

**Decree No. 51/1999/ND-CP dated July 08, 1999 of the Government detailing the implementation of Law No. 03/1998/QH10 on domestic investment promotion (amended)**

<b>THE GOVERNMENT</b> -----	<b>SOCIALIST REPUBLIC OF VIET NAM</b> <b>Independence - Freedom - Happiness</b> -----
No: 51/1999/ND-CP	<i>Hanoi, July 8, 1999</i>

**DECREE**

**DETAILING THE IMPLEMENTATION OF LAW NO. 03/1998/QH10 ON DOMESTIC INVESTMENT  
PROMOTION (AMENDED)**

**THE GOVERNMENT**

*Pursuant to the Law on Organization of the Government of September 9, 1992;*

*Pursuant to Law No. 03/1998/QH10 of May 20, 1998 on Domestic Investment Promotion (amended);*

*At the proposal of the Minister of Planning and Investment,*

**DECREES:**

**Chapter I**

**GENERAL PROVISIONS**

**Article 1.- Scope of regulation**

This Decree regulates the following investment activities:

1. Investment in setting up new production and business establishments of different economic sectors;
2. Investment in production lines, expansion of production scale and renewal of technologies, including: investment in setting up new workshops; installation of new production lines; installation of new equipment and facilities to supplement the existing ones; installation of new equipment and machinery to partially or fully replace equipment and machinery of the existing production lines;
3. Investment in the improvement of environment and ecology; relocation of production establishments out of the urban areas; development of services in support of research and development, experimenting establishments and laboratories in service of scientific research;
4. Purchase of shares from the equitized State enterprises and joint-stock companies and contribution of capital to enterprises of different economic sectors;
5. Investment in the forms of Build- Operate- Transfer (BOT); Build- Transfer-Operate (BTO); and Build- Transfer (BT) contracts.

**Article 2.-** Objects of application

The Law on Domestic Investment Promotion shall apply to:

1. Limited liability companies;
2. Joint-stock companies;
3. Partnerships;
4. Private enterprises;
5. Cooperatives, unions of cooperatives;
6. State enterprises;
7. Private, people-funded and semi-public education and training establishments; private and people-funded medical establishments; and national culture establishments, lawfully established and operating;
8. Enterprises of political organizations, socio-political organizations and occupational societies, which have registered their business according to the provisions of law;
9. Individuals and business groups established and operating under Decree No. 66-HDBT of March 2, 1992 of the Council of Ministers (now the Government).
10. Vietnamese citizens, overseas Vietnamese and foreigners permanently residing in Vietnam who buy shares from or contribute capital to Vietnamese enterprises.

**Article 3.-** Laws applicable to investment by overseas Vietnamese

1. The overseas Vietnamese making investment under the Law on Domestic Investment Promotion include people with Vietnamese nationality and people of Vietnamese origin, who permanently reside and earn their living overseas.
2. Overseas Vietnamese may select either the Law on Foreign Investment in Vietnam or the Law on Domestic Investment Promotion for their investment projects in Vietnam, but each project is entitled to either of the two said laws.
3. Enterprises set up by overseas Vietnamese, enterprises set up jointly by Vietnamese citizens and overseas Vietnamese shall comply with the Law on Enterprises and the Law on Cooperatives.

**Article 4.-** Laws applicable to investment by foreigners permanently residing in Vietnam

1. Foreigners permanently residing in Vietnam and investing in the country under the Law on Domestic Investment Promotion are those with foreign citizenship and those without any nationality, who permanently reside and earn their living in Vietnam.

2. Foreigners permanently residing in Vietnam may select either the Law on Foreign Investment in Vietnam or the Law on Domestic Investment Promotion for their investment projects, but each project is only entitled to either of the two said laws.

3. Enterprises set up by foreigners permanently residing in Vietnam, enterprises set up jointly by Vietnamese citizens and foreigners permanently residing in Vietnam and enterprises set up jointly by Vietnamese citizens, overseas Vietnamese and foreigners permanently residing in Vietnam shall comply with the Law on Enterprises and the Law on Cooperatives.

**Article 5.-** Competence to decide the share purchase and capital contribution by foreign investors

1. Foreigners may contribute capital or purchase shares with a value of not more than 30% of the charter capital of concerned Vietnamese enterprises in the branches, trades and domains on the list ratified for each period by the Prime Minister, at the proposal of the Minister of Planning and Investment.

2. The capital contribution and share purchase by foreign investors with a value of not more than 30% of the charter capital of concerned State enterprises on the list ratified by the Prime Minister are stipulated as follows:

a/ For the centrally-run enterprises, the Finance Minister shall decide;

b/ For the locally-run enterprises, the presidents of the People's Committees of the provinces and centrally-run cities shall decide at the proposal of the directors of the provincial/municipal Planning and Investment Services.

3. The capital contribution or share purchase by foreign investors with a value of not more than 30% of the charter capital of enterprises of other economic sectors, which belong to those branches, trades and domains defined in the list already ratified by the Prime Minister shall be effected under contracts signed between the foreign investors and concerned enterprises. In this case, enterprises shall have to notify in writing to the agencies that have granted them the business registration certificates within 15 days after contributing capital or purchasing shares.

**Chapter II**

**INVESTMENT GUARANTY AND SUPPORT**

**Article 6.-** Public announcement of land-use planning

The People's Committees of the provinces and centrally-run cities shall annually publicize the land-use planning which has been ratified by the competent State agency; and publicize the unused land fund and the lease land fund together with the list of the locally-run projects called for investment, on the mass media and by publicly posting up at offices of the provincial and district People's Committees

so that the investors having a demand therefor may register the land renting or participate in bidding for renting.

**Article 7.- Investors' rights in the use of land**

Investors allocated or leased land by the State or transferred with the land-use right by others shall enjoy the rights provided for by the land legislation; be entitled to the land-use levy or land-rent exemption or reduction as well as the land-use tax exemption, according to the provisions of Articles 17, 18 and 19 of this Decree.

**Article 8.- Support in form of infrastructure development investment**

1. On the basis of the development planning and demand in each period in the regions meeting with socio-economic difficulties and regions meeting with special socio-economic difficulties, the State shall invest in the construction of small- and medium-sized industrial parks, ensuring the technical infrastructure regarding electricity and water supply, water drainage, communication and waste treatment so that the investors may use them in service of their production and business with preferential terms.

2. In the regions meeting with socio-economic difficulties and regions meeting with special socio-economic difficulties, the State shall invest in the construction or support the investment in the construction of infrastructure projects outside the industrial parks, export-processing zones and hi-tech parks (including: traffic roads, bridges, sewers, water supply and drainage system, waste treatment system), so as to create favorable conditions for the investors' investment, production and business activities.

3. The State encourages and creates favorable conditions for investors to set up production and business establishments in industrial parks, export-processing zones and hi-tech parks or relocate the production establishments from urban areas to industrial parks or export-processing zones through the supportive policies on preferential investment loans and tax preferences.

**Article 9.- Capital contribution and competence to decide capital contribution by the State**

1. The State shall contribute capital to enterprises with priority given to those located in the regions meeting with socio-economic difficulties and regions meeting with special socio-economic difficulties in order to implement investment projects in form of BOT, BTO or BT contracts or other forms through the Development Support Fund and the State-owned credit institutions, depending on the nature of each project in each period.

2. The State's capital contribution to BOT enterprises shall be effected under the Regulation on investment in form of BOT contracts applicable to domestic investment, issued together with the Government's Decree No. 77-CP of June 18, 1997.

