

Decree No. 161/2013/ND-CP of November 12, 2013, on registration, purchase, sale and building of seagoing ships

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the June 14, 2005 Maritime Code of Vietnam;

*At the proposal of the Minister of Transport,
The Government promulgates the Decree on registration, purchase, sale and building of seagoing ships.*

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

1. This Decree provides the registration, purchase, sale and building of seagoing ships (below referred to as ships).

2. This Decree's provisions on ship registration are also applicable to the registration of public-duty ships.

3. This Decree does not apply to the purchase, sale and building of the following ships:

a/ Ships under ownership of foreign organizations and individuals and built in Vietnam;

b/ Ships under ownership of foreign organizations and individuals, flying a foreign state flag and coercively auctioned in Vietnam under decisions of competent state agencies;

c/ Public-duty ships.

4. This Decree does not apply to the registration, purchase, sale and building of ships used for national defense and security purposes, nuclear-powered ships and seaplanes.

Article 2. Subjects of application

This Decree applies to Vietnamese and foreign organizations and individuals involved in ship registration, purchase, sale and building.

Article 3. Interpretation of terms

In this Decree, the terms below are construed as follows:

1. Ship registration means that a competent agency in charge of ship registration in Vietnam records information on ships in the Vietnam National Ship Registration Book for archive and grants ship registration certificates under this Decree and relevant laws.

Ship registration may take the following forms:

a/ Indefinite ship registration;

b/ Definite ship registration;

c/ Ship re-registration;

d/ Registration of change;

dd/ Temporary registration of ship;

e/ Registration of ship under construction;

g/ Registration of small ship.

2. Indefinite ship registration means registration of a ship when such ship fully satisfies the conditions prescribed in Article 16 of the 2005 Maritime Code of Vietnam and this Decree.

3. Definite ship registration means registration of a ship for a definite time at the request of the ship owner when such ship fully satisfies the conditions prescribed in Article 16 of the 2005 Maritime Code of Vietnam and this Decree.

4. Ship re-registration means registration of a ship which had been registered in the Vietnam National Ship Registration Book but has later been deregistered.

5. Registration of change means registration of a ship which has been registered in the Vietnam National Ship Registration Book when there is a change in its name, its owner's name, its structure and technical specifications or utilities, the regional ship registrar or the ship register.

6. Temporary registration of ship means registration of a ship under ownership of a Vietnamese organization or individual or a foreign organization or individual and temporarily flying the Vietnamese flag in the following cases:

a/ It has not yet paid charges and fees as prescribed;

b/ It has no certificate of ship deregistration but has made a commitment in the ship purchase and sale contract that the seller will hand over the certificate of ship deregistration to the purchaser within 30 days from the date of signing the written record of ship handover.

In this case, the certificate of temporary registration of Vietnamese ship may take effect only from the date the purchaser and seller sign the written record of ship handover:

c/ A newly built ship is put for test or received for navigation to the place of registration on the basis of a shipbuilding contract;

d/ In a special case as decided by the Minister of Transport.

7. Registration of ship under construction means registration of a ship of which the keel has been in place but the building is not yet completed.

8. Registration of small ship means registration of a motor ship with the main engine power of under 75 kW or a non-motor ship of a gross tonnage of under 50 GT or a dead weight of under 100 tons or a design waterline of under 20 meters.

9. Ship purchase and sale means a process of market research, preparation of a project dossier, decision on purchase and sale, and signing and performance of a ship purchase and sale contract.

10. Valid dossier means a dossier containing all the documents prescribed in this Decree.

11. Public-duty ship means a ship exclusively used for performance of public duties and not for commercial purposes.

12. The age of a ship is counted from the date of keel placement.

Chapter II

SHIP REGISTRATION

Section 1

VIETNAM SHIP REGISTRARS

Article 4. Vietnam ship registrars

Vietnam ship registrars include:

1. The national ship registrar, which is Vietnam Maritime Administration.

2. Regional ship registrars, which are maritime sub-departments or port authorities decided by the director of Vietnam Maritime Administration.

Article 5. Tasks of the national ship registrar

1. To make and manage the Vietnam National Ship Registration Book.

2. To guide and examine Vietnam ship registration activities at regional ship registrars.

3. To synthesize, make statistics on, maintain and update a database on ship registration; to provide relevant information to interested organizations or individuals.

4. To perform the unified management of the printing and issuance of ship registration paper forms and organize the application of information technology to the ship registration under regulations.

