

**LAW**

**HIGHER EDUCATION**

Law on Higher Education No. 08/2012/QH13 dated June 18, 2012 of the National Assembly, coming into force as from January 1, 2013, shall be amended and supplemented by:

1. The National Assembly's Law No. 32/2013/QH13 dated June 19, 2013 on amendments and supplements to several Article of the Law on Corporate Income Tax, in force as from January 1, 2014;
2. The National Assembly's Law on Vocational Education No. 74/2014/QH13 dated November 27, 2014, coming into force as from July 1, 2015;
3. The National Assembly's Law on Fees and Charges No. 97/2015/QH13 dated November 25, 2015, coming into force as from January 1, 2017;
4. The National Assembly's Law No. 34/2018/QH14 dated November 19, 2018 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

*Pursuant to the Constitution of Socialist Republic of Vietnam 1992, amended in the Resolution No. 51/2001/QH10;*

*The National Assembly issues a Law on Vocational Education*1.

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope**

This Law provides for the organizational structures, duties and mandates of higher education institutions, academic, scientific, technological, international cooperation, quality assurance and accreditation activities, lecturers, students, financing and property of higher education institutions, and state management of higher education.

## **Article 2. Subjects of application<sup>2</sup>**

1. This Law applies to higher education institutions, organizations and individuals involved in higher education activities.
2. Academies and other academic institutions established by the Prime Minister under the Law on Science and Technology with licenses to provide doctoral degree programs that enroll and train students in accordance with this Law.

## **Article 3. Application of Law on Higher Education**

Organization, operation of higher education institutions and management of higher education activities shall be subject to regulations of this Law, the Law on Education and other regulatory provisions of relevant law.

## **Article 4. Interpretation of terms<sup>3</sup>**

For the purposes of this Law, terms used herein are construed as follows:

1. “*higher education institution*” means an education institution belonged to the national education system that provides all-level higher education programs, engages in science and technology activities and serves the community.
2. “*university, institute*” (hereinafter referred to as university) means a higher education institution that provides training in multiple academic disciplines and has an organizational structure conformable with this Law.
3. “*parent university*” is composed of a higher education institution that trains and researches in multiple fields and has an organizational structure conformable with this Law; its component units that pursuit the same missions and objectives.
4. “*member institution*” means a university or research institution that is a legal entity, established or permitted to be established by the Prime Minister, has the autonomy over its organization and operation as prescribed by law and its own rules and regulations.
5. “*direct subsidiary*” means a legal entity of a higher education institution, established under a decision of the school council of the university or parent university (hereinafter referred to as “school council”); organized and run in accordance with law, rules and regulations of a higher education institution.
6. “*subsidiary*” means a non-legal entity of a higher education institution that is established under a decision of the school council; organized and run in accordance with law, rules and regulations of a higher education institution, and regulatory provisions of law.

7. “*school*” means an academic unit of a higher education institution, established under a decision of the school council issued in accordance with regulations of the Government; organized and run in accordance with rules and regulations of a higher education institution.

8. “*academic discipline*” means an area of academic knowledge and skills relevant to a specific profession or science, listed and categorized by the Ministry of Education and Training.

9. “*academic major*” means a separate part of the advanced knowledge and skills of an academic discipline, decided by the higher education institution.

10. “*academic field*” means a group of academic disciplines that have common knowledge and skills relevant to a specific profession or science, listed and categorized by the Prime Minister.

11. “*autonomy*” means the right of a higher education institution to determine its own targets and how to achieve them; to decide and assume accountability for their professional and academic activities, organization, personnel, finance, assets and other activities within the law and the capacity of the higher education institution itself.

12. “*accountability*” means the responsibility of a higher education institution to report and provide information for learners, the public, competent authorities, the owner and relevant parties on its conformity with law and its rules and commitment.”.

## **Article 5. Objectives of higher education**

1. General objectives:

a) Aim at training manpower, raising public knowledge and talent fostering; scientific and technological research, development of new knowledge and products, and conformance to the socio-economic development requirements, ensuring national defense and security and international integration;

b) Train students having political and moral qualities; having knowledge, professional practice skills, scientific and technological research and development capacity commensurate with the training level; good health; creative ability and professional responsibility, adaptability to the working environment; a sense of duty towards the People.

2. Specific academic goals<sup>4</sup> of bachelor, master and doctoral degree programs:

a) 5 (*repealed*)

b) Provide students with higher education programs in order for them to have comprehensive professional knowledge, fully grasp principles, laws of nature and society,

have basic hands-on skills, ability to work independently, creatively and solve issues and problems arising in their corresponding academic discipline;

c) Provide students with master degree programs so that students have basic scientific knowledge, have in-depth skills for research in a scientific field or effective professional activities, and have the ability to work independently, creatively, detect and solve issues and problems in their respective academic major;

d) Provide doctoral degree programs so that PhD students gain high theoretical and empirical skills, are capable of conducting researches independently, creatively, developing new knowledge, discovering principles and laws of nature and society, and solving new problems in science and technology, providing guides to scientific research and academic activities.

#### **Article 6. Levels and forms of higher education<sup>6</sup>**

1. Higher education levels shall be classified into bachelor, master and doctoral levels.
2. Training forms include formal, in-service training and distance education. Students can transfer between the training forms according to the academic transition principles.
3. A higher education institution may organize regular education activities and provide short-term courses aimed at conferring academic certificates or qualification according to their respective academic disciplines or fields in accordance with law in order to meet students' lifelong learning demands.
4. The Government shall promulgate regulations on academic levels that students can reach in special academic disciplines.

#### **Article 7. Higher education institutions<sup>7</sup>**

1. Higher education institutions are legal entities, including universities, parent universities and other higher education institutions defined by law.

National universities or regional universities are parent universities responsible for achievement of strategic national and regional development objectives.

2. Types of higher education institutions, including:

a) Public higher education institutions that receive the State investments and guarantees for their operation, and of which the owners are represented by the State;

b) Private higher education institutions that obtain investment funds or guarantees for their operation from domestic or foreign investors.

A not-for-profit private higher education institution is the higher education institution in which the investor makes the commitment not to running it for profit under the decision to permit its establishment or conversion; the investor does not run it for profit, is not allowed to withdraw their fund or receive share dividends; on which the annual accumulated profit is under the undistributable joint ownership for later reinvestment purposes.

Only conversion from a private higher education institution to a non-profit private higher education institution is permitted.

3. All types of higher education institutions have equal rights before law.

4. Based on the socio-economic development capabilities and requirements, a higher education institution may determine its developmental objectives and operational orientations towards:

a) A research-oriented higher education institution;

b) An application-oriented higher education institution.

5. The Government shall elaborate regulations on recognition of research-oriented higher education institutions according to their academic and research results; conversion of universities into parent universities; association between universities into parent universities; conversion of private higher education institutions into non-profit private higher education institutions; rules for naming and renaming higher education institutions; organization and operation of higher education institutions established under treaties between the Government of Socialist Republic of Vietnam and foreign signatories.”.

## **Article 8. National Universities**

1. National university refers to a high-quality multidisciplinary and multi-sectoral training, scientific and technological research center that is entitled to receive capital investment incentives from the State.

2. National universities has a high level of autonomy<sup>§</sup> in training, scientific research, finance, international cooperation and machinery. National universities are put under the control of the Ministry of Education and Training, other ministries, central authorities and People's Committees at the local jurisdictions where these national universities are located under their authority delegated by the Government and in accordance with law.

National universities may directly collaborate with Ministries, Ministry-level agencies, Governmental bodies, and People’s Committees of centrally-affiliated cities and provinces in addressing issues related to national universities. Where necessary, Directors of National Universities can report to the Prime Minister on issues related to their operation and development.

3. Appointment and discharge of Chairpersons of School Councils, Directors and Vice Director shall be subject to the Prime Minister's decisions.

4. The Government shall promulgate specific regulations on functions, duties and mandates of National Universities.

### **Article 9. Ranking of higher education institutions<sup>9</sup>**

1. Ranking of higher education institutions is meant to reflect their reputation, quality and effective according to certain criteria and ensure accessibility of information to relevant organizations and individuals.

2. Higher education institutions may select and participate in reputable domestic and international ranking systems.

3. Vietnamese non-commercial legal entities may rank higher education institutions and have the responsibility to ensure truthfulness, objectivity and transparency; publish and explain their ranking method, criteria and results.

### **Article 10. Language used by higher education institutions**

Vietnamese shall be the dominant language used by higher education institutions.

According to the Prime Minister's instructions, higher education institutions can exercise the freedom of choice of using foreign languages in their academic programs.

### **Article 11. Higher education institution network planning<sup>10</sup>**

1. The higher education institution network planning shall ensure the efficient use of available resources; harmony between the public and private higher education institutions; development of private non-profit higher education institutions; introduce a mechanism for establishment of major universities in order to meet the needs of learning, achieve sustainable development, and serve industrialization, modernization and international integration.

2. Higher education institution network shall comply with the Law on Planning and the following regulations:

a) Determine the targets and orientations for development of the higher education system;

b) establish higher education institution standards;

c) Arrange space and distribute resources for development of the higher education institution network; improve training quality to facilitate development of high quality human resources; development key economic regions and extremely disadvantaged areas.

3. The preparation, appraisal, approval, announcement, revision and implementation of the higher education institution network planning shall comply with planning laws and relevant laws.

## **Article 12. State policies on development of higher education<sup>11</sup>**

1. Development of higher education is meant to develop high quality human resources, meet socio-economic development requirements and ensure national defense and security.

2. Funds and resources shall be given to development of higher education on principles of competitiveness, equality and efficiency through investment in research and development (R&D) investment, signing research and training contracts, offering scholarships, student credit and other forms.

Higher education development will be given certain privileges and incentives in terms of land, tax, credit and other policies.

3. Prioritize investment in development of certain regional and international higher education institutions, academic disciplines and teacher training institutions; develop some special academic disciplines and higher education institutions capable of achieving strategic national and regional objectives.

Encourage rearrangement and merger of universities into parent universities; apply technology to higher education.

4. Seek private investment in higher education; encourage development of private higher education institution; give priority to non-profit private higher education institution; provide incentives for organizations and individuals that invest in education and training, science and technology activities in higher education institutions; grant tax exemption or reduction to property that are donated to serve higher education, given as scholarships or participation in student credit programs.

5. Introduce uniform policies to ensure autonomy and accountability of higher education institutions.

6. Ensure relation between training and demand for labor; research into application of science and technology; enhance cooperate between higher education institutions, enterprises and science and technology organizations; provide tax incentives for science and technology products of higher education institutions; encourage organizations and enterprises to facilitate students and lecturers to improve practical skills, participate in internship, scientific research and technology transfers in order to improve training quality.

7. Attract, employ lecturers and provide benefits for lecturers in order to improve their quality; focus on increasing the quantity of lecturers that are masters, doctors and leading professors in higher education institutions.

8. Give priority to people eligible for social benefits (hereinafter referred to as “disadvantaged people”), people in extremely disadvantaged areas and students in special academic disciplines in order to ensure adequate human resources for socio-economic development; ensure gender equality in higher education.

9. Encourage and intensify international integration and cooperation in order to raise Vietnam’s higher education to regional and international levels.

### **Article 13. Party organizations, unions and social organizations in higher education institutions**

1. Party’s intramural organizations of institutions shall be established and operated under the Charter of the Communist Party of Vietnam or within the constitutional and legislative framework.

2. Unions and social organizations in higher education institutions shall be established and operated under the rules and regulations of their organizations, Constitution and law.