**Article 10.- Investment support fund**

1. The State shall set up and encourage the setting up of investment support funds. Investment support funds set up with capital jointly contributed by organizations and/or individuals shall operate under the Law on Credit Institutions. The investment support funds shall provide medium- and long-term loans with preferential interest rates or partial interest-rate support for investment projects entitled to investment credit guaranty. The Government shall effect the re-guaranty through Vietnam State Bank as for the credits of the investment support funds.

2. The Government shall set up the Development Support Fund in order to provide the State's development investment support in such forms as investment loans; post-investment support; and investment credit guaranty under the current law provisions on the State's development investment credits. To annul the Prime Minister's Decision No. 808/TTg of December 9, 1995 on the establishment of the National Investment Support Fund and the earlier regulations which are contrary to the Government's Decree on organization and operation of the Development Support Fund.

3. The functions, tasks and powers as well as organizational structure and operation mechanism of the Development Support Fund shall be specified in the Fund's Charter to be ratified by the Government.

**Article 11.- Export support fund**

1. The Government shall set up and encourage the setting up of export support funds. Export support funds set up with capital jointly contributed by organizations and/or individuals shall operate under the Law on Credit Institutions.

2. The National Export Support Fund set up by the Government is a non-bank credit institution operating under the Law on Credit Institutions. The National Export Support Fund shall be created and developed from the State budget capital sources and capital contributed by credit institutions, enterprises, organizations and individuals inside and outside the country on the principle of voluntariness.

The Ministry of Finance shall assume the prime responsibility and coordinate with the Ministry of Planning and Investment and the Ministry of Trade in elaborating and submitting to the Prime Minister a project on the setting up of the National Export Support Fund.

3. The National Export Support Fund shall provide preferential export credits and export credit guaranty in order to support enterprises producing export goods, conducting export business and expanding the export market. The concrete preferential export credit limits and export credit guaranty limits for export goods manufacturing and trading projects are stipulated in Clause 2, Article 30 of this Decree.

4. The functions, tasks and powers as well as organizational structure and operation mechanism of the National Export Support Fund shall be specified in the Fund's Charter to be ratified by the Prime Minister.

**Article 12.- National Scientific and Technological Development Support Fund**

1. The Government shall set up the National Scientific and Technological Development Support Fund. The National Scientific and Technological Development Support Fund is a non-bank credit institution operating under the Law on Credit Institutions. The National Scientific and Technological Development Support Fund shall be created and developed from the State budget capital sources and capital jointly contributed by credit institutions, enterprises, organizations and individuals inside and outside the country on the principle of voluntariness.

The Ministry of Science, Technology and Environment shall coordinate with the Ministry of Planning and Investment and the Ministry of Finance in elaborating and submitting the plan on the establishment of the National Scientific and Technological Development Support Fund.

2. The National Scientific and Technological Development Support Fund shall provide credits with favorable conditions or preferential interest rates, in order to support investors in studying and applying scientific, technical and technological advances, technological transfer and renewal.

3. The functions, tasks and powers as well as organizational and managerial structure and operation mechanism of the National Scientific and Technological Development Support Fund shall be stipulated in the Fund's Charter to be ratified by the Prime Minister.

4. The Ministry of Science, Technology and Environment shall popularize and guide the technology transfer, creating favorable conditions for investors to use with preferential charges new technologies created with the State budget capital.

**Article 13.- Encouragement and support for development of investment support services.**

1. The Government shall encourage and assist organizations, enterprises and individuals to set up organizations which provide such investment support services for domestic investors, as:

a/ Investment consultancy, management consultancy and technology transfer consultancy; vocational training, technical and managerial skill training;

b/ Provision of market information, scientific-technical and technological information;

c/ Intellectual property right and technology transfer;

d/ Marketing, trade promotion;

e/ Establishment of production and business branch, trade and export societies;

f/ Establishment of designing and experimenting centers to support the development of medium- and small-sized enterprises.

2. The investment support service activities mentioned in Points a, b, c and d, Clause 1 of this Article shall be classified into the domains and business lines eligible for investment preferential treatment as prescribed in List A of the Appendix issued together with this Decree.

3. The State management agencies are strictly prohibited from providing investment consultancy services to earn profits in any forms.

**Article 14.-** Provisions on the application of prices to investment projects under the Law on Domestic Investment Promotion

1. Enterprises set up by overseas Vietnamese directly investing in Vietnam, enterprises set up by foreigners permanently residing and directly investing in Vietnam and enterprises set up jointly by Vietnamese citizens, overseas Vietnamese and foreigners permanently residing in Vietnam, that have investment projects under the Law on Domestic Investment Promotion shall enjoy the same input prices regarding land, goods, raw materials, fuels, materials, supplies and other services like the domestic enterprises of the same category.

2. Investors being overseas Vietnamese or foreigners permanently residing in Vietnam mentioned in Clause 1 of this Article shall be entitled to apply prices and charges of services for their daily life (travelling, accommodation, hotel, electricity, water, post and telecommunication charges) like the Vietnamese residing in the country.

The Ministry of Planning and Investment shall coordinate with the relevant agencies in issuing a Circular guiding the provisions of this Article.

### **Chapter III**

#### **INVESTMENT PREFERENCES**

**Article 15.-** Conditions for investment preferences

An investment project that meets one of the following conditions shall be entitled to investment preferences:

1. Investment in branches and trades defined in List A of the Appendix issued together with this Decree.

2. Investment projects in any production and business domains, branches and trades, which are not banned by law and which employ an average number of laborers in a year at least as follows:

a/ In urban areas of categories 1 and 2: 100 laborers;

b/ In the areas defined in List B or C of the Appendix issued together with this Decree: 20 laborers;

c/ In other areas: 50 laborers.

**Article 16.- Regions eligible for investment preferential treatment**

Investment projects in the following regions shall enjoy investment preferential treatment:

1. Regions meeting with socio-economic difficulties defined in List B of the Appendix issued together with this Decree;
2. Regions meeting with special socio-economic difficulties defined in List C of the Appendix issued together with this Decree.

**Article 17.- Land-use levy exemption/reduction**

Investors assigned land by the State and paying the land-use levy for their production and business activities shall enjoy the following land-use levy preferences:

1. 50% reduction of the land-use levy, if the investment projects fall into branches, trades and domains defined in List A of the Appendix issued together with this Decree;
2. 75% reduction of the land-use levy, if the investment projects are executed in the regions defined in List B of the Appendix issued together with this Decree;
3. Exemption of land-use levy in the following cases:
  - a/ The investment projects fall into branches, trades and domains defined in List A and executed in the regions defined in List B of the Appendix issued together with this Decree;
  - b/ The investment projects are executed in the regions defined in List C of the Appendix issued together with this Decree.

**Article 18.- Land-rent exemption/reduction**

1. Investors having investment projects defined in Article 15 of this Decree shall enjoy the land-rent exemption from the time of signing the land-renting contracts as follows:
  - a/ 3-year exemption, for projects that meet one of the conditions prescribed in Article 15 of this Decree;
  - b/ 6-year exemption, for projects that fully meet two conditions prescribed in Article 15 of this Decree.
2. Investors having investment projects in the regions defined in List B shall enjoy the land-rent exemption from the time of signing the land-renting contracts as follows:
  - a/ 7-year exemption, for projects in the regions defined in Section II, List B;
  - b/ 10-year exemption, for projects in the regions defined in Section I, List B;



3. Investors having investment projects in the regions defined in List B, who at the same time satisfy the conditions prescribed in Article 15 of this Decree shall enjoy the land-rent exemption from the time of signing the land-renting contracts as follows:

a/ 11-year exemption, for List A- investment projects;

b/ 13-year exemption, for projects that fully meet two conditions prescribed in Clauses 1 and 2, Article 15 of this Decree.

