

Hanoi, 1 March 2012

**UNOFFICIAL TRANSLATION**

**DECREE**

**on the Registration and Management of the Operations of  
Foreign non-governmental Organizations in Vietnam**

**THE GOVERNMENT**

Pursuant to the Law on the Organization of the Government dated 25 December 2001;  
Pursuant to the Law on the Promulgation of Legal Normative Documents dated 3 June 2008;  
Pursuant to the Decree No.15/2008/ND-CP dated 4 February 2008 stipulating functions, obligations, powers and organizational structure of the Ministry of Foreign Affairs;  
Considering the proposal of the Minister of Foreign Affairs,

**DECREES:**

**Chapter I**  
**GENERAL PROVISIONS**

**Article 1. Scope of regulation and application**

1. This Decree regulates the registration and management of development assistance and humanitarian aid activities that are not for profit or other purposes, as conducted by foreign non-governmental organizations in Vietnam.
2. This Decree applies to non-governmental and non-profit organizations, social funds, private funds or other types of non-governmental organizations, established in accordance with the laws of a foreign country, carrying out development assistance and humanitarian aid activities that are not for profit or other purposes in Vietnam.

**Article 2. Definitions**

In this Decree, the following terms shall be defined as follows:

1. "Foreign non-governmental organizations" are organizations as mentioned in Clause 2, Article 1 of this Decree.
2. "Humanitarian and development activities" are development assistance and humanitarian aid activities that are not for profit or other purposes.
3. "Program" is a group of inter-related activities/projects which may relate to one or more different fields, sectors, geographical areas and subjects to achieve one or more defined objectives, having a relatively long-term operation or including several

phases, with resources mobilized from different sources at different times and by different methods.

4. "Project" is a group of inter-related activities designed to achieve one or a number of specific objectives, carried out in specific location(s) within a defined period of time and based on defined resources.
5. "Non-project assistance" is an assistance which is not included in a program or project and is provided in kind, cash or technical expertise (including voluntary expertise) for humanitarian and development purposes.
6. "Long-term commitment" is long-term funding or operational commitment with duration of five (05) years or more.
7. "Vietnamese partner agency" is the Vietnamese agency/organization that directly cooperates or signs cooperation agreement(s) with a foreign non-governmental organization or individual upon the approval of Vietnamese competent authorities.
8. "Certificate of Registration" is the official legal document that certifies that a foreign non-governmental organization has registered its operations in accordance with this Decree and may be in one of the following forms: Certificate of Registration of Operations, Certificate of Registration of Project Office Establishment, and Certificate of Registration of Representative Office Establishment.
9. "Representative Office" is an office that officially represents the foreign non-governmental organization in Vietnam.
10. "Project Office" is an independent office or a branch office of the Representative Office, located within a locality for the purpose of monitoring/implementation of projects funded by the foreign non-governmental organization for such locality or region. The Project Office will close upon the project completion.
11. "Framework Agreement" is the agreement signed between Vietnamese legally competent agencies/organizations and the foreign non-governmental organization, which stipulates rights, obligations and contents of humanitarian and development activities conducted by the foreign non-governmental organization in Vietnam.

### **Article 3. Vietnamese State policies towards foreign non-governmental organizations**

1. The State of Vietnam encourages and facilitates foreign non-governmental organizations to carry out humanitarian and development activities in Vietnam.
2. Foreign non-governmental organizations that carry out humanitarian and development activities in Vietnam shall be required to register their operation with the Vietnamese competent authority as stipulated in Article 25 of this Decree and comply with Vietnamese laws.

### **Article 4. Prohibited undertakings**

Foreign non-governmental organizations are prohibited from the following undertakings:

1. Organizing and carrying out activities of religious/political nature or being detrimental to the national interests, security, defense and/or the national solidarity of Vietnam.
2. Organizing, carrying out and/or participating in profit-making activities, which are not for humanitarian and development purposes.
3. Organizing, carrying out and/or participating in activities related to money-laundering and terrorism.
4. Organizing, carrying out and/or participating in activities detrimental to social morality, fine habits and customs, and national traditions and identity.
5. Organizing, carrying out and/or participating in other activities running counter to the laws of Vietnam.

## **Chapter II**

### **REGISTRATION PROCEDURES FOR FOREIGN NON-GOVERNMENTAL ORGANIZATIONS IN VIETNAM**

#### **Article 5. Forms of Registration**

Foreign non-governmental organizations may be considered for granting the following three forms of registration: Certificate of Registration of Operations, Certificate of Registration of Project Office Establishment, and Certificate of Registration of Representative Office Establishment.

