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LEGAL UPDATE

Business Law Firm

LEGAL DOCUMENT UPDATE

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➔ ENTERPRISE - COMMERCE

Detailed regulations and guidance for implementing the Law on Inspection, replacing prior decrees to establish a cohesive legal framework for inspection activities

Decree No. 216/2025/ND-CP dated August 5, 2025 of the Government detailing a number of articles and guiding the implementation of the Law on Inspection.

This Decree details and guides the implementation of the Law on Inspection, replacing previous decrees, creating a synchronous legal corridor for inspection activities in the new context. The Decree covers many important contents, from regulations on the organization, functions and authority of the Cipher Inspectorate, the Inspectorate established under international treaties to the coordination mechanism with relevant agencies.

Regarding personnel, the Decree clearly defines the authority, responsibility, rank standards and policies for inspectors, including specific regulations on appointment, dismissal, card issuance, uniforms, responsibility allowances, training and fostering as well as cases where participation in the Inspection Team is not allowed to ensure integrity and objectivity.

Regarding operations, the Decree provides detailed instructions on the order and procedures for conducting an inspection, from information collection, planning, decision announcement, direct or online work organization, to completion, summary and archival records. The mechanism for handling overlaps and duplications between inspection

agencies is also clarified, thereby stipulating the responsibilities of the Government Inspectorate and specialized agencies when there is an overlap of authority.

In particular, the Decree adds many new regulations such as monitoring the activities of the Inspection Team, appraising draft conclusions, and re-inspecting in case of violations or serious violations of procedures, in order to improve accuracy and transparency. In addition, the Decree has separate sections regulating the request for professional appraisal, the rights and obligations of appraisal agencies, the time limit and validity of appraisal conclusions, and at the same time allows inspection agencies to request credit institutions to freeze the accounts of inspected subjects when there are signs of asset dispersion, as well as the process of recovering assets that have been appropriated, illegally used or lost. The provisions of Decree 216/2025/ND-CP not only strengthen the role of the inspection agency but also closely attach the responsibility of the head of the state management agency, ensuring that the implementation of inspection conclusions and recommendations is not delayed or ignored. Decree 216/2025/ND-CP is considered an important tool to perfect the institution, enhance the effectiveness and efficiency of inspection activities, contribute to preventing corruption and negativity, protect the legitimate interests of the State, organizations and citizens, and at the same time create a legal basis for inspection activities to become increasingly professional and transparent, meeting management requirements in the new period.

Regulating specialized inspection activities to enhance legal compliance and state management

Decree No. 217/2025/ND-CP dated August 5, 2025 of the Government on specialized inspection activities.

This Decree of the Government is an important document regulating specialized inspection activities, issued to unify the legal framework for this work. The Decree clearly states the scope of regulation and applicable subjects, including state management agencies, decentralized and authorized units, inspection teams and organizations and individuals

that are subject to inspection. The purpose of specialized inspection is to rectify and raise awareness of law compliance, prevent, detect, stop and promptly handle violations, and at the same time contribute to enhancing the effectiveness of state management.

Decree 217/2025/ND-CP clearly stipulates the principles of inspection that must comply with the law, be objective, accurate, not overlap with inspection and auditing activities, while ensuring coordination between relevant agencies and not affecting the normal operations of the inspected subjects. In particular, the Decree also encourages the application of information technology, prioritizes online and remote inspections, and exempts enterprises and individuals from actual inspections that comply with the law. The Decree also clearly stipulates prohibited acts such as taking advantage of one's position to cause trouble, accepting bribes, creating false records, or the inspected subjects obstructing, concealing, or providing false information.

According to this Decree, the inspection authority is assigned to ministers, heads of ministerial-level agencies, chairmen of People's Committees at all levels and heads of affiliated specialized agencies. The responsibilities and powers of the head and members of the inspection team and the rights and obligations of the inspected subjects are also specified in detail, ensuring transparency and fairness. Regarding procedures, the Decree stipulates the issuance of inspection decisions, establishment of the team, location, time limit, implementation plan, announcement of decisions, collection of documents, making minutes and processing of results. Inspection activities can be conducted directly or online, with the requirement to promote digital transformation to save time, costs and human resources.

