

**LAW**

**PROMULGATION OF NORMATIVE DOCUMENTS**

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

*The National Assembly promulgates the Law on Promulgation of legal normative documents .*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope**

This Law provides for principles, authority, manners, procedures for formulating and promulgating legal normative documents , responsibilities of regulatory agencies, organizations, and individuals in formulating legal normative documents .

This Law does not deal with the formulation and revisions of the Constitution.

**Article 2. Legal normative documents**

Legal normative documents are documents that contain legal regulations and the promulgation of which complies with regulations of law on authority, manner, and procedures provided for in this Law.

Legal normative documents that contain legal regulations but the promulgation of which complies with regulations of law on authority, manner, and procedures provided for in this Law are not considered legal normative documents .

**Article 3. Interpretation of terms**

In this Law, the terms below are construed as follows:

1. *Normative regulations* are general rules of conduct, commonly binding, and applied repeatedly to agencies, organizations and individuals nationwide or within a certain administrative division, promulgated by the regulatory agencies and competent persons in this Law, and the implementation of which is ensured by the State.

2. *Entities regulated by legal normative documents* are agencies, organizations, and individuals whose rights, obligations, and duties are directly affected by the application of such documents after they are promulgated.

3. *Explanation for the Constitution, Law, or Ordinance* means a work of Standing Committee of the National Assembly meant to clarify the ideas and contents of certain Articles, Clauses, and paragraphs in the *Constitution, Law, or Ordinance* in order that they are known, correctly and uniformly applied.

#### **Article 4. The system of legal normative documents**

1. The Constitution.
2. Codes and Laws (hereinafter referred to as Laws), Resolutions of the National Assembly
3. Ordinances, Resolutions of Standing Committee of the National Assembly; Joint Resolutions between Standing Committee of the National Assembly and Management Board of Central Committee of Vietnamese Fatherland Front
4. Orders, Decisions of the President.
5. Decrees of the Government; Joint Resolutions between the Government and Management Board of Central Committee of Vietnamese Fatherland Front
6. Decision of the Prime Minister.
7. Resolutions of Judge Council of the People's Supreme Court.
8. Circulars of 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; Joint Circulars between executive judge of the People's Supreme Court and the Chief Procurator of the Supreme People's Procuracy; Joint Circulars between Ministers, Heads of ministerial agencies and executive judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy; Decisions of State Auditor General.
9. Resolutions of the People's Councils of central-affiliated cities and provinces (hereinafter referred to as provinces).
10. Decisions of the People's Committees of provinces.
11. Legal normative documents of local governments in administrative - economic units.
12. Resolutions of the People's Councils of districts, towns and cities within provinces (hereinafter referred to as districts).
13. Decisions of the People's Committees of districts.
14. Resolutions of the People's Councils of communes, wards and towns within districts (hereinafter referred to as communes).
15. Decisions of the People's Committees of communes.

#### **Article 5. Rules for formulating and promulgating legal normative documents**

1. Ensure the constitutionality, legitimacy, and uniformity of legal normative documents in the legal system.
2. Comply with regulations of law on authority, manner, and procedures for formulating and promulgating legal normative documents .
3. Ensure transparency of legal normative documents .
4. Ensure the feasibility, frugality, effectiveness, promptness, accessibility, and practicality of legal normative documents ; integrate gender equality issues in legal normative documents ; ensure simplification of administrative procedures.
5. Ensure national defense and security, environmental protection without obstruction of implementation of the international agreements to which the Socialist Republic of Vietnam is a signatory.
6. Ensure publicity and democracy in receipt of and response to opinions, complaints of agencies, organizations, and individuals during the process of formulating and promulgating legal normative documents .

#### **Article 6. Providing opinions for formulation of legal normative documents**

1. Vietnamese Fatherland Front, Vietnam Chamber of Commerce and Industry, other associate organizations of Vietnamese Fatherland Front, other agencies, organizations, and individuals are entitled and will be enabled to provide opinions about formulation of legal normative documents and draft legal normative documents .
2. During the formulation of legal normative documents , the drafting agencies and relevant organizations must enable other organizations and individuals to provide opinions about formulation of legal normative documents and draft legal normative documents ; seek opinions from entities regulated by legal normative documents .
3. Opinions about formulation of legal normative documents and draft legal normative documents must be considered during the process of adjusting draftdocuments .

#### **Article 7. Responsibilities of competent agencies and persons for formulation and promulgation of legal normative documents**

1. The agency/person competent to submit the project/draft of legislative document (hereinafter referred to as submitting agency/person) is responsible for the punctuality and quality of such project/draft.
2. The agency or organization in charge of drafting the legislative document (hereinafter referred to as drafting agency/person) is responsible to the submitting agency/person or the agency/person competent to promulgate the document (hereinafter referred to as promulgating agency/person) for the punctuality and quality of the project/draft.
3. The competent agencies, organizations, and persons asked for opinions about formulation of legal normative documents or draft legal normative documents are responsible for the contents and punctuality of their opinions.

4. The appraising agency/person is responsible to the submitting agency/person or promulgating agency/person for the appraisal result with regard to the request for formulation of legal normative documents or the project/draft.

The inspecting agency/person is responsible to the promulgating agency for result of inspection of project/draft of legal normative documents .

5. The National Assembly, the People's Councils, other agencies and persons competent to promulgate legal normative documents are responsible for the quality of documents they promulgate.

6. Competent agencies and persons are responsible for late promulgation of document elaborating implementation of laws, resolutions of the National Assembly, ordinances, resolutions of Standing Committee of the National Assembly, orders and decisions of the President.

7. Competent agencies and persons are responsible for promulgation of legal normative documents that contravene the Constitution, laws, resolutions of the National Assembly, ordinances, resolutions of Standing Committee of the National Assembly, orders and decisions of the President, decrees of the government, decisions of the Prime Minister, legal normative documents of superior regulatory agencies, or that exceed their given tasks.

8. Heads of drafting agency, appraising agency, submitting agency, and inspecting agency, within their competence, are responsible for their unfulfilled duties and shall be dealt with according to regulations of law on public officials and other relevant regulations of law if quality of draft documents is not satisfactory, schedule is not met, or constitutionality, legitimacy, and uniformity of the legal normative documents are not ensured.

## **Article 8. Language and format of legal normative documents**

1. The language of legal normative documents is Vietnamese.

The language of legal normative documents is Vietnamese must be accurate, common, clear, and understandable.

2. Contents of legal normative documents must be specific, not vague, and not include the contents of other legal normative documents .

3. Depending of its content, a legislative document may be separated into parts, chapters, sections, sub-sections, articles, clauses, paragraphs; each part, chapter, section, subsection, and article of a legal document must have a title. Issues related to inspection, complains, denunciation, reward and commendation, and actions against violations shall not be separated into a new chapter if there are no new contents.

4. Standing Committee of the National Assembly shall specify the format of legal normative documents of the National Assembly, Standing Committee of the National Assembly, and the President.

The government shall specify the format of legal normative documents of other competent agencies and persons prescribed in this Law.

### **Article 9. Translation of legal normative documents into ethnic languages and foreign languages**

Legal normative documents may be translated into ethnic languages and foreign languages; the translations are for reference purpose only.

The government shall elaborate this Article.

### **Article 10. Numbers and symbols of legal normative documents**

1. Each legislative document must have a specify ordinal number, year or promulgation, type, and promulgating agency.

2. Legal normative documents shall be numbered according to each type and year of promulgation. Laws, resolutions of the National Assembly, ordinances, resolutions of Standing Committee of the National Assembly shall be numbered according to each type of document and tenure of the National Assembly.

3. Numbers and symbols of legal normative documents are arranged as follows:

a) Numbers, symbols of laws and resolutions of the National Assembly are arranged in the following order: “type of document: number of document/year of promulgation/abbreviated name of promulgating agency, and ordinal number of the National Assembly”;

b) Numbers, symbols of ordinances and resolutions of the National Assembly are arranged in the following order: “type of document: number of document/year of promulgation/abbreviated name of promulgating agency, and ordinal number of the National Assembly”;

c) Numbers, symbols of legal normative documents other than those prescribed in Point a and Point b of this Clause are arranged in the following order: “number of document/year of promulgation/abbreviated name of document type - abbreviated name of the promulgating agency”

### **Article 11. Elaborating documents**

1. Legal normative documents must be specific in order that they can be promptly applied when they are effective. In case there is an article, clause, paragraph that relates to some specific procedures, technical regulations, and other contents that need elaborating, a regulatory agency may be assigned to elaborate such article, clause, paragraph right within its contents. The elaborating document may only prescribe the contents assigned and must not repeat contents of the elaborated document.

2. The agency assigned to promulgate the elaborating document must not assign a third agency to perform this task.

The draft of the elaborating documents must be prepared and submitted together with the law project or ordinance project, and must be so promulgated that it comes into force at the same time with the document, article, clause, or paragraph being elaborated.

3. In case an agency is assigned to elaborate multiple parts of a legislative document, it may promulgate a single document to elaborate all the parts, unless they must be elaborated in different documents .

In case an agency is assigned to elaborate contents of various legal normative documents , it may promulgate a single document to elaborate all of them.

### **Article 12. Amendment, replacement, annulment, and suspension of legal normative 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 by a competent superior agency in writing. The amending, replacing, annulling, or suspending document must specify every document, part, chapter, section, subsection, article, clause, and paragraph 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 paragraph of documents 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 paragraph 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.

3. A legislative document may be promulgated to amend, replace, annul contents of multiple legal normative documents promulgated by the same agency.

### **Article 13. Sending legal normative documents , dossiers on projects/drafts of legal normative documents**

1. Every legislative document must be sent to competent authorities for supervision and inspection.

Within 03 days from the day on which a law or resolution of the National Assembly, ordinance or resolution of Standing Committee of the National Assembly is announced, or another legislative document is signed, the promulgating agency/person shall send it to the competent authority mentioned in Clause 1 Article 164 of this Law for supervision, and to the competent authority mentioned in Clause 3 Article 165, Clause 1 Article 166, or Clause 1 Article 167 of this Law for inspection.

2. Dossiers on projects/drafts and original copies of legal normative documents must be retained in accordance with regulations of law on document retention.

## **Article 14. Prohibited acts**

1. Promulgating legal normative documents against the Constitution or legal normative documents promulgated by superior regulatory agencies.
2. Promulgated documents other than those in the system of legal normative documents prescribed in Article 4 of this Law but containing normative regulations
3. Promulgating legal normative documents against regulations on authority, manner, and procedures of this Law.
4. Impose administrative procedures in circulars of 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; joint circulars between executive judge of the People's Supreme Court and the Chief Procurator of the Supreme People's Procuracy; joint circulars between Ministers, Heads of ministerial agencies and executive judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy; decisions of State Auditor General, resolutions of the People's Councils of provinces, decisions of the People's Councils of provinces, legal normative documents of local governments of administrative - economic units; resolutions of the People's Councils of districts, decisions of the People's Committees of districts, resolutions of the People's Councils of communes, decisions of the People's Committees of communes, unless assigned by law.

## **Chapter II**

### **THE POWER TO PROMULGATE LEGISLATIVE DOCUMENTS, CONTENTS OF LEGISLATIVE DOCUMENTS**

## **Article 15. Laws, resolutions of the National Assembly**

1. The National Assembly shall promulgate laws to prescribe:
  - a) Organizational structure and operation the National Assembly, the President, the Government, People's Courts, the People's Procuracies, National Election Council, State Audit Office of Vietnam, local governments, administrative - economic units, and other agencies established by the National Assembly;
  - b) Human rights, basic rights and obligations of citizens that must be prescribed by law according to the Constitution, restrictions on human rights and citizenship; crimes and punishments;
  - c) Basic policies on national finance and state budget; imposition, adjustment, or cancellation of taxes;
  - d) Basic policies on culture, education, healthcare, science, technology, and environment;
  - dd) National defense and security;
  - e) Policies on ethnics and religions of the State;

g) Ranks in the People's armed forces; diplomatic ranks; other state ranks; medals and honorable titles of the State;

h) Basic diplomatic policies;

i) Referendum;

k) Mechanism for protection of the Constitution;

l) Other issues within the competence of the National Assembly.

2. The National Assembly shall promulgate resolutions to prescribe:

a) Ratio of distribution of revenues and obligatory expenditures between central government budget and local government budgets;

b) Pilot implementation of some new policies within the competence to decide of the National Assembly that are not regulated by any law or different from applicable regulations of law;

c) Suspend or extend the implementation period of the whole or part of a law or resolution of the National Assembly in order to meet urgent requirements for socio-economic development, assurance of human rights and citizenship;

d) Prescribe states of emergency and other special measures for ensuring national defense and security;

dd) Declare amnesty;

e) Decide issues within the competence of the National Assembly.

#### **Article 16. Ordinances and resolutions of Standing Committee of the National Assembly**

1. Standing Committee of the National Assembly shall promulgate ordinances to decide the issues assigned by the National Assembly.

2. Standing Committee of the National Assembly shall promulgate resolutions to prescribe:

a) Explain the Constitution, laws, and ordinances;

b) Suspend or extend the implementation period of the whole or part of an ordinance or resolution promulgated by Standing Committee of the National Assembly to meet urgent requirements for socio-economic development;

c) Annul ordinances and resolutions promulgated by Standing Committee of the National Assembly; in case an ordinance is annulled, Standing Committee of the National Assembly must submit a report to the National Assembly at the nearest meeting;



d) Declare full or partial mobilization; declare, cancel states of emergency nationwide or locally;

dd) Provide instructions on operation of the People's Councils;

e) Decide other issues within the competence of Standing Committee of the National Assembly.

#### **Article 17. Orders and decisions of the President.**

The President shall issue orders and decisions to:

1. Declare full or partial mobilization; declare, cancel states of emergency according to resolutions of Standing Committee of the National Assembly; declare, cancel states of emergency nationwide or locally in case Standing Committee of the National Assembly is not able to hold a meeting;

2. Decide other issues within the competence of the President

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

Committee of the National Assembly or the Government and Management Board of Central Committee Vietnamese Fatherland Front shall promulgate joint resolutions to specify the issues assigned by law.

#### **Article 19. Decrees of the government**

The Government shall promulgate decrees to prescribe:

1. Specific guidelines for articles, clauses, and paragraphs assigned in the laws and resolutions of the National Assembly, ordinances and resolutions of Standing Committee of the National Assembly, orders and decisions of the President;

2. Specific measures for organizing implementation of the Constitutions, laws and resolutions of the National Assembly, ordinances and resolutions of Standing Committee of the National Assembly, orders and decisions of the President; measures for implementation of socio-economic policies, policies on national defense and security, finance, budget, taxation, ethnics, religions, culture, education, healthcare, science and technology, environment, diplomacy, officials and civil servants, rights and obligations of citizens, and other issues within the management of the Government; issues related to duties and entitlements of two or more Ministries, ministerial agencies; duties, entitlements, and organizational structure of Ministries, ministerial agencies, Governmental agencies, and other agencies under the management of the Government;

3. Other necessary issues within the competence of the National Assembly or Standing Committee of the National Assembly but are yet to be made into a law or ordinance. Consent of Standing Committee of the National Assembly must be obtained before this type of decree is promulgated.

## **Article 20. Decision of the Prime Minister**

The Prime Minister shall promulgate decisions to prescribe:

1. Operating method of the government and state administration system from central to local government, regulations on working with members of the Government, local governments, and other issues within the competence of the Prime Minister;
2. Measures for providing guidelines and coordinating members of the Government; inspecting adherence to policies of Communist Party, policies and laws of the State by Ministries, ministerial agencies, Governmental agencies, and local governments.

## **Article 21. Resolutions of Judge Council of the People's Supreme Court**

Judge Council of the People's Supreme Court shall promulgate resolutions to provide guidelines for uniform application of law to adjudication by summarizing application of laws and supervising adjudication.

## **Article 22. Circulars of executive judge of the People's Supreme Court**

executive judge of the People's Supreme Court shall promulgate circulars to manage People's Courts and martial courts in terms of organizational structure and other issues assigned by the Law of Organizational structure of People's Courts and relevant laws.

## **Article 23. Circulars of Chief Procurator of the Supreme People's Procuracy**

Chief Procurator of the Supreme People's Procuracy shall promulgate circulars elaborating issues assigned by the Law of Organizational structure of the People's Procuracies and relevant laws.

## **Article 24. Circulars of Ministers and Heads of ministerial agencies**

Ministers and Heads of ministerial agencies promulgate Circulars to prescribe:

1. Specific guidelines for articles, clauses, and paragraphs assigned in the laws and resolutions of the National Assembly, ordinances and resolutions of Standing Committee of the National Assembly, orders and decisions of the President, decrees of the Government, and decisions of the Prime Minister;
2. Measures for performing their state management functions.

## **Article 25. Joint Circulars between executive judge of the People's Supreme Court and the Chief Procurator of the Supreme People's Procuracy; Joint Circulars between Ministers, Heads of ministerial agencies and executive judge of the People's Supreme Court**

Executive judge of the People's Supreme Court and the Chief Procurator of the Supreme People's Procuracy; Ministers, Heads of ministerial agencies and Executive judge of the People's Supreme Court and the Chief Procurator of the Supreme People's Procuracy shall promulgate Joint Circulars to specify their cooperation in implementation of proceedings

## **Article 26. Decisions of State Auditor General**

State Auditor General shall promulgate decisions to prescribe state audit standards, audit procedures, and audit documents .

