



BARRSO LAW FIRM

*Legal
Newsletter*

AUGUST - 2



NEW LEGAL DOCUMENT

THE GROUP PEOPLE WHO ARE RETIRED AT AN OLDER AGE

Decree 50/2022/ND-CP issued by the Government on August 2, 2022, it regulates retirement at a higher age for public employees in public non-business units. The retirement at an older age who are still able to work after reaching retirement age.

This Decree stipulates the retirement at an older age, who are public employees with high professional and technical qualifications in public non-business units and public employees working in a number of specific non-business fields.

Accordingly, there are 04 public employees who are entitled to retire at an older age of no more than 5 years (60 months) from the time of reaching full retirement age:

- Officials holding the title of Professor or Associate Professor;
- Officials holding professional titles that require a doctorate or specialty II training level;
- Forensic examiner or forensic psychiatrist;
- Professional and highly technical public employees in a number of specific career fields according to specialized laws.

Public employees retire at an older age, the extension period is not more than 5 years (60 months), counting from the time the public employee reaches the retirement age (according to Decree No. 135/2020/ND-CP regulating the retirement age).

During the period after the retirement age, public employees only perform professional tasks, do not hold leadership or management positions and do not have the rights of leaders.

Decree 50/2022 takes effect from August 15, 2022.

NEW LEGAL DOCUMENT

CHANGED THE PRICE OF REAL ESTATE IN THE METHOD OF CALCULATING VALUE ADDED TAX WHEN TRANSFERRING REAL ESTATE

On July 29, 2022, the Government issued Decree 49/2022/ND-CP, which amends and supplements a number of articles of Decree 209/2013/ND-CP which guides the tax law. That is Clause 3, Article 4 of Decree 209/2013 on the value-added tax (VAT) price for real estate transfer.

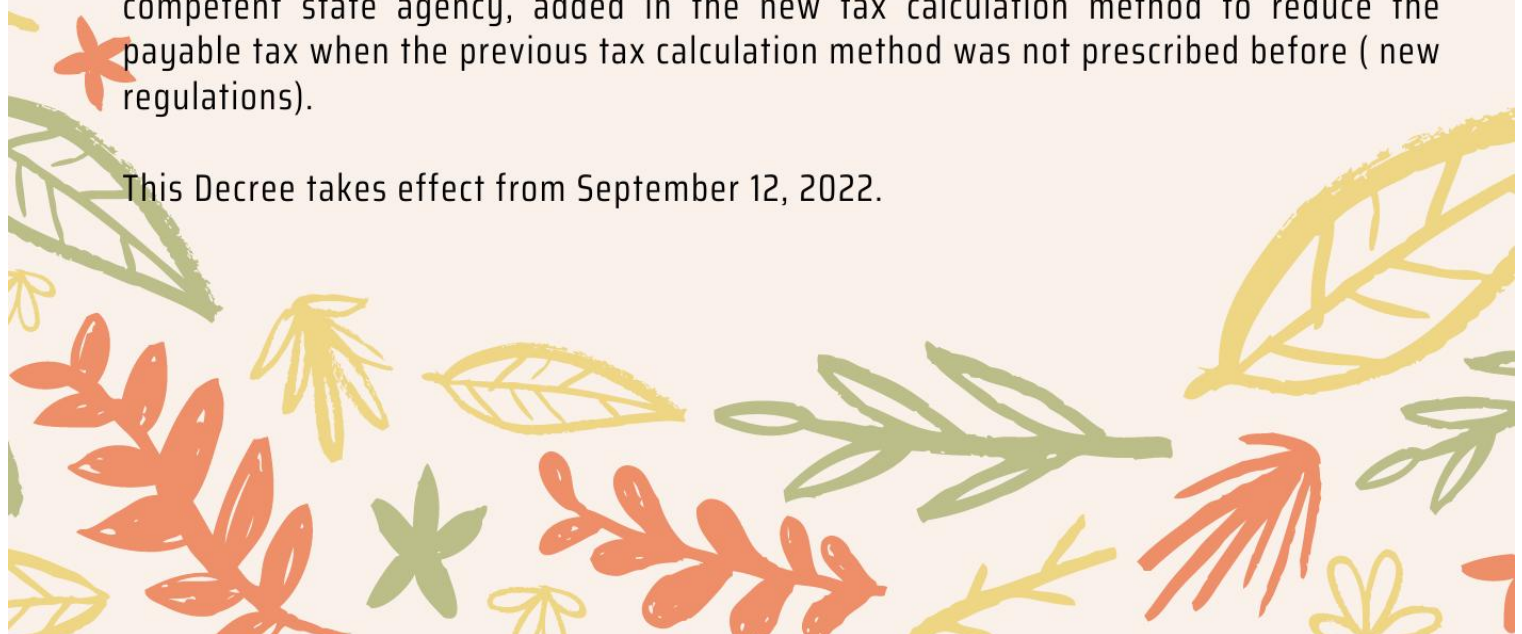
Accordingly, the real estate price used to calculate VAT is the real estate transfer price minus the VAT-free real estate price.

