



# NEWSLETTER

**AUDITING AND ACCOUNTING COMPANY**

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Auditing and Accounting Company - AAC provides the most updated information in relation to taxation, investment, banking etc. in Vietnam to its regular clients and other clients. This monthly newsletter is published in Vietnamese and English, sent to our readers through Post, Fax or E-mail.



## Abbreviations

MOF
<i>Ministry of Financial</i>
MOT
<i>Ministry of Trade</i>
MOLISA
<i>Ministry of labor, War Invalids and Social affairs</i>
MOC
<i>Ministry of Construction</i>
SBV
<i>State bank of Viet Nam</i>
GDT
<i>General Department of Taxation</i>
GDC
<i>General Department of Customs</i>
VAT
<i>Value added tax</i>
CIT
<i>Corporate income tax</i>
Dcr .
<i>Decree</i>
Cir.
<i>Circular</i>
Dc.
<i>Decision</i>
OL.
<i>Official letter</i>

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## Summaries of major legal documents

### VALUE ADDED TAX

#### General regulations

Deduction of VAT: According to the prevailing regulations, input VAT to be deducted is the input VAT of goods and services used for producing or trading goods and services subject to VAT.

With respect to fixed assets used for producing and trading goods and services, the input VAT shall be deducted fully.

In case where a company purchases secondhand ships to add to its shipping capacity as well as signs contracts on building new ships with ship-building factory, if the company make payment by installments in accordance with the minutes on checking and taking over the ship, the company may declare, deduct or be refunded with input VAT. *(OL No.2835/TCT-CS dated 20/07/2007).*

Tax applicable to tourism services: According to the prevailing regulations, with respect to travel services, the service contract is signed in accordance with the package price (including meals and accommodation), the package price shall be the price with tax to be used for calculation of VAT and turnover of business establishment. In case where the package price includes VAT non-taxable amounts such as air-ticket, expense on meal, accommodation, sight-seeing (if they are supported by lawful documents), these amounts (expenses) shall be deducted from the VAT taxable price.

Accordingly, a party signs a travel contract with client in accordance with the package price, then the contract is assigned to the third party to implement, expenses arise in foreign country such as expenses on meals, accommodation and sightseeing, which are supported by lawful documents and in conformity with the contract (documents must be translated into Vietnamese) and air-ticket is provided by the third party to the party signing with the client, these expenses shall be deducted when determining VAT taxable turnover. *(OL No.2829/TCT-CS dated 20/07/2007).*

Deduction of VAT: According to the prevailing regulations, the exported goods subject to a VAT rate of 0% and entitled to deduction of and refund of VAT shall have to satisfy the following conditions: contract on processing for foreign organization and individual; customs declaration on which the customs body certifies that the goods has already exported; the payment of the goods is made via banks; and VAT on returning goods to the foreign party.

Accordingly, where a company actually exports goods to the foreign party. While exporting goods, some goods is not accepted by the foreign party and returned to the company. If the company has conducted procedure for import and adjusting turnover (reducing turnover), the company shall have to adjust the input VAT relating to the goods returned to the company. Input VAT relates to the re-imported goods shall not be declared for deduction or refund of tax.

In case where company repairs and completes products in order to re-export them to foreign country, the company may declare, deduct or refund VAT after actually re-exporting to foreign customer in accordance with the law. With respect to expense on compensation made by another domestic production and business establishment, company shall not have to issue invoice, but only receipt on collection of compensation and calculate as extra-ordinary income. *(OL No.2823/TCT-CS dated 20/07/2007).*

Value added tax: If business establishments sell goods to export processing enterprises to be used for operation of office such as: stationary, food and so forth, the business establishment shall have to have customs declaration on export of goods so that the goods is applied with a VAT rate of 0% (except for electricity and water). If the business establishment fails to open customs declaration, the business establishment shall have to declare the input VAT.

Accordingly, where a business establishment sells office stationery and appliance for export processing enterprise without opening a customs declaration, the goods is not entitled to a VAT rate of 0%. *(OL No.2822/TCT-CS dated 20/07/2007).*

Tax registration: On July 18, 2007, the Ministry of Finance issued Circular No.85/2007/TT-BTC guiding the implementation of Law on Tax Management concerning tax registration. This Circular provides details on the time-limit for tax registration, dossiers of tax registration for each subject; the time-limit for receiving and granting certificate of tax registration of tax agency, certain contents regarding changing information of tax registration (name, location), as well as the regulations on terminating the validity of tax code.

This Circular shall be of full force after 15 days since its publication on the Official Gazette and shall replace Circular No.10/2006/TT-BTC dated 14/02/2006 of the Finance Ministry.

Tax payers who have been granted tax code under Circular No.79/1998/TT-BTC dated 12/06/1998 and Circular No.68/2003/TT-BTC dated 17/07/2003, Circular No.80/2004/TT-BTC dated 13/08/2004 and Circular No.10/2006/TT-BTC dated 14/02/2006 of the Finance Ministry may still use it.

Tax policy: In case where a business establishment receives money financed by other business establishments to implement sales promotion, advertisement, marketing, maintenance services as well as other supports for selling products that the business establishment produces or imports into Vietnam, the financed money shall be considered

as turnover with VAT. Therefore, the business establishment receiving financed money shall have to determine turnover without VAT and VAT in order to issue VAT invoices in accordance with the regulations.

Therefore, if a company receives financed money from other companies to implement sales promotion program, the financed money shall be determined as turnover with VAT. When the branch of the company receives the financed money, the branch shall have to turnover without VAT and VAT so that the branch issues VAT invoice in accordance with the current regulations. *(OL No.2700/TCT-CS dated 13/07/2007).*

**Determination of time period for declaration and deduction of input VAT:** According to the prevailing regulations, if VAT invoices or documents on payment of input VAT with respect to goods and services purchased in the month, but the invoice and documents are not declared in the month, they shall be declared in the next months, but the declaration shall not be delayed for more than 3 months.

Accordingly, in case where VAT invoices and documents on payment of VAT arise in January of 2007, if the company fails to declare VAT in January of 2007, the company may declare and deduct this amount of VAT on the declaration of the February or March, but no later than April of 2007. *(OL No.2679/TCT-CS dated 13/07/2007).*

**Deduction of tax:** In case where a company uses part of investment capital source of capital construction to build canteen and accommodation for its employees, the input VAT of goods and services used for the construction shall be declared, deducted and/or refunded. *(OL No.2650/TCT-CS dated 11/07/2007).*

**Tax applicable to branch of lawyers' office:** According to the prevailing regulations, exported goods and services are subject to a VAT rate of 0%. Exported services are the ones which are provided directly to foreign organizations and individuals and consumed outside of Vietnam if the followings are satisfied: the service provider signs contract with foreign purchaser in accordance with the commercial law; and the foreign purchaser make payment for the service to the service provider in Vietnam.

In case where a Legal Office A provides legal consulting service to an organization or individual in foreign country (for consuming out the territory of Vietnam), this service shall be considered being exported and shall be applied with a tax rate of 0%. If the contract is signed with a foreign organization or individual; and the payment of value of the service is effected via banks. *(OL No.2537/TCT-PCCS dated 29/06/2007).*

**Deduction of VAT:** According to the prevailing regulations, input VAT to be deducted is the VAT of goods and services used for producing and trading goods and services subject to VAT.

With respect to fixed assets used for production and business, the input VAT shall be deducted fully.

In case where a company A purchases fuel transporting ship with tonnage of 10,000 from China and then repairs and upgrades it to fixed assets. In the year of 2005, the company uses this ship for domestic transportation activities and the company has declared and deducted input VAT fully. From the year of 2006 to present, the ship is used for international transportation not subject to VAT, the company shall not have to adjust input VAT as deducted when purchasing the ship.

If the company has input VAT not deducted fully, the input VAT shall be refunded in accordance with the regulations. *(OL No.2536/TCT-PCCS dated 29/06/2007).*

**VAT:** Objects not subject to VAT shall be unprocessed or preliminary-treated cultivation products (including products from afforestation) from breeding, aquaculture, fishing that producing or catching organizations or individuals sell.

Therefore, foodstuff for cattle which have been processed shall be subject to VAT in accordance with the prevailing regulations. *(OL No.2479/TCT-PCCS dated 28/06/2007).*

**Settlement of breaches of tax regulations:** According to the Finance Ministry's Circular No.61/2007/TT-BTC dated 14/6/2007, acts of infringing tax procedures shall be fined at the level of an absolute amount of money, but the maximum level shall not exceed VND 100 million. When fines are imposed, the specific fine level for an act of procedure violation shall be the average level of the fine bracket prescribed for such act; if extenuating circumstances are involved, the fine level may be reduced but must not be lower than the minimum level of the fine bracket; if aggravating circumstances are involved, the fine level may be increased but must not be higher than the maximum level of the fine bracket

The average level of the fine bracket is determined by halving the total of the maximum level and the minimum level. As determining the fine level with regard to tax payers who have violated the tax regulations with both extenuating circumstances and aggravating circumstances, the aggravating circumstances may be considered for reduction as follows: if two extenuating circumstances are involved, one aggravating is deducted. After deducting as aforesaid, if one extenuating circumstance and one aggravating circumstance remain, depending on the nature and severity of the violation as well as the willingness of covering the consequences of his/her violation, the competent person shall consider for applying a certain fine to the following cases: one aggravating circumstance is involved, or neither extenuating circumstances nor aggravating circumstances are involved. With regard to the acts of violating tax procedures, an increase or a decrease of 20% of the average level of the fine bracket shall be applied to each aggravating circumstance or extenuating circumstance involved respectively. The act of deferring payment of tax or fine shall be subject to a daily fine of 5% of the deferred payment.

This Circular shall be of full force after 15 days since its publication on the Official Gazette

Guiding the Law on Tax Management: On June 14, 2007, the Ministry of Finance issued Circular No.60/2007/TT-BTC guiding the implementation of a number of articles of the Law on Tax Management and guiding the implementation of Decree No.85/2007/ND-CP dated 25/5/2007 of the Government detailing a number of articles of the Law on Tax Management. Subjects of application include tax payers, tax agencies, tax civil servants, state agencies, organizations and individuals involving the implementation of the tax law. This Circular provides contents relating to tax management activities such as tax declaration, tax calculation, tax payment, tax reimbursement, tax inspection, and tax-related complaints and denunciations.

This Circular shall take effect after 15 days since its publication on the Official Gazette. The regulations on monthly and quarterly tax declaration shall be applied since July 2007 and the third quarter of 2007 respectively.

### Tax rate

VAT rate: According to the list of VAT rate issued in conjunction with Circular No.62/2004/TT-BTC dated 24/06/2004, manioc (cassava) starch shall be subject to a VAT rate of 5%. *(OL No.2648/TCT-CS dated 11/07/2007)*

VAT rate applicable to construction of tombs: According to the prevailing regulations, funeral service shall not be subject to VAT. Funeral service shall include leasing house, automobiles for funeral purpose.

