 of this Law;

g/ The provincial-level People's Committee shall consider and approve a draft decision at the nearest meeting according to the order prescribed in Article 132 of this Law.

Chapter XIII

EFFECT OF LEGAL DOCUMENTS; PRINCIPLES OF APPLICATION AND PUBLICIZATION OF LEGAL DOCUMENTS

Article 150. Publishing of legal documents on the Cong bao (Official Gazette)

1. Legal documents of central agencies shall be published on the Cong bao of the Socialist Republic of Vietnam, except those containing state secrets.

2. Legal documents of provincial-level People's Councils and People's Committees and local administrations of special administrative-economic units shall be published on the Cong bao of their provinces.

3. Legal documents of district-level and commune-level People's Councils and People's Committees shall be posted publicly and reported in local mass media. The time and location for public posting shall be decided by the Chairperson of the People's Committee of the corresponding level.

4. Within 3 days from the date of promulgating or signing a legal document, the agency or person competent to promulgate legal documents shall send it to the Cong bao office for publishing on the Cong bao or for public posting.

The Cong bao office shall publish the full text of a legal document on the Cong bao within 15 days after receiving it, for legal documents promulgated by central agencies, or 7 days after receiving it, for legal documents promulgated by provincial-level People's Councils or People's Committees or local administrations of special administrative-economic units.

5. Legal documents published on the paper and electronic Cong bao are official and as valid as the original documents.

6. The Government shall provide regulations on the Cong bao and posting of legal documents.

Article 151. Effective dates of legal documents

1. The effective date of the whole or part of a legal document shall be specified in such document, which, however, must not be sooner than 45 days from the date it is approved or signed, for legal documents promulgated by central state agencies, or not be sooner than 10 days from the date it is signed, for legal documents promulgated by provincial-level People's Councils or People's Committees, or not be sooner than 7 days from the date it is signed, for legal documents promulgated by district-level or commune-level People's Councils or People's Committees.

2. A legal document promulgated according to the simplified order and procedures may take effect on the date it is approved or signed, and shall be immediately published on the portal of the promulgating agency and reported in the mass media; and shall be published on the Cong bao of the Socialist Republic of Vietnam or of the province or centrally run city within 3 days after it is promulgated or signed.

Article 152. Retrospective effect of legal documents

1. Only in extremely necessary cases for ensuring common interests of the society and rights and interests of the organizations and individuals prescribed in a law or resolution of the National Assembly, may a legal document of a central agency have retrospective effect.

2. A legal document must not have retrospective effect in the following cases:

a/ The document imposes a new legal liability upon an act which does not bear such legal liability when it is committed;

b/ The document imposes a heavier legal liability.

3. Legal documents of People's Councils and People's Committees at all levels and local administrations of special administrative-economic units must not have retrospective effect.

Article 153. Suspension of effect of legal documents

1. The effect of a legal document shall be suspended in part or in whole until a decision is issued by a competent state agency in the following cases:

a/ The document is suspended from implementation under Clause 3, Article 164; Clause 2, Article 165; Clauses 2 and 3, Article 166; and Clauses 2 and 3, Article 167, of this Law. The document will cease to be effective if the

competent state agency issues a decision to annul it; otherwise, it will resume its effect;

b/ The competent agency that has promulgated the document shall decide to suspend its effect for a certain period to deal with arising socio-economic issues.

2. The time of suspension of effect, resumption of effect, or termination of effect of a document shall be clearly stated in a legal document of a competent state agency.

3. The decision on suspension or handling of a legal document shall be published on the Cong bao and reported in the mass media within 3 days after it is issued.

Article 154. Legal documents ceasing to be effective

A legal document ceases to be effective in part or in whole in the following cases:

1. Its effective period specified therein expires;
2. It is amended and supplemented by or replaced with another legal document which is promulgated by the same state agency;
3. It is annulled by a document of a competent state agency;
4. When a legal document ceases to be effective, the documents detailing it also cease to be effective.

Article 155. Spatial effect

1. Legal documents of central state agencies are effective nationwide and applied to all agencies, organizations and individuals, unless otherwise prescribed by a legal document of a competent superior state agency or a treaty to which the Socialist Republic of Vietnam is a contracting party.

2. Legal documents of a People's Council or People's Committee of an administrative unit are effective within this administrative unit, and such must be specified in the documents.