5. To carry out international cooperation on ship registration.

6. To post on the website of Vietnam Maritime Administration specific information on addresses and accounts of regional ship registrars for concerned organizations and individuals to send their dossiers by post and pay related charges and fees through via-bank account transfer.

Article 6. Tasks of regional ship registrars

1. To conduct ship registration under the Maritime Code of Vietnam and this Decree.

2. To conduct ship mortgage registration in

accordance with the law on secured transactions and secured transaction registration.

3. To archive and manage dossiers related to ship registration in their regions and provide relevant information to interested organizations and individuals.

4. To collect, remit and use ship registration fees in accordance with law.

Article 7. Contents of the Vietnam National Ship Registration Book

1. The Vietnam National Ship Registration Book records information relevant to ship registration or deregistration. The Vietnam National Ship Registration Book may be made in the form of paper or electronic book.

2. The Vietnam National Ship Registration Book has the contents specified in Appendix III to this Decree.

Section 2

VIETNAM SHIP REGISTRATION

Article 8. Limits of the ages of ships registered in Vietnam for the first time

1. For first-time registration in Vietnam, used ships must be of the following ages:

a/ Not more than 10 years, for passenger ships;

b/ Not more than 15 years, for ships of other types.

2. The limits on the ages of ships specified in Clause 1 of this Article do not apply to ships under the ownership of foreign individuals or organizations and coercively auctioned in Vietnam under decisions of competent agencies.

3. For foreign ships purchased by loan or charter-purchase method by Vietnamese

organizations or individuals, after the expiration of the period of registration of flying a foreign state flag, they may change to registration of flying the Vietnamese flag provided that at the time of signing the loan or charter-purchase contract, their age is compliant with Clause 1 of this Article.

Article 9. Naming of ships and registration ports

1. Ship names may be given by their owners, which, however, must not be identical with names of ships already registered in the Vietnam National Ship Registration Book. Names of state agencies, people's armed forces units, political organizations, socio-political organizations, socio-professional-political organizations, social organizations and socio-professional organizations may not be used as the whole or part of proper names of ships, unless it is so approved by such agencies, units or organizations. Words and signs that violate Vietnamese historical tradition, culture, ethical values and fine customs may not be used for naming ships.

2. A dossier of application for approval of ship name comprises:

a/ An application for approval of given ship name, made according to form No. 5 in Appendix I to this Decree;

b/ The ship purchase and sale contract or ship building contract or another deed of title of equivalent legal validity for the ship (a certified copy or a copy accompanied with the original for checking);

c/ The business registration certificate or enterprise registration certificate (a certified copy or a copy accompanied with the original for checking). In case the ship owner is a

foreign organization, its license to establish a Vietnam-based branch (a certified copy or a copy accompanied with the original for checking) is required;

d/ If the ship owner is an individual, his/her identity card (a copy accompanied with the original for checking) or a certificate of his/her place of residence certified by the commune police (the original) is also required. If the ship owner is a foreigner, his/her passport (a copy accompanied with the original for checking) is required.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to a regional ship registrar.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 2 (two) days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall notify in writing the ship owner of the approval of the ship name given by the ship owner. In case of disapproval, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall select names of ports of registration for their ships after the names of seaports where ship registrars are located.

Article 10. Procedures for indefinite ship registration

1. Certificate of Vietnamese ship registration.

a/ A certificate of Vietnamese ship registration is granted to a ship that fully satisfies the registration conditions and has been registered for an indefinite time in the Vietnam National Ship Registration Book according to the procedures prescribed in this Decree:

b/ For a registered ship, 1 (one) original certificate of Vietnamese ship registration, made according to form No. 4 in Appendix II to this Decree, shall be granted;

c/ A certificate of Vietnamese ship registration is valid from the date of grant to the date of deregistration.

