

## Housing & Real Estate

### New regulations on housing and real estate market information system

- On 15 August 2022, Decree No. 44/2022/ND-CP dated 29 June 2022 on developing, managing and using housing and real estate market information system (“Decree 44”) took effect.
- Decree 44’s scope covers the government authority, organizations and individuals related to developing, managing and using housing and real estate market information system.
- Some noteworthy points of Decree 44 are as follows:
  - Database regarding the real estate projects covers: General database (e.g. investor, location, legal issues, scale...); types of projects; number and area of projects; status of real estate transaction of projects.
  - Database regarding the real estate transfer and trading transactions covers: types of transfer and trading transactions through transaction floor; taxes for transfer activities.
  - Information and data sharing and providing shall be carried out on website: <https://batdongsan.xaydung.gov.vn> and in accordance with the prescribed forms under Decree 44;
  - Entities who can request for grant of exploit and use of data on housing and real estate market via: (i) website <https://batdongsan.xaydung.gov.vn>; (ii) Information Portal of Department of Construction, (iii) written request; or (iv) a contract concluded with the authority administering the information system of housing and real estate market as prescribed by laws.

## Information Technology & Cybersecurity

### Guiding instruments for Law on Cybersecurity 2018 has been officially released

- Decree No. 53/2022/ND-CP guiding some articles of the Law on Cybersecurity (“Decree 53”) was issued on 15 August 2022.
- Decree 53 specifies some notable regulations as below:
  - Defining “personal information data”, “data created by service users in Vietnam”, and “service users relationship data” which are the important legal ground for determining the scope of

data and information to be protected during the collection, exploitation, analysis and processing.

- Specifying the orders and procedures related to the cybersecurity for the information system of the authority, organization and individuals which are not considered the critical national security information system.
- Specifying the cases where foreign entities engaging in some certain business (telecommunication; storing and sharing data in cyberspace; providing national or international domain to service users in Vietnam; e-commerce; online payment; intermediary payment service; transport connection services through cyberspace; social networks and social media; games online; services of providing, managing or operating other information in cyberspace in the form of messages, voice calls, video calls, e-mails, online chats) are required to store data and set up branch or representative office as stipulated by Decree 53.

## Securities Trading

### Decision promulgating clearing and securities trading payment at Vietnam Securities Depository

- On 19 August 2022, Vietnam Securities Depository (“VSD”) issued Decision No. 109/QD-VSD and the Regulations on clearing and securities trading payment at VSD. The Regulations provide contents related to clearing, payment, payment support mechanism, post-transaction error correction, transaction error handling and elimination of transaction payment at VSD regarding stocks, exchange traded funds, covered warrants and corporate bonds (except for privately issued corporate bonds) which are traded at Stock Exchanges.
- Attached to the regulations are appendices listing:
  - List of payment documents, notifications applied in the form of electronic documents;
  - Order of clearing and payment regarding securities trade performed at Stock Exchanges;
  - Procedures for securities blockade/release for members with temporary insolvency;

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