## **Article 27. Resolutions of the People’s Councils of provinces**

The People’s Councils of provinces shall promulgate resolutions to prescribe:

1. Specific guidelines for articles, clauses, and paragraphs assigned in the legal normative documents promulgated by superior agencies;
2. Policies, measures for ensuring implementation of the Constitution, laws, and legal normative documents promulgated by superior agencies;
3. Measures for socio-economic development, local budget, and national defense and security;
4. Special measures that suit the local socio-economic development.

## **Article 28. Decisions of the People’s Committees of provinces.**

The People’s Committees of provinces shall promulgate decisions to prescribe:

1. Specific guidelines for articles, clauses, and paragraphs assigned in the legal normative documents promulgated by superior agencies;
2. Measures for implementation of the Constitutions, laws, and legal normative documents promulgated by superior agencies, resolutions of the People’s Councils at the same administrative level on socio-economic development, local budget, and national defense and security;
3. Measures for performing their state management functions locally.

## **Article 29. Legal normative documents promulgated by local governments in administrative - economic units.**

The People’s Councils in administrative - economic units shall promulgate resolutions; the People’s Committees in administrative - economic units shall promulgate decisions in accordance with this Law and relevant laws.

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

The People’s Councils of districts and commune shall promulgate resolutions; the People’s Committees of districts and commune shall promulgate decisions to prescribe the issues assigned by laws.

## **Chapter III**

**FORMULATION AND PROMULGATION OF LEGISLATIVE DOCUMENTS OF  
THE NATIONAL ASSEMBLY AND STANDING COMMITTEE OF THE  
NATIONAL ASSEMBLY**

**Section 1. Planning law/ordinance formulation program**

**Article 31. Law/ordinance formulation program**

1. Law/ordinance formulation programs shall be planned annually according to policies of Communist Party, the State, socio-economic development strategy, national defense and security strategy, and state management requirements in each period so that to ensure human rights, basic rights and obligations of citizens.

2. The National Assembly shall decide the law/ordinance formulation program at the first meeting session of the previous year.

**Article 32. Request for law/ordinance formulation of agencies, organizations**

1. The President, Standing Committee of the National Assembly, Ethnic Council, Committees of the National Assembly, the Government, the People's Supreme Court, the People's Supreme Procuracy, State Audit Office of Vietnam, Central Committee of Vietnamese Fatherland Front, central agencies of associate organizations of Vietnamese Fatherland Front who are entitled to submit law projects to the National Assembly and ordinance projects to Standing Committee of the National Assembly are entitled to request law/ordinance formulation.

2. The request for law/ordinance formulation must be based on:

- a) Policies of Communist Party and the State;
- b) Results of law implementation or assessment of social relationships related to policies of the law/ordinance project;
- c) Requirements for state management, socio-economic development; assurance of human rights, basic rights and obligations of citizens; assurance of national defense and security;
- d) Relevant international agreements to which Socialist Republic of Vietnam is a signatory.

**Article 33. Law/ordinance proposal, request for law/ordinance formulation**

1. Deputies of the National Assembly are entitled to make law/ordinance proposals. Law/ordinance proposals must be based on policies of Communist Party and the State, requirements for state management, socio-economic development; assurance of human rights, basic rights and obligations of citizens; assurance of national defense and security, and relevant international agreements to which Socialist Republic of Vietnam is a signatory

2. Deputies of the National Assembly are entitled to request law/ordinance formulation. The request for law/ordinance formulation shall be made in accordance with Clause 2 Article 32 of this Law.

3. Deputies of the National Assembly are entitled to make proposals of law/ordinance, request for law/ordinance formulation as prescribed in Article 37 of this Law, or request the Office of the National Assembly or Office of National Assembly Delegation, or a research institute to assist in doing so.

4. The Office of the National Assembly has the responsibility to enable deputies of the National Assembly to exercise their rights to make law/ordinance proposals and request law/ordinance formulation

#### **Article 34. Responsibilities of agencies, organizations, and deputies of the National Assembly for making request for law/ordinance formulation**

1. Before requesting law/ordinance formulation, the agency, organization, or deputy of the National Assembly must perform the following tasks or request a competent agency to perform the following tasks:

a) Summarize the implementation of regulations of law related to the request for law/ordinance formulation; survey, assess social relationships relevant to the request for law/ordinance formulation;

b) Conduct scientific research into relevant issues to assist the request for law/ordinance formulation; study information, materials, international agreements to which the Socialist Republic of Vietnam is a signatory relevant to the request for law/ordinance formulation. Request relevant organizations and individuals to provide documents and information related to the request for law/ordinance formulation where necessary;

c) Formulate proposed policies in the request for law/ordinance formulation; assess the impact of such policies;

d) Estimate resources and conditions for assurance of implementation of the law or ordinance after it is ratified by the National Assembly or Standing Committee of the National Assembly.

2. Prepare documents to request law, ordinance formulation as prescribed in Article 37 of this Law.

3. Seek opinions from relevant organizations and individuals about the request for law/ordinance formulation; consider and respond to the opinions offered.

4. With regard to request for law/ordinance formulation that is not made by the Government, the agency, organization, or deputy of the National Assembly who requests the law/ordinance formulation also has the responsibility to obtain and consider opinions given by the government.

#### **Article 35. Assessment of impact of proposed policies in the request for law/ordinance formulation**

1. Agencies and organizations are responsible for assessing the impact of each proposed policy. Deputies of the National Assembly shall assess impact of each proposed policy or request a competent authority to do so.

During the process of drafting, appraising, inspecting, considering, and commenting law/ordinance project, if new policies are submitted, the submitting agency must assess their impact.

2. The assessment of each proposed policy in must specify: issues to be solved; targets of the policy; solutions for implementation the policy; positive and negative impacts of the policy; costs, benefits of solutions; comparison of costs and benefits of solutions; selected solution and reason for such selection; assessment of impact of administrative procedures; gender-related impact (if any).

3. When assessing impact of proposed policies, agencies, organizations, and deputies of the National Assembly must study and draft a draft report on impact assessment; seek opinions and feedbacks about the draft report, and revise the draft report.

4. The Government shall elaborate this Article.

#### **Article 36. Seeking opinions about request for law/ordinance formulation**

1. Agencies, organizations, and deputies of the National Assembly who make requests for law, ordinance formulation have the responsibility to:

a) Post the summary report, report on impacts of proposed policies on the information portal of the National Assembly if the request is made by Standing Committee of the National Assembly, Ethnic Council, Committees of the National Assembly, deputies of the National Assembly, or the information portal of the Government if the request is made by the government, and the information portal or the requesting agency/organization for at least 30 days.

b) Seek opinions from the Ministry of Finance, the Ministry of Home Affairs, the Ministry of Foreign Affairs, the Ministry of Justice, relevant organizations, entities under the direct impacts of proposed policies, and solution for implementation of such policies in the request for law/ordinance formulation. Hold a meeting to seek opinions about basic policies in the request for law/ordinance formulation where necessary;

c) Consider, explain, aggregate opinions; post the report on receipt of opinions (hereinafter referred to as feedback report) on the information portal as prescribed in this Clause.

2. Within 15 days from the receipt of request for opinions, the enquired agencies/organizations must provide their opinions in writing; the Ministry of Finance shall send a report on financial sources, the Ministry of Home Affairs shall send a report of assessment of human resources, the Ministry of Foreign Affairs shall send a report on compatibility with relevant international agreements to which Socialist Republic of Vietnam is a signatory, the Ministry of Finance shall send a report on constitutionality, legitimacy, and consistency of the request for law/ordinance formulation with the legal system to the requesting agency, organization, or deputy of the National Assembly.

### **Article 37. Application for law/ordinance formulation, written law/ordinance proposals**

1. An application for law/ordinance formulation consists of:

a) A description of the request for law/ordinance formulation which specifies the necessity of such law/ordinance; purposes and viewpoints on the law/ordinance formulation; entities regulated by the law/ordinance; targets, contents of proposed policies, solution for implementation thereof, and reasons for choosing such solution; estimated resources and conditions for ensuring implementation of the law/ordinance after it is ratified by the National Assembly or Standing Committee of the National Assembly; intended time for submitting to the National Assembly or Standing Committee of the National Assembly for consideration and ratification;

b) Report on assessment of impact of proposed policies;

c) Report on implementation of law or social relationships related to the request for law/ordinance formulation;

d) A report on receipt of opinions from the Ministry of Finance, the Ministry of Home Affairs, the Ministry of Foreign Affairs, the Ministry of Justice, and other agencies; photocopies of the enquiry sheets;

dd) The outline of the draft law/ordinance.

2. The written law/ordinance proposal must specify the necessity of such law/ordinance, regulated entities, purposes and requirements, viewpoints, policies, and main contents of the law/ordinance.

### **Article 38. Responsibility to request formulation of law/ordinance to be submitted by the Government**

1. With regard to a law/ordinance project to be submitted by the Government, a Ministry or ministerial agency shall make the request for law/ordinance formulation itself or as assigned by the Prime Minister.

2. The Ministry or ministerial agency who request for law/ordinance formulation shall perform the tasks prescribed in Article 34 of this Law.

### **Article 39. Appraising request for formulation of law/ordinance to be submitted by the Government**

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 law/ordinance formulation before submitting it to the government within 20 days from the receipt of the satisfactory application for law/ordinance formulation.

2. The Ministry or ministerial agency that makes the request for law/ordinance formulation shall send the application to the Ministry of Justice for appraisal. The application consists of documents mentioned in Clause 1 Article 37 of this Law.

Documents mentioned in Point a and Point b Clause 1 Article 37 of this Law must be sent in writing, other documents may be sent electronically.

3. The appraisal shall focus on:

a) Necessity of the law/ordinance; entities regulated by the law/ordinance;

b) Conformity of the proposed policies with policies of Communist Party and the State;

c) The constitutionality, legitimacy, and consistency of policies with the legal system; feasibility and ... of the proposed policies; solutions and conditions for ensuring implementation of the proposed policies;

d) Compatibility of the proposed policies with relevant international agreements to which Socialist Republic of Vietnam is a signatory;

dd) Necessity, reasonability, cost of administrative procedures of proposed policies (if they are related to administrative procedures); integration of gender equality in the request for law/ordinance formulation (if they are related to gender equality);

e) Adherence to procedures for requesting law/ordinance formulation.

4. The appraisal report must contain opinions of the Ministry of Justice about the appraised contents mentioned in Clause 3 of this Article and whether or not the request for law/ordinance formulation is satisfactory enough to be submitted to the Prime Minister.

5. The appraisal report must be sent to the Ministry or ministerial agency that makes the request for law/ordinance formulation within 10 days from the end of the appraisal. The requesting agency shall consider the opinions given and revise, complete the request for law/ordinance formulation, send the revised request for law/ordinance formulation together with the feedback report to the Ministry of Justice when submitting it to the Government.

#### **Article 40. Submitting request for formulation of law/ordinance to be submitted by the Government**

1. The Ministry or ministerial agency who makes the request for law/ordinance formulation shall submit the application for law/ordinance formulation to the government at least 20 days before the date of meeting of the Government.

2. Documents to be submitted to the Government include:

a) The documents mentioned in Clause 1 Article 37 of this Law;

b) Report on appraisal of the request for law/ordinance formulation; feedback report;

c) Other documents (if any).



Documents mentioned in Point a and Point b Clause 1 Article 37 of this Law and Point b of this Clause must be sent in writing, other documents may be sent electronically.

**Article 41. The Government considering approval for request for formulation of law/ordinance to be submitted by the Government**

The Government shall hold a meeting to consider requests for request for law/ordinance formulation in the following order:

1. Representatives of Ministries and ministerial agencies who request law/ordinance formulation present their description of the requests for law/ordinance formulation;
2. Representative of the Ministry of Justice presents the appraisal report;
3. Representatives of agencies and organizations that attend the meeting offer their opinions;
4. The Government discusses and vote for the policies in each request for law/ordinance formulation. A policy shall be ratified when it is voted for by more than half of the Government members;
5. The Government shall issue a resolution on the request for law/ordinance formulation with the ratified policies.

**Article 42. Revising and sending application for formulation of law/ordinance to be submitted by the Government**

The Ministry or ministerial agency that makes the request for law/ordinance formulation shall cooperate with relevant agencies in completing the application for law/ordinance formulation based the Government's resolution and send it to the Ministry of Justice in order to make the Government's proposals for law/ordinance formulation program.

**Article 43. Making the Government's proposals for law/ordinance formulation program**

1. The Government shall make and submit proposals for law/ordinance formulation program to Standing Committee of the National Assembly.

The Ministry of Justice shall assist the Government in making proposals for law/ordinance formulation program based on the requests for law/ordinance formulation approved by the Government.

2. The Government considers and discusses the proposals for law/ordinance formulation program in the following order:

- a) Representative of the Ministry of Justice presents the draft proposals for law/ordinance formulation program;

- b) Representatives of attending agencies and organizations offer their opinions;

c) The Government discusses;

d) The Government cast vote on the proposals for law/ordinance formulation program. The Government's request for law/ordinance formulation program is approved when they are voted for by more than half of the Government members.

**Article 44. The Government offering opinions about request for law/ordinance formulation not submitted by the Government and law/ordinance proposals**

1. With regard to request for formulation of a law/ordinance not submitted by the Government and law/ordinance proposals, the agency, organization, or deputy of the National Assembly shall send the application for law/ordinance formulation or the written law/ordinance proposal prescribed in Article 37 of this Law to the Government for offering opinions before submitting it to Standing Committee of the National Assembly.

The Government shall give a written response within 30 days from the receipt of the application or proposal.

2. The Ministry of Justice shall take charge and cooperate with other Ministries, ministerial agencies in offering the Government's opinions about the request for formulation of the law/ordinance not submitted by the Government and law/ordinance proposal for the Government to discuss.

3. The Government shall consider and discuss the request for formulation of the law/ordinance not submitted by the Government and law/ordinance proposal in the following order:

a) Representative of the Ministry of Justice presents the draft opinions of the Government;

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

c) The Government discusses;

d) The Prime Minister draws a conclusion.

4. The Ministry of Justice shall revise the Government's opinions based on the Prime Minister's conclusion, and then submit them to the Prime Minister for consideration and decision.

**Article 45. Responsibility for making, considering, and approving request for formulation of law/ordinance not submitted by the Government**

1. The President, Standing Committee of the National Assembly, Ethnic Council, Committees of the National Assembly, the Government, the People's Supreme Court, the People's Supreme Procuracy, State Audit Office of Vietnam, President of Central Committee of Vietnamese Fatherland Front, heads of central agencies of associate organizations of Vietnamese Fatherland Front shall direct the formulation of law/ordinance; assign an agency or unit in charge of making the request.

2. The assigned agency/unit shall perform the tasks mentioned in Article 34 of this Law.

With regard to the request for law/ordinance formulation of the People's Supreme Court or the Supreme People's Procuracy, the assigned unit shall seek opinions from the Judge Council of the People's Supreme Court and Control Committee of the People's Supreme Procuracy before reporting to the executive judge of the People's Supreme Court or the Chief Procurator of the Supreme People's Procuracy.

3. Standing Committee of the National Assembly, Ethnic Council, Committees of the National Assembly, Central Committee of Vietnamese Fatherland Front, central agencies of associate organizations of Vietnamese Fatherland Front shall hold a meeting to consider approving the request for law/ordinance formulation in the following order:

a) Representative the assigned agency or unit presents the description of the request for law/ordinance formulation;

b) Representative of the Government offers opinions about the request for law/ordinance formulation;

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

d) Standing Committee of the National Assembly, Ethnic Council, Committees of the National Assembly, Central Committee of Vietnamese Fatherland Front, central agencies of associate organizations of Vietnamese Fatherland Front cast votes on proposed policies in the request for law/ordinance formulation. The polices shall be ratified when they are voted for by more than half of the members of Standing Committee of the National Assembly, Ethnic Council, Committees of the National Assembly, Central Committee of Vietnamese Fatherland Front, central agencies of associate organizations of Vietnamese Fatherland Front.

4. The President, executive judge of the People's Supreme Court, Chief Procurator of the Supreme People's Procuracy, and State Auditor General shall consider approving request for law/ordinance formulation in the following order:

a) The assigned agency/unit submits a report on the request for law/ordinance formulation to the President, executive judge of the People's Supreme Court, Chief Procurator of the Supreme People's Procuracy, and State Auditor General;

b) The President, executive judge of the People's Supreme Court, Chief Procurator of the Supreme People's Procuracy, and State Auditor General consider the request for law/ordinance formulation.

5. Every deputy of the National Assembly may make requests for law/ordinance formulation themselves or request a competent authority to assist them in doing so. If assistance from a competent authority is requested, the deputy of the National Assembly shall consider submitting the request for law/ordinance formulation in the following order:

a) The agency assisting the deputy of the National Assembly in making the request for law/ordinance formulation submit a report on the request for law/ordinance formulation to other deputies of the National Assembly.

b) Other deputies of the National Assembly consider submitting the request for law/ordinance formulation.

#### **Article 46. Time limit and application for law/ordinance formulation and written law/ordinance proposal**

1. Not later than the 1<sup>st</sup> of March of the previous year, the request for law/ordinance formulation or law/ordinance proposal must be sent to Standing Committee of the National Assembly in order to plan the preliminary law/ordinance formulation program, and to Legal Committee of the National Assembly for inspection.