2. A dossier for indefinite ship registration comprises:

a/ A declaration for ship registration, made according to form No. 2 in Appendix I to this Decree;

b/ The certificate of ship deregistration (the original), for used ships, or written record of test before handover, for newly built ships (the original);

c/ The ship purchase and sale contract or ship building contract or another deed of title of equivalent legal value for the ship (the original);

d/ The certificate of ship tonnage (a certified copy or a copy accompanied with the original for checking);

dd/ The certificate of ship classification (a certified copy or a copy accompanied with the original for checking);

e/ Documents proving the payment of

registration fee under regulations, including the declaration of registration fee certified by the tax office and receipt of remittance of the fee into the state budget (a copy accompanied with the original for checking). In case the ship is not subject to registration fee, the declaration of registration fee certified by the tax office (a copy accompanied with the original for checking) is required;

g/ The business registration certificate or enterprise registration certificate (a certified copy or a copy accompanied with the original for checking). In case the ship owner is a foreign organization, the license for establishment of a Vietnam-based branch (a certified copy or a copy accompanied with the original for checking) is required:

h/ For a fishing ship owned by an individual, his/her identity card (a copy accompanied with the original for checking) or a certificate of his/her place of residence certified by the commune police (the original) is required. In case the ship owner is a foreign individual, his/her passport (a copy accompanied with the original for checking) is required.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to a regional ship registrar.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 11. Procedures for definite ship registration

1. Certificate of ship registration for a definite time.

a/ The duration of ship registration is stated in the certificate of ship registration and equal to the term of the ship charter-purchase contract or bare ship charter contract, or as requested by the ship owner;

b/ For a registered ship, 1 (one) original certificate of ship registration for a definite time, made according to form No. 1 in Appendix II to this Decree, shall be granted.

2. A dossier for definite ship registration in case the ship owner is a Vietnamese organization or individual that charter-purchases a ship or charters a bare ship comprises:

a/ A declaration for ship registration, made according to form No. 2 in Appendix I to this Decree;

b/ The certificate of ship tonnage (a certified copy or a copy accompanied with the original for checking);

c/ The certificate of ship classification (a certified copy or a copy accompanied with the original for checking);

d/ The business registration certificate or enterprise registration certificate (a certified copy or a copy accompanied with the original for checking);

dd/ The certificate of ship deregistration (the original);

e/ The ship charter-purchase contract or bare ship charter contract (the original);

g/ The written record of ship handover (the original);

h/ Documents proving the payment of registration fee under regulations, including the declaration of registration fee certified by the tax office and receipt of remittance of the fee into the state budget (a copy accompanied with the original for checking). In case the ship is not subject to registration fee, the declaration of registration fee certified by the tax office (a copy accompanied with the original for checking) is required;

i/ In case the ship owner is an individual, his/her identity card (a copy accompanied with the original for checking) or a certificate of his/her place of residence certified by the commune police (the original) is required.

3. A dossier for definite ship registration in case the ship owner is a foreign organization or individual comprises the papers specified at Points a, b, c, dd, e, g and h, Clause 2 of this Article; and the license to establish a Vietnam-based branch (a certified copy or a copy accompanied with the original for checking)

or the foreign passport (a copy accompanied with the original for checking).

4. An organization or individual may submit directly 1 (one) set of dossier or send it by post to a regional ship registrar.

5. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

6. Ship owners shall pay ship a registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 12. Procedures for ship re-registration

1. Certificate of ship registration in case a ship is re-registered is that granted by a regional ship registrar to the ship owner based on the form of re-registration of such ship.

2. Dossier for ship re-registration:

a/ In case of ship re-registration for an indefinite time, a re-registration dossier comprises the papers specified in Clause 2, Article 10 of this Decree;

b/ In case of ship re-registration for a definite time, a re-registration dossier comprises the papers specified in Clause 2, Article 11 of this Decree;

c/ In case of re-registration of a ship under construction, a re-registration dossier comprises the papers specified at Points c, d and dd, Clause 2, Article 21 of this Decree;

d/ In case of re-registration of a small ship, a re-registration dossier comprises the papers specified in Clause 2, Article 22 of this Decree.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to a regional ship registrar.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In

case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay ship a registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 13. Procedures for registration of ship renaming

1. Certificate of ship registration granted in case a ship is re-named is that based on the previous form of ship registration and bearing the new name of such ship.

2. Dossier for registration of ship renaming:

a/ In case of indefinite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points d and dd, Clause 2, Article 10 of this Decree; and the original certificate of ship registration;

b/ In case of definite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points b, c and e, Clause 2, Article 11 of this Decree; and the original certificate of ship registration;

c/ In case of registration of a ship under construction, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Point c, Clause 2, Article 21 of this Decree; and the original certificate of ship registration;

d/ In case of registration of a small ship, a

registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Point g, Clause 2, Article 22 of this Decree; and the original certificate of ship registration.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to the regional ship registrar with which the ship has been previously registered.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay ship a registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 14. Procedures for registration of change of names of ship owners

1. Certificate of ship registration granted in case the name of a ship owner is changed is that based on the previous form of ship registration and bearing the new name of the owner of such ship.

