

BARRSO LAW FIRM

Legal Newsletter

OCTOBER - 2



The page is framed by a decorative border of vibrant green leaves and branches, which are visible at the top, bottom, and sides. The leaves have a detailed vein structure and are set against a light background.

NEW LEGAL DOCUMENT

3 REQUIREMENTS TO CONSIDER GRANTING BANK GUARANTEES TO BORROWERS

On September 30, 2022, the State Bank of Vietnam issued Circular No. 11/2022/TT-NHNN regulating bank guarantees.

Accordingly, credit institutions, foreign bank branches shall consider and decide to grant guarantees, confirm guarantees and counter-guarantees when customers meet the following requirements:

- Having full civil legal capacity and civil act capacity;
- Legally guaranteed obligations;
- To be assessed by the credit institution, foreign bank branch's guarantee on the possibility of refunding the amount that the credit institution or foreign bank branch must pay on behalf of when performing the guarantee obligation.

NEW LEGAL DOCUMENT

8 TYPES OF TRANSPORTATION FEES ARE REDUCED FROM OCTOBER 1, 2022

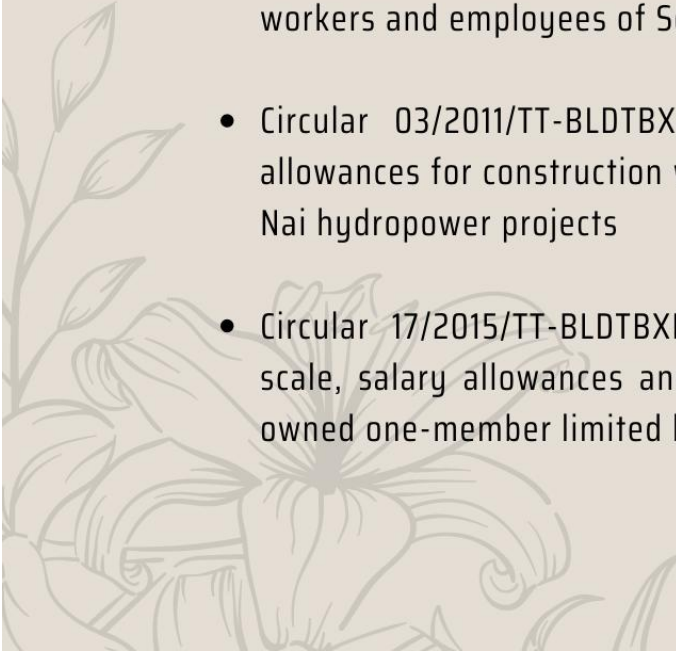
The Ministry of Finance promulgates Circular 59/2022/TT-BTC stipulating the rate of collection of a number of fees and charges in order to support difficulties for transportation business.

- 20% reduction of tonnage fees for ships and boats for domestic maritime activities specified in Circular 261/2016/TT-BTC.
- 20% reduction of maritime security fee for domestic maritime activities as prescribed in Circular 261/2016/TT-BTC.
- 20% reduction of fees for entry and exit of seaports for domestic maritime activities specified in Circular 261/2016/TT-BTC.
- 20% reduction in fees for assessment and issuance of certificates and licenses for civil aviation activities; permits to enter and exit restricted areas at airports and airfields specified in Circular 193/2016/TT-BTC.
- 20% reduction of registration fee for secured transactions for aircraft specified in Circular 193/2016/TT-BTC.
- 50% reduction of fees for using railway infrastructure specified in Circular 295/2016/TT-BTC.
- 50% reduction of fees for entering and leaving inland ports and wharves specified in Circular 248/2016/TT-BTC.
- 50% reduction of the inland waterway reporting fee specified in Circular 248/2016/TT-BTC.

ABOLISH A SERIES OF CIRCULARS ON LABOR AND WAGES FROM NOVEMBER 15, 2022

On September 30, 2022, the Ministry of Labor, War Invalids and Social Affairs issued Circular 18/2022/TT-BLDTBXH, on the annulment of legal documents issued by the Minister of Labor, War Invalids and Social Affairs. promulgated by the association.

Specifically, Circular 18 annuls all of the following documents:

- Circular 28/2005/TT-LDTBXH guiding the salary regime and salary allowances for workers, employees and officials in the construction of 05 hydropower projects.
 - Circular 12/2007/TT-LDTBXH guiding the salary regime and salary allowances for workers, employees, and civil servants in the construction of hydropower projects.
 - Circular 37/2009/TT-LDTBXH guiding the mid-shift diet for construction workers and employees of Son La hydropower project.
 - Circular 03/2011/TT-BLDTBXH guiding the salary regime and salary allowances for construction workers and employees of Lai Chau and Dong Nai hydropower projects
 - Circular 17/2015/TT-BLDTBXH guiding the development of the salary scale, salary allowances and salary transfer for employees in a State-owned one-member limited liability company.
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STRENGTHENING TAX MANAGEMENT FOR E-COMMERCE ACTIVITIES

On October 1, 2022, the Prime Minister issued Official Letter 889/CD-TTg on improving the efficiency of tax collection management with e-commerce and digital business activities.

Strengthen propaganda and support e-commerce business individuals to declare and pay tax according to regulations; coordinate and guide foreign suppliers to comply with the law when doing business in Vietnam; building tax management database for e-commerce...

Draft Decree amending Decree 126/2020/ND-CP guiding the Law on Tax Administration, including amendments on tax administration for e-commerce
Develop legal documents to complete the legal basis for suspension and revocation of online operating licenses for tax law violations...

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