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THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom – Happiness

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DECREE

**ELABORATING SOME ARTICLES AND MEASURES FOR EXECUTION OF THE LAW
ON STANDARDS AND TECHNICAL REGULATIONS**

Pursuant to the Law on Government Organization No. 63/2025/QH15;

*Pursuant to the Law on Standards and Technical Regulations No. 68/2006/QH11 amended by
the Law No. 35/2018/QH14 and Law No. 70/2025/QH15;*

Pursuant to the Law on Investment No. 61/2020/QH14;

At the request of the Minister of Science and Technology;

*The Government promulgates the Decree elaborating some articles and measures for execution
of the Law on Standards and Technical Regulations.*

Chapter I

GENERAL REGULATIONS

Article 1. Scope

This Decree elaborates Article 5; Article 7b; Article 8a; clause 4, Article 8b; Article 8c; Article 11a; Article 14; Article 17; Article 19; point c, clause 2, Article 21; clause 3, Article 25; point c, clause 1, Article 27; Article 29; Article 32; Article 35; clause 2, Article 39; Article 44; Article 51; Article 57; Article 71 of the Law on Standards and Technical Regulations No. 68/2006/QH11 amended by the Law No. 35/2018/QH14 and Law No. 70/2025/QH15 (hereinafter referred to as “Law”) and measures for execution of the Law regarding consultation during the development of national standards and technical regulations; international cooperation on standards and technical regulations; national technical standards committee; correction of national standards and technical regulations; dissemination of national standards; announcement of applied standards; registration of technical regulations; declaration of conformity with standards, declaration of conformity with technical regulations, marks of conformity with standards, marks of conformity with technical regulations; responsibilities of authorities, organizations and individuals engaging in activities in the field of standards and technical regulations.

Article 2. Regulated entities

This Decree applies to Vietnamese entities, foreign entities and overseas Vietnamese that have activities in the field of standards and technical regulations, and conformity assessment in Vietnam.

Article 3. Definitions

For the purposes of this Decree, the terms below shall be construed as follows:

1. An analyst is a person possessing appropriate competence and professional qualifications to perform technical tasks in accordance with approved procedures, and is assigned by the testing body to carry out part or all of the testing procedures.
2. An inspector is a person possessing appropriate competence and professional qualifications, assigned by the inspection body to conduct inspections and determine the conformity of the subject within the field of standards and technical regulations in accordance with specific or general requirements of competent authorities, organizations or individuals as prescribed by laws.
3. An assessor of a certification body, a body performing validation of use value, a body performing verification inspection, or a body performing accreditation is a person who has competence in professional qualifications, skills, experience, and professional ethics in accordance with requirements prescribed by laws and requirements of the management system applicable to conformity assessment bodies or accreditation bodies; and is assigned by the conformity assessment body or accreditation body to perform conformity assessment and accreditation.
4. A working day in activities of certification, validation of use value, verification inspection and accreditation is the unit for measuring the working time of an assessor that is equivalent to 08 working hours. A working day includes the time spent on the following activities: conducting the opening meeting; reviewing documents during the assessment; exchanging information during the assessment; assigning roles and responsibilities to instructors and observers; collecting and verifying information and data; making assessment findings; preparing the assessment conclusion; conducting the closing meeting.

Article 4. Subjects of activities in the field of standards and technical regulations

1. Products and goods for domestic use; products and goods for export; imported products and goods.
2. Services and processes classified under the Vietnam Standard Industrial Classification as prescribed by the Prime Minister.
3. Environment, environmental factors and management measures including soil, water, air environment; noise, vibration, radiation, radioactivity; solid waste, wastewater, air emissions; biodiversity; means, tools and activities for managing, protecting and preserving the environment; climate change.

4. Other subjects in socio-economic activities in accordance with requirements for the development of standards and technical regulations.

Article 5. Consultation during the development of national standards and technical regulations

1. Consultation during the development of national standards and technical regulations means a direct exchange between the authority presiding the drafting of the national standard or technical regulation and relevant authorities, organizations and individuals.

2. At consultation conferences or workshops, representatives of the authority presiding the drafting of the national standard or technical regulation shall present and explain issues related to the proposed draft. Consulted authorities, organizations, and individuals may provide feedback on matters of concern.

3. The authority presiding the drafting of the national standard or technical regulation shall prepare a consultation dossier including the draft national standard, the draft technical regulation with explanation; and an impact assessment report of the draft technical regulations in cases where consultation is conducted on the draft technical regulation.

4. The authority presiding the drafting of the national standard or technical regulation are responsible for studying and explaining all consulted opinions. The consultation process shall be presented in the explanation of the draft national standard or draft technical regulation.

Article 6. Funding for activities in the field of standards and technical regulations

1. The state budget expenditures on science, technology, innovation and digital transformation for activities in the field of standards and technical regulations include:

a) Expenses for the development and execution of national standards strategies, plans for national standards development, plans for technical regulations development, dissemination of national standards, and dissemination of technical regulations;

b) Expenses for activities related to the development of national standards and technical regulations including approving project proposals for national standards development to serve the planning of national standards; reviewing, researching, developing, consulting and appraising national standards and technical regulations; assessing impacts of technical regulations; assessing the effectiveness of the application of national standards and technical regulations; expenses for the development of base standards announced by state authorities;

c) Expenses for physical facilities and improvement of the professional capacity of authorities in charge of appraising national standards; expenses for the national technical standards committee;

d) Expenses for training on standards and technical regulations; development of high-quality human resources and experts with international-level qualifications in standards and technical regulations;

dd) Expenses for international cooperation on standards and technical regulations including expenses for research and development of national opinions contributing to the drafting of international standards; expenses for experts participating in activities of international technical standards committees, working at international standards organizations; expenses for training and improving the quality of human resources engaging in international technical standards committees; expenses for organizing international conferences and workshops on standards and technical regulations; payment of Vietnam's annual membership fees to international and regional standards organizations;

e) Expenses for notification and enquiry about technical barriers to trade (hereinafter referred to as "TBT") including expenses for developing, operating and upgrading the national notification and enquiry infrastructure on TBT; expenses for researching, analyzing, assessing impacts, and proposing implementation of commitments on TBT, and Standards, Technical Regulations and Conformity Assessment Procedures (STRACAP); expenses for operation of national, ministerial, and local notification and enquiry authorities on TBT;

g) Expenses for developing, operating, maintaining, using and upgrading the National Database on Standards, Metrology and Quality;

h) Expenses for honoring and rewarding authorities, organizations and individuals with positive contributions in the field of standards and technical regulations;

i) Expenses for supporting non-state entities presiding the drafting of national standards, including expenses for organizing workshops, field surveys, and technical dossier preparation; expenses for research, testing and trials. The maximum support from the state budget shall not exceed 30% according to the budget estimate based on the economic-technical norms prescribed in clause 3 of this Article; be implemented through the national program for improving productivity, quality and competitiveness of products and goods in accordance with laws on product and goods quality.

2. Entities using their own funds for research and supporting the development of national standards and technical regulations are eligible for corporate income tax incentives in accordance with laws on science, technology, innovation and corporate income tax.

3. The Minister of Science and Technology shall promulgate economic-technical norms for the development of national standards and technical regulations. These norms shall be developed based on approved public service procedures for using state budget funds in accordance with following principles:

a) Based on scientific and technological achievements, ensuring the stability over a certain period and suitability to practical requirements;

b) Ensuring the consistency in developing economic-technical norms in accordance with state management requirements;

c) Ensuring the accuracy, sufficiency, appropriateness and efficiency in managing and implementing public services.

4. The Ministry of Science and Technology shall preside and cooperate with the Ministry of Finance in regulating regimes, standards and norms of state budget expenditures on science, technology, innovation and digital transformation for activities in the field of standards and technical regulations.

Article 7. International cooperation on standards and technical regulations

1. The national standards body (hereinafter referred to as “NSB”) is the representative of Vietnam in conducting international cooperation activities on standards with international, regional and foreign standards organizations; and presides over the proposal of projects for developing international standards.

Ministries, ministerial authorities, governmental authorities and People's Committees of provinces and cities are responsible for cooperating with the NSB in carrying out international cooperation activities on standards and the development of international standards.