3. Higher education institutions must enable the organizations of the Communist Party, unions and social organizations to be established and operated under the regulations of clause 1 and 2 of this Article.

## **Chapter II**

### **ORGANIZATION OF HIGHER EDUCATION INSTITUTIONS**

#### **Section 1: ORGANIZATIONAL STRUCTURES OF HIGHER EDUCATION INSTITUTIONS**

#### **Article 14. Organizational structure of a university<sup>12</sup>**

1. A university shall be structured into:

a) The university council or academy council (hereinafter referred to as “school council”);

b) The university principal or academy director (hereinafter referred to as “principal”); the vice-principals or vice-directors (hereinafter referred to as “vice-principals”);

c) The science and training council; other councils (if any);



d) Faculties, dedicated rooms, library, science and technology organization, other organizations serving training activities;

dd) Schools, campuses, research institutes, service facilities, enterprises, business establishments and other units (if any) necessary for development of the university.

2. The specific organizational structure of a university, relationship and level of autonomy of its direct/indirect subordinates shall be specified in the university's rules and regulations.

### **Article 15. Organizational structure of a university<sup>13</sup>**

1. A parent university shall be structured into:

a) The school council;

b) The Director and Deputy Directors;

c) The science and training council; other councils (if any);

d) Affiliated universities and research institutes (if any); schools, boards, science and technology organizations, library and other organizations serving training activities;

dd) Faculties, campuses, research institutes, service facilities, centers, enterprises, business establishments and other units (if any) necessary for development of the parent university.

2. The specific organizational structure of a parent university, relationship and level of autonomy of its member institutions, direct/indirect subsidiaries shall be specified in the university's rules and regulations.

### **Article 16. School council of a public university<sup>14</sup>**

1. The school council of a public university is the organization that administers and exercises the representation rights of the owner and other stakeholders.

2. The school council of a public university has the following responsibilities and entitlements:

a) Decide the development strategies, developmental plans, annual plans of the university; orientation to develop the university into a parent university or merge the university into another;

b) Issue the university's rules and regulations, finance regulations and grassroots democracy regulations in accordance with this Law and relevant laws;

c) Decide plans for enrolment, offering new programs, training, cooperation in education, scientific activities, international cooperation; policies on higher education quality assurance, cooperation between the universities and enterprises or employers;

d) Decide the organizational structure, personnel structure, establishment, merger, split-up, split-off, dissolution of the university's units; prepare a list of work positions, standards and working conditions thereof; issue regulations on recruitment, employment and management of lecturers and other employees in accordance with law;

dd) Decide and seek competent regulatory authorities' consent to recognition or dismissal of the principal; designation and dismissal of vice-principals on the basis of the principal's request; seek the decision related to other managerial positions subject to the university's rules and regulations; annual performance assessment by the school council's president or the institution's principal; mid-tenure or irregular votes on confidence in the school council's president or the institution's principal according to the university's rules and regulations;

e) Decide incentive policies to call for investments in the universities; policies regarding tuition fees and financial aid for students; approve financial plans; approve annual financial statements and final accounts of lawful revenues of the university;

g) Decide policies for investment and use of assets of great value under the management of the university in accordance with its rules and regulations; decide salaries, bonuses and other benefits of holders of leadership or executive positions according to their performance, achievements and other matters under the university's rules and regulations;

h) Supervise the implementation of decisions issued by the school council, adherence to law, implementation of democracy practices during the university's operation and the principal's accountability; supervise the management and use of funds and assets of the university; present annual reports in the plenary meetings on supervision results and performance of the school council;

i) Adhere to law; take responsibility before the law and to competent authorities and relevant parties for decisions made by the school council; ensure transparency and availability of information and reports; facilitate inspections by competent authorities; assume accountability within the scope responsibility and power of the school council; facilitate supervision by the society, organizations and individuals within the university;

k) Other responsibilities and entitlements specified in the university's rules and regulations.

3. Composition, placement and responsibilities of members of the school council of a public university:

a) The number of school council members must be an odd number and not smaller than 15, including both intramural and extramural members;

b) Intramural members include inherent members and members elected by the general assembly or delegate assembly of the university (hereinafter referred to as “school assembly”).

Inherent members include the secretary of internal communist party organization, the principal, union president and representative of the steering board of Communist Youth Union of Ho Chi Minh City that are students of the university.

Elected members include representative of lecturers, the quantity of which shall account for at least 25% of the total number of members; representatives of other employees;

c) The quantity of external members shall account for at least 30% of the total number of members, including representatives of competent authorities and social communities elected by the school assembly including political leaders, managers, education experts, culture researchers, scientists, business people, former students, representatives of employers;

d) School council members shall perform and take responsibility for the performance of the tasks given by the school council president and other tasks prescribed by law and the university’s rules and regulations; participate in every meeting of the school council and take responsibility for the performance of their responsibilities and entitlements.

4. The qualification standards, responsibilities and entitlements of the school council president:

a) The school council president shall have political credentials, good ethics, and reputation, experience of higher education management, good health suitable for his/her tasks, and age conformable with law.

b) A member of the school council shall be elected by the school council as president by holding a ballot under the majority rule; the elected president will receive a recognition decision issued by a competent authority; in the cases where an external member is elected as school council president, he/she shall become a full-time officer of the university; the school president shall not concurrently hold any other managerial position in the university;

c) The school council president has the responsibility and the right to direct and organize performance of tasks and entitlements of the school council; direct the development of annual plans and programs; hold and chair school council meetings; sign documents issued by the school council; use the existing apparatus and seal of the university to serve the operation of the school council; perform tasks of a school council member and other duties and entitlements prescribed by law and the university’s rules and regulations;

d) Assume responsibility for performance of his/her duties and entitlements.

5. List of members, tenure and working regulations of the school council of a public university:

- a) The list of president and members of the school council shall be posted on the university's website after it is recognized by a competent authority;
- b) The tenure of a school council is 05 years. The school council shall hold a periodic meeting at least every 03 months and ad hoc meetings as requested by the president or principal or at least one third of the school council members. A school council meeting is considered valid when it is participated by 50% of the members, including external members;
- c) The school council shall work on the principle of collectives and make decisions under the majority rule, unless a higher ratio is prescribed by the university's rules and regulations; decisions of the school councils shall be presented in the form of resolutions,

6. Rules and regulations of a public university include the following contents:

- a) Standards, number of tenures and authorization by the school council president;
- b) Standards, duties and entitlements, procedures for electing and dismissing vice-presidents (if any) and school council secretary;
- c) Quantity, structure of members; addition and replacement of members; methods for making decisions of the school council regarding each type of activities;
- d) Procedures for designation of the principal and other managers of the university; grounds and procedures for proposing dismissal of the principal; quantity of deputies; tenure of the principal, vice-principals and other managers of the university;
- dd) Operating budget, standing body, control body and assistance apparatus of the school council; composition and procedures for holding the school assembly;
- e) Separation between responsibilities and entitlements of the school council and those of the principal;
- g) Other contents necessary for operation of the school council.

7. The school council of a public university that is a member of a parent university shall implement the provisions of this Article and the parent university's rules and regulations.

8. The Government shall elaborate the procedures for establishment and recognition of school councils; recognition and dismissal of school council presidents; designation and dismissal of other school council members; organization of school councils of higher education institutions affiliated to the Ministry of Public Security and the Ministry of National Defense.

## **Article 16a. Investors<sup>15</sup>**

1. An investor is a domestic/foreign organization or individual that invests in establishment of a for-profit or non-profit private higher education institution from non-state capital.
2. Responsibilities and entitlements of an investor:
  - a) Ratify the strategies or plans for development of the higher education institution, plans for development from a university into a parent university or merger of the university into another university proposed by the school council or the parent university's council;
  - b) Decide the total capital contribution of the investor, project of investment in development of the higher education institution, raising of capital (if any); the annual plan for use of the difference between revenue and expense or loss cut plan; ratify annual financial statements of the higher education institution;
  - c) Elect or nominate, dismiss school council members; ratify standards and designation of the principal or director of the university proposed by the school council;
  - d) Organize supervision and evaluation of the school council's performance;
  - dd) Promulgate and amend finance regulations of the higher education institution; ratify the regulations on finance and assets of the higher education institution in terms of salaries, bonuses and other benefits of managers in the higher education institution;
  - e) Contribute capital in full and punctually; supervise capital contribution under the higher education institution's establishment scheme;
  - g) Establish a board of controllers which will inspect and supervise the performance of management and operation tasks of by the school council, principal, vice-principals, director, vice-directors and other units in the higher education institution; establishment, composition, duties and entitlements of the board of controllers shall comply with the Law on Enterprises and relevant laws;
  - h) Consider imposing penalties for violations committed by the school council if they cause damage to the higher education institution in accordance with law and the higher education institution's rules and regulations;
  - i) Decide reorganization or dissolution of the higher education institution in accordance with law;
  - k) Publish the list of capital contributors of the higher education institution on its website;
  - l) Other responsibilities and entitlements prescribed by the Law on Investment and relevant laws;

m) Investors in private non-profit higher education institutions shall be given credit for their contribution.

3. Investors in a higher education institution may choose one of the following methods:

a) Invest in establishment of a business organization in accordance with the Law on Investment and the Law on Enterprises, which will subsequently establish the private higher education institution in accordance with this Law;

b) Directly invest in establishment of a private higher education institution in accordance with this Law. In this case, the higher education institution's rules and regulations shall provide for the general assembly of investors and investors' activities, application of relevant laws on limited liability companies or social funds to solve issues in the higher education institution that are not regulated by this Law; responsibilities and entitlements of investors and the board of controllers in accordance with applied laws.

### **Article 17. School councils of for-profit or non-profit private universities<sup>16</sup>**

1. The school council of a for-profit or non-profit private university is the executive organization that represents the investors and other parties with relevant interests.

2. The school council of a for-profit or non-profit private university has the same responsibilities and entitlements specified in Clause 2 Article 16 of this Law, except for those of investors specified in Clause 2 Article 16a of this Law; is entitled to directly designate and dismiss the university's principal in accordance with its rules and regulations.

3. The number of members of the school council of a for-profit or non-profit private university shall be an odd number and:

a) the school council of a private university consists of the investors, internal and external members elected by the general assembly of investors according to their holdings;

b) the school council of a non-profit private university consists of representatives of investors elected by the investors according to their holdings; internal and external members.

Internal members include inherent members and members elected by the school assembly. Inherent members include the secretary, the principal, union president and representative of the steering board of Communist Youth Union of Ho Chi Minh City that are students of the university. Elected members include representatives of lecturers and employees of the university.

External members are elected by the school assembly, including political leaders, managers, education experts, culture researchers, scientists, business peoples, former students, representatives of employers.

4. The qualification, responsibilities and entitlements of the school council president; the list and tenure of school council members; working rules of the school council of a for-profit or non-profit private university:

a) The school council president shall be a full-time or part-time manager of the university as prescribed by its rules and regulations, elected by the school council and recognized by the general assembly of investors or the owner;

b) The principal is entitled to attend and discuss during school council meetings, and may only vote if he/she is a school council member;

c) In the cases where the school council president is also the university's legal representative or a person mentioned in Point b Clause 3 Article 20 of this Law, he/she must satisfy the principal's standards and take responsibility for performance of his/her tasks and entitlements;

d) Other provisions in Clause 4 and Clause 5 Article 16 of this Law.

5. The rules and regulations of a for-profit or non-profit private university include the contents specified in Clause 6 Article 16 of this Law and shall specify the ratio of representatives of investors to total number of school council members.

