



BARRSO LAW FIRM

*Legal
Newsletter*

SEPTEMBER - 2

NEW LEGAL DOCUMENT

REPORTING INFORMATION ON FALSE CRIMINALS, PENALTY UP TO 30 MILLION VND

This is the fine level specified in Ordinance 02/2022/UBTVQH15 promulgated by the National Assembly Standing Committee on August 18, 2022 on sanctioning administrative violations for acts of obstructing legal proceedings. Specifically, Article 9 of Ordinance 02 stipulates the fine levels for acts of denouncing and reporting untruthful crimes as follows:

- A fine of between VND 01-05 million for intentionally denouncing or reporting untruthful crimes.
- A fine of between VND 5 - 15 million for one of the following acts:
 - Deliberately denouncing or reporting untruthful crimes, affecting the reputation of competent agencies or persons;
 - Instigating, enticing, deceiving, bribing, threatening or using force to force others to denounce or report untruthful crimes.

Particularly, in case the lawyer commits the above act, a fine of between VND 15-30 million will be imposed.

Additional sanctions for the above violations are confiscation of material evidences and means of administrative violations.

It is effective from September 1, 2022.

NEW LEGAL DOCUMENT

5 PROHIBITED ACTIVITIES FOR FOREIGN NON-GOVERNMENTAL ORGANIZATION (NGO)

On August 31, 2022, the Government issued Decree No. 58/2022/ND-CP on registration and management of activities of foreign NGO in Vietnam.

The Vietnamese government will apply policies to encourage and create favorable conditions for development, provide humanitarian aid, and at the same time ensure the lawful rights and interests of foreign non-governmental organizations.

However, in order to manage the activities of these organizations in Vietnam, Article 5 of Decree 58 prohibits the following acts:

- Organizing, conducting, participating in, sponsoring religious activities and other activities that are not in accordance with the national interests, activities that violate the law, infringe upon national defense, security and order and security. Vietnamese society as a whole.
- Organizing, performing, participating in activities for profit-making purposes, activities that do not serve the purpose of development assistance or humanitarian aid.
- Financing activities against, overthrowing governments of other countries, sponsoring terrorist organizations and terrorist activities.
- Organize, participate in, finance money laundering activities, related to money laundering.
- Organizing, participating in, sponsoring other activities that are contrary to social moral standards, fine customs, customs, traditions, national cultural identity and sabotage the great unity bloc of Vietnam's ethnic groups.

The Decree takes effect from November 1, 2022.

ILLEGAL RECORDING AND VIDEO RECORDING AT THE COURT, COULD BE FINED UP TO 15 MILLION VND

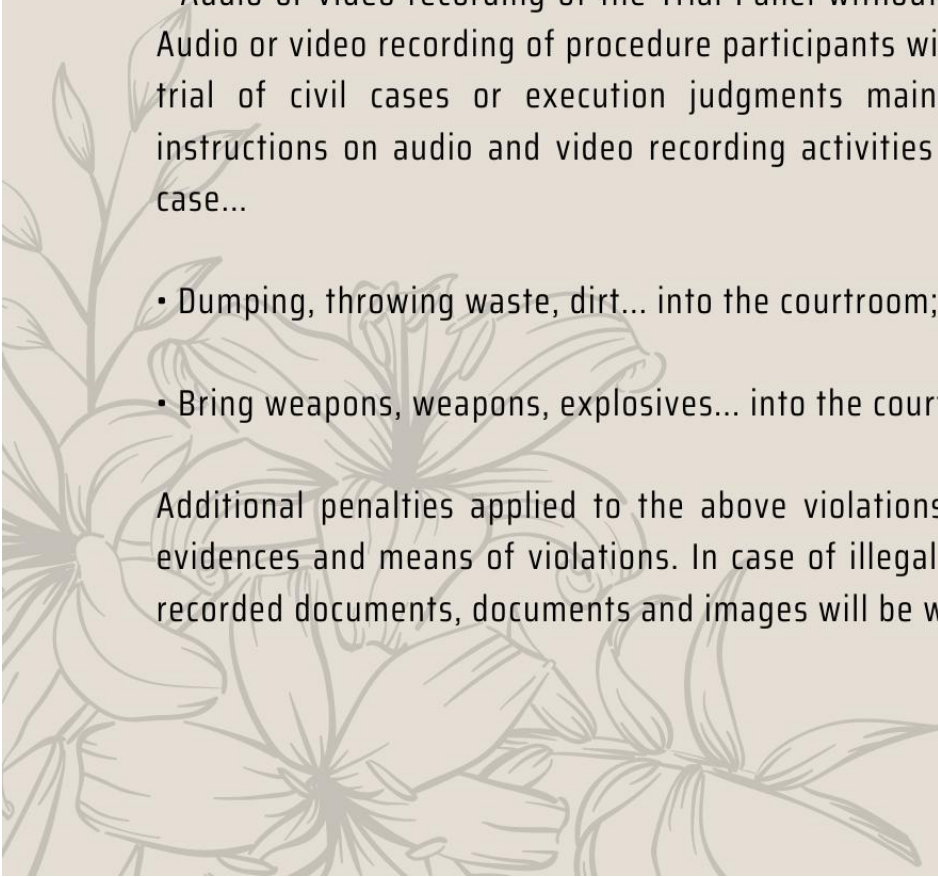
This is also one of the notable new regulations in Ordinance 02/2022/UBTVQH15 issued on August 18, 2022 by the National Assembly Standing Committee on the sanctioning of administrative violations for acts of obstructing activities.

According to Ordinance 02, illegal recording and video recording at the plenary session can be subject to the highest fine in Article 23 for acts of violating the rules of the court session or meeting. Specifically, these fines range from VND 100,000 to VND 15 million depending on the severity:

In particular, a fine of between VND 07-15 million for the following acts:

- Audio or video recording of the Trial Panel without the consent of the Chairman. Audio or video recording of procedure participants without their consent during the trial of civil cases or execution judgments main; disobeying the Chairman's instructions on audio and video recording activities during the trial of a criminal case...
- Dumping, throwing waste, dirt... into the courtroom;
- Bring weapons, weapons, explosives... into the courtroom...

Additional penalties applied to the above violations are confiscation of material evidences and means of violations. In case of illegal audio or video recording, the recorded documents, documents and images will be withdrawn and returned.



CONSIGNMENT ON THE COACH MUST PROVIDE AT LEAST 5 INFORMATION

This is also a notable content specified in Decree 47/2022 / ND-CP.

Accordingly, in order to ensure the management and control of consigned goods on passenger cars, Clause 1 Article 1 of Decree 47/2022/ND-CP has added regulations:

Business units transporting passengers, drivers, service staff on vehicles (if any) when receiving consignment goods for cars (goods senders do not accompany vehicles) must request the shipper of goods to supply provide complete and accurate information on: Name of goods, weight (if any), full name, address, identity card number/ citizen identification card number, contact phone number of the sender and recipient.

Thus, from 1/9/2022, when sending goods on a passenger car, the sender is required to provide at least 5 of the following information to the garage, driver, service staff (if any): Name of goods; Full name; Address; Identity card number/citizen identification card number; Contact phone numbers of senders and recipients; Weight of the goods (not required for supply).

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