2. Applications for law/ordinance formulation and law/ordinance proposals of deputies of the National Assembly shall be sent to Standing Committee of the National Assembly as follows:

a) With regard to the Government's proposals for law/ordinance formulation program, documents include the description of the Government, the preliminary program, and electronic copies of the documents mentioned in Clause 1 Article 37 of this Law;

b) With regard to requests for law/ordinance formulation of other agencies, organizations, and deputies of the National Assembly, documents include those mentioned in Point a Clause 1 Article 37 of this Law and the Government's opinions about the request for law/ordinance formulation enclosed with electronic copies of other documents mentioned in Article 37 of this Law.

With regard to law/ordinance proposals of deputies of the National Assembly, documents include the law/ordinance proposal and the Government's opinions about the law/ordinance proposal.

#### **Article 47. Inspecting requests for law/ordinance formulation and law/ordinance proposals**

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

The inspection shall focus on their necessity, scope, regulated entities, basic policies, uniformity, feasibility, order of priority, and conditions for formulating and implementing the documents .

2. Ethnic Council, Committees of the National Assembly shall cooperate with Legal Committee in inspecting requests for law/ordinance formulation, law/ordinance proposals, and offer opinions about their necessity, policies, order of priority for submitting law/ordinance projects within their competence.

#### **Article 48. Planning preliminary law/ordinance formulation program**

1. Standing Committee of the National Assembly shall consider requests for law/ordinance formulation and law/ordinance proposals in the following order:

a) The representative of the Government presents the description of the Government's proposals for law/ordinance formulation program and opinions about the request for formulation law/ordinance not submitted by the Government, law/ordinance proposals

Representatives of other agencies, organizations, and deputies of the National Assembly may be requested to offer their opinions about their requests for law/ordinance formulation and law/ordinance proposals;

b) The representative of the Legal Committee presents the inspection report;

c) Participants offer their opinions;

d) Standing Committee of the National Assembly discusses;

dd) Representatives of the Government, other agencies, organizations, and deputies of the National Assembly who make requests for law/ordinance formulation and law/ordinance proposals may raise additional issues at the meeting;

e) The chair draws a conclusion.

2. Based on the requests for law/ordinance formulation made by agencies, organizations, deputies of the National Assembly, law/ordinance proposals of deputies of the National Assembly, and opinions of Legal Committee, Standing Committee of the National Assembly shall plan a preliminary law/ordinance formulation program and submit it to the National Assembly for consideration and decision.

Documents about the preliminary law/ordinance formulation program planning include an description, draft resolution of the National Assembly on law/ordinance formulation program, and electronic of the documents mentioned in Clause 2 Article 46 of this Law. The preliminary law/ordinance formulation program planning must be posted on the information portal of the National Assembly.

3. Legal Committee shall take charge and cooperate with relevant agencies in assisting Standing Committee of the National Assembly in planning the preliminary law/ordinance formulation program.

#### **Article 49. Procedures for considering and approving the preliminary law/ordinance formulation program**

1. The National Assembly shall consider approving the preliminary law/ordinance formulation program in the following order:

a) Representatives of Standing Committee of the National Assembly present the description of the preliminary law/ordinance formulation program;

b) The National Assembly discusses the preliminary law/ordinance formulation program at the general meeting. Before being discussed at the general meeting, the preliminary law/ordinance formulation program may be discussed by groups of deputies of the National Assembly.

c) After the preliminary draft law/ordinance formulation program is discussed by the National Assembly, Standing Committee of the National Assembly shall request Legal Committee to take charge and cooperate with representatives of the Government and relevant organizations in revising the draft resolution of the National Assembly about law/ordinance formulation program and make a feedback and revision report;

d) Standing Committee of the National Assembly submits a report on revisions to resolution of the National Assembly on law/ordinance formulation program to the National Assembly;

dd) The National Assembly casts votes on a resolution of the National Assembly on law/ordinance formulation program.

2. The resolution on law/ordinance formulation program must specify the name of the law/ordinance project and intended time for submitting it to Standing Committee of the National Assembly for consideration and approval.

#### **Article 50. Execution of law/ordinance formulation program**

1. Standing Committee of the National Assembly shall direct and deploy the execution of law/ordinance formulation program by performing the following tasks:

a) Assign agencies, organizations, and members to submit law/ordinance projects, draft resolutions; presiding and cooperating agencies in charge of inspecting law/ordinance projects and draft resolutions.

In case the law project or resolution of the National Assembly is submitted by Standing Committee of the National Assembly, the National Assembly shall decide the inspecting agency or establish a provisional inspecting committee.

In case the law/ordinance project or resolution is submitted by Ethnic Council or Committees of the National Assembly, Standing Committee of the National Assembly shall decide the inspecting agency;

b) Establish a drafting board of the law/ordinance project or draft resolution in accordance with Clause 1 Article 52 of this Law;

c) Decide the schedule for formulating the law/ordinance project and specific measures for ensuring execution of law/ordinance formulation program.

2. Legal Committee shall assist Standing Committee of the National Assembly in organizing execution of law/ordinance formulation program.

3. The Ministry of Finance shall submit a presiding drafting agency and cooperating agencies to the Prime Minister for consideration and assist the Prime Minister in urging the drafting of law/ordinance projects and resolutions submitted by the Government.

#### **Article 51. Adjustments to law/ordinance formulation program**

1. Standing Committee of the National Assembly shall decide adjustments to law/ordinance formulation program itself or at the request of the agency/organization/deputies of the National Assembly who submit the law/ordinance project in the following cases:

a) Remove from the program the law/ordinance projects that are unnecessary because of socio-economic changes or necessary change of proposal time;

b) Include in the program law/ordinance projects necessary for socio-economic development, national defense and security, protection of life and property of the people; law/ordinance projects that need adjusting to new documents to ensure uniformity of the legal system or implement the international agreements to which the Socialist Republic of Vietnam is a signatory.

The inclusion shall comply with Articles from 32 to 42, Articles 44, 45, 47, and Clause 1 Article 48 of this Law.

2. Standing Committee of the National Assembly shall submit a report to the National Assembly at the nearest meeting on adjustments to the law/ordinance formulation program.

## **Section 2. DRAFTING LAWS, ORDINANCES, AND RESOLUTIONS**

### **Article 52. Establishment of Drafting Board and appointment of agencies in charge of drafting laws and resolutions of the National Assembly, ordinances and resolutions of Standing Committee of the National Assembly**

1. Standing Committee of the National Assembly shall establish a Drafting Board and appoint an agency in charge of drafting (hereinafter referred to as drafting agency) in the following cases:

a) The law/ordinance project or draft resolution involves multiple fields and sectors;

b) The law project or draft resolution is submitted by Standing Committee of the National Assembly;

c) The law/ordinance project or draft resolution is submitted by a deputy of the National Assembly, the Drafting Board composition is decided by Standing Committee of the National Assembly at the request of the deputy of the National Assembly.

2. If the law/ordinance project or draft resolution is submitted by the Government, the Prime Minister shall appoint a Ministry or ministerial agency as the drafting agency which will establish a Drafting Board, except for the case in Point a Clause 1 of this Article.

3. If the law/ordinance project or draft resolution is submitted by another agency or organization, such agency or organization shall establish a Drafting Board and take charge of the drafting, except for the case in Point a Clause 1 of this Article.

### **Article 53. Composition of Drafting Board**

1. The chief of the Drafting Board is the head of the drafting agency; other members are representatives of the drafting agency, relevant agencies, experts, and scientists. The Drafting Board of a law/ordinance project or draft resolution submitted by the Government must have members being representatives of the Ministry of Justice and Government Office. A Drafting Board must have at least 9 people.

2. Members of the Drafting Board who are experts and scientists must be conversant with the technical issues of the project or draft, and is able to participate in every activity of the Drafting Board.

#### **Article 54. Duties of Drafting Board, chief and members of Drafting Board**

1. The Drafting Board shall organize the drafting and take responsibility to the drafting agency for the quality, punctuality of drafting the law/ordinance project or draft resolution to the.

2. Duties of the Drafting Board:

- a) Consider approving detailed outline of the draft law, ordinance, or resolution;
- b) Discuss contents of the draft document, report, description, revision report from other organizations and individuals;
- c) Ensure that regulations of the draft is conformable with policies of Communist Party; ensure the constitutionality, legitimacy, and consistency of the draft document with the legal system; ensure the feasibility of the document.

3. Duties of chief of the Drafting Board:

- a) Establish an editor team which assists the Drafting Board; direct the editor team to edit and revise the draft document;
- b) Hold meetings and organize other activities of the Drafting Board;
- c) Give specific tasks to members of the Drafting Board.

4. Members of the Drafting Board must attend every meeting of the Drafting Board, take responsibility for the quality, constitutionality, legitimacy, uniformity, and feasibility of the assigned contents in the draft document, the punctuality of the draft document formulation. Any member who cannot attend a meeting because of some objective reason must offer his/her opinions in writing.

#### **Article 55. Duties of the drafting agency**

1. Organize the formulation of the law/ordinance project or draft resolution according to the purposes, requirements, scope, and policies provided in the application for law/ordinance formulation; take responsibility for the quality, punctuality of the drafting of the law/ordinance project or draft resolution to the agency or organization that submits the project or draft document (hereinafter referred to as submitting agency)



2. Prepare the draft, description, and documents related to the project or draft document.
3. Seek opinions about the project or draft document from relevant agencies, organizations, and individuals; post the project or draft document on the information portal prescribed in Point a Clause 1 Article 36 of this Law and that of the drafting agency; receive, consider, explain, aggregate opinions; post the explanatory report and the revised draft document on the information portal prescribed in Point a Clause 1 Article 36 of this Law and that of the drafting agency.
4. Receive and consider appraisal opinions or opinions of the Government about the project or draft document which is not submitted by the Government.
5. Prepare explanation for new policies to be added to the project or draft document in order to submit them to a competent organization or deputy of the National Assembly for consideration.
6. Anticipate the content of the draft law, ordinance, or resolution; submit a drafting agency which elaborate certain articles, clauses, paragraphs of the draft law, ordinance, or resolution
7. If the project or draft document is submitted by Standing Committee of the National Assembly or by a deputy of the National Assembly, the drafting agency appointed by Standing Committee of the National Assembly or the deputy of the National Assembly must report the drafting progress to 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.

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.

**Article 56. Duties of agency, organization, or deputy of the National Assembly who submits the law/ordinance project or draft resolution**

1. The agency, organization, or deputy of the National Assembly who submits the law/ordinance project or draft resolution (hereinafter referred to as submitting entity) has the following duties:

- a) Direct the drafting agency during the drafting process.

If the project or draft document is prepared by the deputy of the National Assembly himself/herself, he/she may request the Office of the National Assembly, Office of National Assembly Delegation, Legislative Research Institute, and relevant organizations to support during the drafting process;

- b) Consider submitting the project or draft document to the National Assembly or Standing Committee of the National Assembly; if the submission of the project or draft document

has to be delayed, an explanation must be sent to Standing Committee of the National Assembly for consideration.

2. If the law/ordinance project or draft resolution is not submitted by the Government, the submitting entity must send a dossier on the project or draft document to the Government for opinions at least 40 days before the first meeting date of Standing Committee of the National Assembly.

#### **Article 57. Seeking opinions about law/ordinance project or draft resolution**

1. During the drafting process, the agency or deputy of the National Assembly in charge of drafting must seek opinions from the entities under the direct impact of the document and relevant organizations; specify the issues that need opinions and address for receipt of opinions; post the entire draft document and description on the information portal of the drafting agency mentioned in Point a Clause 1 Article 36 of this Law for at least 60 days in order to receive opinions, except for those promulgated under simplified procedures. If the drafting agency revises the draft document while it is open for comments, the revised one must be posted.

In case of seeking opinions in writing, the enquired organizations must give written responses within 20 days from the receipt of the request.

2. Apart from posting the draft document as prescribed in Clause 1 of this Article, opinions may be obtained by asking directly, sending the draft document, holding discussions, or using the media.

3. The drafting agency shall receive, consider the opinions, publish the explanation and feedbacks on the information portal of the Government and of themselves.

4. If the project or draft document is prepared by a deputy of the National Assembly the Office of the National Assembly, Office of National Assembly Delegation, Legislative Research Institute shall conduct the enquiry as prescribed in this Article.

#### **Article 58. Appraising law/ordinance project or draft resolution submitted by the Government**

1. The Ministry of Justice shall appraise the law/ordinance project or draft resolution before it is submitted to the Government.

If the project or draft document prepared by the Ministry of Justice is complicated and involves various fields or sectors, the Minister of Justice shall establish an appraisal council which consists of representatives of relevant organizations, experts, and scientists.

2. Documents sent to the appraising agency include:

a) A description of the project or draft document to the Government;

b) The draft document;

c) An assessment of administrative procedures in the project or draft document (if any);

- d) Report on integration of gender equality in the project or draft document (if any);
- dd) A report on receipt of opinions; photocopies of enquiry sheets sent by Ministries and ministerial agencies;
- e) 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 conformity of the draft document with purposes, requirements, scope, and proposed policies in the request for law/ordinance formulation which was approved;
- b) The constitutionality, legitimacy, and consistency of the draft document with regard to the legal system; the compatibility of the draft document with relevant international agreements to which Socialist Republic of Vietnam is a signatory;
- c) Necessity, reasonability, and costs of administrative procedures (if any) in the draft document;
- d) Necessary human resources and financial resources to ensure implementation of the legislative document;
- dd) Integration of gender equality in the draft document (if any);
- e) Language, format, and drafting process of the document.

If necessary, the appraising agency shall request the drafting agency to report the issues related to the project or draft 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 project or draft document is satisfactory enough to be submitted to the Government. If the Ministry of Justice concludes that the project or draft document is not satisfactory enough, documents shall be returned to the drafting agency to keep revising and completing the project or draft document.

The appraisal report must be sent to the drafting agency within 20 days from the day on which the application for appraisal is received.

5. The drafting agency must receive and consider opinions provided by the appraising agency to revise and complete the project or draft document, send a report together with the revised draft document to the appraising agency when submitting the law/ordinance project or draft resolution to the Government.

#### **Article 59. Documents about law/ordinance project and draft resolution submitted to the Government**

- 1. A description of the project or draft document to the Government.

2. The draft document.
3. Report on appraisal and receipt of opinions from the appraising agency.
4. Assessment of administrative procedures in the project or draft document (if any).
5. Report on integration of gender equality in the project or draft document (if any).
6. Report on receipt and explanation of opinions.
7. Other documents (if any).

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

#### **Article 60. Revising, completing law/ordinance project and draft resolution before being submitted to the Government**

If there are conflicting opinions between Ministries and ministerial agencies about the project or draft document, the Ministers and Chief of Office of the Government shall convene a meeting with representatives of the drafting agency, the Ministry of Justice, relevant Ministries and ministerial agencies in order to reach a consensus before submitting the project or draft document to the Government for consideration. Based on the opinions given at the meeting, the drafting agency shall cooperate with relevant agencies in revising and completing the project or draft document in order to be submitted to the Government.

#### **Article 61. The Government considering submission of law/ordinance project and draft resolution**

1. The Government shall consider, discuss, and cast votes on proposal of the project or draft document at the meeting of the Government in the following order:

- a) The representative of the drafting agency presents the project or draft document, explanation and receipt of opinions from the appraising agency;
- b) The representative of the appraising agency talks about receipt of opinions from the appraising agency by the drafting agency;
- d) The representative of Office of the Government presents issues of the project or draft document that raise dissenting opinions;
- d) The Government discusses;
- dd) The Government cast votes on proposal of the project or draft document.

2. If the Government does not approve the proposal of project or draft document, the Prime Minister shall impose a deadline for reconsidering the project or draft document.

#### **Article 62. The Government giving opinions about law/ordinance projects and draft resolutions not submitted by the Government**

1. With regard to the law/ordinance projects and draft resolutions not submitted by the Government, Standing Committee of the National Assembly, the submitting entity must send the following documents to the Government for opinions before they are submitted to the National Assembly:

- a) A description of the project or draft document submitted to the National Assembly and Standing Committee of the National Assembly;
- b) The draft document;
- c) Report on receipt and explanation of opinions; photocopy 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.

2. The Government shall give written responses within 20 days from the receipt of the documents and clearly state that whether or not the project or draft document is satisfactory enough to be submitted to the National Assembly or Standing Committee of the National Assembly.

3. The Ministries and ministerial agencies appointed by the Prime Minister shall offer their opinions and cooperate with the Ministry of Justice in anticipating the issues that need opinions, then submit them to the Government for consideration.

### **Section 3. INSPECTION OF LAW/ORDINANCE PROJECTS AND DRAFT RESOLUTIONS**

#### **Article 63. Inspection of law/ordinance projects and draft resolutions by Ethnic Council and Committees of the National Assembly**

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

The inspecting agency is in charge of inspecting the projects and draft documents within their competence, and other projects, draft documents assigned by the National Assembly or Standing Committee of the National Assembly; participate in inspection of projects and draft documents by other agencies of the National Assembly as assigned by Standing Committee of the National Assembly.

2. The inspecting agency shall invite the Standing Legal Committee, Standing Social Affairs Committee, and other agencies to attend the inspection meeting and provide opinions about the project or draft document related to their fields and other issues of the project or draft document.

3. The inspecting agency may invite representatives of relevant organizations, experts, scientists, and representatives of entities under the impact of the document to attend the meeting it holds to offer opinions about relevant contents of the project or draft document.

