

LEGAL UPDATE

No. 1 – December 2021

(01 Dec 2021 – 15 Dec 2021)



News in focus

*New regulations on adjustment
of pension, social insurance
allowance and monthly
allowance*



New legal documents

Remarkable among documents:
*Decree 112/2021/ND-CP guiding
the Law on Vietnamese workers
working abroad under contracts*

A – News in focus



New regulations on adjustment of pension, social insurance allowance and monthly allowance

(Implemented from 01 Jan 2022)

On 06 Dec 2021, the Government enacted Decree 108/2021/ND-CP on the adjustment of pension, social insurance allowance and monthly allowance (*hereinafter referred to as “**Decree 108/2021/ND-CP**”*), which takes effect from 20 Jan 2022, the regulations under this Decree will be implemented from 01 Jan 2022.

In this legal update, we reveal the most highlights of Decree No. 108/2021/ND-CP.

Adjustment time:

From **01 Jan 2022**

Subjects to be adjusted: *Persons receiving pensions, social insurance benefits and monthly allowances before January 1, 2022, including:*



Cadres, civil servants, workers, officials, employees including those paying voluntary social insurance, retiring from Nghe An farmer's social insurance fund to switch to.



Soldiers participating in the resistance war against the US have less than 20 years working in the army, have served or been discharged, and are receiving monthly allowance.



Policemen participating in the resistance war against the US have less than 20 years working in the police, have quit their jobs, been discharged, and are receiving a monthly allowance.



Soldiers, policemen, people doing cipher work receive salaries like soldiers; Policemen who participated in the war and performed international duties after April 30, 1975, have served, been discharged from the army, quit their jobs, and received monthly allowances.



Soldiers, policemen, and people doing cipher work are receiving monthly pensions.



Commune, ward and township officials; Commune, ward and township officials are receiving monthly allowances.



People who are receiving monthly allowance for loss of working capacity.



Rubber workers are receiving monthly allowance.

General adjustment level:

Increase 7.4% on pension, social insurance allowance and monthly allowance of December 2021 of individuals under subjects to be adjusted.

Specific adjustment level:

Individuals under subjects to be adjusted:

- Retired before 01 Jan 1995; and
- After being adjusted to increase according to the general level, the pension, social insurance allowance and monthly allowance:

≤ 2.300.000 dong/person/month

Increase 200.000 dong/person/month

2.300.000 - < 2.500.000 dong/person/month

Increase to 2.500.000 dong/person/month

B – New legal documents



Remarkable new legal documents (Enacted from 01 Dec 2021 to 15 Dec 2021)

No.	Legal documents
LABOR	
1	Decree 108/2021/ND-CP on adjustment of pension, social insurance allowance and monthly allowance
	Enactment date: 07 Dec 2021
2	Decree 112/2021/ND-CP guiding the Law on Vietnamese workers working abroad under contracts
	Enactment date: 10 Dec 2021
COMMERCIAL	
3	Decree 111/2021/ND-CP amending Decree 43/2017/ND-CP on goods labels
	Enactment date: 09 Dec 2021

No.	Legal documents	
FINANCE – TAX		
4	Decree 104/2021/ND-CP on extending the deadline for paying excise tax towards domestically manufactured or assembled automobiles	
	Enactment date: 04 Dec 2021	Effective date: 04 Dec 2021
5	Circular 110/2021/TT-BTC stipulating the estimation, management, use and settlement of funds for performing the task of protecting Vietnamese citizens and legal entities abroad	
	Enactment date: 10 Dec 2021	Effective date: 26 Jan 2022
INSURANCE		
6	Circular 22/2021/TT-BYT stipulating the termination of the effect of Circular 04/2021/TT-BYT guiding the payment of medical examination and treatment expenses covered by capitation health insurance issued by the Minister of Health	
	Enactment date: 01 Dec 2021	Effective date: 01 Dec 2021
ADMINISTRATIVE - JUDICIARY		
7	Decree 106/2021/ND-CP guiding the Law on Vietnam Border Guard	
	Enactment date: 06 Dec 2021	Effective date: 21 Jan 2022
8	Decree No. 107/2021/ND-CP amending Decree No. 61/2018/ND-CP on the implementation of the one-stop-shop, inter-agency one-stop-shop mechanism in handling administrative procedures	
	Enactment date: 06 Dec 2021	Effective date: 06 Dec 2021
9	Decree 110/2021/ND-CP abolishing a number of legal documents of the Government	
	Enactment date: 09 Dec 2021	Effective date: 15 Dec 2021
10	Circular 31/2021/TT-BGTVT annulling several legal documents issued and jointly issued by the Minister of Transport	
	Enactment date: 07 Dec 2021	Effective date: 20 Jan 2022

No.	Legal documents	
INFORMATION TECHNOLOGY		
11	Minister of Information and Communications' Circular 19/2021/TT-BTTTT on the list of key information technology products	
	Enactment date: 03 Dec 2021	Effective date: 02 Feb 2022
12	Circular 20/2021/TT-BTTTT amending Circular 09/2013/TT-BTTTT of the Minister of Information and Communications promulgating the list of software, hardware and electronic products	
	Enactment date: 03 Dec 2021	Effective date: 02 Feb 2022
13	Minister of Information and Communications' Circular 21/2021/TT-BTTTT amending Circular 24/2015/TT-BTTTT on management and use of Internet resources	
	Enactment date: 08 Dec 2021	Effective date: 07 Feb 2022
CULTURE - SOCIETY		
14	Decree 105/2021/ND-CP guiding the Law on Drug Prevention and Control	
	Enactment date: 04 Dec 2021	Effective date: 01 Jan 2022
15	Decree 109/2021/ND-CP stipulating medical facilities eligible for determination of drug addiction and dossiers, order and procedures for determination of drug addiction	
	Enactment date: 08 Dec 2021	Effective date: 01 Jan 2022
16	Minister of Culture, Sports and Tourism's Circular 14/2021/TT-BVHTTDL stipulating classification criteria and conditions for establishment, merger, consolidation and dissolution of public non-business units in the fields of culture, family, sports and tourism	
	Enactment date: 06 Dec 2021	Effective date: 01 Feb 2022