

**THE NATIONAL  
ASSEMBLY**

-----

Law No. 63/2020/QH14

**THE SOCIALIST REPUBLIC OF VIETNAM  
Independence - Freedom - Happiness**

-----

*Hanoi, June 18, 2020*

**LAW**

**AMENDMENTS TO THE LAW ON PROMULGATION OF LEGISLATIVE DOCUMENTS**

*Pursuant to the Constitution of Socialist Republic of Vietnam;*

*The National Assembly hereby promulgates the Law on Promulgation of Legislative Documents No. 80/2015/QH13.*

**Article 1. Amendments to the Law on Promulgation of Legislative Documents**

1. Some Clauses of Article 4 are amended as follows:

c) Clause 3 is amended as follows:

“3. Ordinances, Resolutions of the Standing Committee of the National Assembly; Joint Resolutions between the Standing Committee of the National Assembly and the Management Board of Central Committee of Vietnamese Fatherland Front; Joint Resolutions between the Standing Committee of the National Assembly, the Government, the Management Board of Central Committee of Vietnamese Fatherland Front.”;

b) Clause 8 is amended as follows and Clause 8a is added after Clause 8 as follows:

“8. Circulars of the Executive Judge of the People’s Supreme Court; Circulars of the Chief Procurator of the Supreme People’s Procuracy; Circulars of Ministers, Heads of ministerial agencies; Decisions of the State Auditor General.

8a. Joint Circulars between the Executive Judge of the People’s Supreme Court, the Chief Procurator of the Supreme People’s Procuracy, the State Auditor General, Ministers, Heads of ministerial agencies. Joint Circulars between Ministers and Heads of ministerial agencies shall not be promulgated.”.

2. Article 6 is amended as follows:

**“Article 6. Providing opinions about formulation of legislative documents and making social criticism about draft legislative documents**

1. Vietnamese Fatherland Front, Vietnam Chamber of Commerce and Industry, other associate organizations of the Vietnamese Fatherland Front, other agencies, organizations, and individuals

are entitled and will be enabled to provide opinions about formulation of legislative documents and draft legislative documents.

2. The Vietnamese Fatherland Front shall make social criticism about draft legislative documents in accordance with this Law and the Law on Vietnamese Fatherland Front.

The social criticism shall be made while an agency, organization or National Assembly deputy in charge of drafting a legislative document seeks opinions about the legislative document. For the legislative document about which the social criticism has been made, the dossier on project/draft of the legislative document to be submitted for appraisal or validation or submitted to a competent authority shall include a document stating the social criticisms.

3. During the formulation of legislative documents, agencies, organizations and National Assembly deputy in charge of drafting legislative documents and relevant organizations must enable other organizations and individuals to provide opinions about formulation of legislative documents and draft legislative documents in order for the Vietnamese Fatherland Front to make social criticism about the draft legislative documents; seek opinions from entities regulated by legislative documents.

4. Opinions about formulation of legislative documents and draft legislative documents, and social criticisms about draft legislative documents must be considered and responded to during the process of adjusting draft documents.”.

3. Article 12 is amended as follows:

**“Article 12. Amendment, replacement, annulment or suspension of legislative documents**

1. A legislative document may only be amended, replaced, or annulled by another legislative document promulgated by the same regulatory agency that promulgated the original one or suspended or annulled by a competent regulatory agency or competent person in writing. The amending, replacing, annulling or suspending document must specify every document, part, chapter, section, subsection, article, clause, and point that are amended, replaced, annulled or suspended.

The document that annuls another legislative document must be published on the Official Gazette and posted as prescribed.

2. When promulgating a legislative document, if the promulgating agency must amend or annul every document and every part, chapter, section, subsection, article, clause, and point of the document which contravene regulations of the new document right within the new document. If such task cannot be performed immediately, every part, chapter, section, subsection, article, clause and point which contravenes the new document must be specified in the new document and the task must be performed before the new document comes into force.

Every part, chapter, section, subsection, article, clause, and point of the document which contravenes regulations of the new document but need applying must be specified in the new document.

3. A legislative document may be promulgated to amend, replace or annul contents of multiple legislative documents promulgated by the same agency in the following cases:

- a) It is necessary to implement an international agreement to which the Socialist Republic of Vietnam is a signatory;
- b) The provisions to be amended, replaced or annulled are closely related to each other, and such amendment, replacement or annulment is necessary to ensure the consistency of legislative documents containing such provisions with the new one;
- c) It is necessary to implement the approved plan to simplify administrative procedures”.

4. Clause 4 of Article 14 is amended as follows:

“4. Impose administrative procedures in circulars, joint circulars, decisions of the State Auditor General, resolutions of the People’s Councils of provinces, decisions of the People’s Committees, legislative documents of local governments of administrative - economic units, unless assigned by the National Assembly in laws or resolutions or necessary to impose administrative procedures in resolutions of the People’s Councils of provinces as prescribed in Clause 4 Article 27 of this Law.”.

5. Article 18 is amended as follows:

**“Article 18. Joint resolutions between the Standing Committee of the National Assembly, the Government, the Management Board of Central Committee Vietnamese Fatherland Front**

The Standing Committee of the National Assembly, the Government, the Management Board of Central Committee Vietnamese Fatherland Front shall promulgate Joint Resolutions to specify the issues assigned by the National Assembly in laws or provide guidelines for some issues concerning election of deputies of the National Assembly and the People’s Councils.”.

6. Article 25 is amended as follows:

**“Article 25. Joint Circulars between the Executive Judge of the People’s Supreme Court, the Chief Procurator of the Supreme People’s Procuracy, the State Auditor General, Ministers, Heads of ministerial agencies**

The Executive Judge of the People’s Supreme Court, the Chief Procurator of the Supreme People’s Procuracy, the State Auditor General, Ministers, Heads of ministerial agencies shall promulgate Joint Circulars to specify their cooperation in legal proceedings and prevention and fight against corruption.”.

7. Article 30 is amended as follows:

**“Article 30. Resolutions of the People’s Councils of districts and communes; decisions of the People’s Committees of districts and communes**

1. The People’s Councils of districts and People’s Committees of districts shall promulgate resolutions and decisions respectively, pursuant to which they elaborate or authorize inferior authorities to elaborate certain issues assigned by the National Assembly in laws or resolutions in accordance with regulations of the Law on Local Government Organization.

2. The People’s Councils of communes and People’s Committees of communes shall promulgate resolutions and decisions respectively, pursuant to which they elaborate certain issues assigned by the National Assembly in laws or resolutions.”.

8. Article 47 is amended as follows:

**“Article 47. Validating requests for law/ordinance formulation and law/ordinance proposals**

1. The Legal Committee shall consolidate and preside over the validation of requests for law/ordinance formulation program of agencies, organizations, deputies of the National Assembly, and law/ordinance proposals of deputies of the National Assembly.

2. The Ethnic Minorities Council and Committees of the National Assembly shall validate requests for law/ordinance formulation, law/ordinance proposals within their competence, send written requests for validation to the Legal Committee and appoint representatives to attend validation meetings of the Legal Committee.