6. The Government shall elaborate the procedures for establishment and recognition of school councils; recognition and dismissal of school council presidents.

#### **Article 18. School councils of parent universities<sup>17</sup>**

1. The school council of a parent university has the following responsibilities and entitlements:

a) Decide the development strategies, development plans, annual plans of the parent university, its reorganization and admission of new members as prescribed by law;

b) Issue the parent university's rules and regulations, finance regulations and grassroots democracy regulations, except for the cases specified in Clause 2 Article 29 of this law, in accordance with this Law and relevant laws;

c) Decide the training orientation, scientific activities, international cooperation and ensure higher education quality;

d) Decide organizational structure and subsidiaries of the parent university; standards of the president, vice-presidents (if any) and members of the school council; standards of the director and vice-directors; issue or propose issuance of decisions on recognition and dismissal of the director; designate and dismiss vice-directors as proposed by the director, except for the cases specified in Clause 3 Article 8 of this Law; managerial positions in the affiliates prescribed by the parent university's rules and regulations; organize annual

assessment of performance of the school council president and director; hold mid-tenure or irregular vote on confidence in the school council president or director;

dd) Decide policies on investment, development of facilities and resources commonly shared in the parent university; policies on attracting investments in development of the parent university; policies of investment and use of valuable assets under the management of the parent university according to its rules and regulations; salaries, bonuses and other benefits of managers of affiliates of the parent university according to their performance; tuition fees and assistance for students; approve financial plans; ratify annual financial statements and statements of lawful sources of income of the university;

e) Supervise the implementation of decisions issued by the school council, implementation of democracy regulations and the director's accountability; supervise the management and use of funds and assets of the parent university; submit annual reports on supervision results and performance of the school council to the school assembly;

g) Adhere to law; take responsibility before the law and to competent authorities and relevant parties for decisions made by the school council; ensure transparency and availability of information and reports; facilitate inspections by competent authorities; assume accountability within the scope responsibility and power of the school council; facilitate supervision by the society, organizations and individuals within the parent university;

h) Perform responsibilities and entitlements specified in the parent university's rules and regulations; other responsibilities and entitlements to their affiliates according to Clause 2 Article 16 of this Law.

2. The school council of a for-profit or non-profit private university has the same responsibilities and entitlements specified in Clause 2 Article 16 of this Law, except for those of investors specified in Clause 2 Article 16a of this Law; is entitled to directly designate and dismiss the university's principal in accordance with its rules and regulations.

3. The number of members of the school council of a parent university shall be an odd number and:

a) The school council consists of both internal and external members.

Internal members include the secretary of the internal communist party organization, president of the internal union, representatives of Communist Youth Union of Ho Chi Minh City that are students of the university, presidents of school councils of the subsidiaries (or heads of the subsidiaries without school councils), representatives of lecturers and other employees of the parent university elected by its school assembly.

The quantity of external members shall account for at least 30% of the total number of members, including representatives of competent authorities; representatives of external



members elected by the school assembly including political leaders, managers, education experts, culture researchers, scientists, business peoples, former students, representatives of employers;

b) The school council of a private parent university consists of the investors, internal and external members elected by the general assembly of investors according to their holdings;

c) The school council of a non-profit private parent university consists of the investors elected by the general assembly of investors according to their holdings, internal and external members.

Internal members include inherent members that are the secretary of the internal communist party organization, president of the internal union, representatives of Communist Youth Union of Ho Chi Minh City that are students of the university, representatives of lecturers and other employees of the parent university elected by its school assembly.

External members are elected by the school assembly, including political leaders, managers, education experts, culture researchers, scientists, business peoples, former students, representatives of employers;

d) Members of the school council shall perform its tasks given by the school council president and other tasks prescribed by law and the parent university's rules and regulations; participate in every meeting of the school council and take responsibility for the performance of their responsibilities and entitlements.

4. The election and standards of the school council president; the list and tenure of school council members; working rules of the school council of a public parent company shall comply with Clause 4 and Clause 5 Article 16 of this Law. Responsibilities of the school council president of a private parent company; the list and tenure of school council members; working rules of the school council of a private parent company shall comply with Clause 4 Article 17 of this Law.

5. Regulations on school councils of parent universities include the following contents:

a) Standards, number of tenures and authorization by the school council president;

b) Standards, duties and entitlements, procedures for electing and dismissing vice-presidents (if any) and school council secretary;

c) Quantity, structure of members; addition and replacement of members; methods for making decisions of the school council regarding each type of activities;

d) Procedures for designation of the director and managers of the university; grounds and procedures for proposing dismissal of the director; quantity of deputies; tenure of the

director, vice-directors and other managers of affiliates without legal entity status of the parent university;

dd) Operating budget, standing body, control body and assistance apparatus of the school council; composition and procedures for holding the school assembly, and other regulations on organization and operation of the school assembly;

e) Separation between responsibilities and entitlements of the school council and the director; the relationship between the school council and the council of subsidiaries and affiliates (if any);

g) Other contents necessary for operation of the school council.

6. The Government shall elaborate the procedures for establishment and recognition of school councils; recognition and dismissal of school council presidents and members of parent universities.

#### **Article 19. Science and training council**

1. Science and training council<sup>18</sup> shall have the duty to give counsels<sup>19</sup> on formulation of:

a) Rules and regulations on training, scientific and technological activities, standards for recruitment of lecturers, researchers, staff members of libraries and laboratories;

b) Personnel development plans intended for school lecturers and researchers;

c) Projects on commencement of majors, training majors, implementing and canceling training programs; science and technology development orientation, science and technology activity plan, assignment of training, science and technology tasks.

2. Science and training council composed of principal; academic and research vice principals; heads of training and research institutions; heads of training and research institutions; authoritative scientists representing academic areas and fields of study.

#### **Article 20. Principals of higher education institutions<sup>20</sup>**

1. The principal of a university or the director of a parent university (hereinafter referred to as "principal") is the person responsible for management and administration of the higher education institution's activities in accordance with law and the higher education institution's rules and regulations.

The designation of the principal of a public higher education institution shall be decided by the school council and recognized by a competent authority; the designation of the principal of a for-profit or non-profit private higher education institution shall be decided by the school council.

The tenure or term in office of the principal shall be decided by the school council and must not exceed the tenure of the school council.

2. The principal of a higher education institution shall:

a) have political credentials, a doctoral degree; be physically capable of his/her duties; has academic reputation, experience of higher education management and an age conformable with law;

b) satisfy specific standards prescribed by the higher education institution's rules and regulations.

3. Duties and entitlements of the principal:

a) Act as the legal representative and account holder of the higher education institution, unless otherwise prescribed by the rules and regulations of the for-profit or non-profit private higher education institution;

b) organize professional and academic activities, personnel, finance, assets, domestic and international cooperation and other activities prescribed by law, the higher education institution's rules and regulations and decisions of the school council;

c) Submit documents to the school council for issuance after getting comments from relevant entities within the higher education institution; issue other regulations of the higher education institution in accordance with its existing rules and regulations;

d) Propose designation and dismissal of managers under the management of the school council; designate and dismiss other managers of the higher education institution; decide investment projects in accordance with the higher education institution's rules and regulations;

dd) Submit annual reports to the school council on performance of the principal and the board of administrators, finance and assets of the higher education institution; ensure transparency and availability of information; comply with regulations on reporting and inspections by competent authorities; assume accountability for the principal's duties and entitlements;

e) Perform other duties and entitlements prescribed by law; take responsibility before the law, the school council and relevant parties; be supervised by relevant organizations and individuals regarding fulfillment of given duties and entitlements.

## **Article 21. Campuses of higher education institutions<sup>21</sup>**

1. Campuses in Vietnam of Vietnamese higher education institutions:

- a) A campus in Vietnam of a Vietnamese higher education institution belongs to its organizational structure and does not have legal entity status; such a campus may be established in a province other than that of the headquarters of the higher education institution and must comply with the higher education institution network planning;
- b) The campus in Vietnam of a Vietnamese higher education institution shall perform part of the functions, tasks, and entitlements of the higher education institution as assigned by its principal; submit reports to the People's Committee of the province where the campus is situated on activities within the management of the provincial authority;
- c) The organizational structure and operation of such a campus shall comply with the higher education institution's rules and regulations.

2. Campuses in Vietnam of foreign higher education institutions:

- a) Campuses in Vietnam of foreign higher education institutions are established and maintained by the foreign higher education institutions;
- b) Regulations applied to private higher education institutions established in Vietnam by foreign investors shall apply to campuses in Vietnam of foreign higher education institutions.

3. Overseas campuses of Vietnamese higher education institutions:

- a) Overseas campuses of Vietnamese higher education institutions are established overseas and maintained by Vietnamese higher education institutions, which have the responsibility to report to the Ministry of Education and Training;
- b) Regulations of the host country on establishment and operation of higher education institutions shall apply to overseas campuses of Vietnamese higher education institutions.

4. The Government shall elaborate regulations on establishment and operation of campuses in Vietnam of higher education institutions.

**Section 2: ESTABLISHMENT, MERGER, SPLIT-UP, SPLIT-OFF AND DISSOLUTION OF HIGHER EDUCATION INSTITUTIONS; APPROVAL, SUSPENSION OF TRAINING ACTIVITIES**

**Article 22. Conditions for establishment or permission for establishment of higher education institutions**

1. Higher education institution may be set up or gain permission for establishment when meeting the following conditions:
  - a) Have foundation projects in conformity with 22 the approved planning scheme for development of the network of higher education institutions;

- b) Obtain written consent to its establishment and confirmation of the right to use land from the People's Committee of the province where its main office is located;
- c) Obtain confirmation of its financial affordability for investment in building the higher education institution from the competent authority;
- d) 23 If it is a foreign-invested higher education institution, it must satisfy other conditions prescribed by the Law on Investment.

2. 04 years after the effective date of the establishment decision or the permission for its establishment, if the higher education institution is not allowed to provide academic programs, the establishment decision or the decision on approval of establishment shall be invalidated.

### **Article 23. Conditions for eligibility for permission to provide academic programs**

1. Higher education institution may be set up or gain permission for establishment when meeting the following conditions:

- a) Receive the decision on establishment or permission for establishment;
- b) Have land, physical facilities, equipment, student dormitories, physical education facilities to meet training requirements; the construction site must ensure pedagogical and environmental safety for learners, teachers and employees according to the agreed project requirements;
- c) Have sufficient training programs, teaching and learning materials as prescribed;
- d) Have the adequate number of teaching staff and administrative officials meeting professional skill and qualification requirements according to the consistent personnel structure;
- dd) Have necessary finance resource as prescribed to ensure the maintenance and development of the higher education institution;
- e) Adopt its organizational and operational rules and regulations.

2. 03 years after the effective date of the decision on permission to provide academic programs, if the higher education institution fails to operate, that decision shall be invalidated.

### **Article 24. Merger, split-off and split-up of higher education institutions**

The merger, split-off or split-up of vocational education institutions must:

1. Conform to the planning scheme for development of the higher education institution network;
2. Meet socio-economic development requirements;
3. Assure rights and benefits of lecturers, staff, employees and students;
4. Contribute to improving higher education quality and efficiency.