4. Investors having investment projects in the regions defined in List C shall enjoy the land-rent exemption from the time of signing the land-renting contracts as follows:

a/ 11-year exemption, for projects in the regions defined in Section II, List C;

b/ 15-year exemption, for projects in the regions defined in Section I, List C;

5. The List-A investment projects which are implemented in the regions defined in List C shall enjoy the land-rent exemption throughout the duration of their implementation.

**Article 19.- Land-use tax exemption/reduction**

1. Investors assigned land by the State and having investment projects specified in List A issued together with this Decree shall enjoy the land-use tax exemption/reduction from the time of being assigned land as follows:

a/ 50% reduction of the land-use tax for 7 years for investment projects specified in Section II, List A;

b/ Exemption of the land-use tax throughout the duration of the implementation of projects, for projects prescribed in Section I, List A.

2. Investors having investment projects prescribed in List B shall enjoy the land-use tax exemption after being allocated land as follows:

a/ 7-year exemption, for projects in the areas defined in Section II, List B;

b/ 10-year exemption, for projects in the regions defined in Section I, List B.

3. Investors having investment projects in the regions defined in List B, who at the same time satisfy the conditions prescribed in Article 15 of this Decree shall enjoy the land-use tax exemption after being allocated land as follows:

a/ 11-year exemption, for List A- investment projects;

b/ 15-year exemption, for projects that fully meet two conditions prescribed in Clauses 1 and 2, Article 15 of this Decree.

4. Investors having investment projects in the regions defined in List C shall enjoy the land-use tax exemption after being allocated land as follows:

a/ 11-year exemption, for projects in the regions defined in Section II, List C;

b/ 15-year exemption, for projects in the regions defined in Section I, List C;

5. List-A investment projects which are implemented in the regions defined in List C shall enjoy the land-use tax exemption throughout the whole duration of their implementation.

**Article 20.- Enterprise income tax rate preferences**

Investors having investment projects on List A or implemented in the regions defined in List B or C shall enjoy enterprise income tax rate preferences as follows:

1. The tax rate of 25% for List A-investment projects;
2. The tax rate of 25% for List B-investment projects;
3. The tax rate of 20% for List A-investment projects which are implemented in the regions defined in List B;
4. The tax rate of 20% for List C-investment projects;
5. The tax rate of 15% for List A-investment projects which are implemented in the regions defined in List C.

**Article 21.- Enterprise income tax exemption/reduction duration**

Investors having projects on the establishment of production/business establishments, which satisfy the conditions prescribed in Articles 15 and 16 of this Decree shall enjoy enterprise income tax exemption/reduction from the time the taxable income is generated as follows:

1. 2-year exemption and 50% reduction of the payable tax amount for two subsequent years, for projects that meet one of the conditions prescribed in Article 15 of this Decree;
2. 2-year exemption and 50% reduction of the payable tax amount for four subsequent years, for projects that fully meet two conditions prescribed in Article 15 of this Decree;
3. 3-year exemption and 50% reduction of the payable tax amount for five subsequent years, for List A-projects which are implemented in the regions defined in List B of this Decree;
4. 3-year exemption and 50% reduction of the payable tax amount for seven subsequent years, for projects which fully meet two conditions prescribed in Article 15 and which are implemented in the regions defined in List B, this Decree;
5. 4-year exemption and 50% reduction of the payable tax amount for seven subsequent years, for List A-projects which are implemented in the regions defined in List C, this Decree;

6. 4-year exemption and 50% reduction of the payable tax amount for nine subsequent years, for investment projects which fully meet two conditions prescribed in Article 15 and are implemented in the regions defined in List C, this Decree;

**Article 22.-** Enterprise income tax exemption/reduction for BOT and BTO projects

Investors having projects in form of Build- Operate-Transfer (BOT) or Build-Transfer-Operate (BTO) contracts shall be exempt from enterprise income tax for the first four years after the taxable income is generated and be entitled to a 50% reduction of the payable enterprise income tax amount for nine subsequent years.

**Article 23.-** Enterprise income tax exemption/reduction for business expansion and intensive investment projects

Investors having business expansion and intensive investment projects defined in List A attached to this Decree shall enjoy enterprise income tax exemption/reduction for the income amount arising from this investment as follows:

1. 1-year exemption and 50% reduction of the payable tax amount for four subsequent years;
2. 3-year exemption and 50% reduction of the payable tax amount for five subsequent years, for investment projects implemented in the regions defined in List B;
3. 4-year exemption and 50% reduction of the payable tax amount for seven subsequent years, for investment projects implemented in the regions defined in List C.

**Article 24.-** Exemption of additional income tax

Investors having investment projects prescribed in Clause 1, Article 15 or Article 16 of this Decree shall not have to pay additional income tax as stipulated in Clause 1, Article 10 of the Law on Enterprise Income Tax.

**Article 25.-** Exemption of personal income tax

1. Investors being individuals shall be exempt from income tax on the income amounts earned from the contribution of capital to and/or purchase of shares from enterprises, investment support funds, export support funds or the National Scientific and Technological Development Support Fund for five years after they have to pay such tax according to the provisions of the legislation on personal income tax;
2. Investors being individuals shall be exempt from income tax on the income amounts earned from the contribution of capital to or purchase of shares from enterprises in the regions defined in Article 16 of this Decree for ten years after they have to pay such tax according to the provisions of the legislation on personal income tax;

3. Investors who contribute capital with the intellectual property right, technical know-hows or technological processes shall be exempt from income tax on the income earned from such capital contribution.

**Article 26.-** Exemption of import tax on equipment and machinery imported to create fixed assets

1. Investors having investment projects defined in List A or implemented in the regions prescribed in List B or C shall be exempt from import tax on the following goods which cannot be produced in the country or may be produced in the country but fail to meet the quality requirements:

a/ The specialized equipment, machinery and transport means (included in the technological lines) which are imported to create fixed assets of enterprises or expand their investment scales or renew technologies;

b/ The specialized transport means for carrying workers.

2. To be exempt from import tax, the specialized equipment, machinery and transport means mentioned in this Article must be approved by the agency competent to decide the investment preferences and be registered with the border-gate customs offices.

**Article 27.-** Additional tax preferences for investors producing and/or dealing in export goods

In addition to the enterprise income tax preferences stipulated in this Decree, investors that produce and/or deal in export goods shall also be entitled to the following additional enterprise income tax preferences:

1. 50% reduction of the payable tax amount on the income generated in the following cases:

a/ Export in the first year is conducted by mode of direct export;

b/ Export of new commodities with economic-technical as well as utility properties other than those of the commodities already exported by the enterprises;

c/ Export to the new overseas markets or new territories other than the former markets.

2. 50% reduction of the payable income tax amount on the additional income amount arising from export in a fiscal year, for investors whose export turnover of the current year is higher than that of the previous year;

3. 20% reduction of the payable income tax amount on the income earned from export in a fiscal year in the following cases where:

a/ The export turnover accounts for more than 50% of the total turnover;

b/ The export markets are stable in term of the volume or value of export goods for the three previous consecutive years.