2. Entities wishing to participate in international technical standards committees or work at international and regional standards organizations shall submit a written request to the NSB for consideration and selection in accordance with the requirements for competence, skills and experience as prescribed by respective international and regional standards organizations.

The NSB shall nominate Vietnam’s representatives to participate in international technical standards committees and work at international and regional standards organizations; and is responsible for managing and coordinating the nominated technical experts.

3. For the development of international standards requiring Vietnam’s participation which Vietnam deems necessary to promote socio-economic development, international integration, research, development and application of high technology and strategic technology, as well as to promote key advantaged export and priority fields in Vietnam, the NSB is responsible for assigning appropriate representatives from the national technical standards committee to participate. In cases where the corresponding national technical standards committee does not exist, the NSB shall select experts in accordance with requirements of authorities, organizations, associations, enterprises, or organize expert training in accordance with requirements of international organizations.

Article 8. National standards strategy

1. Grounds for developing the National standards strategy:

a) Resolutions of the Communist Party of Vietnam, National Assembly, Government; strategies, plannings and plans for socio-economic development of Vietnam in each period;

b) International commitments, free trade agreements, cooperation agreements in the fields of standards, metrology, quality, and other international integration activities;

c) The development situation of science, technology, innovation and digital transformation; trends in production and business activities; requirements for improvement of the quality of products, goods and services, and protection of human health, environmental safety and consumer rights in domestic and global markets;

d) The results of developing and applying the national standards system in the previous period and the requirements for the new period;

dd) International trends in standardization and recommendations from international standards organizations.

2. The National standards strategy is developed for a 10-year period in conformity with the objectives and orientations of Vietnam's socio-economic development strategy in each phase.

3. The NSB shall preside and assist the Ministry of Science and Technology to study and cooperate with relevant authorities and organizations in developing and proposing the Prime Minister for promulgation of the National standards strategy, and assess the implementation of the National standards strategy.

Article 9. Transparency, notification and enquiry activities on TBT

1. The Ministry of Science and Technology shall organize and manage the activities of the Network of notification and enquiry points on TBT (hereinafter referred to as "Vietnam TBT Network") including national notification and enquiry points on TBT (hereinafter referred to as "National TBT enquiry points"), notification and enquiry points of ministries (hereinafter referred to as "TBT enquiry points of ministries"), and local TBT enquiry points.

Activities of notification and enquiry about TBT (hereinafter referred to as "TBT activities") at the national level and of the Ministry of Science and Technology are carried out through the National TBT enquiry points established within units of the National Notification and Enquiry Point on Standards, Metrology and Quality (hereinafter referred to as "Vietnam TBT enquiry point") affiliated to the NSB. Ministerial TBT activities are carried out through TBT enquiry points of ministries which are bodies designated by ministries to carry out TBT activities. Local TBT activities are carried out through units managing standards, metrology and quality as assigned by People's Committees of provinces and cities.

2. The Ministry of Science and Technology shall preside and cooperate with relevant authorities and organizations in conducting research, analysis, impact assessment, and proposing implementation measures regarding commitments on TBT and STRACAP.

3. The State shall ensure budget allocation for investment in developing and operating the national notification and enquiry infrastructure on TBT in a synchronized and modern manner in

accordance with requirements for international integration and protection of national interests focusing on the following regulations:

a) Upgrading digital infrastructure by developing and operating a modern Vietnam TBT website, applying digital technology and connecting with the National Database on Standards, Metrology and Quality;

b) Enhancing resources including human and financial resources of the National TBT enquiry points, TBT enquiry points of ministries and local TBT enquiry points to fulfill commitments on TBT and STRACAP under international treaties to which Vietnam is a member;

c) Actively and responsibly participating in TBT activities of Committees or Subcommittees under international treaties to which Vietnam is a member; leveraging international experience in TBT activities; concluding bilateral TBT information-sharing agreements with major trade partners.

4. The State shall support production and business activities of associations and enterprises through the national notification and enquiry infrastructure on TBT by:

a) Providing early warnings on TBT regarding Vietnam's key export markets; organizing impact analysis and assessment of TBT in the warnings with the participation of affected experts, enterprises and associations;

b) Implementing enquiry activities on TBT ensuring updated and easily accessible information;

c) Publishing periodic and thematic TBT newsletters by export-advantaged fields;

d) Collaborating with industry associations to organize TBT training courses, seminars and forums in the fields of Vietnam's main export products and goods; provide guidelines for access and application of technical regulations, international and regional standards.

5. The Ministry of Science and Technology shall cooperate with relevant authorities and organizations in developing dissemination plans and programs for implementation of TBT commitments and STRACAP under international treaties to which Vietnam is a member.

6. Local TBT enquiry points shall develop dissemination plans and programs for local TBT activities for key and potential export products and goods of the province/commune.

7. When developing technical regulations, the promulgating authority shall review regulations related to technical regulations to comply with TBT commitments under international treaties to which Vietnam is a member.

In cases where international, regional or foreign standards are referenced for technical requirements, the promulgating authority shall ensure the availability of Vietnamese version of the referenced documents for relevant organizations and individuals to consult upon request.

8. The Ministry of Science and Technology shall organize and operate the Vietnam TBT website that is connected with the National Database on Standards, Metrology and Quality to help enterprises and associations search for TBT information conveniently.

Article 10. National Database on Standards, Metrology and Quality

1. The National Database on Standards, Metrology and Quality is a unified, modern digital platform integrating relevant data to serve state management and provide information to support organizations and individuals in accordance with the laws.

The National Database on Standards, Metrology and Quality is a component of the national quality infrastructure digital platform that is developed, operated and maintained to serve state management, enterprises, consumers, and management of the national quality infrastructure as prescribed by laws.

2. Principles for developing, updating, managing, and using the National Database on Standards, Metrology, and Quality:

a) The National Database on Standards, Metrology, and Quality shall be developed and managed with a centralized, connected, uniform and synchronized manner from the central to local level;

b) The database shall be developed and updated to provide, share and supply complete, accurate and timely information on activities in the fields of standards, metrology and quality in accordance with requirements for state management; and effectively serve production and business activities of people and enterprises;

c) The database shall comply with requirements for developing, applying, disseminating and managing standards, technical regulations, metrology and quality to ensure stable and continuous operation, and system availability; ensuring information security, protection of data of organizations and individuals; facilitating data collection, updating, adjustment, lookup and use; ensuring connectivity, sharing and rights to use information in the National General Database, specialized databases and other information systems;

d) The National Database on Standards, Metrology, and Quality shall not apply to products, goods, services, processes or environments classified as state secrets.

3. The national data on standards, metrology and quality includes:

a) The data on standards includes the list on national standards; access points to databases of international standards, regional standards, foreign standards; information on internal standards of organizations, associations, enterprises; list of organizations and individuals violating laws on standards; results of review and effectiveness assessment of the application of national standards;

b) The data on technical regulations includes the list and content of national technical regulations; list and content of local technical regulations; list of organizations and individuals

violating laws on technical regulations; results of review and effectiveness assessment of the application of technical regulations;

c) Data on national technical standards committees includes the list of national technical standards committees; lists of members of national technical standards committees including full name, academic titles, academic degrees, membership status, work history, experience, term of office, standards of which development process they used to participate in; list of Vietnamese experts participating in international technical standards committees; list of international standards in which members of national technical standards committees of which development process they used to participate in;

d) The data on metrology includes the list of certified and approved measurement standards; list of approved measurement instruments; list of metrology inspectors; list of organizations registered to provide inspection, calibration and testing services for measuring instruments and standards; list of designated organizations providing inspection, calibration and testing services; information on inspection, calibration, testing activities of group 2 measuring instruments carried out by designated organizations; information on calibration and testing activities of group 1 measuring instruments carried out by registered service providers; lists of organizations and individuals violating laws on metrology;

dd) The data on conformity assessment activities includes the list of registered accreditation bodies; list of designated conformity assessment bodies, registered conformity assessment bodies, accredited conformity assessment bodies; list of declarations of conformity with standards for products, goods, services, processes, environments and other subjects in socio-economic activities of relevant organizations and individuals (including the name of prescribed subjects, corresponding standard name and number, name and address of responsible organization or individual, relevant technical documents); list of declarations of conformity with technical regulations for products, goods, services, processes, environments and other subjects in socio-economic activities of relevant organizations and individuals (including the name of prescribed subjects, corresponding standard name and number, name and address of responsible organization or individual, relevant technical documents); information on declaration of conformity with standards, testing, inspection, validation of use value, verification inspection carried out by conformity assessment bodies; information on declaration of conformity with technical regulations carried out by designated certification bodies; information on accreditation of conformity assessment bodies; list of organizations and individuals violating laws on conformity assessment.

e) The data on national notification and enquiry activities on TBT includes the information on TBT commitments or STRACAP under international treaties to which Vietnam is a party; list of notifications and enquiries on TBT by Vietnam; news about TBT.

g) Information on feedback and handling of petitions of organizations and individuals regarding activities in the field of standards, metrology and quality.

