

THE PRIME MINISTER

SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

No.: 23/2015/NĐ-CP

Hanoi, February 16, 2015

DECREE

ISSUING COPIES FROM MASTER REGISTERS, CERTIFICATION OF TRUE COPIES FROM ORIGINALS, AUTHENTICATION OF SIGNATURES AND CONTRACTS

Pursuant to the Law on Government organization dated December 25, 2001;

At the request of the Minister of Justice;

The Government promulgates the Decree on issuance of copies from master registers, issuance of certified true copies from originals, authentication of signatures and contracts

Chapter I

GENERAL PROVISIONS

Article 1. Governing scope

This Decree regulates authorities and procedures for issuance of copies from master registers, issuance of certified true copies from originals, authentication of signatures and contracts; legal value of copies from master registers, certified true copies from originals, signatures and contracts; state management in authentication.

Article 2. Interpretation of terms

In this Decree, some terms are construed as follows:

1. “Issuance of copies from master registers” means agencies or organizations shall issue copies based on the master registers they are managing. Copies from master registers shall contain adequate and accurate information as written in the master registers
2. “Certifying copies of originals as true” means competent agencies as defined hereof shall certify copies of the originals as true based on the originals.
3. “Authentication of signatures” means competent agencies as defined hereof shall authenticate signatures on papers, documents as signatures of the person concerned.
4. “Authentication of contracts” means competent agencies as defined hereof shall authenticate time and venue where the contracts are executed; civil capacity, willingness, signatures or append fingerprints of contracting parties.

5. “Originals” mean any paper, document issued, re-issued or replaced by competent authorities; any paper, document prepared by individuals with confirmations, legal seals affixed by competent authorities.

6. “Master register” means the register made by a competent authority as the basis for issuance of originals as regulated and containing information exactly the same as that of the original issued by such competent authority.

7. “Authenticated document” means any paper, document and contract that has been authenticated under this Decree

8. “Authenticating person” means head or deputy head of the Justice Office of provincial-affiliated districts and cities; presidents, vice-presidents of the People’s Committees of communes, notaries, notary offices; diplomats, consuls of diplomatic missions, consulate representative agencies and other agencies authorized to act as consuls in foreign countries.

Article 3. Legal value of copies issued from master registers, copies certified as true from originals, authenticated signatures and contracts;

1. Copies issued from master registers have legal value when being used as substitutes for originals in transactions except otherwise prescribed by the law;

2. Copies certified as true from originals under this Decree have legal value when being used as substitutes for originals in transactions except otherwise prescribed by the law;

3. Authenticated signatures under this Decree have legal value in determining signer and his/her liabilities for the paper, document signed.

4. Authenticated contract under this Decree has legal value in serving as evidence of the time and venue where the contract is executed; civil capacity, willingness, signatures or append fingerprints of contracting parties.

Article 4. Authorities and responsibilities for issuance of copies from master registers

1. Agencies or organizations that are managing master registers have the authorities and responsibilities for issuing copies from master registers as prescribed hereof, unless otherwise prescribed by the law.

2. A copy and its master register may be issued simultaneously or a copy is issued after the master register.

Article 5. Authorities and responsibilities for authentication

1. The Justice offices of provincial-affiliated districts and cities (hereinafter referred to as the Justice Office) shall:

a) Certify true copies from originals of papers, documents issued or certified by Vietnamese competent authorities, foreign competent authorities, or Vietnamese competent authorities in association with foreign competent authorities.

b) Authenticate signatures on papers and documents;

c) Authenticate signatures of translators with respect to papers and documents translated from foreign to Vietnamese or vice versa;

d) Authenticate contracts concerning properties as movables;

dd) Authenticate agreements for division of heritage, written admission of heritage as movables;

Heads, deputy heads of the Justice Office shall carry out authentication for the aforesaid matters as regulated in this Clause, sign their names and affix seals.

2. People's Committees of communes (hereinafter referred to as the People's Committee of communes) shall:

a) Certify true copies from originals of any paper, document issued or certified by Vietnamese competent authorities;

b) Authenticate signatures on papers and documents except signatures of translators;

c) Authenticate contracts concerning properties as movables;

b) Authenticate contracts concerning land use right according to the Law on Land;

dd) Authenticate contracts concerning houses according to the Law on Housing;

e) Authenticate testaments;

g) Authenticate written refusal of heritage;

h) Authenticate agreements for division of heritage, written admission of properties as movables as defined in Points c, d and dd of this Clause;

Presidents, deputy presidents of People's Committees of communes shall carry out authentication, sign names and affix seals;

3. Diplomatic missions, consulate representative agencies and other agencies authorized to act as consuls in foreign countries (hereinafter referred to as the representative agency) have authorities and responsibilities for authenticating the matters as defined in Points a, b and c of this Clause. Diplomats, consuls shall carry out authentication, sign names and affix seals;

4. Notaries have authorities and responsibilities for authenticating the matters as defined in Points a, Clause 1, Point b, Clause 2 of this Article, signing names and affixing seals of the Notary Office.

5. Certification of true copies from originals, authentication of signatures, contracts concerning properties as movables, authentication of testament as defined in this Article shall not be dependent on residency of requesters for authentication.

6. Authentication of contracts concerning land use rights shall be performed at the People's Committee of commune where the land is. Authentication of contracts concerning houses shall be performed at the People's Committee of commune where the house is situated;

Article 6. Responsibilities of agencies and organizations that receive copies

1. In case only copies are requested (by the law), agencies or organizations shall be responsible for receiving copies only, no certified true copies unless originals are needed for comparison. A checker (person who compares copies and originals) shall be responsible for confirming accuracy of copies versus originals.
2. Any agency or organization that receives copies issued from master registers and certified true copies shall not be allowed to ask for presentation of originals unless the copies show signs of falsification or being illegal.

Article 7. Time limit for authentication

Time limit for authentication must be ensured right in the day the request for authentication is received or in the following day if the request is received after 15 hours except otherwise as prescribed in Articles 21, 33 and 37 hereof.

Article 8. Rights and obligations of requesters for authentication

1. Requesters for authentication have the rights to request authentication from any competent agency or organization except otherwise as prescribed in Clause 6, Article 5 hereof. In case of rejection, requesters have the rights to ask the agency or organization to give reasons in writing or complaints shall be filed according to the law provisions.
2. Requesters shall be responsible for information and eligibility of papers, documents to be submitted for authentication or to be presented as procedures for authentication under this Decree.

Article 9. Rights and obligations of authenticating persons

1. Ensure honesty, accuracy and objectivity when authentication is carried out;
2. Take legal responsibility for one's own authentication;
3. Do not authenticate contracts or signatures concerning properties or interests of their own or of their relatives (spouses, biological and adoptive parents, biological and adopted children...)
4. Reject authentication in cases as defined in Articles 22, 25 and 32 hereof;
5. Request relevant agencies, organizations, and individuals to provide necessary information to verify legality of the papers and documents submitted for authentication.
6. Document, impound and transfer to competent state agencies for handling any paper or document (submitted for authentication) that is illegally issued, falsified or contain information as defined in Clause 4, Article 22 hereof.
7. Instruct requesters to make supplements to the papers or documents (submitted for authentication) if necessary or instruct them to make submission to the right competent agency upon finding they go to the wrong place.

In case of rejection, authenticating persons must give proper reasons in writing to the requester.

Article 10. Places of authentication

1. Authentication is performed at the head offices of police authorities, competent agencies except authentication for testaments, contracts or signatures requested by those who are old and weak, taken into custody or detained, serving prison sentence or have other proper reasons.
2. When authentication is performed, places of authentication must be specified; in case authentication is performed outside of the head office, specific time must be specified.
3. Agencies or organizations that perform authentication must appoint personnel to receive requests for authentication all working days of week; publicly post work schedule, authorities, procedures, time for handling, fees and charges for authentication performed at agencies or organizations.

Article 11. Oral and verbal forms in authentication of contracts

Oral and verbal forms in authentication of contracts shall be Vietnamese. In case a requester can not speak good Vietnamese, a translator must be provided.

Article 12. Testimonies

1. Testimonies are compulsory information of the document to be authenticated
2. Specimen testimonies enclosed herewith includes:
 - a) Testimony for certification of true copies from originals;
 - b) Testimonies for authentication of signatures include testimonies for authentication of one signature on a single document; authentication of multiple signatures on a single document; authentication of append fingerprints; authentication in case signatures or append fingerprints can not be made;
 - c) Testimonies for authentication of translators' signatures;
 - d) Testimonies for authentication of contracts including testimonies for authentication of contracts, agreements for division of heritage, written admission of heritage; testaments and written refusal of heritage.

