

DECREE

Detailing a number of articles of the Law on Employment regarding unemployment insurance¹

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the November 16, 2013 Law on Employment;

At the proposal of the Minister of Labor, War Invalids and Social Affairs,

The Government promulgates the Decree detailing a number of articles of the Law on Employment regarding unemployment insurance.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Decree details a number of articles of the Law on Employment regarding support for training and retraining activities to improve occupational skills qualifications for job maintenance for workers; the Unemployment Insurance Fund; organization of unemployment insurance; and rights and responsibilities of agencies, units, organizations and individuals involved in the implementation of unemployment insurance policies.

Article 2. Subjects of application

1. Workers and employers that are obliged to participate in unemployment insurance as prescribed in Article 43 of the Law on Employment.

2. Managers of enterprises or cooperatives who are salaried and covered by compulsory social insurance under the law on social insurance.

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3. Social insurance organizations, Labor, War Invalids and Social Affairs Departments of provinces or centrally run cities (below collectively referred to as provincial-level Labor, War Invalids and Social Affairs Departments), employment service centers established by state management agencies in charge of employment to perform the tasks prescribed in Clause 2, Article 38 of the Law on Employment (below referred to as employment service centers).

4. Agencies, organizations and individuals involved in unemployment insurance under the Law on Employment.

Chapter II

SUPPORT FOR TRAINING AND RETRAINING TO IMPROVE OCCUPATIONAL SKILLS QUALIFICATIONS FOR JOB MAINTENANCE FOR WORKERS

Article 3. Support conditions

An employer is entitled to financial support for training and retraining to improve occupational skills qualifications for job maintenance for workers under Clause 1, Article 47 of the Law on Employment when fully meeting the following conditions:

1. Having fully paid unemployment insurance premiums under Clause 2, Article 44 of the Law on Employment for at least full 12 consecutive months preceding the month of request for support, or by the month in which falls the date of request for support and for that month the employer has paid unemployment insurance premiums.

2. Meeting difficulties due to economic recession or other *force majeure* causes, forcing them to undergo restructuring or change production and business technologies, and threatening to reduce existing workers by at least 30% or at least 50, for an employer employing 300 workers or fewer, or by at least 100, for an employer employing over 300 workers, excluding workers signing labor contracts of under 3 months.

Force majeure case mentioned above may be fire, flood, earthquake, tsunami, enemy sabotage or epidemic, which causes damage to part or the whole of the employer's physical foundations, equipment, machinery and workshops as certified by the chairperson of the district-level People's Committee in the locality where the damage occurs.

3. Lacking funds for organizing training and retraining to improve occupational skills qualifications for workers according to the production and business report of the year preceding the time of request for support which shows that the employer suffers losses as certified by the tax agency.

4. Having a plan on training and retraining to improve occupational skills qualifications for job maintenance for workers, approved by a competent state agency.

Article 4. Support levels

1. The maximum level of financial support for training and retraining to improve occupational skills qualifications is VND 1 million/worker/month. The specific support level shall be calculated by month based on the actual training duration of each vocation or each training course, which, however, must not exceed 6 months.

In case the duration of a training course has odd days which do not constitute a full month, the period of under 15 days of training shall be regarded as half a month, and the period of full 15 days or more of training shall be regarded as 1 month, for determining the support level.

2. For a training course requiring a funding level higher than the support level prescribed in Clause 1 of this Article, the excessive amount shall be paid by the employer.

Chapter III

THE UNEMPLOYMENT INSURANCE FUND

Article 5. Sources forming the Unemployment Insurance Fund

1. Contributions and supports specified in Clause 1, Article 57 of the Law on Employment.

2. Profits from the Fund's investment activities.

3. Other lawful sources, including:

a/ Interests on late payment of unemployment insurance premiums under regulations;

b/ Other lawful revenues prescribed by law.

Article 6. Methods of and sources for employers' payment of unemployment insurance premiums

1. Employers shall monthly pay unemployment insurance premiums at the level specified at Point b, Clause 1, Article 57 of the Law on Employment and deduct the salary of every worker at the level specified at Point a, Clause 1, Article 57 of the Law on Employment for simultaneous payment to the Unemployment Insurance Fund.

2. Sources for employers' payment of unemployment insurance premiums at the level specified at Point b, Clause 1, Article 57 of the Law on Employment are prescribed as follows:

a/ For employers being agencies, units or organizations whose regular operating funds are wholly covered by the state budget, the state budget shall cover all sources for payment of unemployment insurance premiums which shall be included in their annual estimates of regular expenditures in accordance with the law on state budget management decentralization;

b/ For employers being agencies, units or organizations whose regular operating funds are partly covered by the state budget, the state budget shall cover sources for payment of unemployment insurance premiums for state-salaried workers which shall be included in their annual estimates of regular expenditures in accordance with the law on state budget management decentralization. The remainder of payable unemployment insurance premiums shall be covered by the employers under Point c or d of this Clause;

c/ For employers being enterprises, units or organizations engaged in production, business and service activities, unemployment insurance premiums shall be accounted as production, business and service expenses in a period;

d/ For employers being other agencies, units and organizations, unemployment insurance premiums shall be covered by their operating funds in accordance with law.

Article 7. State budget support

1. State budget support shall be provided to the Unemployment Insurance Fund to maintain the Fund's annual balance at a level equaling twice the total expenditures for unemployment insurance regimes and expenses for unemployment insurance management of the preceding year, with the support level not exceeding 1% of the monthly wage fund of the workers currently participating in unemployment insurance on which unemployment insurance premiums are based.

2. Methods of transferring financial support from the state budget to the Unemployment Insurance Fund:

a/ In the fourth quarter every year, the Vietnam Social Security shall, based on the estimates of unemployment insurance revenues and expenditures allocated by a competent authority in the year, determine the financial support amount for the Unemployment Insurance Fund in the previous year at the level specified in Clause 1 of this Article, and send it to the Ministry of Finance for simultaneous transfer to the Unemployment Insurance Fund;

b/ Within 10 working days after receiving the Vietnam Social Security's finalization report on revenues and expenditures of the Unemployment Insurance Fund in the previous year which has been approved by the Management Council of the Vietnam Social Security, the Ministry of Finance shall appraise the report and determine the financial support amount for the

Unemployment Insurance Fund in the previous year. In case the amount allocated by the Ministry of Finance under Point a of this Clause is larger than the support level prescribed in Clause 1 of this Article, the Vietnam Social Security shall pay the difference to the state budget; in case the allocated amount is smaller than the support level, the Ministry of Finance shall report such to a competent authority for approval of additional support in the subsequent year.

