

Special Alert

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Corporate and investment licensing procedures resume after lockdown

After three months experiencing strict lockdown regulations from the fourth wave of COVID-19, Vietnam is changing its strategy to control the outbreak. The Government of Vietnam has announced a gradual opening and resumption of activities from the end of September 2021. Accordingly, the National Steering Committee for COVID-19 Prevention and Control has agreed to change the strategy policy from “Zero COVID” to “Safe and flexible adaption and effective control of the COVID-19 pandemic” under guidance of Resolution No. 128/NQ-CP of the Government of Vietnam dated 11 October 2021 (“**Resolution 128**”).

To implement Resolution 128, the licensing authorities have resumed corporate and investment licensing procedures via appropriate methods to ensure timely settlement of administrative procedures for individuals and organizations, but still comply with COVID-19 restrictions.

Working methods of the Government authorities in Hanoi and Ho Chi Minh City after returning to normal

In Ho Chi Minh City, as per Official Letter No. 3086/UBND-VX of the People’s Committee of Ho Chi Minh City dated 16 September 2021 (the “**Official Letter 3086**”), during the first phase (from 1 October to 31 October), the administrative procedures in the areas at level 3 (orange) and level 4 (red) will continue to be conducted by online public services or public postal services to submit dossiers and receive results from the licensing authorities. For special and urgent administrative procedures, the licensing authorities can directly receive dossiers and the results will be returned by the public postal service provided by the Ho Chi Minh City Post Office (the “**Public Administration Office**”), unless it is required by law to return results directly.

In Hanoi, Directive No. 22/CT-UBND of the People’s Committee of Hanoi dated 20 September 2021

(the “**Directive 22**”) stipulates that the Division for receiving dossiers and returning results in direct method of agencies / units (if any) can resume normal operations.

Administrative Procedures in Investment and Corporate Sectors

The Department of Planning and Investment (the “**DPI**”) of Ho Chi Minh City encourages individuals and organizations to continue submitting online as administrative procedures have previously been conducted by online public services. The status of submitted dossiers will be updated via email and the results of dossiers submitted in person or online can be received by the Public Administration Office.

Meanwhile, in the capital city, the DPI of Hanoi has organized to receive and handle administrative procedures in both direct and online methods as from 21 September 2021.

Administrative Procedures in Industry and Trade Sectors

Currently, the Department of Industry and Trade (the “**DOIT**”) mainly receives and handles dossiers through the online public service portal, in particular:

- Ho Chi Minh City: congthuong.hochiminhcity.gov.vn/web/dvc
- Hanoi: dichvucong.hanoi.gov.vn/hanoi/tiephanonline

For responses of applications, individuals and organizations can receive them directly or via the Public Administration Office.

Administrative Procedures for Labor and Employment

The Department of Labor, War Invalids and Social Affairs (the “**DOLISA**”) of Ho Chi Minh City currently has not issued any new guidance on receiving online applications. Individuals and organizations still need to submit dossiers in hardcopy via the Public Administration Office. The results are also received by such method.

In Hanoi, individuals and organizations can submit dossiers directly or online to the DOLISA of Hanoi under directions of Directive 22.

Timeline

The performance of the licensing authorities in processing dossiers is quite timely. As announced by the DOIT and the DPI of Ho Chi Minh City on their websites, almost dossiers submitted online have been processed on time. In general, it looks like the authorities are moving towards a resumption of regular activities in line with the Government’s policy of living with COVID.

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