4. The IT infrastructure of the National Database on Standards, Metrology and Quality includes IT technical infrastructure; Data sharing and coordination platform; Database system; Data

analysis system for management purposes; Systems and software for management, use and service provision.

5. Responsibilities of relevant authorities and organizations in building, operating and updating the National Database on Standards, Metrology and Quality

a) Responsibilities of the Ministry of Science and Technology

Preside over the development, management, operation and maintenance of the National Database system to ensure smooth and effective access and update of data by authorities, organizations and individuals; update, supplement, connect and share data on standards, metrology and quality to the National General Database and other specialized databases;

Update the National Database on Standards, Metrology and Quality includes the data on standards, technical regulations and national technical standards committees as prescribed in points a, b and c, clause 3 of this Article in accordance with functions, tasks and powers assigned by the Government; update the data on metrology as prescribed in point d, clause 3 of this Article in accordance with functions, tasks and powers assigned by the Government; update the data on conformity assessment as prescribed in point dd, clause 3 of this Article in accordance with functions, tasks and powers assigned by the Government; update the data on national notification and enquiry activities on TBT as prescribed in point e, clause 3 of this Article in accordance with functions, tasks and powers assigned by the Government; update other data related to activities in the field of standards and technical regulations.

b) Responsibilities of ministries, ministerial authorities, governmental authorities, and People's Committees of provinces and cities

Update information and data prescribed in clause 3 into the National Database on Standards, Metrology and Quality in accordance with delegated and devolved state management functions; update the list of international, regional and foreign standards referenced in technical regulations of which development process they used to participate in;

Connect and share data to the National Database on Standards, Metrology and Quality in accordance with state management functions assigned by the Government;

Be accountable for providing and updating full, accurate and timely information and data within their jurisdiction into the National Database on Standards, Metrology and Quality as prescribed by laws;

Direct affiliated authorities and units to promptly provide and update information and data into the National Database on Standards, Metrology and Quality.

c) The National Data Center is responsible for managing, connecting and using data on standards, metrology and quality in the National General Database to support the development of regimes, policies and serve the socio-economic development.

d) Responsibilities of authorities, associations, industries, enterprises and individuals

Disclose internal standards and update them into the National Database on Standards, Metrology and Quality;

Conduct conformity assessment of the provision of information prescribed in clause 3 of this Article to National Database on Standards, Metrology and Quality;

Conduct the accreditation of the provision of information on implemented activities and results to National Database on Standards, Metrology and Quality;

Encourage conformity assessment bodies and enterprises to develop, operate and maintain their information systems and databases to share data to the National Database on Standards, Metrology and Quality, and support state management and information lookup of citizens and enterprises;

Domestic and foreign organizations and individuals wishing to update standards that they developed, or propose standards or technical regulations that need to be updated into the National Database on Standards, Metrology and Quality shall submit requests to the Ministry of Science and Technology for consideration and updating.

Chapter II

DEVELOPMENT, DISCLOSURE AND APPLICATION OF STANDARDS

Article 11. Rights, interests and responsibilities of organizations and individuals participating in the development of national standards

1. Organizations and individuals responsible for drafting national standards as prescribed in point a, clause 2, Article 14 of this Decree are eligible for support for expenses as prescribed in point i, clause 1, Article 6 of this Decree if such proposed national standards are included in the plan for development of national standards.
2. National standards drafted by organizations and individuals shall be recognized as results of scientific research and innovation; and one of the grounds for consideration for awards in science, technology and innovation, as well as national quality awards.
3. Sponsorships received from enterprises without related party relations, domestic and foreign organizations and individuals; direct support from the state budget and investment support fund established by the Government for enterprises to develop national standards shall be exempt from corporate income tax as prescribed by laws on science, technology, innovation and corporate income tax.
4. Expenses incurred by enterprises for research and development of national standards are deductible expenses when determining taxable income in accordance with laws on science, technology, innovation and corporate income tax.

5. Individuals participating in the development of national standards shall enjoy personal income tax incentives on expert remuneration for development of national standards within the framework of tasks related to science, technology and innovation in accordance with laws on personal income tax.

6. Organizations and individuals with outstanding achievements in research and participation in the development of national standards shall be prioritized for sponsorships or commission for tasks related to science, technology and innovation in accordance with laws on science, technology and innovation. They shall be considered for invitation to participate in national technical standards committees, or represent Vietnam in international technical standards committees.

7. Organizations and individuals participating in the development of national standards are responsible for ensuring the accuracy, scientific basis and legality of the information and data used in draft standards.

Article 12. National technical standards committees

1. National technical standards committees shall carry out tasks as prescribed in Article 16 of the Law. To be specific:

- a) Propose plans, methods and measures for development of national standards;
- b) Develop draft national standards based on drafts proposed by organizations and individuals, and draft national standards in specific fields for subjects under the management of the Ministry of Science and Technology;
- c) Participate in the appraisal of draft national standards developed by ministries, ministerial authorities and governmental authorities;
- d) Participate in the development and provide feedback on draft international standards, draft regional standards, and draft foreign standards related to their fields;
- dd) Cooperate with other technical committees on relevant matters (such as providing feedback on draft national standards, consulting professional opinions, and other matters);
- e) Participate in activities for dissemination and guidelines for application of national standards and other standards;
- g) Participate in the development and appraisal of draft national technical regulations developed by ministries, ministerial authorities and governmental authorities upon request;
- h) Participate in activities in the field of standards and technical regulations under the management of ministries, ministerial authorities and governmental authorities upon request;
- i) Carry out other tasks at the request of the NSB.

2. National technical standards committees shall work based on consensus through open, democratic discussions and feedback. When voting is necessary, decisions are only approved if at least three-fourths of the members agree.

3. The NSB is responsible for managing national technical standards committees. When necessary, the NSB shall establish technical subcommittees based on requests of national technical standards committees or relevant organizations.

4. Technical committees and subcommittees may establish working groups to perform specific tasks assigned to them.

5. The Minister of Science and Technology shall elaborate regulations on the organization, operation, tasks, powers and responsibilities of national technical standards committees.

Article 13. Plans for development of national standards

1. Procedures for drafting and approving plans for development of national standards including five-year plan and annual plan:

a) Ministries, ministerial authorities and governmental authorities shall review and summarize proposals for development of national standards from their affiliated units, national technical standards committees, organizations and individuals;

b) Ministries, ministerial authorities and governmental authorities shall submit electronic request attached with proposals for plan for development of national standards, and one paper copy to the Ministry of Science and Technology for summarization.

The proposals for five-year plan include the expected plan for development of national standards for five years attached with an explanatory document.

The proposals for annual plan include the expected plan for development of national standards for the following year attached with the plan for development of national standards for each subject or group/field;

c) The Ministry of Science and Technology shall review approved and summarized proposals for the plan for national standards, as well as proposals of ministries, ministerial authorities and governmental authorities to draft the plan for development of national standards; collect opinions from relevant authorities, organizations and individuals on the draft plan within 30 days;

d) The Ministry of Science and Technology shall handle feedback for the draft plan; cooperate with ministries, ministerial authorities, governmental authorities, relevant authorities and organizations in completing the draft plan for development of national standards;

dd) The Ministry of Science and Technology shall approve and disclose the plan for development of national standards on the National Database on Standards, Metrology and Quality within 10 days from the approval.

2. When necessary, the Ministry of Science and Technology shall amend the plan for development of national standards in accordance with clause 1, Article 14 of the Law. The amendment to the plan for development of national standards shall comply with clause 1 of this Article.