3. The validation shall focus on necessity of requests and proposals; regulated entities, scope; policies in the requests for law/ordinance formulation, law/ordinance proposals; conformity of contents of such policies with guidelines and policies of the Communist Party and policies of the State; uniformity, feasibility, order of priority, time for submission and conditions for formulating and implementing the documents.

9. Some Clauses of Article 55 are amended as follows:

a) Clause 2 is amended as follows:

“2. Prepare the draft, description, and documents related to the bill or draft document.

A description of a project or draft document shall specify the necessity of formulating the law, ordinance or resolution; purposes for and viewpoints on formulating the law, ordinance or resolution; process for formulating the bill or draft document; outline and basic contents of the draft document; consistency of the draft document with the legislative documents in the same field and fields related to contents of the bill or draft document; compatibility of the draft

document with relevant international agreements to which the Socialist Republic of Vietnam is a signatory.”;

b) Clause 7 is amended as follows:

“7. If the project or draft document is submitted by the Standing Committee of the National Assembly or an agency or organization specified in Clause 3 Article 52 of this Law or a deputy of the National Assembly, the drafting agency or the National Assembly deputy must report the drafting progress to the Standing Legal Committee, which will submit a consolidated report to the Standing Committee of the National Assembly.

If the project or draft document is submitted by the Government, the Ministry or ministerial agency appointed as the drafting agency shall report the drafting progress to the Ministry of Justice for reporting to the Government; and to the Standing Legal Committee for reporting to the Standing Committee of the National Assembly.

While receiving opinions and revising the draft law, ordinance, or resolution, if there are major changes to ratified policies, the drafting Ministry or ministerial agency must promptly send a report to the Government or the Prime Minister for consideration.”.

10. Some Points and Clauses of Article 58 are amended as follows:

a) Point b1 is added after Point b of Clause 2 as follows:

“b1) A report on review of legislative documents related to the project or draft document;”;

b) Point dd1 is added after Point dd of Clause 2 as follows:

“dd1) A Government’s Resolution on request for formulation of a law, ordinance or resolution;”;

c) Point b of Clause 3 is amended as follows:

“b) The conformity of contents of the draft document with guidelines and policies of the Communist Party and policies of the State; constitutionality, legitimacy, and consistency of the draft document with the legal system; the compatibility of the draft document with relevant international agreements to which Socialist Republic of Vietnam is a signatory;”.11. Clause 3a is added after Clause 3 of Article 59 as follows:

“3a. A report on review of legislative documents related to the project or draft document.”.

12. Point b1 is added after Point b Clause 1 of Article 62 as follows:

“b1) A report on review of legislative documents related to the project or draft document;”.

13. Clause 1 and Clause 2 of Article 63 are amended as follows:

“1. Before submitting the project or draft document to the National Assembly or Standing Committee of the National Assembly for consideration and discussion, it must be validated by the Ethnic Minorities Council or a Committee of the National Assembly (hereinafter referred to as “validating agency”).

The validating agency is in charge of validating the projects and draft documents within their competence, and other bills and draft documents assigned by the National Assembly or Standing Committee of the National Assembly.

The validating agency shall participate in validation of projects and draft documents whose validation is presided over by other agencies of the National Assembly with respect to contents related to fields under its management, send a written request for participation in validation to the validating agency and appoint a representative to attend the validation meeting of the validating agency.

2. The validating agency shall invite representatives of the agency participating in validation to attend the meeting it holds to offer opinions about relevant contents of the project or draft document related to the fields under the management of the latter and other issues concerning contents of the bill or draft document.”.

14. Some Points and Clauses of Article 64 are amended as follows:

a) Point d1 is added after Point d of Clause 1 as follows:

“b1) A report on review of legislative documents related to the project or draft document;”;

b) Clause 2 is amended as follows:

“2. Documents about the project or draft document to be submitted to the Standing Committee of the National Assembly must be sent by the submitting entity to the validating authority, Legal Committee, Ethnic Minorities Council, Social Affairs Committees and other Committees for validation at least 20 days before the opening date of the meeting of the Standing Committee of the National Assembly.

Documents about the project or draft document to be submitted to the Standing Committee of the National Assembly must be sent by the submitting entity to the validating authority, Legal Committee, Ethnic Minorities Council, Social Affairs Committees and other Committees for validation at least 30 days before the first meeting date of the National Assembly.”.

15. Clause 6 of Article 65 is amended as follows:

“6. Integration of policy for ethnic minorities or gender equality into the draft document (if any);

16. Article 68a is added after Article 68 as follows:

**“Article 68a. Responsibility of the Ethnic Minorities Council for validating the integration of policy for ethnic minorities into bills, ordinance projects and draft resolutions**

1. The Ethnic Minorities Council shall participate in validating a bill, project or draft document whose validation is presided over by a Committee of the National Assembly to integrate the policy for ethnic minorities if such bill or draft document contains regulations involving ethnic minority areas and mountainous areas.
2. The Ethnic Minorities Council shall hold a standing committee meeting or general meeting to offer opinions and appoint its representatives to participate in the validation meeting held by the validating agency.
3. The validation of integration of the policy for ethnic minorities shall focus on:
  - a) Issues concerning the policy for ethnic minorities;
  - b) Adherence to basic principles of ethnic minority equality and enabling ethnic minorities to promote their internal force in association with national development;
  - c) Impacts and feasibility of regulations specified in the bill, project or draft document for the purposes of integration of the policy for ethnic minorities.”.

17. Articles 74, 75, 76 and 77 are amended as follows:

**“Article 74. Procedures for considering approval for a bill or draft resolution after one meeting of the National Assembly**

The National Assembly shall consider approving a bill or draft resolution after one meeting in the following order:

1. The representative of the submitting entity presents the bill or draft document;
2. The representative of the validating agency presents the validation report;
3. The National Assembly holds a discussion at the general meeting. Prior to the discussion, the bill or draft document may be discussed by groups of deputies of the National Assembly;
4. During the discussion, the representative of the submitting entity explains the issues raised by deputies of the National Assembly;
5. The National Assembly cast votes on controversial important and major issues of the bill or draft document at the request of the Standing Committee of the National Assembly.

The standing validating agency shall take charge and cooperate with the submitting entity, the Secretary General of the National Assembly, and relevant organizations in assisting the Standing

Committee of the National Assembly in anticipating issues to be voted by the National Assembly;

6. The Secretary General of the National Assembly shall consolidate opinions offered by the National Assembly deputies and enquiry sheets and report them to the Standing Committee of the National Assembly, the validating agency and the submitting entity;

7. The Standing Committee of the National Assembly shall organize the consideration of, response and revision to the draft document in the following order:

a) The standing validating agency takes charge and cooperates with the submitting entity, the Standing Legal Committee, the Ministry of Justice, and relevant organizations in considering, responding to and revising the draft document and making a draft feedback and revision report to be submitted to Standing Committee of the National Assembly;

b) The submitting entity offers written opinions about responses and revisions to the draft document, including dissenting opinions about the draft feedback and revision report and proposes measures to the Standing Committee of the National Assembly;

c) At least 07 days before it is put to the vote by the National Assembly, the draft document must be sent to the Standing Legal Committee to review and complete the format.