#### **Article 25. Suspension of operation of higher education institutions**

1. The higher education institution's operation shall be suspended in the following cases:
  - a) Commit any fraudulent act to be eligible for its establishment, obtain permission for its establishment or its training activities;
  - b) Do not satisfy one of requirements as prescribed in Clause 1 Article 23 of this Law;
  - c) The person granting permission to provide academic programs does not have competence;
  - d) Commit violations against law on education to the extent of facing administrative penalty imposed in the form of business suspension;
  - dd) Other cases as prescribed.
2. The Decision on suspension of higher education activities must contain clear reasons for the suspension, deadline for suspension, guarantee for lawful interests of lecturers, staff members and students of the receiving higher education institution. The decision on suspension of higher education must be announced on the means of mass media.
3. Upon expiry of the suspension of vocational education activities, if the causes of suspension are mitigated, the competent person in charge of the suspension decision may make another decision to allow resumption of its operation.

#### **Article 26. Dissolution of higher education institutions**

1. Higher education institutions shall be dissolved in the following cases:
  - a) Commit serious violations against law;
  - b) The deadline for suspension of training activities expires but the causes of the suspension have not already been solved;

c) Objectives and activities involved in the establishment decision or the decision on approval of establishment of the higher education institution suit the socio-economic development demands;

d) The dissolution is requested by any entity or person setting up the higher education institution;

dd) The higher education institution fails to adhere to the commitments agreed upon the approved project within 05 years after the effective date of the establishment decision or the decision on approval of establishment.

2. The decision on dissolution of the higher education institution must specify clear reasons for the dissolution, measures to be taken to assure lawful rights and interests of lecturers, students and workers of the higher education institution subject to such dissolution. The decision on dissolution of the higher education institution must be announced on the means of mass media.

### **Article 27. Procedures for and authority over establishment or grant of approval of establishment, training activities, suspension of training activities, merger, split-up, split-off, dissolution of higher education institutions**

1. 24 The Government shall set out detailed regulations on conditions and procedures for establishment or grant of approval of establishment, approval of training activities, suspension of training activities, merger, split-up, split-off and dissolution of universities<sup>25</sup>, parent universities and foreign-invested higher education institutions<sup>26</sup>.

2. The Prime Minister shall be accorded authority to establish parent universities<sup>27</sup>, public universities; issue the decision on approval of establishment of private universities and foreign-invested higher education institutions<sup>28</sup>.

3. Persons having authority to issue establishment decisions or decisions on approval of establishment of higher education institutions shall be accorded authority to issue decisions on merger, split-up, split-off and dissolution of higher education institutions.

4. The Minister of Education and Training shall be accorded authority to issue decisions on approval of training activities, suspension of training activities with respect to<sup>29</sup> universities<sup>30 31</sup> and foreign-invested higher education institutions.

## **Chapter III**

### **DUTIES AND ENTITLEMENTS OF HIGHER EDUCATION INSTITUTIONS**

#### **Article 28. Duties and entitlements of<sup>32</sup> universities<sup>33</sup>**

1. Design strategies and planning schemes for development of higher education institutions.

2. Provide academic programs, perform scientific, technological, international cooperation and higher education quality assurance activities.
3. Develop academic programs according to specified objectives; ensure academic transfer between academic programs and levels.
4. Design the operating machinery; recruit, manage, develop and train or coach lecturers, administrators, other public servants and employees.
5. Manage students; assure legitimate rights and interests of lecturers, staff members, administrators and students; retain funds for offering social policies to beneficiaries eligible for social policies, beneficiaries living in ethnic minority areas, beneficiaries residing in extremely socio-economic disadvantaged areas; ensure that pedagogical environment is favorable for educational activities.
6. Conduct the self-assessment of educational quality and go through education quality accreditation process.
7. Receive land or other premises assigned or leased by the state; have access to tax exemption or reduction under law.
8. Mobilize, take control and make best use of resources; build and increase physical facilities and investment in equipment.
9. Cooperate with domestic and overseas economic entities; educational establishments; cultural, sport, physical activity centers; health organizations; scientific research institutes.
10. Comply with information and reporting rules and regulations; undergo the inspection and supervision process conducted by the Ministry of Education and Training, other relevant ministries, central authorities and People's Committees of the provinces where higher education institutions have their offices or provide academic programs as per regulations.
11. Implement other duties and rights as stipulated by law.

#### **Article 29. Duties and rights of parent universities**

1. Duties and rights of parent universities:
  - a) Design strategies and planning schemes for development of parent universities;
  - b) Manage, administer and organize academic activities of parent universities;
  - c) Mobilize, manage and use resources; share resources and physical infrastructure for common use at parent universities;



d) Comply with information and reporting rules and regulations; undergo the inspection and supervision process conducted by the Ministry of Education and Training, other relevant ministries, central authorities and People's Committees of the provinces where parent universities operate their offices as per regulations;

dd) Gain the high level of autonomy over training, scientific research, technological, financial, international relation activities and their operational machinery;

e) Implement other duties and rights as stipulated by law.

2. The Prime Minister shall seek to adopt the Regulations on organization and operation of national universities and their members while the Minister of Education and Training shall seek to adopt the Regulations on organization and operation of regional universities and their members.

### **Article 30. Duties and rights of academies and academic institutions<sup>34</sup> obtaining approval for provision of doctoral degree programs**

1. Carry out duties and rights in accordance with regulations on provision of doctoral degree programs in force.

2. They must have specialized subordinates such as faculties, departments or divisions in charge of doctoral degree programs.

### **Article 31. Duties and rights of foreign-invested vocational education institutions**

1. Design and actualize the objectives, programs, teaching curricula and conduct researches; build lecturers, physical facilities, equipment, teaching materials or syllabi; perform quality assurance and educational quality accreditation tasks; organize academic activities, confer degrees, diplomas and other qualification certificates as per law.

2. Align their operation and organization with decisions on approval for establishment or training activities.

3. Make academic quality commitments and information about financial and other resources known to the public.

4. Put their educational activities under the delegated authority of the Ministry of Education and Training. Submit periodic reports on their performance and interpretation thereof at the request of the Ministry of Education and Training, other ministries, central authorities, competent authorities and People's Committees of the provinces where foreign-invested higher education institutions have their offices and operate.

5. Protect legitimate rights and benefits of students, lecturers and other staff members, even in case of contract termination or early contract termination against their will.

6. Respect Vietnamese law and traditional value.
7. Enjoy the state protection of legitimate rights and benefits under Vietnamese law and international treaties to which the Socialist Republic of Vietnam is a signatory.
8. Implement other duties and rights as stipulated by law.

**Article 32. Autonomy and accountability of higher education institutions<sup>35</sup>**

1. Higher education institutions shall have autonomy and accountability as prescribed by law. Organizations and individuals shall respect and protect autonomy of higher education institutions.

2. In order to have autonomy, a higher education institution:

a) has set up a school council; has obtained certification of quality issued by a lawful training quality assessment organization;

b) has issued and implemented its rules and regulations; finance regulations; other internal regulations and procedures; policies on quality assurance and fulfillment of standards prescribed by the State;

c) assign autonomy and accountability to specific units and individuals under the management of the higher education institution;

d) publishes the conditions for quality assurance; inspection results; ratio of graduated and employed students as prescribed by law.

3. Academic autonomy and professional autonomy include promulgating and organizing implementation of quality policies and standards, offering new programs, enrolment, training, scientific activities, domestic and international cooperation in accordance with law.

4. Autonomy over organization and personnel includes the promulgation and organization of implementation of internal rules and regulations on organizational structure, personnel, list, standards and benefits of each position; employing and dismissing lecturers and other employees, deciding executive and managerial personnel in the higher education institution in accordance with law.

5. Financial autonomy includes the promulgation and organization of the implementation of internal rules and regulations on sources of income, management and use of assets and sources of income; attraction of investment; tuition fees and scholarships, and other policies in accordance with law.

6. Accountability of a higher education institution to its owner, students, the public, competent authorities and relevant parties include:

a) Providing description of implementation of quality policies and standards, promulgation and implementation of its regulations; responsibility for failure to adhere to regulation or commitment to quality;

b) Publishing of annual reports on performance indicators on its website; submit periodic and irregular reports to the owners and competent authorities;

c) Providing explanation for salaries, bonuses and other benefits of managers of the higher education institution for the general assembly of employees; have annual financial statements, investment and purchases audited, provide explanation for operation of the higher education institution for its owner and competent authorities;

d) Publishing of annual financial statements and other contents on its website in accordance with regulations of the Ministry of Education and Training;

dd) Other contents prescribed by law

7. The Government shall elaborate regulations on autonomy and accountability of higher education institutions.

## **Chapter IV**

### **ACADEMIC ACTIVITIES**

#### **Article 33. Offering new programs<sup>36</sup>**

1. Conditions for offering a new undergraduate, master's or doctoral program:

a) The academic discipline is suitable for the demand for human resources for industrial, local, regional or national socio-economic development with a view to ensuring that it meets international integration requirements;

b) The full-time lecturers and academic personnel are capable in terms of quantity, quality, qualifications and ratio;

c) The institution's facilities, library and textbook are suitable for the teaching and learning of the new academic discipline;

d) There is a training program conformable with Article 36 of this Law.

2. The Minister of Education and Training shall elaborate conditions and procedures for offering new programs, suspension of existing programs; decide to grant permission to unqualified higher education institutions to offer new programs relevant to health, teacher training, national defense and security in accordance with Clause 3 of this Article.

3. A higher education institution that satisfies all of the conditions specified in Clause 1 and Clause 2 of this Article and Clause 2 Article 32 of this document may offer a new undergraduate program in a specific academic discipline; when the undergraduate program passes the quality assessment, it may offer a master's program in the same academic discipline; when the undergraduate program and master's program pass the quality assessment, it may offer a doctoral program in the same academic discipline, except for disciplines in the fields of health, teacher training, national defense and security; when opening a new academic discipline at master's or doctoral level, the higher education institution shall comply with Clause 5 of this Article and regulations on quality assessment of this Law.

4. A higher education institution that offers a new program without satisfy every condition shall have such program suspended and be suspended from opening new disciplines for 05 years from the day on which a conclusion is issued by a competent authority.

5. Before the completion of the first course, the program shall undergo quality assessment; right after the completion of the first course, the training program shall undergo further assessment in accordance with this Law. In the cases where the assessment or appraisal result is not satisfactory, the higher education institution has the responsibility to improve the training quality and program quality, protect learners' interests, and shall not enroll students in such discipline until the quality assessment is passed.

#### **Article 34. Target enrolment and organization of enrolment**

1.37 Target enrolment shall be subject to the following regulations:

- a) The target enrolment shall be determined on the basis of market demand, its necessity for socio-economic development, quantity and quality of available lecturers, facilities; ratio of students that are employed after graduation, and other quality assurance conditions;
- b) Each higher education institution shall determine its own target enrolment; publish its target enrolment, training quality and quality assurance conditions, ratio of students employed after graduation; assurance of graduates' quality as declared;
- c) A higher education institution that violates any of the regulations on enrolment targets and conditions shall face penalties and be suspended from determining their own enrolments targets for 05 years from the day on which a conclusion is issued by a competent authority.

2. Organization of enrolment:

- a) Enrolment methods, including testing or examination, admission consideration or combined method;

b) Higher education institutions can have autonomy in deciding the enrolment method and bear responsibilities for their enrolment.

3.38 The Minister of Education and Training shall promulgate enrolment regulations and sources of enrolment at undergraduate level from high school, college and associate college graduates; rules and procedures for determination of target enrolment; target enrolment of teacher training-related disciplines and target enrolment of the higher education institutions mentioned in Point c Clause 1 of this Article; input quality thresholds of teacher training-related and health-related disciplines in which graduates are granted practicing certificates.

### **Article 35. Duration of training<sup>39</sup>**

1. The training duration varies between the programs and levels and depends on the quantity of credits that a student has to obtain. The mandatory quantity of credits of each level is specified in the national training level framework. The principal of each higher education institution shall decide the mandatory quantity of credits of each program and level in accordance with law.