3. Financial support for the Unemployment Insurance Fund prescribed in this Article shall be covered by the central budget from social security expenditures already decided by the National Assembly.

Article 8. Unemployment insurance management expenses

1. The items and levels of unemployment insurance management expenses must comply with the Law on Social Insurance and regulations on financial management applicable to the Vietnam Social Security.

2. Annual unemployment insurance management expenses shall be allocated and estimated as follows:

a/ The Vietnam Social Security shall collect unemployment insurance premiums, pay unemployment insurance allowance, and manage and use the Unemployment Insurance Fund;

b/ The Ministry of Labor, War Invalids and Social Affairs shall receive dossiers of request for unemployment allowance, deal with unemployment insurance regimes, and perform unemployment insurance-related tasks;

c/ The Social Insurance Agency of the Ministry of National Defense and the Social Insurance Agency of the People's Public Security force shall collect unemployment insurance premiums.

3. Methods of transferring funds for unemployment insurance management expenses:

Based on the Prime Minister-allocated estimates of unemployment insurance management expenses, before the 10th of the first month of every quarter, the Vietnam Social Security shall transfer an amount equaling the quarterly average level of the allocated estimates to the Ministry of Labor, War Invalids and Social Affairs, the Social Insurance Agency of the Ministry of National Defense and the Social Insurance Agency of the People's Public Security force. In case the estimated fund has not yet been allocated by a competent authority by January 10, the Vietnam Social Security shall advance an amount equaling the quarterly average level of the fund allocated in the previous year; such advanced amount shall be subtracted from the fund to be allocated in the year based on the allocated estimate.

Article 9. The Unemployment Insurance Fund's investment activities

1. The Vietnam Social Security shall take measures to preserve and develop the Unemployment Insurance Fund using its temporary idle money. The Unemployment Insurance Fund's investment activities must ensure safety, efficiency, and capital retrieval when necessary.

2. The Management Council of the Vietnam Social Security shall decide on investment in the forms prescribed in Clause 2, Article 59 of the Law on Employment.

3. Annual profits from the Unemployment Insurance Fund's investment and development activities shall be added to the Fund.

Article 10. Financial plan, management, use and finalization

1. Annually, simultaneously with the state budget estimation, related agencies and organizations shall work out plans on unemployment insurance revenues and expenditures and unemployment insurance management expenses and send them to the Vietnam Social Security, specifically as follows:

a/ Provincial-level Social Insurance Agencies shall work out plans on unemployment insurance revenues and expenditures and unemployment insurance management expenses;

b/ The Social Insurance Agency of the Ministry of National Defense and the Social Insurance Agency of the People's Public Security force shall work out plans on unemployment insurance revenues and unemployment insurance management expenses for the Ministry of National Defense and the Ministry of Public Security;

c/ The Ministry of Labor, War Invalids and Social Affairs shall work out plans on unemployment insurance management expenses for the units in the labor, war invalids and social affairs sector that have unemployment insurance-related tasks.

2. The Vietnam Social Security shall annually summarize unemployment insurance revenue and expenditure estimates and unemployment insurance management expenses and submit them to its Management Council for approval and then send them to the Ministry of Finance and the Ministry of Labor, War Invalids and Social Affairs.

The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Labor, War Invalids and Social Affairs in, considering, summarizing and submitting the allocation of annual estimates to the Prime Minister for decision.

3. Within 15 days after receiving the Prime Minister's decision on allocation of annual estimates, the Vietnam Social Security shall complete the allocation of revenue and expenditure estimates to its attached units, the

Social Insurance Agency of the Ministry of National Defense, the Social Insurance Agency of the People's Public Security force and the Ministry of Labor, War Invalids and Social Affairs.

The Minister of Labor, War Invalids and Social Affairs shall distribute unemployment insurance management expenses to the units in the labor, war invalids and social affairs sector that have unemployment insurance-related tasks.

4. Units that are allocated estimates of revenues and expenditures from the Unemployment Insurance Fund shall manage and use such estimates and make finalization reports thereon and send them to the Vietnam Social Security for appraisal and summarization for submission to its Management Council for approval.

Chapter IV

ORGANIZATION OF UNEMPLOYMENT INSURANCE

Section 1

PARTICIPATION IN UNEMPLOYMENT INSURANCE AND PAYMENT OF UNEMPLOYMENT INSURANCE PREMIUMS

Article 11. Participation in unemployment insurance

1. A dossier for participation in unemployment insurance is the dossier for participation in compulsory social insurance, which has the specific content on participation in unemployment insurance.

2. An employer shall make a dossier for participation in unemployment insurance for a worker and submit it to the social insurance organization within 30 days after such worker's labor contract or working contract takes effect.

For a worker who had signed a seasonal contract or job-based contract of between full 3 months and under 12 months before January 1, 2015, and is performing this contract, the employer is obliged to pay unemployment insurance premiums for such worker if the remaining duration of the contract is 3 months or longer.

In case a worker signs many labor contracts under Clause 1, Article 43 of the Law on Employment and currently participates in unemployment insurance under the first effective labor contract and the termination or change of this contract leads to his/her non-obligation to participate in unemployment insurance, the worker and employer that are obliged to participate in unemployment insurance under the subsequent effective labor contract shall participate in unemployment insurance in accordance with law.

A worker who is on maternity or sickness leave for at least 14 working days without receiving monthly salary from the employer but receives social

insurance allowance, or who stops performing the signed labor contract or working contract under law shall not be obliged to participate in unemployment insurance during the leave period.

Article 12. Payment of unemployment insurance premiums

1. The time for payment of unemployment insurance premiums is the time for payment of compulsory social insurance premiums.

2. Workers currently paying unemployment insurance premiums are those who have paid unemployment insurance premiums for the month preceding the time of termination of their labor contracts or working contracts as certified by a social insurance organization. The preceding month includes the following periods:

a/ For a worker who had been on maternity leave or sickness leave, it is the period preceding the time he/she terminates his/her labor contract or working contract for at least 14 working days without receiving monthly salary from the employer but receiving social insurance allowance;

b/ For a worker who stops performing his/her signed labor contract or working contract, it is the period preceding the time he/she terminates such contract without receiving monthly salary from the employer.