3. In cases where national standards are developed under simplified procedures, the Ministry of Science and Technology shall amend the plan for development of national standards within 10 days from the receipt of the request from ministries, ministerial authorities or governmental authorities. When necessary, opinions of relevant authorities and organizations shall be collected before approval.

4. In cases where a national standard is not promulgated on time according to the approved plan for development of national standards, the authority drafting such national standard shall report to the Ministry of Science and Technology as a basis for considering and amending the plan for development of national standards for the next phase.

5. Ministries, ministerial authorities and governmental authorities shall draft and approve plans for development of national standards for subjects classified as state secrets, and submit them to the Ministry of Science and Technology for consultation before approval to ensure the consistency of the national standards system, avoid overlap and duplication with other ministries, ministerial authorities and governmental authorities.

6. The Minister of Science and Technology shall elaborate this Article.

Article 14. Development, appraisal and disclosure of national standards

1. Procedures for development, appraisal and disclosure of national standards for draft national standards developed by ministries, ministerial authorities and governmental authorities:

a) Based on the approved plan for development of national standards, ministries, ministerial authorities and governmental authorities shall draft national standards;

b) Ministries, ministerial authorities and governmental authorities shall organize consultation and publicly collect opinions of relevant authorities, organizations and individuals on the draft for at least 60 days; post the draft on their websites and on the National Database on Standards, Metrology and Quality;

c) Ministries, ministerial authorities and governmental authorities shall summarize and handle opinions and feedbacks; post the results of consultation, explanation and handling of opinions on their websites and on the National Database on Standards, Metrology and Quality; complete the draft national standards, submit the dossier on draft national standards to the Ministry of Science and Technology in electronic and paper form for appraisal.

The dossier on appraisal of draft national standards includes the decision on assignment of the task for development of national standards to authorities and organizations attached with the approved project for development of national standards; the draft national standard attached with

an explanatory document; copies of original documents used as the basis for drafting the standard; other reference documents; the list of authorities, organizations and individuals to whom the draft was sent for opinions; the report on summarization and collection of opinions and feedbacks attached with feedback documents (the report shall explain the scientific and practical basis for any opinion or feedback that is not accepted or disagreed); the official dispatch requesting the appraisal of draft national standard of ministries, ministerial authorities, governmental authorities; other documents (if any).

d) The NSB shall assist the Ministry of Science and Technology in organizing the appraisal of draft national standards in accordance with Article 18 of the Law. The time limit for appraisal including the time limit for establishment of the appraisal council and announcement of results shall not exceed 45 days from the receipt of a complete and valid dossier;

dd) If the dossier on draft national standards is incomplete according to appraisal conclusions, ministerial authorities presiding over the development of national standards shall receive, handle, complete the dossier on draft national standards, and submit the dossier to the Ministry of Science and Technology in electronic and paper form within 90 days from the announcement of appraisal result for disclosure.

If the above deadline is exceeded or based on appraisal conclusions, the draft national standards shall be re-appraised.

e) The Ministry of Science and Technology shall disclose national standards according to appraisal result confirming the conformity of the standards, or the dossiers completed in accordance with valid and conformity appraisal result; and announce the disclosure of national standards on the National Database on Standards, Metrology and Quality.

The dossier on disclosure of national standards includes: the draft decision on disclosure of national standards attached with the draft national standards; the report on appraisal result of the dossier on draft national standards of the appraising body; the report on receiving and explaining appraisal result of the draft national standards attached with the dossier on draft national standards completed after the appraisal in cases where the dossier must be completed in accordance with appraisal result; official dispatch requesting national standards of ministries, ministerial authorities and governmental authorities.

2. Procedures for development, appraisal and disclosure of national standards for draft national standards developed by organizations and individuals:

a) Organizations and individuals shall draft standards or propose existing standards to the Ministry of Science and Technology for consideration to include them in the plan for development of national standards in cases where they satisfy requirements of necessity, feasibility and scientific validity;

b) The Ministry of Science and Technology, through the NSB, shall assign national technical standards committees to draft national standards based on drafts proposed by organizations and

individuals; organize consultation and publicly collect opinions of relevant authorities, organizations and individuals on the drafts;

c) National technical standards committees shall summarize and collect opinions and feedbacks; post the results of consultation, explanation and handling of opinions on the website of the Ministry of Science and Technology; complete draft national standards, and submit the dossier on draft national standards to the Ministry of Science and Technology in electronic and paper form for appraisal;

d) The NSB shall assist the Minister of Science and Technology in organizing the appraisal of draft national standards and propose the Minister of Science and Technology for disclosure of national standards. The appraisal and disclosure of national standards shall comply with points d, dd and e, clause 1 of this Article.

The dossier on appraisal of draft national standards include the decision on assignment of the task for development of national standards attached with the approved project for development of national standards; the draft national standard attached with an explanatory document; copies of original documents used as the basis for drafting the standard; other reference documents; the list of authorities, organizations and individuals to whom the draft was sent for opinions; the report on summarization and collection of opinions and feedbacks attached with feedback documents (the report shall explain the scientific and practical basis for any opinion or feedback that is not accepted or disagreed); other documents (if any).

The dossier on disclosure of national standards includes: the draft decision on disclosure of national standards attached with the draft national standards; the written request for development of national standards of organizations and individuals attached with the draft of requested standards; the appraisal result of draft national standards of the appraising body; the report on receiving and explaining appraisal result of draft national standards attached with the dossier on draft national standards completed after the appraisal in cases where the dossier must be completed in accordance with appraisal result.

3. Procedures for development, appraisal and disclosure of national standards for draft national standards developed by the Ministry of Science and Technology:

a) Based on the approved plan for development of national standards, the Ministry of Science and Technology, through the NSB, shall assign corresponding national technical standards committees, affiliated units, or establish a drafting team to develop and complete the dossier on draft national standards in accordance with points a, b and c, clause 1 of this Article, and submit the dossier on draft national standards to the Ministry of Science and Technology in electronic and paper form for appraisal.

The dossier on appraisal of draft national standards include the decision on assignment of the task for development of national standards to authorities and organizations attached with the approved project for development of national standards; the draft national standard attached with an explanatory document; copies of original documents used as the basis for drafting the standard; other reference documents; the list of authorities, organizations and individuals to

whom the draft was sent for opinions; the report on summarization and collection of opinions and feedbacks attached with feedback documents (the report shall explain the scientific and practical basis for any opinion or feedback that is not accepted or disagreed); other documents (if any).

b) The NSB shall assist the Minister of Science and Technology in organizing the appraisal of draft national standards and propose the Minister of Science and Technology for disclosure of national standards.

The appraisal and disclosure of national standards shall comply with points d, dd and e, clause 1 of this Article.

The dossier on disclosure of national standards includes: the draft decision on disclosure of national standards attached with the draft national standards; the report on appraisal result of the dossier on draft national standards of the appraising body; the report on receiving and explaining appraisal result of the draft national standards attached with the dossier on draft national standards completed after the appraisal in cases where the dossier must be completed in accordance with appraisal result.

4. The priority shall be given to fully accepting international standards, regional standards, and foreign standards when developing national standards for subjects that involve innovation, strategic technology, high technology, new technology; fulfilling international commitments on standards harmonization; and promoting multilateral and bilateral trade facilitation.

Procedures for development and measures for accepting international, regional and foreign standards as national standards shall comply with guidelines in National Standards TCVN 6709, and regulations in clauses 1, 2 and 3 of this Article.

5. The Ministry of Science and Technology shall inspect and supervise the development, disclosure and application of national standards in accordance with laws on standards and technical regulations.

6. The Minister of Science and Technology shall elaborate this Article.

Article 15. Development, appraisal and disclosure of internal standards

1. The development and promulgation of internal standards shall comply with functions, tasks and powers of state authorities or with production, business and operational requirements of economic organizations, public service providers and socio-professional organizations.

2. State authorities, economic organizations, public service providers and socio-professional organizations shall develop and promulgate internal standards including activities such as drafting, collecting and handling opinions, completing the draft internal standards, preparing the dossier, reviewing the draft internal standards, and promulgating internal standards.

3. Announcement on disclosure of internal standards

a) Basic characteristics of announced internal standards are the fundamental indicators on quality, features and design of the subject regulated by internal standards.

b) When making the announcement of disclosure of internal standards, organizations have the right to withhold information related to basic characteristics of internal standards if such information falls within the scope of intellectual property protection as prescribed by laws.

