**LEGAL UPDATES
VOL 17, SEPTEMBER 2021**

**Dear Valued Clients and Partners,**

ADK & Co Vietnam Lawyers would like to introduce to you the Legal Updates, Vol 17 of September 2021 with new legal provisions with notable contents as follows:

1. **Officially promulgate policies to support businesses, cooperatives, and business households in the context of the Covid-19 epidemic**

On September 9, 2021, the Government issued Resolution 105/NQ-CP on supporting businesses, cooperatives, and business households in the context of the COVID-19 epidemic.

Accordingly, Resolution 105/NQ-CP focuses on 04 groups of solutions for enterprises, cooperatives, and business households as follows:

1. Create convenient conditions for enterprises, cooperatives, and business households to recover, maintain and develop production and business in association with safe and effective epidemic prevention and control.

The Ministry of Health presides over the addition of priority subjects for Covid-19 vaccination, including employees of enterprises, cooperatives, and business households in the supply chain that have production orders, import and export activities. import, use a lot of labor, ... and supplement the priority subjects for appropriate vaccination, meeting the requirements of production and business development in other necessary industries and fields. At the same time, the Ministry of Health studies and develops mechanisms, guides, facilitates, and encourages enterprises to import vaccines.

1. Ensuring stable production, smooth, efficient, and safe circulation of goods, overcoming supply chain disruptions

Specifically, according to the Resolution, the Government directing the Ministry of Finance to allow businesses, cooperatives, and business households to submit scanned copies certified by digital signatures for documents that must be submitted in paper form, which are the original in the form of a paper/notarized/certified true copy according to regulations of the ministries and agencies to solve congestion when clearing goods. Enterprises, cooperatives, and business households shall make additional payments after the goods are cleared for post-inspection.

1. Support to cut costs and remove financial difficulties for businesses, cooperatives, and business households

The Ministry of Labor, War Invalids, and Social Affairs shall urgently submit for promulgation policies related to the reduction of premiums or support from the balance of short-term social insurance funds to support employees, enterprises, cooperatives, and business households and other employers; guide for Vietnam Social Insurance to propose exemption from fines for late payment of social insurance in 2020 and 2021, to be completed in September 2021.

In addition, the Ministry of Finance urgently implements policies to relax and reduce taxes, fees, charges, and land rents after being promulgated; implement preferential tax policies for imported goods to finance epidemic prevention and control after the Government approves. The Ministry of Culture, Sports, and Tourism shall assume the prime responsibility and soon allow travel service businesses until the end of 2023, reducing the time for settlement of deposit refunds for travel service businesses to 30 days.

1. Creating convenient conditions for foreign workers and experts

In September 2021, directing localities to flexibly and relax some regulations and conditions on the grant, extension, and certification of work permits for foreign workers working in Vietnam under the new context but must be absolutely safe in terms of COVID-19 prevention and control; study and propose the competent authorities according to the shortened order and procedures in September 2021 on allowing enterprises and cooperatives to agree with employees to increase overtime hours/month by developments of the COVID-19 epidemic provided that the total number of overtime hours does not exceed 300 hours/year.

1. **Determination of electricity selling price for industrial parks and industrial clusters**

On August 6, 2021, the Ministry of Industry and Trade issued Circular 06/2021/TT-BCT amending and supplementing some articles of Circular 16/2014/TT-BCT dated May 29, 2014, of the Minister of Industry and Trade regulating the implementation of electricity selling prices.

Accordingly, electricity retailers in industrial parks in combination with purchasing electricity from the national electricity system at the same time as other power sources to retail electricity to electricity-using customers in industrial parks are responsible for developing a project on electricity selling price for electricity users in the area shall be submitted to the Department of Industry and Trade for verification, then submitted to the People's Committee of the province or city for approval annually.

In addition, the wholesale price of electricity at 110 kV busbars of 110 kV substations of industrial parks and industrial clusters applies to cases where electricity retailers buy wholesale electricity at 110 kV busbars of industrial parks to retail for customers using electricity in industrial parks and industrial clusters. The wholesale electricity price applied to each 110 kV substation is determined by reference to the total capacity of 110 kV transformers installed in industrial parks and industrial clusters.

In addition, the wholesale price of electricity at the 110 kV busbar at the 220 kV substation or the branching point of the 110 kV line entering the industrial park or industrial cluster is equal to the selling price of electricity at the 110 kV level or higher for in case the electricity retail unit buys wholesale electricity to retail electricity to customers using electricity in industrial parks or industrial clusters at 110 kV voltage level.

1. **Management and use of fees in food safety**

On August 5, 2021, the Ministry of Finance issued Circular 67/2021/TT-BTC stipulating the collection rate, mode of collection, payment, management, and use of fees in food safety. Circular 67/2021 will officially take effect from September 19, 2021.

Accordingly, the fee schedule in food safety is as follows: Verification and issuance of certificates for exported food (certificate of free sale, export certificate, medical certificate) are 1.000.000 VND/time/certificate; Appraisal and issuance of certificates of satisfaction of food safety conditions for foodservice establishments serving less than 200 meals is VND 700,000/time/facility; ... The fee levels for food safety work shall comply with the provisions of the Fee Schedule promulgated together with Circular 67/2021/TT-BTC.

No later than the 5th of every month, the fee-collecting organization must deposit the collected fee amount of the previous month into the fee account waiting for budget payment opened at the State Treasury. Fees are collected by the Ministry of Health (Food Safety Department), the Ministry of Industry and Trade, the Department of Industry and Trade, the Sub-Department of Food Safety and Hygiene, and other organizations (state agencies, public non-business units). assigned to provide fee collection services, declare and pay the collected fee amounts monthly and settle the annual settlement according to the provisions of the Law on Tax Administration and Decree No. 126/2020/ND-CP dated May 19 10-2020 of the Government detailing some articles of the Law on Tax Administration.

Besides, by the 5th of every month, the fee-collecting organization must deposit the collected fee amount of the previous month into the fee account waiting for budget payment opened at the State Treasury.

We hope you found this brief legal update informative.

Kind regards.

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