3. The month of payment of unemployment insurance premiums for a worker shall be counted if the employer and worker have performed their labor contract or working contract and paid unemployment insurance premiums.

Article 13. Dossiers for monitoring payment of unemployment insurance premiums and receipt of unemployment insurance benefits

1. Dossiers for monitoring workers' payment of unemployment insurance premiums and receipt of unemployment insurance benefits prescribed in this Decree are social insurance books.

2. The Vietnam Social Security shall issue the form of social insurance book.

Section 2

SUPPORT FOR JOB COUNSELING AND RECOMMENDATION

Article 14. Support for job counseling and recommendation

1. The workers defined in Clause 1, Article 43 of the Law on Employment who currently pay unemployment insurance premiums and have their labor contracts or working contracts terminated shall be provided with free job counseling and recommendation at employment service centers.

2. Employment service centers' funds for job counseling and recommendation shall be allocated based on the number of persons who

submit dossiers of request for unemployment allowance in the preceding year, and paid and finalized based on the actual number of persons who submit dossiers of request for unemployment allowance under regulations.

3. The charge for job counseling and recommendation must comply with the law on charges.

Article 15. Organization of job counseling and recommendation

1. Workers shall fully fill in the job counseling and recommendation forms provided by the Minister of Labor, War Invalids and Social Affairs, and submit them directly to employment service centers.

2. Employment service centers shall provide job counseling and recommendation based on the demand and ability of workers and the demand of the labor market.

3. Employment service centers shall arrange personnel and physical foundations for organizing job counseling and recommendation.

Section 3

UNEMPLOYMENT ALLOWANCE

Article 16. Dossier of request for unemployment allowance

1. A written request for unemployment allowance, made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

2. The original or a certified true copy of one of the following papers certifying the termination of the labor contract or working contract:

a/ The labor contract or working contract which has expired or under which the job has been accomplished;

b/ The decision on work cessation;

c/ The decision on dismissal;

d/ The decision compelling work cessation;

dd/ The notice of or agreement on contract termination.

For a worker who participates in unemployment insurance under Point c, Clause 1, Article 43 of the Law on Employment, the paper certifying the termination of his/her seasonal contract or job-based labor contract of between full 3 months and under 12 months may be the original or certified true copy of such contract.

3. The social insurance book.

Within 5 working days after receiving the employer's request, the social insurance organization shall certify the payment of unemployment insurance premiums and return the social insurance book to the worker.

For employers being agencies, units or enterprises under the Ministry of National Defense or the Ministry of Public Security, within 30 days after receiving the employer's request, the Social Insurance Agency of the Ministry of National Defense or the Social Insurance Agency of the People's Public Security force shall certify the payment of unemployment insurance premiums and return the social insurance book to the worker.

Article 17. Submission of dossiers of request for unemployment allowance

1. Within 3 months after his/her labor contract or working contract is terminated, if a worker has not yet found a job and wishes to receive unemployment allowance, he/she shall directly submit a dossier of request for unemployment allowance prescribed in Article 16 of this Decree to the employment service center in the locality where he/she wishes to receive unemployment allowance.

2. A worker may authorize another person to submit the dossier or may send it by post if he/she:

a/ Is sick or pregnant as certified by a competent health establishment;

b/ Has an accident as certified by the traffic police or a competent health establishment; or,

c/ Suffers a fire, flood, earthquake, tsunami, enemy sabotage or epidemic as certified by the chairperson of the commune-level People's Committee.

The date of submission of a dossier of request for unemployment allowance in the above cases is the date the authorized person directly submits the dossier or the date indicated in the postmark.

3. Employment service centers shall receive and examine dossiers, issue slips of appointment for receipt of dossier-processing results, made according to the form provided by the Minister of Labor, War Invalids and Social Affairs, and hand the slips directly to the dossier-submitting persons or send them by post; if the dossiers fail to comply with Article 16 of this Decree, employment service centers shall return them and clearly state the reason to the dossier-submitting persons,

Article 18. Settlement of entitlement to unemployment allowance

1. Within 20 working days after receiving a complete and valid dossier, the employment service center shall consider and submit its proposal regarding the worker's entitlement to unemployment allowance to the director of the provincial-level Labor, War Invalids and Social Affairs Department for decision; for a dossier sent by post, the date of its receipt is the incoming date indicated in the postmark.

For a worker who cannot find a job within 15 working days after the date of submission of a dossier of request for unemployment allowance and who is entitled to unemployment allowance under the decision of the director of the provincial-level Labor, War Invalids and Social Affairs Department, the employment service center shall certify in his/her social insurance book that unemployment allowance has been settled and return the book together with the decision on payment of unemployment allowance to the worker while keeping one copy of the book.

The time of a worker's entitlement to unemployment allowance shall be counted in working days from the 16th day after the date of submission of a dossier of request for unemployment allowance.

The employment service center shall send one copy of the decision on payment of unemployment allowance to the provincial-level Social Insurance Agency for payment of unemployment allowance and grant of a health insurance card to the worker, and one copy to the worker. This decision shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

In case the worker is not entitled to unemployment allowance, the employment service center shall notify such in writing, clearly stating the reason.

2. Payment of unemployment allowance

a/ The social insurance organization shall pay unemployment allowance of the first month to the worker within 5 working days after receiving the decision on payment of unemployment allowance;

b/ The social insurance organization shall pay unemployment allowance to the worker from the second month on within 5 working days counting from the 7th day of that month unless it receives a decision on suspension from or termination of the worker's receipt of unemployment allowance. If the 7th day mentioned above falls on a day-off, the time limit for payment of unemployment allowance shall be counted from the next working day.

3. After two working days since the date indicated in the slip of appointment for receipt of the dossier-processing result, if the worker fails to appear to receive the decision on payment of unemployment allowance, he/she shall be regarded as not wishing to receive unemployment allowance, except the case specified in Clause 4 of this Article. Within 7 working days after the date the worker should have appeared to receive the decision on unemployment allowance as prescribed, the employment service center shall report the annulment of such decision to the director of the provincial-level Labor, War Invalids and Social Affairs Department for decision.