Article 13. Authentication book

1. Authentication book is used to oversee and manage authentications performed at the agency or organization that perform authentication. Authentication book must be written continuously from page to page (No page is left blank). A stamp must be affixed on adjoining edges of all pages of the book and used for a year. At the end of year, close the book and enumerate all the authentications performed in the year, sign for confirmation, write full name and affix seal.
2. Authentication number is ordinal numbers written in an authentication book enclosed with the number, year of authentication and symbols of authentications... Ordinal numbers noted in the authentication book must start from 01 continuously to the end of year. In case the year is not yet finished but the book is full, the next ordinal number must be noted on another book. For any book used for the next year, ordinal number must start from 01.

The numbers noted in the authenticated document correspond to authentication number noted in the authentication book.

3. In case agencies or organizations apply information technology to authentication, all the information according to specimen authentication book enclosed herewith must be adequate. On the monthly basis, agencies or organizations shall print and make a book with a stamp affixed on adjoining edges; at the end of December 31 annually, all individual monthly books shall be gathered into a general authentication book according to type of authentication performed in a year. Formation, noting and closing of authentication book shall conform to the provisions set out in Clauses 1 and 2 of this Article

4. Specimen authentication book enclosed herewith includes:

a) Book for certification of true copies from originals (SCT/BS);

b) Authentication book for signatures, append fingerprints (SCT/CK, ĐC);

c) Authentication book for translators' signatures (SCT/CKND);

dd) Authentication book for contracts (SCT/HĐ, GD);

Article 14. Storage

1. Authentication books are archives of the State which are preserved and stored permanently at agencies, organizations that perform authentication.

2. For authentication of signatures and signatures of translators, agencies or organizations must hold an authenticated copy for a period of two years. For authentication of signature of a court expert on the expert's report by order of the court, or certification of true copies from originals, storage is not necessary.

3. For authentication of contracts, the agency that performs authentication must store an original of the contract enclosed with the document; period of storage is 20 years.

4. Any agency that performs authentication is not permitted to charge other fees, charges for authenticated document as defined in Clauses 2 and 3 of this Article; shall be responsible for preserving and storing authentication book and authenticated document.

5. Destruction of authenticated document with expired storage period shall be done under the Law on Archives

Article 15. Authentication fees and other expenses

1. Requesters for authentication in the Justice Office, People's Committees of communes, representative agency must pay an authentication fee according to the law provisions.

2. Collection, payment, management and use of fees, charges for authentication must be done according to the law provisions.

3. In case requesters request the agency that performs authentication to print, photocopy, do the typing for documents to be authenticated, additional fees must be paid for such works.

At home, level of fee collection shall be defined by People's Committee of central-affiliated cities and provinces (hereinafter referred to as the People's Committees of provinces) based on local reality; and abroad, level of fee collection shall be defined by head of representative agency based on real circumstances in the administrative division.

Chapter II

ISSUING COPIES FROM MASTER REGISTERS, AUTHENTICATION OF COPIES FROM ORIGINALS, AUTHENTICATION OF SIGNATURES

Section 1: Issuing copies from master registers

Article 16. Organizations and individuals entitled to request for issuance of copies from master registers

1. Organizations and individuals that are issued with originals
2. Legal representatives, persons authorized by organizations, individuals
3. Parents, children; spouses, sisters, brothers; successors to deceased holders of originals.

Section 17: Procedures for issuance of copies from master registers

1. Requesters for issuance of copies from master registers must present originals or any certified true copy of valid ID card or passport.

In case requesters for issuance of copies from master registers are those as defined in Clauses 2, 3, Article 16 hereof, presentation of any document approving relationship with holders of originals is required.

2. The agency or organization shall issue copies to requesters in reliance on master registers; information recorded in the copy must be exactly the same as that of the master register. In case the master register is not stored or the master register does not contain information as requested for the copy, the agency or organization shall be responsible for issuing a written reply to requesters.
3. In case requesters for issuance of copies from master registers submit their request by post, a certified true copy of the document as defined in Clause 1 of this Article, 01 (one) stamped envelop carrying full name and address must be enclosed.
4. Time limit for issuance of copies from master registers shall conform to the provisions set out in Article 7 hereof. In case a request for issuance of copies from master registers is submitted by post, the time limit for issuance shall be based on full receipt of eligible documents.

Section 2: AUTHENTICATION OF COPIES FROM ORIGINALS;

Article 18: Papers, documents as the basis for certification of true copies from originals

1. Originals of papers, documents issued by competent agencies, organizations;

2. Originals of papers, documents prepared by individuals with confirmation and seals from competent agencies, organizations;

Article 19. Responsibilities of requesters for certification of true copies and authenticating persons

1. Requesters shall be responsible for the information and eligibility of originals of papers, documents used as the basis for certification of copies as true; request for certification of true copies from originals of papers and documents as defined in Article 22 hereof is not permitted.

2. Authenticating persons shall be responsible for accuracy of copies versus originals

Section 20: Procedures for certification of true copies from originals

1. Requesters must present originals of papers and documents as the basis for certification of true copies and a copy to be certified as true.

In case originals of papers, documents that were issued, notarized or certified by a foreign competent agency or organization, they must be consular legalized according to the law before certification of true copies is performed except cases of exemption from consular legalization as prescribed in the International Agreement to which Vietnam is a signatory or according to the principle of reciprocity;

2. In case requesters present originals only, the agency or organization shall have them photocopied for authentication except the agency or organization has no means of photocopying.

3. Authenticating person shall examine originals and make comparison. If information of copies is the same as that of originals, originals of paper, documents other than as defined in Article 22 hereof, authentication shall be performed as follows:

a) Fully write testimonies for certification of true copies from originals according to the form as regulated;

b) Sign and write full name, affix seal of the agency that performs authentication and record it in the authentication book.

If a copy has at least two pages, testimonies should be written in the last page, or a copy has at least two sheets, a stamp must be affixed on its adjoining edges.

One or more copies that are authenticated from one original at the same time shall be noted in the book with only one authentication number.

Article 21: Extension of time limit for certification of true copies from originals

In case certification of true copies is done simultaneously from various kinds of originals or multi-page originals with multiple copies required and information of the primary document is so complicated and hard to check that the time limit as defined in Article 7 hereof can not be met, the agency that performs certification shall be permitted to extend a maximum of two working days or longer depending on a written agreement with the requester.

Article 22: Originals of papers, documents that can not serve as the basis for certification of true copies

1. Originals with information being erased, modified, added or cut arbitrarily;
2. Originals that are damaged, crushed with information being not identifiable.
3. Originals affixed with a 'confidential' seal of a competent agency or affixed no seal but with a notice "photocopying is not permitted".
4. Originals containing information going against the law and social ethics, information propagating war inciting, anti-Vietnamese socialist regime, distorting history of Vietnamese people, offending reputations, dignities, prestige and citizenship of organizations, individuals.
5. Originals that issued, notarized or certified by competent agencies from foreign countries without consular legalization as prescribed in Clause 1, Article 20 hereof.
6. Papers, documents prepared by individuals without confirmation and seals from competent agencies, organizations;

Section 3: AUTHENTICATION OF SIGNATURES

Article 23. Responsibilities of requesters and authenticating persons for authentication of signatures

1. Requesters for authentication of signatures shall be responsible for the information of papers, documents signed by themselves; any request for authentication of signatures on papers, documents containing information as defined in Clause 4, Article 22 and Clause 4, Article 25 hereof shall not be permitted.
2. Authenticating persons shall be responsible for accuracy of signatures of the requesters on related papers, documents.

Article 24: Procedures for authentication of signatures

1. Requesters for authentication of signatures must present the following papers, documents:
 - a) Originals or certified true copies of valid ID card or passport;
 - b) Papers and documents signed by themselves;
2. After carrying out the examination of the papers, documents submitted for authentication to find if they are adequate as prescribed in Clause 1 of this Article, to ensure requesters have a sound mind, be conscious and able to control their behaviors at the time of authentication and that the authentication is not defined in Article 25 hereof, the authenticating person shall ask the requester to sign signatures in public and do the followings:
 - a) Fully write testimonies for authentication of signatures according to the form as regulated;
 - b) Sign and write full name, affix seal of the agency that performs authentication and record it in the authentication book.