4. The additional 25% reduction of the payable tax amount on the income earned from export in a fiscal year, for investors mentioned in Clause 1, 2 or 3, this Article, who implement their investment projects in the regions defined in List B.

5. Full exemption of the enterprise income tax amount payable on the income earned from export in a fiscal year, for investors mentioned in Clause 1, 2 or 3, this Article, who implement their investment projects in the regions defined in List C.

**Article 28.- Tax on the transfer of income abroad**

When transferring their lawful income abroad, investors being overseas Vietnamese, foreigners permanently residing in Vietnam and foreigners contributing capital or buying shares as prescribed in this Decree shall pay a tax amount equal to 5% of the income transferred abroad.

**Article 29.- The right to the conversion of foreign currencies**

The principals and interests of loans, investment capital, as well as lawful money and assets of investors being overseas Vietnamese and foreigners who contribute capital or buy shares as prescribed in Article 34 of the Law on Domestic Investment Promotion (amended), which have been lawfully transferred into Vietnam, and other lawful incomes of such investors arising in Vietnam shall be converted into foreign currency(ies) for overseas transfer after the investors have fulfilled their financial obligations under the provisions of Vietnamese law.

**Article 30.- Cases of preferential treatment, forms and levels of investment support**

1. Investors having investment projects eligible for preferences prescribed in this Decree shall be considered by the competent State agencies for investment support under the legislation on development investment.

2. Investors having investment projects eligible for preferences prescribed in this Decree, if directly engaged in export activities, shall not only enjoy the respective support from the Development Support Fund but also be considered by the National Export Support Fund for export credit loans with preferential interest rates to meet the demand for up to 70% of the total credits to be used for the performance of their respective signed export contracts or shall be considered by this Fund for the guaranty of up to 80% of the total credits needed for the performance of such contracts.

**Article 31.- Exit-entry visas for investors**

Investors being overseas Vietnamese and foreigners permanently residing in Vietnam who make investment under the Law on Domestic Investment Promotion shall be granted multiple entry/exit visas during the period of preparation for, construction and management of their production and business establishments.

**Article 32.- Hiring of foreign specialists and technicians**

Where the domestic specialists and technicians fail to meet the professional requirements, the investors having projects eligible for investment preferences may hire specialists and technicians, who are foreigners, overseas Vietnamese and/or foreigners permanently residing in Vietnam according to their production and business demand, shall pay remunerations on the basis of the labor contracts and have to fully abide by the provisions of the labor legislation on labor safety and insurance for laborers.

Specialists and technicians, who are foreigners, foreigners permanently residing in Vietnam or overseas Vietnamese, working for the domestic production and business establishments may transfer abroad their lawful incomes and convert such incomes into foreign currencies at the banks licensed to trade in foreign currencies, after paying the income tax under the provisions of Vietnamese law.

**Article 33.- Change of investors**

In case of a change of investors, the new investor shall only have to fill the procedures for assignment of assets as prescribed by law at the competent State agency and register the change of the investor's names at the agency that has decided to grant them the investment preferences. The new investor shall continue enjoying preferences and have to fulfill the obligations already committed in the remaining duration of the project.

**Article 34.- Adjustment, addition and termination of investment preferences ahead of time**

1. In the course of executing their investment projects, if the investors also satisfy conditions for preferential treatment stipulated in Article 15 or 16 of this Decree, they shall be entitled to request the agency that has decided the granting of investment preferences to adjust and/or add new preferences for such projects. The adjustment and/or addition of investment preferences shall be made annually;
2. Where the investors fail to meet conditions to enjoy preferences due to objective or subjective reasons, they shall have to notify in writing the agency that has decided the granting of investment preferences thereof within 30 days, from the time the projects no longer meet the investment preference conditions as prescribed;

Within 7 days after receiving the above-said notice, the agency that has decided the granting of investment preferences shall consider and decide the adjustment of part or whole of the already approved preferences;

3. In cases where the investors, upon the expiry of the time-limit stipulated in Clause 2 of this Article, fail to report on the changes in conditions to enjoy investment preferences, they shall have to compensate for damage incurred, to reimburse the preferences they have enjoyed during the period the projects are no longer eligible for investment preferences and shall, depending on the seriousness of their violations, be administratively sanctioned or examined for penal liability as prescribed by law.

## **Chapter IV**

### **STATE MANAGEMENT OVER DOMESTIC INVESTMENT PROMOTION**

#### **Article 35.- Competence of the Government**

The Government shall exercise unified State management over investment and investment promotion throughout the country. The Government shall issue regulations on the order, procedures and competence for the granting of investment preferences to investment projects according to Law No. 03/1998/QH10 of May 20, 1998 on Domestic Investment Promotion (amended).

#### **Article 36.- The Ministry of Planning and Investment**

The Ministry of Planning and Investment shall perform the function of State management over domestic investment promotion, and have the following tasks and powers:

1. To assume the prime responsibility and coordinate with the relevant ministries, branches and localities in working out and submitting to the Government for decision the documents on supplements and/or alterations to the lists of branches, trades and regions eligible for investment preferences;
2. To popularize, guide, supervise and inspect the implementation of supportive measures and investment preferences;
3. To prescribe the order, procedures and model application for investment preference registration and form of investment preference certificates unified application in the whole country;
4. To grant or refuse to grant investment preference certificates to enterprises set up by decision of the Prime Minister; enterprises set up by decisions of the ministers under the Prime Minister's authorization, within 20 days after receiving the applications for preferences registration; to propose to the Prime Minister investment preferential measures for new enterprises set up by decision of the Prime Minister; to reach unity of mind on the investment preferential measures with the ministers who are authorized by the Prime Minister or assigned the responsibility to decide the establishment of new enterprises. The investment preferential measures shall, at the same time, be written in the business registration certificates.

#### **Article 37.- The Ministry of Finance**

The Ministry of Finance shall provide guidance on tax exemption and reduction as provided for in this Decree.

Basing itself on the investment preference certificates or investment preferential measures as well as the investment preference levels inscribed in the business registration certificates granted to the investors, the tax agency directly managing tax payment by the enterprises eligible for investment preferences shall have to make the tax, land-use levy or land-rent exemption/reduction for such

enterprises as provided for in this Decree. The official amounts of land-use levy or land-rent exemption/reduction for investors shall be determined after the projects have been implemented and put into operation.

**Article 38.-** The People's Committees of the provinces and centrally-run cities

The People's Committees of the provinces and centrally-run cities (hereafter collectively referred to as the provincial People's Committees) shall perform the function of State management over the investment promotion in their respective localities and have the following responsibilities and powers:

1. To supervise and inspect the application of measures to support and promote the domestic investment in their respective localities;
2. To grant or refuse to grant investment preferences to production and business establishments in their respective localities.

**Article 39.-** Responsibilities of the provincial Planning and Investment Services

The Planning and Investment Services of the provinces and centrally-run cities (hereafter collectively referred to as the provincial Planning and Investment Services) shall assist their respective provincial People's Committees in performing the function of State management over the investment in the localities and have the following responsibilities:

1. To receive and consider dossiers of application for investment preferences from the investors mentioned in Clause 1, Article 41 of this Decree; to consider and submit to the presidents of the provincial People's Committees for decision the granting of investment preferences according to the Law on Domestic Investment Promotion (amended);
2. To report once every six months to the Planning and Investment Ministry on the situation of implementation of the Law on Domestic Investment Promotion (amended) in their respective localities.