The employment service center shall send one copy of the decision annulling the decision on payment of unemployment allowance to the provincial-level Social Insurance Agency for non-payment of unemployment allowance to the worker, and one copy to the worker. The decision annulling the decision on payment of unemployment allowance shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

4. Within 2 working days after the deadline for receiving the decision on provision of unemployment allowance, the worker still has the right to receive or authorize another person to receive such decision if he/she:

a/ Is sick or pregnant as certified by a competent health establishment;

b/ Has an accident as certified by the traffic police or a competent health establishment; or,

c/ Suffers a fire, flood, earthquake, tsunami, enemy sabotage or epidemic as certified by the chairperson of the commune-level People's Committee.

5. The period of a worker's payment of unemployment insurance premiums in case of annulment of the decision on payment of unemployment allowance specified in Clause 3 of this Article shall be accumulated under Clause 1, Article 45 of the Law on Employment for calculating the subsequent duration of unemployment allowance receipt.

6. Three months after the deadline for a worker to receive unemployment allowance under the decision on payment of unemployment allowance, if the worker fails to appear to receive unemployment allowance and fails to notify such in writing to the social insurance organization in the locality where he/she currently receives unemployment allowance, he/she shall be regarded as not wishing to receive unemployment allowance. The period of payment of unemployment insurance premiums equivalent to the unemployment allowance amount refused by the worker shall be reserved for calculating the subsequent duration of unemployment allowance receipt when the worker fully satisfies the prescribed conditions for unemployment allowance receipt.

Within 7 working days after the above time limit, the social insurance organization shall notify in writing the worker's failure to appear to receive unemployment allowance to the employment service center in the locality where the worker currently receives unemployment allowance. This notice shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

Within 10 working days after receiving the social insurance organization's notice, the employment service center shall consider and report the reservation of the period of payment of unemployment insurance

premiums for the worker to the director of the provincial-level Labor, War Invalids and Social Affairs Department for decision.

The employment service center shall send one copy of the decision on reservation of the period of payment of unemployment insurance premiums to the provincial-level Social Insurance Agency for reservation of the period of payment of unemployment insurance premiums for the worker, and one copy to the worker. This decision shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

7. The duration of unemployment allowance receipt shall be calculated based on the number of months of payment of unemployment insurance premiums as prescribed in Clause 2, Article 50 of the Law on Employment. For a worker who has paid unemployment insurance premiums for a period of over 36 months and has not received any unemployment allowance for the odd months may have such odd months reserved for calculating the subsequent duration of unemployment allowance receipt when the worker fully satisfies the prescribed conditions for unemployment allowance receipt.

Article 19. Suspension from unemployment allowance receipt

1. A worker on unemployment allowance shall notify his/her job seeking under Article 52 of the Law on Employment.

2. Within 2 working days after the date the worker did not appear to notify his/her job seeking on a monthly basis as prescribed, the employment service center in the locality where the worker currently receives unemployment allowance shall report the worker's suspension from unemployment allowance receipt to the director of the provincial-level Labor, War Invalids and Social Affairs Department for decision.

The employment service center shall send one copy of the decision on suspension from unemployment allowance receipt to the provincial-level Social Insurance Agency for suspension from payment of unemployment allowance to the worker, and one copy to the worker. This decision shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

Article 20. Resumption of unemployment allowance receipt

1. For a worker who is suspended from unemployment allowance receipt under Clause 1, Article 53 of the Law on Employment and is still in the duration of unemployment allowance receipt under the decision of the director of the provincial-level Labor, War Invalids and Social Affairs Department but resumes monthly notification of his/her job seeking under regulations, within 2 working days after the date he/she appears to notify his/her job seeking, the employment service center shall report the worker's resumption of unemployment allowance receipt to the director of the

provincial-level Labor, War Invalids and Social Affairs Department for decision.

The employment service center shall send one copy of the decision on resumption of unemployment allowance receipt to the provincial-level Social Insurance Agency for resumption of payment of unemployment allowance to the worker, and one copy to the worker. This decision shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

2. A worker is not entitled to unemployment allowance in the period of suspension from unemployment allowance receipt.

Article 21. Stoppage of unemployment allowance receipt

1. A worker on unemployment allowance shall stop receiving it in the following cases:

a/ The duration of unemployment allowance receipt expires under the decision on the worker's unemployment allowance receipt;

b/ The worker has found a job

A worker shall be regarded as having found a job in one of the following cases:

- He/she has signed a labor contract or working contract of at least full 3 months. The date the worker is regarded as having found a job is the date his/her labor contract or working contract takes effect under law;

- He/she receives a recruitment decision if he/she does not fall into the cases subject to signing of labor contract or working contract. In this case, the date the worker is regarded as having found a job is the date he/she starts working as stated in the recruitment decision;

- He/she sends a notice to the employment service center that he/she has found a job, made according to the form provided by the Minister of Labor, War Invalids and Social Affairs. The date the worker is regarded as having found a job is the date stated in such notice.

c/ The worker performs the military or public security service obligation

The date the worker is regarded as performing military or public security service is the date he/she is enlisted.

d/ The worker receives monthly pension

The date the worker is regarded as retiring is the first date he/she is entitled to pension as stated in the competent agency's decision on monthly pension receipt.

dd/ The worker has twice refused without a plausible reason to take up the job recommended by the employment service center in the locality where he/she currently receives unemployment allowance

A worker on unemployment allowance who refuses to take up a job in one of the following cases shall be regarded as refusing without a plausible reason:

- The job is suitable to the discipline and qualifications in which he/she has been trained;

- The job he/she used to perform.

e/ In the duration of unemployment allowance receipt, the worker fails to notify his/her job seeking in 3 consecutive months to the employment service center under regulations;

g/ The worker goes abroad for settlement or as guest worker

The date the worker is regarded as going abroad for settlement or as guest worker is the date he/she exits Vietnam under the law on exit and entry.

h/ The worker attends a training course of at least full 12 months

The date the worker is regarded as attending a training course of at least full 12 months is the date of admission to the training course as stated in the admission notice, for domestic training; or the date of exit from Vietnam under the law on exit and entry, for overseas training.

i/ The worker is administratively sanctioned for his/her violation of the law on unemployment insurance

The date the worker is regarded as being administratively sanctioned is the date he/she is sanctioned under the competent agency's decision.

k/ The worker dies

The date the worker is regarded as being dead is the date stated in the death certificate.

l/ The worker serves a decision on application of the measure to send him/her to a reformatory, compulsory education institution or compulsory detoxification establishment

The date the worker is regarded as serving the decision on application of the measure to send him/her to a reformatory, compulsory education institution or compulsory detoxification establishment is the date of starting the application of the administrative handling measure stated in the competent agency's decision.

m/ The worker is declared missing by a court

The date the worker is regarded as being missing is stated in the court's decision.

n/ The worker is kept in temporary detention or serves a prison sentence

The date the worker is regarded as being kept in temporary detention or serving a prison sentence is the date he/she starts implementing the competent agency's decision on temporary detention or imprisonment.