2. The Prime Minister shall consider approving the national education system framework and national training level framework; training duration of various higher education levels in the national education system framework.

### **Article 36. Higher education training programs at various levels.”.**

1. National target program...

a)<sup>40</sup> A training program includes the targets, knowledge, structure, contents and assessment methods for each subject, academic discipline, training level and output standards according to the National Qualifications Reference Framework;

b)<sup>41</sup> Training programs shall be credit-based, include research-oriented programs, application-oriented program and profession-oriented programs; ensure connection between the training levels and disciplines; satisfy training program standards;

c)<sup>42</sup> A foreign training program may be run if it is permitted by a the competent authority of the host country and it has an unexpired license or educational quality certification issued by a lawful training quality assessment organization and complies with intellectual property laws;

d) Higher education institutions are autonomous and accountable<sup>43</sup> for the development, appraisal and introduction of the training programs at postsecondary, undergraduate, master’s and doctoral levels;

dd) Foreign-invested higher education institutions are autonomous and accountable<sup>44</sup> for the development and implementation of the training programs accredited by a Vietnam’s

education quality accreditation organization, ensuring no harm to the National defense and security, social interests; not distorting history or leading to adverse impacts on the culture, ethics, traditional custom or value, solidarity amongst Vietnamese people of different races, global peace and security; and contain no religious propagation;

e) Training programs provided in the form of continuing education are similar to those in the form of formal education.

## 2. Higher education textbooks:

a) Higher education textbooks must specify knowledge and skill requirements of each subject and major to achieve the academic qualification targets;

b) The Ministry of Education and Training shall take charge of compiling textbooks available for common use for political theory and national defense subjects at higher education institutions;

c) Principals of higher education institutions shall organize the compilation or select and approve the higher education textbooks in accordance with the appraisal results obtained from the textbook appraisal council established by the principal;

d) Higher education institutions must comply with intellectual property and copyright regulations when using textbooks and announcing researches\.

3. The Minister of Education and Training shall promulgate regulations on the expected minimum knowledge and skill of students after graduation at specific levels of higher education; procedures for design, accreditation and introduction of training programs<sup>45</sup> at the undergraduate, master's and doctoral level; regulations on compulsory subjects within the training program framework with respect to training programs at different qualification levels provided by foreign-invested higher education institutions; regulations on compilation, selection, appraisal, approval and use of textbooks and study materials.

## **Article 37. Training organization and management<sup>46</sup>**

1. Higher education institutions may offer credit-based or year-based or combined courses.

2. A higher education institution may only cooperate in offering in-serving courses with other higher education institutions, colleges, associate colleges, provincial continuing education centers; training institutions of state agencies, political organizations, socio-political organizations and the people's armed forces, provided the cooperating institutions satisfy requirements of the course in terms of teaching environment, facilities and equipment, library and managers. Such cooperation is not permitted in health-related disciplines in which graduates are granted practicing certificates.

3. Higher education institutions shall cooperate with enterprises and employers in employing their experts, facilities and equipment for practical training and internship in order to improve students' practical skills and their chance of being employed.

4. On the basis of local demand and recommendations of the People's Committee of the province, higher education institutions in the province shall offer continuing education, vocational training and higher education courses; offer bridge programs between associate, college and university level; receive students transferred from other universities.

5. The Minister of Education and Training shall elaborate regulations on levels of higher education qualification.

### **Article 38. Higher education qualifications<sup>47</sup>**

1. Academic degrees in the national education system include bachelor's degrees, master's degree, doctoral degrees and equivalent degrees.

2. A person who completes a training program, qualifies its output standards and fulfills the student's obligations shall be awarded a corresponding degree by the principal of the higher education institution.

3. The higher education institution shall design, print and give degrees to its students; manage the degrees and qualifications in accordance with law; publish the specimens of its degrees and information about award of its degrees on its website.

4. The Minister of Education and Training may propose or on his/her own initiative negotiate and sign international treaties in degree recognition with other nations, international organizations and entities within his/her scope of competence.

5. The Minister of Education and Training shall specify the primary contents on the degrees and appendices thereof; rules for printing blank degrees; management, issuance, withdrawal and destruction of degrees; responsibility and authority of Vietnamese higher education institutions to issue academic degrees during educational cooperation with foreign higher education institutions; responsibility of foreign-invested higher education institutions for issuance of academic degrees in Vietnam; conditions and procedures for recognition of academic degrees issued by foreign higher education institutions.

6. The Government shall promulgate regulations on the system of academic degrees and degrees in particular specializations.

## **Chapter V**

### **SCIENCE AND TECHNOLOGY ACTIVITIES**

#### **Article 39. Objectives**

1. Improve academic quality, research abilities and capabilities of application of scientific and technological advances of lecturers, researchers, administrators and staff members.
2. Build and develop students' research capacity; discover and nurture students, meeting high-quality personnel training requirements.
3. Create new solution, knowledge and technology for scientific and educational development, contributing to socio-economic development and protecting the national defense and security.

#### **Article 40. Specific activities**

1. Conduct researches in the basic, social - humanitarian, educational and technological science fields in order to create new knowledge and products.
2. Use research findings and transferred technologies in the real contexts of production and real life.
3. Build laboratories and research facilities designed for academic and research activities, technology incubation centers, associating technology development with creation of new products.
4. Take part in the process of recruitment, counseling, defence and execution of science and technology missions, contracts and orders.

#### **Article 41. Duties and rights of higher education institutions with respect to science and technology activities**

1. Design and implement strategies and planning schemes for science and technology development.
2. Orient researches towards serving the aim of improving academic quality.
3. Conduct scientific researches and technology transfers in order to create new knowledge, technologies and solutions, contributing to the socio-economic development according to the science and technology capacity requirements of the school.
4. Have autonomy and accountability<sup>48</sup> for the science and technology contract conclusion; perform the science and technology duties; apply for permission to participate in the selection and performance of science and technology duties.
5. Use money, property, intellectual property and other lawful revenues to perform the science and technology, production and business duties.
6. Establish research and development, science and technology service entities, science and technology businesses.



7. Have the intellectual property rights protected; transfer and assign scientific and technological products; announce scientific and technological products.
8. Protect interests of the State and society; rights and benefits of entities and persons involved in science and technology activities; ensure confidentiality according to law.
9. Implement other duties and rights as stipulated by law.

**Article 42. Responsibilities of the State for scientific and technological development<sup>49</sup>**

1. The State shall focus on and encourage investment in development of scientific and technological potentials, development of start-up ecology in higher education institutions; priority will be given to development of some fields and disciplines to reach t regional and international level.
2. The Government shall provide regulations on scientific and technological activities in higher education institutions.

**Chapter VI**

**INTERNATIONAL COOPERATION**

**Article 43: Objectives**

1. Improve academic quality to ensure modernity and access to advanced higher education systems in the region and the world.
2. Enable higher education institutions to develop stably, provide qualified and skilled human resources to serve the industrialization and modernization demands of the country.

**Article 44: Types of international cooperation**

1. Educational association.
2. Establishment of representative offices of the foreign vocational education institutions in Vietnam.
3. Cooperation in scientific research, technology transfers and organization of scientific meetings or seminars.
4. Consultancy, sponsorship, investment in development of facilities and equipment.
5. Nurture and exchange of lecturers, researchers, administrators and students.

6. Library affiliation, exchange of information about academic, scientific and technological activities; provision of training programs; exchange of publications, materials, training results, scientific and technological products.
7. Participation in regional and international education, science organizations or trade associations.
8. Establishment of overseas representative offices of Vietnamese higher education institutions.
9. Other types of cooperation as prescribed in regulations of law.

#### **Article 45. Training association with foreign partners<sup>50</sup>**

1. International cooperation in education means cooperation between a higher education institution established in Vietnam and a foreign higher education institution in order to run courses and issue degrees or diplomas without establishing a new legal entity. International cooperation in education shall comply with the Law on Education and relevant laws.
2. Cooperative program means a foreign program or a program developed by both parties. Such a program may be run entirely in Vietnam or partly in Vietnam and partly overseas.
3. The foreign higher education institution shall have good reputation and quality, is permitted in writing by a competent authority of its home country to provide training and issue degrees in relevant fields, or have an unexpired educational quality certification issued by a lawful training quality assessment organization. The parties shall ensure fulfillment of requirements of the program in terms of facilities and equipment and lecturers, and take responsibility for the quality of the program.
4. The Minister of Education and Training shall consider approving schemes for international educational cooperation in teacher training-related and health-related fields after comments are given by relevant ministries; schemes for educational cooperation with higher education institutions other than those mentioned in Clause 5 of this Article.
5. A higher education institution that satisfies all of the conditions specified this Article and Clause 2 Article 32 of this Law is entitled to participate in cooperation in provision of undergraduate training; when the undergraduate program of such an institution passes the quality assessment, it may participate in cooperation in provision of master's training; when the undergraduate program and master's program of such an institution passes the quality assessment, it may participate in cooperation in provision of doctoral training.
6. In case a cooperative program that is suspended from enrolment or terminated as prescribed in Clause 3 of this Article, the higher education institution shall protect legal interests of its lecturers, employers and students; refund tuition fees to students; pay

salaries and other benefits to the lecturers and other employees under employment contracts or the collective bargaining agreement; pay tax debts and other debts (if any).

7. A higher education institution shall publish on its website and mass media information about its cooperative programs, legality of the foreign degrees in the issuing country and in Vietnam; assist students in recognition of degrees; carry out assessment of the cooperative programs offered in Vietnam after the student graduate and periodically.

8. A higher education institution that offers a cooperative program without satisfying all conditions or ensure training quality as specified in the cooperation scheme shall be suspended from international cooperation in education for 5 years from the day on which a conclusion is issued by a competent authority.

#### **Article 46. Representative offices**

1. The representative office of a foreign higher education institution shall represent that institution.

2. The representative office has following tasks and entitlements:

a) Enhance the corporation with Vietnamese higher education institutions by promoting higher education cooperation programs and projects;

b) Organize dialogue, consultancy, information exchange sessions, seminars or exhibitions in the higher education sector in order to introduce foreign higher education institutions;

c) Facilitate and supervise the implementation of academic cooperation agreements signed with Vietnamese higher education institutions;

d) Prohibit academic activities which directly generate profit in Vietnam and prohibit establishment of any branch which is subordinate to the representative office of a foreign higher education institution in Vietnam.

3. A foreign higher education institution shall be granted license for establishment of a representative office in Vietnam if it:

a) Has legal status;

b) Has operated in the higher education field for at least 05 years in its home country;

c) Has explicit charter, guidelines and purposes, according to which it operates;

d) Has Regulation on the organization and operation of the prospective representative office in Vietnam in accordance with regulations of Vietnamese law.

4. The Minister of Education and Training shall grant the license for establishment of a representative office of a foreign education institution operating in the higher education field.

5. A representative office of a foreign higher education institution shall be closed in the following cases:

a) The operation deadline stated in the license expires;

b) It is closed upon the request of the foreign higher institution setting up its representative office;

c) The license is revoked because it has not operated within a period of 06 months after the date on which the license is granted for the first time, or 03 months after the date on which the extension of the licence is granted;

d) Any fraud of the application for representative office establishment license is detected;

dd) Activities conflicting with those permitted in the license are performed;

c) Violations against other regulations of Vietnamese law are committed.