4. State authorities, economic organizations, public service providers and socio-professional organizations are responsible for the content of disclosed internal standards.

5. The Minister of Science and Technology shall elaborate this Article.

Article 16. Publication and distribution of national standards

1. National standards funded by the state budget; national standards cited in technical regulations shall be published and distributed in accordance with laws and regulations on copyright regarding standards used as the basis for developing these national standards.

2. National standards shall be published and distributed in both paper and electronic forms.

3. Amendments to national standards shall be published as separate documents until the standards are reprinted.

In cases where a national standard consists of multiple parts, each part may be published separately or as a set of standards with multiple parts to facilitate usage and lookup.

4. Ministries, ministerial authorities, governmental authorities, organizations and individuals may only publish and distribute national standards that they did not draft after obtaining written consent of the Ministry of Science and Technology.

Article 17. Procedures for correction of national standards

1. The Ministry of Science and Technology shall correct national standards that contain errors in presentation format, standard numbers, or editorial content without affecting or changing technical regulations and requirements for the standards based on the results of review of national standards or request of ministries, ministerial authorities, governmental authorities, organizations or individuals.

2. Ministries, ministerial authorities and governmental authorities shall submit written request for correction of national standards that they developed attached with the draft of corrected national standards (if any) to the Ministry of Science and Technology.

If the correction request satisfies the requirements prescribed in clause 1 of this Article, the Ministry of Science and Technology shall update and notify the corrected national standards.

3. Authorities, organizations and individuals may send request for correction of national standards that they did not develop to the Ministry of Science and Technology.

If the correction request satisfies the requirements prescribed in clause 1 of this Article, the Ministry of Science and Technology shall send a written notification to the authority responsible for developing national standards. Based on the consensus opinion of the responsible authority, the Ministry of Science and Technology shall update and notify the corrected national standards.

4. The Ministry of Science and Technology shall correct national standards that they developed in accordance with clause 2 of this Article.

Article 18. Review and assess the effectiveness of application of national standards

1. Ministries, ministerial authorities and governmental authorities shall preside and cooperate with the Ministry of Science and Technology in reviewing and assessing the effectiveness of application of national standards under their management every 3 years or earlier (if necessary) from the date on which the standards were promulgated.

2. The assessment of the effectiveness of application of national standards shall be carried out based on the following factors: the suitability of the standards to practical and international integration requirements; the effectiveness in improving product and service quality; the impacts on economic, environmental and social efficiency; and relevant costs and benefits.

Article 19. Amendments to national standards

Procedures for amendments to national standards shall comply with procedures for development and disclosure of national standards prescribed in Articles 14, 23 and 24 of this Decree.

Article 20. Annulment of national standards

1. In cases of annulment of national standards based on the results of the periodic review of national standards, the NSB shall, based on the periodic review results, prepare a written request for annulment of national standards and propose the Minister of Science and Technology for consideration and decision on the announcement of annulment. The written request for annulment of national standards in electronic and paper form includes:

- a) The national standard proposed for annulment;
- b) A summary of opinions from relevant authorities, organizations and individuals regarding the annulment of the national standard during the review process (if any);
- c) Relevant documents (if any);
- d) An official dispatch of the NSB requesting for annulment of the national standard attached to an explanatory document.

2. In cases of annulment of national standards at the request of ministries, ministerial authorities, governmental authorities, national technical standards committees, organizations and individuals, the NSB shall appraise the written request for annulment of national standards that are developed and requested for appraisal by ministries, ministerial authorities, governmental authorities, national technical standards committees, organizations and individuals; submit appraisal result and draft decisions on annulment to the Minister of Science and Technology for consideration and decision. The written request for annulment of national standards in electronic and paper form includes:

- a) The national standard proposed for annulment;
- b) Written request ministries, ministerial authorities, governmental authorities, national technical standards committees, organizations and individuals with clear reasons, legal basis and scientific basis;
- c) Opinions of relevant authorities, organizations and individuals;
- d) Relevant documents (if any).

Article 21. Replacement of national standards

1. The replacement of national standards is the activities of disclosing new national standards as well as annulling old corresponding national standards based on the review results or at the request of authorities, organizations and individuals.
2. Procedures and dossiers on replacement of national standards shall comply with Articles 14, 20, 23 and 24 of this Decree.

Article 22. Dissemination of national standards

1. The Ministry of Science and Technology shall cooperate with ministries, ministerial authorities and governmental authorities in developing the plan for dissemination of disclosed national standards.
2. Ministries, ministerial authorities and governmental authorities shall preside and cooperate with relevant authorities and organizations in disseminating and providing guidelines for application of national standards that they developed, or national standards related to fields under their management within their jurisdiction.
3. The dissemination of national standards shall be carried out under the following methods: conferences, seminars, training courses, workshops and other methods.

Article 23. Development and disclosure of national standards under simplified procedures

1. Ministers; heads of ministerial authorities; and heads of governmental authorities shall the decide the application of simplified procedures for development of national standards.

2. Simplified procedures for development, appraisal and disclosure of national standards:

a) Based on the approved plan for development of national standards, ministries, ministerial authorities and governmental authorities shall draft national standards;

b) Ministries, ministerial authorities and governmental authorities shall collect opinions of regulated entities, relevant authorities, organizations and individuals (if any). The time limit for collecting opinions shall not exceed 10 days;

c) Ministries, ministerial authorities and governmental authorities shall submit dossiers in electronic and paper form to the Ministry of Science and Technology for appraisal. Within 07 working days from the receipt of a valid dossier, the Ministry of Science and Technology shall assign the NSB to organize an appraisal council and announce the result of appraisal of the draft national standards.

The appraisal dossier on the draft national standards under simplified procedures includes: the decision on assignment of the task for development of national standards; the draft national standards attached with an explanatory document; copies of original documents used as the basis for drafting the standards; other reference documents; the list of authorities, organizations and individuals to whom the draft was sent for opinions; the report on summarization and collection of opinions and feedbacks attached with feedback documents (the report shall explain the scientific and practical basis for any opinion or feedback that is not accepted or disagreed); official dispatch requesting for appraisal of the draft national standards of ministries, ministerial authorities and governmental authorities.

d) The Ministry of Science and Technology shall disclose national standards within 07 days from the issuance of appraisal result confirming the conformity of the standards, or the dossiers completed in accordance with valid and conformity appraisal result; and announce the disclosure of national standards within 03 working days from the disclosure of such standards.

The dossier on disclosure of national standards includes: the draft decision on disclosure of national standards attached with the draft national standards; the report on appraisal result of the dossier on draft national standards of the appraising body; the report on receiving and explaining appraisal result of the draft national standards attached with the dossier on draft national standards completed after the appraisal in cases where the dossier must be completed in accordance with appraisal result; official dispatch requesting national standards of ministries, ministerial authorities and governmental authorities.

Article 24. Development and disclosure of national standards for subjects classified as state secrets

1. The development and disclosure of national standards for subjects classified as state secrets shall comply with principles of state secret protection in accordance with laws on state secret protection.

2. Procedures for development and disclosure of national standards for subjects classified as state secrets:

a) Based on the approved plan for development of national standards, ministries, ministerial authorities and governmental authorities shall draft national standards with the participation of representatives of authorities, organizations or individuals that are assigned tasks related to state secret protection;

b) Ministries, ministerial authorities and governmental authorities shall collect opinions of authorities, organizations and individuals related to the draft national standards (if necessary) in accordance with laws on state secret protection;

c) Ministries, ministerial authorities and governmental authorities shall study and incorporate opinions of authorities, organizations and individuals to complete the draft national standards, and appraise the draft national standards in accordance with Article 18 of the Law.

The appraisal dossier on the draft national standards includes: the decision on assignment of the task for development of national standards to authorities and organizations attached with the approved project for development of national standards; the draft national standard attached with an explanatory document; copies of original documents used as the basis for drafting the standard; other reference documents; the list of authorities, organizations and individuals to whom the draft was sent for opinions; the report on summarization and collection of opinions and feedbacks attached with feedback documents (if any); other documents (if any).

d) Ministries, ministerial authorities and governmental authorities shall disclose the national standards and announce the Ministry of Science and Technology on the disclosure of national standards.