For papers, documents that have at least two pages, testimonies should be written in the last page, or have at least two sheets, a stamp must be affixed on its adjoining edges.

3. For the authentication of signatures that is performed at an agency that receives and returns responses according to the single-window system, the document-receiving official shall carry out the examination of papers, documents. Upon finding that the requester meets all conditions set out in Clause 2 of this Article, such requester is required to sign on the papers, documents that need authentication and hand it over to competent persons for authentication.

4. Procedures for authentication of signatures as defined in Clauses 1, 2 and 3 of this Article shall be also applied in the following cases:

a) Authentication of signatures of multiple people on the same paper, document;

b) Authentication of signatures of resume declarant;

c) Authenticate signatures on papers and documents prepared by individuals according to the law provisions;

d) Authentication of signatures on power of attorney with respect to empowerment without pay and responsibilities undertaken by attorney in fact and bearing no relation to transfer of ownership of assets and real estate use rights.

Article 25: Authentication of signatures unaccepted

1. Requesters are not conscious and unable to control their behaviors.

2. Requesters present ID cards or passports that are invalid or falsified.

3. Papers, documents requested for authentication are found containing the information as defined in Article 22 hereof;

4. Papers, documents in the form of contracts except the cases defined in Point d, Clause 4, Article 24 hereof or otherwise as prescribed by the law.

Article 26. Special cases

Authentication of signatures as prescribed in Articles 23, 24 and the cases (authentication unaccepted) as defined in Article 25 hereof shall be also applied with respect to authentication of append fingerprints in case requesters are unable to sign.

Depending on specific case, testimonies to be recorded must conform to the forms as set out hereof.

Section 4: Translators and authentication of translators' signatures;

Article 27. Qualifications translators

1. Have adequate civil capacity as required by the law;

2. Have a degree (at least bachelor's degree or university degree) in a foreign as target .

For an unpopular in which the translator has no bachelor's degree or university degree as prescribed in this Clause, proficiency must be proved.

Article 28. Free-lance translators

1. Any person who qualifies and meets the conditions as prescribed in Article 27 hereof shall be recruited to work as a free-lance translator for the Justice Office throughout the country. The Justice Office shall be responsible for examining qualifications of free-lance translators, preparing the lists of free-lance translators for submission to the Services of Justice for approval.

2. Based on the lists of free-lance translators approved by the Services of Justice, the Justice Office shall post them up at the head office of the Justice Office as reference for requesters.

3. A free-lance translator working for the Justice Office must sign a freelance contract with the Justice Office in which the responsibilities of the translator for content and quality of the translation must be set out.

Article 29. Registration for specimen signature

A free-lance translator working for the Justice Office must register specimen signature at the Justice Office. When registering specimen signature, the translator must submit a request form for a specimen signature and sign three specimen signatures on the request form in front of the head of the Justice Office.

Article 30. Responsibilities of translators and persons who authenticate signatures of translators

1. Translators shall be responsible to clients, agencies or organizations that perform authentication for accuracy of the translation; shall be not allowed to translate papers, documents defined in Article 32 hereof to request authentication of signatures of translators.

2. Authenticating persons shall be responsible for accuracy of signatures of translators on the translation.

Article 31: Procedures for authentication of signatures of translators

1. Freelance translators of the Justice Office that request authentication of signatures must present the translation and papers, documents that need translation.

When carrying out authentication, the authenticating person must check signature on the translation against the specimen signature before authentication is done; In case of any suspicion of a fake signature, the translator is required to sign again in front of the authenticating person.

2. For any translator who is not a freelancer of the Justice Office and requests authentication of signatures on the translation translated by himself and for his personal purposes, the following papers must be presented:

a) Originals or certified true copies of valid ID card or passport;

b) Originals or copies from master registers, certified true copies of the papers, documents as defined in Clause 2, Article 27 hereof except translation into an unpopular that requires proficiency rather than degrees.

c) The translation enclosed with papers, documents that need translation;

Requesters for authentication must sign signatures in front of the authenticating person except otherwise as prescribed in Clause 3, Article 24 hereof.

3. The authenticating person shall carry out the examination of the papers, documents submitted for authentication. Upon finding papers, documents as prescribed in Clause 1 or Clause 2 of this Article are adequate, or papers, documents to be translated are not defined in the provisions set out in Article 32 hereof, authentication shall be carried out as follows:

a) Fully write testimonies for authentication of signatures of translators according to the form as regulated;

b) Sign and write full name, affix seal of the agency that performs authentication and record it in the authentication book.

For any translation version that has at least two pages, testimonies should be written in the last page, or has at least two sheets, a stamp must be affixed on its adjoining edges.

4. In case a translator is a diplomat, a consul and at the same time an authenticating person in the representative agency, such diplomat, consul must guarantee accuracy of the translation; sign, write full name and affix seal of the representative agency.

Article 32: Papers, documents that can not translated for authentication of signatures

1. Papers, documents with information being erased, modified, added or cut arbitrarily;

2. Papers, documents that are damaged, crushed with formation being not identifiable.

3. Papers, documents affixed with 'confidential' seal of a competent agency or affixed no seal but with a notice "photocopying is not permitted".

4. Papers, documents containing the information as defined in Clause 4, Article 22 hereof;

5. Papers, documents that issued, notarized or certified by competent agencies from foreign countries without consular legalization as prescribed in Clause 1, Article 20 hereof.

Article 33: Time limit for authentication of signatures of translators

Time limit for authentication of signatures of translators must conform to the provisions set out in Article 27 hereof, or may be extended according to an agreement with the requester.

Chapter III

AUTHENTICATION OF CONTRACTS

Article 34. Scope of authentication of contracts

1. Any contract the authentication of which is required by the law.
2. Any contract the authentication of which is not requested by the law but is requested by organizations, individuals at their own choice.

Article 35. Responsibilities of requesters of authentication of contracts and persons who perform authentication of contracts

1. Requesters shall be responsible for information and eligibility of contracts, papers and documents as defined in Point c, Clause 1, Article 36 hereof.
2. The authenticating person shall be responsible for time and location where a contract is signed; civil capacity, willingness, signatures or append fingerprints of contracting parties.

The authenticating person has the right to reject authentication of any contract going against the law, social ethics.

Article 36. Procedures for authentication of contracts

1. Requesters must submit request documentation for authentication which consists of the following papers:
 - a) Draft contracts;
 - b) Copies of valid ID card or passport;
 - c) Copies of certificates of ownership or use rights or other documents with respect to properties mentioned in the contract except a testator's life is under threat.

Copies of papers, documents as defined in Points b, c of this Clause must be enclosed for comparison.

2. The authenticating person shall carry out examination of authentication request documents. Upon finding that such documents are adequate and contracting members have sound mind, are conscious and able to control their behaviors, authentication shall be carried out.

3. Contracting parties must sign signatures in the presence of the authenticating person. In case a competent person from a credit institution or enterprise has already had a specimen signature registered at the agency that performs authentication, such person can sign his/her signature on the contract; the authenticating person must check the signature on the contract against the specimen signature before authentication is done. Upon finding any suspicion, the requester shall be requested to sign his signature in front of the authenticating person.

In case a requester is unable to perform the act of signing, his/her append fingerprint may be used as a substitute; If a requester is unable to read, hear, sign name or make any append fingerprint, at least two witness are required. Witnesses must have adequate civil capacity and have no rights, benefits or obligations relating to the contract.

4. The authenticating person must write testimonies corresponding to each type of contract according to the defined form; sign and write full name, affix a seal of the agency that performs authentication and record it in the authentication book For any contract that has at least two

pages, each page must be numbered in order with a signature of the requester and authenticating person; number of pages and testimonies shall be written at the last page of the contract. For any contract that has at least two sheets, a stamp must be affixed on adjoining edges of the contract.

5. In case oral translation is needed, the interpreter shall be responsible for performing full and accurate oral translation of the contract, testimonies for the requester and signing names on individual pages of the contract as an interpreter.

Article 37. Time limit for authentication of contracts

Time limit for authentication of contracts must be within two working days since receipt of adequate authentication request documents or may be extended according to an agreement with the requester.

Article 38. Authentication of amendments, supplements, or cancellation of contracts

1. Amendments, supplements, or cancellation of authenticated contracts shall be made only when they are agreed in writing by both contracting parties.

2. Amendments, supplements, or cancellation of a contract are made at the agency that previously performed authentication of such contract.

