

NEWSLETTER

WEEKLY UPDATED BUSINESS NEWS



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1. Aquaculture works with a catch volume greater than $0.1 \text{ m}^3/\text{sec}$ must be registered with the Department of Natural Resources and Environment

On 01/02/2023, the Government issued Decree 02/2023/ND-CP on implementing the Law on Water Resources. Accordingly, the Decree has added cases of water resources constructions which must be registered, including:

- Dam reservoirs with a total capacity of 0.01 million m^3 to 0.2 million m^3 or other works for agricultural and aquaculture production purposes with a catch flow greater than $0.1 \text{ m}^3/\text{sec}$ to $0.5 \text{ m}^3/\text{sec}$.
- Activities using seawater for land-based production including aquaculture, business and services with a scale of over 10,000 m^3/day to 100,000 m^3/day .
- Exploitation and use of groundwater in cases where the water level has declined excessively and cases on the list of restricted areas for groundwater exploitation announced by provincial People's Committees.



2. Cases in which personal data is processed without the consent of the data owner

On 07/02/2023, the Government issued Resolution 13/NQ-CP on personal data protection. Accordingly, the Government stipulates that personal data is processed without the consent of the data owner of in the following cases:

- To protect the life and health of the data owner in an emergency situation. Personal Data Controller, Personal Data Processor, Personal Data Controller and Processor, Third Party are responsible for proving this case.
- The processing of data by competent state agencies in case of national defense and security emergencies, social order and safety, major disasters or dangerous epidemics; when there is a threat to security and national defense but not to the extent of declaring a state of emergency; preventing and combating riots, terrorism, preventing and combating crimes and violations of the law in accordance with the provisions of law.
- To fulfill contractual obligations of data subjects with relevant agencies, organizations and individuals in accordance with the provisions of law. Serving the activities of state agencies that have been regulated under specialized laws.



3. Ministry of Health's guidance on identifying cases of COVID-19 belonging to occupational diseases entitled to social insurance

On February 9, 2023, the Ministry of Health issued Circular 02/2023/TT-BYT on occupational diseases entitled to social insurance. Accordingly, the new regulations added COVID-19 in occupational disease to the Insured Occupational Disease List.

Workers affected by COVID-19 must meet the following 2 factors:

- Exposing to SARS-CoV-2 virus in the work environment.
- Causative factors are documented in writing.

It is noteworthy that the important timelines are prescribed as follows:

- Minimum exposure time (the shortest exposure time to harmful factors in the labor process to cause occupational diseases): once.
- Guarantee period (the period from the time the employee has stopped contact with the source of infection to the time of onset of the disease): 28 days.
- Duration of examination for sequelae: after a minimum of six months from the onset of COVID-19 and stable treatment.

In addition, occupations and jobs that are diagnosed with COVID-19 disease due to exposure during labor from February 1, 2020 to before the effective date of this Circular shall be entitled to make occupational disease records for examination and assessment and enjoy the occupational disease regime.



4. Law on Medical Examination and Treatment 2023: 4 cases in which hospitals do not pay compensation when medical accidents occur

On 09/01/2023, the National Assembly passed the Law on Medical Examination and Treatment No. 15/2023/QH15.

According to the new regulations, patients have the right to make recommendations about existence, inadequacies, difficulties, problems and other problems in the process of medical examination and treatment. Notably, patients are compensated when a medical accident occurs unless the practitioner does not have technical errors. Conclusions on this issue are made by the Professional Council based on the following 04 cases:

- In the process of medical examination and treatment, practitioners have properly performed their responsibilities for caring for and treating patients and regulations on technical expertise but still have medical accidents for patients.
- In case of emergency, but due to lack of means, medical equipment, medicines, lack of practitioners, it cannot be overcome; in case the disease does not have professional and technical instructions to implement, leading to a medical accident for the patient;
- Force majeure cases, objective obstacles or other objective reasons leading to the occurrence of medical accidents for patients.
- In case of a medical accident caused by a sick person.





QUICK NEWS

1. Customers entering China need PCR test results

On 17/01/2023, the Consular Department of the Ministry of Foreign Affairs of Vietnam issued the official letter 186/LS-QHLS regulating PCR testing for people entering China. Accordingly, the Chinese Embassy issued the official letter requiring passengers entering China to have a negative PCR test result within 48 hours. If the test results are electronic, they should be printed and carried aside. The language is Vietnamese, Chinese or English for passengers from Vietnam.

2. Coordinate drug advertising and trading activities through social networks

On 18/01/2023, the Ministry of Health issued official letter 286/BYT-QLD 2023 to regulate drug advertising and trading activities through social networks. Accordingly, the subjects of application of the official letter are production and business establishments that take advantage of the image of celebrities, titles such as "heirloom pharmacy", "medical title", "divine medicine" to advertise products that work as medicines to treat chronic diseases such as bones and joints, blood pressure, diabetes... Therefore, the agencies of the advertising distribution service business unit must check and confirm the content and only advertise in accordance with the confirmed content, and administratively handle violations.

3. Change the average electricity retail price

On 03/02/2023, the Prime Minister issued Decision 02/2023/QĐ-TTg on the price bracket of the average retail electricity price. Accordingly, the price of the average electricity retail price (excluding value added tax) is as follows: the average electricity retail price is at least VND 1,826.22/kWh; the maximum average retail price of electricity is 2,444.09 VND/kWh.

TO: ALL READERS

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In case you require to be provided a full set of legal documents, please let us know the number and issuance date of such legal document. We thank you for your reading of our Newsletter, and should you have any feed back, please do not hesitate to let us know.

Thanks and best regards.

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