The dossier on disclosure of national standards includes: the draft decision on disclosure of national standards attached with the draft national standards; the report on appraisal result of the dossier on draft national standards; the report on receiving and explaining appraisal result of the draft national standards attached with the dossier on draft national standards completed after the appraisal in cases where the dossier must be completed in accordance with appraisal result.

Article 25. Disclosure of applied standards

1. The disclosure of applied standards refers to the act of organizations or individuals in production and business notifying applied standards and basic characteristics of products, goods, services, processes or environments.

Applied standards may include international standards, regional standards, foreign standards, national standards, and internal standards.

2. The disclosure of applied standards shall be carried out by marking applied standard number or basic characteristics on the label or packaging of products or goods, or in guidelines and

promotional documents attached with products, goods, services, processes, environments and other appropriate forms.

3. Organizations and individuals are accountable to the laws for applied standards that they disclose, and shall provide relevant technical documents demonstrating that the products, goods, services, processes, environments and other subjects in socio-economic activities conform to the disclosed standards at the request of competent authorities.

Chapter III

DEVELOPMENT, PROMULGATION AND APPLICATION OF TECHNICAL REGULATIONS

Article 26. Plan for development of technical regulations

1. Procedures for drafting and approving plans for development of technical regulations including five-year plan and annual plan:

a) Authorities promulgating technical regulations shall review and summarize proposals for development of technical regulations of affiliated units, and draft the plan for development of technical regulations;

b) Authorities promulgating technical regulations shall collect opinions of relevant authorities and individuals regarding the draft plan for development of technical regulations to ensure the consistency and uniformity of the technical regulations system. Responses shall be sent to authorities collecting opinions within 20 days from the receipt of the request;

c) Authorities promulgating technical regulations shall handle opinions and feedbacks, and complete the draft plan for development of technical regulations;

d) Authorities promulgating technical regulations shall approve and announce the disclosure of the plan for development of technical regulations on the National Database on Standards, Metrology and Quality within 30 days from the date of approval.

2. When necessary, authorities promulgating technical regulations shall amend the plan for development of technical regulations in accordance with clause 1, Article 29 of the Law. The amendment to the plan for development of technical regulations shall comply with clause 1 of this Article.

3. In cases where technical regulations are developed under simplified procedures, authorities promulgating technical regulations shall consult the Ministry of Science and Technology. If necessary, they may consult other relevant authorities and organizations before amending the development plan. The Ministry of Science and Technology is responsible for responding within 10 days from the receipt of the consultation request from authorities promulgating technical regulations.

4. Ministries, ministerial authorities and governmental authorities shall draft and approve plans for development of national technical regulations for subjects classified as state secrets, and submit them to the Ministry of Science and Technology for consultation before approval to ensure the consistency, avoid overlap and duplication with other ministries, ministerial authorities and governmental authorities.

5. The drafting and approval of the plan for development of technical regulations may replace the drafting and approval of the plan for development of legislative documents on promulgation of corresponding technical regulations.

6. The Minister of Science and Technology shall elaborate this Article.

Article 27. Development, appraisal and promulgation of technical regulations

1. Procedures for development, appraisal and promulgation of technical regulations:

a) Based on the approved plan for development of technical regulations, authorities promulgating national technical regulations prescribed in Article 27 of the Law shall draft national technical regulations; conduct an impact assessment of national technical regulations with the participation of relevant authorities, organizations and individuals.

b) Authorities promulgating national technical regulations shall organize consultation and publicly collect opinions of relevant authorities, organizations and individuals on the dossier on draft national technical regulations and draft circular on promulgation of national technical regulations on their websites and the National Database on Standards, Metrology, and Quality; and submit the draft national technical regulations to the Ministry of Science and Technology for collection of opinions of WTO members in accordance with the WTO/TBT Agreement on TBT. The time limit for collection of opinions shall not exceed 60 days.

The opinion solicitation dossier includes the draft national technical regulations attached with an explanatory note; the impact assessment report of the draft national technical regulations; the opinion solicitation dossier on the draft circular on promulgation of national technical regulations in accordance with laws on promulgation of legislative documents.

c) Authorities promulgating national technical regulations shall study and incorporate opinions of authorities, organizations and individuals; post the results of consultation, explanation and handling of opinions on their websites and on the National Database on Standards, Metrology, and Quality; complete the dossier on the draft national technical regulations.

d) Authorities promulgating national technical regulations shall organize an appraisal council to appraise the dossier on draft national technical regulations in accordance with Article 33 of the Law; invite representatives of authorities, organizations, associations, enterprises affected by the technical regulations, experts and scientists to participate in the appraisal council. The appraisal council shall be dissolved upon the completion of the appraisal meeting. If the dossier on draft national technical regulations fails to comply with Article 33 of the Law, the draft shall be re-appraised based on the appraisal council's conclusions.

The appraisal dossier on the draft technical regulations includes: the decision on assignment of the task for development of technical regulations attached with the approved plan for development of technical regulations; the impact assessment report of draft technical regulations; the draft technical regulations attached with an explanatory document; copies of original documents used as the basis for drafting the technical regulations; other reference documents; the list of authorities, organizations and individuals to whom the draft was sent for opinions; the report on summarization and collection of opinions and feedbacks attached with feedback documents (if any); other documents (if any).

The appraisal of the dossier on draft technical regulations shall be carried out either prior to or concurrently with the appraisal of the draft circular on promulgating of technical regulations in accordance with laws on promulgation of legislative documents.

dd) Authorities promulgating technical regulations shall complete the dossier in accordance with the appraisal result, submit the dossier in electronic and paper form to the Ministry of Science and Technology for opinions. The dossier on collection of opinions includes the draft national technical regulations completed in accordance with the appraisal result attached with an explanatory document; the impact assessment report of draft technical regulations.

e) The Ministry of Science and Technology shall make a response to the dossier on draft national technical regulations to ensure the consistency, uniformity, and avoid duplication within the technical regulations system; and comply with the commitment to eliminate TBT under international treaties to which Vietnam is a party. The time limit for response shall not exceed 15 days from the receipt of the valid dossier as prescribed in point dd, clause 1 of this Article.

g) Authorities promulgating national technical regulations shall complete the draft and promulgate national technical regulations after collecting opinions of the Ministry of Science and Technology; and carry out procedures in accordance with laws on promulgation of legislative documents.

The proposal for promulgation of technical regulations includes the report on the appraisal result of the dossier on draft national technical regulations; the dossier on draft national technical regulations completed after the appraisal; the explanation on the appraisal result of draft national standards; official dispatch on opinions of the Ministry of Science and Technology on the dossier on draft national technical regulations; the proposal for promulgation of draft national technical regulations in accordance with laws on promulgation of legislative documents.

2. Procedures for development and promulgation of local technical regulations:

a) Based on the approved plan for development of technical regulations, People's Committees of provinces and cities shall draft local technical regulations; conduct an impact assessment of local technical regulations with the participation of relevant authorities, organizations, associations, enterprises and individuals.

b) People's Committees of provinces and cities shall organize consultation and publicly collect opinions of relevant authorities, organizations and individuals on the dossier on draft local

technical regulations and draft decision on promulgation of local technical regulations; cooperate with national TBT enquiry points in collecting opinions of WTO members in accordance with the WTO/TBT Agreement on TBT. The time limit for collection of opinions shall not exceed 60 days.

The opinion solicitation dossier includes the draft local technical regulations attached with an explanatory note; the impact assessment report of the draft technical regulations; the opinion solicitation dossier on the draft decision on promulgation of local technical regulations in accordance with laws on promulgation of legislative documents.

c) People's Committees of provinces and cities shall study and incorporate opinions of authorities, organizations and individuals; post the results of consultation, explanation and handling of opinions on their websites and on the National Database on Standards, Metrology, and Quality; complete the draft local technical regulations.

d) People's Committees of provinces and cities shall organize an appraisal council to appraisal the draft local technical regulations in accordance with Article 33 of the Law and comply with point d, clause 1 of this Article.