In case amendments, supplements, replacements or cancellation are made to part or whole of a testament, authentication may be performed at any agency that performs authentication; the agency that makes amendments, supplements, replacements or cancellation of part or whole of the testament must make a written notice to the previous authenticating agency about such amendments, supplements, replacements or cancellation for note-taking in the authentication book.

Article 39. Correcting mistakes made in authenticated contracts

1. Correction of mistakes made during the typing and printing of authenticated contracts shall be done under a written agreement between contracting parties if the rights and obligations of the parties are not affected and the correction is carried out at the agency that previously performed the contract.

2. The authenticating person shall underline mistakes to be corrected, affix seal and write notes on margins of the contract about corrections, full name and signature of a correcting person, date of correction.

Article 40. Issuing certified true copies from originals of authenticated contracts;

1. The contract filing agency shall be responsible for issuing certified true copies from originals of the authenticated contracts at the request of the contracting parties.

2. Persons who request issuance of certified true copies from originals of contracts must present to the authenticating person the originals or certified true copy of valid ID card or passport.

3. Certifying copies as true from originals of the contract as prescribed in Clauses 1, 2 of this Article shall be done according to Clauses 2, 3, Article 20 hereof:

Chapter IV

STATE MANAGEMENT IN AUTHENTICATION

Article 41. Responsibilities of the Ministry of Justice for state management in authentication

The Ministry of Justice that help the Government unify state management across the country shall carry out the following duties and authorities:

1. Produce a draft of legal documents in authentication and promulgate it within its competence, or make the submission to competent state agencies for promulgation
2. Provide guidance on the implementation of legal documents in authentication
3. Carry out inspection and investigation into authentication activities; settle complaints, denunciation and handle administrative authentication-related violations within competence;
4. Apply information technology in authentication and state management in authentication;
5. International cooperation in authentication;
6. Annually, report the implementation of authentication in general and statistical data about authentication to the Government.

Article 42. Responsibilities of the Ministry of Foreign Affairs for state management in authentication

1. The Ministry of Foreign Affairs in cooperation with the Ministry of Justice in the implementation of state management in authentication with respect to the representative agencies shall carry out the following duties and authorities:

- a) Instruct, inspect and investigate authentication activities performed at the representative agencies;
 - b) Organize training in professional competence in authentication to diplomats, consuls who perform authentication at the representative agencies;
 - c) Annually, report to the Ministry of Justice the implementation of authentication and statistical data about authentication at the representative agencies;
 - d) Settle complaints, denunciation and handle authentication-related violations within competence;
2. The representative agency that exercises state management within the administrative division shall carry out the following duties and authorities:

- a) Carry out authentication within authority of the representative agency as stipulated hereof;
- b) Store authentication books and authenticated documents;

d) Settle complaints, denunciation and handle authentication-related violations within competence;

d) Annually, report the implementation of authentication in general and statistical data about authentication to the Ministry of Foreign Affairs.

Diplomats, consuls who perform authentication shall be responsible for helping the representative agency carry out the duties as defined in Points a, b and d, Clause 2 of this Article.

Article 43. Responsibilities of the People's Committees at all levels for state management in authentication

1. The People's Committees of provincial level that exercise state management in authentication within the administrative division shall carry out the following duties and authorities:

a) Organize the implementation of legal documents in authentication in the locality;

b) Instruct and provide training in professional competence in authentication to officials and public servants who perform authentication at the Justice Office, the People's Committees of communes and all notaries from notary organizations;

c) Organize propaganda about regulations of the law on authentication;

d) Apply information technology in authentication and state management in authentication within the administrative division, satisfy requirements for supply and exchange of information;

dd) Carry out inspection and investigation into authentication activities performed in the Justice Office, the People's Committees of communes, notary organizations; take measures to cope with abuses of certification of true copies in the implementation of administrative procedures in the administrative division;

e) Settle complaints, denunciation and handle authentication-related violations within competence;

g) On the six-month or annual basis, report to the Ministry of Justice the implementation of authentication in general and statistical data about authentication in the locality;

The Services of Justice shall help the People's Committees of provincial level implement the duties as prescribed in Points a, b, c, d, dd and g of this Clause;

2. The People's Committees of provincial-affiliated districts, communes and cities (hereinafter referred to as the People's Committees of communes) that exercise state management in authentication in the locality shall carry out the following duties and authorities:

a) Instruct and provide training in professional competence in authentication to officials and public servants who perform authentication at the People's Committees of communes in the administrative division;

c) Organize propaganda about regulations of the law on authentication;

c) Issue certified true copies from originals of authenticated contracts;

d) Store authentication books and authenticated documents;

dd) Carry out inspection and investigation into authentication activities performed at the People's Committees of communes; take measures to cope with abuses of certification of true copies in the implementation of administrative procedures in the administrative division;

e) Settle complaints, denunciation and handle authentication-related violations within competence;

g) On the six-month or annual basis, report to the People's Committees of provincial level the implementation of authentication in general and statistical data about authentication;

The Justice Office shall help the People's Committees of district level implement the duties as prescribed in Points a, b, c, d, dd and g of this Clause and perform authentication activities within authority of the Justice Office as stipulated hereof. Heads, deputy heads of the Justice Office must announce specimen signatures upon signing authentication for the Services of Justice.

3. The People's Committees of communes that exercise state management in authentication in the locality shall carry out the following duties and authorities:

a) Perform authentication within authority of the People's Committees of communes as stipulated hereof;

b) Organize propaganda about regulations of the law on authentication;

c) Issue certified true copies from originals of authenticated contracts;

d) Store authentication books and authenticated documents;

dd) Settle complaints, denunciation and handle authentication-related violations within competence;

g) On the six-month or annual basis, report to the People's Committees of communes the implementation of authentication in general and statistical data about authentication;

Civil judicial officials shall help the People's Committees of communes implement the duties as prescribed in Points a, b, c and e of this Clause. Presidents of People's Committees of communes, deputy presidents of the People's Committees of communes must announce specimen signatures upon performing authentication for the Services of Justice.

Article 44. Handling of violations

1. Handling of violations with respect to authenticating persons, requesters for authentication and translators shall be carried out under the law on handling of administrative violations.

2. Any authenticating person that causes damage to organizations, individuals shall be disciplined and make compensation according to the law.

3. Any translator that causes damage to requesters (by the translator's fault) shall make compensation according to the law.

Article 45. Handling of complaints, denunciation

Lodging and handling of complaints and denunciation against violations of the law on authentication shall be carried out under the law on complaints, denunciation.

Chapter V

IMPLEMENTATION

Article 46. Duties of notary organizations

Notary organizations shall be responsible for filing authentication books, authenticated documents and report to the Services of Justice the implementation of authentication in general and statistical data about authentication on the six-month or annual basis;

Article 47. Transitional provision

1. As for the administrative divisions of district, commune levels from where the authentication of a contract is transferred to notary organizations and such contract was previously authenticated at the People's Committee of district and commune level, supplements, amendments, cancellation, and corrections to the contract shall still be made at the People's Committee of district and commune levels where the authentication was previously done.

2. The People's Committees of communes shall perform authentication with respect to contracts of urban housing as prescribed in Article 93 of the Law on Housing in 2005 to the end of June 30, 2015.

Article 48. Effect

1. This Decree takes effect since April 10, 2015.

2. This Decree replaces the Government's Decree No. 79/2007/ND-CP dated May 18, 2007 on issuance of copies from master registers, certificate of true copies from originals, authentication of signatures; The Decree No. No. 04/2012/ND-CP dated January 20, 2012 on amendments and supplements to Article 5 of the Decree No. No. 79/2007/ND-CP; Article 4 of the Decree No. No. 06/2012/ND-CP dated February 02, 2012 on supplements to the Decree on civil status, marriage, families and authentication; regulations on authentication of contracts as set out in the Decree No. 75/2000/ND-CP dated December 08, 2000 on notarization and authentication.

Article 49. Responsibilities for implementation

1. The Minister of Justice shall be responsible for providing guidance on the implementation of this Decree.

2. The Minister of Finance, the Minister of Foreign Affairs within their own scope of duties and authorities shall cooperate with the Minister of Justice in providing guidance on the implementation of this Decree.

3. The ministers, heads of ministerial-level agencies, heads of Governmental agencies, presidents of the People's Committees of central-affiliated cities and provinces shall be responsible for executing this Decree./.