At the same time, construction and installation shall be subject to a VAT rate of 10%. Therefore, the construction of tombs shall not be considered as funeral service and shall be subject to a VAT rate of 10%. *(OL No.2618/TCT-CS dated 11/07/2007).*

VAT rates applicable to bolts and screw nuts: According to the prevailing regulations, bolts, screw nuts and washers are subject to a VAT rate of 5%.

In case where a company A issued VAT invoices for these commodity items with a VAT rate of 10%, the VAT shall not be amended. *(OL No.2534/TCT-PCCS dated 29/06/2007).*

### Invoice, voucher

Issuance of VAT invoice for financed money: In case where a business establishment receives money financed by other business establishments to implement sale promotion, advertisement, marketing, maintenance services as well as other supports for selling products that the business establishment produces or imports into Vietnam, the financed money shall be considered as turnover with VAT. Therefore, the business establishment receiving financed money shall have to determine turnover without VAT and VAT in order to issue VAT invoices in accordance with the regulations. In case where the above-mention business establishment does not use the financed money to support the selling of goods and services that the establishment produces, provides or imports into Vietnam, the establishment shall not issue VAT invoice but only receipts.

With regard to those business who finance others, the financing contract and business mode of the business establishment concerning sale promotion shall serve as basis for issuing payment orders clearly stating the spending in support of expenditures, marketing and sale promotion.

With regard to a company which sets up and applies the policy supporting agents in which the agents shall receive an amount of operating expenditures,

- In case where the spending in support is directly related to the goods sale of the company, its agents shall issue VAT invoice upon the receipt of the supporting money.

- In case where the spending is not related to the goods sale of the company, its agents shall not issue VAT invoice. Instead, the company and agents shall issue the receipts and payment orders in which the purpose of the support is defined. *(OL No.2853/TCT-CS dated 20/07/2007)*

Invoices and vouchers for payment of insurance compensations: In case where insurance compensations for goods lost, insured assets are made with an agreed amount or the entire amount, insurance companies shall use payment orders together with insurance dossiers as basis for calculation of proper expenses. As receiving compensations, clients shall not issue and deliver invoices to the insurance companies. In case where clients have made payments for fixing and/or replacing insured assets and the service providers have issued and delivered invoices stating the clients' tax code, as paying compensations, the insurance company shall base on the payment orders and dossiers to calculate proper expenses, the clients shall not issue invoice upon the receipt of compensations.

In case where an insurance company refund insurance premium to a foreign client who is executing construction works in Vietnam and doesn't have VAT invoice in Vietnam, the insurance company and foreign company shall make records or written agreements clearly stating the refunded premium amounts (exclusive of VAT), the VAT amounts stated in the insurance premium receipts and the reasons for refund. Such documents shall be kept together with premium receipts shall serve as bases for the insurance company to adjust income and output VAT amounts. *(OL No.2845/TCT-CS dated 20/07/2007).*

Tax policy: According to the prevailing regulations, expense on purchasing and renting [from other entities] for production and business activities which are supported by documents and invoices shall be calculated proper expense when determining CIT taxable income.

With respect to accounting vouchers in English, when using them to record the accounting books in Vietnam, these accounting vouchers must be translated into Vietnamese. Vouchers which arise rarely or arises repeatedly, but the contents of these vouchers are various, the contents of these vouchers must be translated fully. The vouchers which arise repeatedly and the contents of them are similar, the first voucher shall be translated fully and from the second voucher, only main contents of the vouchers shall be translated: name of voucher, name of issuing entity or individual, name of receiver, economic content of voucher and position of the signing person. The translator shall have to sign and clearly record his or her full name, and shall have to bear responsibility for the contents in Vietnamese. The Vietnamese version must be attached with version in foreign language.

In case where Vietnamese enterprise arises expenses in foreign country for the their production and business activities, if these expenses are supported by lawful vouchers in the foreign country; the vouchers are translated into Vietnamese; and full name of the responsible person is clearly recorded, the expenses shall be calculated as proper expenses when determining CIT taxable income. *(OL No.2842/TCT-CS dated 20/07/2007).*

Documents on payment effected via banks: Payment made via a bank means the transfer of money from the bank of the importer to the bank of the exporter to pay for goods or services in accordance with the method of payment agreed in the contract and the regulations of the bank. The source document for payment shall be the credit advice issued by the bank of the exporter, notifying the amount of money received from the bank account at the bank of the importer.

At the same time, according to the credit advice issued by the bank of the exporter, the money is received from the current deposit account of non-resident individual (Vietnamese or foreigner), the credit advice is not accepted as payment document of the purchasing company so that the exporting company shall not conduct procedure for deduction or refund of VAT. *(OL No.2824/TCT-CS dated 20/07/2007).*

Purchasing loose invoice: In case where a company leases automobile and/or machinery of its employees to serve its operation and the rent is not included in the salary paid to the employees, the company shall request the employees to buy loose invoice from tax agency and issue it to the company. *(OL No.2572/TCT-CS dated 05/07/2007)*

Issuing invoices in foreign currency: In case where a company has the license to collect foreign currencies in cash in the country granted by the State Bank, the company may collect foreign currency from its customers and issue foreign currency invoice clearly stating the inter-bank average exchange rates publicized by the state bank at the time the goods and service purchase and sale activities arise. *(OL No.2571/TCT-CS dated 05/07/2007).*

Invoices on purchase of goods of enterprises closing its business illegally: With regard to a company which had purchased goods and services of an enterprise closing its business illegally before tax agency declared the enterprise's illegal close, if the company has voluntarily overcome the consequences and paid the VAT amount the company had deducted from proper expenses due to the enterprise's illegal close before tax agency's inspection and discovery , such company shall not be fined. *(CV 2570/TCT-CS dated 05/07/2007)*

Printing, using and management of invoices: According to the prevailing regulations, entities which use VAT invoices include organizations and individuals conducting business and production activities and calculating VAT in accordance with the credit method; organizations and individuals acting as agent to selling goods at the price fixed by producers and calculating VAT in accordance with the credit method.

Entities who use sales invoices shall include organizations and individuals conducting production and business activities and calculating VAT in accordance with the direct method; organizations and individuals acting as sales agents to sell goods subject to special sales tax at the price fixed by producers and calculating VAT in accordance with the direct method; households paying tax in accordance with the direct method.

At present, the use of invoices shall be based on the VAT calculation method of the taxpayers. Therefore, taxpayers may use different kind of invoices depending on the method of calculation of tax. *(OL No.2567/TCT-CS dated 05/07/2007).*

Purchasing goods without invoices: In case where an enterprise purchases goods of non-business individuals without invoices, such enterprise shall make a list of purchased goods according to a set form using vouchers of the individuals. The enterprise's director shall ratify the payments in accordance with the list and shall bear absolute responsibility for the fairness and accuracy of the list. In case where the list of goods purchased from non-business individuals or organizations and the lawful documents supporting the payments made to the seller are available, the enterprise's director ratifies the payments in accordance with the list and stand responsible before the law; the values of such goods shall be recognized as proper expenses when calculating CIT. *(OL No.2478/TCT-PCCS dated 28/06/2007).*

Tax applicable to sales discounts: According to the prevailing regulations, the price of goods and services is discounted on the invoice, the percentage or level of discount, selling price without VAT (after discount), VAT and total price with VAT must be recorded clearly.

In case where the discount is based on quantity and turnover of actually-purchased goods and services, the discount shall be calculated and adjusted on the invoice of the last or next purchase of goods and service. On the invoice, No. of invoice and amount of discount must be clearly recorded.

In case where the discount of goods and service is not deducted fully on one sale invoice, the discount shall be deducted on the next sales invoice. If the customer does not purchase goods any more, the seller may pay the

discount the customer in cash and the discount shall be calculated as expense for sales promotion. [\(OL No.2473/TCT-PCCS dated 28/06/2007\)](#).

**Losing invoice due to force majeure:** According to the prevailing regulations, where invoice is lost due to force majeure such as: thief, robbery, fire and there are sufficient documents and dossiers certified by the competent body and evidencing that the loss of invoice happens due subjective reasons and force majeure, the business establishment may be considered for reduction of and exemption from administrative penalty with respect to loss of invoice. [\(OL No.2456/TCT-PCCS dated 27/06/2007\)](#).

**VAT policy:** According to the prevailing regulations, objects subject to VAT shall be goods and services used for producing and trading consumer's goods in Vietnam (including goods and services purchased from foreign organizations and individuals), except for objects not subject to tax in accordance with the laws.

In case where a company liquidate a construction work, this construction work shall be subject to VAT. When selling the construction work, the company shall have to issue VAT invoice. If the company liquidated the construction work without issuance of invoice, the company shall have to issue invoice in order to declare and pay VAT. [\(OL No.2419/TCT-PCCS dated 25/06/2007\)](#).

## CORPORATE INCOME TAX

**CIT incentives applicable to securities listing companies:** Organizations which have securities listed at the Stock Exchange and Securities Transaction Center for the first time shall be entitled to a 50% reduction of the amount of corporate income tax payable for 2 years as from the time of listing. In case where a company is entitled to CIT incentives under Decree No.164/2003/ND-CP, such company shall be entitled to tax exemption for the years 2005 and 2006, a 50% reduction of the amount of tax payable for the three subsequent years (2007, 2008, and 2009). If the company has securities listed for the first time on 25/12/2006, the company shall be entitled to a 50% reduction of the tax amount payable for the two subsequent years from when the time-limit for tax exemption terminates (2006). Totally, the company shall be exempted from corporate income tax for 2007 and 2008 as the company is entitled to a 50% reduction of CIT according to the Law on Corporate Income Tax, a 50% reduction of the payable tax amount because of the securities listed for the first time and a 50% reduction of the tax amount payable for 2009. [\(OL No.2861/TCT-CS dated 20/07/2007\)](#).

**CIT incentives:** According to the prevailing regulations, after finalization of tax, business establishment incurs loss, the loss shall be carried forward and deducted from the taxable income of the next year. The duration for which the business establishment is permitted to carry forward loss shall not exceed 5 years as from the year following the year of loss.

When incurring loss, business establishment must have a plan on carrying forward loss or register this plan with the tax office. Business establishment shall not carry forward loss if the business establishment does not register the plan on carrying forward loss with the tax office or carrying forward loss not in accordance with the plan on carrying forward loss as registered with the tax office.

At the same time, business establishment shall self-determine the conditions for entitlement to preferential tax rate, levels of reduction of or exemption from tax, amount of loss to be deducted from taxable income.

If a company self-determines the tax incentive level and finalize tax in accordance with the law without sending official letter to the tax body to ask for reduction of and exemption from the tax. The tax body may inspect the conditions for which the company enjoys reduction of and exemption from tax.

