

To: Foreign Non-governmental Organizations operating in Vietnam

Date: 07 March 2012

Ref.: Decree 12/2012/ND-CP

Dear friends,

The Committee for Foreign Non-governmental Organization Affairs (COMINGO) sends compliments to all foreign non-governmental organizations operating in Vietnam and would like to inform the latter of the following:

On 1<sup>st</sup> March 2012, the Government of Vietnam issued Decree 12/2012/ND-CP on registration and administration of foreign non-governmental organizations (INGOs) in Vietnam. This Decree is to replace Decision 340/TTg dated 24 May 1996 of the Prime Minister, and shall come into effect as of 1<sup>st</sup> June 2012. The issuance of this Decree marks a remarkable step in improving the legal environment for the humanitarian and development operations of INGOs in Vietnam. Some of the highlights include:

- The term “Registration Certificate” replaces “Permit”.
- The duration of each type of registration is much longer, i.e. 3 years for Registration of Operation (equivalent to Operation Permit to date), 5 years for Registration of Project and Representative Offices (equivalent to Project and Representative Offices to date, respectively).
- Representative offices of INGOs could be located in either Ha Noi, Da Nang or Ho Chi Minh city.
- Procedures on and document requirements for issuance, extension, amendment of registration certificates are clearly stated.
- Feedback from COMINGO shall be within 45 working days after proper receipt of application for registration, for all the three types of registration; and within 30 working days for extension and amendment.
- The rights and obligations of INGOs are clearly stated.
- INGOs shall not be required to register their operations with provincial authorities, but to insure proper communication.
- Exemption of personal income tax shall follow current regulations of Vietnam.
- In addition, the Decree also regulates the responsibilities of Vietnamese ministries, provincial authorities, partner agencies, COMINGO and its members.
- One key stipulation in the Decree is that INGOs with valid permits (Operation, Project Office and Representative Office) shall not have to re-apply. Instead,

INGOs shall only have to supplement papers required by the Decree, and their permits shall be automatically converted into respective registration certificates.

As the Ministry of Foreign Affairs (MOFA) and COMINGO are working on a guideline circular, we will soon send you an English version of the Decree. We hope as well to be able to organize a dissemination meeting some time soon.

The Committee for Foreign Non-governmental Organization Affairs avails itself of this opportunity to renew to all foreign non-governmental organizations the assurances of its highest consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'Vu Xuan Hong', with a long horizontal stroke extending to the right.

**Vu Xuan Hong**  
Executive Member, COMINGO 