**PP THE GOVERNMENT
THE PRIME MINISTER**

(Signed and sealed)

Nguyen Tan Dung

(This translation is for reference only)

THE PRIME MINISTER

SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

No.: 23/2015/NĐ-CP

Hanoi, February 16, 2015

DECREE

**ISSUING COPIES FROM MASTER REGISTERS, CERTIFICATION OF TRUE COPIES
FROM ORIGINALS, AUTHENTICATION OF SIGNATURES AND CONTRACTS**

Pursuant to the Law on Government organization dated December 25, 2001;

At the request of the Minister of Justice;

The Government promulgates the Decree on issuance of copies from master registers, issuance of certified true copies from originals, authentication of signatures and contracts

Chapter I

GENERAL PROVISIONS

Article 1. Governing scope

This Decree regulates authorities and procedures for issuance of copies from master registers, issuance of certified true copies from originals, authentication of signatures and contracts; legal value of copies from master registers, certified true copies from originals, signatures and contracts; state management in authentication.

Article 2. Interpretation of terms

In this Decree, some terms are construed as follows:

1. “Issuance of copies from master registers” means agencies or organizations shall issue copies based on the master registers they are managing. Copies from master registers shall contain adequate and accurate information as written in the master registers
2. “Certifying copies of originals as true” means competent agencies as defined hereof shall certify copies of the originals as true based on the originals.
3. “Authentication of signatures” means competent agencies as defined hereof shall authenticate signatures on papers, documents as signatures of the person concerned.
4. “Authentication of contracts” means competent agencies as defined hereof shall authenticate time and venue where the contracts are executed; civil capacity, willingness, signatures or append fingerprints of contracting parties.
5. “Originals” mean any paper, document issued, re-issued or replaced by competent authorities; any paper, document prepared by individuals with confirmations, legal seals affixed by competent authorities.
6. “Master register” means the register made by a competent authority as the basis for issuance of originals as regulated and containing information exactly the same as that of the original issued by such competent authority.
7. “Authenticated document” means any paper, document and contract that has been authenticated under this Decree
8. “Authenticating person” means head or deputy head of the Justice Office of provincial-affiliated districts and cities; presidents, vice-presidents of the People’s Committees of communes, notaries, notary offices; diplomats, consuls of diplomatic missions, consulate representative agencies and other agencies authorized to act as consuls in foreign countries.

Article 3. Legal value of copies issued from master registers, copies certified as true from originals, authenticated signatures and contracts;

1. Copies issued from master registers have legal value when being used as substitutes for originals in transactions except otherwise prescribed by the law;
2. Copies certified as true from originals under this Decree have legal value when being used as substitutes for originals in transactions except otherwise prescribed by the law;
3. Authenticated signatures under this Decree have legal value in determining signer and his/her liabilities for the paper, document signed.
4. Authenticated contract under this Decree has legal value in serving as evidence of the time and venue where the contract is executed; civil capacity, willingness, signatures or append fingerprints of contracting parties.

Article 4. Authorities and responsibilities for issuance of copies from master registers

1. Agencies or organizations that are managing master registers have the authorities and responsibilities for issuing copies from master registers as prescribed hereof, unless otherwise prescribed by the law.

2. A copy and its master register may be issued simultaneously or a copy is issued after the master register.

Article 5. Authorities and responsibilities for authentication

1. The Justice offices of provincial-affiliated districts and cities (hereinafter referred to as the Justice Office) shall:

a) Certify true copies from originals of papers, documents issued or certified by Vietnamese competent authorities, foreign competent authorities, or Vietnamese competent authorities in association with foreign competent authorities.

b) Authenticate signatures on papers and documents;

c) Authenticate signatures of translators with respect to papers and documents translated from foreign to Vietnamese or vice versa;

d) Authenticate contracts concerning properties as movables;

dd) Authenticate agreements for division of heritage, written admission of heritage as movables;

Heads, deputy heads of the Justice Office shall carry out authentication for the aforesaid matters as regulated in this Clause, sign their names and affix seals.

2. People's Committees of communes (hereinafter referred to as the People's Committee of communes) shall:

a) Certify true copies from originals of any paper, document issued or certified by Vietnamese competent authorities;

b) Authenticate signatures on papers and documents except signatures of translators;

c) Authenticate contracts concerning properties as movables;

b) Authenticate contracts concerning land use right according to the Law on Land;

dd) Authenticate contracts concerning houses according to the Law on Housing;

e) Authenticate testaments;

g) Authenticate written refusal of heritage;

h) Authenticate agreements for division of heritage, written admission of properties as movables as defined in Points c, d and dd of this Clause;

Presidents, deputy presidents of People's Committees of communes shall carry out authentication, sign names and affix seals;

3. Diplomatic missions, consulate representative agencies and other agencies authorized to act as consuls in foreign countries (hereinafter referred to as the representative agency) have authorities

and responsibilities for authenticating the matters as defined in Points a, b and c of this Clause. Diplomats, consuls shall carry out authentication, sign names and affix seals;

4. Notaries have authorities and responsibilities for authenticating the matters as defined in Points a, Clause 1, Point b, Clause 2 of this Article, signing names and affixing seals of the Notary Office.

5. Certification of true copies from originals, authentication of signatures, contracts concerning properties as movables, authentication of testament as defined in this Article shall not be dependent on residency of requesters for authentication.

6. Authentication of contracts concerning land use rights shall be performed at the People's Committee of commune where the land is. Authentication of contracts concerning houses shall be performed at the People's Committee of commune where the house is situated;

Article 6. Responsibilities of agencies and organizations that receive copies

1. In case only copies are requested (by the law), agencies or organizations shall be responsible for receiving copies only, no certified true copies unless originals are needed for comparison. A checker (person who compares copies and originals) shall be responsible for confirming accuracy of copies versus originals.

2. Any agency or organization that receives copies issued from master registers and certified true copies shall not be allowed to ask for presentation of originals unless the copies show signs of falsification or being illegal.

Article 7. Time limit for authentication

Time limit for authentication must be ensured right in the day the request for authentication is received or in the following day if the request is received after 15 hours except otherwise as prescribed in Articles 21, 33 and 37 hereof.

Article 8. Rights and obligations of requesters for authentication

1. Requesters for authentication have the rights to request authentication from any competent agency or organization except otherwise as prescribed in Clause 6, Article 5 hereof. In case of rejection, requesters have the rights to ask the agency or organization to give reasons in writing or complaints shall be filed according to the law provisions.

2. Requesters shall be responsible for information and eligibility of papers, documents to be submitted for authentication or to be presented as procedures for authentication under this Decree.

Article 9. Rights and obligations of authenticating persons

1. Ensure honesty, accuracy and objectivity when authentication is carried out;

2. Take legal responsibility for one's own authentication;

3. Do not authenticate contracts or signatures concerning properties or interests of their own or of their relatives (spouses, biological and adoptive parents, biological and adopted children...)

4. Reject authentication in cases as defined in Articles 22, 25 and 32 hereof;
5. Request relevant agencies, organizations, and individuals to provide necessary information to verify legality of the papers and documents submitted for authentication.
6. Document, impound and transfer to competent state agencies for handling any paper or document (submitted for authentication) that is illegally issued, falsified or contain information as defined in Clause 4, Article 22 hereof.
7. Instruct requesters to make supplements to the papers or documents (submitted for authentication) if necessary or instruct them to make submission to the right competent agency upon finding they go to the wrong place.

In case of rejection, authenticating persons must give proper reasons in writing to the requester.

Article 10. Places of authentication

1. Authentication is performed at the head offices of police authorities, competent agencies except authentication for testaments, contracts or signatures requested by those who are old and weak, taken into custody or detained, serving prison sentence or have other proper reasons.
2. When authentication is performed, places of authentication must be specified; in case authentication is performed outside of the head office, specific time must be specified.
3. Agencies or organizations that perform authentication must appoint personnel to receive requests for authentication all working days of week; publicly post work schedule, authorities, procedures, time for handling, fees and charges for authentication performed at agencies or organizations.

Article 11. Oral and verbal forms in authentication of contracts

Oral and verbal forms in authentication of contracts shall be Vietnamese. In case a requester can not speak good Vietnamese, a translator must be provided.

Article 12. Testimonies

1. Testimonies are compulsory information of the document to be authenticated
2. Specimen testimonies enclosed herewith includes:
 - a) Testimony for certification of true copies from originals;
 - b) Testimonies for authentication of signatures include testimonies for authentication of one signature on a single document; authentication of multiple signatures on a single document; authentication of append fingerprints; authentication in case signatures or append fingerprints can not be made;
 - c) Testimonies for authentication of translators' signatures;

d) Testimonies for authentication of contracts including testimonies for authentication of contracts, agreements for division of heritage, written admission of heritage; testaments and written refusal of heritage.