If there is any change in administrative boundary, the spatial effect and subjects of application of legal documents of local administrations shall be determined as follows:

a/ If an administrative unit is divided into multiple administrative units of the same level, the legal documents promulgated by the People's Council and People's Committee of the divided administrative unit still apply to the new administrative units until the People's Councils and People's Committees of the new administrative units promulgate substitute legal documents;

b/ If two or more administrative units are consolidated into a new administrative unit of the same level, the legal documents promulgated by the People's Councils and People's Committees of the consolidated administrative units still apply to the new administrative unit until the People's Council and People's Committee of the new administrative unit promulgate substitute legal documents;

c/ If part of the geographical area and population of an administrative unit is transferred to another administrative unit, legal documents of the People's Council and People's Committee of the expanded administrative unit shall apply to the transferred geographical area and population.

Article 156. Application of legal documents

1. Legal documents shall apply from their effective date.

Legal documents shall apply to the acts committed at the time such documents are effective. If a legal document has provisions on retrospective effect, such provisions shall apply.

2. If various legal documents contain different provisions on the same issue, the document of higher legal effect shall apply.

3. If various legal documents promulgated by the same agency contain different provisions on the same issue, the document that is promulgated later shall apply.

4. If the new legal document does not establish legal liability or establishes a less serious legal liability for acts committed before the effective date of the document, the new document shall apply.

5. The application of domestic legal documents may not obstruct the implementation of the treaties to which the Socialist Republic of Vietnam is a contracting party. In case a domestic legal document other than the Constitution and a treaty to which the Socialist Republic of Vietnam is a contracting party contain different provisions on the same issue, the treaty shall apply.

Article 157. Posting of and reporting on legal documents

Legal documents promulgated by central state agencies, People's Councils and People's Committees shall be posted in full on the national legal database within 15 days after they are promulgated or signed, and be reported in the mass media, except those containing state secrets according to the law on state secrets.

Legal documents posted on the national legal database are of official validity for use.

Chapter XIV

INTERPRETATION OF THE CONSTITUTION, LAWS AND ORDINANCES

Article 158. Cases and principles of interpretation of the Constitution, laws and ordinances

1. The Constitution, laws and ordinances shall be interpreted in case their provisions may be construed differently in the implementation.

2. Interpretation of the Constitution, laws and ordinances must abide by the following principles:

a/ Conforming with the spirit, purposes, requirements and guiding viewpoints on promulgation of the Constitution, laws and ordinances;

b/ Conforming with contents and language of the Constitution, laws and ordinances;

c/ Making no amendments and supplements or new provisions.

Article 159. Competence to request interpretation of the Constitution, laws and ordinances

1. The President, the Ethnic Council, Committees of the National Assembly, the Government, the Supreme People's Court, the Supreme People's Procuracy, the State Audit Office of Vietnam, the Central Committee of the Vietnam Fatherland Front, central agencies of member organizations of the Vietnam Fatherland Front, and National Assembly deputies are entitled to request the Standing Committee of the National Assembly to interpret the Constitution, laws and ordinances.

2. The Standing Committee of the National Assembly shall decide on the interpretation of the Constitution, laws and ordinances by itself or at the request of the agencies, organizations and National Assembly deputies specified in Clause 1 of this Article.

Article 160. Order and procedures for interpretation of the Constitution, laws and ordinances

1. Depending on the characteristics and contents of the issues that need explaining, the Standing Committee of the National Assembly shall assign the Government, the Supreme People's Court, the Supreme People's Procuracy, the Ethnic Council, or a Committee of the National Assembly to draft a resolution that interprets the Constitution, a law or an ordinance and submit it to the Standing Committee of the National Assembly.

The Standing Committee of the National Assembly shall assign the Ethnic Council or a Committee of the National Assembly to verify the conformity of the draft interpretational resolution with the spirit and content of the interpreted document.

2. The Standing Committee of the National Assembly shall consider and pass the interpretational resolution in the following order:

a/ A representative of the agency in charge of drafting the interpretational resolution presents and reads aloud the whole draft resolution;

b/ A representative of the agency in charge of verification presents the verification report;

c/ Representatives of agencies, organizations and individuals that attend the meeting present their opinions;

d/ The Standing Committee of the National Assembly discusses;

dd/ The meeting chairperson makes conclusions;

e/ The Standing Committee of the National Assembly casts votes;

g/ The Chairperson of the National Assembly signs the interpretational resolution.

Article 161. Publishing on the Cong bao, posting and reporting of resolutions of the Standing Committee of the National Assembly that interpret the Constitution, laws and ordinances

1. Resolutions of the Standing Committee of the National Assembly that interpret the Constitution, laws and ordinances shall be published on the Cong bao in accordance with Article 150 of this Law, posted on the portal of the National Assembly and posted and reported in the media in accordance with Article 157 of this Law.

2. Resolutions of the Standing Committee of the National Assembly that interpret the Constitution, laws and ordinances shall be applied together with the interpreted documents.