#### **Article 6. Procedures for Granting the Certificate of Registration of Operations**

1. In order to carry out registered activities in Vietnam, foreign non-governmental organizations shall be required to fulfill the following conditions:
  - a) Having a legal status according to the law of the country of establishment.
  - b) Having clear operational statutes/mandates.
  - c) Having plan(s) to carry out humanitarian and development activities in Vietnam via programs, projects or non-project assistance in conformity with the socio-economic development policies of the State of Vietnam.
2. The foreign non-governmental organizations requesting for the Certificate of Registration of Operations shall be required to submit to the Committee for Foreign non-governmental Organization Affairs, either directly or by courier or via the Vietnam's Representative Agency in the relevant foreign country, 01 document dossier (any document written in a foreign language must be accompanied by a valid certified Vietnamese translation version), including:

- a) 01 application letter of the foreign non-governmental organization signed by the authorized person and addressed to the Committee for Foreign non-governmental Organization Affairs, comprising the following major contents:
    - Full and abbreviated names, headquarters address of the organization.
    - Mandates and objectives of its operations.
    - Brief description of the history and development of the organization.
    - Financial sources and capacity.
    - Programs, projects and/or plan(s) of operation in Vietnam.
    - Commitment to fully complying with the laws of Vietnam and respecting the traditional customs and habits of Vietnam.
  - b) 01 copy of the duly consular-legalized Statute of the foreign non-governmental organization, except otherwise stipulated by provisions of international treaties of which Vietnam is a signatory or a member.
  - c) Original or 01 copy of the duly consular-legalized certification of the organization's legal status issued by a competent authority of the place where the organization is established or headquartered, except otherwise stipulated by provisions of international treaties of which Vietnam is a signatory or a member.
3. Within no more than 45 (forty-five) working days from its receipt of valid and complete application documents, the Committee for Foreign non-governmental Organization Affairs shall be responsible for providing a written notification of the result for the concerned foreign non-governmental organization.
  4. If the Certificate of Registration of Operations is approved, the foreign non-governmental organization shall be responsible for sending the application's signatory to directly pick up the Certificate of Registration of Operations at the office of the Committee for Foreign non-governmental Organization Affairs. In case of authorization, the receiver shall be required to present authorization letter and personal identity documents (passport, ID card, etc.). The Certificate may also be received by courier.
  5. The Certificate of Registration of Operations shall be valid within 03 (three) years from the granting date. The Certificate of Registration of Operations shall expire in the following cases:
    - Exceeding the duration as registered by the foreign non-governmental organization in the place of establishment or headquarter in case the laws of the concerned country stipulate provisions on the registration period of non-governmental organizations.
    - The foreign non-governmental organization is granted with either Certificate of Registration of Project Office Establishment or Certificate of Registration of Representative Office Establishment.

## **Article 7. Procedures for extension of Certificate of Registration of Operations**

1. If the extension of the Certificate of Registration of Operations is needed, the foreign non-governmental organization shall be required to submit, no later than 60 (sixty) days prior to the expiry of the Certificate of Registration of Operations, to the Committee for Foreign non-governmental Organization Affairs, either directly or by courier, 01 document dossier (any document written in a foreign language must be accompanied by a valid certified Vietnamese translation version), including:
  - a) 01 written request letter for the extension of the Certificate of Registration of Operations.
  - b) 01 original of the Certificate of Registration of Operations that is going to expire.
  - c) 01 summary report on the activities undertaken during the previous duration of the granted Certificate of Registration of Operations.
  - d) 01 Plan of activities to be carried out in the next duration of the Certificate of Registration of Operations.
2. Within 30 (thirty) working days from its receipt of valid documents, the Committee for Foreign non-governmental Organization Affairs shall provide a written notification of the result for the concerned foreign non-governmental organization.
3. If the extension of the Certificate of Registration of Operations is approved, the foreign non-governmental organization shall be responsible for sending the application's signatory to directly pick up the extended Certificate of Registration of Operations at the office of the Committee for Foreign non-governmental Organization Affairs. In case of authorization, the receiver shall be required to present authorization letter and personal identity documents (passport, ID card, etc.). The extended Certificate may also be received by courier.
4. The extended Certificate of Registration of Operations shall be valid within 03 (three) years from the extension date but not exceed the duration as registered by the foreign non-governmental organization in the place of establishment or headquarter in case the laws of the concerned country stipulate provisions on the registration period of non-governmental organizations.