If a company does registers carrying forward loss for the years of 2004, 2005, the company register to carry forward loss to the next years, the duration for carrying forward loss shall not exceed 5 years as from the year following the year when the loss arises. [\(OL No.2825/TCT-CS dated 20/07/2007\)](#).

**Tax period:** The time for commencement of calculation of tax reduction and/or exemption shall be the time at which taxable incomes arise. If the first tax period is less than 12 months, enterprises may register with tax agency the time of tax reduction or exemption which commences as from the first tax period or the subsequent one.

In 2005, if taxable income results but the operation period is less than 12 months, enterprises may declare and pay CIT as well as register with tax agency the time for tax reduction and exemption which commences as from the subsequent tax period.

In case where loss results in 2006, 2006 shall be the first year of tax exemption since the enterprise earned income in its first operation year (2006) and the enterprise has registered the time for tax reduction or tax exemption as from the next tax period. [\(OL No.2703/TCT-CS dated 13/07/2007\)](#)

**Expense on loan interest:** According to the prevailing regulations, the payment of interest of loan borrowed for producing and trading goods and services from banks, credit institutions and economic organizations shall be based on the loan contract. Interest rate of loan borrowed from other entities shall be the actual interest rate on the contract, but shall not exceed 1.2 times of the interest rate of loans that the commercial banks have transactions with the business establishment.

Expense paid for interest of loan borrowed for contribution to legal capital and charter capital shall not be calculated as proper expense for determination of taxable income.

In case where a company have overdue debts due to later payment, the loan interest is specifically stipulated in the contract, valid payment document and does not exceed the limit as stipulated by the law, the loan interest shall be calculated as proper expense when calculating corporate income tax.

If the company fails to pay charter capital fully, the expense paid for interest on loan equivalent to charter capital not fully contributed shall not be considered as proper expense when calculating corporate income tax. [\(OL No.2701/TCT-CS dated 13/07/2007\)](#).

**Allocation of expenses:** According to the prevailing regulations, the investor shall register the investment capital of the owner. The owner of a private enterprise shall be obliged to register the total amount of investment capital exactly, clearly stating capital in Vietnamese dong, freely-convertible foreign currencies, gold and other assets. With respect to capital being other assets, the owner of the private enterprise shall have to clearly state assets, quantity and value of each asset.

Accordingly, if assets of a private enterprise is registered to be investment capital of the private enterprise in accordance with the Enterprise Law, the value of the assets registered and used for business activities, the depreciation of the assets shall be made. In case where the assets of the private enterprise are not registered as investment capital of the owner of the private enterprise, the depreciation of the assets shall not be made and calculated as expense of the enterprise.

In case where the owner of a private enterprise uses his or her house for living and business, the owner of the private enterprise shall have to base on the area actually used for business activities to make depreciation for the house. The owner of the private enterprise shall have to register with the tax office and shall bear responsibility before the law for accuracy and truthfulness of the depreciation of the house.

With respect to expense on electricity and water, the owner of the private enterprise shall have to base itself on the use of electricity and water for business activities and family to make a list of expense on electricity and water for business activities and expense on electricity and water for family. After that the owner of the private enterprise may register with the list with the tax office. [\(OL No.2630/TCT-CS dated 11/07/2007\)](#).

**CIT incentives:** According to the prevailing regulations, taxable income in the tax period shall include the taxable income from production, business, service activities as well as other incomes, including the taxable income from production and business activities in foreign country.

Accordingly, taxable incomes in the tax period shall include: taxable income from production and business activities, services and other taxable incomes. In case where a company currently entitled to CIT incentives sells its capital contribution in the such joint-venture company to foreign investor, this income shall be considered as income from transfer of capital, the company shall have to calculate this income as other income when calculating CIT. This income shall also be entitled to CIT incentives. [\(OL No.2627/TCT-CS dated 11/07/2007\)](#).

**Declaration and payment of CIT:** With respect to dependent accounting units attached to group which has independent accounting units in terms of income, expenses, business result, income earned from other business activities like consultancy, design, construction, sale, software development, etc) shall be declared, paid and finalized at the locality. With respect to dependent accounting units attached to group which has no independent accounting units in terms of income, expenses, business result, income resulting from other business activities shall be declared, finalized at the group if those business activities are defined in the operation scope of the group and such income are remitted to the group. [\(OL No.2592/TCT-CS dated 06/07/2007\)](#)

**Income tax with respect to capital transfer:** In case where a limited liability company transfers its entire assets and the company to a new investor, the company is still operating, such transfer shall be considered as the transfer of capital and income earned from such transfer shall not be subject to VAT but CIT. [\(OL No.2591/TCT-CS dated 06/07/2007\)](#).

**Volume rebates:** Volume rebates shall be recognized as proper expenses but shall not exceed 10% of the total proper expenses. The acts of recording such expenses beyond the stipulated limits for the first time shall not be considered as tax evasion. [\(OL No.2568/TCT-CS dated 05/07/2007\)](#).

**CIT incentives applicable to newly formed enterprises:** Newly-formed joint-stock company shall be entitled to CIT applicable to newly-formed business establishments. In case where a company is granted the certificate of business registration after Decree No. 108/2006/ND-CP dated 22/09/2006 takes into effect, such company shall be entitled to CIT incentives in accordance with Decree No.24/2007/ND-CP dated 14/02/2007 detailing the implementation of the Law on Corporate Income Tax. [\(OL No.2502/TCT-PCCS dated 29/06/2007\)](#).

**CIT rate:** With respect to currently operating business establishments with an investment project for construction of new production lines, for expanding their scale, renovating technology, improving the ecological environment, or increasing production capacity, the tax rate applicable to additional income resulting from such investment shall be as follows: where the investment project is in the same industry or sector, or the same geographical area as the head office of the business establishment, then the tax rate applicable to additional income resulting from such investment shall be the rate currently applicable to such business establishment.

Accordingly, in case where an investment project for expanding the scale of an industrial zone of company A is an investment project is in the same industry or sector, or the same geographical area as the head office, then the tax rate applicable to additional income resulting from the project shall be the rare currently applicable to the company. [\(OL No.2484/TCT-PCCS dated 28/06/2007\)](#)

**Tax policy:** According to the prevailing regulations, fixed assets may be made depreciation and calculated as proper expense upon satisfaction of the followings conditions: (i) the fixed assets are used for production and trading purposes; (ii) the fixed assets are supported by invoices, vouchers and documents evidencing that the fixed assets are owned by the business establishment; and (iii) the fixed assets are managed, monitored and calculated in the accounting books of the business establishment in accordance with the laws.

Accordingly, if a company purchases an apartment to be used as office, if the apartment is supported by invoice and contract, the company may make depreciation and calculate proper expense with respect to this apartment. The time at which the depreciation begins to be made shall be the time at which the apartment is used for business purpose. *(OL No.2433/TCT-PCCS dated 25/06/2007).*

### PERSONAL INCOME TAX

**PIT applicable to mid-shift meals:** In case where a unit delivers monthly meal ticket to its employees for lunch and mid-shift meals, the employees exchange their meal tickets for meals but not others and they are not refunded with money if they don't use those meal tickets, such meal tickets shall not be subject to PIT and shall not be included in the wage-fund when determining social insurance and medical insurance. *(OL No.2590/TCT-CS dated 06/07/2007)*

### OTHER TAXES, FEES AND CHARGES

**Tax applicable to contractors:** Foreign organizations and individuals that do business in Vietnam but are not present therein, earn incomes in Vietnam is subject to tax in Vietnam. Service business activities of foreign organizations and individuals that are not present in Vietnam shall be subject to tax in Vietnam if those services are consumed in Vietnam and the payment sourced from Vietnam. In case where foreign organizations and individuals earn incomes from services provided and consumed beyond Vietnam, such organizations and individuals shall not be subject to tax in Vietnam.

In case where a company hires a foreign group to conduct marketing activities with regard to foreign customers, those activities are provided and consumed outside of Vietnam; the foreign group, therefore, shall not be subject to tax in Vietnam according to the above-mentioned regulations. *(OL No.2704/TCT-CS dated 13/07/2007).*

**Registration of payment of tax:** According to the prevailing regulations, if a business establishment have plenty of shops in the same locality, the business establishment shall have to pay license tax for itself and for the shops in that locality. *(OL No.2610/TCT-CS dated 10/07/2007).*

### EXPORT - IMPORT

**VAT applicable to imported machinery and equipment:** According to the prevailing regulations, if a business and production establishment import a synchronous line of machinery and equipment not subject to VAT, and the line of machinery and equipment includes machinery and equipment which can be locally produced, the line of machinery and equipment shall not be subject to VAT.

In case where company does not import a line of machinery and equipment, but imports separate machinery and equipment [in which there is machine can be locally produced], the machinery and equipment shall be subject to VAT. *(OL No.4039/TCHQ-KTTT dated 18/07/2007).*

**Regulations on trial electronic customs procedure:** According Decision 52/2007/QĐ-BTC dated June 22, 2007 of MOF, the electronic customs procedure shall be experimentally applicable to the followings: Goods imported and exported in accordance with the foreign trade contracts; Goods imported and exported in order to implement contract on processing goods for foreign business entities or goods that Vietnamese party requests foreign parties to process in foreign country; Goods imported and exported as materials imported for processing exported goods; Goods imported for re-export; Goods brought into export processing zones; Goods imported and exported on spot; Goods imported and exported to implement investment projects and so forth.

Customs body shall collect customs fee and other fees on behalf of associations and organizations with respect to goods, for which the customs clearance is carried out from 1st to 10th of the next month. With respect declaration on import and export of goods, in which the total tax is VND 50,000 or less, the owner of goods shall not be required to pay tax.

The Customs body shall not collect tax arrears in case of adjustment of tax, refund of tax and fining for delaying payment of tax if the collected or refunded amount for each declaration on import and export of goods is VND 50,000 or less.

This Decision shall be of full force and effect as from October 1, 2007.

**Guiding the settlement of administrative violations of customs regulations:** On June 14, 2007, the Ministry of Finance issued Circular 62/2007/TT-BTC guiding the implementation of Decree 97/2007/ND-CP stipulating the settlement of administrative violations and compulsory implementation of administrative decisions in the customs sector.

Accordingly, where the imported goods and articles are imported are not the goods and articles as declared in the customs declaration, in which the customs procedure is conducted by the post enterprises or express mailing service

providers on behalf of the goods owners, if there is no evidence that the sender, receiver and person conducting the customs procedure are not colluded among themselves, they shall not be subject to fine.

In case where the goods does not fall within the list of goods subject to permit of the Ministry of Trade or subject to specialized management of the Ministry of Trade and the time-limit for conducting the customs procedure has not expired, the owner of the goods does not carry out the procedure for import, but apply for re-export, the owner of the goods shall not be subject to fine.