The appraisal of the dossier on draft technical regulations shall be carried out either prior to or concurrently with the appraisal of the draft decision on promulgation of technical regulations in accordance with laws on promulgation of legislative documents.

dd) People's Committees of provinces and cities shall complete and submit the dossier to competent authorities as prescribed in point a, clause 1, Article 27 of the Law for opinions. The response shall be made within 15 working days from the receipt of the valid dossier. The dossier on collection of opinions shall be submitted in electronic and paper form including the draft local national regulations completed in accordance with the appraisal result attached with an explanatory document; the impact assessment report of the draft technical regulations.

e) People's Committees of provinces and cities shall promulgate local national regulations after collecting opinions of competent authorities prescribed in point a, clause 1, Article 27 of the Law.

The proposal for promulgation of technical regulations includes the report on the appraisal result of the dossier on draft national technical regulations; the dossier on draft national technical regulations completed after the appraisal; the report on incorporation of opinions, and explanation on the appraisal result of draft national standards, opinions of competent authorities as prescribed in point a, clause 1, Article 27 of the Law (if any); the proposal for promulgation of the draft decision on promulgation of local technical regulations in accordance with laws on promulgation of legislative documents.

3. The procedures for development of the draft, collection of opinions, impact assessment and appraisal of technical regulations shall comply with regulations in this Decree to ensure the consistency with procedures for development and promulgation of legislative documents.

4. The development, appraisal and promulgation of national technical regulations for subjects under the management of governmental authorities.

a) The Ministry of Science and Technology shall approve the plan for development of national technical regulations at the request of governmental authorities;

b) Governmental authorities shall prepare the draft, assess the impact, organize consultation, collect opinions, complete the dossier on draft national technical regulations in accordance with procedures in clause 1 of this Article, and submit to the Ministry of Science and Technology for appraisal;

c) The Ministry of Science and Technology shall organize an appraisal council to appraise the draft national technical regulations and promulgate national technical regulations in accordance with clause 1 of this Article.

5. During the development, appraisal and promulgation of technical regulations, competent authorities are responsible for make a respond to organizations and individuals regarding the content and procedures for development of technical regulations.

6. The impact assessment report of the draft technical regulations:

a) The preparation of the impact assessment report of the draft technical regulations shall be carried out using quantitative and qualitative methods. In cases where quantitative methods cannot be applied, the impact assessment report shall include the reasons.

b) The information used for preparing the impact assessment report of the draft technical regulations shall be accurate, truthful and include clear information sources.

c) The fundamental content of the impact assessment report shall include the general overview of the content of the draft technical regulations; problem identification (assessment and analysis of practical shortcomings, risk levels, detailed explanation of the draft technical regulations that may have impacts, legal basis, scientific basis, reasons for technical criteria and management requirements); solutions to address the issues; analysis and assessment of the positive and negative impacts of each solution regarding the State, citizens and enterprises (analysis of cost-benefit, socio-economic impact, environmental impact, consumer impact, etc.); feasibility and readiness of technical infrastructure, capacity for conformity assessment activities after technical regulations are promulgated (analysis and assessment of expert team capacity; domestic laboratories, inspection, certification capabilities; ability to recognize conformity assessment results by international or foreign organizations; inspection, supervision, post-control, etc.); transition period (in cases where there are applicable regulations related to the draft technical regulations), effective date of technical regulations; consultation process on issues that may affect socio-economic conditions, environment, business operations of enterprises, and explanations of relevant opinions; recommendations for optimal solutions based on analysis and consultation processes with relevant parties.

7. The Ministry of Science and Technology shall inspect and supervise the development, promulgation and application of technical regulations in accordance with laws on standards and technical regulations.

8. The Minister of Science and Technology shall elaborate this Article.

Article 28. Development, appraisal and promulgation of technical regulations for subjects classified as state secrets

1. The development, appraisal and promulgation of technical regulations for subjects classified as state secrets shall comply with principles of state secret protection in accordance with laws on state secret protection.

2. Procedures for development, appraisal and promulgation of technical regulations for subjects classified as state secrets:

a) Based on the approved plan for development of technical regulations, authorities promulgating national technical regulations prescribed in Article 27 of the Law shall draft national technical regulations with the participation of representatives of authorities, organizations or individuals assigned tasks related to state secrets.

b) Authorities promulgating national technical regulations shall collect opinions of relevant authorities, organizations and individuals (if necessary) in accordance with laws on state secret protection;

c) Authorities promulgating national technical regulations shall study and incorporate opinions of authorities, organizations and individuals to complete the draft national technical regulations, organize the appraisal council, promulgate national technical regulations, and notify the Ministry of Science and Technology about the promulgation of national technical regulations.

Article 29. Development and promulgation of technical regulations under simplified procedures

1. Regarding national technical regulations:

a) Based on the approved plan for development of technical regulations, authorities promulgating national technical regulations shall draft, assess the impacts, and collect opinions of regulated entities, authorities, organizations and individuals. The opinion solicitation dossier shall comply with point b, clause 1, Article 27 of this Decree. The time limit for collecting opinions shall not exceed 30 days;

b) Authorities promulgating technical regulations shall appraise the dossier on draft technical regulations; complete the dossier in accordance with the appraisal result, and submit to the Ministry of Science and Technology for opinions before promulgation. The Ministry of Science and Technology shall make a response within 10 days from the receipt of a valid dossier. The

appraisal and collection of opinions of the Ministry of Science and Technology shall comply with points d, dd and e, clause 1, Article 27 of this Decree;

c) Authorities promulgating national technical regulations shall complete the draft and promulgate national technical regulations after collecting opinions of the Ministry of Science and Technology;

d) The collection of opinions, appraisal and proposal for promulgation of national technical regulations shall comply with clause 1, Article 27 of this Decree.

2. Regarding local technical regulations:

a) Based on the approved plan for development of technical regulations, People's Committees of provinces and cities shall draft, assess the impacts, and collect opinions of regulated entities, relevant authorities, organizations and individuals. The opinion solicitation dossier shall comply with point b, clause 2, Article 27 of this Decree. The time limit for collecting opinions shall not exceed 30 days;

b) People's Committees of provinces and cities shall appraisal the draft technical regulations; complete the dossier in accordance with the appraisal result and promulgate the technical regulations;

c) The collection of opinions, appraisal and proposal for promulgation of local technical regulations shall comply with clause 2, Article 27 of this Decree.

Article 30. Assignment of responsibilities for development and promulgation of national technical regulations

1. Ministries, ministerial authorities, governmental authorities shall develop and promulgate national technical regulations for subjects under their management in accordance with functions and tasks assigned by the Government.

2. If there are new subjects other than those prescribed in clause 1 of this Article, the Ministry of Science and Technology shall cooperate with relevant authorities to report to the Prime Minister for consideration and decision on assignment of the presiding authority to develop and promulgate technical regulations.

3. If there is an overlap of subjects for developing national technical regulations, ministries, ministerial authorities and governmental authorities are responsible for proposing and determining the presiding authority in writing to the Ministry of Science and Technology.

The Ministry of Science and Technology shall preside and cooperate with relevant ministries, ministerial authorities and governmental authorities in considering and determining the authority presiding the development of inter-sectoral national technical regulations, report to the Prime Minister.

Article 31. Review and assess the effectiveness of the application of technical regulations

1. Authorities promulgating technical regulations shall review and assess the effectiveness of the application of technical regulations every 05 years or earlier (if necessary) from the date on which the technical regulations were promulgated.

2. The assessment of the effectiveness of application of technical regulations shall be carried out based on the following factors: the suitability of the technical regulations to practical and international integration requirements; the safety and security; the impacts on economic, environmental and social efficiency; and relevant costs and benefits.

Article 32. Amendments to technical regulations

Procedures for amendments to technical regulations shall comply with procedures for development and promulgation of technical regulations prescribed in Articles 27, 28 and 29 of this Decree.

Article 33. Annulment of technical regulations

1. Based on the reviewing results or proposals of organizations and individuals, the authority promulgating the national technical regulations shall collect opinions of the Ministry of Science and Technology, relevant authorities, organizations and individuals; prepare the dossier on annulment of national technical regulations; review the dossier and promulgate legislative documents to annul national technical regulations.

a) The dossier on collection of opinions regarding annulment of national technical regulations includes: the national technical standard proposed for annulment; an explanatory document including reasons, legal basis, and scientific basis.

a) The dossier on reviewing annulment of national technical regulations includes: the national technical regulations proposed for annulment; and explanatory document including reasons, legal basis, scientific basis; opinions of the Ministry of Science and Technology, relevant authorities, organizations and individuals (if any); the response documents to such opinions; results of periodic review and recommendations; other documents (if any).

