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LEGAL UPDATE

No. 2 – July 2023

(15 July 2023 – 31 July 2023)



News in focus

Several policies taking effect from August 2023



New legal documents

Remarkable among documents:

Decree 56/2023/ND-CP amending Decree 96/2016/ND-CP stipulating security and order conditions for several conditional investment and business lines, Decree 99/2016/ND-CP on management and use of seals, Decree 137/2020/ND-CP regulating the management and use of firecrackers

A – News in focus



Several new policies

(Taking effect from August 2023)

In August, several policies and highlights officially come into effect. Accordingly, these new policies will directly affect employees and people.

In this legal update, we reveal some of the remarkable policies which take effect from August 2023.

1. Increase pensions, social insurance allowances

- Decree 42/2023/ND-CP on pensions, social insurance allowances, monthly allowances is officially revised up from July 2023 with 2 increases:
 - Increase 12.5% of the benefit of June 2023 for those who have received a 7.4% increase from Jan 1, 2022.
 - Increase 20.8% of the benefit of June 2023 for those who have not received a 7.4% increase from Jan 1, 2022.
- However, because the effective date of Decree 42/2023/ND-CP is from August 14, so at the July pension and allowance payment period, the social insurance agency temporarily still pays money at the old rate.
- In order to promptly ensure the regime and policies for beneficiaries, the Social Insurance Policy Implementation Committee of Vietnam Social Insurance has issued Official Letter No. 451, which states that, at the payment period of August 2023, the Vietnam social insurance industry will organize the payment of pensions, social insurance allowances and monthly allowances according to the new benefit level from August 14, 2023; and make full repayment of the unpaid additional difference of July 2023.

2. Increase the duration of e-visa to 90 days

From Aug 15, 2023, Law 23/2023/QH15 amending and supplementing several articles of the Law on Exit and Entry of Vietnamese citizens and the Law on entry, exit, transit and residence of foreigners in Vietnam of the National Assembly officially takes effect:

- Increase the duration of the e-visa from 30 days to 3 months, valid for one time or multiple times.
- Increase the temporary stay period from 15 days to 45 days for citizens of countries unilaterally exempted from visas by Vietnam and considered for visa issuance and temporary residence extension in accordance with other provisions of laws.
- In addition, some notable new regulations such as: add "place of birth" information to passports; remove requirement that passports must be valid for 6 months for people leaving the country, facilitating citizens to move abroad; to carry out procedures for issuance of ordinary passports, report loss of ordinary passports, restore the validity of ordinary passports online....

3. Increase in driving test fees



From Aug 1, 2023, Circular 37/2023/TT-BTC officially takes effect, replacing Circular 188/2016/TT-BTC. Accordingly, the new Circular stipulates the collection rate and mode, payment, management and use of driving test fees; issuance fees of licenses and certificates on vehicles, and registration and issuance fees of specialized motorcycle plates.

A noteworthy point in this new Circular is the increase in vehicle testing fees:

- For driving test classes A1 to A4: 60,000 VND/time for theoretical exam; 70,000 VND/time for practice exam (increase 20,000 VND);
- For the driving test of class B1, B2, C, D, E, F respectively, the theory is 100,000 VND/time (an increase of 10,000 VND); practice in the picture is 350,000 VND/time (increase 50,000 VND); Practical test on the road is 80,000 VND (an increase of 20,000 VND), in addition, students also have to drive a car with software that simulates traffic situations with a fee of 100,000 VND/time.

4. Be registered at temporary residence

From August 15, 2023, people will be allowed to register motorbikes at temporary residences and communal police under Circular 24/2023/TT-BCA, without needing to return to their permanent localities to register and issue license plates. Particularly:

Vehicle owners who are organizations or individuals having their headquarters & residences (permanent or temporary residence) in any locality shall be entitled to register vehicles at vehicle registration agencies in that locality; except in the case of winning the license

plate auction (Article 3.2).

In addition, Circular 24/2023/TT-BCA also notes other new regulations:

- License plates are issued and managed according to the vehicle owner's identification code;
- Vehicles that expire, damage or transfer ownership of vehicles are entitled to retain number plates for reissuance when the vehicle owner registers another vehicle under their ownership.....

B - New legal documents



Remarkable new legal documents (Enacted from 15 July 2023 – 31 July 2023)

No.	Legal documents
INVESTMENT	
1	Decree 56/2023/ND-CP amending Decree 96/2016/ND-CP stipulating security and order conditions for several conditional investment and business lines, Decree 99/2016/ND-CP on management and use of seals, Decree 137/2020/ND-CP regulating the management and use of firecrackers
	Enactment Date: 24 July 2023
LABOR	
2	The Minister of Finance's Circular 50/2023/TT-BTC guiding the determination of needs, sources and methods of expenditure to adjust the base salary according to Decree 24/2023/ND-CP and adjust monthly allowances for commune employees who have quit their jobs according to Decree 42/2023/ND-CP
	Enactment Date: 17 July 2023
INSURANCE	
3	Resolution 114/NQ-CP of the Government meeting in July 2023 on the draft Law on Social Insurance (amended)
	Enactment Date: 28 July 2023

No.	Legal documents	
SECURITIES		
4	Decision 786/QD-SGDHN in 2023 on the Process of trading individual corporate bonds on the corporate bond trading system of the Hanoi Stock Exchange	
	Enactment Date: 18 July 2023	Effective Date: 18 July 2023
STATE FINANCE		
5	Decree 55/2023/ND-CP amending Decree 75/2021/ND-CP stipulating the level of subsidies, allowances and preferential regimes for people who have meritorious contributions to the revolution	
	Enactment Date: 21 July 2023	Effective Date: 05 Sep 2023
6	The Ministry of Education and Training's Consolidated document 07/VBHN-BGDĐT in 2023 consolidating the Decree stipulating the mechanism of collection, management of fees for educational institutions in the national education system, and policies on fee exemption and reduction and support for learning costs; service prices in the field of education and training	
	Enactment Date: 21 July 2023	Consolidation date: 21 July 2023
7	The Minister of Health's Circular 15/2023/TT-BYT on stipulating maximum prices and costs for determining the price of a unit of whole blood and blood products meeting standards	
	Enactment Date: 20 July 2023	Effective Date: 15 Sep 2023
ADMINISTRATIVE – JUDICIARY		
8	Decree 48/2023/ND-CP amending Decree 90/2020/ND-CP on assessment and classification of the quality of cadres, civil servants and public employees	
	Enactment Date: 17 July 2023	Effective Date: 15 Sep 2023
9	The Minister of Information and Communications' Circular 08/2023/TT-BTTTT guiding the job positions of leaders, managers and professional titles of specialized public employees, the structure of public employees by professional titles in public non-business units in the Information and Communications sector	
	Enactment Date: 28 July 2023	Effective Date: 15 Sep 2023