Customs officers may decide the temporary seize documents, exhibits and means being used for violating the administrative regulations if the violation is caught red-handed. Within 24 hours from the time of making decision, decision maker shall have to report and obtain written approval from the higher authorities.

## ACCOUNTING AND FINANCE

Registration of and management of practicing the accounting profession: On June 27, 2007, the Finance Ministry issued Circular No.72/2007/TT-BTC guiding the registration and management of practicing the accounting profession.

Freelance accountants and accounting firms must register the name of professionals with the Ministry of Finance or authorized accounting and professional auditing associations. The registration must be done annually before October 30.

As working, accounting practitioners must present accounting practicing certificate granted by the Ministry of Finance. When signing documents concerning professional accounting services, accounting practitioner must clearly inscribe his/her full name and the number of the accounting practicing certificate.

Individuals providing professional accounting services must have a clear history, have good professional ethical standards, be incorruptible, and not belonging to the category of people prohibited by law from practicing as accountant as stipulated in Clause 1 and 2 of Article 51 of the Law on Accounting; have accounting practicing certificate or auditor certificate granted by the Ministry of Finance; have business office and address; have business registration of accounting. Foreigners registering to provide accounting services in Vietnam must additionally meet the condition that they are permitted to reside in Vietnam for 1 year plus, unless otherwise provided for by international agreements which the Socialist Republic of Vietnam has signed or acceded to.

An accountancy services enterprise must register to provide accountancy services; must have at least to people with accounting practicing certificate or auditor's certificate granted by the Ministry of Finance. Among them, the director must have accounting practicing certificate or auditor's certificate for 2 years or more.

At a given time, a profession-practicing accountant shall only be allowed to register for practice in one accountancy services enterprise or in one auditing enterprise or register for individual practice. People registered for accounting practice for the second time onward must additionally meet the condition that they have taken part in all annual refresher programs according to the Finance Ministry's regulations.

This Circular shall be of full force and effect after 15 days since its publication on the Official Gazette.

## LABOR AND SALARY

Acting as guarantee for laborers to work in foreign country: On July 11, 2007, the Ministry of Labor, War-invalid and Social Affairs and the Ministry of Justice issued Inter-circular 08/2007/TTLT-BLDTBXH-BTP guiding some issues relating to the contents of guaranty contract and liquidation of guaranty contracts for laborers working abroad in accordance with the contract.

Accordingly, the contents of the guaranty contract includes the following contents: form of guaranty contract; scope of guarantee; right and obligation of party participating in the guaranty contract; duration for implementation of guarantee obligation; settlement of assets of guaranteeing party; ensuring the implement of guaranty obligation; termination of guaranty contracts; liquidation of guaranty contracts and Limitation period for initiating legal actions.

Guaranteeing party and guaranteed part shall have to reach to an agreement on guaranty obligations on the guaranty contract. In case where they do not reach to an agreement, the guaranteeing party may fulfill the guaranty obligation in the proper time-limit as fixed by the guaranteed party.

This Inter-circular shall be of full force and effect after 15 days as from the date of its publication on Cong Bao.

The targeted national program on jobs until the year of 2010: On July 6, 2007, the Prime Minister issued Decision No.101/2007/QĐ-TTg on approving the targeted national program on jobs until the year of 2010.

The overall target of the economy is to guarantee jobs for 49.5 million laborers, to create 8 million jobs in 5 years from 2006 to 2010, to reduce the unemployment rate in cities to less than 5% by 2010. The targets by the year 2010 were specified as follows:

Provide employment for 2 – 2.2 million laborers via the target national program on jobs in 5 years from 2006 to 2010 including 1.7 – 1.8 million domestic jobs under employment project financed by the national fund for employment and 400-500 thousand foreign jobs under the operation of labor export enterprises and support funds for foreign employment;

Enhance the capacity of and modernize 30 – 40 employment promotion centers as well as perfect system of labor market information, increase the number of people who receive job advise and placement to 4 million in 5 years, build and put into operation websites specializing in labor market in 208;

Provide the training on professional knowledge for 75,000 cadres engaged in labor-employment in all levels of authority.

This Decision shall be of full force and effect after 15 days from the date of its publication on the Official Gazette.

Regulations on management and collection of health and social insurance premium: On June 26, 2007, Social Insurance Body issued Decision No.902/QD-BHXH promulgating regulations on management and collection of health and social insurance premium.

Accordingly, laborers who pay Social and Health Insurance premiums are Vietnamese citizens including cadres, public servants, employees as stipulated by the law on public servants and employees; contract laborers working for indefinite time under the law on labor. The monthly social insurance fee is 20% of the salaries or wages, of which employers pay 15%, employees pay 5%; Health Insurance fee is 3%, of which employers pay 2% and employees pay 1%. This rate is applicable from 01/01/2007 to 31/12/2009.

Laborers who have paid compulsory social insurance but have not yet received social insurance benefits before going to work abroad over a define period of time as stipulated by the Law on Vietnamese employees working overseas under contracts, such laborers shall pay 16% of their wages of the month before going overseas.

The payment of social insurance premium is made monthly with the limit is the last month's day. This Decision shall become valid since 01/07/2007 and shall replace Decision No.722/QD-BHXH dated 23/05/2003 of Social Insurance Body.

### STATE-OWNED ENTERPRISE

Management of State owned enterprises: On June 26, 2007, the Government issued Decree 111/2007/ND-CP on organization and management of State owned corporations and conversion of State owned corporations, independent State companies and State owned parent companies into companies operating in accordance with the Law on enterprises.

This Decree does not stipulate the joint-venture companies which are the member companies that the corporations hold controlling shares and capital contributions: joint-stock companies, limited liability companies with the controlling shares and capital contribution of corporations operating in accordance with the enterprise Law.

The model of parent and affiliate companies in which the parent company is State owned company shall only be applicable to State corporations, State corporations' member companies implementing independent cost-accounting system, State independent companies already converted into the model of parent and affiliate companies.

This Decree shall be of full force and effect after 15 days as from the date of its publication on Cong Bao.

Conversion of State owned enterprises: On June 26, 2007, the Government issued Decree 109/2007/ND-CP on conversion of enterprises with 100% State owned capital into joint-stock companies.

Accordingly, more entities which are subject to equitization shall be as follows: parent companies of economic groups, parent companies of parent-affiliate companies, limited liability companies in which the State holds 100% of charter capital.

The strategic investors shall not only be domestic investors, but also include foreign investors. The strategic investors may purchase shares at the price not lower than the average successful auction price.

The reduction of 20% of the price of shares sold to strategic investors is not necessary when the strategic investors have finance potential and they purchase shares to aim at governing enterprises. Therefore, this provision is revoked in this Decree.

Enterprises which satisfy the conditions for listing and registering transactions on the securities market shall have to list and register transactions at the Stock Exchange/ Securities Transaction Center during equitization.

This Decree shall be of full force and effect after 15 days as from the date of its publication on Cong Bao.

### BANKING

Investment support and credit for export: On June 25, 2007, the Ministry of Finance issued Circular 69/2007/TT-BTC guiding some articles of Decree 151/2006/ND-CP on investment and export credit of the State.

Accordingly, level of loan for each project shall be decided by the Bank for Development and shall not exceed 70% of the total approved investment capital (not including the working capital of the project). In special case, it is necessary for the project to borrow more than 70% of the total investment capital of the project (not including the working capital), the Bank for Development may propose the Ministry of Finance to submit to the Government for consideration and decision.

With respect to the remaining investment capital of the project, the investor may use legal capital sources such as equity, capital borrowed from other organizations and individuals. In which the capital of the investor must be at least equal to 15% of the total investment capital and fixed assets of the project.

This Circular shall be of full force and effect after 15 days as from the date of its publication on Cong Bao.

## INVESTMENT

Financial regulations and customs procedures at the Chu Lai Open Economic Zone: On July 05, 2007, the Ministry of Finance issued Circular No.76/2007/TT-BTC on financial regulations and customs procedures at the Chu Lai Open Economic Zone in Quang Nam province. Subjects of application are investors of all economic sectors operating under the Investment Law, the Enterprise Law, the Law on cooperative, individual business household, organizations and individuals operating under Vietnam law.

Investment projects in Chu Lai Open Economic Zone shall be entitled to the maximum incentives applicable to investment projects in areas facing special difficulties as provided by the Law on Investment, CIT, VAT and other incentives under international agreement, bilateral and/or multilateral commercial contracts which Vietnam has signed or acceded to.

Accordingly, all investment projects of foreign and domestic individuals and organizations in Chu Lai Open Economic Zone shall be applied with a CIT rate of 10% for 15 year as from the time at which the investment projects commence its business operation. Besides, these investment projects shall be exempt from CIT for 4 years and shall be entitled to a reduction of 50% of CIT for next 9 years as well as other incentives the same as those applicable to area facing special difficulties.

Foreign and domestic investors shall be exempt from import duty for 55 year as from the time of commencement of operation with respect to goods being materials, supplies, accessories and semi-finished products that cannot be locally produced, [which are imported to Chu Lai Open Economic Zone].

This Circular shall be of full force and effect after 15 days from the date of its publication on the Official Gazette.

Attraction of investment: On June 27, 2007, the Prime Minister issued Decision 94/2007/QĐ-TTg approving the action program for implementation of the Plan on orientation for attraction and use of ODA in the period of from 2006 to 2010.

The contents of the Plan shall include: policy and regulations; organization of management and use of ODA; intensifying the attraction and use of ODA; disclosure and transparency of ODA; propagandizing ODA and intensifying the partner relationship with donors.

Besides, responsibilities of agencies and units presiding over and implementing the plan as well as the approval of the results, time for implementation must be clearly stipulated. In the period of from 2007 to 2010, the Ministry of Finance shall be responsible for organization of 12 training courses on policy, process and procedure for ODA in Vietnam and training courses for foreign donors.

At the same time, training and issuance of certificate on management of projects for 300 officers per year. In July and December of 2007, the Ministry of Planning and Investment shall publicly disclose the general criteria system and list of funding requests to submit to the Prime Minister, information and documents on ODA, finance regime for use of ODA.

This Decision shall be of full force and effect after 15 days as from the date of its publication on Cong bao.

Policy to intensifying investments: On June 22, 2007, the Prime Minister issued Directive 15/2007/CT-TTg on some measures to promote foreign investment in Vietnam.

Formulation and approval of plannings shall be intensified. Inappropriate plannings shall be reviewed to be added and amended periodically so that the investors are facilitated to determine and formulate investment projects. The master plannings on land use right shall be completed and disclosed publicly.

The implementation of the investment law is monitored and supervised so that to discovered and settled difficulties timely. The issuance and application of provisions on investment incentives and assistance shall not be contrary with the law.