4. The inspecting agency is entitled to request the submitting entity to report, provide explanation, information and documents about relevant contents of the project or draft document; organize conferences and surveys about issues of the project or draft document itself or in cooperation with the drafting agency.

Other agencies, organizations, and individuals are responsible for providing information, documents, and comply with other request of the inspecting agency.

#### **Article 64. Deadlines for sending documents about the law/ordinance project or draft resolution for inspection**

1. Documents about the project or draft document to be inspected include:

a) A description of the project or draft document submitted to the National Assembly and Standing Committee of the National Assembly;

b) The draft document;

c) Report on appraisal if the project or draft document is submitted by the Government; opinions of the Government if the project or draft document is not submitted by the Government; report receipt and explanation of opinions; photocopy of enquiry sheets;

d) Reports on law implementation, assessment of social relationships related to main contents of the project or draft document, report on impact of policies in the project or draft document;

dd) Report on integration of gender equality in the project or draft document (if any);

e) The draft of the elaborating document and 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.

2. Documents about the project or draft document to be submitted to Standing Committee of the National Assembly must be sent by the submitting entity to the inspecting authority, Legal Committee, Social Affairs Committees, and other participating agencies for inspection at least 20 days before the opening date of the meeting of Standing Committee of the National Assembly,

Documents about the project or draft document to be submitted to the National Assembly must be sent by the submitting entity mentioned in Clause 1 of this Article to the inspecting authority, Legal Committee, Social Affairs Committees, and other participating agencies for inspection at least 30 days before the first meeting date of the National Assembly.

3. The inspecting agency shall not carry out the inspection if documents are not sufficient or not sent on schedule as prescribed in Clause 1 and Clause 2 of this Article.

#### **Article 65. Contents of inspection of law/ordinance projects and draft resolutions**

The inspection shall focus on:

1. Scope and regulated entities of the document;
2. Contents of the draft document and controversial issues; assignment and preparation of elaborating documents (if any);
3. Conformity of the draft document with policies of Communist Party; constitutionality, legitimacy, and consistency of the draft document with regard to the legal system; the compatibility of the draft document with relevant international agreements to which Socialist Republic of Vietnam is a signatory;
4. Feasibility of regulations in the draft document;
5. Necessary human resources and financial resources to ensure implementation of the legislative document;
6. Integration of gender equality in the draft document (if any);
7. Language, format, and drafting process of the document.

If necessary, the inspecting agency shall request the submitting agency to report the issues related to contents of the project or draft document.

#### **Article 66. Method for inspecting law/ordinance projects and draft resolutions**

1. The inspecting agency shall hold a general meeting; a meeting with Standing Ethnic Council and Standing Committee may be held before submitting the project or draft document to the National Assembly.
2. The inspecting agency shall invite participating agencies to participate in the meeting.

#### **Article 67. Report on inspection of law/ordinance project or draft resolution**

1. The inspection report must contain the opinions of the inspecting agency about the issues mentioned in Article 65 of this Law and necessary amendments.
2. The inspection report must reflect opinions of members of inspecting agency and the inspecting agency itself about contents of the project or draft document, and whether or not the project of investment is satisfactory enough to be submitted to Standing Committee of the National Assembly or the National Assembly.

If the Ministry of Justice concludes that the project or draft document is not satisfactory enough, documents shall be returned to the submitting agency to keep revising and completing the project or draft document.

**Article 68. Responsibility of Legal Committee for assurance of constitutionality, legitimacy, and consistency of law/ordinance projects and draft resolutions with the legal system**

1. Legal Committee has the responsibility to participate in the inspections of projects and draft documents carried out by other agencies of the National Assembly in order to ensure their constitutionality, legitimacy, and consistency with the legal system.
2. Legal Committee shall hold a meeting with the standing committee or with the whole committee to offer opinions and appoint representatives to participate in the inspection meeting held by the inspecting agency.
3. Contents of the inspection for assurance of constitutionality, legitimacy, and consistency of the project or draft document with the legal system include:
  - a) Conformity of regulations of the draft law or resolution of the National Assembly with the Constitution; conformity of regulations of the draft ordinance or resolution of Standing Committee of the National Assembly with the Constitution, laws, and resolutions of the National Assembly;
  - b) Consistency between regulations of the draft law or resolution of the National Assembly with other laws and resolutions of the National Assembly; between regulations of the draft ordinance or resolution of Standing Committee of the National Assembly with other ordinances and resolutions of Standing Committee of the National Assembly, among regulations of the draft law, ordinance, or resolution itself; and consistency of document format.

**Article 69. Responsibility of Social Affairs Committee for inspecting integration of gender equality in law/ordinance projects and draft resolutions**

1. Social Affairs Committee has the responsibility to participate in inspections of projects and draft documents carried out by other agencies of the National Assembly in order to ensure integration of gender equality in the project or draft document (if any).
2. Social Affairs Committee shall hold a meeting with the standing committee or with the whole committee to offer opinions and appoint representatives to participate in the inspection meeting held by the inspecting agency.
3. Contents of inspection of integration of gender equality include:
  - a) Determination of gender issue in the project or draft document;
  - b) Ensure the observance of gender equality principles of the project or draft document;
  - c) Compliance to procedures for assessing integration of gender equality in the project or draft document;
  - d) Feasibility of regulations in the draft document to ensure gender equality.



## **Section 4. Standing Committee of the National Assembly offering opinions about law projects and draft resolutions of the National Assembly**

### **Article 70. Deadline for sending documents to Standing Committee of the National Assembly for opinions**

At least 07 days before the opening date of meeting of Standing Committee of the National Assembly, the submitting entity must send the documents mentioned in Clause 1 Article 64 of this Law to Standing Committee of the National Assembly for opinions.

The draft document, description, and report on inspection of the project or draft document shall be posted on the information portal of the National Assembly.

### **Article 71. Procedures for Standing Committee of the National Assembly to offer opinions about law projects and draft resolutions of the National Assembly**

1. Depending on the characteristics and contents of the law project or draft resolution of the National Assembly, Standing Committee of the National Assembly may offer opinions once or many times.

2. Standing Committee of the National Assembly shall offer opinions in the following order:

a) The representative of the submitting entity presents primary contents of the project or draft document.

The representative of the Government offers opinions about the project or draft document that is not submitted by the Government;

b) The representative of the inspecting agency presents the report on inspection and put forward issues for the National Assembly to discuss;

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

d) Standing Committee of the National Assembly discusses;

dd) The chair draws a conclusion.

### **Article 72. Revising law projects and draft resolutions of the National Assembly according to opinions of Standing Committee of the National Assembly**

1. The submitting entity shall consider opinions offered by Standing Committee of the National Assembly to revise the project or draft document.

If the project or draft document is submitted by the Government, the person appointed by the Prime Minister shall cooperate with the Ministry of Justice in considering opinions and revising the project or draft document. A report may be submitted to the Prime Minister for consideration if necessary.

2. If the submitting entity does not concur with opinions offered by Standing Committee of the National Assembly, a report shall be submitted to the National Assembly for consideration.

## **Section 5. DISCUSSING, REVISING, APPROVING LAW/ORDINANCE PROJECTS AND DRAFT RESOLUTIONS**

### **Article 73. Considering approval for law/ordinance projects and draft resolutions**

1. The National Assembly shall consider approving a law project or draft resolution after one or two meetings of the National Assembly; if the law project is large and have complicated clauses, the National Assembly may consider approving it after three meetings.

At least 20 days before the first meeting date of the National Assembly, projectdocuments and draftdocuments submitted to the National Assembly must be sent to all deputies of the National Assembly.

2. Standing Committee of the National Assembly shall consider approving a law project or draft resolution after one or two meetings of Standing Committee of the National Assembly.

At least 20 days before the opening date of meeting of Standing Committee of the National Assembly, projectdocuments and draftdocuments must be sent to all members of Standing Committee of the National Assembly.

3. Projectdocuments and draftdocuments submitted to the National Assembly or Standing Committee of the National Assembly are those mentioned in Clause 1 Article 64 of this Law and the report on inspection of the project or draft document.

Descriptions, draftdocuments , and inspection reports must be sent in writing; otherdocuments may be sent electronically.

### **Article 74. Procedures for considering approval for a law project or draft resolution after one meeting of the National Assembly**

The National Assembly shall consider approval for a law project or draft resolution after one meeting of the National Assembly in the following order:

1. The representative of the submitting entity presents the project or draft document;

2. The representative of the inspecting agency presents the inspection report;

3. The National Assembly discusses basic contents, major and controversial issues of the project or draft document at the general meeting. Before being discussed at the general meeting, the project or draft document may be discussed by groups of deputy 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 important, major, and controversial issues of the project or draft document at the request of Standing Committee of the National Assembly.

The inspecting agency shall take charge and cooperate with the submitting entity, the secretary general of the National Assembly, and relevant organizations in assisting Standing Committee of the National Assembly in anticipating important, major and controversial issues of project or draft document to be voted by the National Assembly;

6. After the project or draft document is discussed by deputy of the National Assembly, Standing Committee of the National Assembly shall organize the revision of the draft document in the following order:

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

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

7. Standing Committee of the National Assembly reports the draft document revision to the National Assembly.

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

8. The National Assembly cast 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;

9. President of the National Assembly signs the law or resolution of the National Assembly.

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 Standing Committee of the National Assembly.

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

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

1. At the first meeting:

a) The representative of the proposing entity presents the project or draft document;

- b) The representative of the inspecting agency presents the inspection report;
- c) the National Assembly discusses the basic contents and issues in dispute of the project or draft document at the general meeting. Before being discussed at the general meeting, the project or draft document may be discussed at by groups of deputies of the National Assembly .

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

- d) The National Assembly casts votes on important, major, and controversial issues of the project or draft document at the request of Standing Committee of the National Assembly.

The inspecting agency shall take charge and cooperate with the agency, organization, or member of the submitting entity, the secretary general of the National Assembly, and relevant organizations in assisting Standing Committee of the National Assembly in anticipating important, major and controversial issues of project or draft document to be voted by the National Assembly;

- dd) Standing Committee of the National Assembly requests the secretary general of the National Assembly to aggregate opinions offered by deputies of the National Assembly and enquiry sheets as the basis for revision;

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

- a) The inspecting agency cooperates with the submitting entity, Standing Legal Committee, the Ministry of Justice, and relevant organizations in revising the draft document and making a revision report. The inspecting agency holds a meeting with the submitting entity, Standing Legal Committee, the Ministry of Justice, and relevant organizations to discuss the draft revision report and the revised draft document;

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

- c) Standing Committee of the National Assembly sends the revised draft document and revision report to deputy of the National Assembly, Ethnic Committee, and other Committees of the National Assembly at least 45 days before the first meeting date of the National Assembly.

- c) Standing Committee of the National Assembly sends the revised draft document and revision report to deputy of the National Assembly, Ethnic Committee, and other Committees of the National Assembly at least 20 days before first meeting date of the National Assembly.

- d) The inspecting agency aggregate opinions offered by deputies of the National Assembly, Ethnic Committees, and other Committees of the National Assembly to

cooperate with the submitting entity in revising the draft document and complete the revision report to be submitted to Standing Committee of the National Assembly;

3. At the second meeting:

a) The representative of Standing Committee of the National Assembly presents the revision report.

If the submitting entity has dissenting opinions about the project 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 of the project or draft document;

c) Standing Committee of the National Assembly directs the revision of the draft document;

d) At least 07 days before it is put to the vote, the draft document must be sent to the Standing Legal Committee to review and complete the format. Standing Legal Committee shall take charge and cooperate with the inspecting agency, representatives of the submitting entity in reviewing the constitutionality, legitimacy, and consistency of the draft document with the legal system;

dd) The National Assembly cast 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;

e) President of the National Assembly signs the law or resolution of the National Assembly.

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 Standing Committee of the National Assembly.

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

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

1. At the first meeting, the procedures for considering and discussing the law project are the same as those in Clause 1 Article 75 of this Law;

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

a) The submitting entity cooperates with the inspecting agency, Legal Committee, the Ministry of Justice, and relevant organizations in revising the draft document and making a revision report;

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

c) The inspecting agency inspects the revised law project;

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

3. At the second meeting:

a) The representative of the submitting entity presents the revision report and result of public enquiry into the law project (if any).

b) The representative of the inspecting agency presents the report on inspection of the revised law project;

c) The National Assembly discusses the law project at the general meeting. Before being discussed at the general meeting, the law project discussed by groups of deputies of the National Assembly;

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

d) The National Assembly cast votes on important, major, and issues in dispute of the law project at the request of Standing Committee of the National Assembly.

The inspecting agency shall take charge and cooperate with the submitting entity, the secretary general of the National Assembly, and relevant organizations in assisting Standing Committee of the National Assembly in anticipating important, major and issues in dispute of law project to be put on the vote by the National Assembly;

dd) Standing Committee of the National Assembly requests the secretary general of the National Assembly to aggregate opinions offered by deputies of the National Assembly and votes as the basis for revision;

4. During the interval between the second and third meetings of the National Assembly, Standing Committee of the National Assembly shall direct the revision of the draft document in the following order:

a) The submitting entity cooperates with the inspecting agency, Legal Committee, the Ministry of Justice, and relevant organizations in revising the draft document and making a revision report. The inspecting agency holds a meeting with the submitting entity, Legal Committee, the Ministry of Justice, and relevant organizations to discuss the draft revision report and the revised draft document;

b) Standing Committee of the National Assembly considers and discusses the draft revision contract and revised draft document; If the submitting entity does not concur with the inspecting agency with regard to revision of the draft document, the representative of the submitting entity shall submit a report to Standing Committee of the National Assembly for consideration;

c) Standing Committee of the National Assembly sends the revised draft document and revision report to deputies of the National Assembly, Ethnic Committee, and other Committees of the National Assembly at least 45 days before the first meeting date.

c) Standing Committee of the National Assembly sends the revised draft document and revision report to deputy of the National Assembly, Ethnic Committee, and other Committees of the National Assembly at least 20 days before the first meeting date of the National Assembly.

d) The inspecting agency aggregate opinions offered by deputies of the National Assembly, Ethnic Committees, and other Committees of the National Assembly to cooperate with the submitting entity in revising the draft document and complete the revision report to be submitted to Standing Committee of the National Assembly.

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

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

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

1. 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 proposing entity presents the project or draft document;

b) The representative of the inspecting agency presents the inspection report;

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

d) Standing Committee of the National Assembly discusses; the chair draws a conclusion;

a) The inspecting agency cooperates with the submitting entity, Standing Legal Committee, the Ministry of Justice, and relevant organizations in revising the draft document. The inspecting agency holds a meeting with the submitting entity, Standing Legal Committee, the Ministry of Justice, and relevant organizations to discuss the draft revision report and the revised draft document;

e) At least 07 days before it is put to the vote, the draft document must be sent to the Standing Legal Committee to review and complete the format. Standing Legal Committee shall take charge and cooperate with the inspecting agency, representatives of the

submitting entity in reviewing the constitutionality, legitimacy, and consistency of the draft document with the legal system;

g) The representative of the inspecting agency reports the revision of the draft document to Standing Committee of the National Assembly.

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

h) Standing Committee of the National Assembly casts votes on approval for the draft document. If the draft document is still in dispute, Standing Committee of 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;

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

2. Standing Committee of the National Assembly shall consider approval for an ordinance project or draft resolution after two meeting 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. Standing Committee of the National Assembly discusses and cast votes on important, major issues of the project or draft document at the request of the inspecting agency as the basis for revision;

b) During the interval between two meetings, the inspecting agency cooperates with the submitting entity, Standing Legal Committee, the Ministry of Justice, and relevant organizations in revising the draft document as directed by Standing Committee of the National Assembly. The inspecting agency holds a meeting with the submitting entity, Standing Legal Committee, the Ministry of Justice, and relevant organizations to discuss the draft revision report and the revised draft document;

c) At least 05 days before it is put to the vote, the draft document must be sent to the Standing Legal Committee to review and complete the format. Standing Legal Committee shall take charge and cooperate with the inspecting agency, 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 representative of the inspecting agency reports the revision of the draft document to Standing Committee of the National Assembly.

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

dd) Standing Committee of the National Assembly casts votes on approval for the draft document. If the draft document is still in dispute, Standing Committee of 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 Standing Committee of the National Assembly.

**Article 78. Documents about the law/ordinance project or draft resolution submitted to the National Assembly or Standing Committee of the National Assembly for approval**

1. The report on revision of draft document.
2. The revised draft document.

**Article 79. Date of ratification of laws and resolutions of the National Assembly, ordinances and resolutions of Standing Committee of the National Assembly**

The date of ratification of a law or resolution of the National Assembly, ordinance or resolution of Standing Committee of the National Assembly is the day on which such law, ordinance, or resolution is voted for by the National Assembly or Standing Committee of the National Assembly.

**Section 6. ANNOUNCEMENT OF LAWS, ORDINANCES, AND RESOLUTIONS**

**Article 80. Announcement of laws, ordinances, and resolutions**

1. The President shall announce a law or ordinance within 15 days from the day on which it is ratified.

In case the President requests Standing Committee of the National Assembly to consider an ordinance ratified by Standing Committee of the National Assembly as prescribed in Clause 1 Article 8 of the Constitution, the President shall send the written request to Standing Committee of the National Assembly within 10 days from the day on which the ordinance is ratified. Standing Committee of the National Assembly shall reconsider the issues raised by the President at the nearest meeting. After the ordinance is put on the vote and ratified again by Standing Committee of the National Assembly, the President shall announce it within 15 days from the day on which it is ratified again by Standing Committee of the National Assembly. If the President still disagrees, the President shall present the case to the National Assembly for decision at the nearest meeting.

