LEGAL UPDATE

**VOL 58, May 2023**

# Dear Valued Clients and Partners,

ADK Vietnam Lawyers would like to introduce to you the Legal Update vol 58 of May 2023 with the following main contents:

# Power Plan VIII officially approved

After a long period of adjustment and improvement, the Prime Minister issued Decision No. 500/QD-TTg on 15 May 2023, approving the national electricity development planning of 2021 - 2030 and the vision for 2050. (refer to “**Decision No. 500/QD-TTg**”).

The Planning covers electricity sources and transmission grids of a minimum voltage of 220 kV, renewable energy, and new energy industries and services in Vietnamese territory from 2021 to 2030 and the vision for 2050, including structures connecting the electrical grid with neighboring countries.

According to Decision 500/QD-TTg, the key highlights are as follows:

1. **Development objectives:** Decision 500/QD-TTg has outlined the following general objectives: 1) Successfully implement fair energy transition associated with modernizing production, develop smart electrical grids, and govern electrical systems advanced, conforming to worldwide trends of green transition, emission reduction, and science and technology development; 2) Establish general power industry ecosystem based on renewable energy and new energy and ensure national power security and satisfy socio-economic development, industrialization, modernization requirements.
2. **Electricity source composition:**

**-** According to Decision 500/QD-TTg, the roadmap for Vietnam’s power sector restructuring by 2050 is as follows:

90.529 - 573-129 MW of total capacity of power plants (excluding imported electricity, renewable energy serving production of new energy), in which:

+ 60.050 - 77.050 MW of land-based wind power (12,2 - 13,4%);

+ 70.000 - 91.500 MW of offshore wind power (14,3 - 16%);

+ 168.594 - 189.294 MW of solar power (33,0 - 34,4%);

+ 6.015 MW of biomass electricity and electricity produced from waste (1,0 - 1,2%);

+ 36.016 MW of hydroelectricity (6,3 - 7,3%);

+ 30.650 - 45.550 MW of reserve electricity (6,2 - 7,9%);

+ 4.500 MW of cogeneration electricity, electricity using waste heat, blast furnace gas, by-products of technology lines in industrial facilities (0,8 - 0,9%);

+ 0 MW of coal-fired electricity (0%), gas is no longer used for electricity generation;

+ 25.632 - 32.432 MW of thermal electricity using biomass and ammonia (4,5 - 6,6%);

+ 7.900 MW of domestic gas-fired electricity transitioned to LNG (1,4 - 1,6%);

+ 7.030 MW of domestic gas-fired electricity transitioned to hydrogen (1,2 - 1,4%);

+ 4.500 - 9.000 MW of LNG and hydrogen co-firing thermal electricity (0,8 - 1,8%);

+ 16.400 - 20.900 MW of LNG thermal electricity transitioned to hydrogen entirely (3,3 - 3,6%);

+ 30.900 - 46.200 MW of flexible electricity sources (6,3 - 8,1%);

+ 11.042 MW of imported electricity (1,9 - 2,3%)

**Decision No. 500/QD-TTg takes effect from the date of signing (15 May 2023).**

# Condotel project is granted a certificate of land use right

# On 3 April 2023, the Government issued Decree 10/2023/NĐ-CP amendments and supplements to several articles of decrees on instructions for implementation of the law on land(referred to as “Decree 10/2023/NĐ-CP”).

# Accordingly, Condotel projects will be granted certificates of ownership of construction works attached to land for commercial and service land use purposes if they meet the prescribed conditions.

# The certification of ownership of Condotel projects shall be carried out in accordance with the provisions of Article 32.1 , Article 32.2, Article 32.3, and Article 32.4 of Decree 43/2014/NĐ-CP.

Therefore, based on the provisions of Article 32(5) of Decree 43/2014/NĐ-CP supplemented by Article 1(4) of Decree 10/2023/NĐ-CP, Condotel projects shall be granted certificates of ownership of construction works attached to land for commercial and service land use purposes if they meet the conditions prescribed by the laws on:

- Land;

- Construction;

- Real estate business.

Accordingly, the owner of the construction work is responsible for complying with the conditions prescribed by the above-mentioned laws.

**Decree 10/2023/ND-CP takes effect from 20 May, 2023.**

We hope this Legal Newsletter has a lot of useful information.

Best Regards.

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