## **Article 8. Procedures for supplement to, amendment of and re-granting of the Certificate of Registration of Operations**

1. If the supplement to/amendment of the contents of the Certificate of Registration of Operations or the re-granting of lost, torn, broken or worn-out Certificate is needed, the foreign non-governmental organization shall be required to submit to the Committee for Foreign non-governmental Organization Affairs, either directly or by courier, 01 document dossier (any document written in a foreign language must be accompanied by a valid certified Vietnamese translation version), including:
  - a) 01 written request letter for the supplement to, amendment of and re-granting of the Certificate of Registration of Operations, which clearly describes the

contents of and justifications for the supplement, amendment and re-granting.

- b) 01 original of the Certificate of Registration of Operations, which is requested to be supplemented, amended or re-granted due to being torn, broken or worn-out.
  - c) 01 certified copy of the Certificate of Registration of Operations in case the original is lost and requested for re-granting.
2. Within 30 (thirty) working days from its receipt of valid and complete documents, the Committee for Foreign non-governmental Organization Affairs shall be responsible for providing a written notification of the result for the concerned foreign non-governmental organization.
3. If the supplement to, amendment of and re-granting of the Certificate of Registration of Operations is approved, the foreign non-governmental organization shall be responsible for sending the request letter's signatory to directly pick up the supplemented, amended or re-granted Certificate of Registration of Operations at the office of the Committee for Foreign non-governmental Organization Affairs. In case of authorization, the receiver shall be required to present authorization letter and personal identity documents (passport, ID card, etc.). The supplemented, amended or re-granted Certificate may also be received by courier.

#### **Article 9. Procedures for granting the Certificate of Registration of Project Office Establishment**

1. The foreign non-governmental organization wishing to register for the establishment of its Project Office in Vietnam shall be required to meet the following conditions:
- a) Having been issued a Certificate of Registration of Operations in accordance with provisions as stipulated in Article 6 of this Decree.
  - b) Having programs/projects which have been approved by Vietnamese competent authorities, and whose scope and nature require regular/on-site administration and supervision.
2. The foreign non-governmental organization requesting for the Certificate of Registration of Project Office Establishment shall be required to submit to the Committee for Foreign non-governmental Organization Affairs, either directly or by courier or via the Vietnam's Representative Agency in the relevant foreign country, 01 document dossier (any document written in a foreign language must be accompanied by a valid certified Vietnamese translation version), including:
- a) A written request for the establishment of the Project Office with the main contents as follows: rationale for the establishment of the Project Office; intended location for the Project Office; planned number of foreign and Vietnamese staff required for the operations of the Project Office.
  - b) Original of the Certificate of Registration of Operations.

- c) 01 copy of project/program documentation and 01 original/copy of approval document(s) issued by the competent authority of Vietnam.
  - d) Original or 01 copy of the consular-legalized judicial record of the person proposed to be the Project Office Chief, as issued by the country where the proposed Project Office Chief is a citizen. If the proposed Project Office Chief has resided in Vietnam for over 6 months, 01 original of the judicial record issued by the competent authority of Vietnam shall be required.
  - e) 01 copy of the proposed Project Office Chief's biography and a recommendation letter of the head of the foreign non-governmental organization.
3. Within no more than 45 (forty-five) working days from its receipt of valid and complete application documents, the Committee for Foreign non-governmental Organization Affairs shall be responsible for providing a written notification of the result for the concerned foreign non-governmental organization.
4. If the Certificate of Registration of Project Office Establishment is approved, the foreign non-governmental organization shall be responsible for sending the request letter's signatory to directly pick up the Certificate of Registration of Project Office Establishment at the office of the Committee for Foreign non-governmental Organization Affairs. In case of authorization, the receiver shall be required to present authorization letter and personal identity documents (passport, ID card, etc.). The Certificate may also be received by courier.
5. The Certificate of Registration of Project Office Establishment shall be valid within 05 (five) years from the granting date but not exceed the duration as registered by the foreign non-governmental organization in the place of establishment or headquarter in case the laws of the concerned country stipulate provisions on the registration period of non-governmental organizations.

#### **Article 10. Procedures for extension of Certificate of Registration of Project Office Establishment**

1. If the extension of the Certificate of Registration of Project Office Establishment is needed, the foreign non-governmental organization shall be required to submit, no later than 60 (sixty) days prior to the expiry of the Certificate of Registration of Project Office Establishment, to the Committee for Foreign non-governmental Organization Affairs, either directly or by courier, 01 document dossier (any document written in a foreign language must be accompanied by a valid certified Vietnamese translation version), including:
- a) 01 written request letter for the extension of the Certificate of Registration of Project Office Establishment.
  - b) 01 original of the Certificate of Registration of Project Office Establishment that is going to expire.
  - c) 01 summary report on the activities undertaken during the previous duration of the granted Certificate of Registration of Project Office Establishment.