#### **Article 47. Duties and rights of higher education institutions towards international cooperation**

1. Carry out international cooperation activities prescribed in Article 44 of this Law.

2. Abide by the Constitution and laws of Vietnam and treaties to which the Socialist Republic of Vietnam is a contracting party.

3. Qualify for protection of lawful rights and interests as prescribed in Vietnamese law and the international treaties to which the Socialist Republic of Vietnam is a signatory.

#### **Article 48. Responsibilities of state regulatory authorities regarding international cooperation**

1. The Government shall formulate appropriate policies on implementing the bilateral and multilateral agreements in order to promote international cooperation among the higher education institutions towards satisfying the requirements for socio-economic development in accordance with the higher education development strategies and planning; enhancing the management of higher education association with foreign parties.

2. 52 The Government shall formulate the policies on investment and preferential treatment in order to attract Vietnamese scientists overseas to participating in the sponsorship, training, scientific research and technology transfers; specify the conditions

and procedures for international cooperation prescribed in Article 44, 45, and 46 of this Law.

3. The Minister of Education and Training shall set out regulations on the encouragement to higher education institutions to invest in and expand the international cooperation in teaching, training, scientific research, technology transfers with foreign parties; regulations on the management of foreign higher education institutions in Vietnam, the association between Vietnamese higher education institutions and foreign higher education institutions.

## **Chapter VII**

### **QUALITY ASSURANCE AND ACCREDITATION**

#### **Article 49. Higher education quality assurance; objectives, rules and subjects of higher education quality accreditation 53**

1. Higher education quality assurance is a continuous and systematic process, including policies, mechanisms, standards, procedures and measures for maintaining and improving higher education quality.

2. The higher education quality assurance system includes an internal quality assurance system and external quality assurance system through higher education quality accreditation.

3. The Minister of Education and Training shall promulgate standards for training programs at various levels of higher education and minimum requirements for running such programs; quality assessment standards, procedures and cycle of higher education quality accreditation.

4. Higher education quality assessment is meant to:

a) ensure and improve higher education quality;

b) determine the degree of accomplishment of specific higher education institutions or training programs over a specific period of time;

c) be a basis for higher education institutions to report to their owners, competent authorities, relevant parties and the public about their training quality;

d) be a basis for students to select a suitable higher education institution and training program; for employers to recruit workers.

5. Rules for higher education quality assessment:

a) Independent, objective and lawful;

- b) Honest, public and transparent;
  - e) Equal, mandatory, periodic.
6. Subjects of higher education quality assessment:
- a) Higher education institutions;
  - b) Higher education training programs at various levels.

**Article 50. Responsibilities of higher education institutions for quality assurance<sup>54</sup>**

1. Develop the training quality assurance system within the institution in a manner that is suitable for its objectives and capacity.
2. Develop policies and plans for higher education quality assurance.
3. Assess and improve training quality on its own initiatives; have the institution and its training programs undergo periodic assessments.

In case a higher education institution fails to assess its training programs periodically or the assessment result is not satisfactory, it shall improve the training quality in order to ensure that its students meet graduation standards of the program. In the case it has been over 02 years from the expiration of the training quality certification or the issuance date of the unsatisfactory assessment result and the training program is not reassessed or the assessment result is still unsatisfactory, the institution shall be suspended from admitting students to such program and shall implement measures to protect students' interests.

4. Maintain and improve training quality assurance conditions, including the lecturers, managers and other employees, the training programs, textbooks, teaching and learning materials, classrooms, offices, laboratories, libraries, IT system, practical training facilities; financial resources, dormitories and other service facilities.
5. Submit annual reports on higher education quality under the higher education quality assurance plan; publish the training quality status, training results, research outcomes, quality assessment results on the website of the Board of Directors, the website of the higher education institution and mass media.

**Article 51. Responsibilities of higher education institutions for academic quality accreditation**

1. Undergo the quality accreditation process at the request of competent regulatory agencies.
2. Carry out the regime for provision of information, accreditation and benchmarking reports.

3. Have the right to choose an education quality assessment organization among the education quality accreditation organizations accredited by the Ministry of Education and Training to carry out the academic and academic program quality accreditation.

4. File complaints or appeals against decisions, conclusions, acts of violation of organizations and individuals conducting higher education quality accreditation against law to the competent regulatory agencies.

#### **Article 52. Education quality accreditation organizations<sup>55</sup>**

1. Education quality accreditation organizations have the responsibility to assess and recognize higher education institutions and their training programs regarding fulfillment of higher education quality standards.

Education quality accreditation organizations have legal entity status, are independent from regulatory authorities and higher education institutions, have accountability and responsibility before the law for their performance and higher education quality accreditation results.

2. An education quality accreditation organization shall be established when it satisfies all requirements and has an establishment scheme as prescribed by law; may carry out education quality assessment when satisfies requirements in terms of facilities, equipment, financial capacity and full-time assessors.

3. The Government shall specify conditions and procedures for permission, establishment and dissolution of education quality assessment organizations; their responsibilities and entitlements, conditions and procedures for recognition of foreign education quality accreditation organizations operating in Vietnam.

4. The Minister of Education and Training shall issue decisions on establishment or permission for establishment of education quality assessment organizations; decisions on permission, suspension and dissolution of education quality assessment organizations; revocation of recognition of foreign education quality assessment organizations operating in Vietnam; promulgate regulations on supervision and assessment of education quality accreditation organizations.

#### **Article 53. Use of results of vocational education quality accreditation**

Accreditation results shall be used as a basis to measure academic quality, position and prestige of each higher education institution; to exercise the autonomy and bear accountability<sup>56</sup>; offer investment support and assign tasks; for the supervision of activities of higher education institutions by state regulatory authorities and the society.

### **Chapter VIII**

#### **LECTURERS**

## **Article 54. Lecturers<sup>57</sup>**

1. Lecturers of higher education institutions shall have clear backgrounds; good qualities and professional ethics; be physically capable of performance of their duties; have qualifications conformable with this Law and the higher education institution's rules and regulations.
2. Lecturers include assistant lecturers, lecturers, principal lecturers, associate professors and professors. Higher education institutions shall award lecturer titles in accordance with law, its rules and regulations; provide description of their positions and demand of the situation.
3. Lecturers of undergraduate programs shall have at least a master's degree (except assistant lecturers); Lecturers of master's programs and doctoral program shall have at least a doctoral degree. Holders of doctoral degrees shall be preferred when a higher education institution recruits lecturer; incentives shall be provided for leading professors.
4. The Minister of Education and Training shall specify standards and designation of lecturers within the scope of his/her competence; the minimum ratio of full-time lecturers of a higher education institution; standards of practice lecturers and lecturers of some special disciplines.

## **Article 55. Duties and rights of learners**

1. <sup>58</sup> Teach, develop the training program, complete the training program and ensure the quality thereof.
2. Research and promote scientific application and technology transfer, and assure the training quality.
3. <sup>59</sup> Improve political reasoning skills, professional knowledge, professional skills and teaching methods; participate in practical activities to improve training quality and participate in scientific researches.
4. Preserve moral value, prestige and honor of lecturers.
5. Respect personality of students, equally treat students, protect legitimate rights and benefits of students.
6. Participate in management and supervision of higher education institutions, assignments of the Party, associations and other tasks.
7. <sup>60</sup> Remain independent in teaching and scientific research in harmony with interests of the State and society; has the right to sign visiting lecturer contracts and scientific research contracts with higher education institutions, research institutions and other



organizations in accordance with regulations of the higher education institution he/she is working for.

8. Have access to appointments to the lecturer position; receive the honorary titles of People's teachers, Excellent Teachers and other rewards under law.

9. 61 Other responsibilities and entitlements specified in the higher education institution's rules and regulations and relevant law.

#### **Article 56. Policies of lecturers**

1. Lecturers of higher education institutions are sent to professional training, coaching courses; are paid salaries, wages, allowances specific to their profession, seniority-based allowances and other payments under the Government's regulations.

2. Lecturers of higher education institutions located in areas facing extreme socio-economic disadvantages are given support in terms of their accommodations, are paid allowances and benefits permitted by the Government.

3. The State shall adopt secondment or dispatch policies granted to lecturers working at higher education institutions located in severely disadvantaged areas; apply incentives to enable lecturers teaching in the vocational education institutions in advantaged areas to serve in extremely disadvantaged areas; enable lecturers working in these areas to feel secure while on duty.

4. Lecturers holding doctoral qualifications, professor or associate professor titles who work for higher education institutions can extend their service period when reaching the retirement age in order for them to continue their teaching, scientific research work if it is proved that they have good health, voluntarily apply for such extension, and higher education institutions request their continuation.

5. The Prime Minister shall impose detailed regulations on policies granted to lecturers working at higher education institutions.

#### **Article 57. Visiting lecturers and presenters**

1. Visiting lecturers of higher education institutions shall be subject to the regulations 62 of the Law on Education.

Visiting lecturers shall perform tasks and enjoy rights specified in the relevant contracts between higher education institutions and visiting lecturers.

2. Higher education institutions may invite lecturers or presenters who are domestic and foreign professionals, scientists, businessmen and artisans.

3. The Minister of Education and Training shall adopt detailed regulations on visiting lecturers and presenters.

#### **Article 58. Lecturer's prohibited acts**

1. Insult the honor, dignity of, and cause bodily harms to, students and others.
2. Commit any fraudulent act when participating in academic and research activities.
3. Misuse the title of lecturer and physical activities to perform acts of violation.

### **Chapter XI**

## **STUDENTS**

#### **Article 59. Students**

Students are those who are studying vocational education programs in higher education institutions, including students of 63 undergraduate education programs; students of master's degree programs; academics of doctorate programs.

#### **Article 60. Rights and obligations of students**

1. Study, research and train in accordance with regulations.
2. Respect lecturers, administrators and staff members of higher education institutions; demonstrate their unity and mutual support during the study and training process.
3. Participate in labor and social work, environmental protection, protection for security, order, prevention and control of misconduct and fraud during the training and test process, prevention and control of crimes and social evils.
4. 64 Receive respect and equal treatment without discrimination in terms of gender, ethnicity, religion and family background; have access to career counseling and full information about the study and training process.
5. 65 Enjoy favorable conditions for learning and participating in science and technology activities, entrepreneurship, skill development, collective activities, social responsibility activities, sports and artistic activities.
6. Contribute opinions, participate in the process of management and supervision of educational activities and give comments on educational quality accreditation conditions.
7. Enjoy benefits intended for eligible students and social welfare.

8.66 Other responsibilities and entitlements specified in the higher education institution's rules and regulations and relevant law.

#### **Article 61. Student's prohibited acts**

1. Defame the dignity and reputation of and inflict physical abuse on lecturers, administrators, staff members, employees and students of higher education institutions and other persons.
2. Perform fraudulent acts during the learning, testing, examination and enrolment process.
3. Participate in social evils, endanger school or public disorder and commit other illegal acts.
4. Organize or get involved in other offences.

#### **Article 62. Policies applied to students**

1. Students shall benefit from scholarship, social welfare policies; state-commissioned admission regulations; educational credit; exemption or reduction in public service charges as per regulations<sup>67</sup> of the Law on Education.
2. Students studying special majors to meet socio-economic development, national defence and security demands must pay school fees; may be entitled to preferential treatment in the process of consideration of grant of scholarship and social benefits.
3. The Government shall provide specific regulations on incentive policies for students who are eligible for preferential treatment and social incentive policies.

