**LEGAL UPDATES**

**VOL 14, AUGUST 2021**

**Dear Valued Clients and Partners,**

**ADK & Co Vietnam Lawyers** would like to introduce to you the Legal Updates, Vol 14 of August 2021 with new legal provisions effective from August, 2021, with notable contents as follows:

1. **Receiving and facilitating students to study in their residences due to Covid-19**

On August 17, 2021, the Ministry of Education and Training issued Official Dispatch No. 3508/BGDĐT-GDTrH on receiving and creating conditions for students to study at their places of residence due to the Covid-19 epidemic. Official Dispatch No. 3508/BGDĐT-GDTrH takes effect from August 17, 2021.

Accordingly, the Ministry of Education and Training requests the Chairman of the Provincial People's Committee to direct the Department of Education and Training and schools to implement the following contents:

1. Accepting and creating favorable conditions for students who want to study at the school where the student resides during the Covid-19 epidemic prevention and control period, in accordance with the actual conditions of the locality and School;
2. Coordinating with localities and schools where students wish to transfer and transfer (in writing via email or e-office electronic document management system) to receive and arrange, arrange classes for students to study according to the right objects. Interested in supporting students to receive necessary learning conditions such as textbooks, study materials; create the most favorable conditions for students to study according to the school's educational plan;
3. Confirming that the student's training and learning results are received so that the student can return to his/her old school to study after the Covid-19 epidemic prevention and control period, ensuring accuracy, fairness, transparency, regulations;
4. Transferring and re-accepting the student together with the student's training and learning results (studied at the school of residence) when the student returns to his/her old school to study; cares about supporting students and creating the most favorable conditions for students when they return to their old school to study according to the school's educational plan;
5. For students who wish to apply for a transfer (or apply for a transfer after having been accepted for a period at the school of their residence), facilitate the student to transfer by the method of be appropriate on the basis of ensuring regulations on student records when transferring schools, and at the same time ensuring strict implementation of regulations on Covid-19 epidemic prevention.
6. **Management, allocation, advance payment and reimbursement of costs or funds for enforcement of court judgements against commercial entities**

On July 8, 2021, the Minister of Finance issued Circular 55/2021/TT-BTC providing instructions about management, allocation, advance payment and reimbursement of costs or funds for enforcement of court judgements against commercial entities. Circular 55/2021/TT-BTC takes effect from August 25, 2021.

Accordingly, the content of enforcement costs is specified as follows:

* 1. The determination of enforcement costs shall comply with the provisions of Article 43 of Decree 44/2020/ND-CP, including:
* The cost of mobilizing people to implement enforcement decisions;
* Remuneration costs for valuators to organize auctions, expenses for organizing asset auctions;
* Expenses for hiring vehicles for dismantling and transporting objects and assets;
* Expenses for renting or preserving the distrained property;
* The cost of transferring the enforcement of the enforcement decision;
* Expenses for taking legal measures;
* Other actual expenses (if any).
	1. Regarding expenses:
* The above expenses shall be made based on the contract, liquidation of the contract, the minutes of handing over the distrained assets (for the expenses of renting or preserving the distrained assets), legality invoices and documents and valid expenditures according to current regulations and approved by the enforcement decision maker.
* Special allowances for those directly mobilized to participate in enforcement and enforcement protection are as follows:
* The level of expenditure for the person in charge of enforcement of the enforcement decision belonging to the enforcement decision-executing agency is 150,000 VND/person/day to participate in the enforcement;
* The level of expenditure for persons mobilized to participate in enforcement of enforcement decisions is 100,000 VND/person/day to participate in enforcement.
1. **Publication of the list of periodic reports to be abolished in the field of Finance and Banking under the management of the Ministry of Finance**

On July 21, 2021, the Ministry of Finance issued Decision No. 1375/QD-BTC announcing the list of periodic reports to be abolished in the banking and finance sector under the scope of state management. Decision No. 1375/QD-BTC takes effect from August 23, 2021.

Accordingly, the list of reports to be abolished includes:

1. Report on business situation and compliance with legal regulations of enterprises operating in debt trading services in the province or city.

Document regulating reporting regime: Article 8 of Circular 53/2017/TT-BTC dated May 19, 2017.

1. Report on debt collection service business.

Document regulating reporting regime: Clause 2, Section I, Circular 110/2007/TT-BTC dated September 12, 2007.

We hope you found this brief legal update informative.

Kind regards.

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