

Industrial Zones, Economic Zones

Decree No. 35/2022/ND-CP on management of industrial zones, economic zones

- ❑ From 15 July 2022, the Government's Decree No. 35/2022/ND-CP dated 28 May 2022 prescribing the management of industrial zones and economic zones takes effect.
- ❑ Some notable regulations of Decree No. 35 are follows:
 - At least 2% land area of industrial zones must be reserved for the construction of housing, services buildings, public utilities for its employees.
 - At least 5 hectares of the industrial land or 3% of total industrial land of the industrial zones (including land intended for industrial premises, office, storage yards or facilities) must be reserved for small and medium-scale enterprises, industrial supporting enterprises; innovative enterprises, and certain other subjects under Decree No. 35. The rental and infrastructure fees applicable to these enterprises shall be capped at 70% of the rental/infrastructure fees of the industrial zones.
 - A new policy provides for transformation of industrial zones into urban-services zones when provincial-level planning exists for such transformation; the industrial zone has been operating for at least 15 years or one-half of its operation term; and at least two-thirds of the enterprises in the industrial zones give consent to the transformation.

Banking & Finance

New circular supplementing issues subject to Vietnam State Bank's approval

- ❑ On 30 June 2022, the State Bank of Vietnam (SBV) issued Circular No. 06/2022/TT-NHNN amending and supplementing Circular No. 50/2018/TT-NHNN guiding dossiers and procedures for approvals to be obtained by commercial banks and foreign bank branches (FBB).
- ❑ According to Circular No. 06, when a FBB relocates from one province to another, it is required to obtain prior approval from the Governor of the SBV (instead of Director of SBV's branch in the relevant province as previously required).
- ❑ New contents relating to applications and new procedures are provided under Circular No 06

for when shares purchase made by major shareholders.

New circular regulating the procedures of monitoring in banks

- ❑ SBV recently issued Circular No. 08/2022/TT-NHNN regulating the procedures in monitoring banks, in which the entities subject to this monitoring system include credit institutions, FBB and branches of credit institutions.
- ❑ According to Circular No. 08, there are two types of monitoring—micro monitoring and macro monitoring. Details are as follows:
 - Credit institutions (except for policy banks), FBB and branches of credit institutions are subject to the micro monitoring regime.
 - Systems of credit institutions and FBB, which include groups of credit institutions, FBB of systemic importance and groups of credit institutions and FBB classified by type of operation, type of ownership are all subject to macro monitoring.

Invoices and Records

Regulations on use of electronic invoices and records effective as of 1 July 2022

- ❑ From 1 July 2022, Decree No. 123/2020/ND-CP dated 19 October 2020 and Circular No. 78/2021/TT-BTC dated 17 September 2021 took effect.
- ❑ Accordingly, organizations and individuals purchasing and selling goods, providing and using goods, organization with business operations, etc. are subject to electronic invoice requirements as of 1 July 2022. The formality, content of electronic invoices and records, as well as procedures related to registration of use of electronic invoices and records must comply with Decree No. 123 and Circular No. 78.
- ❑ Electronic invoices or records can be converted into printed ones (in paper) in certain cases, but they will not be valid for use in transactions or payments except for cases where invoices are generated from POS cash registers that are digitally connected to the tax authorities in accordance with Decree No. 123/2020/ND-CP.

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