#### **Article 63. Obligations to work within a definite period under the state command**

1. If higher education program students receive scholarship and training costs covered by the State or financed by foreign donors under the international treaties to which the Socialist Republic of Vietnam is a signatory<sup>68</sup>, after graduation, they must comply with the command of the state during the period which is at least twice times more than the period of entitlement to the scholarship and financial support for training costs. If not, they must pay back amounts paid for scholarship and training costs.
2. Within 12-month period after students are recognized as graduates, competent regulatory authorities shall be responsible for assigning duties to students obtaining graduation recognition. Upon expiry of the aforesaid period, if students are not assigned any duty, they shall not be required to refund scholarship or payments of training costs that they have received.

3. The Government shall provide specific regulations on refund of scholarship and training funds.

## **Chapter X**

### **FINANCE AND PROPERTY OF HIGHER EDUCATION INSTITUTIONS**

#### **Article 64. Sources of income of higher education institutions<sup>69</sup>**

1. Revenues of a higher education institution include:

a) Tuition fees and revenues from training, science and technology activities and other ancillary training services;

b) Payment from the State, other organizations and individuals for performance of training and research contracts; completion of tasks given by the State;

c) Revenues from investment of domestic and foreign entities; annual additional revenue from operation of the institution;

d) Revenue from business operation, social activities, financial investment (if any) and other lawful sources of income;

dd) Loans.

2. Sponsorships, donations, gifts from former students, domestic and foreign entities.

3. State budget funding (if any).

#### **Article 65. Tuition fees and other service charges<sup>70</sup>**

1. Tuition fee means the amount payable by the student to the higher education institution in order to fully or partly cover the cost of training.

2. Imposition of tuition fees by public higher education institutions:

a) A higher education institution that is financially autonomous and fully satisfies the conditions specified in Clause 2 Article 32 of this Law and may impose its own tuition fees;

b) Higher education institutions other than those mentioned in Point a of this Clause shall impose their tuition fees in accordance with regulations of the Government;

c) Imposition of tuition fees shall comply with economic – technical norms and be able to correctly and fully cover the cost of training.

3. Private higher education institutions may impose their own tuition fees.
4. Enrolment service charges and other service charges shall be imposed to correctly and fully cover the cost incurred in reality.
5. Higher education institutions shall publish on their websites the cost of training, tuition fees, enrolment service charges and other services charges for the entire course and each academic year together with the enrolment notice; use part of the revenue from tuition fees to provide assistance for disadvantaged students.

**Article 66. Financial management by higher education institutions<sup>71</sup>**

1. Higher education institutions shall comply with regulations of law on finance, accountant, audit, taxation, asset valuation and financial disclosure.
2. The school council of a financially autonomous public higher education institution shall decide the use of its sources of income as follows:
  - a) Use lawful incomes other than state funding to invest in training, scientific research and technology transfers projects;
  - b) Decide the spending of revenues from tuition fees, service charges, contract performance, payment by the State, including payment of salaries, expenditure on academic activities and administration in accordance with internal spending regulations of the institution.
3. Higher education institutions that receive state funding to perform certain tasks given by the State have the responsibility to manage and use the state funding in accordance with regulations of law on public property and public financial management.
4. At least 25% of the difference between revenue and expense shall be used to reinvest in the higher education institution, educational activities, building facilities, purchasing equipment, training lecturers, education managers and employees, providing assistance for students and fulfilling social responsibility. For non-profit higher education institutions, the difference between revenue and shall be considered undistributable property and will be used for reinvestment in such institution.
5. Higher education institutions shall audit and publish their financial status and use of their sources of income as prescribed by law.
6. The Government shall elaborate Clause 2 of this Article, the degree of financial autonomy of public higher education institutions other than those mentioned in Clause 2 of this Article; mechanism for giving tasks, placing orders or inviting bids for provision of public services covered by state budget; regulations on foreign cooperation and investment in higher education; withdrawal and transfer of stakes in higher education institutions; assurance of stability and development of higher education institutions.

7. The Ministry of Education and Training and competent authorities shall inspect the management and use of sources of income by higher education institutions.

**Article 67. Management and use of assets of higher education institutions<sup>72</sup>**

1. Assets of public higher education institutions shall be managed and used in the same manner as public property. Higher education institutions may use public property for business operation, lease, business association to develop higher education in a manner that improves higher education, maintains and develops the property and is suitable for the educational environment.

2. Management and use of assets of for-profit and non-profit private higher education institutions:

a) State-owned property and land use right (LUR) given by the State to a higher education institution shall be managed and used in accordance with regulations of law on management and use of public property and land, and must not be put under private ownership in any shape or form. The repurposing of other state-owned property shall be done in a manner that maintains and develop the property; land repurposing shall comply with land laws;

b) Undistributable property includes property that is donated or given as aid, and other property defined by law as undistributable property, owned by the institution as a whole, managed and used by the school council as prescribed by law or at the request of the transferor (if any) to serve the institution and collective benefits, ensure maintenance and development of the property; such a property must not be put under private ownership in any shape or form.

In case of transfer of stakes in a higher education institution, the undistributable property shall not be included in the valuated assets of the institution.

In case of dissolution of a higher education institution, the undistributable property shall be put under public ownership, management and used by competent authorities to serve higher education;

c) Higher education institutions are entitled to use and dispose of the assets other than those mentioned in Point a and Point b of this Clause and take responsibility for such actions in accordance with the Law on Enterprises and relevant laws.

3. Assets of foreign-invested higher education institutions shall be protected by the State in accordance with Vietnam's law and international treaties to which Vietnam is a signatory.

4. The Ministry of Education and Training and competent authorities shall inspect the management and use of assets of higher education institutions in accordance with law.

## Chapter XI

### STATE MANAGEMENT OF HIGHER EDUCATION

#### **Article 68. Responsibilities for state management of higher education by the Government, ministries and ministerial agencies 73**

1. The Government shall have the uniform state management of higher education activities.
2. The Ministry of Education and Training has the prime responsibility to assist the Government in state management of higher education and has the following responsibilities:
  - a) Promulgate, or propose promulgation of, and organize implementation of legislative documents on higher education; strategies, master plans and policies on higher education development serving socio-economic development, national defense and security ; recognition, establishment and permission for establishment, dissolution and permission for dissolution of higher education institutions within its scope of competence;
  - b) Establish higher education standards, including standards for higher education institutions, training programs, lecturers, managers and other standards; promulgate regulations on development, appraisal and introduction of higher education programs; promulgate the list of academic disciplines, regulations on enrolment and training, assessment and issuance of degrees and diplomas in the national education system; management of higher education quality assessment and assurance;
  - c) Develop a national higher education database; assess, manage and supervise the database to ensure availability of information to relevant entities;
  - d) Cooperate with relevant authorities, socio-professional organizations relevant to higher education in disseminating and educating higher education law;
  - dd) Organize the higher education management apparatus;
  - e) Establish mechanisms and promulgate regulations on mobilizing, managing and use of resources serving higher education development;
  - g) Manage science and technology research and application; higher education business;
  - h) Manage international cooperation in higher education;
  - i) Carry out inspection; settle disputes and complaints; take actions against violations against regulations of law on higher education.

3. Ministries and ministerial agencies shall study and forecast the demand for human resources of their fields in order to provide assistance in developing training plans; cooperate with the Ministry of Education and Training in state management of higher education within the scope of their responsibility and authority.

**Article 69. Responsibilities for state management of higher education by the People's Committees of provinces 74**

The People's Committees of provinces shall carry out state management of higher education as assigned by the Government; provide assistance in development of higher education institutions in their provinces; inspect adherence to education laws by local higher education institutions; encourage private investment in higher education; ensure improvement of higher education quality and effectiveness in their provinces.

**Article 70. Inspection and audit**

1. Inspection of higher education activities, including:

- a) Inspect the implementation of law and policies on higher education;
- b) Detect, prevent and handle, within their competence, or request competent agencies to take actions against violations of law on higher education;
- c) Verify or request competent agencies to deal with complaints or denunciation of higher education.

2. Inspectorate of the Ministry of Education and Training shall perform the rights and duties to conduct administrative and specialized inspection of higher education activities.

3. The Minister of Education and Training shall direct and organize the inspection and examination of higher education activities. Ministries, ministerial agencies and People's Committees of provinces in collaboration with the Ministry of Education and Training shall carry out the inspection and examination of higher education activities under the assignment and mandate of the Government.

4. Higher education institutions shall carry out the self-inspection and self-examination of their operation under law. The principals of higher education institutions shall bear responsibilities regarding the inspection and examination occurring within higher education institutions.

**Article 71. Actions against violations**

Any person or entity committing any of the following violation(s) below shall be disciplined, face penalties for administrative violations or criminal prosecution according to the nature and severity of the violations; if any damage is caused, compensation must be paid in accordance with law:



1. Establish higher education institutions or perform their operation in breach of regulations of law;
2. Violate organizational and operational rules and regulations of higher education institutions;
3. Publish, print, or release materials in breach of regulations of law;
4. Make fraudulent documents, those in breach of rules and regulations on enrollment, examination, test and issuance of degrees and certificates;
5. Insult human dignity and bodies of lecturers, administrators; maltreat or persecute students;
6. Violate regulations on quality assurance and accreditation;
7. Disturb and harm public security and social order within higher education institutions;
8. Cause any loss of funds, misuse higher education operations to collect money in violation of regulations or serve self-seeking purposes;
9. Cause damage to facilities of higher education institutions;
10. Commit other violations against law on higher education.

## **Chapter XII**

### **IMPLEMENTARY PROVISIONS 75**

#### **Article 72. Effect**

This Law shall take effect since January 01, 2013.

#### **Article 73. Detailed regulations and instructions for implementation**

The Government and competent regulatory agencies shall provide detailed regulations and instructions for implementation of Articles and clauses set out in the Law.

**CERTIFIED AS THE  
CONSOLIDATED DOCUMENT BY  
CHAIRMAN**

## Nguyen Hanh Phuc

1 The Law No. 32/2013/QH13, amending and supplementing several Articles of the Law on the Law on Corporate Income Tax, has the following legal bases:

*“Pursuant to the 1992 Constitution of Socialist Republic of Vietnam, amended in the Resolution No. 51/2001/QH10;*

*The National Assembly promulgates the Law on the amendments to the Law on Enterprise income tax No. 14/2008/QH12.”*

The Law on Vocational Education No. 74/2014/QH13 has the following legal bases:

*“Pursuant to the Constitution of the Socialist Republic of Vietnam;*

*The National Assembly passes the Law on vocational education.”*

The Law on Fees and Charges No. 97/2015/QH13 has the following legal bases:

*“Pursuant to the Constitution of the Socialist Republic of Vietnam;*

*The National Assembly promulgates the Law on Fees and Charges.”*

The Law No. 34/2018/QH14, amending and supplementing a number of Articles of the Law on Higher Education, has the following legal bases:

*“Pursuant to the Constitution of the Socialist Republic of Vietnam;*

*The National Assembly promulgates the Law on amendments to the Law on Higher Education No. 08/2012/QH13 , which is amended by Law No. 32/2013/QH13, Law No. 74/2014/QH13 and Law No. 97/2015/QH13.”*

2 This Article is amended and supplemented according to clause 1 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

3 This Article is amended and supplemented according to clause 2 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

4 The word "college" shall be removed according to point a of clause 2 of Article 77 of the Law on Vocational Education No.74/2014/QH13, in force as of July 1, 2015.

5 The regulation shall be annulled according to clause 3 of Article 77 in the Law on Vocational Education No.74/2014/QH13, in force as of July 1, 2015.