The President shall announce a law or ordinance formulated and promulgated under simplified procedures within 05 days from the day on which it is ratified.

2. Secretary general of the National Assembly shall announce the resolution of the National Assembly, resolution of Standing Committee of the National Assembly within 15 days from the day on which it is ratified.

Secretary general of the National Assembly shall announce the resolution formulated and promulgated under simplified procedures within 05 days from the day on which it is ratified.

**Chapter IV**

## **FORMULATION, PROMULGATION OF LEGISLATIVE DOCUMENTS OF THE PRESIDENT**

### **Article 81. Formulation and promulgation of orders and decisions of the President**

1. The President shall appoint a drafting agency to draft the order or decision himself/herself or at the request of the Government, the People's Supreme Court, or the People's Supreme Procuracy.
2. The agency appointed by the President shall draft the order or decision.
3. The President may request the drafting agency to discuss important issues of the draft order or decision of the President.
4. Based on the contents of the draft order or decision, the President shall decide whether to post the whole document on the information portal of the drafting agency. The draft order or decision must be posted for at least 60 days, unless it is promulgated under simplified procedures.
5. The drafting agency shall receive opinions from other organizations and individuals to revise the draft order or decision, then submit a report to the President.
6. The President considers signing and promulgating the order or decision.

### **Chapter V**

## **FORMULATION, PROMULGATION OF LEGISLATIVE DOCUMENTS OF THE GOVERNMENT, THE PRIME MINISTER, MINISTERS, AND HEADS OF MINISTERIAL AGENCIES**

### **Section 1. MAKING LIST OF DOCUMENTS ELABORATING LAWS AND RESOLUTIONS OF THE NATIONAL ASSEMBLY, ORDINANCES AND RESOLUTIONS OF STANDING COMMITTEE OF THE NATIONAL ASSEMBLY, ORDERS AND DECISIONS OF THE PRESIDENT**

#### **Article 82. Responsibility to make the list of elaborating documents**

1. The Prime Minister shall direct the making list of documents elaborating laws and resolutions of the National Assembly, ordinances and resolutions of Standing Committee of the National Assembly, orders and decisions of the President which they are assigned to promulgate.
2. The list of elaborating documents issued by the Prime Minister includes Decrees of the Government; Joint Resolutions between the Government and Management Board of Central Committee of Vietnamese Fatherland Front, decisions of the Prime Minister, circulars of Ministers and Heads of ministerial agencies. The list must specify the names of documents, promulgating agencies, basis for promulgation, main contents of documents, and intended promulgation date.

#### **Article 83. Formulation of elaborating documents**

1. The Ministry of Justice shall supervise the promulgation of documents elaborating laws and resolutions of the National Assembly, ordinances and resolutions of Standing Committee of the National Assembly, orders and decisions of the President; send quarterly and annual reports to the Government.

2. Ministers and Heads of ministerial agencies shall formulate and promulgate documents within their competence or request competent authorities to promulgate documents elaborating laws and resolutions of the National Assembly, ordinances and resolutions of Standing Committee of the National Assembly, orders and decisions of the President on the list of elaborating documents ; send quarterly and annual reports on progress of document promulgation to the Ministry of Justice for monitoring and reporting to the Government.

## **Section 2. FORMULATION AND PROMULGATION OF DECREES**

### **Article 84. Request for decree formulation**

1. The request for decree formulation is made in the case of to formulation and promulgation of decrees prescribed in Clause 2 and Clause 3 Article 19 of this Law.

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 Prime Minister for consideration.

3. The request for decree formulation shall be based on:

a) Policies of Communist Party and the State;

b) Action programs of the Government; requirements for management of the Government that must be regulated by decrees;

c) Results of research, arguments, and reality;

d) Commitments in relevant international agreements to which Socialist Republic of Vietnam is a signatory.

### **Article 85. Responsibilities of agencies requesting decree formulation**

1. Reckon up the implementation of regulations of law, assess applicable legal normative documents related to the request for decree formulation; survey, assess social relationships relevant to the request for decree formulation.

Request relevant agencies to assess the implementation of legal normative documents under their management that are related to the request for decree formulation.

2. Conduct study into information, materials, relevant international agreements to which the Socialist Republic of Vietnam is a signatory relevant to the request for decree formulation. Request relevant organizations and individuals to provide documents and information related to the request for decree formulation where necessary.

3. Develop policies proposed in the request for decree formulation; assess the impact of such policies; anticipate necessary resources and conditions for ensuring the implementation of the Decree after it is ratified by the Government.
4. Prepare documents to request decree formulation as prescribed in Article 87 of this Law.
5. Seek opinions from relevant organizations and individuals about the request for decree formulation; receive, consider, explain, and summarize the opinions offered.

#### **Article 86. Seeking opinions about request for decree formulation**

The agency requesting decree formulation has the following responsibilities:

1. The agency that makes the request for decree formulation shall seek opinions from the entities under the direct impact of the proposed policies in the request for decree formulation and relevant organizations; specify the issues that need opinions and address for receipt of opinions; post the entire request for decree formulation on the information portal of the Government and the agency requesting decree formulation for at least 30 days.

In case of seeking opinions in writing, depending on the characteristics and contents of the request for decree formulation, the requesting agency shall send enquiry sheets.

The Ministry of Finance shall offer opinions about financial resources, the Ministry of Home Affairs shall offer opinions about human resources, the Ministry of Foreign Affairs shall offer opinions about compatibility of relevant international agreements to which Socialist Republic of Vietnam is a signatory; the Ministry of Justice shall offer opinions about constitutionality, legitimacy, and uniformity of the request for decree formulation with the legal system;

2. The agency that makes the request for decree formulation shall seek opinions directly, hold conferences and discussions to seek opinions about intended policies in the request for decree formulation;
3. The agency requesting decree formulation shall receive, consider, explain, aggregate opinions; post the explanatory report on the information portal of the Government and the agency requesting decree formulation.

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

1. A description of the request for decree formulation which specifies the necessity of the Decree; purposes and viewpoints on the decree formulation; scope of the decree and regulated entities; purposes, contents of policies in the Decree; solutions for implementing selected policies and explanation; intended time for requesting the Government to consider ratifying it; anticipation of necessary resources and conditions for implementation of the decree.
2. Assessment of impact of each proposed policy which specifies issues to be solved; targets of the policies; solutions for implementation the policies; positive and negative impacts of the policies; costs, benefits of solutions; comparison of costs and benefits of

solutions; selected solution and reason for such selection; assessment of impact of administrative procedures; assessment of gender-related impact (if any).

3. A report on implementation of law or issues related to the policies.
4. A report on receipt and explanation of opinions; photocopy of enquiry sheets.
5. Outline of the draft decree.
6. Other documents (if any).

#### **Article 88. Appraising request for decree formulation**

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.

2. Documents sent to the Ministry of Justice for appraisal include the documents mentioned in Article 37 of this Law.

Documents mentioned in Clause 1 and Clause 2 Article 87 of this Law must be sent in writing, other documents may be sent electronically.

3. The Ministry of Justice shall appraise the request for decree formulation within 20 days from the day on which sufficient documents are received. The appraisal shall focus on:

- a) Necessity of the decree; scope of the decree and regulated entities;
- b) Conformity of the proposed policies with policies of Communist Party and the State;
- c) The constitutionality, legitimacy, and uniformity of policies with the legal system; feasibility and the policies; solutions and conditions for implementation of the proposed policies;
- d) Compatibility of the proposed policies and solutions for implementation thereof with relevant international agreements to which Socialist Republic of Vietnam is a signatory;
- dd) Necessity, reasonability, cost of administrative procedures of proposed policies (if they are related to administrative procedures); integration of gender equality in the request for decree formulation (if they are related to gender equality);
- e) Adherence to procedures for requesting decree formulation.

4. The Ministry of Justice shall decide whether or not the application for decree formulation is satisfactory enough to be submitted to the Government.

5. The appraisal report must be sent to the agency requesting decree formulation within 10 days from the end of the appraisal. The agency requesting decree formulation shall consider the opinions from the appraising agency to revise and complete the application for decree formulation in order to be submitted to the Government.

## **Article 89. The Government considering approval for request for decree formulation**

1. A minister or ministerial agencies shall submit the request for decree formulation to the Government.

2. Documents to be submitted to the Government include:

- a) The revised documents mentioned in Article 87 of this Law;
- b) Report on appraisal and receipt of opinions from the appraising agency;
- c) Other documents (if any).

Documents mentioned in Clause 1 and Clause 2 Article 87 of this Law and Point b of this Clause may be sent in writing, other documents may be sent electronically.

3. Office of the Government shall receive applications for decree formulation of Ministers, ministerial agencies, and bring them up for discussion at meetings of the Government.

4. The Government shall consider approving a request for decree formulation in the following order:

- a) The Decree 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 for request for decree formulation.

5. Based on the discussion and request for decree formulation, Office of the Government shall take charge and cooperate with the Ministry of Justice, the agency requesting decree formulation to draft a resolution on request for decree formulation of the Government and submit it to the Prime Minister for consideration and promulgation.

## **Article 90. Duties of the decree-drafting agency**

1. The decree-drafting agency is responsible to the Government for the contents, quality, progress of decree drafting.

2. Duties of the decree-drafting agency:

- a) Organize the decree drafting based on the policies ratified by the Government in the case mentioned in Clause 2 and Clause 3 Article 19 of this Law; ensure consistency of the elaborating documents with the elaborated document. Assess the impact of policies on the Decree prescribed 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 Standing Committee of the National Assembly, orders and decisions of the President;

b) Request the Ministry or ministerial agency to establish a Drafting Board if necessary. The chief of the Drafting Board is the head or deputy of the Ministry or ministerial agency; other members are representatives of the drafting agency, relevant organizations, experts, and scientists who are conversant with technical issues of the draft Decree and able to participate in every activity of the Drafting Board;

c) Seek opinions, revise the draft decree, make a report on receipt of opinions, and post these documents on the information portal of the Government and of the drafting agency.

### **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.

### **Article 92. Appraising the draft decree**

1. The Ministry of Justice shall appraise the draft decree before it is submitted to the Government.

If the draft decree is complicated and involves various fields or sectors, the Minister of Justice shall establish an appraisal council which consists of representatives of relevant organizations, experts, and scientists.

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 receipt of opinions; photocopies of enquiry sheets sent by Ministries, ministerial agencies, and Governmental agencies;

d) Assessment of administrative procedures in the draft decree (if any); report on integration of gender equality in the draft decree (if any);

dd) 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 constitutionality, legitimacy, and uniformity of the draft decree with regard to the legal system; the compatibility of the draft decree with relevant international agreements to which Socialist Republic of Vietnam is a signatory;

b) The consistency of the draft decree with the elaborated document in the case mentioned in Clause 1 Article 19 of this Law; the consistency of the draft decree with ratified policies in the request for decree formulation in the case mentioned in Clause 2 and Clause 3 Article 19 of this Law;

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

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

dd) Language, format, and drafting process.

4. If necessary, the appraising agency shall request the drafting agency to report the issues related to the draft decree; conduct surveys into issues of the draft decree 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 decree.

5. 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 decree is satisfactory enough to be submitted to the Government.

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

6. The drafting agency must receipt and consider opinions provided by the appraising agency to revise and complete the draft decree, send a report together with the revised draft decree to the appraising agency when submitting the draft decree to the Government.

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

1. A description of the draft decree to the Government.

2. The draft decree.

3. Report on appraisal and receipt of opinions from the appraising agency.

4. A report on receipt of opinions from other agencies, organizations, individuals and entities under the direct impact of the Decree.

5. Assessment of administrative procedures in the draft decree (if any); report on integration of gender equality in the draft decree (if any);

6. A resolution of the Government on ratification of the proposed policies in the cases mentioned in Clause 2 and Clause 3 Article 19 of this Law.

7. Other documents (if any).

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



#### **Article 94. Revising, completing the draft Decree before being submitted to the Government**

If there are conflicting opinions between Ministries and ministerial agencies about the major issues of the draft decree, the Ministers and Chief of Office of the Government shall convene a meeting with representatives of the drafting agency, the Ministry of Justice, relevant Ministries and ministerial agencies to discuss before submitting the draft decree to the Government for consideration. Based on the opinions given at the meeting, the drafting agency shall cooperate with relevant agencies in revising and completing the draft decree in order to be submitted to the Government.

#### **Article 95. Seeking opinions of Standing Committee of the National Assembly about promulgation of decrees**

1. Before promulgating a decree mentioned in Clause 3 Article 19 of this Law, the Government shall seek opinions from Standing Committee of the National Assembly.
2. Documents to be submitted to Standing Committee of the National Assembly include:
  - a) A written request of the Government for promulgation of the decree which specifies its necessity, basic policies and main contents of the draft decree, scope of the decree and regulated entities, issues that need opinions and issues under dispute;
  - b) The draft decree;
  - c) Report on impact of the decree;
  - d) Report on implementation of law or assessment of social relationships related to the main contents of the draft decree;
  - dd) Report on appraisal and receipt of opinions from the appraising agency;
  - e) Other documents (if any).
3. The draft decree must be inspected by Ethnic Council or Committees of the National Assembly before being submitted to Standing Committee of the National Assembly for opinions
4. Standing Committee of the National Assembly shall offer opinions and decide whether to permit the promulgation of the Decree.
5. The Government shall receive opinions of Standing Committee of the National Assembly.

#### **Article 96. Procedures for considering ratification of a draft decree**

The Government shall consider ratifying a draft decree in the following order:

1. The representative of the drafting agency presents the draft decree;

2. The representative of the Ministry of Justice presents the explanation and receipt of opinions from the appraising agency;
3. The representative of Office of the Government raises issues to be discussed;
4. Representatives of agencies and organizations that attend the meeting offer their opinions;
5. The Government discusses.

The drafting agency cooperates with the Ministry of Justice, Government Office, and relevant agencies in revising the draft decree according to opinions of the Government;

6. The Government casts votes on ratification of the draft decree.

If the draft decree is yet to be ratified, the Prime Minister shall direct the revision and impose a deadline for resubmitting the draft decree, and request the drafting agency to complete the draft decree to be submitted to the Government for consideration and ratification.

7. The Prime Minister signs the decree.

### **Section 3. FORMULATION, PROMULGATION OF DECISIONS OF THE PRIME MINISTER**

#### **Article 97. Duties of drafting agency**

1. A Ministry or ministerial agency shall be in charge of drafting the decision of the Prime Minister as assigned by the Prime Minister (hereinafter referred to as drafting agency).

2. Duties of the drafting agency:

- a) Reckon up the implementation of law; survey, assess social relationships; study information, materials, and relevant International Agreements to which Socialist Republic of Vietnam is a signatory;

- b) Assess impact of each policy in the draft decision which specifies issues to be solved; targets of the policies; solutions for implementation the policies; positive and negative impacts of the policies; costs, benefits of solutions; comparison of costs and benefits of solutions; selected solution and reason for such selection; assess impact of administrative procedures and gender-related impact (if any);

- c) Organize the drafting of the decision which is participated by representatives of the Ministry of Justice, Government Office, and relevant organizations; qualified experts and scientists may be invited to participate in the drafting process;

- d) Seek opinions from the entities under the direct impact of the policies in draft decision and relevant organizations; specify the issues that need opinions and address for receipt of opinions; post the entire draft decision on the information portal of the Government and the drafting agency for at least 60 days.

In case of seeking opinions in writing, depending on the characteristics and contents of the draft decision, the drafting agency shall send enquiry sheets to Ministries, ministerial agencies, and Governmental agencies. Enquired agencies shall give written responses within 20 days from the receipt of the enquiry sheets.

The Ministry of Finance shall offer opinions about financial resources, the Ministry of Home Affairs shall offer opinions about human resources, the Ministry of Foreign Affairs shall offer opinions about compatibility of relevant international agreements to which Socialist Republic of Vietnam is a signatory; the Ministry of Justice shall offer opinions about constitutionality, legitimacy, and uniformity of the draft decision with the legal system;

dd) Receive, consider the opinions; post the report on revision of the draft decision on the information portal of the Government and of the drafting agency.

### **Article 98. Appraising draft decision of the Prime Minister**

1. The Ministry of Justice shall appraise the draft decree before it is submitted to the Government.

If the draft decision is complicated and involves various fields or sectors, the Minister of Justice shall establish an appraisal council which consists of representatives of relevant organizations, experts, and scientists.

2. Documents sent to the appraising agency include:

- a) A description of the draft decision to the Prime Minister;
- b) The draft decision;
- c) A report on receipt of opinions; photocopies of enquiry sheets sent by Ministries, ministerial agencies, and Governmental agencies;
- d) Assessment of administrative procedures in the draft decision (if any); report on integration of gender equality in the draft decision (if any);
- dd) 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) Scope of the decision, regulated entities, necessity of the decision in the case mentioned in Article 2 of this Law;
- b) Conformity of draft decision with policies of Communist Party and the State;

c) The constitutionality, legitimacy, and consistency of the draft decision with the legal system; the compatibility of the draft decision with relevant international agreements to which Socialist Republic of Vietnam is a signatory;

dd) Necessity, reasonability, cost of administrative procedures in the draft decision (if any); integration of gender equality in the draft decision (if any);

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

e) Language, format, and drafting process of the document.