**Article 40.-** The district-level People's Committees

The People's Committees of the rural and urban districts and provincial towns (hereafter referred collectively to as the district People's Committees) shall perform the function of State management over investment in their respective localities and have the following responsibilities:

1. To receive and process dossiers of application for investment preferences from the investors mentioned in Clause 2, Article 41 of this Decree; to consider and submit such dossiers to the presidents of the provincial People's Committees for deciding the granting of investment preferences according to the Law on Domestic Investment Promotion (amended);
2. To report once every six months to the provincial People's Committees on the situation of implementation of the Law on Domestic Investment Promotion (amended) in their respective localities.



**Article 41.-** Reception of dossiers of application for investment preferences in localities

1. The provincial Planning and Investment Services shall receive and consider dossiers of application for investment preferences for projects to be executed in the localities, including the investment projects in industrial parks, export-processing zones and hi-tech parks, provided that the investors are:

a/ Private enterprises;

b/ Limited liability companies;

c/ Joint-stock companies;

d/ Partnerships;

e/ Unions of cooperatives and cooperatives engaged in business lines defined in Article 13 of the Government's Decree No. 16/CP of February 21, 1997 on the transformation and registration of cooperatives and organization of operation of the unions of cooperatives;

f/ The locally-run State enterprises;

g/ Enterprises of political organizations, socio-political organizations and professional society, established by the presidents of the provincial People's Committees;

h/ Educational, medical and cultural establishments that have operation registration certificates;

i/ Enterprises set up by overseas Vietnamese under the Vietnamese law;

j/ Enterprises established by foreigners permanently residing in Vietnam under the Vietnamese law;

k/ Enterprises established jointly by Vietnamese citizens and overseas Vietnamese under the Vietnamese law;

l/ Enterprises established jointly by Vietnamese citizens and foreigners permanently residing in Vietnam under the Vietnamese law;

2. The district People's Committees shall receive and consider dossiers of application for investment preferences for projects carried to be executed in their respective localities, provided that the investors are:

a/ Cooperatives (except for cases mentioned in Points e, Clause 1 of this Article);

b/ Individuals and business groups operating under Decree No. 66/HDBT of March 2, 1992 of the Council of Ministers (now the Government);

**Article 42.-** Procedures for consideration and granting of investment preferences to enterprises established by decisions of the central-level agencies

The procedures for consideration and granting of investment preferences to investors being enterprises established by decisions of the Prime Minister and enterprises established by decisions of ministers or heads of the competent central-level agencies, who are authorized or assigned responsibilities by the Prime Minister shall be carried out as follows:

1. The investors send dossiers of investment preference registration to the Ministry of Planning and Investment according to the following stipulations:

a/ For investment in the establishment of new enterprises, investment in production/business expansion and/or intensive investment, a dossier of registration for investment preferences shall include:

- The application of registration for investment preferences, made according to the set form;
- The valid copy of the decision on the establishment of the enterprise or the business registration certificate or the operation registration certificate;
- The investment project attached with the valid copy of the investment decision;
- The list of machinery, equipment and specialized transport means which must be imported (if any) for the execution of the investment project.

b/ In case of the addition of investment preferences to projects which have been granted the investment preferences certificates under the Law on Domestic Investment Promotion (1994), the dossier of registration for investment preferences shall include:

- The application of registration for additional investment preferences, made according to the set form;
- The report on the results of execution of the investment project, the preference level and the duration of preferences already enjoyed.

Where the agency deciding the additional investment preferences is not the one that has issued the investment preferences certificate, the investor shall have to additionally send a valid copy of his/her investment preferences certificate, the investment project and a valid copy of the investment decision.

c/ For underway investment projects which meet the investment preference conditions prescribed in Article 15 or 16 of this Decree but have not been granted the investment preferences yet, the dossier shall include:

- The application of registration for investment preferences, made according to the set form;
- The valid copy of the business registration certificate or the valid copy of the operation registration certificate;
- The ratified investment project and valid copy of the investment decision;

- The report on the results of execution of the investment project.

2. Within 30 days after receiving a complete and valid dossier, the Ministry of Planning and Investment shall have to consider and decide to grant or not to grant the investment preference certificate. In case of refusal to grant the investment preference certificate, the reasons therefor must be clearly stated. To decide to grant or not to grant the investment preferential treatment certificate, the Ministry of Planning and Investment may consult the concerned ministries if deeming it necessary. The consulted agencies shall give their replies in writing within 10 days after receiving the written request therefor; past this time-limit, if a reply is not given, this shall be considered the consent.

**Article 43.-** Procedures for consideration and granting of investment preferences for investors in localities

The procedures for consideration and granting of investment preferences to investors mentioned in Clause 1, Article 41 of this Decree shall be carried out as follows:

1. The investors shall send the dossiers of registration for investment preferences to the provincial Planning and Investment Services.

a/ For projects on the establishment of new enterprises, the dossier of registration for investment preferences shall include:

- The dossier of registration for the establishment of the enterprise as prescribed by law;
- The application of registration for investment preferences, made according to the set form;
- The investment project or business plan;
- The valid copy of the investment decision, for projects using State budget capital;
- The list of machinery, equipment and specialized transport means which must be imported (if any) for the execution of the investment project.

b/ For projects on production/business expansion or intensive investment prescribed in Clause 2, Article 1 of this Decree, the dossier of registration for investment preferences shall include:

- The application of registration for investment preferences, made according to the set form;
- The valid copy of the business registration certificate or the valid copy of the operation registration certificate;
- The investment project or investment plan;
- The valid copy of the investment decision, for projects using the State budget capital;
- The list of machinery, equipment and specialized transport means which must be imported (if any) for execution of the investment project.

c/ In case of the addition of investment preferences for projects which have been granted investment preference certificates under the Law on Domestic Investment Promotion (1994), the dossier of registration for investment preferences shall include:

- The application of registration for additional investment preferences, made according to the set form;
- The report on the results of execution of the investment project, the duration and actual preference level enjoyed by the project.

Where the agency that grants additional investment preferences is not the one that has issued the investment preferential preferences, the investor shall have to additionally send the valid copy of his/her investment preferences certificate, the investment project and the valid copy of the investment decision for a project using State budget capital.

d/ For underway investment projects which meet the investment preference conditions prescribed in Article 15 or 16 of this Decree but have not been registered for investment preferences, the dossier of registration for investment preferences shall include:

- The application of registration for investment preferences, made according to set form;
- The investment project or investment plan;
- The valid copy of the investment decision, for projects using State budget capital;
- The report on the results of execution of the investment project or investment plan.

e/ For investment projects of overseas Vietnamese, addition to the corresponding papers prescribed in Point a, b, c or d of this Clause, the dossier of registration for investment preferences must also include a valid copy of the investor's Vietnamese passport, after producing such passport or a paper of certification of his/her Vietnamese origin, issued by the overseas Vietnamese diplomatic representation or consulate or by the Committee for Overseas Vietnamese or a foreign competent body;

f/ For projects of foreigners permanently residing in Vietnam, in addition to the corresponding papers defined in Point a, b, c or d of this Clause, the dossier of registration for investment preferences must also include copies of the investor's passport and certificate of his/her permanent residence, granted by the Vietnamese entry/exit management agency.

2. Within 20 days after the provincial Planning and Investment Service has received a complete and valid dossier, the president of the provincial People's Committee shall have to decide to grant or refuse to grant investment preferences at the proposal of the Planning and Investment Service. For the establishment of a new enterprise, if the investor so requests, the president of the provincial People's Committee may issue a separate investment preferences certificate for the concerned project (instead of inscribing the investment preferences in the business registration certificate).