- d) 01 Plan of activities to be carried out in the next duration of the Certificate of Registration of Project Office Establishment.
- 2. Within 30 (thirty) working days from its receipt of valid and full documents, the Committee for Foreign non-governmental Organization Affairs shall provide a written notification of the result for the concerned foreign non-governmental organization.
- 3. If the extension of the Certificate of Registration of Project Office Establishment is approved, the foreign non-governmental organization shall be responsible for sending the application's signatory to directly pick up the extended Certificate of Registration of Project Office Establishment at the office of the Committee for Foreign non-governmental Organization Affairs. In case of authorization, the receiver shall be required to present authorization letter and personal identity documents (passport, ID card, etc.). The extended Certificate may also be received by courier.
- 4. The extended Certificate of Registration of Project Office Establishment shall be valid within 05 (five) years from the extension date but not exceed the duration as registered by the foreign non-governmental organization in the place of establishment or headquarter in case the laws of the concerned country stipulate provisions on the registration period of non-governmental organizations.

**Article 11. Procedures for supplement to, amendment of and re-granting of the Certificate of Registration of Project Office Establishment**

- 1. If the supplement to/amendment of the contents of the Certificate of Registration of Project Office Establishment or the re-granting of lost, torn, broken or worn-out Certificate is needed, the foreign non-governmental organization shall be required to submit to the Committee for Foreign non-governmental Organization Affairs, either directly or by courier, 01 document dossier (any document written in a foreign language must be accompanied by a valid certified Vietnamese translation version), including:
  - a) 01 written request letter for the supplement to, amendment of and re-granting of the Certificate of Registration of Project Office Establishment, which clearly describes the contents of and justifications for the supplement, amendment and re-granting.
  - b) 01 original of the Certificate of Registration of Project Office Establishment, which is requested to be supplemented, amended or re-granted due to being torn, broken or worn-out.
  - c) 01 certified copy of the Certificate of Registration of Project Office Establishment in case the original is lost and requested for re-granting.
- 2. Within 30 (thirty) working days from its receipt of valid and complete documents, the Committee for Foreign non-governmental Organization Affairs shall be responsible for providing a written notification of the result for the concerned foreign non-governmental organization.



3. If the supplement to, amendment of and re-granting of the Certificate of Registration of Project Office Establishment is approved, the foreign non-governmental organization shall be responsible for sending the request letter's signatory to directly pick up the supplemented, amended or re-granted Certificate of Registration of Project Office Establishment at the office of the Committee for Foreign non-governmental Organization Affairs. In case of authorization, the receiver shall be required to present authorization letter and personal identity documents (passport, ID card, etc.). The supplemented, amended or re-granted Certificate may also be received by courier.

## **Article 12. Procedures for granting the Certificate of Registration of Representative Office Establishment**

1. The foreign non-governmental organization wishing to register for the establishment of its Representative Office in Vietnam shall be required to meet the following conditions:
  - a) Having been issued a Certificate of Registration of Operations in accordance with provisions as stipulated in Article 6 of this Decree.
  - b) Having long-term commitment(s) through projects and programs, which have been approved by competent authorities of Vietnam.
  - c) Having effectively conducted activities in Vietnam for at least two years.
  - d) The Representative Office may only be located in one of the 3 (three) cities: Ha Noi, Da Nang and Ho Chi Minh City.
2. The foreign non-governmental organization requesting for the Certificate of Registration of Representative Office Establishment shall be required to submit to the Committee for Foreign non-governmental Organization Affairs, either directly or by courier or via the Vietnam's Representative Agency in the relevant foreign country, 01 document dossier (any document written in a foreign language must be accompanied by a valid certified Vietnamese translation version), including:
  - a) A written request for the establishment of the Representative Office with the main contents as follows: rationale for the establishment of the Representative Office; intended location for the Representative Office; planned number of foreign and Vietnamese staff required for the operations of the Representative Office.
  - b) Original of the Certificate of Registration of Operations or 01 certified copy of the Certificate of Registration of Project Office Establishment (in case the Project Office was set up in Vietnam).
  - c) 01 copy of project/program documentation and 01 original/certified copy of approval document(s) issued by the competent authority of Vietnam.
  - d) Original or 01 certified copy of the consular-legalized judicial record of the person proposed to be the Representative Office Chief, as issued by the country where the proposed Representative Office Chief is a citizen. If the proposed Representative Office Chief has resided in Vietnam for over 6

months, 01 original of the judicial record issued by the competent authority of Vietnam shall be required.