The Standing Legal Committee shall take charge and cooperate with the validating agency and representatives of the submitting entity in reviewing the constitutionality, legitimacy, and consistency of the draft document with the legal system;

8. The Standing Committee of the National Assembly reports the response and revision to the draft document to the National Assembly.

If the submitting entity has dissenting opinions about the bill or draft document not submitted by the Government, the Government and the submitting entity shall submit a report to the National Assembly for consideration;

9. The National Assembly casts votes on approval for the draft document. If the draft document is still in dispute, the National Assembly shall cast votes on the remaining issues at the request of Standing Committee of the National Assembly before the draft document is put on the vote;

10. The President of the National Assembly signs the law or resolution of the National Assembly;

11. In case the draft document is not approved or only partially approved, the National Assembly shall consider resubmitting it or approving it at the next meeting as requested by the Standing Committee of the National Assembly.

#### **Article 75. Procedures for considering approval for a bill or draft resolution after two meetings of the National Assembly**



The National Assembly shall consider approving a bill or draft resolution after two meetings in the following order:

1. At the first meeting, the procedures for considering the bill or draft resolution are the same as those in Clause 1 through 6 Article 74 of this Law;

2. During the interval between two meetings of the National Assembly, Standing Committee of the National Assembly shall direct and organize the consideration of, response and revision to the draft document in the following order:

a) The standing validating agency takes charge and cooperates with the submitting entity, the Standing Legal Committee, the Ministry of Justice, and relevant organizations in considering, responding to and revising the draft document, and making a draft feedback and revision report.

Regarding new policies to be added by the National Assembly deputies to the draft document, where necessary, the submitting entity shall organize assessment of their impacts at the request of the Standing Committee of National Assembly and submit a report to the National Assembly;

b) The submitting entity offers written opinions about responses and revisions to the draft document, including dissenting opinions about the draft feedback and revision report, and proposes measures to the Standing Committee of the National Assembly;

c) The Standing Committee of the National Assembly considers and discusses the draft feedback and revision report and revised draft report;

d) The Standing Committee of the National Assembly decides to organize conferences on full-time National Assembly deputies to discuss and offer opinions about controversial important and major issues of the bill or draft document; sends the revised draft document and draft feedback and revision report to the National Assembly Delegation, Ethnic Minorities Council, and other Committees of the National Assembly at least 45 days before the first meeting date of the National Assembly.

The National Assembly Delegation, Standing Ethnic Minorities Council, and the Standing Committee of the National Assembly discusses, offer opinions and sends a consolidated report on opinions to the validating agency at least 20 days before the first meeting date of the National Assembly;

dd) The standing validating agency consolidates opinions of National Assembly deputies, National Assembly Delegation, Ethnic Minorities Council and Committees of the National Assembly; takes charge and cooperates with the submitting entity, the Standing Legal Committee, the Ministry of Justice, and relevant organizations in considering, responding to and revising the draft document and completing the draft feedback and revision report to be submitted to Standing Committee of the National Assembly;

3. At the second meeting:

a) The Standing Committee of the National Assembly reports the response and revision to the draft document to the National Assembly by considering the opinions given by the National Assembly deputies at the previous meeting.

If the submitting entity has dissenting opinions about the bill or draft document not submitted by the Government, the Government and the submitting entity shall submit a report to the National Assembly for consideration;

b) The National Assembly discusses remaining controversial issues;

c) The Secretary General of the National Assembly consolidates opinions offered by the National Assembly deputies and reports them to the Standing Committee of the National Assembly, the validating agency and the submitting entity;

d) The Standing Committee of the National Assembly directs and organizes the consideration of, response and revision to the draft document;

dd) At least 07 days before it is put to the vote by the National Assembly, the draft document must be sent to the Standing Legal Committee to review and complete the format.

The Standing Legal Committee shall take charge and cooperate with the validating agency and representatives of the submitting entity in reviewing the constitutionality, legitimacy, and consistency of the draft document with the legal system;

e) The Standing Committee of the National Assembly reports the response and revision to the draft document to the National Assembly;

g) The National Assembly casts votes on approval for the draft document. If the draft document is still in dispute, the National Assembly shall cast votes on the remaining issues at the request of Standing Committee of the National Assembly before the draft document is put on the vote;

h) The President of the National Assembly signs the law or resolution of the National Assembly;

4. In case the draft document is not approved or only partially approved, the National Assembly shall consider resubmitting it or approving it at the next meeting as requested by the Standing Committee of the National Assembly.

#### **Article 76. Procedures for considering approval for a bill after three meetings of the National Assembly**

The National Assembly shall consider approving a bill after three meetings in the following order:

1. At the first meeting, the procedures for considering the bill are the same as those in Clause 1 through 6 Article 74 of this Law;

2. During the interval between first two meetings of the National Assembly, the bill shall be considered, responded to and revised in the following order:

a) The submitting entity takes charge and cooperates with the standing validating agency, the Standing Legal Committee, the Ministry of Justice, and relevant organizations in considering, responding to and revising the bill, and making a draft feedback and revision report;

b) Hold a public enquiry into the bill under a decision of the Standing Committee of the National Assembly (if any);

Regarding new policies to be added by the National Assembly deputies and the public to the bill, where necessary, the submitting entity shall organize assessment of their impacts at the request of the Standing Committee of National Assembly and submit a report to the National Assembly;

c) The validating agency validates the revised bill;

d) The Standing Committee of the National Assembly considers and offers opinions about revision to the bill according to Article 71 of this Law. The submitting entity shall consider opinions offered by the Standing Committee of the National Assembly to respond to and revise the bill as prescribed in Article 72 of this Law;

3. At the second meeting:

a) The representative of the submitting entity presents the feedback and revision report; and public enquiry sheets (if any);

b) The representative of the validating agency presents the report on validation of the revised bill;

c) The National Assembly holds a discussion at the general meeting. Prior to the discussion, the bill may be discussed by groups of deputies of the National Assembly.

During the discussion, the representative of the submitting entity explains the issues raised by deputies of the National Assembly;

d) The National Assembly casts votes on controversial important and major issues of the bill at the request of the Standing Committee of the National Assembly.

The standing validating agency shall take charge and cooperate with the submitting entity, the Secretary General of the National Assembly, and relevant organizations in assisting the Standing Committee of the National Assembly in anticipating issues to be voted by the National Assembly;

dd) The Secretary General of the National Assembly shall consolidate opinions offered by the National Assembly deputies and enquiry sheets and report them to the Standing Committee of the National Assembly, the validating agency and the submitting entity;

4. During the interval between the second and third meetings of the National Assembly, the Standing Committee of the National Assembly shall direct and organize the consideration of, response and revision to the bill according to Clause 2 Article 75 of this Law;

5. At the third meeting, the procedures for considering approval for the bill are the same as those in Clause 3 Article 75 of this Law;

6. In case the bill is not approved or only partially approved, the National Assembly shall consider it at the request of the Standing Committee of the National Assembly.