The provincial Planning and Investment Service may consult the relevant services, branches and departments, if necessary, before submitting a dossier to the president of the provincial People's Committee for decision. The consulted agencies shall give their replies in writing within 10 days after receiving the written request therefor; past this time-limit, if no reply is received, this shall be considered their consent.

**Article 44.-** Procedures for consideration and granting of investment preferences to investors being cooperatives; individuals and business groups under the provisions of Decree No. 66/HDBT of March 2, 1992

The procedures for consideration and granting of investment preferences to for investors mentioned in Clause 2, Article 41 of this Decree shall be carried out as follows:

1. The investors send the dossiers of registration for investment preferences to the bureaus functioned to grant business registration certificates of the district People's Committees.

a/ For investment projects on the setting up of new production/business establishments, the dossier of registration for investment preferences shall include:

- The business registration dossier as prescribed by law;
- The application of registration for investment preferences, made according to the set form;
- The investment plan or business plan;
- The list of machinery, equipment and specialized transport means which must be imported (if any) for execution of the investment plan or business plan.

b/ For projects on production/business expansion or intensive investment prescribed in Clause 2, Article 1 of this Decree, the dossier of registration for investment preferences shall include:

- The application of registration for investment preferences, made according to the set form;
- The valid copy of the business registration certificate or the valid copy of the operation registration certificate;
- The investment plan;
- The list of machinery, equipment and specialized transport means which must be imported (if any) for execution of the investment plan.

c/ For underway investment projects that fall in the domains eligible for investment preferences prescribed in Article 15 or 16 of this Decree but have not been registered for investment preferences, the dossier of registration for investment preferences shall include:

- The application of registration for investment preferences;

- The investment project or investment plan;
- The report on the results of execution of the investment project or investment plan.

2. Within 20 days after the district People's Committee receives a complete and valid dossier, the president of the provincial People's Committee shall have to decide to grant or not to grant investment preferences at the proposal of the president of the district People's Committee.

The president of the district People's Committee may consult the provincial Planning and Investment Service and the relevant services, branches and departments before submitting the dossier to the president of the provincial People's Committee for decision. The consulted agencies shall have to give their replies in writing within 10 days after receiving a written request therefor; past this time-limit, if no reply is received, this shall be considered their consent.

**Article 45.-** Examination, inspection by the competent State agencies of activities of production/business establishments

Activities of production/business establishments eligible for investment promotion shall be subject to examination and inspection by the competent State agencies as provided for in the Government's Decree No. 61/1998/ND-CP of June 15, 1998.

## **Chapter V**

### **IMPLEMENTATION PROVISIONS**

**Article 46.-** Implementation effect

1. This Decree takes effect 15 days after its promulgation and replaces the Government's Decree No. 07/1998/ND-CP of January 15, 1998 guiding the implementation of the Law on Domestic Investment Promotion. The earlier stipulations which are contrary to this Decree are all now annulled.

2. Investment projects, which have been enjoying preferences under the Law on Domestic Investment Promotion before June 22, 1994 or under the Government's Decree No.07/1998/ND-CP of January 15, 1998 detailing the implementation of the Law on Domestic Investment Promotion, shall continue enjoying such investment preferences till the expiry of the remaining duration stated in the investment preference certificates. The profit tax preferences stated in the investment preference certificates shall be converted into the enterprise income tax preferences as from January 1st, 1999. The income tax preferences stated in the investment preferential treatment certificates shall apply till December 31, 1998. For production, construction or transport projects which have been granted investment preference certificates stating the income tax reduction, if the reduction duration has not expired, they shall be eligible for the maximum reduction level of value added tax as prescribed in Article 28 of the Value Added Tax Law and Article 20 of the Government's Decree No. 28/1998/ND-CP of May 1st, 1998 detailing the implementation of the Value Added Tax Law.

3. For projects, which have been granted investment preferences certificates under the Law on Domestic Investment Promotion before June 22, 1994 or under the Government's Decree No.07/1998/ND-CP of January 15, 1998 detailing the implementation of the Law on Domestic Investment Promotion and which are eligible for additional preferences in term of land-use tax exemption/reduction, land-use levy and land-rent exemption/reduction as well as in term of enterprise income tax, import tax exemption, investment credits, export credits, investment credit guaranty and export credit guaranty provided for in this Decree, the agencies that have issued such investment preference certificates shall, according to their competence, adjust or add preferences for the remaining preferential duration, after this Decree takes effect.

4. For production and business establishments which are operating and eligible for investment support and preferences but have not yet applied for the investment preference certificates, if they submit the dossiers of application for investment preference certificates, they shall be considered and granted the investment preference certificates by the agencies competent therefor so as to enjoy the support and preferences throughout the remaining execution duration of the projects, counted from the date the Law on Domestic Investment Promotion (amended) takes effect.

5. For investment preference certificates granted under the Government's Official Dispatch No.109/CP-CN of February 2, 1999 providing the provisional guidance applicable in the period of transition to the application of Law No.03/1998/QH10 on Domestic Investment Promotion (amended), if the preference levels are inscribed only with the entitlement duration, the investors shall send official dispatches to the agencies that have issued them the investment preferences certificates, requesting the latter to make adjustments in accordance with this Decree.

**Article 47.- Dealing with tax amounts already paid and remaining problems**

1. The State shall not reimburse taxes and other payments made under financial obligations by the investors during the time before the Law on Domestic Investment Promotion (amended) takes effect.

2. Where changes in the provisions of the Law on Domestic Investment Promotion (amended) cause damage to the interests of investors who have investment projects eligible for investment preferences under the Law on Domestic Investment Promotion, the agencies which grant the investment preferences shall consider to let the investors to continue enjoying the prescribed preferences for the remaining period after this Decree takes effect or shall assume the prime responsibility and coordinate with the relevant agencies in satisfactorily settling the investors' interests.

**Article 48.- Responsibilities of the State agencies in the implementation of the Decree.**

1. The Ministry of Planning and Investment shall have to monitor and urge the implementation of this Decree and shall once every six months have to submit to the Government a sum-up report on the implementation of the Decree as well as the newly-arising problems for handling.

2. The ministers, the heads of the ministerial-level agencies, the heads of the agencies attached to the Government and the presidents of the People's Committees of the provinces and centrally-run cities shall have to implement this Decree.

	<b>ON BEHALF OF THE GOVERNMENT PRIME MINISTER</b>
	<b>Phan Van Khai</b>

## **APPENDIX**

ISSUED TOGETHER WITH DECREE NO.51/1999/ND-CP OF JULY 8, 1999 OF THE GOVERNMENT DETAILING THE IMPLEMENTATION OF THE LAW ON DOMESTIC INVESTMENT PROMOTION (AMENDED).