2. Within 3 working days after stopping unemployment allowance receipt under Point b, c, d, g or h, Clause 1 of this Article, the worker shall send a notice of such stoppage to the employment service center in the locality where he/she currently receives unemployment allowance, made according to the form provided by the Minister of Labor, War Invalids and Social Affairs, enclosed with copies of the papers related to such stoppage; if the notice is sent by post, the date indicated in the postmark shall be applied.

3. For a worker on unemployment allowance who stops receiving it in the case specified at Point b, c, d, dd, e, g, h, i, k, l, m and n, Clause 1 of this Article, the employment service center in the locality where the worker currently receives unemployment allowance shall report the worker's stoppage of unemployment allowance receipt to the director of the provincial-level Labor, War Invalids and Social Affairs Department for decision.

The employment service center shall send one copy of the decision on stoppage of unemployment allowance payment to the provincial-level Social Insurance Agency for stoppage of payment of unemployment allowance to the worker, and one copy to the worker. This decision shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

4. A worker on unemployment allowance who stops receiving it in the middle of the month in which he/she is currently entitled to unemployment allowance will be entitled to such allowance for the entire that month.

5. For a worker on unemployment allowance who stops receiving it in the case specified at Point b, c, h, l, m or n, Clause 1 of this Article, the period of payment of unemployment insurance premiums equivalent to the remaining period during which the worker has not yet received unemployment allowance shall be reserved for calculating the subsequent duration of unemployment allowance receipt when he/she fully satisfies the prescribed conditions for unemployment allowance receipt.

The reserved period equals the total periods of payment of unemployment insurance premiums minus the period of payment of unemployment insurance premiums during which a worker has received unemployment allowance, with one month of unemployment allowance receipt equivalent to 12 months of payment of unemployment insurance premiums.

Article 22. Change of place of unemployment allowance receipt

1. A worker who has received at least one month's unemployment allowance under regulations and wishes to change the place of unemployment allowance receipt to another province or centrally run city shall make a request for change of the place of unemployment allowance receipt according to the form provided by the Minister of Labor, War Invalids and Social Affairs, and send it to the employment service center in the locality where he/she currently receives unemployment allowance.

2. Within 3 working days after receiving the worker's request, the employment service center shall provide the worker with the dossier for change of the place of unemployment allowance receipt and send a letter of introduction on such change, made according to the form provided by the Minister of Labor, War Invalids and Social Affairs, to the employment service center in the locality to which the worker will move. A dossier for change of the place of unemployment allowance receipt must comprise:

a/ The worker's request for change of the place of unemployment allowance receipt;

b/ The letter of introduction for change of the place of unemployment allowance receipt;

c/ A copy of the decision on unemployment allowance receipt;

d/ Copies of the decision on vocational training support, decision on suspension from unemployment allowance receipt and decision on resumption of unemployment allowance receipt (if any);

dd/ Copies of the notice of monthly job seeking (if any) and other papers in the dossier for unemployment allowance receipt.

3. When receiving a dossier for change of the place of unemployment allowance receipt, the worker shall return the health insurance card to the social insurance organization that currently pays unemployment allowance to him/her.

4. Within 2 working days after providing the dossier for change of the place of unemployment allowance receipt to the worker under Clause 2 of this Article, the employment service center in the locality from which the worker moves shall send a notice of such change, made according to the form provided by the Minister of Labor, War Invalids and Social Affairs, to the provincial-level Social Insurance Agency for stoppage of payment of unemployment allowance.

5. Within 10 working days after the worker receives a dossier for change of the place of unemployment allowance receipt, he/she shall submit it to the

employment service center in the locality to which he/she moves, except the cases specified in Clause 6 of this Article.

From the date the worker receives the dossier for change of the place of unemployment allowance receipt, he/she shall exercise the rights and perform the responsibilities in the duration of unemployment allowance receipt in accordance with law.

6. A worker may submit a dossier for change of the place of unemployment allowance receipt beyond the time limit specified in Clause 5 of this Article but shall submit it within 7 working days after the deadline for such change if he/she:

a/ Is sick or pregnant as certified by a competent health establishment;

b/ Has an accident as certified by the traffic police or a competent health establishment; or,

c/ Suffers a fire, flood, earthquake, tsunami, enemy sabotage or epidemic as certified by the chairperson of the commune-level People's Committee.

7. Within 3 working days after receiving the worker's dossier for change of the place of unemployment allowance receipt, the employment service center shall send a written request to the provincial-level Social Insurance Agency in the locality to which the worker will move for resumption of payment of unemployment allowance and grant of a health insurance card to the worker, enclosed with a copy of the decision on the worker's unemployment allowance receipt. Such request shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

8. The social insurance organization in the locality to which the worker moves shall pay unemployment allowance and grant a health insurance card to the worker in accordance with law.

Article 23. Grant and revocation of health insurance cards

1. Grant of health insurance cards

Based on decisions on unemployment allowance receipt, social insurance organizations shall grant health insurance cards to workers.

2. Revocation of health insurance cards

A worker on monthly unemployment allowance who stops receiving it will not be entitled to health insurance benefits and shall return his/her health insurance card to the social insurance organization under the guidance of the Vietnam Social Security.

Section 4

VOCATIONAL TRAINING SUPPORT

Article 24. Dossier of request for vocational training support

1. A dossier of request for vocational training support for a person on unemployment allowance is the written request for vocational training support made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

2. A dossier of request for vocational training support for an unemployed person who has paid unemployment insurance premiums for at least 9 months but is not entitled to unemployment allowance must comprise:

a/ A written request for vocational training support prescribed in Clause 1 of this Article;

b/ The original or a certified true copy of one of the papers specified in Clause 2, Article 16 of this Decree;

c/ The social insurance book.