Article 13. Authentication book

1. Authentication book is used to oversee and manage authentications performed at the agency or organization that perform authentication. Authentication book must be written continuously from page to page (No page is left blank). A stamp must be affixed on adjoining edges of all pages of the book and used for a year. At the end of year, close the book and enumerate all the authentications performed in the year, sign for confirmation, write full name and affix seal.

2. Authentication number is ordinal numbers written in an authentication book enclosed with the number, year of authentication and symbols of authentications... Ordinal numbers noted in the authentication book must start from 01 continuously to the end of year. In case the year is not yet finished but the book is full, the next ordinal number must be noted on another book. For any book used for the next year, ordinal number must start from 01.

The numbers noted in the authenticated document correspond to authentication number noted in the authentication book.

3. In case agencies or organizations apply information technology to authentication, all the information according to specimen authentication book enclosed herewith must be adequate. On the monthly basis, agencies or organizations shall print and make a book with a stamp affixed on adjoining edges; at the end of December 31 annually, all individual monthly books shall be gathered into a general authentication book according to type of authentication performed in a year. Formation, noting and closing of authentication book shall conform to the provisions set out in Clauses 1 and 2 of this Article

4. Specimen authentication book enclosed herewith includes:

a) Book for certification of true copies from originals (SCT/BS);

b) Authentication book for signatures, append fingerprints (SCT/CK, ĐC);

c) Authentication book for translators' signatures (SCT/CKND);

dd) Authentication book for contracts (SCT/HĐ, GD);

Article 14. Storage

1. Authentication books are archives of the State which are preserved and stored permanently at agencies, organizations that perform authentication.

2. For authentication of signatures and signatures of translators, agencies or organizations must hold an authenticated copy for a period of two years. For authentication of signature of a court expert on the expert's report by order of the court, or certification of true copies from originals, storage is not necessary.

3. For authentication of contracts, the agency that performs authentication must store an original of the contract enclosed with the document; period of storage is 20 years.

4. Any agency that performs authentication is not permitted to charge other fees, charges for authenticated document as defined in Clauses 2 and 3 of this Article; shall be responsible for preserving and storing authentication book and authenticated document.

5. Destruction of authenticated document with expired storage period shall be done under the Law on Archives

Article 15. Authentication fees and other expenses

1. Requesters for authentication in the Justice Office, People's Committees of communes, representative agency must pay an authentication fee according to the law provisions.

2. Collection, payment, management and use of fees, charges for authentication must be done according to the law provisions.

3. In case requesters request the agency that performs authentication to print, photocopy, do the typing for documents to be authenticated, additional fees must be paid for such works.

At home, level of fee collection shall be defined by People's Committee of central-affiliated cities and provinces (hereinafter referred to as the People's Committees of provinces) based on local reality; and abroad, level of fee collection shall be defined by head of representative agency based on real circumstances in the administrative division.

Chapter II

ISSUING COPIES FROM MASTER REGISTERS, AUTHENTICATION OF COPIES FROM ORIGINALS, AUTHENTICATION OF SIGNATURES

Section 1: Issuing copies from master registers

Article 16. Organizations and individuals entitled to request for issuance of copies from master registers

1. Organizations and individuals that are issued with originals
2. Legal representatives, persons authorized by organizations, individuals
3. Parents, children; spouses, sisters, brothers; successors to deceased holders of originals.

Section 17: Procedures for issuance of copies from master registers

1. Requesters for issuance of copies from master registers must present originals or any certified true copy of valid ID card or passport.

In case requesters for issuance of copies from master registers are those as defined in Clauses 2, 3, Article 16 hereof, presentation of any document approving relationship with holders of originals is required.

2. The agency or organization shall issue copies to requesters in reliance on master registers; information recorded in the copy must be exactly the same as that of the master register. In case the master register is not stored or the master register does not contain information as requested

for the copy, the agency or organization shall be responsible for issuing a written reply to requesters.

3. In case requesters for issuance of copies from master registers submit their request by post, a certified true copy of the document as defined in Clause 1 of this Article, 01 (one) stamped envelop carrying full name and address must be enclosed.

4. Time limit for issuance of copies from master registers shall conform to the provisions set out in Article 7 hereof. In case a request for issuance of copies from master registers is submitted by post, the time limit for issuance shall be based on full receipt of eligible documents.

Section 2: AUTHENTICATION OF COPIES FROM ORIGINALS;

Article 18: Papers, documents as the basis for certification of true copies from originals

1. Originals of papers, documents issued by competent agencies, organizations;
2. Originals of papers, documents prepared by individuals with confirmation and seals from competent agencies, organizations;

Article 19. Responsibilities of requesters for certification of true copies and authenticating persons

1. Requesters shall be responsible for the information and eligibility of originals of papers, documents used as the basis for certification of copies as true; request for certification of true copies from originals of papers and documents as defined in Article 22 hereof is not permitted.
2. Authenticating persons shall be responsible for accuracy of copies versus originals

Section 20: Procedures for certification of true copies from originals

1. Requesters must present originals of papers and documents as the basis for certification of true copies and a copy to be certified as true.

In case originals of papers, documents that were issued, notarized or certified by a foreign competent agency or organization, they must be consular legalized according to the law before certification of true copies is performed except cases of exemption from consular legalization as prescribed in the International Agreement to which Vietnam is a signatory or according to the principle of reciprocity;

2. In case requesters present originals only, the agency or organization shall have them photocopied for authentication except the agency or organization has no means of photocopying.
3. Authenticating person shall examine originals and make comparison. If information of copies is the same as that of originals, originals of paper, documents other than as defined in Article 22 hereof, authentication shall be performed as follows:

a) Fully write testimonies for certification of true copies from originals according to the form as regulated;

b) Sign and write full name, affix seal of the agency that performs authentication and record it in the authentication book.

If a copy has at least two pages, testimonies should be written in the last page, or a copy has at least two sheets, a stamp must be affixed on its adjoining edges.

One or more copies that are authenticated from one original at the same time shall be noted in the book with only one authentication number.

Article 21: Extension of time limit for certification of true copies from originals

In case certification of true copies is done simultaneously from various kinds of originals or multi-page originals with multiple copies required and information of the primary document is so complicated and hard to check that the time limit as defined in Article 7 hereof can not be met, the agency that performs certification shall be permitted to extend a maximum of two working days or longer depending on a written agreement with the requester.

Article 22: Originals of papers, documents that can not serve as the basis for certification of true copies

1. Originals with information being erased, modified, added or cut arbitrarily;
2. Originals that are damaged, crushed with information being not identifiable.
3. Originals affixed with a 'confidential' seal of a competent agency or affixed no seal but with a notice "photocopying is not permitted".
4. Originals containing information going against the law and social ethics, information propagating war inciting, anti-Vietnamese socialist regime, distorting history of Vietnamese people, offending reputations, dignities, prestige and citizenship of organizations, individuals.
5. Originals that issued, notarized or certified by competent agencies from foreign countries without consular legalization as prescribed in Clause 1, Article 20 hereof.
6. Papers, documents prepared by individuals without confirmation and seals from competent agencies, organizations;

Section 3: AUTHENTICATION OF SIGNATURES

Article 23. Responsibilities of requesters and authenticating persons for authentication of signatures

1. Requesters for authentication of signatures shall be responsible for the information of papers, documents signed by themselves; any request for authentication of signatures on papers, documents containing information as defined in Clause 4, Article 22 and Clause 4, Article 25 hereof shall not be permitted.
2. Authenticating persons shall be responsible for accuracy of signatures of the requesters on related papers, documents.

Article 24: Procedures for authentication of signatures

1. Requesters for authentication of signatures must present the following papers, documents:

a) Originals or certified true copies of valid ID card or passport;

b) Papers and documents signed by themselves;

2. After carrying out the examination of the papers, documents submitted for authentication to find if they are adequate as prescribed in Clause 1 of this Article, to ensure requesters have a sound mind, be conscious and able to control their behaviors at the time of authentication and that the authentication is not defined in Article 25 hereof, the authenticating person shall ask the requester to sign signatures in public and do the followings:

a) Fully write testimonies for authentication of signatures according to the form as regulated;

b) Sign and write full name, affix seal of the agency that performs authentication and record it in the authentication book.