- e) 01 copy of the proposed Representative Office Chief's biography and a recommendation letter of the head of the foreign non-governmental organization.
  - f) 01 copy of the Report on Performance in Vietnam of at least 02 (two) most recent years.
3. Within no more than 45 (forty-five) working days from its receipt of valid and complete application documents, the Committee for Foreign non-governmental Organization Affairs shall be responsible for providing a written notification of the result for the concerned foreign non-governmental organization.
4. If the Certificate of Registration of Representative Office Establishment is approved, the foreign non-governmental organization shall be responsible for sending the request letter's signatory to directly pick up the Certificate of Registration of Representative Office Establishment at the office of the Committee for Foreign non-governmental Organization Affairs. In case of authorization, the receiver shall be required to present authorization letter and personal identity documents (passport, ID card, etc.). The Certificate may also be received by courier.
5. The Certificate of Registration of Representative Office Establishment shall be valid within 05 (five) years from the granting date but not exceed the duration as registered by the foreign non-governmental organization in the place of establishment or headquarter in case the laws of the concerned country stipulate provisions on the registration period of non-governmental organizations.

### **Article 13. Procedures for extension of Certificate of Registration of Representative Office Establishment**

1. If the extension of the Certificate of Registration of Representative Office Establishment is needed, the foreign non-governmental organization shall be required to submit, no later than 60 (sixty) days prior to the expiry of the Certificate of Registration of Representative Office Establishment, to the Committee for Foreign non-governmental Organization Affairs, either directly or by courier, 01 document dossier (any document written in a foreign language must be accompanied by a valid certified Vietnamese translation version), including:
- a) 01 written request letter for the extension of the Certificate of Registration of Representative Office Establishment.
  - b) 01 original of the Certificate of Registration of Representative Office Establishment.
  - c) 01 summary report on the activities undertaken during the previous duration of the granted Certificate of Registration of Representative Office Establishment.
  - d) 01 Plan of activities to be carried out in the next duration of the Certificate of Registration of Representative Office Establishment.

2. Within 30 (thirty) working days from its receipt of valid and full documents, the Committee for Foreign non-governmental Organization Affairs shall provide a written notification of the result for the concerned foreign non-governmental organization.
3. If the extension of the Certificate of Registration of Representative Office Establishment is approved, the foreign non-governmental organization shall be responsible for sending the application's signatory to directly pick up the extended Certificate of Registration of Representative Office Establishment at the office of the Committee for Foreign non-governmental Organization Affairs. In case of authorization, the receiver shall be required to present authorization letter and personal identity documents (passport, ID card, etc.). The extended Certificate may also be received by courier.
4. The extended Certificate of Registration of Representative Office Establishment shall be valid within 05 (five) years from the extension date but not exceed the duration as registered by the foreign non-governmental organization in the place of establishment or headquarter in case the laws of the concerned country stipulate provisions on the registration period of non-governmental organizations.

**Article 14. Procedures for supplement to, amendment of and re-granting of the Certificate of Registration of Representative Office Establishment**

1. If the supplement to/amendment of the contents of the Certificate of Registration of Representative Office Establishment or the re-granting of lost, torn, broken or worn-out Certificate is needed, the foreign non-governmental organization shall be required to submit to the Committee for Foreign non-governmental Organization Affairs, either directly or by courier, 01 document dossier (any document written in a foreign language must be accompanied by a valid certified Vietnamese translation version), including:
  - a) 01 written request letter for the supplement to, amendment of and re-granting of the Certificate of Registration of Representative Office Establishment, which clearly describes the contents of and justifications for the supplement, amendment and re-granting.
  - b) 01 original of the Certificate of Registration of Representative Office Establishment, which is requested to be supplemented, amended or re-granted due to being torn, broken or worn-out (and 01 certified copy for the remaining dossier).
  - c) 01 certified copy of the Certificate of Registration of Representative Office Establishment in case the original is lost and requested for re-granting.
2. Within 30 (thirty) working days from its receipt of valid and complete documents, the Committee for Foreign non-governmental Organization Affairs shall be responsible for providing a written notification of the result for the concerned foreign non-governmental organization.
3. If the supplement to, amendment of and re-granting of the Certificate of Registration of Representative Office Establishment is approved, the foreign non-governmental organization shall be responsible for sending the request letter's signatory to

directly pick up the supplemented, amended or re-granted Certificate of Registration of Representative Office Establishment at the office of the Committee for Foreign non-governmental Organization Affairs. In case of authorization, the receiver shall be required to present authorization letter and personal identity documents (passport, ID card, etc.). The supplemented, amended or re-granted Certificate may also be received by courier.