Article 25. Provision of vocational training support

1. A worker who fully satisfies the conditions specified in Article 55 of the Law on Employment and wishes to receive vocational training shall be provided with one-off support for learning one vocation at a licensed training institution in accordance with the law on vocational training (below referred to as vocational training institution). Vocational training support funds shall be provided through vocational training institutions.

2. A worker who wishes to receive vocational training shall submit a dossier of request for vocational training support to the employment service center.

a/ A dossier of request for vocational training support prescribed in Clause 1, Article 24 of this Decree shall be submitted to the employment service center in the locality where the worker currently receives unemployment allowance;

b/ A dossier of request for vocational training support prescribed in Clause 2, Article 24 of this Decree shall be submitted to the employment service center in the locality where the worker wishes to receive vocational training.

3. The employment service center shall examine the dossier of request for vocational training support and issue to the worker a slip of appointment for receipt of the dossier-processing result, made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

4. Within 15 working days after receiving a complete dossier of request for vocational training support, the employment service center shall examine it and report the provision of vocational training support for the worker to the

director of the provincial-level Labor, War Invalids and Social Affairs Department for decision.

The employment service center shall send one copy of the decision on vocational training support to the provincial-level Social Insurance Agency for provision of support to the vocational training institution; one copy to the vocational training institution for providing vocational training to the worker, and one copy to the worker. This decision shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs. In case the worker is not entitled to vocational training support, the employment service center shall give a written reply clearly stating the reason.

For an unemployed person defined in Clause 2, Article 24 of this Decree who has been provided with vocational training support, the employment service center shall certify in his/her social insurance book that the support has been provided and keep one copy of the book.

A worker who has received unemployment allowance for the whole duration of unemployment allowance entitlement under regulations but continues, or is going to attend, a vocational training course under the decision of the director of the provincial-level Labor, War Invalids and Social Affairs Department, will still be entitled to vocational training support till the end of the training period.

5. The vocational training institution shall organize vocational training for workers under the decision of the director of the provincial-level Labor, War Invalids and Social Affairs Department and make a list of workers currently attending vocational training courses with their signatures and hand it to the social insurance organization for payment and finalization of vocational-training financial support under regulations.

Section 5

SUPPORT FOR TRAINING AND RETRAINING TO IMPROVE OCCUPATIONAL SKILLS QUALIFICATIONS FOR JOB MAINTENANCE FOR WORKERS

Article 26. Support request dossier

1. A written request for financial support for training and retraining to improve occupational skills qualifications for job maintenance for workers, stating the line or field of production and business line; production and business situation; number of workers at the time of request for support; difficulties facing, and causes of the employer's restructuring or change of production and business technologies; risk of reducing workers; funds required for training and retraining activities; commitment to organizing training and retraining activities and employing workers under the approved plan.

2. A plan on restructuring or change of production and business technologies, approved by a competent authority.

3. The training and retraining plan prescribed in Clause 4, Article 3 of this Decree.

4. Papers proving that the employer lacks funds for organizing training and retraining activities as prescribed in Clause 3, Article 3 of this Decree.

5. A written certification by the social insurance organization in the locality where the employer pays unemployment insurance premiums for the workers under Clause 1, Article 3 of this Decree.

The Minister of Labor, War Invalids and Social Affairs shall guide Clauses 1 and 3 of this Article.

Article 27. Provision of financial support for training and retraining to improve occupational skills qualifications for job maintenance for workers

1. An employer that wishes to receive support for training and retraining to improve occupational skills qualifications for job maintenance for workers shall submit a dossier prescribed in Article 26 of this Decree to the provincial-level Labor, War Invalids and Social Affairs Department in the locality where he/she/it is headquartered for appraisal.

2. Within 30 working days after receiving a complete and valid dossier from the employer, the provincial-level Labor, War Invalids and Social Affairs Department shall appraise it and approve the training and retraining plan; assume the prime responsibility for, and coordinate with the provincial-level Finance Department and related agencies and units in, appraising the dossier under Article 3 of this Decree, and report the provision of financial support for training and retraining to improve occupational skills qualifications for job maintenance for workers to the chairperson of the provincial-level People's Committee for consideration and decision.

If refusing to provide the support, the provincial-level Labor, War Invalids and Social Affairs Department shall give a written reply clearly stating the reason to the employer.

The provincial-level Labor, War Invalids and Social Affairs Department shall send one copy of the decision on financial support for training and retraining to improve occupational skills qualifications for job maintenance for workers to the provincial-level Social Insurance Agency for payment of the financial support; one copy to the Ministry of Labor, War Invalids and Social Affairs for reporting; one copy to the employment service center; one copy to the employer for compliance; and one copy to the vocational training institution, in case vocational training is not provided by the employer. This decision shall be made according to the form provided by the Minister of Labor, War Invalids and Social Affairs.

3. The social insurance organization shall pay to the employer an advance equal to 50% of financial support for training and retraining activities under the decision of the chairperson of the provincial-level People's Committee within 5 working days after receiving such decision, and make payment and finalization under regulations based on the practical implementation of the training and retraining plan.

Article 28. Organization of support for training and retraining to improve occupational skills qualifications for job maintenance for workers

1. Employers may themselves organize, or coordinate with vocational training institutions or employment service centers in organizing, training and retraining to improve occupational skills qualifications for job maintenance for workers under decisions of chairpersons of provincial-level People's Committees and ensure job maintenance for workers.

2. Employers may conduct, or coordinate with vocational training institutions in conducting, training and retraining to improve occupational skills qualifications for job maintenance for workers under approved plans.

3. Provincial-level Labor, War Invalids and Social Affairs Departments shall monitor and supervise the organization of support for training and retraining to improve occupational skills qualifications under decisions of chairpersons of provincial-level People's Committees.

Chapter V

RIGHTS AND RESPONSIBILITIES OF WORKERS, EMPLOYERS, EMPLOYMENT SERVICE CENTERS, PROVINCIAL-LEVEL LABOR, WAR INVALIDS AND SOCIAL AFFAIRS DEPARTMENTS, AND SOCIAL INSURANCE ORGANIZATIONS

Article 29. Rights of workers

1. To receive social insurance books with full certification of the payment of unemployment insurance premiums when terminating labor contracts or working contracts.

2. To be entitled to unemployment insurance benefits prescribed in Article 42 of the Law on Employment.

3. To authorize other persons to submit dossiers of request for unemployment allowance prescribed in Clause 2, Article 17, and receive decisions on payment of unemployment allowance prescribed in Clause 3, Article 18, of this Decree.