4. If necessary, the appraising agency 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.

5. The appraisal report must contain opinions of the appraising agency about the issues mentioned in Clause 1 of this Article and whether or not the draft decision is satisfactory enough to be submitted to the Prime Minister.

The appraisal report must be sent to the drafting agency within 15 days from the day on which the application for appraisal is received.

6. The drafting agency must consider opinions provided by the appraising agency to revise and complete the draft decision, send a report together with the revised draft decision to the appraising agency when submitting the draft decree to the Government.

#### **Article 99. Documents about draft decision to be submitted to the Prime Minister**

1. A description of the draft decision.

2. The revised draft decision after opinions are provided by the appraising agency.

3. Report on appraisal and receipt of opinions from the appraising agency.

4. Assessment of impact of policies in the draft decision.

5. Report on receipt and explanation of opinions.

6. Other documents (if any).

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

#### **Article 100. Processing of documents and submission of decisions of the Prime Minister for promulgation**

1. Within 30 days from the day on which sufficient documents are received, Office of the Government shall check them. If there are conflicting opinions between Ministries and

ministerial agencies about the major issues of the draft decision, the Ministers and Chief of Office of the Government shall convene a meeting with representatives of the drafting agency, the Ministry of Justice, relevant Ministries and ministerial agencies to discuss before submitting the draft decision to the Prime Minister for consideration.

Based on the opinions given at the meeting, the drafting agency shall cooperate with relevant agencies in revising and completing the draft decision in order to be submitted to the Prime Minister.

If the Prime Minister offers opinions about the draft decision, the drafting agency shall cooperate with the Ministry of Justice and Government Office in revising and completing the draft decision in order to be submitted to the Prime Minister for promulgation.

The Prime Minister shall consider signing and promulgating the decision.

#### **Section 4. FORMULATION, PROMULGATION OF CIRCULARS OF MINISTERS AND HEADS OF MINISTERIAL AGENCIES**

##### **Article 101. Drafting circulars**

1. Ministers and Heads of ministerial agencies shall direct the formulation and promulgation of circulars; appoint units affiliated to Ministries and ministerial agencies to cooperate with a legal organization and relevant units in drafting circulars (if the legal organization is not the drafting agency).
2. During the drafting process, the Ministry or ministerial agency must seek opinions from the entities under the direct impact of the circular; specify the issues that need opinions and address for receipt of opinions; post the entire draft circular on the information portal of the Government and Ministry or ministerial agency for at least 60 days.

Depending on the characteristics and contents of the Circular, the Ministry or ministerial agency may seek opinions of other Ministries, ministerial agencies, Governmental agencies, the People's Councils, the People's Committees of provinces, other organizations, experts, and scientists. The enquired organizations must give written responses within 20 days from the receipt of the request.

3. The drafting unit shall cooperate with relevant units in considering opinions and complete the draft circular.

##### **Article 102. Appraising the draft circular**

1. The legal organization affiliated to the Ministry or Ministerial agency shall appraise the draft circular before it is submitted to the minister or Heads of ministerial agency.

If the circular contains regulations that directly affect the rights, obligations, interests of the people, enterprises, involve multiple fields or sectors, or drafted by a legal organization, the minister or Heads of ministerial agency shall establish an appraisal council which is participated by relevant organizations, units, experts, and scientists.

2. Documents sent to the appraising agency include:

- a) A description of the draft circular;
- b) The draft circular;
- c) A report on receipt of opinions from other agencies, organizations, individuals and entities under the direct impact of the circular; photocopies of enquiry sheets;
- d) Report on impact assessment; assessment of administrative procedures (if any); report on integration of gender equality (if any);
- dd) 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) Necessity of the circular; scope of the circular and regulated entities;
- b) Conformity of draft circular with policies of Communist Party and the State;
- c) The constitutionality, legitimacy, and consistency of the draft circular with the legal system; the compatibility of the draft circular with relevant international agreements to which Socialist Republic of Vietnam is a signatory;
- d) Necessity, reasonability, cost of administrative procedures in the draft circular (if any); integration of gender equality in the draft circular (if any);
- dd) Necessary human resources and financial resources to ensure implementation of the circular;
- e) Language, format, and drafting process of the document.

4. The appraisal report must contain opinions of the legal organization about the issues mentioned in Clause 3 of this Article.

The appraisal report must be sent to the drafting agency within 10 days from the day on which sufficient documents are received.

5. The drafting unit shall cooperate with relevant units in considering opinions from the appraising unit and complete the draft circular.

**Article 103. Documents about the draft circular to be submitted to the Minister or Head of ministerial agency**

- 1. A description of the draft circular.
- 2. The draft circular.
- 3. Report on appraisal and receipt of opinions from the appraising agency.

4. Report on receipt and explanation of opinions from other organizations, individuals, and entities under the direct impact of the draft circular.

5. Report on impact assessment; assessment of administrative procedures (if any); report on integration of gender equality (if any);

6. Other documents (if any).

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

#### **Article 104. Procedures for considering promulgating a circular**

1. The drafting unit shall submit a report on the draft circular to Minister or Head of ministerial agency.

If the draft circular is still in dispute, the legal organization shall cooperate reach a consensus with relevant units before submitting the draft circular to Minister or Head of ministerial agency.

Based on opinions offered at the meeting, the drafting unit shall cooperate with the legal organization and relevant units in revising and completing the draft circular to be submitted to Minister or Head of ministerial agency.

2. The Minister or Head of ministerial agency considers promulgating the Circular.

### **Chapter VI**

#### **FORMULATION, PROMULGATION OF LEGISLATIVE DOCUMENTS OF JUDGE COUNCIL OF THE PEOPLE'S SUPREME COURT EXECUTIVE JUDGE OF THE PEOPLE'S SUPREME COURT, CHIEF PROCURATOR OF THE SUPREME PEOPLE'S PROCURACY, AND STATE AUDITOR GENERAL**

#### **Article 105. Formulation and promulgation of resolutions of Judge Council of the People's Supreme Court**

1. The drafting of resolutions of Judge Council of the People's Supreme Court is organized and directed by executive judge of the People's Supreme Court.

2. The draft resolution shall be posted on the information portals of the Government and the People's Supreme Court for at least 60 days

The draft resolution must be sent to the People's Supreme Procuracy, the Ministry of Justice, relevant ministries and ministerial agencies, Vietnam Lawyers Association and the Vietnam Bar Federation for enquiry.

3. Executive judge of the People's Supreme Court shall direct the enquiry into the draft resolution.

4. Executive judge of the People's Supreme Court shall establish a council to appraise the resolution of Judge Council of the People's Supreme Court, which is participated by the People's Supreme Procuracy, the Ministry of Justice, relevant organizations, units, experts, and scientists.

5. The draft resolution shall be discussed at the meeting of Judge Council of the People's Supreme Court which is attended by the Chief Procurator of the Supreme People's Procuracy and the Minister of Justice.

6. Judge Council of the People's Supreme Court shall hold a meeting to ratify the draft resolution.

If the Chief Procurator of the Supreme People's Procuracy or the Minister of Justice does not concur with the resolution of Judge Council of the People's Supreme Court, a report may be submitted to Standing Committee of the National Assembly for consideration and decision at the nearest meeting.

7. Executive judge of the People's Supreme Court shall sign resolutions of Judge Council of the People's Supreme Court.

#### **Article 106. Formulation and promulgation of circulars of executive judge of the People's Supreme Court**

1. The drafting of circulars of Executive judge of the People's Supreme Court is organized and directed by Executive judge of the People's Supreme Court.

2. The drafting unit shall reckon up the implementation of laws related to the draft circular; study relevant information and materials; prepare an outline, make and revise the draft circular; prepare a description and relevant documents .

The draft circular shall be posted on the information portals of the People's Supreme Court for at least 60 days.

Depending on the characteristics and contents of the draft circular, Executive judge of the People's Supreme Court shall decide whether to send the draft circular to local courts, military courts, and relevant organizations for enquiry.

3. Judge Council of the People's Supreme Court shall discuss and offer opinions about the draft circular of Executive judge of the People's Supreme Court.

4. Executive judge of the People's Supreme Court shall direct the enquiry into the draft resolution and consider signing, promulgating the Circular.

#### **Article 107. Formulation and promulgation of Circulars of Chief Procurator of the Supreme People's Procuracy**

1. The drafting of circulars of the Chief Procurator of the Supreme People's Procuracy is organized and directed by the Chief Procurator of the Supreme People's Procuracy.



2. The drafting unit shall reckon up the implementation of laws related to the draft circular; study relevant information and materials; prepare an outline, make and revise the draft circular; prepare a description and relevant documents .

The draft circular shall be posted on the information portals of the People's Supreme Procuracy for at least 60 days.

Depending on the characteristics and contents of the draft circular, the Chief Procurator of the Supreme People's Procuracy shall decide whether to send the draft circular to local Procuracies, military Procuracies, and relevant organizations for enquiry.

3. Control Committee of the People's Supreme Procuracy shall discuss and offer opinions about the draft circular.

4. The Chief Procurator of the Supreme People's Procuracy shall direct the enquiry into the draft resolution and consider signing, promulgating the Circular.

#### **Article 108. Formulation, promulgation of decisions of State Auditor General**

1. The drafting of decisions of State Auditor General is organized and directed by State Auditor General.

2. The draft circular shall be posted on the information portals of the People's Supreme Procuracy for at least 60 days.

3. Depending on the characteristics and contents of the draft decision, State Auditor General shall decide whether to send the draft decision to relevant organizations for enquiry.

4. State Auditor General shall direct the enquiry into the draft resolution and consider signing, promulgating the decision.

### **Chapter VII**

#### **FORMULATION, PROMULGATION OF JOINT LEGISLATIVE DOCUMENTS**

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

1. The agency in charge of drafting of a joint resolution between Standing Committee of the National Assembly or the Government and Management Board of Central Committee of Vietnamese Fatherland Front is appointed by Standing Committee of the National Assembly or 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, 3 Article 57 of this Law.

4. Before being promulgated, the draft joint resolution between Standing Committee of the National Assembly and Management Board of Central Committee Vietnamese Fatherland

Front must be inspected by Ethnic Council and Committees of the National Assembly; the draft joint resolution between the Government and Governing Commission of Central Committee of Vietnamese Fatherland Front must be appraised by the Ministry of Justice.

Appraisal documents and contents are the same as those in Clause 2 and Clause 3 Article 58; inspection documents and contents are the same as those in Clause 1 Article 64 and Article 65 of this Law.

5. The drafting agency shall consider opinions to revise the draft resolution.
6. The draft resolution shall be ratified if the agencies competent to promulgate joint resolutions reach a consensus.

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

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

1. The agencies in charge of drafting joint circulars between executive judge of the People's Supreme Court and the Chief Procurator of the Supreme People's Procuracy; joint circulars between Ministers, Heads of ministerial agencies and Executive Judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy are appointed by Ministers and Heads of ministerial agencies.
2. The drafting agency shall draft the joint circular.
3. The draft shall be posted on the information portal of the drafting agency for at least 60 days.

The drafts of joint circulars between executive judge of the People's Supreme Court and the Chief Procurator of the Supreme People's Procuracy; joint circulars between Ministers, Heads of ministerial agencies and Executive Judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy are subject to enquiry by members of Judge Council of the People's Supreme Court and members of Standing Committee of the People's Supreme Procuracy.

4. The drafting agency shall consider opinions to revise the draft.
5. The draft of a joint Circular shall be ratified if the agencies competent to promulgate joint circulars reach a consensus.

Executive judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy, Minister, and Head of ministerial agency shall sign the joint circular together.

## **Chapter VIII**

### **FORMULATION AND PROMULGAION OF RESOLUTIONS OF THE PEOPLE'S COUNCILS OF PROVINCES**

### **Article 111. Request for resolution formulation**

1. Pursuant to legal normative documents of superior agencies, the People's Committees of provinces, committees of the People's Councils of provinces, committees of Vietnamese Fatherland Front of provinces shall make request for formulation of resolutions of the People's Councils themselves or at the request of an organization or deputy of the People's Council to elaborate legal normative documents of superior regulatory agencies as assigned or to perform the duties and entitlements of the People's Councils of provinces.

2. The request for resolution formulation of the People's Council of a province shall be sent to Standing Committee of the People's Council for consideration.

3. If the request for resolution formulation of the People's Council of a province has the contents prescribed in Clauses 2, 3, 4 Article 27 of this Law, it must apply Articles from 112 to 116 of this Law before being submitted to Standing Committee of the People's Council.

### **Article 112. Responsibilities of agencies requesting formulation of resolutions**

1. Reckon up the implementation of regulations of law, assess applicable legal normative documents related to the request for formulation of the resolution; survey, assess social relationships relevant to the main contents of the draft resolution.

Request relevant agencies to assess the implementation of legal normative documents under their management that are related to the draft resolution.

2. Study information, materials, and relevant international agreements to which Socialist Republic of Vietnam is a signatory. Request relevant organizations and individuals to provide documents and information related to the draft resolution where necessary.

3. Develop policies proposed in the request for formulation of the resolution; assess the impact of such policies; anticipate necessary resources and conditions for ensuring the implementation of resolution after it is ratified by the People's Council.

4. Prepare documents to request resolution formulation as prescribed in Article 114 of this Law.

5. Seek opinions from relevant organizations and individuals about the request for resolution formulation; receive, consider, explain, and summarize the opinions offered.

### **Article 113. Seeking opinions about request for resolution formulation**

1. The agency that makes the request for resolution formulation shall seek opinions from the entities under the direct impact of the proposed policies and relevant organizations; specify the issues that need opinions and address for receipt of opinions; post the entire request for resolution formulation on the information portal of the provincial government for at least 30 days.

Apart from posting the request as prescribed in this Clause, opinions may be obtained by asking directly, sending the draft resolution, holding conferences, or using the media.

2. The agency that seeks opinions from entities under the direct impact of the proposed policies must specify the issues that need opinions and give them at least 10 days to provide their opinions. The agency that makes the request for resolution formulation may hold direct discussion about the proposed policies with entities under the direct impact of the draft resolution if necessary.

3. The enquired organizations shall give written responses within 10 days from the receipt of the request.

#### **Article 114. Documents for requesting resolution formulation**

1. The request for resolution formulation which specifies the necessity of the resolution; purposes and viewpoints on the resolution formulation; scope and regulated entities of the resolution; purposes and targets of proposed policies; solutions for implementation of selected policies; intended time for requesting the People's Council to consider ratifying; anticipated resources and conditions for implementation of the resolution.

2. Assessment of impact of each proposed policy which specifies issues to be solved; targets of the policies; solutions for implementation the policies; positive and negative impacts of the policies; costs, benefits of solutions; comparison of costs and benefits of solutions; selected solution and reason for such selection; assessment of gender-related impact of the proposed policies (if any).

3. A report on implementation of law or issues related to the policies.

4. A report on receipt of opinions from other agencies, organizations, individuals and entities under the direct impact of the draft resolution; photocopies of enquiry sheets;

5. Outline of the draft resolution.

6. Other documents (if any).

#### **Article 115. Appraising request for resolution formulation to be submitted to the People's Committee of the province**

1. The Department of Justice shall take charge and cooperate with Department of Finance, Department of Internal Affairs, and relevant organizations in appraising the request for resolution formulation.

2. Documents for appraising the request for resolution formulation are prescribed in Article 114 of this Law.

Documents mentioned in Clause 1 and Clause 2 Article 114 of this Law must be sent in writing, other documents may be sent electronically.

3. The request for resolution formulation shall be appraised within 15 days from the day on which sufficient documents are received. The appraisal contents are the same as those prescribed in Clause 3 Article 39 of this Law.

4. The appraisal report must contain opinions of the Department of Justice about the appraised contents mentioned in Clause 3 of this Article and whether or not the request for resolution formulation is satisfactory to be submitted to the People's Committee of the province for consideration.

5. The appraisal report must be sent to the agency requesting the resolution formulation within 10 days from the end of the appraisal. The agency making the request for resolution formulation consider revising the request for resolution formulation and send a revision report together with the revised request for resolution formulation to the Department of Justice when submitting it to the People's Committee of the province.

#### **Article 116. Appraising proposed policies in request for resolution formulation**

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.

2. If the request for resolution formulation is made by another organization as prescribed in Article 111 of this Law, such organization shall ratify the proposed policies.

#### **Article 117. Submitting request for resolution formulation**

1. The organization mentioned in Clause 1 Article 111 of this Law shall submit documents of the request for resolution formulation to Standing Committee of the People's Council.

2. Documents of request for resolution formulation mentioned in Clause 1 Article 27 of this Law include:

a) The request for resolution formulation;

b) An explanation of basis for promulgation of the resolution; scope and regulated entities of the resolution; main contents of the resolution; intended time for requesting the People's Council to consider ratifying; anticipated resources and conditions for implementation of the resolution.

3. Documents of request for resolution formulation mentioned in Clauses 2, 3, 4 Article 27 of this Law include:

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

b) Report on appraisal of request for resolution formulation of the Department of Justice;

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

#### **Article 118. Appointment of resolution-drafting agency**

Standing Committee of the People's Council of the province shall consider the request for resolution formulation, appoint an agency responsible for submitting the draft resolution,

and decide the deadline for submitting the draft resolution to the People’s Council of the province; the submitting agency shall appoint a drafting agency.

