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LEGAL UPDATE

No. 1 – November 2022

(01 Nov 2022 – 15 Nov 2022)



News in focus

Regulation on the Insurance allowances after the base salary increases



New Legal documents

Remarkable among documents:

Thông tư 31/2022/TT-BCT sửa đổi Thông tư 57/2014/TT-BCT quy định phương pháp, trình tự xây dựng và ban hành khung giá phát điện và Thông tư 57/2020/TT-BCT quy định phương pháp xác định giá phát điện, hợp đồng mua bán điện do Bộ trưởng Bộ Công thương ban hành

A – News in focus



Insurance allowances after the base salary increases

(Taking effect from 01 July 2023)

On 11 November 2022, the National Assembly voted to approve the **Resolution on State Budget Estimate** in 2023 with nearly 91% of the delegates in favor.

Accordingly, the National Assembly agreed to increase the base salary for civil servants and public employees to **VND 1,800,000/month** from **July 1, 2023**, which is an increase of 20.8% compared to the current base salary (VND 1,490,000/month from 1 July 2019 according to Decree 38/2019/ND-CP).

With the increase in base salary from July 1, 2023, non-state employees also receive more social insurance benefits from July 1, 2023.

Convalescence allowance after being sick

The allowance for convalescence and health rehabilitation after being sick for one day is equal to 30% of the base salary (Clause 3 Article 29 of the Social Insurance Law 2014).



⇒ If the base salary increase to VND 1,800,000 per month, this allowance will also increase:

VND
447,000/day



VND
540,000/day

A lump-sum allowance after maternity

Female employees or employees who adopt children under 6 months old are entitled to a lump-sum allowance for each child equal to 02 times the base salary in the month in which the female employee gives birth or the month in which the employee adopts the child. (Article 38 of the Law on Social Insurance 2014).

⇒ If the base salary increase to VND 1,800,000 per month, this allowance will also increase:

VND
2,980,000/kid



VND
3,600,000/kid



Convalescence allowance after maternity

The allowance for convalescence and health rehabilitation after maternity for one day is equal to 30% of the base salary (Clause 3 Article 41 of the Law on Social Insurance 2014).

⇒ If the base salary increase to VND 1,800,000 per month, this allowance will also increase:

VND
447,000/day



VND
540,000/day

Funeral allowance

When the following people die, the person taking care of the funeral will receive a funeral allowance equal to 10 times the base salary (Article 66 of the Law on Social Insurance 2014):

- Employees who are paying social insurance premiums or who have reserved their time of paying social insurance premiums and have paid social insurance premiums for at least 12 months;
- Employees die because of occupational accidents or diseases or die during treatment due to occupational accidents and diseases;
- Persons are on pension; receive monthly occupational accident and disease allowance and have quit work.

⇒ If the base salary increase to VND 1,800,000 per month, this allowance will also increase:

VND 14,900,000



VND 18,000,000

Monthly survivor allowance

Monthly survivor allowance for each person specified in Article 68 of the Law on Social Insurance 2014:

- In case there is no person to directly take care of, the monthly survivor allowance is equal to 70% of the base salary:

VND 1,043,000/day



VND 1,260,000/day

- Towards other cases, the monthly survivor allowance is equal to 70% of the base salary :

VND 745,000/day



VND 900,000/day

B – New legal documents



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

No.	Legal documents
COMMERCIAL	
1	The Minister of Industry and Trade's Circular 30/2022/TT-BCT amending Circular 57/2018/TT-BCT guiding Decrees related to tobacco business
	Enactment Date: 04 Nov 2022
2	The Minister of Industry and Trade's Circular 31/2022/TT-BCT amending Circular 57/2014/TT-BCT which stipulates the method, the order of construction and the issuance of electricity generation price bracket; and Circular 57/2020/TT-BCT stipulating the method to determine the electricity generation prices and sale contracts
	Enactment Date: 08 Nov 2022
ENTERPRISE	
3	The Minister of Finance's Circular 67/2022/TT-BTC guiding tax obligations when enterprises set up and use the fund for scientific and technological development of enterprises
	Enactment Date: 07 Nov 2022

No.	Legal documents	
TRAFFIC - CONSTRUCTION		
4	Decree 93/2022/ND-CP on management, ensuring security and order at the air border gate	
	Enactment Date: 07 Nov 2022	Effective Date: 22 Dec 2022
5	The Minister of Finance's Circular 64/2022/TT-BTC amending the 2: 2022 QCVN 08: 2018/BTC National technical regulation on national reserve speedboats (ships)	
	Enactment Date: 25 Oct 2022	Effective Date: 09 Dec 2022
EDUCATION		
6	The Minister of Education and Training's Circular 15/2022/TT-BGDDT stipulating the teaching of high school cultural knowledge in vocational education institutions	
	Enactment Date: 08 Nov 2022	Effective Date: 24 Dec 2022
ADMINISTRATIVE VIOLATION		
7	Circular 79/2022/TT-BQP stipulating the issuance, management and use of forms in handling administrative violations under the management of the Ministry of National Defense	
	Enactment Date: 04 Nov 2022	Effective Date: 22 Dec 2022
ADMINISTRATIVE – JUDICIARY		
8	Decree 95/2022/ND-CP stipulating the functions, tasks, powers and organizational structure of the Ministry of Health	
	Enactment Date: 15 Nov 2022	Effective Date: 15 Dec 2022
9	The Minister of Justice's Circular 07/2022/TT-BTP stipulating the classification criteria and conditions for the establishment, merger, consolidation and dissolution of public non-business units under the judicial field	
	Enactment Date: 01 Nov 2022	Effective Date: 19 Dec 2022
10	Circular 79/2022/TT-BQP stipulating the issuance, management and use of forms in handling administrative violations under the management of the Ministry of National Defense	
	Enactment Date: 04 Nov 2022	Effective Date: 22 Dec 2022