For papers, documents that have at least two pages, testimonies should be written in the last page, or have at least two sheets, a stamp must be affixed on its adjoining edges.

3. For the authentication of signatures that is performed at an agency that receives and returns responses according to the single-window system, the document-receiving official shall carry out the examination of papers, documents. Upon finding that the requester meets all conditions set out in Clause 2 of this Article, such requester is required to sign on the papers, documents that need authentication and hand it over to competent persons for authentication.

4. Procedures for authentication of signatures as defined in Clauses 1, 2 and 3 of this Article shall be also applied in the following cases:

a) Authentication of signatures of multiple people on the same paper, document;

b) Authentication of signatures of resume declarant;

c) Authenticate signatures on papers and documents prepared by individuals according to the law provisions;

d) Authentication of signatures on power of attorney with respect to empowerment without pay and responsibilities undertaken by attorney in fact and bearing no relation to transfer of ownership of assets and real estate use rights.

Article 25: Authentication of signatures unaccepted

1. Requesters are not conscious and unable to control their behaviors.

2. Requesters present ID cards or passports that are invalid or falsified.

3. Papers, documents requested for authentication are found containing the information as defined in Article 22 hereof;

4. Papers, documents in the form of contracts except the cases defined in Point d, Clause 4, Article 24 hereof or otherwise as prescribed by the law.

Article 26. Special cases

Authentication of signatures as prescribed in Articles 23, 24 and the cases (authentication unaccepted) as defined in Article 25 hereof shall be also applied with respect to authentication of append fingerprints in case requesters are unable to sign.

Depending on specific case, testimonies to be recorded must conform to the forms as set out hereof.

Section 4: Translators and authentication of translators' signatures;

Article 27. Qualifications translators

1. Have adequate civil capacity as required by the law;
2. Have a degree (at least bachelor's degree or university degree) in a foreign as target .

For an unpopular in which the translator has no bachelor's degree or university degree as prescribed in this Clause, proficiency must be proved.

Article 28. Free-lance translators

1. Any person who qualifies and meets the conditions as prescribed in Article 27 hereof shall be recruited to work as a free-lance translator for the Justice Office throughout the country. The Justice Office shall be responsible for examining qualifications of free-lance translators, preparing the lists of free-lance translators for submission to the Services of Justice for approval.
2. Based on the lists of free-lance translators approved by the Services of Justice, the Justice Office shall post them up at the head office of the Justice Office as reference for requesters.
3. A free-lance translator working for the Justice Office must sign a freelance contract with the Justice Office in which the responsibilities of the translator for content and quality of the translation must be set out.

Article 29. Registration for specimen signature

A free-lance translator working for the Justice Office must register specimen signature at the Justice Office. When registering specimen signature, the translator must submit a request form for a specimen signature and sign three specimen signatures on the request form in front of the head of the Justice Office.

Article 30. Responsibilities of translators and persons who authenticate signatures of translators

1. Translators shall be responsible to clients, agencies or organizations that perform authentication for accuracy of the translation; shall be not allowed to translate papers, documents defined in Article 32 hereof to request authentication of signatures of translators.
2. Authenticating persons shall be responsible for accuracy of signatures of translators on the translation.

Article 31: Procedures for authentication of signatures of translators

1. Freelance translators of the Justice Office that request authentication of signatures must present the translation and papers, documents that need translation.

When carrying out authentication, the authenticating person must check signature on the translation against the specimen signature before authentication is done; In case of any suspicion of a fake signature, the translator is required to sign again in front of the authenticating person.

2. For any translator who is not a freelancer of the Justice Office and requests authentication of signatures on the translation translated by himself and for his personal purposes, the following papers must be presented:

a) Originals or certified true copies of valid ID card or passport;

b) Originals or copies from master registers, certified true copies of the papers, documents as defined in Clause 2, Article 27 hereof except translation into an unpopular that requires proficiency rather than degrees.

c) The translation enclosed with papers, documents that need translation;

Requesters for authentication must sign signatures in front of the authenticating person except otherwise as prescribed in Clause 3, Article 24 hereof.

3. The authenticating person shall carry out the examination of the papers, documents submitted for authentication. Upon finding papers, documents as prescribed in Clause 1 or Clause 2 of this Article are adequate, or papers, documents to be translated are not defined in the provisions set out in Article 32 hereof, authentication shall be carried out as follows:

a) Fully write testimonies for authentication of signatures of translators according to the form as regulated;

b) Sign and write full name, affix seal of the agency that performs authentication and record it in the authentication book.

For any translation version that has at least two pages, testimonies should be written in the last page, or has at least two sheets, a stamp must be affixed on its adjoining edges.

4. In case a translator is a diplomat, a consul and at the same time an authenticating person in the representative agency, such diplomat, consul must guarantee accuracy of the translation; sign, write full name and affix seal of the representative agency.

Article 32: Papers, documents that can not translated for authentication of signatures

1. Papers, documents with information being erased, modified, added or cut arbitrarily;

2. Papers, documents that are damaged, crushed with formation being not identifiable.

3. Papers, documents affixed with 'confidential' seal of a competent agency or affixed no seal but with a notice "photocopying is not permitted".

4. Papers, documents containing the information as defined in Clause 4, Article 22 hereof;
5. Papers, documents that issued, notarized or certified by competent agencies from foreign countries without consular legalization as prescribed in Clause 1, Article 20 hereof.

Article 33: Time limit for authentication of signatures of translators

Time limit for authentication of signatures of translators must conform to the provisions set out in Article 27 hereof, or may be extended according to an agreement with the requester.

Chapter III

AUTHENTICATION OF CONTRACTS

Article 34. Scope of authentication of contracts

1. Any contract the authentication of which is required by the law.
2. Any contract the authentication of which is not requested by the law but is requested by organizations, individuals at their own choice.

Article 35. Responsibilities of requesters of authentication of contracts and persons who perform authentication of contracts

1. Requesters shall be responsible for information and eligibility of contracts, papers and documents as defined in Point c, Clause 1, Article 36 hereof.
2. The authenticating person shall be responsible for time and location where a contract is signed; civil capacity, willingness, signatures or append fingerprints of contracting parties.

The authenticating person has the right to reject authentication of any contract going against the law, social ethics.

Article 36. Procedures for authentication of contracts

1. Requesters must submit request documentation for authentication which consists of the following papers:
 - a) Draft contracts;
 - b) Copies of valid ID card or passport;
 - c) Copies of certificates of ownership or use rights or other documents with respect to properties mentioned in the contract except a testator's life is under threat.

Copies of papers, documents as defined in Points b, c of this Clause must be enclosed for comparison.

2. The authenticating person shall carry out examination of authentication request documents. Upon finding that such documents are adequate and contracting members have sound mind, are conscious and able to control their behaviors, authentication shall be carried out.

3. Contracting parties must sign signatures in the presence of the authenticating person. In case a competent person from a credit institution or enterprise has already had a specimen signature registered at the agency that performs authentication, such person can sign his/her signature on the contract; the authenticating person must check the signature on the contract against the specimen signature before authentication is done. Upon finding any suspicion, the requester shall be requested to sign his signature in front of the authenticating person.

In case a requester is unable to perform the act of signing, his/her append fingerprint may be used as a substitute; If a requester is unable to read, hear, sign name or make any append fingerprint, at least two witness are required. Witnesses must have adequate civil capacity and have no rights, benefits or obligations relating to the contract.

4. The authenticating person must write testimonies corresponding to each type of contract according to the defined form; sign and write full name, affix a seal of the agency that performs authentication and record it in the authentication book For any contract that has at least two pages, each page must be numbered in order with a signature of the requester and authenticating person; number of pages and testimonies shall be written at the last page of the contract. For any contract that has at least two sheets, a stamp must be affixed on adjoining edges of the contract.

5. In case oral translation is needed, the interpreter shall be responsible for performing full and accurate oral translation of the contract, testimonies for the requester and signing names on individual pages of the contract as an interpreter.

Article 37. Time limit for authentication of contracts

Time limit for authentication of contracts must be within two working days since receipt of adequate authentication request documents or may be extended according to an agreement with the requester.

Article 38. Authentication of amendments, supplements, or cancellation of contracts

1. Amendments, supplements, or cancellation of authenticated contracts shall be made only when they are agreed in writing by both contracting parties.

2. Amendments, supplements, or cancellation of a contract are made at the agency that previously performed authentication of such contract.