#### **Article 119. Duties of the drafting agency**

1. Organize the drafting of the resolution; ensure the conformity of the draft resolution with elaborated legal normative documents in the case mentioned in Clause 1 Article 27 of this Law; ensure the consistency of the draft resolution with ratified policies in the cases mentioned in Clauses 2, 3, 4, Article 27 of this Law.
2. Seek opinions, revise the draft resolution, make a report on receipt of opinions, and post these documents on the information portal of the provincial government.

#### **Article 120. Seeking opinions about the draft resolution**

1. The draft resolution of the People’s Council of the province must be posted in full on the information portal of the provincial government for at least 30 days.
2. The drafting agency shall seek opinions from relevant organizations.

In case of seeking opinions from entities under the direct impact of the proposed policies, the drafting agency must specify the issues that need opinions and give them at least 30 days to provide their opinions.

3. The enquired organizations must give written responses within 10 days from the receipt of the request.

#### **Article 121. Appraising draft resolution to be submitted by the People’s Committee of the province**

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 sectors or drafted by the Department of Justice, 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 20 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) The report on receipt and explanation of 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) Scope and regulated entities of the draft resolution;
- b) The constitutionality, legitimacy, 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 draft resolution and policies proposed 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 10 days from the day on which sufficient documents are received by Departments of Justice.

5. The drafting agency must receive and consider 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.

## **Article 122. Documents about draft resolution submitted to the People's Committee of the province**

1. Documents about draft resolution submitted to the People's Committee of the province include:

- a) A description of the draft resolution;
- b) The draft resolution;
- c) Report on appraisal and receipt of opinions from the appraising agency;
- d) Report on receipt and explanation of opinions for other organizations and individuals;
- dd) Other documents (if any).

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

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

### **Article 123. Responsibility of the People's Committee of a province for draft resolution of the People's Council of the same province**

1. The People's Committee of the province that submits the draft resolution shall consider, discuss, and cast votes to decide the submission of such draft resolution to the People's Council of the same province.

2. If the draft resolution is submitted by another organization, the People's Committee shall offer opinions in writing.

At least 25 days before the first meeting date of the People's Council, the submitting agency must send the description, the draft resolution and relevant documents to the People's Committee of the province for offering opinions.

At least 20 days before the first meeting date of the People's Council, the People's Committee must send written opinions to the submitting agency.

### **Article 124. Inspecting resolutions of the People's Councils of provinces**

1. The draft resolution of the People's Council of a province must be inspected by an inspecting board of the People's Council before being submitted to the People's Council.

2. At least 15 days before the first meeting date of the People's Council, the agency submitting the draft resolution must send documents about the draft resolution to the inspecting board of the People's Council. Documents sent to the inspecting board include:

a) A description of the draft resolution;

b) The draft resolution;

c) Report on inspection and receipt of inspecting board's opinions about the draft resolution submitted by the People's Committee; opinions of the People's Committee and report on receipt of opinions of the People's Committee about the draft submitted by the inspecting board or committee of Vietnamese Fatherland Front;

d) The report on receipt of opinions of other organizations and individuals; photocopies of enquiry sheets;

dd) Other documents (if any).

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



3. The inspection shall focus on:

- a) Contents of the resolution and remaining issues in dispute;
- b) Conformity of draft resolution with policies of Communist Party and the State;
- c) Suitability of the draft resolution for local socio-economic development;
- d) The constitutionality, legitimacy, and consistency of the draft resolution with the legal system.

4. The inspection report must contain the opinions of the inspecting agency about the issues mentioned in Article 3 of this Law, necessary revisions, and solutions for issues in dispute,.

The inspection report must be sent to Standing Committee of the People's Council at least 10 days before the first meeting date of the People's Council.

**Article 125. Documents about draft resolution submitted to the People's Council of the province**

1. Standing Committee of the People's Council shall direct the preparation of documents about the draft resolution to be sent to deputies of the People's Council. Documents about the draft resolution include:

- a) The documents mentioned in Clause 2 Article 124 of this Law;
- b) The inspection report;
- c) Opinions of the People's Committee of the province about the draft resolution submitted by another organization;
- d) Other documents (if any).

Documents mentioned in Point a Clause 2 Article 124 of this Law and Point b of this Clause must be sent in writing, other documents may be sent electronically.

2. Documents about the draft resolution must be sent to all deputies of the People's Council at least 07 days before the first meeting date of the People's Council.

**Article 126. Procedures for considering and ratifying draft resolutions of the People's Council of the province**

1. The draft resolution shall be considered and ratified in the following order:

- a) The representative of the submitting agency presents the draft resolution;
- b) The representative of inspecting board of the People's Council presents inspection report;

- c) The People's Council discusses;
  - d) Standing Committee of the People's Council of the province directs the inspecting board of the People's Council to cooperate with the submitting agency and Departments of Justice in explaining and revising the draft resolution;
  - dd) The People's Council discusses and cast votes on ratification of the draft resolution.
2. The draft resolution shall be ratified when it is voted for by more than half of the deputies of the People's Council.
  3. President of the People's Council signs the resolution.

## **Chapter IX**

### **FORMULATION AND PROMULGATION OF DECISIONS OF THE PEOPLE'S COMMITTEES OF PROVINCES.**

#### **Article 127. Request for formulation of decisions of the People's Committees of provinces**

1. Specialized agencies affiliated to the People's Committee of a province and Presidents of the People's Committees of districts have the responsibility for requesting formulation of decisions of the People's Committee of the province.
2. The request for formulation of the decision must specify the name, necessity, scope, regulated entities, and main contents of the decision, intended promulgation date, and drafting agency. With regard to the issues to be elaborated, the submitting agency must review legal normative documents of central regulatory agencies and resolutions of the People's Council at the same administrative level to determine the contents and scope of elaborating documents .
3. Office of the People's Committee of the province shall take charge and cooperate with the Department of Justice in considering the request for decision formulation and send a report to the President of the People's Committee of the province.

#### **Article 128. Drafting decisions of the People's Committees of provinces**

1. The President of the People's Committee of the province shall appoint a drafting agency.
2. The drafting agency has the responsibility to:
  - a) Survey, assess social relationships; study policies of Communist Party, the State, documents of superior regulatory agencies, resolutions of the People's Council of the same province, and documents related to the draft decision;
  - b) Draft the decision and description thereof;

c) Assess the impact of the decision if it contains specific regulations on the policies of superior documents to be elaborated; assess impact of administrative procedures and gender-related impact (if any);

dd) Aggregate, consider opinions; revise and complete the draft decision.

#### **Article 129. Drafting decisions of the People's Committees of provinces**

The drafting agency shall seek opinions from the entities under the direct impact of the decision and relevant organizations as prescribed in Article 120 of this Law.

#### **Article 130. Appraising draft decisions of the People's Committees of provinces**

The Department of Justice shall appraise the draft decision before it is submitted to the People's Committee of the province. The time limit, documents, inspection contents, and inspection report shall comply with Article 121 of this Law.

#### **Article 131. Documents about draft resolution submitted to the People's Committee of the province**

The drafting agency shall send documents about the draft decision to the People's Committee of the province 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. Documents about the draft decision are mentioned in Clause 1 Article 125 of this Law.

#### **Article 132. Procedures for considering and ratifying draft decisions of the People's Council of the province**

1. Depending on the characteristics and contents of the draft decision, President of the People's Committee of the province shall decide the method for considering and ratifying its decisions. A draft decision shall be considered and ratified at a meeting of the People's Committee of the province in the following order:

- a) The representative of the drafting agency presents the draft decision;
- b) The Representative of the Department of Justice presents the explanation and receipt of its opinions;
- c) The representative of Office of the People's Committee of the province offers opinions;
- d) The People's Committee of the province discusses and cast votes on ratification of the draft decision.

2. The draft decision shall be ratified when it is voted for by more than half of the members of the People's Committee of the province.

3. President of the People's Committee of the province signs the decision.

### **Chapter X**

## **FORMULATION AND PROMULGATION OF LEGISLATIVE DOCUMENTS OF THE PEOPLE'S COUNCILS AND THE PEOPLE'S COMMITTEES OF DISTRICTS**

### **Article 133. Drafting resolutions of the People's Councils of districts**

1. Draft resolutions of the People's Council of a district are submitted by the People's Committee of the same district. Depending on the characteristics and contents of the resolution, the People's Committee of the district shall appoint a drafting agency. The drafting agency shall draft the document and description thereof.

2. Depending on the characteristics and contents of the draft resolution, the drafting agency shall seek opinions from the entities under the direct impact of the resolution and relevant organizations.

The enquired organizations must give written responses within 07 days from the receipt of the draft resolution.

In case of seeking opinions from entities under the direct impact of the proposed policies, the drafting agency must specify the issues that need opinions, the emailing address, and give them at least 07 days to provide their opinions.

### **Article 134. Appraising draft resolutions of the People's Councils of districts**

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 10 days before the meeting date of the People's Committee.

2. Time limits, documents, appraisal contents, and appraisal report shall comply with Clauses 2, 3, 4, 5 Article 121 of this Law.

### **Article 135. Responsibility of the People's Committee of a district for draft resolution of the People's Council of the same district**

1. The People's Committee of the district shall consider, discuss, and cast votes on submission of the draft resolution to the People's Council of the same district.

2. The People's Committee of the district shall send the description, draft resolution, and relevant documents to Standing Committee of the People's Council at least 07 days before the first meeting date in order to send them to deputies of the People's Council.

### **Article 136. Inspecting draft resolutions of the People's Councils of districts**

Every draft resolution of the People's Council of a district must be inspected by an inspecting board of the People's Council before being submitted to the People's Council. At least 10 days before the first meeting date of the People's Council, the People's

Committee shall send the draft resolution to the inspecting board of the People's Council. The inspection contents and inspection reports shall comply with Clauses 2, 3, 4 Article 124 of this Law.

The inspecting board of the People's Council shall send the inspection report to Standing Committee of the People's Council at least 07 days before the first meeting date in order to be sent to deputies of the People's Council.

### **Article 137. Procedures for considering and ratifying draft resolutions of the People's Council of the district**

1. The draft resolution shall be considered and ratified at the meeting of the People's Council in the following order:

- a) The representative of the People's Committee presents the draft resolution;
- b) The representative of inspecting board of the People's Council presents inspection report;
- c) The People's Council discusses and cast votes on ratification of the draft resolution.

2. The draft resolution shall be ratified when it is voted for by more than half of the deputies of the People's Council.

3. President of the People's Council signs the resolution.

### **Article 138. Drafting decisions of the People's Committees of districts**

1. A specialized agency affiliated to the People's Committee of a district shall be appointed by the President of the People's Committee to draft the decision. The drafting agency shall draft the decision and description thereof.

2. Depending on the characteristics and contents of the draft decision, the drafting agency shall seek opinions from the entities under the direct impact of the resolution and relevant organizations.

The enquired organizations must give written responses within 07 days from the receipt of the draft decision.

In case of seeking opinions form entities under the direct impact of the decision, the drafting agency must specify the issues that need opinions and give them at least 07 days to provide their opinions.

### **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 10 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) Opinions about the draft decision;
- d) Other documents (if any).

3. Appraisal contents and appraisal report shall comply with Clauses 3, 4, 5 Article 121 of this Law.

4. At least 05 days before the meeting date of the People's Committee, the Department of Justice of the district must send the appraisal report to the drafting agency.

**Article 140. Documents about draft decision submitted to the People's Committee of the district**

1. The drafting agency shall send documents about the draft decision to the People's Committee of the district 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 draft decision submitted to the People's Committee include:

- a) The documents mentioned in Clause 2 Article 139 of this Law;
- b) The appraisal report;

Documents mentioned in Point a and Point b Clause 2 Article 139 of this Law and Point b of this Clause must be sent in writing, other documents may be sent electronically.

**Article 141. Procedures for considering and ratifying draft decisions of the People's Councils of districts**

1. Depending on the characteristics and contents of the draft decision, President of the People's Committee of the district shall decide the method for considering and ratifying it. A draft decision shall be considered and ratified at a meeting of the People's Committee in the following order:

- a) The representative of the drafting agency presents the draft decision;
- b) The representative of the Department of Justice of the district presents the explanation and receipt of its opinions;
- c) The People's Council discusses and cast votes on ratification of the draft decision.

2. The draft decision shall be ratified when it is voted for by more than half of the members of the People's Committee.
3. President of the People's Committee signs the decision.

## **Chapter XI**

### **FORMULATION AND PROMULGATION OF LEGISLATIVE DOCUMENTS OF THE PEOPLE'S COUNCILS AND THE PEOPLE'S COMMITTEES OF COMMUNES**

#### **Article 142. Drafting resolutions of the People's Councils of communes**

1. Draft resolutions of the People's Council of a commune are drafted and submitted by the People's Committee of the same commune to the People's Council.
2. Depending on the characteristics and contents of the draft resolution, the President of the People's Committee shall seek opinions from relevant agencies, the people in local neighborhoods, villages, hamlets, etc. about the draft resolution in appropriate manners.

#### **Article 143. Procedures for considering and ratifying draft resolutions of the People's Council of the commune**

1. Every draft resolution of the People's Council of a commune must be inspected by an inspecting board of the People's Council before being submitted to the People's Council. The People's Committee shall send the description, draft resolution, and relevant documents to deputies of the People's Council at least 03 days before the first meeting date of the People's Council.
2. The draft resolution shall be considered and ratified at the meeting of the People's Council in the following order:
  - a) The representative of the People's Committee presents the draft resolution;
  - b) The representative of inspecting board of the People's Council presents inspection report;
  - c) The People's Council discusses and cast votes on ratification of the draft resolution.
3. The draft resolution shall be ratified when it is voted for by more than half of the deputies of the People's Council.
4. President of the People's Council signs the resolution.

#### **Article 144. Drafting decisions of the People's Committees of communes**

1. The President of the People's Committee of the commune shall organize and direct the drafting of its decisions.

2. Depending on the characteristics and contents of the draft decision, the President of the People's Committee of the commune shall seek opinions about the draft decision from relevant agencies, the people in local neighborhoods, villages, hamlets, etc., and revise the draft decision.

**Article 145. Procedures for considering and ratifying draft decisions of the People's Council of the commune**

1. The drafting agency or person shall send the description, the draft decision, and documents about the draft resolution to members of the People's Committee of the commune at least 03 working days before the meeting date of the People's Committee.

2. The draft decision shall be considered and ratified at the meeting of the People's Council of the commune in the following order:

a) The representative of the drafting agency or the drafting person presents the draft decision;

c) The People's Council discusses and cast votes on ratification of the draft decision.

3. The draft decision shall be ratified when it is voted for by more than half of the members of the People's Committee of the commune.

4. President of the People's Committee of the commune signs the decision.

**Chapter XII**

**FORMULATION, PROMULGATION OF LEGISLATIVE DOCUMENTS UNDER SIMPLIFIED PROCEDURES**

**Article 146. Cases of formulation, promulgation of legal normative 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 under decisions of the National Assembly.

2. Suspension of a legislative document in part or in full for a certain period of time.

3. Necessary revisions to conform to new legal normative documents .

**Article 147. The power to decide formulation, promulgation of legal normative documents under simplified procedures**

1. Standing Committee of the National Assembly shall decide the pap of simplified procedures to formulation and promulgation of ordinances and resolutions of Standing Committee of the National Assembly; request the National Assembly to consider applying simplified procedures to formulation and promulgation of laws and resolutions of the National Assembly.



2. The President shall decide application of simplified procedures to formulation and promulgation of orders and decisions of the President.
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.
4. Standing Committee of the People's Council of each province shall decide application of simplified procedures to formulation and promulgation of its resolutions; President of the People's Committee of each province shall decide application of simplified procedures to formulation and promulgation of its decisions.

**Article 148. Simplified procedures for formulation, promulgation of legal normative documents**

Formulation, promulgation of laws and resolutions of the National Assembly, ordinances and resolutions of Standing Committee of the National Assembly, orders and decisions of the President, decrees of the Government, decisions of the Prime Minister, resolutions of the People's Councils of provinces, and decisions of the People's Committees of provinces shall be carried out as follows:

1. The drafting agency organizes the drafting process;
2. The drafting agency may seek opinions from relevant organizations about the draft document. The time limit for seeking opinions is 20 days;
3. The appraising agency shall appraise the draft document, the inspecting agency shall inspect the draft document within 07 days from the day on which it is received.

Documents include the description, the draft document, appraisal report, and report on receipt of opinions.

**Article 149. Documents and procedures for considering and ratifying legal normative documents under simplified procedures**

1. Documents for considering and ratifying legal normative documents under simplified procedures include:
  - a) Documents about a law project or draft resolution of the National Assembly; ordinance project or draft resolution of Standing Committee of the National Assembly, draft resolution of the People's Council of the province include the description, the draft document and the inspection report;
  - b) Documents about a draft order or decision of the President includes the description and the draft document;
  - c) Documents about a draft decree of the Government, draft decision of the Prime Minister, draft decision of the People's Committee of the province include the description, the draft document and the appraisal report.

2. Procedures for considering and ratifying:

- a) The National Assembly shall consider ratifying its law project or draft resolution at the nearest meeting under the procedures prescribed in Article 74 of this Law;
- b) Standing Committee of the National Assembly shall consider ratifying its draft ordinance or draft resolution at the nearest meeting under the procedures prescribed in Clause 1 Article 77 of this Law;
- c) The President shall consider signing and promulgating an order or decision right after receiving the draft order or decision under the procedures prescribed in Article 81 of this Law;
- d) The Government shall consider ratifying its draft decree at the nearest meeting under the procedures prescribed in Article 96 of this Law;
- dd) The Prime Minister shall consider signing and promulgating a decision right after receiving the draft decision under the procedures prescribed in Article 100 of this Law;
- e) The People’s Council of the province shall consider ratifying the draft resolution at the nearest meeting under the procedures prescribed in Article 126 of this Law;
- g) The People’s Committee of the province of the province shall consider ratifying the draft decision at the nearest meeting under the procedures prescribed in Article 132 of this Law.