The Decree also provides strict sanctions for inspectors or inspected subjects who violate the law, from disciplinary action, administrative sanctions to criminal prosecution. Relevant agencies, organizations and individuals are responsible for coordinating and strictly implementing the requirements and decisions on handling after inspection. At the same time, the Decree assigns the Government Inspector General to guide the implementation and ministries, branches and localities are

responsible for implementation.

Decree 217/2025/ND-CP takes effect from the date of signing, and also stipulates the continued application of the law to inspections that have been decided before the issuance of this Decree.

➔ INVESTMENT - CONSTRUCTION

Guidance on management and utilization of the national database for construction activities

Circular No. 24/2025/TT-BXD dated August 29, 2025 of the Ministry of Construction guiding some detailed information in the information system, National Database on construction activities.

This Circular provides detailed guidance on the construction, updating, management and exploitation of the information system and the National Database on construction activities. The Circular clearly defines the scope of application to agencies, organizations and individuals related to urban and rural planning, construction investment projects and construction works, except for the fields of national defense and security which are state secrets.

The main content of Circular 24/2025/TT-BXD focuses on three groups: detailed information on planning; detailed information on projects and works; Data code rules in the system. Specifically, the planning code consists of 12 characters representing the locality, year of approval, level and type of planning, type of adjustment, and a random number; the project code consists of 13 characters, reflecting the locality, year, type of project, procedure, number of adjustments, and a random number. In addition, the Circular also issues appendices specifying the data to be entered for each type: planning, investment projects, construction works with or without permits, only notice of commencement, etc. At the same time, it standardizes open data forms for publication on the national data portal and the Ministry of Construction's electronic information portal. Accordingly, the agencies that establish, appraise, grant licenses and investors are responsible for updating data completely, accurately and promptly; for plans that are still in effect but have not been digitized,

the database must be completed before December 31, 2025. The heads of ministries, branches and localities are responsible for promulgating regulations on input and update to ensure effective management.

Information exploitation is carried out via the address <https://csdlhdx.gov.vn>, open data is widely published, while non-open data is provided upon written request, within 3 working days.

In addition, the Circular also stipulates data exploitation fees, responsibilities of agencies under the Ministry of Construction in inspection, implementation guidance and takes effect from October 15, 2025.

With these regulations, Circular 24/2025/TT-BXD aims to ensure consistency, transparency, and synchronous digitalization of information on planning and construction activities, contributing to strengthening management, supervision, and supporting the management of urban and rural development nationwide.

Decree amending and supplementing regulations on investment activities: Enhancing digital transformation and administrative efficiency.

Decree No. 239/2025/ND-CP dated September 3, 2025 of the Government Amending and supplementing a number of articles of Decree No. 31/2021/ND-CP dated March 26, 2021 of the Government detailing and guiding the implementation of a number of articles of the Investment Law.

This Decree aims to amend and supplement many regulations related to investment activities, contributing to perfecting the legal framework, simplifying administrative procedures and creating a more favorable environment for domestic and foreign investors.

First of all, the decree clearly stipulates that investors can submit electronic documents with digital signatures instead of paper documents, and allows the choice of many forms of submission such as online, in person or via postal service, thereby promoting digital transformation in investment management.

The Decree also adjusts the principles for determining preferential investment areas for new administrative units after reorganization and

merger, ensuring that investment rights are maintained and transparent. Regarding the project implementation period and progress, the decree clearly stipulates the time to calculate the period from the date of land allocation, land lease or field handover; at the same time, it creates a flexible mechanism for extending the operation period, especially when there is no commune-level land use plan.

Another important content is that the procedures for approving investment policies, approving investors, granting investment registration certificates and adjusting projects have shortened processing time, clearly defining the responsibilities of the Ministry of Finance, the Provincial People's Committee and the Management Board of industrial parks, export processing zones, high-tech parks and concentrated digital technology parks.

