

New policies take effect since October

VGP - A series of activities on management of foreigners' entry and exit, punishment on disclosure of false information, aviation authorities, registration of nationality and rights for aircraft, surveillance of activities in sea border areas, external information, assistance policy for poor households shall come into effect since October.



Management of foreigners' entry and exit

Decree No. 64/2015/ND-CP dated August 6 stipulates that ministries, sectors and localities are required to proactively, regularly and closely cooperate with one another in creating favorable conditions for foreigners to enter, exit, transit or reside in Viet Nam in accordance with law, ensuring centralized, unified and non-overlapped direction and management.

The Ministry of Public Security will take major role in performing state management over entry, exit, transit and residence of foreigners in Viet Nam.

The provincial-level People's Committees are required to work closely with immigration management agencies of provincial-level police departments in managing foreigners' residence in their localities.

The Ministry of Foreign Affairs is tasked to direct competent agencies to grant Vietnamese visas overseas.

The Ministry of National Defense is responsible to direct its immigration control units to postpone the grant of visas and exchange information with immigration agencies in case they discover any complicated issues related to national defense and security or signs of document forgery.

The Decree shall take effect on October 15, 2015.

Tougher punishment on disclosure of false information

Decree No. 65/2015/ND-CP, dated August 7, 2015 revises a number of articles of Decrees on the handling of administrative violations in state management fields related to publishing, provision and disclosure of false information.

The new Decree took effect since October 1 and stipulates levels of punishment on administrative infringements on such areas as statistics, energy power, price management, fees, bills, education, vocational activity, health, civil aviation, hydrometeorology, maps.

New regulations on aviation authorities

Decree 66/2015/ND-CP, dated August 12, 2015 on regulation on aviation authorities came into effect

since October 1, 2015.

Accordingly, the Civil Aviation Authorities of Viet Nam was assigned to perform as aviation authorities.

The Decree provides for the organ to perform functions of aviation authorities, duties, powers and conditions to ensure the activities of the aviation authorities.

Especially, the Civil Aviation Authorities of Viet Nam under the Ministry of Transport performs as aviation authorities with these duties and powers (1) issuing directives and precepts and taking emergency measures in civil aviation; (2) monitoring civilaviation activities; (3) issuing, approving and recognizing permit, certificate and other specialized civil aviation operation documents; (4) organizing, operating and directing system of surveillance, management of aviation safety, aviation security; (5) directing aviation search and rescue, airport emergency; (6) directing to overcome aviation incidents and accidents; (7) specialized aviation inspection.

Registration of nationality and rights for aircraft

From October 1, aircraft owned by Vietnamese organizations or individuals, and aircraft lease-purchased or leased without crews for a term of 24 months or more shall be registered to bear Vietnamese nationality before operating in Vietnam. Such registration must be made within six months after an aircraft is imported into Viet Nam.

The above requirements are provided in Government Decree 68/2015/ND-CP on registration of nationality of and rights to aircraft.

The Decree prescribes the registration and deregistration of nationality of and rights to aircraft; grant of codes for registration and deregistration of international interests for Vietnamese nationality aircraft; and irrevocable deregistration and export request authorization.

The new regulations do not **apply** to military aircraft, special-use aircraft of customs and public security forces, and other aircraft used for performing state tasks, except those used for civil purposes.

According to the Decree, to be eligible for registration of Vietnamese nationality, an aircraft must be the one that does not bear the nationality of any country or have the nationality of a foreign country deregistered; has valid papers proving aircraft ownership or the right to possession of aircraft leased or lease-purchased; meets the requirement on age of used aircraft (if any); and satisfies the law-prescribed conditions and requirements on assurance of national defense and security, aviation safety and security, and environmental protection.

Surveillance of activities in sea border areas to be enhanced

People and vessels operating in Viet Nam's sea border areas will be put under stricter supervision and control, according to Government Decree No. 71/2015/ND-CP dated September 3.

Activities prohibited in sea border areas include illegal construction and installation of works and equipment; acts threatening the safety of border works; research, investigation, survey, exploration and exploitation without prior permission of Vietnamese competent agencies; military drill and training with any types of weapon and in any form without permission of Vietnamese competent agencies; flight in no-flight zones; launching of aircraft likely to threaten national defense, security, economic

conditions and aviation safety; landing ships or other objects in violation of Vietnamese law; filming, photo taking, drawing or radio broadcasting and reception in restricted areas.

