**New regulations on order and procedures for appraisal and issuance of Certificate of eligibility regarding chemical sector**

The Government (hereinafter referred to as "**Goverment**") issued Decree 82/2022/ND-CP (hereinafter referred to as "Decree") amending and supplementing a number of articles of Decree No. 113/2017/ Decree-CP dated October 9, 2017 of the Government detailing and guiding the implementation of a number of articles of the Law on Chemicals.

The order and procedures for appraisal and issue of the Certificate of eligibility (Article 1.3 of the Decree) are as follows:

* Organizations and individuals that apply for the Certificate of eligibility to make 01 set of document and send them by post or directly or via the online public service system to the competent agency which issue the Certificate as prescribed in Clause 4 of this Article;
* In case the document is incomplete and invalid, within 03 working days from the date of receiving the document, the competent agency which issue the Certificate shall notify the organization or individual to supplement and complete the document. The time for completing the application shall not be included in the time of issueing the Certificate specified at Points c and d of this Clause;
* In case the chemical production and trading facilities of an organization or individual is located in the locality and is located at the head office, within 12 working days from the date of receipt of a complete and valid dossier specified in Clause 1, Clauses 2 and 3 of this Article, the certificate-issueing agency is responsible for reviewing and appraising the application, checking the actual conditions and issueing the Certificate of eligibility to the organization or individual. In case of refusal to issue the Certificate, the competent agency which issue the Certificate must reply in writing, clearly stating the reason;
* In case an organization or individual has a chemical production or business facilities in a locality different from that of the locality where its head office is located, within 03 working days from the date of receipt of a complete and valid dossier specified in Clause 1, Clauses 2 and 3 of this Article, the competent agency which issue the Certificate is responsible for sending a copy of the application file for the Certificate of the organization or individual for opinions of the local Department of Industry and Trade where the organization or individual locates chemical production and trading facilities. Within 09 working days from the date of receipt of the copy of the document, the Departments of Industry and Trade where organizations and individuals locate chemical production and trading facilities shall have to check the actual conditions of chemical production and trading facilities in their respective management areas and give written opinions on the satisfaction of conditions specified in Clauses 1 and 2, Article 9 of this Decree. The competent agency which issue the Certificate is responsible for reviewing and appraising the application and issueing the Certificate of eligibility to the organization or individual no later than 03 working days from the receipt's date of the document from the local Department of Industry and Trade of the locality where the organization or individual locates the chemical production and trading establishment on the satisfaction of the conditions, and at the same time sends 01 copy to the Department of Industry and Trade where the organization or individual locates chemical production and trading facilities for coordination in management. The form of the Certificate is specified in Appendix VI issued with this Decree. In case of refusal to issue the Certificate, the competent agency which issue the Certificate must reply in writing, clearly stating the reason.

**The Decree takes effect from 22 December 2022.**

We hope you found this brief legal update informative.

Kind regards./.

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