In addition, regulations on project progress adjustment, location change, transfer, separation, merger, capital contribution, and business cooperation have also been amended to reduce duplicate procedures and facilitate investors during implementation. The Decree also emphasizes not extending the operation period for projects using outdated technology, causing pollution, and resource-intensive, while adding regulations on technology appraisal, environmental impact, and ensuring national defense and security when projects are implemented in sensitive areas.

For investment projects in construction and business of infrastructure in industrial parks, high-tech parks, and concentrated digital technology parks, the decree allows investors to build and lease factories and warehouses, set land sub-lease prices, and collect infrastructure fees according to the registered price framework.

In general, Decree 239/2025/ND-CP has systematized, supplemented and comprehensively adjusted regulations on investment procedures, contributing to improving the effectiveness of state management, encouraging sustainable investment, and ensuring harmony of interests between investors, the State and the community.

➔ BIDDING - COMPETITION

Refine the legal framework for bidding in investor selection, ensuring transparency, consistency, and alignment with practical needs It clarifies capacity and experience requirements for expert and appraisal teams.

Decree No. 225/2025/ND-CP dated August 15, 2025 of the Government amending and supplementing a number of articles of the Decrees detailing a number of articles and measures for implementing the Law on Bidding on investor selection.

This Decree is issued with the aim of perfecting the legal system on bidding in selecting investors, ensuring consistency, transparency and suitability with practical implementation.

Accordingly, the Decree focuses on amending and supplementing many important contents, notably clearly defining the capacity and experience conditions of expert teams and appraisal teams as well as the responsibility for connecting and sharing data between the National Bidding Network System and other information systems. Concepts such as "request documents" and "proposal documents" are specifically defined as the basis for evaluation, while supplementing detailed procedures for forms of investor designation and selection in special cases, applicable to projects in the fields of defense, security, national interests, strategic technology or projects with urgent requirements.

The Decree also establishes a preferential mechanism when evaluating bidding documents, according to which science and technology enterprises, creative startups, innovation centers, and high-tech enterprises enjoy a 5% preferential rate when evaluating bidding documents, while foreign investors who commit to transferring technology to domestic partners enjoy a 2% preferential rate when evaluating bidding documents.

At the same time, the decree emphasizes the responsibility of the Ministry of Finance, industry management agencies and People's Committees at all levels in publicly announcing information, supervising, inspecting and approving the results of investor selection; at the same time, replacing the Advisory Council with the Council for handling petitions, supplementing regulations on handling violations, requiring investors

to pay fees when submitting petitions to increase responsibility and reduce the widespread situation of complaints.

Capacity assessment standards are improved to focus on financial capacity, investment plans, land use efficiency and development efficiency of industries, sectors and localities; regulations on handling situations when many investors have equal scores or when there is a business merger are added, and the process of transferring projects, shares, capital contributions as well as adjusting project contracts when there are changes is clarified.

In particular, the decree sets out a roadmap for mandatory application of information technology in bidding: from July 1, 2026, the procedure for inviting expressions of interest must be carried out online and from January 1, 2027, the selection of investors for projects using land will be mandatory on the National Bidding Network.

With these comprehensive amendments and supplements, Decree 225/2025/ND-CP not only enhances the competitiveness, publicity and transparency of bidding activities but also creates a favorable legal corridor to promote innovation, high-tech development, ensure national interests, and at the same time contribute to improving the efficiency of attracting and managing investment in the context of increasingly deep international economic integration.

➔ LAND - HOUSING

Comprehensive amendments to enhance land management and use under the 2024 Land Law

Decree No. 226/2025/ND-CP dated August 15, 2025 of the Government amending and supplementing regulations on the implementation of the Land Law.

The Decree amends and supplements many decrees detailing the implementation of the 2024 Land Law and related amended laws, with the aim of removing practical obstacles, perfecting the legal framework on land management and use, ensuring consistency, transparency and feasibility.