### **Chapter XIII**

#### **EFFECT OF LEGISLATIVE DOCUMENTS; RULES FOR APPLICATION AND PUBLISHING OF LEGISLATIVE DOCUMENTS**

##### **Article 150. Publishing legal normative documents on Official Gazette**

1. Legal normative documents of central regulatory agencies must be published on Official Gazette of Socialist Republic of Vietnam, except for those that contain state secrets.
2. Legal normative documents of the People’s Councils and the People’s Committees of provinces, local governments of administrative - economic units must be published of official gazettes of their provinces.
3. Legal normative documents of the People’s Councils and the People’s Committees of districts and communes must be posted publicly and broadcasted on local media. Time and location for posting shall be decided by the President of the People’s Committee of the district or commune.
4. Within 03 days from the publishing or signing date, the agency or person competent to promulgate legal normative documents must send the document to the regulatory of Official Gazette (Vietnam News Agency) for publishing or publicly posting.

Vietnam News Agency shall publish the legislative document in full on the Official Gazette within 15 days if it is promulgated by a central regulatory agency or 07 days if it is

promulgated by the People's Council or the People's Committee of a province or local government of an administrative - economic unit from the day on which the document is received.

5. Legal normative documents published on paper and electronic Official Gazette are official and as valid as the original documents .

6. The Government shall provide regulations on Official Gazette and posting of legal normative documents .

#### **Article 151. Effective dates of legal normative 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 information portal of the promulgating agency and posted on the media; such document must be published on Official Gazette of Socialist Republic of Vietnam or the province within 03 days from the day on which it is announced or signed.

#### **Article 152. Retrospective effect of legal normative documents**

1. A law, resolution of the National Assembly, or legislative document of a central regulatory agency may have a retrospective effect if it is necessary for assurance of common interests, rights and interests of the entities regulated by the document.

2. A document must not have retrospective effect in the following cases:

a) The document imposes a new legal liability upon an act which does not incur such legal liability when it is committed.

b) The document imposes a heavier legal liability.

3. The legislative document is promulgated by the People's Councils, the People's Committee, or local government of an administrative - economic unit.

#### **Article 153. Suspension of legal normative documents**

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 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 for a certain period of time to solve new socio-economic issues that arise.

2. The time of suspension of effect, resumption of effect, or expiration of the document must be specified in a legislative document of a competent authority.

3. The decision on suspension of a legislative document must be published on the Official Gazette and the media within 03 days from the day on which it is issued.

#### **Article 154. Expiration of legal normative documents**

A legislative document expires in part or in full in the following cases:

1. The document expires on the expiration date written therein;

2. The document is amended by or replaced with another legislative document which is promulgated by the same regulatory agency;

3. The document is annulled by another document of a competent authority;

4. When a legislative document expires, the documents elaborating it also expire.

#### **Article 155. Geographical effect**

1. Legal normative documents of central regulatory agencies are effective nationwide and applied to every organizations and individuals, unless otherwise prescribed by a legislative document of superior regulatory agency or an international agreement to which the Socialist Republic of Vietnam is a signatory.

2. Legal normative documents of the People's Council and the People's Committee of an administrative division are effective within the administrative division. This must be specified in the documents .

If there are changes in administrative division, the geographical effect and regulated entities of legal normative documents will change as follows:

a) If an administrative division is divided into multiple administrative divisions of the same level, the legal normative documents promulgated by the People's Council and the People's Committee of the divided administrative divisions still apply to the new administrative divisions until the People's Councils and the People's Committees of the new administrative divisions promulgate substitute legal normative documents ;

a) If an administrative division is divided into multiple administrative divisions of the same level, the legal normative documents promulgated by the People's Council and the People's Committee of the divided administrative divisions still apply to the new administrative divisions until they are replaced by legal normative documents of the People's Councils and the People's Committees of the new administrative divisions;

c) If part of the geographical area and population of an administrative division is transferred to another administrative division, legal normative documents of the People's Council and the People's Committee of the expanded administrative division will applied to the transferred geographical area and population.

#### **Article 156. Application of legal normative documents**

1. Legal normative documents are applicable from their effective date.

Legal normative documents shall be applied to the acts committed at the time such documents are effective, except for those that have retrospective effect.

2. If various legal normative documents contain different regulations on the same issue, the superior document shall apply.

3. If various legal normative documents promulgated by the same agency contain different regulations on the same issue, the one that is promulgated later shall apply.

4. If the new legislative document does not contain legal liability or impose a less serious legal liability on the acts committed before the effective date of the document, the new document shall apply.

5. Application of Vietnam's legal normative documents must not obstruct the implementation of the international agreements to which the Socialist Republic of Vietnam is a signatory. In case a Vietnam's legal normative documents other than the Constitution and an international agreement to which the Socialist Republic of Vietnam is a signatory contain different regulations on the same issue, the international agreement shall apply.

#### **Article 157. Posting and publishing legal normative documents**

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

Legal normative documents posted on the national legal database are official.

### **Chapter XIV**

#### **EXPLANATION OF THE CONSTITUTIONS, LAWS, AND ORDINANCES**

#### **Article 158. Cases and rules for explanation of the Constitutions, laws, and ordinances**

1. The Constitutions, laws, and ordinances shall be explained if their regulations may be construed differently.

2. Explanation of the Constitutions, laws, and ordinances must:

- a) Conform to the spirit, purposes, requirements, and viewpoints on promulgation of the Constitution, laws, and ordinances;
- b) Conform to contents and language of the Constitution, laws, and ordinances;
- c) Not make amendments or impose new regulations.

**Article 159. The power to request explanation of the Constitutions, laws, and ordinances**

1. The President, Ethnic Council, Committees of the National Assembly, the Government, the People's Supreme Court, the People's Supreme Procuracy, State Audit Office of Vietnam, Central Committee of Vietnamese Fatherland Front, central agencies of associate organizations of Vietnamese Fatherland Front, and deputies of the National Assembly are entitled to request Standing Committee of the National Assembly to explain the Constitution, laws, and ordinances.

2. Standing Committee of the National Assembly shall decide the explanation of the Constitution, laws, and ordinances itself or at the request of the entities mentioned in Clause 1 of this Article.

**Article 160. Procedures for explanation of the Constitutions, laws, and ordinances**

1. Depending on the characteristics and contents of the issues that need explaining, Standing Committee of the National Assembly shall request the Government, the People's Supreme Court, the People's Supreme Procuracy, Ethnic Council, or a Committee of the National Assembly to draft a resolution that contain explanation of the Constitution, law, or ordinance (hereinafter referred to as explanatory resolutions), and then submit it to Standing Committee of the National Assembly.

Standing Committee of the National Assembly shall request Ethnic Council or Committees of the National Assembly to inspect the conformity of the aforementioned explanatory resolution with the explained document.

2. Standing Committee of the National Assembly shall consider ratifying the explanatory resolution in the following order:

- a) The representative of the drafting agency presents and read the whole draft resolution out loud;
- b) The representative of the inspecting agency presents the inspection report;
- c) Representatives of other attending agencies, organizations and individuals offer their opinions;
- d) Standing Committee of the National Assembly discusses;
- dd) The chair draws a conclusion;
- e) Standing Committee of the National Assembly casts votes;

g) President of the National Assembly signs the explanatory resolution.

### **Article 161. Publishing explanatory resolutions of Standing Committee of the National Assembly**

1. Explanatory resolutions of Standing Committee of the National Assembly must be published on Official Gazette in accordance with Article 150 of this Law, posted on information portal of the National Assembly, and published on the media in accordance with Article 157 of this Law.
2. Explanatory resolutions of Standing Committee of the National Assembly shall be applied together with the explained documents .

## **Chapter XV**

### **SUPERVISION, INSPECTION, AND HANDLING OF LEGISLATIVE DOCUMENTS**

#### **Article 162. Supervision of legal normative documents**

1. Legal normative documents must be supervised by competent authorities as prescribed by law.
2. Legal normative documents must be supervised in order to find the contents that contravene the Constitution, laws, documents of superior regulatory agencies, or that are no longer applicable in order to suspend, amend, annul them in part or in full, or request a competent authorities to deal with the entities that promulgate illegitimate documents .

#### **Article 163. Contents of legislative document supervision**

1. Conformity of the document with the Constitution and legal normative documents promulgated by superior regulatory agencies.
2. Consistency of the format of the document with its contents.
3. Conformity of the document with the competence of the promulgating agency.
4. Consistency of current legal normative documents with new legal normative documents promulgated by the same agency.

#### **Article 164. Supervision and handling of suspected illegitimate legal normative documents**

1. The National Assembly, Standing Committee of the National Assembly, Ethnic Council, Committees of the National Assembly, deputies of the National Assembly, the People's Councils, Standing Committee of the People's Councils, committees of the People's Councils, deputies of the People's Councils shall supervise legal normative documents .
2. The National Assembly shall annul legal normative documents of the President, Standing Committee of the National Assembly, the Government, the Prime Minister, Judge

Council of the People's Supreme Court, Executive Judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy, State Auditor General that are promulgated against the Constitution, laws, or resolutions of the National Assembly.

3. Standing Committee of the National Assembly shall suspend legal normative documents of the Government, the Prime Minister, Judge Council of the People's Supreme Court, Executive Judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy, State Auditor General that are promulgated against the Constitution, laws, or resolutions of the National Assembly; request the National Assembly to decide annulment of such documents at the nearest meeting; annul legal normative documents of the Government, the Prime Minister, Judge Council of the People's Supreme Court, Executive Judge of the People's Supreme Court, the Chief Procurator of the Supreme People's Procuracy, State Auditor General that are promulgated against ordinances and resolutions of Standing Committee of the National Assembly; annul legal normative documents of the People's Councils of provinces that contravene the Constitution, laws, or legal normative documents of superior agencies.

4. The People's Councils shall annul legal normative documents of the People's Committees at the same level, legal normative documents of the People's Councils at inferior levels that contravene their resolutions or legal normative documents of superior agencies.

5. Procedures for supervising promulgation of legal normative documents, handling suspected illegitimate legal normative documents shall comply with regulations of law on supervision by the National Assembly and the People's Councils.

#### **Article 165. The Government's inspection and handling of suspected illegitimate legal normative documents**

1. The Government shall inspect legal normative documents and deal with legal normative documents of Ministries, ministerial agencies, the People's Councils of provinces, the People's Committees of provinces, local governments of administrative - economic units that are suspected of contravening the Constitution or legal normative documents of superior agencies.

2. The Prime Minister shall consider annulling or suspending, in part or in full, legal normative documents of Ministers, Heads of ministerial agencies, the People's Committees of provinces, local governments of administrative - economic units that contravene the Constitution, laws, or legal normative documents of superior agencies; suspend in part or in full resolutions of the People's Councils of provinces that contravene the Constitution, laws, or legal normative documents of superior agencies and request Standing Committee of the National Assembly to annul them.

3. The Ministry of Justice shall assist the Government in inspecting and handling legal normative documents of Ministries, ministerial agencies, the People's Councils of provinces, the People's Committees of provinces, local governments of administrative - economic units that contravene the Constitution, laws, or legal normative documents of superior agencies.



The Ministry of Justice shall cooperate with Government Office, relevant Ministries and ministerial agency in preparing documents to be submitted to the Prime Minister to request Standing Committee of the National Assembly to annul resolutions of the People's Councils of provinces that contravene the Constitution, laws, or legal normative documents of superior agencies which have been suspended by the Prime Minister.

4. The Government shall provide specific regulations on inspection and handling of suspected illegitimate legal normative documents promulgated by Ministers, Heads of ministerial agencies, the People's Councils and the People's Committees.

#### **Article 166. Ministers and Heads of ministerial agencies' inspection and handling of suspected illegitimate legal normative documents**

1. Ministers and Heads of ministerial agencies shall inspect legal normative documents they promulgate or those promulgated by other Ministries, ministerial agencies the People's Councils and the People's Committees of provinces whose contents relate to their fields or sectors.

Where a legislative document they promulgate is found illegitimate, the Minister or Head of ministerial agency shall annul it in part or in full.

2. Ministers and Heads of ministerial agencies in charge a particular field or sector are entitled to request the Prime Minister to suspend or annul legal normative documents of other Ministers, Heads of ministerial agencies, the People's Committees of provinces, local governments of administrative - economic units that contain illegitimate regulations on their fields or sectors; request the Prime Minister to request Standing Committee of the National Assembly to annul legal normative documents of the People's Councils of provinces that contain illegitimate regulations on their fields or sectors.

3. In case an illegitimate legislative document of a minister, Head of ministerial agency, or the People's Committee of a province, or local government of an administrative - economic unit is not dealt with as prescribed in Clause 1 and Clause 2 of this Article, the Minister of Justice shall request the Prime Minister to suspend or annul it.

#### **Article 167. The People's Councils and the People's Committees' inspection and handling of suspected illegitimate legal normative documents**

1. The People's Councils and the People's Committees shall inspect their own legal normative documents and those promulgated by the People's Councils and the People's Committees at inferior levels.

When a legislative document they promulgate is found illegitimate, the People's Council or the People's Committee shall annul it in part or in full.

President of the People's Committee of each province shall inspect legal normative documents promulgated by the People's Councils and the People's Committees of districts.

President of the People's Committee of each district shall inspect legal normative documents promulgated by the People's Councils and the People's Committees of communes.

2. President of the People's Committee of each province shall suspend illegitimate resolutions of the People's Councils of districts and request the People's Council of the same province to annul them.

President of the People's Committee of each district shall suspend illegitimate resolutions of the People's Councils of communes and request the People's Council of the same district to annul them.

3. Presidents of the People's Committees shall directly suspend, annul in part or in full legal normative documents promulgated by the People's Committees at inferior levels.

## **Chapter XVI**

### **CONSOLIDATION OF LEGISLATIVE DOCUMENTS, CODIFICATION OF THE SYSTEM OF LEGISLATIVE DOCUMENTS, REVIEWING AND SYSTEMIZING LEGISLATIVE DOCUMENTS**

#### **Article 168. consolidation of legal normative documents**

1. Amended legal normative documents must be consolidated with amending documents in order to make the legal system simple, clear, easy to use, and improve effectiveness of law implementation.

2. Consolidation of legal normative documents shall comply with regulations of Standing Committee of the National Assembly.

#### **Article 169. Codification of the system of legal normative documents**

1. Regulatory agencies shall arrange regulations of effective legal normative documents except for the Constitution in order to create a Legal Dictionary.

2. The codification of legislative document system shall comply with regulations of Standing Committee of the National Assembly.

#### **Article 170. Reviewing, systemizing legal normative documents**

1. Every regulatory agency, within their competence, has the responsibility to review and systemize legal normative documents ; suspend, annul, amend, replace legal normative documents that are found illegitimate, inconsistent, expired, or no longer applicable with regard to socio-economic, or issue new legal normative documents ; they may do these tasks themselves or request a competent authority to do so.

Every organization and citizen are entitled to request competent authorities to consider suspending, annulling, amending, replacing legal normative documents , or issuing new legal normative documents .

2. Legal normative documents must be review as frequently as possible. The systemization of legal normative documents must be carried out periodically in order to publish the collection of systemized effective legal normative documents in a timely manner.

3. Standing Committee of the National Assembly shall decide overall review of the system of legal normative documents ; other regulatory agencies shall review legal normative documents by topic, field, or geographic areas as demanded.

4. The Government shall elaborate this Article.

## **Chapter XVII**

### **IMPLEMENTATION**

#### **Article 171. Assurance of resources for formulating and promulgating legal normative documents**

The State shall introduce policies to attract, provide training, employ officials who participate in formulation and promulgation of legal normative documents that satisfy the requirements and objectives of this Law; modernize equipment, infrastructure; provide sufficient funding for formulation of policies, drafting, appraisal, inspection, revision, and promulgation of legal normative documents .

The government shall elaborate this Article.

#### **Article 172. Effect**

1. This Law comes into force from July 01, 2016.

2. Joint circulars between Ministries and ministerial agencies, directives of the People's Committees that are promulgated before the effective date of this Law shall keep applying until they are annulled by or replaced with other legal normative documents .

3. The Law on Promulgation of legal normative documents No 17/2008/QH12 and the Law on Promulgation of legal normative documents of the People's Councils and the People's Committees No. 31/2004/QH11 expire from the effective date of this Law.

4. Regulations on administrative procedures in legal normative documents promulgated by the competent agencies and persons mentioned in Clause 4 Article 14 of this Law before the effective date of this Law may be applied until they are annulled by other documents or replaced with new administrative procedures.

#### **Article 173. Elaboration**

Standing Committee of the National Assembly and the Government have the responsibility to elaborate the Articles and Clauses assigned in this Law.

*This Law is ratified by the 13<sup>th</sup> National Assembly of Socialist Republic of Vietnam during the 9<sup>th</sup> session on June 22, 2015.*

**PRESIDENT OF THE NATIONAL  
ASSEMBLY**

**Nguyen Sinh Hung**