2. Dossier for registration of change of name of a ship owner:

a/ In case of indefinite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points d, dd, g and h, Clause 2, Article 10 of this Decree; and the original certificate of ship registration;

b/ In case of definite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points b, c, d and i, Clause 2, Article 11 of this Decree; and the original certificate of ship registration;

c/ In case of registration of a ship under construction, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points c, d and dd, Clause 2, Article 21 of this Decree; and the original certificate of ship registration;

d/ In case of registration of a small ship, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points dd, e and g, Clause 2, Article 22 of this Decree; and the original certificate of ship registration.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to the regional ship registrar with which the ship

has been previously registered.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 15. Procedures for registration of change of ship owners

1. Certificate of ship registration granted in case of change of a ship owner is that granted to the new ship owner based on the previous form of registration of such ship.

2. Dossier for registration of change of a ship owner:

a/ In case of indefinite ship registration, a registration dossier comprises: a declaration

for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points c, d, dd, e, g and h, Clause 2, Article 10 of this Decree; the original certificate of ship registration and the original written approval of the mortgagee (for ships currently in mortgage):

b/ In case of definite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points b, c, d, e, g, h and i, Clause 2, Article 11 of this Decree and the original certificate of ship registration; the original certificate of ship registration and the original written approval of the mortgagee (for ships currently in mortgage):

c/ In case of registration of a ship under construction, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points d and dd, Clause 2, Article 21 of this Decree; the original certificate of ship registration and the original written approval of the mortgagee (for ships currently in mortgage):

d/ In case of registration of a small ship, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points c, d, dd, e and g, Clause 2, Article 22 of this Decree; the original certificate of ship registration and the original written approval of the mortgagee (for ships currently in mortgage).

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to the regional ship registrar with which the ship has been previously registered.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof.

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 16. Procedures for registration of change in ship structure and technical specifications

1. Certificate of ship registration granted in case the structure and technical specifications of a ship are changed is that based on the previous form of ship registration and granted to the owner of the ship registered for change in structure and technical specifications.

2. Dossier for registration of change in ship structure and technical specifications:

a/ In case of indefinite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points d and dd, Clause 2, Article 10 of this Decree; and the original certificate of ship registration;

b/ In case of definite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points b and c, Clause 2, Article 11 of this Decree; and the original certificate of ship registration;

c/ In case of registration of a ship under construction, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the paper specified at Point b, Clause 2, Article 21 of this Decree; and the original certificate of ship registration;

d/ In case of registration of a small ship, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the paper specified at Point g, Clause 2, Article 22 of this Decree; and the original certificate of ship registration.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to the regional ship registrar with which the ship has been previously registered.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it

shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 17. Procedures for registration of change of regional ship registrars

1. Certificate of ship registration granted in case of change of a regional ship registrar is that based on the previous form of ship registration and granted by the new regional ship registrar to the ship owner.

2. Dossier for registration of change of a regional ship registrar:

a/ In case of indefinite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points d, dd, g and h, Clause 2, Article 10 of this Decree; and the original certificate of ship registration;

b/ In case of definite ship registration, a registration dossier comprises: a declaration for

registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points b, c, d, e, g and i, Clause 2, Article 11 of this Decree; and the original certificate of ship registration;

c/ In case of registration of a ship under construction, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points b, d and dd, Clause 2, Article 21 of this Decree; and the original certificate of ship registration;

d/ In case of registration of a small ship, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points dd, e and g, Clause 2, Article 22 of this Decree; and the original certificate of ship registration.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to a regional ship registrar.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a

certificate of Vietnamese ship registration and notify such certificate directly or send such certificate by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 18. Procedures for registration of change of ship register offices

1. Certificate of ship registration granted in case of change of a ship register office is that based on the previous form of ship registration and granted to the ship owner.

2. Dossier for registration of change of a ship register office:

a/ In case of indefinite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points d and dd, Clause 2, Article 10 of this Decree; and the original certificate of ship registration;

b/ In case of definite ship registration, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the papers specified at Points b and c, Clause 2, Article 11 of this Decree; and the original certificate of ship registration;

c/ In case of registration of a ship under construction, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the paper specified at Point c, Clause

2, Article 21 of this Decree; and the original certificate of ship registration;

d/ In case of registration of a small ship, a registration dossier comprises: a declaration for registration of change, made according to form No. 1 in Appendix I to this Decree; the paper specified at Point g, Clause 2, Article 22 of this Decree; and the original certificate of ship registration.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to the regional ship registrar with which the ship has been previously registered.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and

document sending and account transfer.