#### **Article 77. Procedures for considering approval for an ordinance project or draft resolution of the Standing Committee of the National Assembly**

1. The Standing Committee of the National Assembly shall consider approval for an ordinance project or draft resolution after one meeting in the following order:

- a) The representative of the submitting entity presents the project or draft document;
- b) The representative of the validating agency presents the validation report;
- c) Representatives of other attending agencies, organizations and individuals offer their opinions;
- d) The Standing Committee of the National Assembly discusses; the chair draws a conclusion;
- dd) The standing validating agency takes charge and cooperates with the submitting entity, the Standing Legal Committee, the Ministry of Justice, and relevant organizations in considering, responding to and revising the draft document;
- e) The submitting entity shall offer written opinions about responses and revisions to the draft document, including dissenting opinions about the draft feedback and revision report and propose measures to the Standing Committee of the National Assembly;
- g) Before it is put to the vote by the National Assembly, the draft document must be sent to the Standing Legal Committee to review and complete the format.

The Standing Legal Committee shall take charge and cooperate with the validating agency and representatives of the submitting entity in reviewing the constitutionality, legitimacy, and consistency of the draft document with the legal system;

- h) The standing validating agency shall report the response and revision to the draft document;
- i) The Standing Committee of the National Assembly casts votes on approval for the draft document. If the draft document is still in dispute, the National Assembly shall cast votes on the remaining issues at the request of the chair before the draft document is put on the vote;

k) The President of the National Assembly signs the ordinance or resolution of the Standing Committee of the National Assembly.

2. The Standing Committee of the National Assembly shall consider approval for an ordinance project or draft resolution after two meetings in the following order:

a) At the first meeting, the procedures are the same as those prescribed in Points a, b, c, d Clause 1 of this Article. The Standing Committee of the National Assembly discusses and casts votes on important and major issues of the project or draft document at the request of the validating agency as the basis for revision;

b) During the interval between two meetings, the standing validating agency takes charge and cooperates with the submitting entity, Standing Legal Committee, the Ministry of Justice, and relevant organizations in considering, responding to and revising the draft document.

Regarding new policies to be added by the Standing Committee of the National Assembly to the draft document, where necessary, the submitting entity shall organize assessment of their impacts and submit a report to the Standing Committee of the National Assembly.

The submitting entity shall offer written opinions about responses and revisions to the draft document, including dissenting opinions about the draft feedback and revision report, and propose measures to the Standing Committee of the National Assembly;

c) Before it is put to the vote by the National Assembly, the draft document must be sent to the Standing Legal Committee to review and complete the format.

The Standing Legal Committee shall take charge and cooperate with the validating agency and representatives of the submitting entity in reviewing the constitutionality, legitimacy, and consistency of the draft document with the legal system;

d) At the second meeting, the standing validating agency shall report the response and revision to the draft document to the Standing Committee of the National Assembly;

dd) The Standing Committee of the National Assembly casts votes on approval for the draft document. If the draft document is still in dispute, the National Assembly shall cast votes on the remaining issues at the request of the chair before the draft document is put on the vote;

e) The President of the National Assembly signs the ordinance or resolution of the Standing Committee of the National Assembly.”.

18. Clause 2 of Article 84 is amended as follows:

“2. Ministers, ministerial agencies shall, themselves or under the direction of the Government, the Prime Minister, or at the request of other organizations and individuals, prepare the request for decree formulation within their fields and submit it to the Government for consideration and approval of the request for decree formulation in the case specified in Clause 3 Article 19 of this

Law or submit it to the Prime Minister for consideration and approval of the request for decree formulation in the case specified in Clause 2 Article 19 of this Law.”.

19. Some Clauses of Article 85 are amended as follows:

a) Clause 3 is amended as follows:

“3. Develop policies mentioned in the request for decree formulation and assess the impacts of such policies in the case specified in Clause 3 Article 19 of this Law; anticipate necessary resources and conditions for ensuring the implementation of the Decree.”;

b) Clause 5 is amended as follows:

“5. Seek, consolidate and respond to opinions from relevant organizations about the request for decree formulation in the case specified in Clause 3 Article 19 of this Law.”.

20. Article 87 is amended as follows:

**“Article 87. Application for decree formulation**

1. An application for decree formulation in the case specified in Clause 2 Article 19 of this Law includes:

a) A description of the request for decree formulation which specifies the necessity of the Decree; purposes and viewpoints on the decree formulation; scope and regulated entities of the decree, main contents of the Decree; intended time for requesting the Government to consider ratifying it; anticipation of necessary resources and conditions for implementation of the decree;

b) A final report on implementation of law or assessment of issues related to the request for decree formulation.

2. An application for decree formulation in the case specified in Clause 3 Article 19 of this Law includes:

a) A description of the request for decree formulation which specifies the necessity of the Decree; purposes and viewpoints on the decree formulation; scope and regulated entities of the decree, objectives and main contents of policies in the request for decree formulation; solutions for implementing selected policies and explanation for the selection; intended time for requesting the Government to consider ratifying it; anticipation of necessary resources and conditions for implementation of the Decree;

b) A report on assessment of impact of each proposed policy which specifies issues to be solved; objectives of the policies; solutions for implementation the policies; positive and negative impacts of the policies; costs and benefits of solutions; comparison of costs and benefits of solutions; selected solutions and reason for such selection; assessment of impacts of administrative procedures; assessment of gender-related impact (if any);

c) A final report on implementation of law or assessment of issues related to the request for decree formulation;

d) A consolidated record on responses to opinions; photocopies of enquiry sheets;

dd) Expected outline of the draft decree;

e) Other documents (if any).”.

21. Clause 1 and Clause 2 of Article 88 are amended as follows:

“1. The Ministry of Justice shall take charge and cooperate with the Ministry of Finance, the Ministry of Home Affairs, the Ministry of Foreign Affairs, relevant organizations in appraising the request for decree formulation in the case specified in Clause 3 Article 19 of this Law.

2. Documents sent to the Ministry of Justice for appraisal include the documents mentioned in Clause 2 Article 87 of this Law.

Documents mentioned in Points a and b Clause 2 Article 87 of this Law must be sent in writing, other documents may be sent electronically.”.

22. Article 89 is amended as follows:

**“Article 89. The Government and the Prime Minister considering approval for request for decree formulation**

1. A minister or ministerial agency shall submit the request for decree formulation to the Government in the case specified in Clause 3 Article 19 of this Law; to the Prime Minister in the specified in Clause 2 Article 19 of this Law.

2. Documents to be submitted to the Government include:

a) The revised documents mentioned in Clause 2 Article 87 of this Law;

b) An appraisal report; a report on response to opinions from the appraising agency;

c) Other documents (if any).”.

Documents mentioned in Points a and b Clause 2 Article 87 of this Law and in Point b of this Clause must be sent in writing, other documents may be sent electronically.

3. Documents to be submitted to the Prime Minister include:

a) The documents mentioned in Clause 1 Article 87 of this Law;

b) Other documents (if any).

Documents mentioned in Points a Clause 1 Article 87 of this Law must be sent in writing, other documents may be sent electronically.