Investment campaigning missions are strengthened to work directly with large groups and at some key locations in foreign countries to call for investments in large and important projects. Foreign investors who wish to make investments in Vietnam shall be supported sufficiently.

Administrative procedure for foreign investment shall be simplified and implemented in accordance with the one-door mechanism. The administrative procedure at the localities shall be unified and compliant with the specific conditions.

## OTHER REGULATIONS

Management of finance with respect to foreign aids: On July 12, 2007, the Ministry of Finance issued Circular 82/2007/TT-BTC guiding the regime on management of State finance with respect to non-refundable aids.

Accordingly, with respect to small and separate foreign aids not belong to a program or project, unit using aids shall have to formulate revenue and expenditure draft (including domestic contributed capital) to be submitted to the governing body for approval and addition to the finance plan before sending to the finance body of the same level and the State treasury.

This Circular shall be of full force and effect after 15 days as from the date of its publication on Cong bao.

Production, provision and consumption of clean water: On July 11, 2007, the Government promulgated Decree No.117/2007/ND-CP on production, provision and consumption of clean water in urban and rural areas, industrial zones, export processing zones, high-tech zones, economic zones; on rights and obligations of organizations, individuals and family house-holds engaged in production, provision and consumption of clean water in the territory of Vietnam.

Accordingly, water supply units may select and be appointed as an investor of part of or entire water supply system including exploitation works, water treatment factory, network of level I-III for clean water retail or wholesale. The fund for cycling water supply is managed by the Vietnam Development Bank in order to set up an available preferential financial resources for investment and development project for supplying small urban and collectively residential areas.

The price of clean water must adequately include proper expenditures incurred during the production, provision and consumption of clean water in order to guarantee the lawful rights and interests of water supply units as well as water consumers.

This Decree shall be of full force and effect after 15 days since its publications on the Official Gazette.

Settlement of violation in the construction sector: On July 7, 2007, the Ministry of Construction and the Ministry of Public Security issued Inter-circular 04/2007/TTLT-BXD-BCA guiding the coordination on settling the violation of the construction law.

Accordingly, during the course of inspection, if the sign of crime is discovered, the inspectorate shall be responsible for sending the application dossiers to the competent investigation body for initiating legal action.

When finishing the inspection, the inspectorate comes to a conclusion that there is not any sign of crime, but the investigation body still discover the sign of crime, the investigation body shall exchange view with the inspectorate before initiating legal action. The inspectorate shall be responsible for provision of the relevant dossiers, materials and information to the competent investigation body.

When considering the violation of the construction law, the competent body, inspectors and investigators shall have to determine the characteristics of the violation is civil, economic, administrative or criminal in order to determine exactly the competence.

This Inter-circular shall be of full force and effect after 15 days as from the date of its publication on Cong Bao.

Sanctioning administrative violations in the maritime sector: The Ministry of Finance issued Circular No.79/2007/TT-BTC guiding the procedure for collecting and paying fines payable for administrative violations in the maritime sector.

Accordingly, the collection and payment of fines as well as the management and use of fine receipts shall be in compliance with the Government's Decree No.124/2005/ND-CP dated 6/10/2005 providing for fine receipts and management and use of fines for administrative violations and with Part A, Clause 1, Part B, Section II of the Government's Circular No.47/2006/TT-BTC dated 31/5/2006 guiding some regulations of Decree No.124/2005/ND-CP.

The total amount collected from sanctioning administrative violations in maritime sector shall be retained at the local budget for the purpose of guarantee maritime safety.

Domestic and foreign organizations and individuals committing administrative violation in maritime sector in the territory of the Socialist Republic of Vietnam are obliged to remit the fines stated in the fine ticket to the State Treasury. Foreign organizations and individuals may make payments in foreign currency converted at the rate publicized by the Finance Ministry at the time of payment. The time-limit for fine payment shall not exceed 10 days since receiving fine tickets.

This Circular shall be of full force and effect after 15 days since its publication on the Official Gazette and shall take place of the Finance Ministry's Circular No.60/2000/TT-BTC dated 20/6/2000 guiding the collection, payment, management and use of fines from sanctioning administrative violations in the maritime field.

Administrative violations in transport, railway and inland waterway: On July 6, 2007, the Ministry of Finance issued Circular No.78/2007/TT-BTC guiding the collection, payment, management and use of fines payable for administrative violations in transport, railway and inland waterway. Accordingly, the total amount collected from sanctioning administrative violations shall be retained at the local budget for implementing traffic order and safety as well as solutions to traffic congestion

The fines collected from sanctioning administrative violations are allocated as follows: 50% of the amount for the police force maintaining traffic order and safety at the areas; 15% for the transport inspectorate operating at the localities; 13% for the Traffic Safety Board of provinces and centrally-run cities; 2% for the State budget in localities collecting the fines; 10% for other forces directly participating in maintaining traffic order and safety in districts, cities, wards and district towns (exclusive of local traffic police and inspectorate); the remaining amount shall be remitted to local budget for maintaining traffic order and safety

Of the 50% for the police force maintaining traffic order and safety at the areas, the allowances for people directly engaged in maintaining traffic order and safety shall not exceed VND 700,000/person/month. Allowances for those

who directly involved maintaining traffic order and safety in the night-time shall not exceed VND 70,000/person/shift.

This Circular shall be of full force and effect after 15 days since its publication on the Official Gazette and shall take place of the Finance Ministry's Circular No.25/2003/TT-BTC dated 28/3/2003 on the collection, remittance, management and use of fines for administrative violations in the field of traffic order and safety and Circular No.47/2003/TT-BTC dated 15/5/2003 amending the Finance Ministry's Circular No. 25/2003/TT-BTC.

Sea-transportation business: On July 5, 2007, the Government issued Decree 115/2007/ND-CP on conditions for sea-transportation business.

Accordingly, organizations and individuals providing shipping agency services shall have to establish enterprises in accordance with the law. With respect to enterprises with foreign owned capital, the ratio of legal capital contribution of the foreign party shall not exceed 49% of the total legal capital of the enterprise.

In case where organizations or individuals providing the towing services at Vietnam's sea ports, they shall have to establish an enterprise in accordance with the law. With respect to enterprises with foreign owned capital, the ratio of capital contribution by the foreign party shall not exceed 49% of the total charter capital of the enterprise and the ships used for towing service must have Vietnamese nationality and flag.

This Decree shall be of full force and effect after 15 days as from the date of its publication on Cong Bao.

Management of transport investment and construction: On July 2, 2007, the Minister of Transport and Communication issued Directive 08/2007/CT-BGTVT on intensifying the inspection, examination and post-inspection settlement on management of investment and construction in transport and communication sector.

Accordingly, with respect to projects, the inspectorate gives conclusion, the violating entities shall have determine the faults, responsibility and dealing with the faults of collective and individuals, particularly the head of organization and entities letting the violations occur during the course of management and implementation of the project.

Besides, project management and organization capacity and administrative reform must be regulated and intensified in order to prevent harassing and corruption at stages.

Guidance on the implementation of the residence law: On July 1, 2007, the Ministry of Public Security promulgated Circular No.06/2007/TT-BCA-C11 guiding the implementation of some article of the Residence Law and Decree No.107/2007/ND-CP dated June 25, 2007 making detailed provisions for implementation of some articles of the Residence Law.

Accordingly, a dossier of application for permanent residence registration of a citizen must include a notice on change in household or household member registration; declaration of household members; and a household registration transfer paper. In case the citizen lives in rented or borrowed residence or lives with other people, he/she shall get the written agreement of the owner, lender or host thereof. It is required to get agreement to enter into family record book by the person keeping such in case where wife comes to live with husband and vice versa; children come to live with parents and vice versa; people over working age, retiring from work, losing health retirement or being made unemployment come to live with his brothers or sisters...

Minors who register permanent residence with adults other than their parents must, apart from the above papers, show written consent of their parents. For permanent residence registration of children, birth certificates are required.

Overseas Vietnamese who still bear Vietnamese nationality and passports and return to their home country for permanent residence are required to produce their passports appended with entry certification seals of border-gate entry and exit management forces.

For overseas Vietnamese holding foreign passports or papers evidencing foreign authorities' permanent residence permits, a competent Vietnamese agency's written permission for their repatriation to Vietnam for permanent residence is required.

Within three working days after the receipt of dossiers of application, police offices will issue household registration transfer papers to applicants without requesting them to produce written permission for permanent residence registration from police offices in the localities in which they seek to register residence.-

This Circular shall be of full force and effect after 15 days since its publication on the Official Gazette.

Detailed provisions for the implementation of the Dyke Law: According to Decree No.113/2007/ND-CP dated 28/6/2007, the treatment regarding works and houses currently located in protected areas of the dyke and river area is regulated as follows: works and houses currently located in landsliding area must be displaced to protect the lives and properties of people; works and houses which do not meet the planning requirements approved by the state competent agency must be displaced within 5 years since the Dyke Law's validity; while such works have not been displaced, they can be repaired or improved without enlarging the premises to protect the life and properties of people; available works and houses fulfilling planning requirements can be repaired, improved, upgraded or replaced by a new one.

The construction projects of power stations, medical station, schools, water supply stations, warehouses must be in compliance with the regulations herein to for regular operation and safety in rainy seasons.

The State encourages organizations and individuals to invest in research and applying technology to dyke domain. Investing in dyke to combine with road construction or in growing trees to stop wave shall be financed in accordance with the prevailing regulations.

Provincial people's committee shall decide the staff of the dyke management unit as follows: 1 person is responsible for 1-2 kilometers with regard to dyke of special level, 3-4 kilometers with regard to dyke of level I-III. Concerning dyke of level IV, V; dykes and works for slowing down floods, the management staff shall be decided by provincial people's committee.

This Decree shall be of full force and effect after 15 days since its publication on the Official Gazette.

[Guidance on the implementation of the Law on Physical Training and Exercise:](#) On June 26, 2007, the Government issued Decree No.112/2007/ND-CP detailing and guiding the implementation of the Law on Physical Training and Exercise.

Accordingly, the following acts shall be strictly forbidden: using stimulant included in the list of forbidden items during the physical training and tournament; applying exercises, sports, training or competition methods which may cost people's health and/or lives or those which go against the customs of Viet Nam; cheating on name, age, gender in sport competitions; directly falsifying the result of the competitions; conducting violent action during competitions; abusing power to restrain organizations and individuals from participating in sports activities.

The Committee of Physical Training and Sports is responsible for setting up strategies and plans for developing mass physical training and sports in order to satisfy the socio-economic development nationwide; encouraging organizations and individuals to build and exploit public physical training and sports facilities; establishing public sports club as well as supporting the disable and the elderly participating sports activities.

Heads of agencies, organizations and enterprises hold responsibility for organizing the implementation of middle-shift exercises among employees to prevent them from occupational diseases.

This Decree shall be of full force and effect after 15 days since its publication on the Official Gazette.