6 This Article is amended and supplemented according to clause 3 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

7 This Article is amended and supplemented according to clause 4 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

8 The word “actively” is replaced by the word “autonomously” according to clause 1 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

9 This Article is amended and supplemented according to clause 5 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

10 This Article is amended and supplemented according to clause 6 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

11 This Article is amended and supplemented according to clause 7 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

12 This Article is amended and supplemented according to clause 8 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

13 This Article is amended and supplemented according to clause 9 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

14 This Article is amended and supplemented according to clause 10 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

15 This Article is amended and supplemented according to clause 11 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

16 This Article is amended and supplemented according to clause 12 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

17 This Article is amended and supplemented according to clause 13 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

18 This Article is amended and supplemented according to clause 11 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

19 This Article is amended and supplemented according to clause 11 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

20 This Article is amended and supplemented according to clause 14 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

21 This Article is amended and supplemented according to clause 15 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

22 The phrase “socio-economic development planning and” is annulled according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

23 This regulation is amended and supplemented according to clause 16 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

24 The word “Prime Minister” is removed according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

25 The section “, institutes” is removed according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

26 The segment “Minister of Education and Training shall set out detailed regulations on conditions and procedures for establishment or grant of approval of establishment, approval of training activities, suspension of training activities, merger, split-up, split-off and dissolution of colleges.” is annulled according to clause 3 of Article 77 in the Law on Vocational Education No.74/2014/QH13, in force as of July 1, 2015.

27 The section “, institutes” is removed according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

28 The section “Minister of Education and Training shall be accorded authority to decide the establishment of public colleges; decide the establishment of private colleges.” is annulled according to clause 3 of Article 77 in the Law on Vocational Education No.74/2014/QH13, in force as of July 1, 2015.

29 The word "college" shall be removed according to point c of clause 2 of Article 77 of the Law on Vocational Education No.74/2014/QH13, in force as of July 1, 2015.

30 The section “, institutes” is removed according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

31 The section “, institutes” is removed according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

32 The word "college" shall be removed according to point c of clause 2 of Article 77 of the Law on Vocational Education No.74/2014/QH13, in force as of July 1, 2015.

33 The section “, institutes” is removed according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

34 The section “research institutes” is replaced by the phrase “academies, institutes” according to clause 1 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

35 This Article is amended and supplemented according to clause 17 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

36 This Article is amended and supplemented according to clause 18 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

37 This clause is amended and supplemented according to clause 16 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

38 This clause is amended and supplemented according to clause 16 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

39 This Article is amended and supplemented according to clause 20 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

40 This regulation is amended and supplemented according to clause 21 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

41 This regulation is amended and supplemented according to clause 21 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

42 This regulation is amended and supplemented according to clause 21 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

43 The phrase “autonomously responsible” is replaced by the word “is accountable” according to clause 1 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

44 The phrase “autonomously responsible” is replaced by the word “is accountable” according to clause 1 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

45 The section "college," shall be removed according to point a of clause 2 of Article 77 of the Law on Vocational Education No.74/2014/QH13, in force as of July 1, 2015.

46 This Article is amended and supplemented according to clause 22 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

47 This Article is amended and supplemented according to clause 23 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

48 The phrase “autonomously responsible” is replaced by the word “is accountable” according to clause 1 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

49 This Article is amended and supplemented according to clause 24 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

50 This Article is amended and supplemented according to clause 25 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

51 The phrase “and planning” is annulled according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

52 The word “Prime Minister” is removed according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

53 This Article is amended and supplemented according to clause 26 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

54 This Article is amended and supplemented according to clause 27 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

55 This Article is amended and supplemented according to clause 28 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

56 The phrase “autonomously responsible” is replaced by the word “is accountable” according to clause 1 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

57 This Article is amended and supplemented according to clause 29 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

58 This clause is amended and supplemented according to clause 16 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

59 This clause is amended and supplemented according to point b of clause 30 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

60 This clause is amended and supplemented according to point e of clause 30 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

61 This clause is amended and supplemented according to point d of clause 30 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

62 The phrase “Article 74 of” is removed according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

45 The phrase "collegiate education programs" shall be removed according to point g of clause 2 of Article 77 of the Law on Vocational Education No.74/2014/QH13, in force as of July 1, 2015.

64 This clause is amended and supplemented according to point a of clause 31 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

65 This clause is amended and supplemented according to point b of clause 31 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

66 This clause is amended and supplemented according to point c of clause 31 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

67 The phrase “in Articles 89, 90, 91 and 92” is removed according to clause 2 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

68 The phrase “Treaties with the Vietnam's Government” is replaced by the phrase “international treaties to which the Socialist Republic of Vietnam is a signatory” according to clause 1 of Article 2 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

69 This Article is amended and supplemented according to clause 32 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

70 This Article is amended and supplemented according to clause 33 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

71 This Article is amended and supplemented according to clause 34 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

72 This Article is amended and supplemented according to clause 35 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

73 This Article is amended and supplemented according to clause 36 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

74 This Article is amended and supplemented according to clause 37 of Article 1 in the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019.

75 Article 2 of the Law No. 32/2013/QH13 on amendments and supplements to several Articles of the Law on Corporate Income Tax, in force as from January 1, 2014, shall include the following regulations:

***“Article 2***

- 1. This Law takes effect on January 01, 2014, except from Clause 2 of this Article.*
- 2. The regulations on the application of the tax rate of 20% to the enterprises of which the total annual revenue does not reach 20 billion VND in Clause 6 Article 1, and the regulations on the application of the tax rate of 10% to the incomes of enterprises from the social housing in Clause 7 Article 1 of this Law takes effect on July 01, 2013.*
- 3. The enterprises having projects of investment that are still eligible for enterprise income tax incentives after the end of the tax period 2013 (tax rate, tax exemption or reduction duration) according to the legislative documents on enterprise income tax before this Law takes effect are still eligible for such incentives for the remaining time according to such documents. Where the conditions for tax incentives in this Law are satisfied, enterprises may choose between the incentives they are having or the incentives in this Law for the remaining time, applicable to new investments or extension.*

*By the end of the tax period 2015, enterprises having projects of investment that are eligible for the preferential tax rate of 20% in Clause 3 Article 13 of the Law on Enterprise income tax No. 14/2008/QH12 amended in Clause 4 Article 1 of this Law are eligible for the tax rate of 17% for the remaining time from January 01, 2016.*

*4. The following regulations on enterprise income tax are annulled:*

- a) Clause 2 Article 7 of the Law on Deposit insurance No. 06/2012/QH13;*
- b) Clause 2 Article 4 of the Law on Health insurance No. 25/2008/QH12;*
- c) Clause 1 of Article 10; Clause 1 of Article 12; Clause 2 of Article 18; Clause 2 of Article 19; Clause 1 and Clause 2 of Article 22; Clause 3 of Article 24 and Clause 2 of Article 28 of the Law on High Technologies No. 21/2008/QH12;*
- d) Clauses 1, 4, 5, 6, 7, and 8 of Article 44, and Article 45 of the Law on Technology transfers No. 80/2006/QH11;*
- dd) Clause 1 of Article 53, Clause 5 of Article 55, and Clause 3 of Article 86 of the Law on Enterprises No. 76/2006/QH11;*
- e) Clause 1 of Article 68 of the Law on Vietnamese guest workers No. 72/2006/QH11;*



- g) Clause 2 Article 6 of the Law on Social insurance No. 71/2006/QH11;*
- h) Clause 3 Article 8 of the Law on Legal Assistance No. 69/2006/QH11;*
- i) Clause 3 Article 66 of the Law on Higher Education No. 08/2012/QH13;*
- k) Article 34 of the Law on Disabled people No. 25/2008/QH12;*
- l) Clause 4 Article 33 of the Law on Investment No. 59/2005/QH11;*
- m) Clause 2 of Article 58, Clause 2 of Article 73, Clause 3 of Article 117, and Clause 3 of Article 125 the Law on Enterprises no, 60/2005/QH11.*

*5. The Government shall elaborate and provide guidance on the implementation of regulations of this Law.”*

Article 75, 78 and 79 in the Law on Vocational Education No.74/2014/QH13, in force as of July 1, 2015.

**“Article 75. Effect**

- 1. This Law shall take effect as from July 1, 2015.*
- 2. The Law on Vocational Training No.76/2006/QH11 shall be annulled from the effective date of this Law.*

**Article 78. Grandfather clause**

*Vocational education institutions or higher education institutions enrolling students before the effective date of this Law may provide training, grant degrees or certificates to students as prescribed in the Law on Education No.38/2005/QH11 amended and supplemented by the Law No.44/2009/QH12, the Law on Vocational Training No.76/2006/QH11 and the Law on Higher Education No.08/2012/QH13 until the end of the courses.*

**Article 79. Detailed regulations**

*The Government and competent agencies shall elaborate on Articles and Clauses in the Law.”*

Article 23, 24 and 25 in the Law on Fees and Charges No. 97/2015/QH13, in force as of January 1, 2017, includes the following regulations:

**“Article 23. Effect**

- 1. This Law shall take effect as from January 1, 2017.*
- 2. Following regulations shall be amended or annulled:*
  - a) Clause 3, Article 75 of the Law on Inland Waterway Traffic No. 23/2004/QH11 which was amended and supplemented according to the Law No. 48/2014/QH13 is hereby annulled;*
  - b) Sub-paragraph a, Paragraph 2, Article 74 of the Law on Railway No. 35/2005/QH11 is annulled;*
  - c) The phrase "Admission fee" in Articles 101 and 105 of the Law on Education No. 38/2005/QH11 which was amended and supplemented according to the Law No.*

44/2009/QH12, Articles 64, 65 of the Law on Higher Education No. 08/2012/QH1, Articles 28 and 29 of the Law on Vocational Education No. 74/2014/QH13 are annulled;

d) Clause 4, Article 18 of the Law on Health insurance No. 25/2008/QH12 which was amended or supplemented according to the Law No. 46/2014/QH13 is hereby annulled;

dd) Article 25 and Paragraph 3, Article 15 of the Law on Independent Audit No. 67/2011/QH12 is annulled.

e) Chapter IV – A on license tax as prescribed in the Standing committee of the National Assembly's Resolution No. 200/NQ-TVQH dated January 18, 1966 defining trade and industry tax on cooperatives, cooperative organizations and individual business households amended and supplemented according to Ordinance No. 10-LCT/HDNN7 dated February 26, 1983 amending and supplementing a number of articles of trade and industry tax, Ordinance dated November 17, 1987 amending and supplementing a number of articles on trade and industry tax and regulations on commodity tax, Ordinance dated March 03, 1989 amending and supplementing a number of articles of the Ordinance and Statute on trade and industry tax and commodity tax is hereby annulled.

3. The Ordinance No. 38/2001/PL-UBTVQH10 on fees and charges and Ordinance No. 10/2009/PL-UBTVQH12 on legal fees and charges shall become invalid from the effective date of this Law.

#### **Article 24. Transitional provisions**

Fees in the list of fees and charges accompanied by the Ordinance on Fees and Charges No. 38/2001/PL-UBTVQH10 transferred into price mechanism defined by the State according to the list in Appendix 2 enclosed herewith shall be executed according to the Law on Pricing as from the effective date of this Law.

The Government shall promulgate the regulations on agencies having competence in valuation and valuation approaches.

#### **Article 25. Detailed regulations**

The Government shall promulgate the detailed provisions prescribed herein.”

Article 3 of the Law No. 34/2018/QH14 on amendments and supplements to several Articles of the Law on Higher Education, in force as from July 1, 2019, shall include the following regulations:

#### **“Article 3. Entry into force**

This Law shall take effect as from January 1, 2019.”

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