4. The Office of the Government shall receive and inspect applications for decree formulation of Ministers, ministerial agencies, and bring the request for decree formulation in the case specified in Clause 3 Article 19 of this Law up for discussion at meetings of the Government or submit the request for decree formulation in the case specified in Clause 2 Article 19 of this Law to the Prime Minister.

5. The Government shall consider approving a request for decree formulation in the case specified in Clause 3 Article 19 of this Law in the following order:

a) The representative of the Ministry or ministerial agencies presents the request for decree formulation;

b) The representative of the Ministry of Justice presents the appraisal report;

c) Representatives of attending agencies and organizations offer their opinions;

d) The Government discusses;

dd) The Government casts votes on the request for decree formulation.

6. Based on the discussion and request for decree formulation, the Office of the Government shall take charge and cooperate with the Ministry of Justice and the agency requesting decree formulation in drafting a Government's resolution on request for decree formulation, which includes the policies ratified by the Government and submit it to the Prime Minister for consideration and promulgation.”.

23. Point a is amended as follows and Point a1 is added after Point a Clause 2 of Article 90 as follows:

“a) Organize the decree drafting. In the case specified in Clause 3 Article 19 of this Law, ensure the consistency of the draft decree with the policies ratified by the Government; in the case specified in Clause 1 Article 19 of this Law, ensure the conformity of the draft decree with the elaborated legislative document;

a1) Assess impacts of policies on the Decree in the case specified in Clause 1 Article 19 of this Law if specific regulations on such policies have been provided for in laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, orders and decisions of the President; assess impacts of policies on the Decree in the case specified in Clause 2 Article 19 of this Law;”.

24. Article 91 is amended as follows:

**“Article 91. Seeking opinions about the draft decree**



While drafting the decree, the drafting agency must seek opinions from the entities under the direct impact of the decree, Ministries, ministerial agencies, and Governmental agencies as prescribed in Clauses 1, 2, 3 Article 57 of this Law; seek opinions of the Ethnic Minorities Council if specific regulations on the policy for ethnic minorities have been provided for in the draft decree.”.

25. Clause 2 and Clause 3 of Article 92 are amended as follows:

“2. Documents sent to the appraising agency include:

- a) A explanation of the draft decree to the Government;
- b) The draft decree;
- c) A report on review of legislative documents related to the draft decree;
- c) A consolidated record on responses to opinions of organizations, individuals and subjects under the direct impact of the document; photocopies of enquiry sheets sent by Ministries, ministerial agencies, and Governmental agencies;
- dd) A report on assessment of policies on the decree in the cases specified in Clauses 1 and 2 Article 19 of this Law; assessment of administrative procedures in the draft decree (if any); report on integration of gender equality in the draft decree (if any);
- e) A Government’s Resolution on request for decree formulation in the case specified in Clause 3 Article 19 of this Law;
- g) Other documents (if any).

The documents mentioned in Point a and Point b of this Clause shall be sent in writing, other documents may be sent electronically.

3. The appraisal shall focus on:

- a) The necessity of promulgating the decree; scope and regulated entities of the draft decree in the case specified in Clause 2 Article 19 of this Law;
- b) The conformity of contents of the draft decree with guidelines and policies of the Communist Party and policies of the State; constitutionality, legitimacy, and consistency of the draft document with the legal system; the compatibility of the draft decree with relevant international agreements to which Socialist Republic of Vietnam is a signatory;
- c) The conformity of contents of the draft decree with those of the elaborated document in the case specified in Clause 1 Article 19 of this Law; conformity of contents of the draft decree with those of the ratified policies in the request for decree formulation in the case specified in Clause 3 Article 19 of this Law;

d) Necessity, reasonability and cost of administrative procedures in the draft decree (if any); integration of gender equality in the draft decree (if any);

dd) Necessary human resources and financial resources to ensure implementation of the decree;

e) Language, format, and drafting process.”.

26. Article 93 is amended as follows:

**“Article 93. Documents about the draft decree to be submitted to the Government**

1. A explanation of the draft decree to the Government;

2. The draft decree.

3. An appraisal report; a report on response to opinions from the appraising agency.

4. A report on review of legislative documents related to the draft decree.

5. A consolidated record on responses to opinions from other agencies, organizations, individuals and entities under the direct impact of the Decree.

6. A report on assessment of policies on the decree in the cases specified in Clauses 1 and 2 Article 19 of this Law; assessment of administrative procedures in the draft decree (if any); report on integration of gender equality in the draft decree (if any).

7. A Government’s Resolution on request for decree formulation in the case specified in Clause 3 Article 19 of this Law.

8. Other documents (if any).

The documents mentioned in Clauses 1, 2 and 3 of this Article shall be sent in writing, other documents may be sent electronically.”.

27. Point d Clause 2 of Article 98 is amended as follows:

“d) A report on assessment of policies on the draft decision; assessment of administrative procedures in the draft decision (if any); report on integration of gender equality in the draft decision (if any);”.

28. Point d Clause 2 of Article 102 is amended as follows:

“d) A report on assessment of policies on the draft circular (if any); assessment of administrative procedures as assigned by the National Assembly in laws and resolutions; a report on integration of gender equality in the draft decision (if any);”.

29. Clause 5 of Article 103 is amended as follows:

“5. A report on assessment of policies on the draft circular (if any); assessment of administrative procedures as assigned by the National Assembly in laws and resolutions; a report on integration of gender equality in the draft decision (if any).”.

30. Article 109 is amended as follows:

**“Article 109. Formulation and promulgation of joint resolutions**

1. The agency in charge of drafting a joint draft resolution between the Standing Committee of the National Assembly and the Management Board of Central Committee of Vietnamese Fatherland Front and joint draft resolution between the Standing Committee of the National Assembly, the Government, the Management Board of Central Committee of Vietnamese Fatherland Front is appointed by Standing Committee of the National Assembly; the agency in charge of drafting a joint resolution between the Government and the Management Board of Central Committee of Vietnamese Fatherland Front is appointed by the Government.

2. The drafting agency shall draft the joint resolution.

3. While drafting the joint resolution, the drafting agency must seek opinions from other organizations and individuals as prescribed in Clauses 1, 2 and 3 Article 57 of this Law.

4. The draft joint resolution between the Standing Committee of the National Assembly, the Government, the Management Board of Central Committee Vietnamese Fatherland Front must be appraised by the Ministry of Justice before being submitted to the Government; and must be validated by the Ethnic Minorities Council and the Committee of the National Assembly before being submitted to the Standing Committee of the National Assembly.

Appraisal documents, time limit and contents are the same as those in Clauses 2, 3 and Clause 4 Article 58 of this Law. Validation documents, time limit and contents are the same as those in Articles 64 and 65 of this Law.

5. The drafting agency shall consider opinions to revise the draft.

6. The draft resolution will be ratified if the agencies competent to promulgate joint resolutions reach a consensus.

The President of the National Assembly, the Prime Minister and the President of the Central Committee Vietnamese Fatherland Front shall sign the joint resolution together.”.