#### **Article 15. Termination of operations of foreign non-governmental organizations**

1. The foreign non-governmental organization which has been granted with a Certificate of Registration shall be partially or wholly terminated or forced to terminate their operations and withdrawn the Certificate of Registration in accordance with the decision of the Minister of Foreign Affairs in the following cases:
  - a) The Certificate of Registration expires without requesting for extension in accordance with provisions as stipulated in this Decree.
  - b) Having violated provisions as set forth in Article 4 of this Decree.
  - c) Having intentionally made false documentation during the registration.
  - d) Having conducted no activity within 12 months from the issuance of the Certificate of Registration.
2. Within no more than 60 (sixty) days from the date of receipt of termination notice by the Ministry of Foreign Affairs, the concerned foreign non-governmental organization shall be required to settle all matters related to the office, housing, staff, working facilities, financial obligations (if any) and other matters related to organizations and individuals in Vietnam.
3. In case of voluntary termination of operations, the foreign non-governmental organization shall be required, within 60 (sixty) days prior to the official termination of operations, to send a written notice to the Committee for Foreign non-governmental Organization Affairs and Ministry of Foreign Affairs, together with the granted Certificate of Registration and financial and asset audit reports, and to fulfill the responsibilities as prescribed in Clause 2 of this Article.

### **Chapter III RIGHTS AND OBLIGATIONS OF FOREIGN NON-GOVERNMENTAL ORGANIZATIONS**

#### **Article 16. General provisions**

1. The operations of foreign non-governmental organizations in Vietnam must comply with the contents prescribed in the granted Certificate of Registration.

2. The Chief of Representative Office/Project Office or the authorized person(s) of the foreign non-governmental organization in Vietnam shall be responsible for all activities of such non-governmental organization in Vietnam.
3. The rights and obligations of the foreign non-governmental organization that has the Representative Office or Project Office shall be clearly stated in the written framework agreement signed by the competent State agency (as stipulated in the Article 25 of this Decree).

#### **Article 17. Notification of activities**

Within 45 days after the granting, extension, supplement and amendment of the Certificate of Registration, the concerned foreign non-governmental organization shall be responsible for notifying the granting, extension, supplement and amendment of the Certificate of Registration and its operational plan to the People's Committee of the province/centrally-administered city where it has or intends to conduct activities.

#### **Article 18. Reporting responsibility**

1. On six-month or yearly basis, the Chief of Representative Office/Project Office or the authorized person(s) of the foreign non-governmental organization in Vietnam shall be responsible for providing a written report on the operations in Vietnam for the competent State agency (as stipulated in the Article 25 of this Decree) and cc to the People's Committee of the province/centrally-administered city where it conducts activities, as described in the Certificate of Registration.
2. The Chief of Representative Office/Project Office or the authorized person(s) of the foreign non-governmental organization in Vietnam shall be responsible for reporting, audits, provision of documents or providing explanations on matters related to organizations and individuals as may be requested by the competent State agency (as stipulated in the Article 25 of this Decree).

#### **Article 19. Office rent and staff employment**

The concerned foreign non-governmental organization shall be allowed to rent office rent and hire foreign and Vietnamese employees to work in its office after having received written acceptance from the registration granting State agency and in conformity with the granted Certificate of Registration and Vietnamese legal regulations.

#### **Article 20. Granting work permits**

After being granted with the Certificate of Registration by the competent State agency, foreign staff working for foreign non-governmental organizations shall be required to visit the Department of Labor, War Invalids and Social Affairs in the province where their office is located to register for work permits in accordance with Vietnamese legal regulations, except for those foreigners who are Chief Representatives (including Chiefs of Representative Offices/Project Offices or the authorized persons of the foreign non-governmental organizations in Vietnam). The registration is free-of-charge.

## **Article 21. Stamp and bank account**

1. Foreign non-governmental organizations that have already registered for its operations shall be permitted to signing up stamps in accordance with Vietnamese laws.
2. Foreign non-governmental organizations that have already registered for its operations shall be permitted to opening bank accounts (in foreign currenc(ies) or in Vietnamese Dong) at banks established and operated in line with Vietnamese laws.
3. Expatriate representatives and staff of foreign non-governmental organizations that have already registered for its operations shall be permitted to opening bank accounts at banks in line with Vietnamese laws.