In case amendments, supplements, replacements or cancellation are made to part or whole of a testament, authentication may be performed at any agency that performs authentication; the agency that makes amendments, supplements, replacements or cancellation of part or whole of the testament must make a written notice to the previous authenticating agency about such amendments, supplements, replacements or cancellation for note-taking in the authentication book.

Article 39. Correcting mistakes made in authenticated contracts

1. Correction of mistakes made during the typing and printing of authenticated contracts shall be done under a written agreement between contracting parties if the rights and obligations of the parties are not affected and the correction is carried out at the agency that previously performed the contract.

2. The authenticating person shall underline mistakes to be corrected, affix seal and write notes on margins of the contract about corrections, full name and signature of a correcting person, date of correction.

Article 40. Issuing certified true copies from originals of authenticated contracts;

1. The contract filing agency shall be responsible for issuing certified true copies from originals of the authenticated contracts at the request of the contracting parties.

2. Persons who request issuance of certified true copies from originals of contracts must present to the authenticating person the originals or certified true copy of valid ID card or passport.

3. Certifying copies as true from originals of the contract as prescribed in Clauses 1, 2 of this Article shall be done according to Clauses 2, 3, Article 20 hereof:

Chapter IV

STATE MANAGEMENT IN AUTHENTICATION

Article 41. Responsibilities of the Ministry of Justice for state management in authentication

The Ministry of Justice that help the Government unify state management across the country shall carry out the following duties and authorities:

1. Produce a draft of legal documents in authentication and promulgate it within its competence, or make the submission to competent state agencies for promulgation

2. Provide guidance on the implementation of legal documents in authentication

3. Carry out inspection and investigation into authentication activities; settle complaints, denunciation and handle administrative authentication-related violations within competence;

4. Apply information technology in authentication and state management in authentication;

5. International cooperation in authentication;

6. Annually, report the implementation of authentication in general and statistical data about authentication to the Government.

Article 42. Responsibilities of the Ministry of Foreign Affairs for state management in authentication

1. The Ministry of Foreign Affairs in cooperation with the Ministry of Justice in the implementation of state management in authentication with respect to the representative agencies shall carry out the following duties and authorities:

a) Instruct, inspect and investigate authentication activities performed at the representative agencies;

b) Organize training in professional competence in authentication to diplomats, consuls who perform authentication at the representative agencies;

c) Annually, report to the Ministry of Justice the implementation of authentication and statistical data about authentication at the representative agencies;

d) Settle complaints, denunciation and handle authentication-related violations within competence;

2. The representative agency that exercises state management within the administrative division shall carry out the following duties and authorities:

a) Carry out authentication within authority of the representative agency as stipulated hereof;

b) Store authentication books and authenticated documents;

d) Settle complaints, denunciation and handle authentication-related violations within competence;

d) Annually, report the implementation of authentication in general and statistical data about authentication to the Ministry of Foreign Affairs.

Diplomats, consuls who perform authentication shall be responsible for helping the representative agency carry out the duties as defined in Points a, b and d, Clause 2 of this Article.

Article 43. Responsibilities of the People's Committees at all levels for state management in authentication

1. The People's Committees of provincial level that exercise state management in authentication within the administrative division shall carry out the following duties and authorities:

a) Organize the implementation of legal documents in authentication in the locality;

b) Instruct and provide training in professional competence in authentication to officials and public servants who perform authentication at the Justice Office, the People's Committees of communes and all notaries from notary organizations;

c) Organize propaganda about regulations of the law on authentication;

d) Apply information technology in authentication and state management in authentication within the administrative division, satisfy requirements for supply and exchange of information;

dd) Carry out inspection and investigation into authentication activities performed in the Justice Office, the People's Committees of communes, notary organizations; take measures to cope with abuses of certification of true copies in the implementation of administrative procedures in the administrative division;

e) Settle complaints, denunciation and handle authentication-related violations within competence;

g) On the six-month or annual basis, report to the Ministry of Justice the implementation of authentication in general and statistical data about authentication in the locality;

The Services of Justice shall help the People's Committees of provincial level implement the duties as prescribed in Points a, b, c, d, dd and g of this Clause;

2. The People's Committees of provincial-affiliated districts, communes and cities (hereinafter referred to as the People's Committees of communes) that exercise state management in authentication in the locality shall carry out the following duties and authorities:

a) Instruct and provide training in professional competence in authentication to officials and public servants who perform authentication at the People's Committees of communes in the administrative division;

c) Organize propaganda about regulations of the law on authentication;

c) Issue certified true copies from originals of authenticated contracts;

d) Store authentication books and authenticated documents;

dd) Carry out inspection and investigation into authentication activities performed at the People's Committees of communes; take measures to cope with abuses of certification of true copies in the implementation of administrative procedures in the administrative division;

e) Settle complaints, denunciation and handle authentication-related violations within competence;

g) On the six-month or annual basis, report to the People's Committees of provincial level the implementation of authentication in general and statistical data about authentication;

The Justice Office shall help the People's Committees of district level implement the duties as prescribed in Points a, b, c, d, dd and g of this Clause and perform authentication activities within authority of the Justice Office as stipulated hereof. Heads, deputy heads of the Justice Office must announce specimen signatures upon signing authentication for the Services of Justice.

3. The People's Committees of communes that exercise state management in authentication in the locality shall carry out the following duties and authorities:

a) Perform authentication within authority of the People's Committees of communes as stipulated hereof;

b) Organize propaganda about regulations of the law on authentication;

c) Issue certified true copies from originals of authenticated contracts;

d) Store authentication books and authenticated documents;

dd) Settle complaints, denunciation and handle authentication-related violations within competence;

g) On the six-month or annual basis, report to the People's Committees of communes the implementation of authentication in general and statistical data about authentication;

Civil judicial officials shall help the People's Committees of communes implement the duties as prescribed in Points a, b, c and e of this Clause. Presidents of People's Committees of communes, deputy presidents of the People's Committees of communes must announce specimen signatures upon performing authentication for the Services of Justice.

Article 44. Handling of violations

1. Handling of violations with respect to authenticating persons, requesters for authentication and translators shall be carried out under the law on handling of administrative violations.
2. Any authenticating person that causes damage to organizations, individuals shall be disciplined and make compensation according to the law.
3. Any translator that causes damage to requesters (by the translator's fault) shall make compensation according to the law.

Article 45. Handling of complaints, denunciation

Lodging and handling of complaints and denunciation against violations of the law on authentication shall be carried out under the law on complaints, denunciation.

Chapter V

IMPLEMENTATION

Article 46. Duties of notary organizations

Notary organizations shall be responsible for filing authentication books, authenticated documents and report to the Services of Justice the implementation of authentication in general and statistical data about authentication on the six-month or annual basis;

Article 47. Transitional provision

1. As for the administrative divisions of district, commune levels from where the authentication of a contract is transferred to notary organizations and such contract was previously authenticated at the People's Committee of district and commune level, supplements, amendments, cancellation, and corrections to the contract shall still be made at the People's Committee of district and commune levels where the authentication was previously done.
2. The People's Committees of communes shall perform authentication with respect to contracts of urban housing as prescribed in Article 93 of the Law on Housing in 2005 to the end of June 30, 2015.

Article 48. Effect

1. This Decree takes effect since April 10, 2015.

2. This Decree replaces the Government's Decree No. 79/2007/ND-CP dated May 18, 2007 on issuance of copies from master registers, certificate of true copies from originals, authentication of signatures; The Decree No. No. 04/2012/ND-CP dated January 20, 2012 on amendments and supplements to Article 5 of the Decree No. No. 79/2007/ND-CP; Article 4 of the Decree No. No. 06/2012/ND-CP dated February 02, 2012 on supplements to the Decree on civil status, marriage, families and authentication; regulations on authentication of contracts as set out in the Decree No. 75/2000/ND-CP dated December 08, 2000 on notarization and authentication.

Article 49. Responsibilities for implementation

1. The Minister of Justice shall be responsible for providing guidance on the implementation of this Decree.
2. The Minister of Finance, the Minister of Foreign Affairs within their own scope of duties and authorities shall cooperate with the Minister of Justice in providing guidance on the implementation of this Decree.
3. The ministers, heads of ministerial-level agencies, heads of Governmental agencies, presidents of the People's Committees of central-affiliated cities and provinces shall be responsible for executing this Decree./.

**PP THE GOVERNMENT
THE PRIME MINISTER**
(Signed and sealed)

Nguyen Tan Dung

(This translation is for reference only)