4. To request employers to provide information on payment of unemployment insurance premiums; to request employment service centers and social insurance organizations to provide information on unemployment insurance.

5. To lodge complaints and denunciations about unemployment insurance in accordance with law.

6. To have other rights prescribed by law.

Article 30. Responsibilities of workers

1. To fully and correctly pay unemployment insurance premiums under Point a, Clause 1, Article 57 of the Law on Employment.

2. To comply with the regulations on participation in unemployment insurance.

3. To preserve and use social insurance books or health insurance cards under regulations.

4. For a worker signing many labor contracts, when having the labor contract currently covered by unemployment insurance terminated, to notify such termination to the subsequent employer for resumption of the payment of unemployment insurance premiums under regulations.

5. When so wishing, to submit dossiers of request for unemployment allowance or vocational training support under regulations to employment service centers.

6. To monthly notify employment service centers of their job seeking while being on unemployment allowance under regulations.

7. While being on unemployment allowance, to take up jobs or attend suitable vocational training courses recommended by employment service centers.

8. Within 15 working days after submitting a dossier of request for unemployment allowance, if a worker has found a job, he/she shall immediately notify such to the employment service center to which he/she has submitted the dossier.

9. To receive a notice of non-payment of unemployment allowance or vocational training support; a decision on payment of unemployment allowance; a decision annulling the decision on payment of unemployment allowance; a decision on vocational training support; a decision on suspension of unemployment allowance receipt; a decision on resumption of unemployment allowance receipt; a decision on stoppage of unemployment allowance receipt; or a decision on reservation of the period of payment of unemployment insurance premiums under regulations.

10. To notify employment service centers under regulations in the case of stoppage of unemployment allowance receipt prescribed at Point b, c, d, g, h, l or n, Clause 1, Article 21 of this Decree.

11. To return health insurance cards to social insurance organizations in the case of stoppage of unemployment allowance receipt prescribed at Point b, c, d, dd, e, g, h, i, l or n, Clause 1, Article 21 of this Decree, or in the case of changing the place of unemployment allowance receipt prescribed in Article 22 of this Decree.

12. To fully comply with the law on unemployment insurance and other relevant laws.

Article 31. Rights of employers

1. To receive financial support for training and retraining of workers for them to improve their occupational skills qualifications and maintain their jobs under regulations.

2. To refuse requests which contravene the law on unemployment insurance.

3. To lodge complaints and denunciations about unemployment insurance in accordance with law.

4. To have other rights prescribed by law.

Article 32. Responsibilities of employers

1. To assume the prime responsibility for, and coordinate with grassroots trade union organizations in, disseminating policies and laws on unemployment insurance.

2. To identify participants in unemployment insurance, comply with the order and procedures for participation in unemployment insurance, and pay unemployment insurance premiums correctly, fully and promptly in accordance with law.

3. To preserve workers' dossiers for participation in unemployment insurance during the time they work for the employers. To present documents and dossiers and provide relevant information at the request of competent state agencies upon examination and inspection related to unemployment insurance.

4. To provide information on payment of unemployment insurance premiums within 2 working days after receiving a worker's request.

5. To provide a copy of the labor contract or working contract or certify unilateral termination of the labor contract or working contract for a worker within 2 working days from the date the worker has his/her labor contract or working contract terminated. To carry out the procedures for certifying a worker's payment of unemployment insurance premiums for him/her to complete the dossier of request for unemployment insurance under regulations.

6. To notify places of their head offices to employment service centers upon the occurrence of any change in their workers under the guidance of the Minister of Labor, War Invalids and Social Affairs. For armed forces units, the Minister of Labor, War Invalids and Social Affairs shall assume the prime responsibility for, and coordinate with the Minister of National Defense or the Minister of Public Security in, guiding the implementation of this stipulation.

7. Before January 15 every year, to report on the situation of participation in unemployment insurance in the preceding year to provincial-level Labor, War Invalids and Social Affairs Departments.

8. To organize training and retraining of workers for them to improve their occupational skills qualifications and maintain their jobs under the approved plans.

9. To employ workers who have received training or retraining to improve occupational skills qualifications under the approved plans and report on implementation results to provincial-level Labor, War Invalids and Social Affairs Departments within 30 days after a training course is finished.

10. To discharge other responsibilities in accordance with law.

Article 33. Rights of employment service centers

1. To refuse illegal requests for unemployment insurance benefits.

2. To propose competent state agencies the elaboration, amendment and supplementation of unemployment insurance regimes and policies and the management of the Unemployment Insurance Fund.

3. To propose competent state agencies to handle violations of the law on unemployment insurance.

4. To have other rights in accordance with law.

Article 34. Responsibilities of employment service centers

1. To organize the dissemination of unemployment insurance policies and laws.

2. To receive dossiers of request for unemployment allowance and dossiers of request for vocational training support; to consider and carry out procedures for settlement of entitlement to unemployment allowance or vocational training support in accordance with law.

3. To organize job counseling and recommendation and vocational training for workers in accordance with law.

4. To examine, monitor and update workers' information on entitlement to unemployment insurance benefits.

5. To monthly, quarterly, annually or irregularly report on unemployment insurance to the Ministry of Labor, War Invalids and Social Affairs and provincial-level Labor, War Invalids and Social Affairs Departments in accordance with law.

6. To provide documents and information on unemployment insurance at the request of workers, trade union organizations or competent agencies in accordance with law.

7. To archive and preserve dossiers of request for unemployment insurance in accordance with law.

8. To organize professional training and retraining activities and apply information technology in management of unemployment insurance and settlement of entitlement to unemployment insurance benefits for workers under regulations.

9. To implement international cooperation on unemployment insurance.

10. To perform other responsibilities in accordance with law.

Article 35. Rights of social insurance organizations

1. To examine the payment of unemployment insurance premiums and entitlement to unemployment insurance benefits by workers and employers.

2. To refuse illegal requests for settlement of unemployment allowance regimes.

3. To propose competent agencies the elaboration, amendment or supplementation of unemployment insurance regimes, policies and laws; to manage and use the Unemployment Insurance Fund; to handle violations of the law on unemployment insurance or propose competent state agencies to handle violations of the law on unemployment insurance in accordance with law.