## **Article 22. Importation of goods/commodities**

The importation into Vietnam of necessary office equipment, vehicles and spare parts, and personal belongings for working and living purposes of the Representative Office, Project Office and expatriate staff shall be subject to Vietnamese legal regulations.

## **Article 23. Personal income tax on expatriate staff**

The personal income tax on expatriate representatives, staff and specialists working for foreign non-governmental organizations in Vietnam (in Representative Offices, Project Offices and projects) shall be subject to Vietnamese legal regulations/documents.

# **Chapter IV RESPONSIBILITIES OF MANAGEMENT AGENCIES**

## **Article 24. Responsibilities of the Ministry of Foreign Affairs**

As the focal point of managing the operations of foreign non-governmental organizations, it shall:

1. Take lead and coordinate with relevant agencies in drafting and promulgating legal normative documents on the operations of foreign non-governmental organizations in Vietnam.
2. Provide advice/recommendation on external policies related to the operations of foreign non-governmental organizations.
3. Perform the granting, extension, supplement, amendment and withdrawal of the Certificates of Registration of foreign non-governmental organizations in Vietnam.
4. Coordinate with relevant agencies in the management of the operations of foreign non-governmental organizations.
5. Perform other tasks as assigned by the Prime Minister.

## **Article 25. Responsibilities of the Committee for Foreign non-governmental Organization Affairs**

The Committee for Foreign non-governmental Organization Affairs has been established in accordance with the Prime Minister's Decision in order to help the Prime Minister handle with matters related to foreign non-governmental organizations in Vietnam.

1. Coordinate with the Ministry of Foreign Affairs in drafting and submitting to the competent authority for the promulgation of legal normative documents on the operations of foreign non-governmental organizations in Vietnam.
2. Take lead in the appraisal, via the Committee's member departments, of foreign non-governmental organizations in order to forward documentation to the Ministry of Foreign Affairs for the purpose of granting, extension, supplement, amendment and withdrawal of the Certificates of Registration of foreign non-governmental organizations in Vietnam.
3. Perform inspection, monitoring and supervision of the operations of foreign non-governmental organizations in Vietnam.
4. Take lead in and coordinate with relevant agencies in handling with complaints, accusations and violations related to the operations of foreign non-governmental organizations in Vietnam.
5. Consolidate information and report to the Prime Minister on the operations of foreign non-governmental organizations in Vietnam.
6. Provide periodical notifications to ministries, agencies and local authorities on foreign non-governmental organizations registered for their operations in their respective fields and localities.
7. Disseminate and provide information related to non-governmental operations for Vietnamese partner agencies and foreign non-governmental organizations.
8. Perform other tasks as assigned by the Government and Prime Minister in accordance with legal regulations.

## **Article 26. Responsibilities of agencies represented in the Committee for Foreign non-governmental Organization Affairs**

1. Government Office:
  - a) Assist the Government/Prime Minister in directing the State management of the operations of foreign non-governmental organizations in Vietnam.
  - b) Coordinate with relevant agencies in the State management of the operations of foreign non-governmental organizations.
2. Ministry of Internal Affairs: shall be responsible for handling with matters related to the relationship among domestic non-governmental organizations, associations and foreign non-governmental organizations.

3. Ministry of Public Securities: shall be responsible for handling with matters related to the national security and social order/safety in the operations of foreign non-governmental organizations in Vietnam.
4. Ministry of Planning and Investment: shall be responsible for handling with matters related to the State management of aids provided by foreign non-governmental organizations in Vietnam.
5. Ministry of Finance: shall be responsible for handling with matters related to the State management of financial aspects of aids provided by foreign non-governmental organizations.
6. Government Committee for Religions: shall be responsible for handling with matters related to religions in the operations of foreign non-governmental organizations.
7. Union of Vietnamese Friendship Organizations: shall be responsible for handling with matters related to communication and mobilization of foreign non-governmental aids, and act as the standing agency of the Committee for Foreign non-governmental Organization Affairs.

**Article 27. Responsibilities of Ministries, ministerial-level agencies,  
Government-dependent agencies and central agencies**

1. Instruct, monitor and supervise the operations of foreign non-governmental organizations in the respective fields which are under the State management of Ministries, ministerial-level agencies and Government-dependent agencies.
2. Consolidate the information, on 6-month basis or as requested, on the operations of foreign non-governmental organizations that they have directly collaborated and send to the Committee for Foreign non-governmental Organization Affairs for consolidation and reporting to the Prime Minister.
3. Identify an appropriate dependent unit acting as the focal point in communication and management of the operations of foreign non-governmental organizations working in the respective fields which are under the State management of Ministries, ministerial-level agencies and Government-dependent agencies.