[Guiding permanent residences:](#) On June 25, 2007, the Government issued Decree 107/2007/ND-CP making detailed provisions for implementation of some articles of the Residence Law.

Accordingly, abusing provisions on residence in order to limit the lawful right and interest of citizens shall be strictly prohibited.

To prohibit the issuance of legal documents or relevant documents on permanent residences or provisions on permanent residences to be used as conditions for restricting lawful rights and interest of citizens; Illegally refusing to settle the citizen's request on permanent residences shall also be prohibited.

Place of residence of citizen shall be the lawful dwelling in which he or she regular settle. Place of residence of citizen shall be the permanent residence place or temporary residence place. In case it is impossible for determination of place of residence of the citizen, the place of residence shall be the place that the residence currently lives and has been certified by the commune's or town's police.

Lawful dwelling shall be owned by citizen or rented from agencies, organizations or individuals or borrowed in accordance with the laws.

Documents evidencing the lawful dwelling for registration of permanent residence shall be one of the followings: certificate on ownership of house; document on ownership of house that the competent body issues from time to time; permit on construction; contract on purchase of sale of house; or document on exchange, inheritance or giving house.

Within 24 months as from the date of moving to new lawful place of residence, citizen or representative of the family shall be responsible for conducting the procedure for registration of the permanent residence at the new place of residence.

If citizens have temporarily resided in cities under central authority for 1 year or more, they may register their place of permanent residence. In case where they have temporarily resided in many places of a city under central authority so that total period of time for which they have temporarily resided is 1 year or more, they shall also be permitted to register their place of permanent residence.

This Decree shall be of full force and effect after 15 days as from the date of its publication in Cong Bao.

[Public disclosure of administrative procedure:](#) On June 22, 2007, the Prime Minister issued Decision 93/2007/QD-TTg promulgating Decision 93/2007/QD-TTg promulgating regulations on implementation of one-door mechanism in State administrative bodies at the grassroots level.

Accordingly, simple, clear and lawful administrative procedure is the first principle for implementation of one-door and continuation mechanism. Besides, the administrative procedure, fee level, papers and documents and the duration for settlement of the work of organizations and individuals must be disclosed publicly.

The chairmen of provincial people's committees shall base themselves on the laws to classify the work so that the work can be settled in accordance with the one-door mechanism or continuation mechanism. With respect to work, the administrative body shall have to notify in writing the organizations and individuals of the date on which they

This Decision shall be of full force and effect after 15 days as from the date of its publication on Cong Bao.

### Inter-bank exchange rates of VND against USD in July 2007

Date	Rate	Date	Rate
01/7	16.131	17/7	16.133
02/7	16.132	18/7	16.135
03/7	16.130	19/7	16.136
05/7	16.131	20/7	16.137
06/7	16.132	23/7	16.138
07/7	16.134	24/7	16.139
10/7	16.133	25/7	16.140
11/7	16.132	27/7	16.139
12/7	16.130	30/7	16.140
13/7	16.132	31/7	16.141
14/7	16.131	-	-

### List of the new legal documents in June and July 2007

#### Government

1. ☞ Decree No.117/2007/ND-CP (11/07/2007) *on production, provision and consumption of clean water.*
2. Decision No.109/2007/QĐ-TTg (17/07/2007) *on promulgating regulations on formulation and implementation of program on national investment promotion in the period of 2007 to 2010.*
3. Decision No.107/2007/QĐ-TTg (13/07/2007) *on social insurance applicable to cadres and officials going abroad but failing to come back in due time.*
4. Decision No.105/2007/QĐ-TTg (13/07/2007) *on approving the orientation for national resident housing finance policy until the year of 2020.*
5. Decision No.104/2007/QĐ-TTg (13/07/2007) *on approving the planning for exploring, exploiting, processing and using titan ore in the period of 2007 to 2015.*
6. ☞ Decree No.115/2007/ND-CP (05/07/2007) *on business conditions for transportation by sea.*
7. Decision No.858/QĐ-TTg (09/07/2007) *on establishment of the Steering Committee for researching and implementing the salary policy.*
8. ☞ Decision No.101/2007/QĐ-TTg (06/07/2007) *on approving the targeted national program on jobs until the year of 2010.*

9. Decision No.98/2007/QĐ-TTg (04/07/2007) *on approving the plan on raising the convertibility of Vietnamese dong and overcoming the dolarizing the economy.*
10. Official Letter No.915/TTg-CCHC (11/07/ 2007) *on intensifying the administrative disciplines and administrative reform.*
11. Official Letter No.906/TTg-NC (09/07/ 2007) *on organization of implementation of the Residence Law.*
12. ☞ Decree No.113/2007/ND-CP (28/06/2007) *on making detailed provisions for implementation of some articles of the Dyke Law.*
13. ☞ Decree No.112/2007/ND-CP (26/06/2007) *on making detailed provisions for implementation of some articles of the Law on Physical Training and Exercise.*
14. ☞ Decree No.111/2007/ND-CP (26/06/2007) *on organization and management of State corporations and conversion of State corporation, State independent companies and State parent companies into companies operating in accordance with the model of parent-affiliate companies.*
15. Decree No.110/2007/ND-CP (26/06/2007) *on policy applicable to redundant laborers due to rearrangement of State companies.*
16. ☞ Decree No.109/2007/ND-CP (26/06/2007) *on conversion of enterprises with 100% State owned capital into joint-stock companies.*
17. Decree No.105/2007/ND-CP (21/06/2007) *on printing products not publications.*
18. ☞ Decision No.94/2007/QĐ-TTg (27/06/2007) *on approving the action program for implementation of the Plan on orientation for attraction and use of ODA in the period of 2006 to 2010.*
19. Directive No.836/CT-TTg (02/07/2007) *on intensifying the management of investment of State capital in the last six months of the year of 2007.*
20. ☞ Decree No.107/2007/ND-CP (25/06/2007) *on making detailed provisions for implementation of the Law on residence.*
21. ☞ Decision No.93/2007/QĐ-TTg (22/06/2007) *on promulgating regulations on implementation of "one-door" mechanism at the administrative agencies at the grassroots level.*
22. ☞ Directive No.15/2007/CT-TTg (22/06/2007) *on some measures for promoting the foreign investment in Vietnam.*

### Ministry of Finance

1. Decision No.2329/QĐ-BTC (10/07/2007) *on correcting Decision 13/2007/QĐ-BTC (13/3/2007) of the Ministry of Finance issuing sample form prospectus for public offering of securities and listing of securities on the stock exchange.*
2. Decision No.2328/QĐ-BTC (10/07/2007) *on correcting Decision 27/2007/QĐ-BTC dated April 24, 2007 of the Minister of Finance on promulgating Regulation on organization and operation of securities companies.*
3. Decision No.2327/QĐ-BTC (10/07/2007) *on correcting Circular 17/2007/TT-BTC dated March 13, 2007 of the Minister of Finance guiding the application files for registration of public offers of securities.*
4. Decision No.2326/QĐ-BTC (10/07/2007) *on correcting Circular 38/2007/TT-BTC dated April 18, 2007 of the Minister of Finance guiding the public disclosure of information on the securities market.*
5. Decision No.61/2007/QĐ-BTC (1/07/2007) *on amendment of and addition to Decision 22/2005/QĐ-BTC (11/4/2005) of the Minister of Finance on promulgating the levels of fee for granting radio frequency permits and charge for use of radio frequencies.*
6. Decision No.60/2007/QĐ-BTC (11/07/2007) *on interest rate of loans lent by the assistance fund for development of cooperatives.*
7. Decision No.59/2007/QĐ-BTC (11/07/2007) *on approving the charter on organization and operation of the assistance fund for development of cooperatives.*
8. Circular No.88/2007/TT-BTC (19/07/2007) *on amendment of and addition to Circular 37/2007/TT-BTC (24/24/2007) on stipulating the collection, payment, management and use of fee paid for issuance of passports and visas as documents on entry, exit, transit and residence in Vietnam.*
9. Circular No.84/2007/TT-BTC (17/07/2007) *on amendment of and addition to Circular No. 18/2006/TT-BTC (13/03/2006) guiding the control of expenditures of state agencies applicable to the regime of autonomy and self-responsibility for the use of administrative management payrolls and funds.*
10. ☞ Circular No.82/2007/TT-BTC (12/07/2007) *on guiding the management of finance with respect to non-refundable foreign aids which belong to the State budget.*
11. Circular No.81/2007/TT-BTC (11/07/2007) *on guiding the management of finance with respect to the Assistance Fund for Development of Cooperatives.*
12. Decision No.2285/QĐ-BTC (05/07/2007) *promulgating regulations on announcing the petrol prices on the world to be used as basis for application of the preferential import duty with respect to some commodities in Group 2710.*
13. Decision No.60/2007/QĐ-BTC (11/07/2007) *on interest rate of loans lent by the Assistance Fund for development of cooperatives.*

14. Circular No.79/2007/TT-BTC (06/07/2007) on guiding the procedure for collecting and paying fines payable for administrative violations in the maritime sector.
15. Circular No.78/2007/TT-BTC (06/07/2007) on guiding the collection, payment, management and use of fines payable for administrative violations in transport, railway and inland waterway.
16. Circular No.76/2007/TT-BTC (05/07/2007) on guiding the finance regime and customs procedure applicable to Chu Lai Open Economic Zone, Quang Nam Province.
17. Decision No.2215/QD-BTC (26/06/2007) on correcting Decision No.19/2007/QD-BTC (27/3/2007) promulgating the regulations on state budget mutual ceasing of the government's foreign loans and foreign aid amounts.
18. Circular No.72/2007/TT-BTC (27/06/2007) on guiding the registration of and management of practising the accounting profession.
19. Circular No.69/2007/TT-BTC (25/06/2007) on guiding some articles of Decree 151/2006/ND-CP dated December 20, 2006 of the Government on the State investment and export credit.
20. Decision No.2173/QD- BTC (25/06/2007) on correcting Circular No.33/2007/TT-BTC (09/4/2007).
21. Decision No.52/2007/QD-BTC (22/06/2007) on promulgating regulations on trial electronic customs procedure.
22. Decision No.50/2007/QD-BTC (21/06/2007) on amendment of and addition to Decision 199/2003/QD-BTC (05/12/2003) of the Minister of Finance on promulgating provisional charter on organization and operation of companies purchasing and selling debts and outstanding assets of enterprises.
23. Circular No.62/2007/TT-BTC (14/06/2007) on guiding the implementation of Decree 97/2007/ND-CP (07/06/2007) of the Government stipulating the administrative penalties and compulsory implementation of administrative decisions in the customs sectors.
24. Circular No.61/2007/TT-BTC (14/06/2007) on guiding the settlement of breaches of tax regulations.

