

CIRCULAR

REGULATIONS ON APPLICATION FORMS FOR INVESTMENT PROCEDURES AND REPORTING FORMS ON INVESTMENT IN VIETNAM

Pursuant to the Law No. 67/2014/QH13 on Investment dated November 26, 2014;

Pursuant to the Decree No. 118/2015/ND-CP on detailing and guiding the implementation of a number of articles of the Law on Investment dated November 12, 2015 of the Government;

Pursuant to the Decree No. 116/2008/ND-CP on functions, tasks, entitlement and the organizational structure of the Ministry of Planning and Investment dated November 14, 2008 of the Government;

At requests of the Director of the Foreign Investment Agency;

The Minister of Planning and Investment issues this Circular provides application forms for investment procedures and Vietnam's investment reporting forms.

Article 1. Scope

1. This Circular provides application forms for investment procedures and periodic reporting forms on the investment for investors and business organizations executing projects in Vietnam and State regulatory authorities in charge of managing the investment (hereinafter referred to as "State regulatory authority").
2. Application forms for project execution intra vires the National Assembly's Investment policy decision shall be made in accordance with the Government's regulations.

Article 2. Regulated entities

1. Investors and business organizations investing in Vietnam.
2. Investment Registration Authorities;
3. Competent State regulatory authorities;
4. Other relevant entities.

Article 3. Investment application forms and investment reporting forms

1. This Circular is issued together with the following forms:
 - a) Application forms for investment procedures carried out by investors and business organizations executing projects in Vietnam presented in the Annex I.
 - b) Application forms for investment procedures carried out by competent State regulatory authorities presented in the Annex II.
 - c) Investment reporting forms for investors and business organizations executing projects in Vietnam presented in the Annex III.
 - d) Investment periodic reporting forms for competent State regulatory authorities presented in the Annex IV.
2. Every entity shall comply with the form format and content as stipulated hereof.
3. Application forms for investment in Vietnam shall apply consistently nationwide. The Investment Registration Certificate shall be made in A4 size paper, and the blank form of the Investment Registration Certificate shall be prescribed and publicized on the National Foreign Investment Web Portal by the Ministry of Planning and Investment.
4. The signature of documents and investment application forms:

a) With regard to investment in the form of business organizations: prior to the establishment of the business organization, the investor shall contribute his/her capital to the business organization that is in his/her name and sign documents and applications for the Investment Registration Certificate. After the establishment of the business organization, the investor shall sign documents, investment application and investment reports on the business organization behalf.

b) With regard to investment in the form of capital contribution, share/stake acquisition: the investor and business organization that takes contributions, shares or stakes shall sign the applications for capital contribution or share/stake acquisition;

a) With regard to investment in the form of BCCs: parties to BCCs shall sign documents and applications for Investment Registration Certificates.

5. Every investor specified in clause 4 of this Article shall initial each page of the application for the project execution and put his/her signature on the last page of such application.

6. For projects invested by Vietnamese investors, the investments shall be expressed in VND.

Article 4. Implementation

1. This Circular enters into force after 45 days from the date of signature.

2. This Circular shall replace the Decision No.1088/2006/QĐ-BKH on issuance of application forms for investment procedures in Vietnam dated October 19, 2006 of the Minister of Planning and Investment.

3. Any issue arising during the implementation of this Circular should be promptly reported to the Ministry of Planning and Investment./.

MINISTER

Bui Quang Vinh

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