31. Article 110 is amended as follows:

**“Article 110. Formulation and promulgation of joint circulars**

1. The agencies in charge of drafting joint circulars between the Executive Judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy, the State Auditor General, the Minister, the head of a ministerial agency are appointed by Executive Judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy, the State Auditor General, the Minister, the head of a ministerial agency.

2. The drafting agency shall draft the joint circular.

3. The draft shall be posted on the web portal of the drafting agency for at least 60 days.

The drafts of joint circulars involving the participation by the Executive Judge of the People's Supreme Court are subject to enquiry by members of the Council of Justices of the People's Supreme Court; the drafts of joint circulars involving the participation by the Chief Procurator of the Supreme People's Procuracy are subject to enquiry by members of the Committee of the People's Supreme Procuracy.

4. The drafting agency shall consider opinions to revise the draft.

5. The draft resolution will be ratified if the agencies competent to promulgate joint resolutions reach a consensus.

The Executive Judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy, the State Auditor General, the Minister and the Head of the ministerial agency shall sign the joint circular together.”.

32. Some Clauses of Article 111 are amended as follows:

a) Clause 1 is amended as follows:

“1. Pursuant to legislative documents of superior agencies, the People's Committees of provinces and committees of the People's Councils of provinces, committees of Vietnamese Fatherland Front of provinces shall make request for formulation of resolutions of the provincial People's Councils themselves or at the request of an organization or deputy of the People's Council.”;

b) Clause 3 is amended as follows:

“3. If the request for resolution formulation of the People's Council of a province has the contents specified in Article 4 Article 27 of this Law, it must apply Article 112 through 116 of this Law before being submitted to the Standing Committee of the People's Council.”.

33. Clause 1 of Article 116 is amended as follows:

“1. The People's Committee of the province shall consider, discuss, and cast votes on the policies in each request for resolution formulation which is made by the People's Committee of the province.

An application to be submitted to the provincial People's Committee include the documents specified in Article 114 of this Law, a report on appraisal of the request for resolution formulation and a report on response to opinions from the appraising agency. ”.

34. Clause 2 and Clause 3 of Article 117 are amended as follows:

“2. An application for resolution formulation in the case specified in Clauses 1, 2 and 3 Article 27 of this Law includes:

a) The request for resolution formulation, which specifies basis for promulgation of the resolution; scope, regulated entities and main contents of the resolution; intended time for requesting the People’s Council to consider ratifying it; anticipated resources and conditions for implementation of the resolution;

b) Other documents (if any).

3. An application for resolution formulation in the case specified in Clause 4 Article 27 of this Law includes:

a) The documents mentioned in Article 114 of this Law;

b) A report on appraisal of the request for resolution formulation; a report on response to opinions from the appraising agency;

c) A decision to ratify proposed policies of a competent authority prescribed in Article 116 of this Law.”.

35. Clause 1 is amended as follows and Clause 1a is added after Clause 1 of Article 119 as follows:

“1. Organize the resolution drafting. In the case specified in Clause 1 Article 27 of this Law, ensure the conformity of the draft resolution with the elaborated legislative; in the case specified in Clause 4 Article 27 of this Law, ensure the consistency of the draft resolution with the ratified policies.

1a. Assess impacts of policies on the draft resolution in the cases specified in Clauses 2 and 3 Article 27 of this Law.”.

36. Article 121 is amended as follows:

**“121. Article 121. Appraising draft resolution to be submitted by provincial People’s Committees**

1. The draft resolution of the People’s Council of a province submitted by the People’s Committee of the same province must be appraised by the Department of Justice before submission.

If necessary, the Department of Justice shall request the drafting agency to report the issues related to the draft resolution; conduct surveys into issues of the draft resolution itself or in cooperation with the drafting agency. The drafting agency has the responsibility to provide information and documents serving the appraisal of the draft resolution.

If the draft resolution involves various fields or drafted by the Department of Justice, the Director of the Department of Justice shall establish an appraisal council which consists of representatives of relevant organizations, experts, and scientists.

The drafting agency must send documents about the draft resolution to the Department of Justice for appraisal at least 25 days before the People's Committee holds a meeting.

2. Documents sent to the appraising agency include:

- a) A description of the draft resolution;
- b) The draft resolution;
- c) A consolidated record on responses to opinions; photocopies of enquiry sheets; a report on assessment of impacts of policies on the resolution in the cases specified in Clauses 2 and 3 Article 27 of this Law;
- d) Other documents (if any).

The documents mentioned in Point a and Point b of this Clause shall be sent in writing, other documents may be sent electronically.

3. Appraisal contents:

- a) The necessity of promulgating the resolution in the cases specified in Clauses 2 and 3 Article 27 of this Law; scope and regulated entities of the draft resolution;
- b) The conformity of contents of the draft resolution with guidelines and policies of the Communist Party and policies of the State; constitutionality and consistency of the draft resolution with the legal system;
- c) The consistency of the draft resolution with regulations elaborated by the People's Council; the conformity of the draft resolution with policies mentioned in the request for resolution formulation which have been ratified as prescribed in Article 116 of this Law;
- d) Language, format of the document.

4. The appraisal report must contain opinions of the appraising agency about the issues mentioned in Clause 3 of this Article and whether or not the draft resolution is satisfactory enough to be submitted to the People's Committee.

The appraisal report must be sent to the drafting agency within 15 days from the day on which sufficient documents are received by the Department of Justice.

5. The drafting agency must respond to the opinions provided by the appraising agency to revise and complete the draft resolution, send a report together with the revised draft to the Department of Justice when submitting the draft resolution to the People's Committee.”.

37. Point d Clause 1 of Article 122 is amended as follows:

“d) A consolidated record on responses to opinions; a report on assessment of impacts of policies on the resolution in the cases specified in Clauses 2 and 3 Article 27 of this Law;”.

38. Some Points and Clauses of Article 124 are amended as follows:

a) Point d of Clause 2 is amended as follows:

“d) A consolidated record on responses to opinions; photocopies of enquiry sheets; a report on assessment of impacts of policies on the resolution in the cases specified in Clauses 2 and 3 Article 27 of this Law;”;

b) Clause 2a is added after Clause 2 as follows:

“2a. The validating agency shall not validate the draft resolution if documents are insufficient or not submitted on schedule as specified in Clause 2 of this Article.”;

c) Point a of Clause 3 is amended as follows:

“a) The necessity of promulgating the resolution in the cases specified in Clauses 2 and 3 Article 27 of this Law; contents of the resolution and remaining issues in dispute;”.

39. Point c Clause 2 of Article 128 is amended as follows:

“c) assess impact of administrative procedures as assigned by the National Assembly in laws or resolutions and gender-related impact (if any);”.

40. Article 130 is amended as follows:

**“Article 130. Appraising draft decisions of provincial People's Committees**

1. The Department of Justice shall appraise the draft decision before it is submitted to the provincial People's Committee.

If necessary, the Department of Justice shall request the drafting agency to report the issues related to the draft decision; conduct surveys into issues of the draft decision itself or in cooperation with the drafting agency. The drafting agency has the responsibility to provide information and documents serving the appraisal of the draft decision.