**Article 28. Responsibilities of People's Committees  
of provinces and centrally- administered cities**

1. Instruct, monitor and supervise the operations of foreign non-governmental organizations in respective provinces and centrally- administered cities.
2. Collaborate with the Committee Foreign non-governmental Organization Affairs in the process of granting, extension, supplement, amendment and withdrawal of the Certificates of Registration.
3. Consolidate the information, on 6-month basis or as requested, on the operations of foreign non-governmental organizations in the respective locality and send to the Committee for Foreign non-governmental Organization Affairs for consolidation and reporting to the Prime Minister.



4. Identify an appropriate dependent unit acting as the focal point in communication and management of the operations of foreign non-governmental organizations in the locality.

#### **Article 29. Responsibilities of Vietnamese partner agencies**

1. Comply with regulations on the operations and aids of foreign non-governmental organizations in Vietnam while collaborating with these organizations.
2. Provide guidance for non-governmental organizations with respect to fulfilling relevant regulations.
3. Report to the competent authority on the collaboration with foreign non-governmental organizations that they have relationships.

### **Chapter V IMPLEMENTATION PROVISIONS**

#### **Article 30. Effectiveness of execution**

1. This Decree shall come into force from 1 June 2012 and supersede the Prime Minister's Decision No. 340/TTg dated 24 May 1996 on the promulgation of the Regulations on the Operations of Foreign non-governmental Organizations in Vietnam.
2. Foreign non-governmental organizations that have been granted with the Permit of Representative Office Establishment, Permit of Project Office Establishment and Permit of Operations in Vietnam according to the Regulations on the Operations of Foreign non-governmental Organizations in Vietnam promulgated together with the Prime Minister's Decision No. 340/TTg dated 24 May 1996 shall not be subject to re-application, but be required to provide, within 90 (ninety) days from the date of this Decree effectiveness, additional documents according to provisions as stipulated in this Decree if they wish to register for their operations in respective forms as prescribed in this Decree (Certificate of Registration of Representative Office Establishment, Certificate of Registration of Project Office Establishment and Certificate of Registration of Operations respectively).

#### **Article 31. Rewards and handling with violations**

1. Foreign non-governmental organizations and individuals that are to make active and effective contributions to humanitarian and development programs in Vietnam shall be recognized and rewarded by the State of Vietnam in accordance with Vietnamese laws.
2. Foreign non-governmental organizations performing operations are not in conformity with the granted Certificate of Registration or violate the provisions as stipulated in this Decree shall be, depending on the extent of violations, subject to partial postponement or withdrawal of the Certificate of Registration. All illegal acts

committed by foreign non-governmental organizations in Vietnam and their staff shall be handled in accordance with Vietnamese laws.

## **Article 32. Execution responsibility**

1. The Ministry of Foreign Affairs shall, in coordination with the Committee for Foreign non-governmental Organization Affairs, be responsible for providing guidance and checking on the execution of this Decree.
2. Ministers, heads of ministerial-level and Government-dependent agencies, Chairperson of the Committee for Foreign non-governmental Organization Affairs, Chairperson of the Union of Vietnamese Friendship Organizations, Chairpersons of People's Committees of provinces and centrally-administered cities and heads of central agencies of mass organizations shall be responsible for executing this Decree.

### ***Recipients:***

- Party's Central Committee Secretariat;
- Prime Minister, Deputy Prime Ministers;
- Ministries, Government and Ministerial-level agencies;
- Office of the Central Steering Committee for Anti-Corruption;
- People's councils, People's Committees of provinces and centrally-administered cities;
- Office and Commissions of the Party's Central Committee;
- Office of the President of State;
- Office of the National Assembly;
- Ethnic Minority Affairs Council and National Assembly committees;
- Supreme People's Court;
- Supreme People's Procuracy;
- State Audit;
- National Committee for Financial Monitoring;
- Social Policy Bank;
- Vietnam Development Bank;
- The Fatherland Front of Vietnam;
- Central agencies of mass and people's organizations;
- Vietnamese Union of Friendship Organizations
- The Government Office: Heads and deputies, departments, subordinate units, Public Gazettes;
- Filing: Admin, International Relations (5 copies).

**ON BEHALF OF THE GOVERNMENT  
PRIME MINISTER  
(Signed)**

**Nguyen Tan Dung**