The VAT-free real estate price are specified as follows:

- In case the State is allocated land to invest in building houses for sale, The VAT-free real estate price for calculation includes payment to the state budget and compensation money and Ground Filling money (if any).
- In case of auction of land use rights, The VAT-free real estate price for calculation is the auction winning land price.
- In case of renting land for infrastructure construction or building houses for sale, The VAT-free real estate price for calculation is the land rent payable to the State budget and compensation money and Ground Filling money (if any).

The above Ground Filling and compensation money is the amount approved by the competent state agency, added in the new tax calculation method to reduce the payable tax when the previous tax calculation method was not prescribed before (new regulations).

This Decree takes effect from September 12, 2022.



5 WAYS TO SEND FEEDBACK AND RECOMMENDATIONS ON THE REGULATIONS IN THE FIELD OF TRAFFIC OF THE MINISTRY OF TRANSPORT

On July 20, 2022, the Ministry of Transport issued Circular 18/2022/TT-BGTVT, a circular guiding the receipt and handling of complaints and petitions. Individuals and organizations report and propose administrative regulations under the management of the Ministry of Transport.

Accordingly, Article 6 of this Circular stipulates forms of feedback and recommendations on administrative regulations under the management of the Ministry of Transport, including:

(1) Feedback and recommendations in writing: Send to the Secretariat - Archives Office of the Office of the Ministry of Transport. Address: 80 Tran Hung Dao, Hanoi.

(2) Reflect and make recommendations by phone:

- Domestic hotline phone number: 024.32151184
- In case of complaints and petitions from abroad, please call at: 0084.2432151184


(3) Reflect and propose to pass the opinion form.

(4) Direct feedback and recommendations.

(5) Data messages are sent via:

- Email: phananhkiennghi.tthc@mt.gov.vn
- Web Portal of the Ministry of Transport at the address: <https://www.mt.gov.vn>
- Public web portal and National single window mechanism of the Ministry of Transport at the following address: <https://dichvucong.mt.gov.vn>
- National Public Service Web Portal at: <https://dichvucong.gov.vn>

This Circular takes effect from September 15, 2022.



VEC DOES NOT CONTROL ETC'S FEE ACCOUNT BALANCE

On August 6, Vietnam Highway Development Investment Corporation (VEC) said that from today, VEC does not control the balance of customers' toll accounts at the input of VEC highways managed and exploited.

However, before entering traffic on the highway, the vehicle owner/driver needs to check the balance in the toll account to ensure sufficient payment for the length of the vehicle's distance traveled.

In the event that the toll account does not have enough balance to pay at the highway outlet, causing congestion at the toll lane, the vehicle owner or the driver of the vehicle may be sanctioned by the authorities according to regulations.

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