If the draft decision involves various fields or drafted by the Department of Justice, the Director of the Department of Justice shall establish an appraisal council which consists of representatives of relevant organizations, experts, and scientists.

The drafting agency must send documents about the draft decision to the Department of Justice for appraisal at least 25 days before the People's Committee holds a meeting.

2. Documents sent to the appraising agency include:

- a) A description of the draft decision;
- b) The draft decision;
- c) A consolidated record on responses to opinions; photocopies of enquiry sheets;
- d) Other documents (if any).

The documents mentioned in Point a and Point b of this Clause shall be sent in writing, other documents may be sent electronically.

3. Appraisal contents:

- a) The necessity of promulgating the decision in the cases specified in Clauses 2 and 3 Article 28 of this Law; scope and regulated entities of the draft decision;
- b) The conformity of contents of the draft decision with guidelines and policies of the Communist Party and policies of the State; constitutionality and consistency of the draft decision with the legal system;
- c) Necessity, reasonability and cost of administrative procedures in the draft decision (if any); integration of gender equality in the draft decision (if any);
- d) Resources and conditions for implementation of the decision;
- dd) Language, format of the document.

4. The appraisal report must contain opinions of the appraising agency about the issues mentioned in Clause 3 of this Article and whether or not the draft decision is satisfactory enough to be submitted to the People's Committee.

The appraisal report must be sent to the drafting agency within 15 days from the day on which sufficient documents are received by the Department of Justice.

5. The drafting agency must respond to opinions provided by the appraising agency to revise and complete the draft decision, send a report together with the revised draft to the Department of Justice when submitting the draft decision to the People's Committee.”.



41. Article 131 is amended as follows:

**“Article 131. Documents about draft decision submitted to the provincial People’s Committee**

1. The drafting agency shall send documents about the draft decision to the provincial People’s Committee at least 03 working days before the meeting date of the People’s Committee in order to be sent to members of the People’s Committee.

2. Documents about the draft decision include:

- a) The documents mentioned in Clause 2 Article 130 of this Law;
- b) An appraisal report; a report on response to opinions from the appraising agency.

Documents mentioned in Points a and b Clause 2 Article 130 of this Law and in Point b of this Clause must be sent in writing, other documents may be sent electronically.”.

42. Clause 1 of Article 134 is amended as follows:

“1. The Department of Justice of the district shall appraise the draft resolution of the People’s Council of the same district before it is submitted to the People’s Committee of the district.

The drafting agency must send documents about the draft resolution of the People’s Council of the district to the Department of Justice of the district for appraisal at least 20 days before the meeting date of the People’s Committee.”.

43. Article 139 is amended as follows:

**“Article 139. Appraising draft decisions of the People’s Committees of districts**

1. The Department of Justice of the district shall appraise the draft decision of the People’s Committee of the same district before it is submitted.

At least 20 days before the meeting date of the People’s Committee, the drafting agency must send documents about the draft decision to the Department of Justice of the district for appraisal.

2. Documents sent to the appraising agency include:

- a) A description of the draft decision;
- b) The draft decision;
- c) A consolidated record on responses to opinions; photocopies of enquiry sheets;
- d) Other documents (if any).

3. Appraisal contents:

- a) The necessity of promulgating the decision; scope and regulated entities of the draft decision;
- b) The conformity of contents of the draft decision with guidelines and policies of the Communist Party and policies of the State; constitutionality and consistency of the draft decision with the legal system;
- c) Necessity, reasonability and cost of administrative procedures in the draft decision (if any); integration of gender equality in the draft decision (if any);
- d) Resources and conditions for implementation of the decision;
- dd) Language, format of the document.

4. The appraisal report must contain opinions of the appraising agency about the issues mentioned in Clause 3 of this Article and whether or not the draft decision is satisfactory enough to be submitted to the People's Committee.

The appraisal report must be sent to the drafting agency within 15 days from the day on which sufficient documents are received by the Department of Justice of the district.

5. The drafting agency must respond to opinions provided by the appraising agency to revise and complete the draft decision, send a report together with the revised draft to the Department of Justice of the district when submitting the draft decision to the People's Committee.”.

44. Article 146 is amended as follows:

**“146. Cases of formulation, promulgation of legislative documents under simplified procedures**

- 1. State of emergency according to regulations of law on state of emergency; urgent response to natural disasters, epidemics, conflagration; urgent situations for solving practical problems.
- 2. Suspension of a legislative document in part or in full for a certain period of time for the purposes of promptly protecting interests of the State, legitimate rights and interests of organizations and individuals.
- 3. Necessary revisions to conform to new legislative documents; necessary promulgation of a legislative document to implement an international agreement to which the Socialist Republic of Vietnam is a signatory.
- 4. Partial or total annulment of a legislative document that is illegitimate or no longer applicable with regard to socio-economic situation.

5. Necessary extension of the time limit for partial or total application of a legislative document for a certain period of time for solving practical problems.”.

45. Clause 3 is amended as follows and Clause 3a is added after Clause 3 of Article 147 as follows:

“3. The Prime Minister shall decide application of simplified procedures to formulation and promulgation of decrees of the Government and decisions of the Prime Minister; decide application of simplified procedures to formulation and promulgation of Ministers and heads of ministerial agencies’ circulars promulgated in urgent cases to solve practical problems as prescribed in Clause 1 Article 146 of this Law.

The written request submitted to the Prime Minister for decision on application of simplified procedures to formulation of Ministers and heads of ministerial agencies’ circulars specified in this Clause must be enclosed with written opinion of the Minister of Justice.

3a. Ministers, heads of ministerial agencies, Executive Judge of the People’s Supreme Court, Chief Procurator of the Supreme People’s Procuracy and State Auditor General shall decide to apply simplified procedures to formulation of legislative documents which they promulgate in the cases specified in Clauses 2 and 4 Article 146 of this Law.”.

46. Article 148 is amended as follows:

**“Article 148. Simplified procedures for formulation of legislative documents**

The simplified procedures for formulation of laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, orders and decisions of the President, decrees of the Government, decisions of the Prime Minister, circulars of the resolutions of the Executive Judge of the People’s Supreme Court, circulars of the Chief Procurator of the Supreme People’s Procuracy, circulars of Ministers and heads of ministerial agencies, decisions of the State Auditor General, resolutions of People’s Councils of provinces, and decisions of the People’s Committees of provinces are as follows:

1. The drafting agency organizes the drafting process;
2. The drafting agency may seek opinions from entities under the direct impact of the draft document and opinions from relevant organizations and individuals about the draft document. The time limit for seeking opinions is 20 days.
3. Within 07 working days from the day on which the dossier on the project or draft document, the appraising agency and validating agency shall appraise and validate it respectively.

Documents to be submitted for appraisal include the description, the draft document, appraisal report, and consolidated record on responses to opinions (if any).

Documents to be submitted for validation include the description, the draft document, appraisal report, consolidated record on responses to opinions (if any), appraisal report and report on response to opinions from the appraising authority.”.