4. To have other rights prescribed by law.

Article 36. Responsibilities of social insurance organizations

1. To annually provide every worker with information on his/her payment of unemployment insurance premiums.

2. To disseminate unemployment insurance regimes, policies and laws; to guide procedures for participation in unemployment insurance and collection of unemployment insurance premiums for workers and employers that are obliged to participate in unemployment insurance.

3. To collect unemployment insurance premiums.

4. To provide local employment service centers with information on workers' participation in unemployment insurance and payment of

unemployment insurance premiums, except the Social Insurance Agency of the Ministry of National Defense and the Social Insurance Agency of the People's Public Security force.

5. To pay unemployment allowance and financial support for vocational training and training and retraining activities to improve occupational skills qualifications for job maintenance for workers.

6. To stop paying unemployment allowance or financial support for vocational training or training and retraining activities to improve occupational skills qualifications for job maintenance for workers and revoke health insurance cards for persons on unemployment allowance when receiving competent agencies' decisions.

7. To grant health insurance cards and pay health insurance premiums for persons on unemployment allowance in accordance with law.

8. To manage and use the Unemployment Insurance Fund in accordance with law.

9. To take measures for preservation and development of the Unemployment Insurance Fund in accordance with law.

10. To transfer funds for unemployment insurance management expenses to the Ministry of Labor, War Invalids and Social Affairs under regulations.

11. To conduct statistics and accounting of unemployment insurance.

12. To apply information technology in unemployment insurance management; to archive dossiers of participants in unemployment insurance in accordance with law.

13. To fully and promptly provide information on participation in unemployment insurance and payment of unemployment insurance premiums upon a worker's request.

14. To provide documents and information on unemployment insurance at the request of competent state agencies.

15. To settle complaints and denunciations about the implementation of unemployment insurance in accordance with law.

16. To report on revenues, expenditures, management and use of the Unemployment Insurance Fund in the first six months of a year before July 31, and in that year before January 31 of the subsequent year, to the Ministry of Finance and the Ministry of Labor, War Invalids and Social Affairs.

17. To perform other responsibilities in accordance with law.

Article 37. Rights of provincial-level Labor, War Invalids and Social Affairs Departments

1. To promulgate decisions on payment of unemployment allowance; decisions on vocational training support; decisions on suspension from unemployment allowance receipt; decision on resumption of unemployment allowance receipt; decisions on stoppage of unemployment allowance receipt; decisions annulling decisions on payment of unemployment allowance; and decisions on reservation of the period of payment of unemployment insurance premiums.

2. To appraise and approve plans on training and retraining to improve occupational skills qualifications for job maintenance; to appraise support request dossiers, and monitor and supervise the provision of support for training and retraining to improve occupational skills qualifications under regulations.

3. To monitor, inspect and examine the implementation of the law on unemployment insurance.

4. To settle complaints and denunciations about unemployment insurance in accordance with law.

5. To propose competent agencies the elaboration, amendment and supplementation of unemployment insurance regimes, policies and laws.

6. To propose competent agencies to handle violations of the law on unemployment insurance.

7. To have other rights in accordance with law.

Article 38. Responsibilities of provincial-level Labor, War Invalids and Social Affairs Departments

1. To assume the prime responsibility for, and coordinate with related agencies in, disseminating unemployment insurance policies and laws.

2. To settle organizations' and individuals' complaints and denunciations about the implementation of unemployment insurance regimes in accordance with law.

3. To send biannual, annual or irregular reports to the Ministry of Labor, War Invalids and Social Affairs and provincial-level People's Committees in accordance with law.

4. To provide documents and information on unemployment insurance at the request of competent agencies.

5. To implement international cooperation, and participate in scientific research, on unemployment insurance.

6. To perform other responsibilities in accordance with law.

Chapter VI

IMPLEMENTATION PROVISIONS

Article 39. Transitional provisions

1. The period during which a worker paid unemployment insurance premiums under the Law on Social Insurance before the effective date of the Law on Employment but has not yet received unemployment allowance shall be regarded as the period of payment of unemployment insurance premiums under Article 45 of the Law on Employment.

2. The period during which an employer pays unemployment insurance premiums for his/her/its workers shall be counted for exemption from paying job loss allowance or severance allowance under the laws on labor and public employees.

3. The actual working period of a worker under labor contracts or working contracts signed with employers for which unemployment insurance premiums are not paid shall be counted for consideration of his/her entitlement to severance allowance or job loss allowance under the current labor law or entitlement to severance allowance under the law on public employees.

4. Workers who submitted dossiers of request for unemployment allowance before January 1, 2015, shall comply with the Government's Decree No. 127/2008/ND-CP of December 12, 2008, detailing and guiding a number of articles of the Law on Social Insurance regarding unemployment insurance; and the Government's Decree No. 100/2012/ND-CP of November 21, 2012, amending and supplementing a number of articles of the Government's Decree No. 127/2008/ND-CP of December 12, 2008, detailing and guiding a number of articles of the Social Insurance Law regarding unemployment insurance.

Article 40. Organization of implementation

1. The Minister of Labor, War Invalids and Social Affairs shall guide and organize the implementation of this Decree.

2. The Minister of Finance shall ensure the allocation of state budget funds for the Unemployment Insurance Fund under Article 7 of this Decree.

3. The Minister of National Defense and the Minister of Public Security shall, within their functions and tasks, guide and organize the implementation of this Decree.

4. Other related ministries and sectors shall, within their functions, tasks and powers, organize the implementation of this Decree.

Article 41. Effect

1. This Decree takes effect on May 1, 2015. The regimes provided in this Decree apply from January 1, 2015.

2. From the effective date of this Decree, the following decrees shall cease to be effective:

a/ The Government's Decree No. 127/2008/ND-CP of December 12, 2008, detailing and guiding a number of articles of the Law on Social Insurance regarding unemployment insurance;

b/ The Government's Decree No. 100/2012/ND-CP of November 21, 2012, amending and supplementing a number of articles of the Government's Decree No. 127/2008/ND-CP of December 12, 2008, detailing and guiding a number of articles of the Law on Social Insurance regarding unemployment insurance.

Article 42. Implementation responsibility

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, chairpersons of provincial-level People's Committees, and related agencies, organizations, enterprises and individuals shall implement this Decree.-

On the behalf of the Government

Prime Minister

NGUYEN TAN DUNG