Chapter XV

SUPERVISION, EXAMINATION AND HANDLING OF LEGAL DOCUMENTS

Article 162. Supervision of legal documents

1. Legal documents shall be supervised by competent state agencies as prescribed by law.

2. Legal documents shall be supervised in order to detect the contents that contravene the Constitution, laws or documents of superior state agencies, or that are no longer appropriate so as to suspend, amend and supplement, or annul them in part or in whole, and at the same time handle according to competence or request a competent agency to handle the agencies or persons that have promulgated such unlawful documents.

Article 163. Contents of supervision of legal documents

1. Conformity of the document with the Constitution, laws and legal documents of superior state agencies.
2. Consistency of the format of the document with its contents.
3. Conformity of the document with the competence of the promulgating agency.
4. Consistency of existing legal documents with new legal documents promulgated by the same agency.

Article 164. Supervision and handling of legal documents showing signs of unlawfulness

1. The National Assembly, the Standing Committee of the National Assembly, the Ethnic Council, Committees of the National Assembly, National Assembly deputies, the People's Councils, Standing Bodies of the People's Councils, boards of the People's Councils, and People's Council deputies shall supervise legal documents.

2. The National Assembly shall annul legal documents of the President, the Standing Committee of the National Assembly, the Government, the Prime Minister, the Judicial Council of the Supreme People's Court, the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy, or the State Auditor General that contravene the Constitution, laws, or resolutions of the National Assembly.

3. The Standing Committee of the National Assembly shall suspend the implementation of legal documents of the Government, the Prime Minister, the Judicial Council of the Supreme People's Court, the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy, or the State Auditor General that contravene the Constitution, laws, or resolutions of the National Assembly; and propose the National Assembly to decide on the annulment of such documents at the nearest session; annul legal documents of the Government, the Prime Minister, the Judicial Council of the Supreme People's Court, the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy, or the State Auditor General that contravene ordinances or resolutions of the Standing Committee of the National Assembly; and annul legal documents of provincial-level People's Councils that contravene the Constitution, laws, or legal documents of superior state agencies.

4. The People's Council of a level shall annul legal documents of the People's Committee of the same level, or legal documents of the People's Council of a lower level that contravene the former's resolutions or legal documents of superior state agencies.

5. The order and procedures for supervising the promulgation of legal documents and handling legal documents showing signs of unlawfulness must

comply with the law on oversight activities of the National Assembly and People's Councils.

Article 165. Examination and handling by the Government of legal documents showing signs of unlawfulness

1. The Government shall examine legal documents and handle legal documents of ministries, ministerial-level agencies, provincial-level People's Councils, provincial-level People's Committees and local administrations of special administrative-economic units that show signs of contravening the Constitution, laws or legal documents of superior state agencies.

2. The Prime Minister shall consider and decide on annulment or suspension of the implementation of legal documents in part or in whole of ministers, heads of ministerial-level agencies, provincial-level People's Committees or local administrations of special administrative-economic units that contravene the Constitution, laws, or legal documents of superior state agencies; suspend the implementation of resolutions in part or in whole of provincial-level People's Councils that contravene the Constitution, laws, or legal documents of superior state agencies, and propose the Standing Committee of the National Assembly to annul them.

3. The Ministry of Justice shall assist the Government in examining and handling legal documents of ministries, ministerial-level agencies, provincial-level People's Councils, provincial-level People's Committees, or local administrations of special administrative-economic units that contravene the Constitution, laws, or legal documents of superior state agencies.

For resolutions of provincial-level People's Councils that contravene the Constitution, laws, or legal documents of superior state agencies and have been suspended from implementation by the Prime Minister, the Ministry of Justice shall assume the prime responsibility for, and coordinate with the Government Office and related ministries and ministerial-level agencies in, preparing dossiers and reporting them to the Prime Minister for consideration and request for the Standing Committee of the National Assembly to annul these resolutions.

4. The Government shall stipulate in detail the examination and handling of legal documents showing signs of unlawfulness promulgated by ministers, heads of ministerial-level agencies, People's Councils or People's Committees.

Article 166. Examination and handling by ministers and heads of ministerial-level agencies of legal documents showing signs of unlawfulness

1. Ministers and heads of ministerial-level agencies shall examine legal documents they have promulgated or those promulgated by other ministries,

ministerial-level agencies and provincial-level People's Councils and People's Committees having contents related to their sectors or fields.

When detecting a legal document he/she has promulgated unlawful, the minister or head of a ministerial-level agency shall annul it in part or in whole.

2. Ministers and heads of ministerial-level agencies in charge of certain sectors or fields are entitled to propose the Prime Minister to suspend or annul legal documents of other ministers, heads of other ministerial-level agencies, provincial-level People's Committees or local administrations of special administrative-economic units that have unlawful contents concerning their sectors or fields; and propose the Prime Minister to request the Standing Committee of the National Assembly to annul legal documents of provincial-level People's Councils that have unlawful contents concerning their sectors or fields.