### **LIST A**

#### **BRANCHES AND TRADES ELIGIBLE FOR INVESTMENT PREFERENCES**

Investment projects in branches and trades of the following domains shall be eligible for preferences:

I. Afforestation and zoning for forest regeneration; planting of perennial trees on unused land, waste land or bare hills; virgin land reclamation; salt-making; aquaculture in unexploited water areas

1. Planting protection forests (in headwaters or coastal areas, or for ecological protection), special-purpose forests and production forests, zoning for forest regeneration;

2. Planting perennial trees (industrial trees, fruit trees, pharmaceutical plants and other plants) on newly reclaimed or reused land and bare hills;

3. Making salt from sea water, exploiting rock-salt and producing industrial salt;

4. Raising aquatic animals in natural water areas which have not been transformed and used yet;

5. Land reclamation, making full use of unused land for agricultural, forestry and fishery production.

II. Infrastructure construction, development of public transportation; development of education and training, health care and national culture



1. Construction of technical infrastructure:

- Building, renovating or expanding electric power plants; developing power networks, building establishments operated by solar energy, wind power or bio-gas;
- Building, improving, upgrading and modernizing bridges, roads, airports, harbors, railway and bus stations; building new railways;
- Improving and developing information and communication networks;
- Building water plants and water supply and discharge systems; as well as projects for environmental protection and waste treatment;
- Building technical infrastructure in densely populated areas (in the localities defined in List B or C).

2. Developing public transportation;

3. Developing education and training, health care and national culture:

- Opening people-funded schools and private schools at different levels: pre-school education, primary education, junior and senior high education, professional secondary education, college and tertiary education;
- Setting up vocational training establishments and establishments for raising workers' skills; fostering and raising their managerial skills and business knowledge;
- Setting up people-funded and private medical establishments for medical examination and treatment, health care for the elderly and disabled people;
- Setting up houses of national culture and art troupes; preserving, developing and popularizing national culture; making national musical instruments.

4. Investment projects in the forms of Build-Operate-Transfer (BOT); Build-Transfer-Operate (BTO); and Build-Transfer (BT) contracts.

5. Investment in the construction of trade areas, departments stores and dwelling houses to meet the urban population's demand.

III. Export goods production and trading

Producing and trading in export goods and/or services with a value exceeding 30% of that of the goods and services produced and/or traded in by the enterprises in a fiscal year.

IV. Offshore fishing; processing of agricultural, forest and aquatic products; technical services directly for agricultural, forestry and fishery production.

1. Offshore fishing;

2. Processing of agricultural, forest and aquatic products;
3. Technical services directly for agricultural production: soil preparation, watering and flood water drainage, cultivation, harvesting, protection and preservation of agricultural products;
4. Technical services directly for forestry: soil preparation, supply of seeds, saplings, watering and forest protection;
5. Technical services directly for fishery: stores for the preservation of aquatic products and salvage of offshore fishing ships and boats;
6. Other services on plant and animal protection; hybridization and multiplication of new strains and breeds; storage and preservation of agricultural, forest and marine products.

V. Scientific, technological research and development as well as services; consultancy on legal matters, investment, business, business administration, intellectual property right protection and technology transfer

1. Technological research and development;
2. Construction and exploitation of research institutions: laboratories, experimental stations and farms, aimed at applying new technologies to production;
3. Applying and developing high technologies; producing and processing materials from domestic raw material sources:
  - Information technology: creating computer software for use in different domains of the economy;
  - Biological technologies, applied on industrial scale to the production of plant varieties, animal breeds, curative medicines for men, animals and plants, food for men and fodder for domestic animals, reproduction stimulants and biological fertilizers that meet the advanced economic-technical criteria;
  - Technologies for the production of new materials with special properties;
  - Technologies using solid, liquid and gas wastes;
  - Manufacturing technologies which consume less fuels, raw materials, materials or energy, or discharge less waste per product unit; technologies which create those products, that, when operating consume less energy, fuels, materials and raw materials, than other products of the same type;
  - Clean technologies, technologies that consume or produce equipment consuming wind power, solar, earth, tide or biological energy;
  - Technologies for the production of electronics, semiconductors and laser products.
4. Consultancy on legal matters, investment, business, business administration and technology transfer:

- Consultancy on investment, management and technology transfer; vocational training, training of technical and managerial skills;
- Supply of market information, scientific, technical and technological information;
- Intellectual property right and technology transfer;
- Marketing and trade promotion.

VI. Investment in the establishment of production chains, business/production expansion and technology renovation; ecological and environmental improvement and sanitation in urban areas; relocation of production establishments out of urban areas; diversification of branches, trades and products

1. Investment in the procurement of equipment in service of the construction of projects, investment in the construction of trade areas, department stores and dwelling houses to meet the urban population's demand.
2. Investment in the establishment of new workshops, installation of new production chains, addition of more machinery to the existing production chains and installation of new machinery and equipment in replacement of all machinery and equipment of the existing production lines; application of new technologies to production;
3. Investment in ecological and environmental improvement; urban sanitation;
4. Investment in the relocation of production establishments from urban areas;
5. Investment in the diversification of branches, trades and products.

VII. Other branches and trades which need to be developed with priority

1. Concentrated livestock and poultry breeding on an industrial scale; processing of feed for livestock and aquatic animals;
2. Mechanical engineering for manufacturing and repairing farm machines and machines for the production of textiles, leathers, high-quality plastics, learning and teaching aids, children's toys and other products made of natural rubber;
3. Manufacturing, assembling and repairing machinery and equipment for the production and processing of agricultural, forest and aquatic products, measuring equipment for laboratories; manufacturing construction and mining equipment and means; building river and sea-going ships; manufacturing locomotives and carriages; manufacturing equipment for power transmission lines and transformer stations; manufacturing electronic components and computer software;
4. Production of raw materials, fuels and materials; production of veterinary medicines, plant seeds and animal breeds; oil and gas prospection, exploitation and refinery; coal exploitation and processing;

steel refining and rolling; production of non-ferrous metals and construction materials; production of fertilizers and basic chemicals;

5. Traditional crafts: carving, mother-of-pearl inlaying, lacquer ware, intaglio, wickerwork, carpet making, pottery, ceramics, silk weaving, bronze casting and hammering;

Investment in the construction and business of infrastructure of industrial parks, export-processing zones and hi-tech parks; as well as in the production and services therein.

**LIST B**

**REGIONS MEETING WITH SOCIO-ECONOMIC DIFFICULTIES**

I. Districts of high-mountain provinces

1. Bac Kan province

1. Bac Kan provincial capital

2. Cao Bang province

1. Cao Bang provincial capital

3. Ha Giang province

1. Bac Quang district

2. Ha Giang provincial capital

4. Lai Chau province

1. Dien Bien Phu provincial town

2. Dien Bien district

3. Lai Chau provincial capital

5. Lao Cai province

1. Bao Thang district

2. Cam Duong provincial town

3. Lao Cai provincial capital

6. Son La province

1. Mai Son district

2. Son La provincial capital

3. Yen Chau district.

II. Districts of mountainous provinces and delta areas

1. Bac Giang province

1. Luc Ngan district

2. Luc Nam district

3. Yen The district

2. Hoa Binh province

1. Kim Boi district

2. Ky Son district

3. Lac Son district

4. Luong Son district

5. Lac Thuy district

6. Tan Lac district

7. Yen Thuy district

3. Lang Son province

1. Bac Son district

2. Cao Loc district

3. Chi Lang district

4. Huu Lung district

5. Loc Binh district

6. Trang Dinh district

7. Van Lang district

8. Van Quan district

4. Phu Tho province

1. Doan Hung district

2. Ha Hoa district

3. Song Thao district

4. Thanh Ba district

5. Tam Thanh district
5. Quang Ninh province
1. Hoanh Bo district
2. Hai Ninh district
3. Quang Ha district
4. Tien Yen district
5. Van Don district
6. Tuyen Quang province
1. Ham Yen district
2. Son Duong district
3. Yen Son district
7. Thai Nguyen province
1. Dong Hy district
2. Dai Tu district
3. Dinh Hoa district
4. Phu Luong district
8. Yen Bai province
1. Tran Yen district
2. Van Yen district
3. Van Chan district
4. Yen Binh district
9. Binh Phuoc province
1. Dong Phu district
2. Loc Ninh district
3. Phuoc Long district
4. Binh Long district
10. Dak Lak province