Accordingly, the decree focuses on amending and supplementing four major groups including:

- Re-define the concept of market transactions, methods of collecting, processing information and determining land prices, supplement detailed regulations on valuation of assets attached to land such as perennial trees and planted forests; change the comparison method, income and surplus; clarify the responsibilities of agencies and organizations in providing data, and strongly decentralize to localities in building and adjusting land price tables.
- Supplementing the handling mechanism when planning and boundary markers change after a land recovery decision is made; more clearly regulating compensation for crops, livestock, and land investment costs; expanding the scope of support for training, job conversion, and resettlement policies, prioritizing the arrangement of residential land or housing in the commune where the land is recovered; and at the same time regulating the continued recovery and allocation of land for projects where investors have advanced compensation costs.
- Supplement regulations on the capacity of land investigation and assessment consulting organizations, conditions for consulting experts; clarify procedures for recording land use debt, debt cancellation, handling cases of re-measurement of area; supplement the mechanism for granting certificates for land originating from dissolved agricultural and forestry farms; prescribe in more detail the responsibilities of commune-level People's Committees in surveying and making cadastral maps.
- Regulate the conditions for consulting organizations to develop land use planning at provincial and communal levels; detail procedures for extending land use progress, handling slow-moving projects, land recovery, auctions and bidding to select investors; supplement regulations on the use of forest land in combination with ecotourism, resorts and entertainment; clearly stipulate the basis for land allocation and land lease in cases not subject to investment policy approval.

At the same time, the Decree also abolishes inappropriate regulations in the old Decrees and affirms that in case of differences, Decree

226/2025/ND-CP shall apply.

With these comprehensive amendments, Decree 226/2025/ND-CP demonstrates the orientation of strengthening decentralization and decentralization to localities, reforming administrative procedures, ensuring publicity and transparency in land management, creating a legal basis to promote effective and sustainable land use, contributing to socio-economic development, ensuring national defense and security in the new period.

Regulating exemptions and reductions of land use fees and rents to support social security and economic development

Decree No. 230/2025/ND-CP dated August 19, 2025 of the Government stipulates other cases of exemption or reduction of land use fees and land rents as prescribed in Clause 2, Article 157 of the 2024 Land Law.

This Decree specifically regulates other cases of exemption and reduction of land use fees and land rents according to Clause 2, Article 157 of the 2024 Land Law, applicable to state agencies, land users and related entities, in order to supplement and detail the land incentive mechanism to ensure social security, promote socio-economic development and support businesses and people in special situations. The content of the Decree focuses on three main groups: exemption and reduction of land use fees; exemption and reduction of land rents; and reduction of land rents in 2025.

Regarding exemption and reduction of land use fees, the decree stipulates exemption in cases of land allocation for resettlement and residential land for households in flood-prone areas, fishing villages, and river areas; a 30% reduction in land use fees for defense land combined with production, while opening a flexible mechanism for the Government to decide on annual exemptions and reductions to respond to socio-economic situations.

Regarding land rent exemption and reduction, the decree provides many preferential policies for the following areas: construction of headquarters of policy banks, Development Banks, non-budgetary state

financial funds; commune cultural post offices; scientific research facilities, digital technology, concentrated digital technology zones, National Innovation Center; diplomatic facilities; land of military units providing public services; enterprises investing in agriculture and rural areas; organizations affected by natural disasters, fires or production interruptions due to force majeure; units employing ethnic minorities or people with disabilities; socialized facilities in the fields of education, health, culture, environment; cooperatives and cooperative groups.

Regarding the reduction of land rent in 2025, the decree stipulates a 30% reduction in land rent payable in 2025 for all land users paying rent annually, including those who have not completed legal documents, in order to remove difficulties and stimulate production and business. The order, procedures, and authority for exemption and reduction are clarified, assigning responsibility to competent authorities, and at the same time simplifying procedures for cases eligible for exemption.

In addition, the Decree also provides transitional provisions, ensuring the inheritance of the land rent reduction policy for the 2020-2023 period, and handling responsibilities with agencies that are slow to process documents.

Decree 230/2025/ND-CP is an important legal basis to help flexibly adjust land policies, balance the interests of the State - society - enterprises, enhance social security and sustainable development.



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