#### Ministry of Labor, War-Invalids and Social Affairs

1. Decision No.19/2007/QD-BLDTBXH (18/07/2007) on promulgating Regulations on organization of apparatus to send laborers to foreign countries to works and apparatus in charge of training laborers before going to work in foreign countries.
2. Decision No.18/2007/QD-BLDTBXH (18/07/2007) on promulgating program on training laborers before going to work in foreign countries.
3. Official Letter No.2542/LDTBXH-TL (18/07/2007) on determination of salary fund of Board of Management and General Directors of State owned companies.
4. Official Letter No.2536/LDTBXH-BHXH (17/07/2007) on settlement of social insurance with respect to redundant laborers in accordance with Decree 41/ND-CP.
5. Official Letter No.2530/LDTBXH-TL (17/07/2007) guiding labor law.
6. Official Letter No.2468/LDTBXH-TL (11/07/2007) on classification of enterprises.
7. Official Letter No.2421/LDTBXH-TL (09/07/2007) on settlement of regime applicable to redundant laborers.
8. Official Letter No.2386/LDTBXH-LDVL (06/07/2007) on actual working period of time, which are used for purchase of preferential shares by laborers.
9. Official Letter No.2376/LDTBXH-LDVL (05/07/2007) on settlement of regime applicable to redundant laborers in accordance with Decree 41/2002/ND-CP.
10. Decision No.902/QD-BHXH (26/06/2007) promulgating regulations on management and collection of health and social insurance premium.
11. Official Letter No.2270/LDTBXH-TDVL (29/06/2007) on the actual working duration, for which the laborers work for the State sector, to be used for purchasing preferential stocks when equitizing the State joint-stock companies.
12. Official Letter No.2261/LDTBXH-TDVL (28/06/2007) on oral labor contracts.

#### Ministry of Trade

1. Decision No.16/2007/QD-BTM (10/07/2007) on addition to Appendix 3 of Regulations on issuance of Origin Certificate in Vietnam's Form D for goods subject to preferential duties in accordance with the ASEAN Free Trade Area (AFTA)'s Common Effective Preferential Tariffs (CEPT) program as issued in conjunction with Decision No. 1420/2004/QD-BTM (04/10/2004).
2. Decision No.1042/QD-BTM (29/06/2007) revoking provisions on export rewards.

#### Ministry of Post and Telecommunication

1. Decision No.16/2007/QD-BBCTV (15/06/2007) on establishment of the Post and Telecommunication Corporation.

### Ministry of Internal Affairs

1. Circular No.07/2007/TT-BNV (04/07/2007) *guiding the implementation of the Government's Decree No.09/2007/ND-CP (15/01/2007) on amendment of and addition to the Government Decree No.117/2003/ND-CP (10/10/2003) on recruitment, use and management of cadres, public servant in State-owned agencies and guiding a number of articles of Decree No.117/2003/ND-CP (10/10/2003) on recruitment, employment and management of cadres and civil servants in state agencies.*
2. Circular No.06/2007/TT-BNV (04/07/2007) *guiding the implementation of the Government's Decree No.08/2007/ND-CP (15/01/2007) on amendment of and addition to the Government's Decree No.115/2003/ND-CP (10/10/2003) on the reserve public servant regime.*

### Ministry of Natural Resources and Environment

1. Circular No.07/2007/TT-BTNMT (03/07/2007) *on classifying and deciding the list of establishments causing environment pollutions, which are dealt with.*
2. Circular No.06/2007/TT-BTNMT (02/07/2007) *on guiding the implementation of some articles of Decree 84/2007/ND-CP (25/5/2007) on providing additional regulations on granting land use right certificates, retrieving land, paying compensation, resettling, settling complaints and denouncements.*

### Ministry of Culture and Information

1. Decision No.20/2007/QD-BVHTT (09/07/2007) *on revoking some provisions for application dossier for permit in order to implement one-door mechanism.*

### Ministry of Justice

1. Decision No.07/2007/QD-BTP (12/07/2007) *on promulgating forms used for implementation of civil judgments.*
2. Decision No.06/2007/QD-BTP (27/06/2007) *on promulgating Regulations on settlement of complaints and denunciation by MOJ.*

### Ministry of Public Security

1. ☞ Circular No.06/2007/TT-BCA-C11 (01/07/2007) *on guiding the implementation of some article of the Residence Law and Decree 107/2007/ND-CP dated June 25, 2007 of the Government making detailed provisions for implementation of some articles of the Residence Law.*

### Ministry of Transport and Communication

1. Decision No.29/2007/QD-BGTVT (26/06/2007) *on classification of roads for setting road freight rates..*

### Inter-ministries

1. Inter-circular No.80/2007/TTLT-BTC-BNN (11/07/2007) *on guiding the management and use of State capital source for the target national program on clean water and hygiene of rural environment in the period of from the year of 2006 to the year of 2010.*
2. ☞ Inter-circular No.08/2007/TTLT-BLDTBXH-BTP (11/07/2007) *on guiding some issues relating to the contents of guaranty contracts and liquidation of guaranty contracts for laborers working abroad in accordance with the contract.*
3. ☞ Inter-circular No.04/2007/TTLT-BXD-BCA (07/07/2007) *on guiding the coordination and settlement of violations of construction regulations.*
4. Inter-circular No.71/2007/TTLT-BTC-BNV (26/06/2007) *on adjusting Inter-circular No.03/2006/TTLT-BTC-BNV (17/01/2006) guiding the implementation of Decree No.130/2005/ND-CP (17/10/2005) providing for the regime on autonomy and self-responsibility for the use of administrative management payrolls and funds by state agencies*
5. Inter-circular No.70/2007/TTLT-BTC-BLDTBXH (26/06/2007) *on guiding the management of and use fee for implementation of national program for protection of laborers, labor safety and labor hygiene until the year of 2020,*
6. Inter-circular No.66/2007/TTLT-BTC-BTP (19/06/2007) *on guiding remuneration and expense paid for lawyers if the lawyers participate in legal procedure at the request of body conducting legal procedure.*
7. Inter-circular No.05/2007/TTLT-NHNN-BKH&DT-BTC-BTM (14/06/2007) *on guiding the implementation of some points in formulating and analysing the international payment balance of Vietnam.*

### State Bank of Vietnam

1. Decision No.34/2007/QD-NHNN (06/07/2007) *on amendment of and addition to Regulation on organization and operation of Transaction Office as issued in conjunction with Decision 1136/2004/QD-NHNN (09/09/2004).*
2. Decision No.33/2007/QD-NHNN (06/07/2007) *on amendment of Pont 5, Appendix 3 of Regulations on banking code system used for payment transactions conducted via the State Bank as issued in conjunction with Decision 02/2006/QD-NHNN (18/01/2006).*
3. Decision No.32/2007/QD-NHNN (03/07/2007) *on the limit of balance of anonymous prepaid card.*

4. Decision No.29/2007/QĐ-NHNN (29/06/2007) *on amendment of Point 3, Appendix 3 of Regulation on the system of bank codes used in payment transactions via the State Bank as promulgated in conjunction with Decision No. 02/2006/QĐ-NHNN (18/1/2006).*

### General Department of Tax

1. ☞ Official Letter No.2861/TCT-CS (20/07/2007) *on CIT incentives.*
2. ☞ Official Letter No.2853/TCT-CS (20/07/2007) *on issuance of VAT.*
3. Official Letter No.2851/TCT-CS (20/07/2007) *on answering petition at the dialog conference.*
4. ☞ Official Letter No.2845/TCT-CS (20/07/2007) *on invoices and vouchers on payment of insurance compensations.*
5. Official Letter No.2844/TCT-CS (20/07/2007) *on declaration and payment of VAT by branch.*
6. ☞ Official Letter No.2842/TCT-CS (20/07/2007) *on tax policy.*
7. Official Letter No.2841/TCT-HT (20/07/2007) *on environment protection fee with respect to exploitation of minerals and natural resource tax.*
8. Official Letter No.2839/TCT-CS (20/07/2007) *on self-printed invoices.*
9. Official Letter No.2838/TCT-CS (20/07/2007) *on use of VAT invoices.*
10. Official Letter No.2836/TCT-CS (20/07/2007) *on tax policy.*
11. ☞ Official Letter No.2835/TCT-CS (20/07/2007) *on deduction of VAT.*
12. Official Letter No.2833/TCT-CS (20/07/2007) *on declaration of VAT with respect to goods warehouse.*
13. Official Letter No.2832/TCT-CS (20/07/2007) *on declaration and deduction of VAT.*
14. Official Letter No.2830/TCT-CS (20/07/2007) *on refund of VAT.*
15. ☞ Official Letter No.2829/TCT-CS (20/07/2007) *on tax policy.*
16. Official Letter No.2828/TCT-CS (20/07/2007) *on difficulties relating to management of land.*
17. Official Letter No.2826/TCT-CS (20/07/2007) *on answering petition of enterprises at the dialog conference.*
18. ☞ Official Letter No.2825/TCT-CS (20/07/2007) *on corporate income tax.*
19. ☞ Official Letter No.2824/TCT-CS (20/07/2007) *on document on payment made via banks.*
20. ☞ Official Letter No.2823/TCT-CS (20/07/2007) *on documents used for deduction of VAT.*
21. ☞ Official Letter No.2822/TCT-CS (20/07/2007) *on VAT.*
22. Official Letter No.2821/TCT-HT (20/07/2007) *on payment of oil and petrol fee.*
23. Official Letter No.2790/TCT-CS (18/07/2007) *on license tax.*
24. Official Letter No.2755/TCT-KK (16/07/2007) *on declaration of VAT in case of acting as agent for EVN Telecom.*
25. Official Letter No.2754/TCT-QTN (16/07/2007) *on deduction of VAT with respect to invoices declared not on time.*
26. Official Letter No.2722/TCT-CS (16/07/2007) *on answering petition at the dialog conference.*
27. Official Letter No.2720/TCT-CS (16/07/2007) *on answering petition at the dialog conference.*
28. Official Letter No.2719/TCT-CS (16/07/2007) *on reduction of and exemption from CIT.*
29. ☞ Official Letter No.2704/TCT-CS (13/07/2007) *on tax policy applicable to foreign contractors.*
30. ☞ Official Letter No.2703/TCT-CS (13/07/2007) *on reduction of and exemption from CIT.*
31. ☞ Official Letter No.2702/TCT-CS (13/07/2007) *on tax policy.*
32. ☞ Official Letter No.2701/TCT-CS (13/07/2007) *on loan interest.*
33. ☞ Official Letter No.2700/TCT-CS (13/07/2007) *on VAT policy.*
34. Official Letter No.2699/TCT-CS (13/07/2007) *on VAT policy.*
35. Official Letter No.2698/TCT-CS (13/07/2007) *on answering petition at the dialog with enterprise.*
36. Official Letter No.2697/TCT-CS (13/07/2007) *on answering petition at the dialog with enterprise in respect of brokerage commissions.*
37. ☞ Official Letter No.2679/TCT-CS (13/07/2007) *on determination of period of time for which the input VAT is declared and deducted.*
38. Official Letter No.2673/TCT-CS (12/07/2007) *on tax policy.*
39. Official Letter No.2656/TCT-KK (12/07/2007) *on payment of VAT.*
40. Official Letter No.2652/TCT-CS (11/07/2007) *on tax applicable to exported goods.*
41. Official Letter No.2651/TCT-CS (11/07/2007) *on answering the petition of enterprises at the dialog conference.*
42. ☞ Official Letter No.2650/TCT-CS (11/07/2007) *on answering the question from readers.*