3. In case a legal document of a minister, head of a ministerial-level agency, a provincial-level People's Committee, or the local administration of a special administrative-economic unit that has unlawful contents is not handled under Clauses 1 and 2 of this Article, the Minister of Justice shall report it to the Prime Minister for suspension or annulment.

Article 167. Examination and handling by People's Councils and People's Committees of legal documents showing signs of unlawfulness

1. The People's Councils and People's Committees at all levels shall examine legal documents they have promulgated and those promulgated by the People's Councils and People's Committees of lower levels.

When detecting a legal document it has promulgated unlawful, the People's Council or People's Committee shall annul it in part or in whole.

The Chairperson of the provincial-level People's Committee shall examine legal documents promulgated by district-level People's Councils and People's Committees.

The Chairperson of the district-level People's Committee shall examine legal documents promulgated by commune-level People's Councils and People's Committees.

2. The Chairperson of the provincial-level People's Committee shall suspend the implementation of unlawful resolutions of district-level People's Councils and request the provincial-level People's Council to annul them.

The Chairperson of the district-level People's Committee shall suspend the implementation of unlawful resolutions of commune-level People's Councils and request the district-level People's Council to annul them.

3. The Chairperson of a People's Committee shall directly suspend the implementation of, or annul in part or in whole, unlawful legal documents promulgated by the People's Committees of lower levels.

Chapter XVI

CONSOLIDATION OF LEGAL DOCUMENTS, CODIFICATION OF THE SYSTEM OF LEGAL NORMS, REVIEW AND SYSTEMIZATION OF LEGAL DOCUMENTS

Article 168. Consolidation of legal documents

1. Amending and supplementing legal documents shall be consolidated with amended and supplemented ones in order to make the legal system simple, clear and easy to use, and to improve effectiveness of law implementation.

2. The consolidation of legal documents must comply with regulations of the Standing Committee of the National Assembly.

Article 169. Codification of the system of legal norms

1. State agencies shall arrange legal norms in effective legal documents, except the Constitution, in order to create a Legal Code.

2. The codification of the system of legal norms must comply with regulations of the Standing Committee of the National Assembly.

Article 170. Review and systemization of legal documents

1. State agencies shall, within the ambit of their tasks and powers, review and systemize legal documents; suspend the implementation of, annul, amend and supplement, or replace, legal documents that are detected unlawful, inconsistent, overlapping, or no longer effective or appropriate to the socio-economic development situation, or promulgate new legal documents by themselves or propose competent state agencies to do so.

Agencies, organizations and citizens are entitled to request competent state agencies to consider and suspend the implementation of, annul, amend and supplement, or replace, legal documents, or promulgate new legal documents.

2. The review of legal documents shall be conducted on a regular basis upon availability of bases for review. The systemization of legal documents shall be conducted periodically in order to publish in time the Collection of systemized effective legal documents.

3. The Standing Committee of the National Assembly shall decide on overall review of the system of legal documents; state agencies shall decide on review of legal documents by topic, sector or geographic area to meet state management requirements.

4. The Government shall detail this Article.

Chapter XVII

IMPLEMENTATION PROVISIONS

Article 171. Guarantee of resources for formulating and promulgating legal documents

The State shall adopt policies to attract, train and employ cadres and civil servants to participate in the formulation and promulgation of legal documents that satisfy the requirements and tasks defined in this Law; modernize equipment and technical infrastructure; ensure sufficient funding for the formulation of policies, and the drafting, appraisal, verification, revision and promulgation of legal documents.

The Government shall detail this Article.

Article 172. Effect

1. This Law takes effect on July 1, 2016.

2. Joint circulars between ministries and ministerial-level agencies and directives of People's Committees of all levels that are promulgated before the effective date of this Law continue to be effective until they are annulled by or replaced with other legal documents.

3. Law No. 17/2008/QH12 on Promulgation of Legal Documents and Law No. 31/2004/QH11 on Promulgation of Legal Documents of People's Councils and People's Committees cease to be effective on the effective date of this Law.

4. The provisions on administrative procedures in legal documents promulgated by the competent agencies and persons specified in Clause 4, Article 14 of this Law before the effective date of this Law continue to be effective until they are annulled by other documents or replaced with new administrative procedures.

Article 173. Detailing provisions

The Standing Committee of the National Assembly and the Government shall detail the articles and clauses in this Law as assigned.

This Law was passed on June 22, 2015, by the XIIIth National Assembly of the Socialist Republic of Vietnam at its 9th session.-

Chairman of the National Assembly
NGUYEN SINH HUNG