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LEGAL UPDATE

No. 1 – July 2022

(01 July 2022 – 15 July 2022)



News in focus

Some detailed regulations on the provision, posting of information, and investor selection on the website national bidding network system



New legal documents

Remarkable among documents:

The Ministry of Finance's Circular No. 41/2022/TT-BTC guiding the accounting regime applied to social and charity activities

A – News in focus



Some detailed regulations on the provision, posting of information, and investor selection on the website national bidding network system

(Applied from August 1, 2022)

On June 15, 2022, the Ministry of Planning and Investment has just issued Circular No. 10/2022/TT-BKHDT stipulating in detail the provision, posting of information, and investor selection on the website national bidding network system (*hereinafter referred to as “**Circular No. 10/2022/TT-BKHDT**”*).

In this legal update, we reveal the most highlights of the Circular 10/2022/TT-BKHDT.



1. TIMELINE TO CHOOSE INVESTORS ONLINE

From June 1, 2023

The provision and posting of information for projects subject to bidding in accordance with specialized laws and laws on socialization are done on the System.

+ E-KSQT is a notice to survey the interest of PPP project investors.

From August 15, 2023

Issuance of E-KSQT, E-HSMST, E-YCSBNLKN and submission of E-HSQT, E-HSDST, E-HSDKTHDA for PPP projects, investment projects using land is done on the System. In there:



+ E-HSMST is an online invitation for prequalification of PPP projects.

+ E-YCSBNLKN is an online preliminary requirement for capacity and experience in investment projects using land.

+ E-HSMT is an online file of interest in implementing a PPP project.

+ E-HSDST is an online application for PPP project.

+ E-HSDKTHDA is an online application for registration of implementation of an investment project using land.



2. INFORMATION ON THE PLAN FOR INVESTORS SELECTION OF PROJECTS WITH LAND USING

Posting time:

Information about the investor selection plan is posted on the System no later than 07 working days from the date this document is issued. Basic information about the project is posted at the same time as the investor selection plan.

Attached documents:

The bid solicitor must attach the decision approving the investor selection plan in the posting process. In case of adjustment or modification of the investor selection plan, the bid solicitor must update and attach the decision approving the adjustment or modification on the System before posting the notice of invitation to bid.

3. NOTICE OF INVITATION FOR PREQUALIFICATION, E-TBMST, AND NOTICE OF BID INVITATION FOR PPP PROJECT



The bid solicitor must post the notice of pre-qualification invitation for projects applying international pre-qualification; E-TBMST for projects applying domestic prequalification; notice of bid invitation for projects applying competitive negotiation as prescribed in Clauses 2 and 3, Article 38 of the Law on PPP on the System, and sent to registered investors interested in implementing the project in accordance with regulations defined in Article 25 of Decree No. 35/2021/ND-CP, based on the project implementation progress and time to organize the investors selection in the PPP project approval decision.

The modification or cancellation of notices of prequalification invitation, E-TBMST, and notices of bid invitation are only permitted before the bid closing time.

B - Văn bản pháp luật mới



Remarkable new legal documents (Enacted from 01 July 2022 – 15 July 2022)

No.	Legal documents	
INVESTMENT		
1	Decision No. 57/2022/QH15 on investment policy of Ho Chi Minh City 3rd Ring Road construction investment project	
	Enactment Date: 16 June 2022	Effective Date: 31 July 2022
2	Circular No. 10/2022/TT-BKHDT stipulating in detail the provision, posting of information, and investor selection on the website national bidding network system	
	Enactment Date: 15 June 2022	Effective Date: 01 Aug 2022

No.	Legal documents	
TRAFFIC - CONSTRUCTION		
3	Decision No. 610/QD-BXD announcing construction investment capital rate and general construction price of structural parts in 2021	
	Enactment Date: 13 July 2022	Effective Date: 13 July 2022
4	Decision No. 854/QD-BGTVT on the publication of amended and supplemented administrative procedures in the field of registration under the management function of the Ministry of Transport	
	Enactment Date: 04 July 2022	Effective Date: 04 July 2022
5	Circular No. 12/2022/TT-BGTVT stipulating the list of products and goods capable of causing unsafety under the State management responsibility of the Ministry of Transport	
	Enactment Date: 30 June 2022	Effective Date: 15 Aug 2022
RESOURCES AND ENVIRONMENT		
6	Resolution No. 20/2022/UBTVQH15 on environmental protection tax rates for gasoline, oil, and grease	
	Enactment Date: 06 July 2022	Effective Date: 11 July 2022
7	Decree No. 45/2022/ND-CP stipulating penalties for administrative violations in the field of environmental protection	
	Enactment Date: 07 July 2022	Effective Date: 25 Aug 2022
COMMERCIAL		
8	Decision No. 1377/QD-BCT extending the period-end review time of the application of anti-dumping measures to a number of H-shaped steel products originating from the People's Republic of China (Case ER01. AD03)	
	Enactment Date: 12 July 2022	Effective Date: 12 July 2022

No.	Legal documents	
FINANCE - BANKING		
9	Circular No. 41/2022/TT-BTC guiding the accounting regime applied to social and charity activities	
	Enactment Date: 05 July 2022	Effective Date: 01 Sep 2022
10	Circular No. 09/2022/TT-NHNN guiding the management of foreign exchange for the business of prize-winning electronic games for foreigners	
	Enactment Date: 12 July 2022	Effective Date: 01 Sep 2022
11	Circular No. 08/2022/TT-NHNN stipulating the order and procedures for banking supervision	
	Enactment Date: 30 June 2022	Effective Date: 01 Sep 2022
12	Circular No. 07/2022/TT-NHNN amending and supplementing a number of articles of Circular No. 07/2019/TT-NHNN dated July 3, 2019 of the Governor of the State Bank of Vietnam stipulating the limits, prudential ratio in operations of Vietnam Development Bank	
	Enactment Date: 30 June 2022	Effective Date: 15 Aug 2022
13	Circular No. 06/2022/TT-NHNN amending and supplementing a number of articles of Circular No. 50/2018/TT-NHNN dated December 31, 2018 of the Governor of the State Bank of Vietnam providing for dossiers, order and procedures for approving a number of changes of commercial banks and foreign bank branches	
	Enactment Date: 30 June 2022	Effective Date: 15 Aug 2022