43. Official Letter No.2649/TCT-CS (11/07/2007) *on tax policy.*
44. ☞ Official Letter No.2648/TCT-CS (11/07/2007) *on VAT rate.*
45. Official Letter No.2634/TCT-CS (11/07/2007) *on reduction of CIT.*
46. Official Letter No.2633/TCT-CS (11/07/2007) *on declaration and issuance of tax code.*
47. ☞ Official Letter No.2630/TCT-CS (11/07/2007) *on allocation of expense.*
48. Official Letter No.2629/TCT-TTr (11/07/2007) *on collection of CIT with respect to business cooperation contracts.*
49. Official Letter No.2628/TCT-CS (11/07/2007) *on answering petition at the dialog conference.*
50. ☞ Official Letter No.2627/TCT-CS (11/07/2007) *on CIT incentives.*
51. Official Letter No.2626/TCT-CS (11/07/2007) *on declaration of vouchers.*
52. Official Letter No.2625/TCT-CS (11/07/2007) *on registration fee with respect to specialized automobiles.*
53. Official Letter No.2622/TCT-CS (11/07/ 2007) *on declaration and payment of VAT.*
54. Official Letter No.2619/TCT-CS (11/07/2007) *on VAT applicable to copper scraps.*
55. ☞ Official Letter No.2618/TCT-CS (11/07/2007) *on VAT rate applicable to construction of tombs.*
56. Official Letter No.2617/TCT-CS (11/07/2007) *on VAT rate applicable to anti-pest plastic sprayers.*
57. Official Letter No.2614/TCT-CS (10/07/2007) *on difficulties relating to implementation of VAT.*
58. ☞ Official Letter No.2610/TCT-CS (10/07/2007) *on registration of payment of duty.*
59. Official Letter No.2609/TCT-CS (10/07/2007) *on re-issuance of invoice due to recording wrong tax rate.*
60. ☞ Official Letter No.2592/TCT-CS (06/07/2007) *on declaration and payment of CIT.*
61. ☞ Official Letter No.2591/TCT-CS (06/07/2007) *on answering the tax policy.*
62. ☞ Official Letter No.2590/TCT-CS (06/07/2007) *on answering the tax policy.*
63. Official Letter No.2589/TCT-CS (06/07/2007) *on answering the petition of enterprises.*
64. Official Letter No.2588/TCT-CS (06/07/2007) *on answering the petition of enterprises.*
65. ☞ Official Letter No.2572/TCT-CS (05/07/2007) *on answering the petition of enterprises.*
66. ☞ Official Letter No.2571/TCT-CS (05/07/2007) *on answering the petition of enterprises.*
67. ☞ Official Letter No.2570/TCT-CS (05/07/2007) *on answering the petition of enterprises.*
68. Official Letter No.2569/TCT-CS (05/07/2007) *on VAT rate.*
69. ☞ Official Letter No.2568/TCT-CS (05/07/2007) *on reduction of and exemption from CIT and proper expense.*
70. ☞ Official Letter No.2567/TCT-CS (05/07/2007) *on printing, issuing, using and managing invoices.*
71. Official Letter No.2566/TCT-CS (05/07/2007) *on answering petition at the enterprise dialog meeting.*
72. Official Letter No.2538/TCT-PCCS (29/06/2007) *on issuance of invoices with respect to leasing apartment.*
73. ☞ Official Letter No.2537/TCT-PCCS (29/06/2007) *on taxes applicable to branch of lawyers' office.*
74. ☞ Official Letter No.2536/TCT-PCCS (29/06/2007) *on deduction of VAT.*
75. Official Letter No.2535/TCT-PCCS (29/06/2007) *on determining the action to evade tax.*
76. ☞ Official Letter No.2534/TCT-PCCS (29/06/2007) *on VAT rate.*
77. ☞ Official Letter No.2502/TCT-PCCS (29/06/2007) *on CIT incentives.*
78. Official Letter No.2500/TCT-PCCS (29/06/2007) *on CIT applicable to sweeping and settling explosive materials.*
79. Official Letter No.2488/TCT-PCCS (28/06/2007) *on licence tax and exemption from VAT.*
80. Official Letter No.2487/TCT-PCCS (28/06/2007) *on proper expense.*
81. ☞ Official Letter No.2484/TCT-PCCS (28/06/2007) *on CIT incentives.*
82. Official Letter No.2480/TCT-PCCS (28/06/2007) *on determination of market price in business transactions.*
83. ☞ Official Letter No.2479/TCT-PCCS (28/06/2007) *on VAT.*
84. ☞ Official Letter No.2478/TCT-PCCS (28/06/2007) *on invoices and vouchers.*
85. Official Letter No.2475/TCT-PCCS (28/06/2007) *on documents on payment effected via banks not complying with contract.*
86. ☞ Official Letter No.2473/TCT-PCCS (28/06/2007) *on taxes applicable to discount for sold goods.*
87. ☞ Official Letter No.2456/TCT-PCCS (27/06/2007) *on loss of invoices due to force majeure.*
88. ☞ Official Letter No.2433/TCT-PCCS (25/06/2007) *on answering tax policy.*
89. Official Letter No.2432/TCT-PCCS (25/06/2007) *on collecting and using the State owned capital at joint-venture enterprise.*

90. Official Letter No.2429/TCT-TS (25/06/2007) *on dealing with evasion of tax on use of agriculture land.*
91. Official Letter No.2428/TCT-TS (25/06/2007) *on reduction of and exemption from land and housing tax and collection of land rent.*
92. Official Letter No.2427/TCT-TS (25/06/2007) *on price use for collection of land use fee.*
93. Official Letter No.2425/TCT-PCCS (25/06/2007) *on tax applicable to incomes from sale of assets on land.*
94. Official Letter No.2424/TCT-TS (25/06/2007) *on reduction of and exemption from land rent with respect to members of farm.*
95. ☞ Official Letter No.2419/TCT-PCCS (25/06/2007) *on VAT policy.*

### General Department of Customs

1. Official Letter No.4056/TCHQ-GSQL (18/07/2007) *on establishment of bonded warehouse.*
2. Official Letter No.4050/TCHQ-KTTT (18/07/2007) *on import duty applicable to materials, supplies, accessories and semi-finished products, which are exempt from tax for 5 years.*
3. Official Letter No.4047/TCHQ-KTTT (18/07/2007) *on non-collection of VAT.*
4. ☞ Official Letter No.4039/TCHQ-KTTT (18/07/2007) *on VAT applicable to imported machinery and equipment.*
5. Official Letter No.4036/TCHQ-KTTT (18/07/2007) *on dutiable price of secondhand automobiles, the using purpose of which is changed .*
6. Official Letter No.4005/TCHQ-KTTT (16/07/2007) *on settlement of fine payable for delaying payment of duty.*
7. Official Letter No.3995/TCHQ-GSQL (16/07/2007) *on inspection of hygiene and safety of foodstuff with respect to goods imported for production of exported goods.*
8. Official Letter No.3962/TCHQ-GSQL (12/07/2007) *on customs procedure applicable to goods exported on spot.*
9. Official Letter No.3958/TCHQ-GSQL (12/07/2007) *on ensuring hygiene and safety of food with respect to exported agriculture and aquaculture products.*
10. Official Letter No.3822/TCHQ-KTTT (10/07/2007) *on customs procedure for goods temporarily imported for re-export.*
11. Official Letter No.3770/TCHQ-KTTT (09/07/2007) *on re-exporting the imported duty-free goods.*
12. Official Letter No.3755/TCHQ-KTTT (06/07/2007) *on amendment of import duty.*
13. Official Letter No.3752/TCHQ-KTTT (06/07/2007) *on settlement of VAT.*
14. Official Letter No.3737/TCHQ-GSQL (06/07/2007) *on canceling the customs declaration.*
15. Official Letter No.3736/TCHQ-KTTT (06/07/2007) *on settlement of re-exported goods.*
16. Official Letter No.3676/TCHQ-GSQL (04/07/2007) *on procedure for narrow the place of inspection of exported goods.*
17. Official Letter No.3618/TCHQ-GSQL (02/07/2007) *on construction of place for inspection.*
18. Official Letter No.3700/TCHQ-KTTT (05/07/2007) *on application of code and C/O.*
19. Official Letter No.3635/TCHQ-KTTT (02/07/2007) *on determination of dutiable price of imported automobiles.*
20. Official Letter No.3630/TCHQ-KTTT (02/07/2007) *on refund of import tax.*
21. Official Letter No.3610/TCHQ-KTTT (29/06/2007) *on grace period in payment of duty.*
22. Official Letter No.3601/TCHQ-GSQL (29/06/2007) *on procedure for importing goods via bonded warehouse.*
23. Official Letter No.3600/TCHQ-GSQL (29/06/2007) *on customs procedure for goods imported via border-gate on land.*
24. Official Letter No.3597/TCHQ-KTTT (29/06/2007) *on dutiable price of imported automobiles.*
25. Official Letter No.3533/TCHQ-GSQL (27/06/2007) *on procedure for temporarily importing and re-exporting secondhand automobiles.*
26. Official Letter No.3488/TCHQ-KTTT (26/06/2007) *on dutiable price of imported goods.*
27. Official Letter No.3479/TCHQ-KTTT (26/06/2007) *on export duty applicable to goods produced for export.*
28. Official Letter No.3457/TCHQ-GSQL (25/06/2007) *on place of inspection with respect to express mailing service.*
29. Official Letter No.3456/TCHQ-GSQL (25/06/2007) *on guiding the customs procedure.*
30. Official Letter No.3439/TCHQ-GSQL (22/06/2007) *on difficulties relating to goods used for production of exported goods.*
31. Official Letter No.3438/TCHQ-GSQL (22/06/2007) *on affixing the seal to cloth sample used for processing purpose.*
32. Official Letter No.3430/TCHQ-KTTT (22/06/2007) *on reduction of duty applicable to imported goods.*
33. Official Letter No.3309/TCHQ-GSQL (18/06/2007) *on place of inspection of exported goods.*
34. Official Letter No.3257/TCHQ-GSQL (15/06/2007) *on customs house at inland port.*

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