47. Some Points and Clauses of Article 149 are amended as follows:

a) Points b and c of Clause 1 are amended as follows:

“b) Documents about a draft order or decision of the President, draft circular of the Executive Judge of the Supreme People’s Court, draft circular of the Chief Procurator of the Supreme People’s Procuracy or a draft decision of the State Auditor General includes the description and the draft document;

e) Documents about a draft decree of the Government, draft decision of the Prime Minister, draft circular of a Minister or head of a ministerial agency, draft decision of the People’s Committee of a province include the description, the draft document and the appraisal report.”;

b) Point dd1 is added after Point dd of Clause 2 as follows:

“dd1) The Minister, head of the ministerial agency, the Executive Judge of the Supreme People’s Court, the Chief Procurator of the Supreme People’s Procuracy and the State Auditor General shall consider signing and promulgating a legislative document right after receiving the draft document under the procedures prescribed in Articles 104, 106, 107 and 108 of this Law;”.

48. Article 151 is amended as follows:

**“Article 151. Effective dates of legislative documents**

1. The effective date of the whole or part of a legislative document shall be specified in the document. Nevertheless, the effective date is not sooner than 45 days from the day on which it is ratified or signed if it is promulgated by a central regulatory agency, or not sooner than 10 days from the day on which it is signed if it is promulgated by the People’s Council or the People’s Committee of a province, or not sooner than 07 days from the day on which it is signed if it is promulgated by the People’s Council or the People’s Committee of a district or commune.

2. A legislative document promulgated under simplified procedures may come into force from the day on which it is ratified or signed and must be immediately published on the web portal of the promulgating agency and posted on the media; such document must be published on the Official Gazette of the Socialist Republic of Vietnam if it is promulgated by a central regulatory agency or the Official Gazette of the province within 03 days from the day on which it is announced or signed if it is promulgated by the People’s Council or the People’s Committee of a province.”.

49. Clause 1 of Article 153 is amended as follows:

“1. A legislative document shall be suspended in part or in full until a decision is issued by a competent authority in the following cases:

a) The document is suspended according to Clause 3 Article 164, Clause 2 Article 165, Clause 2 and Clause 3 Article 166, Clause 2 and Clause 3 Article 167, and Clause 1 Article 170 of this Law. The document will expire if the competent authority decides to annul it. Otherwise, its effect will be effective again;

b) A competent authority which promulgates the document decides to suspend it in part or in full for the purposes of promptly protecting interests of the State, legitimate rights and interests of organizations and individuals.”.

50. Article 157 is amended as follows:

#### **“Article 157. Posting and publishing legislative documents**

Legislative documents must be posted in full on the national legal database within 15 days from the day on which they are announced or signed if they are promulgated by central regulatory agencies; within 15 days from the day on which they are ratified or signed if they are promulgated by the People’s Councils and the People’s Committees, and must be published on the media, except for those that contain state secrets according to regulations of law on state secrets.

Legislative documents posted on the national legal database are official.”.

51. Clause 4 of Article 172 is amended as follows:

“4. Regulations on administrative procedures in legislative documents promulgated by the competent regulatory agencies and persons mentioned in Clause 4 Article 14 of this Law before July 01, 2016 may be applied until they are annulled by other documents or replaced with new administrative procedures. In case of amendment to a legislative document that contains regulations on administrative procedures and is promulgated before July 01, 2016, it is not required to produce new administrative procedures or prescribe additional documents, requirements or conditions or extend the time limit for handling the applicable administrative procedures.”.

52. Phrases are added to some Articles below:

a) The phrase “Thường trực” (“Standing”) is added before the phrase “Ủy ban pháp luật” (“Legal Committee”) in Clause 3 Article 48, Point c Clause 1 Article 49 and Clause 2 Article 50;

b) The phrase “; báo cáo giải trình, tiếp thu ý kiến thẩm định” (“; report on response to opinions from the appraising agency”) is added to after the phrase “Báo cáo thẩm định” (“Appraisal report”) in Point b Clause 2 Article 140.

53. Phrases some Articles below are replaced and removed:

- a) The phrase “*tiêu đề*” (“*title*”) in Clause 3 of Article 8 is replaced with “*tên*” (“*name*”);
- b) The phrase “*Đề cương*” (“*Outline*”) in Point dd Clause 1 of Article 37 and Clause 5 of Article 114 is replaced with “*Dự kiến đề cương chi tiết*” (“*Expected detailed outline*”);
- c) The phrase “*Báo cáo đánh giá tác động của văn bản*” (“*Report on assessment of impacts of the document*”) in Point c Clause 2 of Article 95 is replaced with “*Báo cáo đánh giá tác động của chính sách*” (“*Report on assessment of impacts of policies*”);
- d) The phrase “*Báo cáo tổng hợp, giải trình, tiếp thu ý kiến của cơ quan, tổ chức, cá nhân và đối tượng chịu sự tác động trực tiếp của văn bản*” (“*Consolidated report on responses to opinions of organizations, individuals and entities under the direct impact of the document*”) in Point c Clause 2 of Article 98 is replaced with “*Bản tổng hợp, giải trình, tiếp thu ý kiến của cơ quan, tổ chức, cá nhân và đối tượng chịu sự tác động trực tiếp của văn bản*” (“*Consolidated record on responses to opinions of organizations, individuals and entities under the direct impact of the document*”);
- dd) The phrase “*đối tượng chịu sự tác động trực tiếp của dự thảo nghị quyết*” (“*entities under the direct impact of the draft resolution*”) in Clause 2 of Article 113 is replaced with “*đối tượng chịu sự tác động trực tiếp của chính sách trong đề nghị xây dựng nghị quyết*” (“*entities under the direct impact of policies in the request for resolution formulation*”);
- e) The phrase “*Nội dung đánh giá tác động của từng chính sách trong đề nghị xây dựng nghị quyết*” (“*Contents of assessment of impact of each policy in the request for resolution formulation*”) in Clause 2 of Article 114 is replaced with “*Báo cáo đánh giá tác động của chính sách trong đề nghị xây dựng nghị quyết*” (“*Report on assessment of impacts of policies in the request for resolution formulation*”);
- g) The phrase “*Văn phòng Đoàn đại biểu Quốc hội,*” (“*Office of National Assembly Delegation,*”) is removed from Clause 3 of Article 33, Point a Clause 1 of Article 56 and Clause 4 of Article 57;
- h) The phrase “*, cơ quan tham gia thẩm tra*” (“*agencies in charge of validating*”) is removed from Point a Clause 1 of Article 50;
- i) The phrase “*dự thảo nghị quyết*” (“*draft resolution*”) is removed from Clause 5 of Article 115.

## **Article 2. Effect**

This Law comes into force from January 01, 2021.

*This Law is adopted by the 14th National Assembly of Socialist Republic of Vietnam on this 18th of June 2020 during its 9th session.*

**THE PRESIDENT OF THE  
NATIONAL ASSEMBLY**

**Nguyen Thi Kim Ngan**

---

*This translation is made by **THƯ VIỆN PHÁP LUẬT**, Ho Chi Minh City, Vietnam and for reference purposes only. Its copyright is owned by **THƯ VIỆN PHÁP LUẬT** and protected under Clause 2, Article 14 of the Law on Intellectual Property. Your comments are always welcomed*