Article 19. Procedures for temporary registration of ships

1. Certificate of temporary registration of Vietnamese ship:

a/ One original certificate of temporary registration of Vietnamese ship, made according to form No. 2 in Appendix II to this Decree, is granted to the ship owner that makes temporary registration of a ship flying Vietnamese flag;

b/ A certificate of temporary registration of Vietnamese ship is valid for 180 (one hundred and eighty) days from the date of grant. In case the validity duration of such a certificate expires while the ship cannot arrive in Vietnam for completion of the official registration procedures, the regional ship registrar that has granted such certificate may extend it once for 180 (one hundred and eighty) days from the date of first-time expiration of its validity duration. After such certificate is extended but the ship cannot arrive in Vietnam for completion of the official registration procedures for a *force majeure* reason, the director of Vietnam Maritime Administration shall decide to prolong the time limit for temporary registration of ship for no more than 180 (one hundred and eighty) days.

2. Dossier for temporary registration of a ship:

a/ In case the prescribed charges and fees have not yet been paid, a registration dossier comprises: a declaration for ship registration, made according to form No. 2 in Appendix I to this Decree; and the papers specified at Points b, c, d, dd, g and h, Clause 2, Article 10 of this Decree;

b/ In case a certificate of ship deregistration has not yet been granted, a registration dossier comprises: a declaration for ship registration, made according to form No. 2 in Appendix I to this Decree; and the papers specified at Points c, d, dd, g and h, Clause 2, Article 10 of this Decree;

c/ In case of testing a newly built ship, a registration dossier comprises: a declaration for ship registration, made according to form No. 2 in Appendix I to this Decree; and the papers specified at Points c, d, g and h, Clause 2, Article 10 of this Decree;

d/ In case of receipt of a newly built ship for navigation to a place of registration on the basis of a shipbuilding contract, a registration dossier comprises: a declaration for ship registration, made according to form No. 2 in Appendix I to this Decree; and the papers specified at Points c, d, dd, g and h, Clause 2, Article 10 of this Decree.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to a regional ship registrar.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and an appointment for return of results within a prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrars before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 20. Procedures for grant of permit for temporarily flying the Vietnamese flag

1. Permit for temporarily flying the Vietnamese flag:

a/ One original permit for temporarily flying the Vietnamese flag, made according to form No. 6 in Appendix II to this Decree, is granted by an overseas Vietnamese diplomatic mission, consular office or another agency authorized to perform the consular function (below collectively referred to as Vietnamese representation office) to a Vietnamese organization or individual that purchases a ship from a foreign organization or individual;

b/ A permit for a ship to temporarily fly the Vietnamese flag is valid for 1 (one) specific voyage of such ship and from the date of grant to the date such ship arrives at the first Vietnamese seaport.

2. A dossier of application for a permit for temporarily flying the Vietnamese flag comprises:

a/ Declaration for ship registration, made according to form No. 2 in Appendix I to this Decree;

b/ Certificate of deregistration, for used

ships (a copy accompanied with the original for checking);

c/ Written record of test for ship handover, for receipt of new ships built abroad for navigation to Vietnam (a copy accompanied with the original for checking);

d/ Ship purchase and sale contract or ship building contract or another deed of title of equivalent legal value for the ship (a certified copy accompanied with the original for checking);

dd/ Certificate of ship tonnage (a copy accompanied with the original for checking);

e/ Certificate of ship classification (a copy accompanied with the original for checking);

g/ Business registration certificate or enterprise registration certificate (a certified copy). In case the ship owner is a foreign organization, the license for establishment of a Vietnam-based branch (a certified copy) is required;

h/ In case the ship owner is an individual, his/her identity card (a copy accompanied with the original for checking) or a certificate of his/her place of residence certified by the commune police (the original) is required. In case the ship owner is a foreigner, his/her passport (a copy accompanied with the original for checking) is required.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to a regional ship registrar.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it

shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

Article 21. Procedures for registration of ships under construction

1. Certificate of registration of ship under construction:

a/ One original certificate of registration of ship under construction, made according to form No. 3 in Appendix II to this Decree, is granted to the ship owner;

b/ The certificate of registration of ship under construction cannot substitute the certificate of ship registration.

