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LEGAL UPDATE

No. 2 – July 2022

(15 July 2022 – 31 July 2022)



News in focus

New Decree on the sanction of the administrative violations in the field of environmental protection



New Legal documents

Remarkable among documents:

The Minister of Industry and Trade's Circular 12/2022/TT-BCT stipulating working time and rest time for employees engaged in operation, maintenance and repair of gas distribution pipelines systems and gas works

A – News in focus



New Decree on the sanction of administrative violations in the field of environmental protection

(Taking effect from 25 August 2022)

On 07 July 2022, the Government enacted Decree 45/2022/ND-CP on the sanction of administrative violations in the field of environmental protection (hereinafter referred to as “**Decree 45/2022/ND-CP**”), which takes effect from 25 August 2022 and takes place the Decrees as follows:

- Decree 155/2016/ND-CP dated 18 Nov 2016; and
- Decree 55/2021/ND-CP dated 24 May 2021.

In this legal update, we reveal some highlights of Decree 45/2022/ND-CP.



1. MAXIMUM MONETARY FINES

Individual

VND 1 billion/1 violation

Organization

VND 2 billion/1 violation

2. SEVERAL SPECIFIC FINES



Households and individuals do not classify solid domestic waste as prescribed, do not use packaging containing domestic waste as prescribed.

VND 500,000 – VND 1,000,000

Investment project owners, owners, management boards of urban areas, apartments, and office buildings do not arrange equipment, means and locations for sorting at source, collecting and storing solid domestic waste according to regulations

VND 200 million - VND 250 million

Investment project owners, owners and management boards of urban areas, apartment buildings and office buildings do not organize the collection of waste from households and individuals as prescribed; fail to arrange suitable daily-life solid waste collection points within the premises of the investment project as prescribed

VND 250 million - VND 300 million

3. STATUTE OF LIMITATIONS FOR THE SANCTION OF ADMINISTRATIVE VIOLATIONS

02 years



4. APPLICATION OF DECREE 45/2022/ND-CP

Administrative violations on environmental protection that occurred before 25 August 2022 but were detected or considered for sanctioning decisions when Decree 45/2022/ND-CP is effective:

=> Apply according to Decree 155/2016/ND-CP and Decree 55/2021/ND-CP; In case Decree 45/2022/ND-CP does not stipulate liability or stipulate lighter liability for acts that occur, Decree 45/2022/ND-CP shall apply.

B – New legal documents



Remarkable new legal documents (Enacted from 15 July 2022 to 31 July 2022)

No.	Legal documents	
INVESTMENT		
1	The Prime Minister’s Decision 17/2022/QD-TTg on decentralization of implementation of projects and component projects of investment in expressway sections in the form of public investment under the socio-economic recovery and development Program	
	Enactment Date: 28 July 2022	Effective Date: 28 July 2022
LABOR		
2	The Minister of Industry and Trade’s Circular 12/2022/TT-BCT stipulating working time and rest time for employees engaged in operation, maintenance and repair of gas distribution pipelines and gas works	
	Enactment Date: 25 July 2022	Effective Date: 09 Sep 2022

No.	Legal documents	
TRAFFIC - CONSTRUCTION		
3	Decree 47/2022/ND-CP amending Decree 10/2020/ND-CP stipulating business and conditions for automobile transport business	
	Enactment Date: 19 July 2022	Effective Date: 01 Sep 2022
4	The Minister of Transport 's Circular 17/2022/TT-BGTVT amending Circular 12/2020/TT-BGTVT stipulating the organization and management of transport activities by car and road transport support services	
	Enactment Date: 15 July 2022	Effective Date: 15 Sep 2022
5	The Minister of Transport's Circular 19/2022/TT-BGTVT stipulating the maintenance of marine works	
	Enactment Date: 26 July 2022	Effective Date: 01 Oct 2022
6	The Minister of Finance's Circular 45/2022/TT-BTC amending Circular 143/2015/TT-BTC stipulating customs procedures and management of cars and motorcycles of subjects permitted to import or temporarily import not for commercial purposes	
	Enactment Date: 27 July 2022	Effective Date: 10 Sep 2022
FINANCE - BANKING		
7	The Minister of Finance's Circular 43/2022/TT-BTC guiding the management and use of state budget funds to ensure the work of international treaties and international agreements	
	Enactment Date: 19 July 2022	Effective Date: 05 Sep 2022
8	The Minister off Finance's Circular 46/2022/TT-BTC stipulating the management, use and settlement of non-business funds from the central budget for the implementation of the National Target Program on Sustainable Poverty Reduction in the 2021-2025 period	
	Enactment Date: 28 July 2022	Effective Date: 01 August 2022
INFORMATION TECHNOLOGY		
9	The Minister of Information and Communications' Circular 10/2022/TT-BTTTT amending Circular 13/2018/TT-BTTTT stipulating the list of cyberinformation security products imported under license and the order, procedures and dossiers of issuance for import license of Cyberinformation security products	
	Enactment Date: 20 July 2022	Effective Date: 15 Sep 2022