1. Buon Don district
2. Cu Jut district
3. Cu M'gar district
4. Dak R'Lap district
5. Dak Mil district
6. Ea H'leo district
7. Ea Kar district
8. Ea Sup district
9. Krong Pac district
10. Krong Buk district
11. Krong Bong district
12. Krong Ana district
13. Krong Nang district
14. Lak district
15. M' Drak district
11. Gia Lai province
1. An Khe district
2. Ayun Pa district
3. Chu Se district
4. Chu Prong district
5. Chu Pah district
6. Ia Grai district
12. Kon Tum province
1. Dak Ha district
2. Kon Tum provincial capital
3. Ngoc Hoi district
13. Lam Dong province

1. Bao Lam district
2. Cat Tien district
3. Di Linh district
4. Da Teh district
5. Don Duong district
6. Duc Trong district
7. Da Huoi district
8. Lam Ha district
14. Binh Thuan province
1. Bac Binh district
2. Duc Linh district
3. Ham Thuan Bac district
4. Tanh Linh district
15. Binh Dinh province
1. Hoai An district
16. Hai Duong province
1. Chi Linh district
17. Ha Tinh province
1. Huong Khe district
2. Huong Son district
18. Ninh Binh province
1. Tam Diep district
2. Nho Quan district
19. Nghe An province
1. Anh Son district
2. Nghia Dan district
3. Tan Ky district



4. Thanh Chuong district

20. Ninh Thuan province

1. Ninh Hai district

21. Phu Yen province

1. Dong Xuan district

2. Song Hinh district

22. Quang Tri province

1. Dak Rong district

23. Quang Nam province

1. Hiep Duc district

2. Tien Phuoc district

24. Quang Ngai province

1. Minh Long district

25. Thanh Hoa province

1. Cam Thuy district

2. Nhu Thanh district

3. Ngoc Lac district

4. Thach Thanh district

26. Thua Thien Hue province

1. Nam Dong district

27. An Giang province

1. An Phu district

2. Tri Ton district

3. Tinh Bien district

28. Bac Lieu province

1. Bac Lieu provincial capital

2. Vinh Loi district

29. Ca Mau province

1. Thoi Binh district

2. Tran Van Thoi district

30. Dong Nai province

1. Dinh Quan district

2. Tan Phu district

3. Xuan Loc district

4. Long Khanh district

31. Kien Giang province

1. Chau Thanh district

2. Hon Dat district

32. Khanh Hoa province

1. Van Ninh district

2. Cam Ranh district

33. Soc Trang province

1. Long Phu district

2. My Xuyen district

3. Soc Trang provincial capital

34. Tra Vinh province

1. Cau Ngang district

2. Cau Ke district

3. Tieu Can district

**LIST C**

**REGIONS MEETING WITH SPECIAL SOCIO-ECONOMIC DIFFICULTIES**

I. Districts of high-land and island provinces

1. Bac Kan province

1. Ba Be district

2. Bach Thong district
3. Cho Moi district
4. Cho Don district
5. Ngan Son district
6. Na Ri district
2. Cao Bang province
1. Bao Lac district
2. Ha Lang district
3. Ha Quang district
4. Hoa An district
5. Nguyen Binh district
6. Quang Hoa district
7. Thong Nong district
8. Tra Linh district
9. Thach An district
10. Trung Khanh district
3. Ha Giang province
1. Bac Me district
2. Dong Van district
3. Hoang Su Phi district
4. Meo Vac district
5. Quan Ba district
6. Vi Xuyen district
7. Xin Man district
8. Yen Minh district
4. Lai Chau province
1. Muong Lay district

2. Muong Te district
3. Phong Tho district
4. Tua Chua district
5. Tuan Giao district
6. Sin Ho district
7. Dien Bien Dong district
5. Lao Cai province
1. Bac Ha district
2. Bat Sat district
3. Muong Khuong district
4. Than Uyen district
5. Van Ban district
6. Sa Pa district
7. Bao Yen district
6. Son La province
1. Bac Yen district
2. Moc Chau district
3. Muong La district
4. Quynh Nhai district
5. Thuan Chau district
6. Song Ma district
7. Phu Yen district
7. Binh Thuan province
1. Phu Quy district
8. Ba Ria- Vung Tau province
1. Con Dao district
9. Da Nang city

1. Hoang Sa island district

10. Hai Phong city

1. Bach Long Vi district

2. Cat Hai district

11. Khanh Hoa province

1. Truong Sa district

12. Kien Giang province

1. Kien Hai district

2. Phu Quoc district

13. Quang Ninh province

1. Co To district

14. Quang Ngai province

1. Ly Son district

II. Districts of mountain provinces and delta ethnic minority regions

1. Bac Giang province

1. Son Dong district

2. Hoa Binh province

1. Da Bac district

2. Mai Chau district

3. Lang Son province

1. Binh Gia district

2. Dinh Lap district

4. Phu Tho province

1. Thanh Son district

2. Yen Lap district

5. Quang Ninh province

1. Ba Che district

2. Binh Lieu district
6. Tuyen Quang province
1. Chiem Hoa district
2. Na Hang district
7. Thai Nguyen province
1. Vo Nhai district
8. Yen Bai province
1. Luc yen district
2. Mu Cang Chai district
3. Tram Tau district
9. Yen Bai province
1. Dak Nong district
2. Krong No district
10. Gia Lai province
1. Duc Co district
2. K'Bang district
3. Krong Pa district
4. Kon Ch'ro district
5. Mang Yang district
11. Kon Tum province
1. Dak To district
2. Dak Glei district
3. Kon Plong district
4. Sa Thay district
12. Lam Dong province
1. Lac Duong district
13. Kien Giang province

1. An Bien district
2. Go Quao district
3. Vinh Thuan district
14. Soc Trang province
1. My Tu district
2. Thanh Tri district
3. Vinh Chau district
15. Tra Vinh province
1. Chau Thanh district
2. Tra Cu district
16. Binh Dinh province
1. An Lao district
2. Vinh Thanh district
3. Van Canh district
17. Khanh Hoa province
1. Khanh Vinh district
2. Khanh Son district
18. Ninh Thuan province
1. Ninh Son district
19. Ba Ria- Vung Tau province
1. Tan Thanh district
20. Bac Lieu province
1. Hong Dan district
21. Binh Phuoc province
1. Bu Dang district
22. Ca Mau province
1. U Minh district

23. Thanh Hoa province

1. Quan Hoa district

2. Ba Thuoc district

3. Lang Chanh district

4. Thuong Xuan district

5. Quan Son district

6. Muong Lat district

7. Nhu Xuan district

24. Nghe An province

1. Ky Son district

2. Tuong Duong district

3. Con Cuong district

4. Que Phong district

5. Quy Hop district

6. Quy Chau district

25. Quang Binh province

1. Minh Hoa district

2. Tuyen Hoa district

26. Quang Tri province

1. Huong Hoa district

27. Thua Thien- Hue province

1. A Luoi district

28. Quang Nam province

1. Hien district

2. Giang district

3. Phuoc Son district

4. Tra My district



29. Quang Ngai province

1. Ba To district

2. Tra Bong district

3. Son Tay district

4. Son Ha district

30. Phu Yen province

1. Son Hoa