2. A dossier for registration of ship under construction comprises:

a/ Declaration for ship registration, made according to form No. 2 in Appendix I to this Decree;

b/ Ship building contract (the original);

c/ Certificate that the main keel has been placed by the ship building establishment, with certification by the register office (the original);

d/ Business registration certificate or enterprise registration certificate (a certified

copy or a copy accompanied with the original for checking). In case the ship owner is a foreign organization, the license for establishment of a Vietnam-based branch (a certified copy or a copy accompanied with the original for checking) is required:

dd/ In case the ship owner is an individual, his/her identity card (a copy accompanied with the original for checking) or a certificate of his/her place of residence certified by the commune police (the original) is required. In case the ship owner is a foreigner, his/her passport (a copy accompanied with the original for checking) is required.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to a regional ship registrar.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations

directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 22. Procedures for registration of small ships

1. One original certificate of registration of small ship, made according to form No. 4 in Appendix II to this Decree, is granted to the ship owner;

2. A dossier for registration of a small ship comprises:

a/ Declaration for ship registration, made according to form No. 2 in Appendix I to this Decree;

b/ Certificate of ship deregistration (the original) for used ships, or written record of ship handover (the original) for newly built ships;

c/ Ship purchase and sale contract or ship building contract or another deed of title of equivalent legal validity for the ship (the original);

d/ Documents proving the payment of registration fee under regulations, including the declaration of registration fee certified by the tax office and receipt of remittance into the state budget (copies accompanied with the originals for checking). In case the ship is not subject to registration fee, the declaration of registration fee certified by the tax office (a copy accompanied with the original for checking) is required;

dd/ Business registration certificate or enterprise registration certificate (a certified copy or a copy accompanied with the original for checking). In case the ship owner is a foreign organization, the license for establishment of

a Vietnam-based branch (a certified copy or a copy accompanied with the original for checking) is required;

e/ In case the ship owner is an individual, his/her identity card (a copy accompanied with the original for checking) or a certificate of his/her place of residence certified by the commune police (the original) is required. In case the ship owner is a foreigner, his/her passport (a copy accompanied with the original for checking) is required.

g/ Book of technical safety inspection of ship (a copy accompanied with the original for checking).

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to a regional ship registrar.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations

directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 23. Procedures for deregistration of Vietnamese ships

1. Certificate of deregistration of Vietnamese ship is granted in the cases specified in Article 20 of the 2005 Maritime Code of Vietnam and 1 (one) original certificate, made according to form No. 5 in Appendix II to this Decree, is granted to the ship owner.

2. A dossier for deregistration of a Vietnamese ship comprises:

a/ Declaration for ship deregistration, made according to form No. 3 in Appendix I to this Decree;

b/ Certificate of ship registration (the original). In case the certificate of ship registration is lost, the ship owner shall clearly give the reason for the loss;

c/ For ships currently in mortgage, written approval of the mortgagee is required and the mortgage must be deregistered.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to the regional ship registrar with which the ship has previously been registered.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrar before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Article 24. Procedures for re-grant of certificates of ship registration

1. In case a certificate of ship registration is lost or damaged, the regional ship registrar shall re-grant the certificate to the ship owner based on the previous form of ship registration.

2. A dossier for re-grant of a certificate of ship registration comprises:

a/ An application for re-grant of a certificate of ship registration, made according to form No. 4 in Appendix I to this Decree;

b/ The certificate of ship registration, if it is damaged.

3. An organization or individual may submit directly 1 (one) set of dossier or send it by post to the regional ship registrar with which the ship has been registered and granted a certificate of ship registration.

4. The regional ship registrar shall receive the dossier and examine the validity of the dossier:

a/ For a directly submitted dossier, if the dossier is not valid, it shall guide the applicant to complete the dossier. If the dossier is valid, it shall record the dossier in the monitoring book and issue a receipt and a slip of appointment for return of results within the prescribed time limit;

b/ For a dossier sent by post, if the dossier is not valid, it shall guide the dossier completion under this Decree within 3 (three) working days after the receipt thereof;

c/ Within 3 (three) working days after receiving a valid dossier, it shall grant a certificate of Vietnamese ship registration and send it directly or by post to the ship owner. In case of refusal to grant a certificate, it shall also reply in writing, clearly stating the reason.

