**LEGAL UPDATES**

**VOL 25, NOVEMBER 2021**

**Dear Valued Clients and Partners,**

ADK & Co Vietnam Lawyers would like to introduce to you the Legal Updates, Vol 25 of November 2021 with new legal provisions with notable contents as follows:

1. **The National Assembly Chairman unanimously proposed the Government extend the time limit for the wind power tariff application**

On November 6, 2021, Politburo member, National Assembly Chairman Vuong Dinh Hue chaired a meeting with leaders of Ninh Thuan province on the implementation of economic-society development tasks in the first 9 months of 2021 and the results of the implementation of Resolution No. 31/2016/QH14 of the National Assembly on stopping the implementation of the investment policy of the Ninh Thuan nuclear power project.

Accordingly, the decisions and proposals set forth by National Assembly Chairman include:

* Basically agree with specific recommendations and proposals of Ninh Thuan province on early promulgation of the grid-connected solar power pricing mechanism for solar power projects operating commercially after October 1, 2021; policy to extend the time on the mechanism of enjoying wind power prices according to Decision No. 39 of the Prime Minister until the end of March 31, 2022.
* Agreed to propose the Government extend the time limit for applying the wind power tariff, especially for projects that have been completed but not have been operated due to the impact of the Covid-19 epidemic.
* Regarding the solar power price mechanism, the Government is requested to direct agencies, especially the Ministry of Industry and Trade, and the Ministry of Planning and Investment to issue it soon for bidding to select investors for solar power projects.
* Request the Government to direct ministries and branches to consider allowing Ninh Thuan province to apply the re-borrowing rate of 10% for new investment projects using important and urgent ODA capital following the spirit of Resolution 115, in the immediate future, it can be applied until 2023 when reviewing the 5-year implementation of Resolution No. 31 of the National Assembly.
* Regarding the proposal to support 100% of reciprocal capital for important and urgent projects using foreign capital, the Government and the Prime Minister shall proactively handle and report to the National Assembly Standing Committee in accordance with regulations for any issues within their competence.
* Regarding the Project on stabilizing production, people's life and developing residential areas for the locations previously planned for the construction of Ninh Thuan Nuclear Power Plant, the Government is requested to continue directing the ministries and branches to comply with the conclusions of the Government's Party Personnel Committee.
1. **Decision 33/2021/QD-TTg supplementing business households receiving support money due to Covid-19 epidemic.**

The Prime Minister has decided to add a number of business households receiving allowance due to the impact of Covid-19.

Specifically, in Decision 33/2021/QD-TTg, effective from November 6, 2021, new objects are added to receive support including Business households engaged in agricultural, forestry, fishery, salt production, and people selling street goods, snacks, trade from afar, mobile business, doing seasonal business, service work having low income are not required to register as business households.

The support is done based on the following principles:

1. Must stop working for 15 consecutive days or more during the period from May 1, 2021 to the end of December 31, 2021 due to:
* Requirements of competent state agencies to prevent and control the COVID-19 epidemic; or
* Having a business location located in the area implementing measures to prevent and control the epidemic according to Directive No. 16/CT-TTg; or
* Measures of inactivity/deactivation must be applied according to Resolution No. 128/NQ-CP.
1. One-time support at the rate of 3,000,000 VND/household
2. Not applicable to cases that have been defined by the locality as being the object for support under the policy at point 12 Section II of Resolution No. 68/NQ-CP dated July 1, 2021 of the Government.
3. **The Ministry of Industry and Trade collects opinions to formulate the Law on Protection of Consumer’ Rights (amend)**

On the morning of November 10, 2021, the Ministry of Industry and Trade held the first meeting of the Drafting Committee, the Editorial Team of the Project on the Law on Protection of Consumer’ Rights (amended) chaired by Deputy Minister of Industry and Trade Nguyen Sinh Nhat Tan.

Accordingly, the principle of formulating the revised Law focuses on 7 policies that have been approved by the Government, including:

1. Finalize regulations on defective goods and the recall of defective goods in order to improve accountability and effective enforcement of relevant regulations;
2. Finalize regulations on contracts with consumers, model contracts, and general transaction conditions in order to improve the effectiveness of consumer protection in related transactions;
3. Finalize regulations related to dispute settlement mechanism; supplement regulations on the supporting role of state agencies, social organizations in the dispute settlement between consumers and business organizations and individuals following reality;
4. Complete regulations to protect consumers' rights in transactions with specific elements and newness in the context of the digital economy;
5. Develop and complete regulations on types of transactions, activities, responsibilities of entities, control mechanisms, encourage and support entities in order to encourage and promote production, sustainable consumption;
6. Finalize regulations on state management in order to improve the roles, responsibilities and operational efficiency of state management agencies from central to local;
7. Complete regulations on the roles and responsibilities of social organizations participating in consumer protection in order to improve the effectiveness of consumer protection activities.

The draft Law on Protection of Consumer’ Rights (amend) will be submitted to the National Assembly for consideration at the October 2022 session and approved at the May 2023 session.

We hope you found this brief legal update informative.

Kind regards.

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