**LEGAL PROCEDURES AND NOTABLE FOR THE ESTABLISHMENT OF TRAINING INSTITUTIONS IN PRIVATE UNIVERSITIES IN VIETNAM.**

With the trend of Viet Nam university education is gradually moving, private universities need to determine their own development strategy by setting up the training institutions, self - responsibility, and accountability on all activities.

Recognizing the above development trends and necessary needs, the Licensing consultants' team of ADK & Co Vietnam Lawyers will provide clients with some legal notable and procedures to conduct the establishment of a training institution directly under a private university.

**I/. LEGAL BASIS AND PRACTICE**

The Training Institution is a unit directly under the private university.

Pursuant to **Clause 5, Article 4 of the Law amending and supplementing a number of articles of the Law on Higher Education 2018**:

*“5. “Affiliate” means a legal entity affiliated to a higher education institution, established under a decision of the school council of the university or parent university (hereinafter referred to as “school council”); organized and run-in accordance with law, internal rules and regulations of the higher education institution.”*

Pursuant to Clause 13, Article 8 and Point m) Clause 2 Article 12 of Decree 99/2016/ND-CP on management and use of seals, the Training Institution is allowed to open its own seal and register its seal specimen at the local Police Department of Administrative Management.

**II/. IMPLEMENTATION PROCEDURES AND PROCEDURES**

**1. Legal status of the Training Institution affiliated to the private university**

a) A Training Institution affiliated to a private university is established under the decision of the decision-making authority of that private university.

b) The Institute is under the direct management and management of the private university, operating based on compliance with the policies and laws of the State and the regulations of the private university.

c) The Institute is allowed to operate under the mechanism of self-management and self-responsibility according to the management decentralization of the private university.

**2. Procedures for establishing a Training Institution affiliated to a private university.**

Pursuant to the operating charter of the private university, consider which individual or organization has the authority to decide on the establishment of the affiliated training institute.

**Step 1:** The Board of Management prepares a draft of the Master Plan on establishment of the Training Institution and a draft of the Institute’s organization and operation regulations (models, cooperation mechanisms, franchising, etc.).

**Step 2:** Based on the draft Master Plan, the General Meeting of Shareholders or the Board of Management subject to the charter of the private university shall discuss and unanimously issue a Resolution on the policy of establishing the Training Institute.

**Step 3:** Based on the Resolution of the General Meeting of Shareholders/the Board of Management, the Chairman of the Board of Management issues the decision to establish the Institute and approves the Regulation on organization and operation of the Institute.

**Step 4:** Preparation of personnel.

**Step 5:** Complete the mechanism of decentralization and prepare resources for the Institute.

**Step 6:** Announce the decision and launch the Institute and sign cooperation contracts.

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