5. Ship owners shall pay a ship registration fee under the Ministry of Finance's regulations directly to, or transfer it into the account of, the regional ship registrars before receiving a certificate; and bear all expenses for dossier and document sending and account transfer.

Section 3

SHIPS OWNED BY VIETNAMESE
ORGANIZATIONS OR INDIVIDUALS
AND REGISTERED FOR FLYING
FOREIGN STATE FLAGS

Article 25. Conditions for ships owned by Vietnamese organizations or individuals to be registered for flying foreign state flags

1. Except the cases specified in Clause 3 of this Article and other special cases decided by the Minister of Transport, ships purchased or built by state enterprises or enterprises with state capital contributions must be registered for flying the Vietnamese flag.

2. Ships purchased or built by enterprises without state capital or by organizations or individuals may be registered for flying foreign state flags in case such ships fail to fully satisfy the conditions for registration in the Vietnam National Ship Registration Book under Article 16 of the 2005 Maritime Code of Vietnam and this Decree.

3. Ships flying the Vietnamese flag and charter-purchased or chartered as bare ships by foreign organizations or individuals may be registered for flying foreign state flags if their owners so request.

Article 26. Procedures for registration of ships flying foreign state flags

1. Procedures for registration of ships flying foreign state flags comply with the laws of the state, the flag of which is flown by such ships.

2. Before being registered for flying foreign state flags, ships flying the Vietnamese flag and chartered or charter-purchased by foreign organizations or individuals must be subject to deregistration of Vietnamese ships under Article 23 of this Decree.

Chapter III

SHIP PURCHASE, SALE AND BUILDING

Article 27. Principles of ship purchase, sale and building

1. Ship purchase, sale and building are specific investment activities. The order and procedures for approving the policy and making decisions on ship purchase, sale and building comply with this Decree and relevant laws.

2. Ships to be purchased, sold or built must satisfy the conditions on maritime safety and security and environmental protection in

accordance with Vietnamese law and relevant treaties to which the Socialist Republic of Vietnam is a contracting party.

Article 28. Forms of ship purchase, sale and building

1. Forms of ship purchase and sale by state enterprises or enterprises with state capital contributions:

a/ The ship purchase and sale between an enterprise and a foreign organization or individual must be conducted in the form of competitive offers in accordance with international practices from at least 3 (three) ship owners or brokers;

b/ The ship purchase and sale between an enterprise and a Vietnamese organization or individual must be conducted in the form of auction in accordance with law or competitive offer in accordance with international practices.

2. Ship building projects of state enterprises or enterprises with state capital contributions must be implemented in the form of competitive offers from at least 3 shipyards or their representatives.

3. Forms of ship purchase, sale and building by enterprises without state capital or by organizations or individuals may be decided by such enterprises, organizations or individuals.

Article 29. Process of ship purchase

1. Approving the policy on ship purchase.

2. Selecting ships and determining purchase prices and expenses related to the ship purchase transaction.

3. Formulating and approving the ship purchase project. A ship purchase project must have contents on necessity of investment, ship

type and quantity of ships, basic technical specifications, expected ship price, capital sources for ship purchase, ship purchase form, ship operation plan, economic efficiency, and other necessary contents.

4. Deciding on ship purchase.

5. Completing the procedures for ship purchase.

Article 30. Process of ship sale

1. Approving the policy on ship sale.

2. Determining the reserve price and estimating expenses related to the ship sale transaction.

3. Formulating and approving the ship sale project. A ship sale project must have contents on necessity of ship sale, quantity of ships and basic technical specifications, expected sale price, ship sale form, and other necessary contents.

4. Deciding on ship sale.

5. Completing the procedures for ship sale.

Article 31. Process of implementation of ship building projects

1. Approving the policy on ship building.

2. Selecting, determining the price and capital sources for ship building and expenses related to the ship building transaction.

3. Formulating and approving the ship building project. A ship building project must have contents on necessity of investment, type and quantity of ships, and basic technical specifications, expected price, capital sources for ship building, ship building form, operation plan, economic efficiency, and other necessary contents.

4. Deciding on ship building.

5. Completing the procedures for ship building.

Article 32. Competence to approve the policy and decide on ship purchase, sale and building

1. For ship purchase, sale and building by state enterprises or enterprises with state capital contributions.

The competence to approve the policy and decide on ship purchase, sale and building complies with the Government's Decree No. 99/2012/ND-CP of November 15, 2012, on assignment of tasks and decentralization of powers to exercise the rights, responsibilities and obligations of the state owner of state enterprises and state capital invested in enterprises, and Decree No. 71/2013/ND-CP of July 11, 2013, on investment of state capital in enterprises and financial management of enterprises with 100% charter capital held by the State, and other relevant laws.