Under the Decree, sea patrol forces have the right to pursue foreign ships that commit, or show signs of committing violations of Vietnamese law in the internal waters or territorial seas, or people and vessels from sea border areas to the internal waters.

Sea patrol forces may use supporting tools and weapons prescribed by law if violating ships fail to obey their commanders' orders.

External information to be better managed

The Government on September 7 issued Decree No. 72/2015/ND-CP to ensure its unified management of external information activities.

Accordingly, external information activities must comply with the Party's policies and guideline, the State's laws, treaties to which Viet Nam is a contracting state, and regulations and customs in host countries where these activities are conducted.

The new regulation also underlines the need to ensure accurate, timely and in-depth information in line with the Party's guideline, the State's laws and approved external information programs and plans as well as the need to avoid providing false and distorted information to offend the honor of organizations and the honor and dignity of individuals.

It is prescribed that external information includes official information about Viet Nam, information to promote Viet Nam's image, and information on current events around the world.

Official information about Viet Nam often refers to the Party's guideline, the State's laws and policies and the country's history and socio-economic development.

The Vietnam News Agency, the Voice of Viet Nam and the Viet Nam Television are assigned to provide official information about Viet Nam.

The decree also requires the Ministry of Information and Communications to work with the Ministry of Foreign Affairs and other ministries, ministerial-level agencies, government-attached agencies, provincial-level People's Committees and related agencies to perform the state management of external information activities

This new regulation will take effect on October 22, 2015, and replaces Prime Minister Decision No. 79/2010/QD-TTg of November 30, 2010

Increasing tax exemption quotas for luggage, gifts and moveable assets

Decision No. 31/2015/QD-TTg dated August 4, 2015 stipulates quotas of luggage, moveable assets, gifts, presents, sample goods to be exempted from tax, considered for tax exemption, not subject to tax.

This Decision promulgates tax exemption quotas for such subjects as luggage of persons on entry; moveable assets; gifts, presents and sample goods.

Accordingly, as from October 1, 2015, luggage on entry shall be exempted from tax types if the total value of the luggage does not exceed VND 10 million, increasing from the old level of VND 5 million as stipulated at the Annex of Decree No. 66/2002/ND-CP).

With regard to moveable assets, the tax exemption quota is supplemented to overseas Vietnamese who are intellectuals, experts, skillful workers returning to Vietnam to work for at least one year in response to the invitation of the Vietnamese state.

Accordingly, import duty, VAT, excise tax shall be exempted for 01 automobile regardless of the wholly-new automobile or the used automobile.

Assistance policy for poor households

According to Decision 33/2015/QD-TTg, dated August 10 on housing support policies for poor households during 2011-15, in furtherance of Decision No. 167/2008/QD-TTg, on the second-phase housing loan support program, each poor household can get a loan of up to VND 25 million from the Viet Nam Bank for Social Policies to build or repair their houses.

The annual loan interest rate will 3%, with a maturity period of 15 years, including a five-year grace period. The time limit for loan repayment will be 10 years. For every year from the sixth year on, the borrowers will have to service at least 10 per cent of total principal loans.

To be eligible for a housing loan, a household must be identified as poor according to the poverty criteria provided in PM Decision No. 09/2011/QD-TTg on January 30, 2011, living in a rural area and earn a living mainly from agriculture, forestry or fisheries.

Registration of contract forms

According to Decision 35/2015/QD-TTg dated August 20, 2015 of the PM on amended and supplemented to Decision 02/2012/QD-TTg dated January 13, 2012 of the PM on promulgating the list of essential goods and services for which contract forms and general transaction conditions must be registered.

According to this Decision, the following types of service are supplemented to “the List of essential goods and services for which contract forms and general transaction conditions must be registered” (must be registered contract forms): (1) prepaid mobile phone service; (2) the service of issuance of personal debit cards for consumption purpose; (3) life **insurance** service.

This Decision shall take effect from October 15, 2015./.

Source: chinhphu.vn