2. Ship purchase, sale and building by enterprises without state capital or by organizations or individuals may be decided by such enterprises, organizations or individuals.

Article 33. Ship purchase, sale and building decision dossiers

1. A ship purchase decision dossier comprises:

a/ A report on ship purchase, clearly stating results of competitive offer or auction;

b/ The approved ship purchase project, enclosed with the decision on project approval;

c/ A copy of the ship registration certificate;

d/ A report on technical survey of the ship, made by the Vietnam Register or a foreign register or international ship surveyor designated by the ship purchaser and seller and accredited by the Vietnam Register;

dd/ The ship's copies of certificates of maritime safety and environmental protection which are issued by a competent register for a ship in operation;

e/ The written approval of the credit institution's lending policy (if any).

2. A ship sale decision dossier comprises:

a/ A report on ship sale proposal, clearly stating results of competitive offer or auction;

b/ A copy of the ship registration certificate;

c/ Documents on examination of the ship sale dossier by organizations or individuals for the borrowing enterprise, guarantors for enterprises related to the to-be-sold ship, or by mortgagees of the to-be-sold ship;

d/ Copies of the ship's certificates of maritime safety and environmental protection which are issued by a competent register.

3. A ship building decision dossier comprises:

a/ A report on ship building, clearly stating results of competitive offer;

b/ The approved ship building project, enclosed with the project approval decision;

c/ The dossier of basic design of the to-be-built ship approved by the register;

d/ Principal provisions of the draft contract or an equivalent written agreement;

dd/ The loan guarantee agreement, if so requested by the ship builder or loan provider.

Article 34. Responsibilities and powers of ship purchasers, sellers and builders

1. Ship purchasers, sellers and builders shall take responsibility for:

a/ The truthfulness and lawfulness of documents included in the ship purchase, sale or building dossier;

b/ The genuineness and technical quality of the ship, ship purchase or sale price or building cost and financial conditions of the ship purchase, sale or building project;

c/ The terms of the draft contract on ship purchase, sale or building. They may officially sign the contract only after obtaining the competent authority's decision on ship purchase, sale or building;

d/ The investment efficiency of the project; the rationality of the purchase or building method and capital-raising method selected to suit the financial capability, technology and ship operation plan.

2. Powers of ship purchasers, sellers and builders:

a/ To directly negotiate and sign ship purchase, sale or building contracts and carry out the procedures for handover, receipt, import or export of ships based on competent authorities' ship purchase, sale and building decisions;

b/ If finding it necessary, to hire project formulation consultants and/or entrust others to carry out the procedures for handover, receipt, import or export of ships.

Article 35. Ship import and export procedures

Based on ship purchase, sale or building decisions and contracts, written records of

handover and receipt of ships and the Vietnam Register's certificates of technical conditions of ships after conducting the initial inspection of imported ships, customs offices shall carry out ship import or export procedures. The physical inspection of imported or exported ships must be conducted in Vietnam or other places decided by the General Director of Customs.

Chapter IV

IMPLEMENTATION PROVISIONS

Article 36. Effect

1. This Decree takes effect on January 1, 2014, and replaces the Government's Decree No. 29/2009/ND-CP of March 26, 2009, on ship registration, purchase and sale; and Decree No. 77/2011/ND-CP of September 1, 2011, amending and supplementing a number of articles of Decree No. 29/2009/ND-CP.

2. Attached to this Decree are 3 appendices:

a/ Appendix I: Declaration and application forms.

b/ Appendix II: Certificate forms.

c/ Appendix III: National ship registration book form.

Article 37. Transitional provisions

1. Ship registration certificates and ship mortgage registration certificates granted before the effective date of this Decree remain valid until the expiration of the validity duration stated in such certificates or occurrence of a registration change or deregistration of ship mortgage.

2. Ship purchase, sale or building projects approved before the effective date of this Decree are not governed by this Decree.

Article 38. Organization of implementation

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, chairpersons of provincial-level People's Committees, and related agencies, organizations and individuals shall implement this Decree.-

On behalf of the Government

Prime Minister

NGUYEN TAN DUNG

** All appendices are not translated*