2. Based on the reviewing results or proposals of organizations and individuals, People's Committees of provinces and cities shall collect opinions of the Ministry of Science and Technology, ministerial authorities managing relevant fields, relevant authorities, organizations and individuals; prepare the dossier on annulment of local technical regulations; review the dossier and promulgate legislative documents to annul national technical regulations.

a) The dossier on collection of opinions regarding annulment of local technical regulations includes: the local technical regulations proposed for annulment; an explanatory document including reasons, legal basis, and scientific basis.

b) The dossier on reviewing annulment of local technical regulations includes: the local technical regulations proposed for annulment; an explanatory document including reasons, legal basis, scientific basis; opinions of the Ministry of Science and Technology, ministries, ministerial authorities managing relevant fields, relevant authorities, organizations and individuals (if any); the response documents to such opinions; results of periodic review and recommendations; other documents (if any).

Article 34. Replacement of technical regulations

1. The replacement of technical regulations is the activities of promulgating new technical regulations as well as annulling old corresponding technical regulations based on the review results or at the request of authorities, organizations and individuals.
2. Procedures and dossiers on replacement of technical regulations shall comply with procedures for development and promulgation of technical regulations prescribed in Articles 27, 28, 29 and 33 of this Decree.

Article 35. Registration of technical regulations

1. Ministries, ministerial authorities, People's Committees of provinces and cities shall submit promulgated technical regulations to the Ministry of Science and Technology within 15 days from the promulgation of such technical regulations.
2. The Ministry of Science and Technology shall receive the technical regulations and update to the National Database on Standards, Metrology and Quality.

Article 36. Correction of technical regulations

1. The authority promulgating technical regulations shall correct technical regulations that contain errors in presentation format, number, or editorial content without affecting or changing regulations or technical requirements of the technical regulations based on the results of review or request of ministries, ministerial authorities, governmental authorities, organizations and individuals.
2. Ministries, ministerial authorities, governmental authorities, organizations and individuals shall submit written request for correction of technical regulations that they developed attached with the draft of corrected technical regulations (if any) to the authority promulgating technical regulations.

If the correction request satisfies the requirements prescribed in clause 1 of this Article, the authority promulgating technical regulations shall correct and notify the correction of technical regulations in accordance with laws on promulgation of legislative documents, and submit a corrected copy to the Ministry of Science and Technology.

Chapter IV

CONFORMITY ASSESSMENT IN ACCORDANCE WITH STANDARDS AND TECHNICAL REGULATIONS

Article 37. Declaration of standard conformity, declaration of regulation conformity

1. Declaration of standard conformity shall comply with the following principles:

- a) Declaration of standard conformity is a voluntary activity;
- b) Organizations and individuals have the right to select and list applied standards for their products, goods, processes, environment or other subjects in their socio-economic activities as prescribed in the notification of standard conformity;
- c) Persons responsible for products, goods, services, processes, environment or other subjects in socio-economic activities shall sign in the notification of standard conformity;
- d) Organizations and individuals shall post the notification of standard conformity via the National Database on Standards, Metrology and Quality. If the National Database on Standards, Metrology and Quality is error or its infrastructure is incomplete, organizations and individuals shall submit the notification of standard conformity in person or by post;
- dd) Organizations and individuals are responsible for the information in the notification of standard conformity;
- e) Organizations and individuals are responsible for archiving all technical documents related to products, goods, services, processes, environment or other subjects in socio-economic activities that have been declared standard conformity, and providing them upon request.

2. Declaration of regulation conformity shall comply with the following principles:

- a) Declaration of regulation conformity is a compulsory activity, except for cases eligible for exempt from declaration of regulation conformity prescribed in clause 2, Article 48 of the Law;
- b) Organizations and individuals shall determine and list all applicable compulsory technical regulations for their products, goods, services, processes, environment or other subjects in their socio-economic activities in the written registration for declaration of regulation conformity;
- c) Specialized authorities shall provide guidelines for organizations and individuals in determining and listing all applicable compulsory technical regulations when notifying the declaration of regulation conformity;
- d) Persons responsible for products, goods, services, processes, environment or other subjects in socio-economic activities shall sign in the written registration for declaration of regulation conformity;

dd) Organizations and individuals shall register the declaration of regulation conformity via the National Database on Standards, Metrology and Quality. If the National Database on Standards, Metrology and Quality is error or its infrastructure is incomplete, organizations and individuals shall submit the written registration for declaration of regulation conformity in person or by post;

e) Organizations and individuals are responsible for the information in the written registration for declaration of regulation conformity;

g) Organizations and individuals are responsible for archiving all technical documents related to products, goods, services, processes, environment or other subjects in socio-economic activities that have been declared regulation conformity, and providing them upon request.

3. The Minister of Science and Technology shall elaborate this Article.

Article 38. Standard conformity marks, regulation conformity marks

1. Standard conformity marks shall be issued by conformity certification organizations to subjects that are certified as conforming with standards. The shape, structure and presentation of the marks shall comply with regulations of conformity certification organizations in accordance with guidelines of the Ministry of Science and Technology.

2. Regulation conformity marks shall be issued by regulation conformity certification organizations to products, goods that are certified as conforming with technical regulations; or affixed on products, goods that are certified as conforming with technical regulations by organizations or individuals declaring regulation conformity after registering for declaration of regulation conformity. The shape, structure and presentation of the marks shall comply with regulations of the Ministry of Science and Technology.

3. Business and trading entities shall affix standard conformity marks after being certified for standard conformity, or affix regulation conformity marks on products, goods, packaging, documents related to products, goods, services, processes or environments that have been certified for standard conformity or regulatory conformity.

4. The Minister of Science and Technology shall elaborate this Article.

Article 39. Certification of standard conformity for internal standards of industry associations

1. Industry associations operating nationwide are organizations that comply with laws on establishment, organization, operation and state management of associations.

2. Internal standards of associations used for certification shall comply with the following requirements:

a) Citing or referencing national technical regulations or national standards shall be prioritized;

b) In case there are no national technical regulations or national standards as prescribed in point a, it is permitted to cite or reference international standards, regional standards, or foreign standards;

c) There must be written opinions from relevant ministries and the national standards body;

d) They must comply with the principles prescribed in the national standard TCVN ISO/IEC 17007 “Conformity assessment — Guidelines for drafting documents used for conformity assessment”.

3. The Minister of Science and Technology shall elaborate this Article.

Article 40. Mutual recognition agreement

1. Mutual recognition of conformity assessment results between countries and territories includes certification of conformity results; testing results; and inspection results.

2. Ministries shall preside and cooperate with the Ministry of Science and Technology, relevant ministries, ministerial authorities in implementing mutual recognition agreements between Vietnam and countries, territories regarding conformity assessment results, complying with the laws on conclusion and implementation of international treaties to which the Socialist Republic of Vietnam is a party.

3. The Ministry of Science and Technology shall cooperate with the Ministry of Foreign Affairs in providing guidelines for the conclusion and implementation of mutual recognition agreements regarding conformity assessment results between Vietnamese conformity assessment bodies and conformity assessment bodies of other countries, territories, international or regional organizations.

4. The Minister of Science and Technology shall elaborate this Article.

Article 41. Unilateral recognition of conformity assessment results

1. Unilateral recognition of conformity assessment results from foreign conformity assessment bodies shall comply with principles of objectivity, transparency, non-discrimination, and avoid unnecessary technical barriers to international trade in accordance with international treaties to which Vietnam is a member.

2. In fields where domestic testing, certification, and inspection capabilities are limited and do not meet international requirements and standards, priority shall be given to unilateral recognition of conformity assessment results from organizations accredited by accreditation bodies that are signatories to Mutual Recognition Agreements/Arrangements (MRA/MLA) of international or regional accreditation bodies (International Laboratory Accreditation Cooperation - ILAC, International Accreditation Forum - IAF, Asia Pacific Accreditation Cooperation - APAC), or accreditation bodies accredited under MRAs/MLAs in which Vietnam participates.

3. Ministries shall review and decide the unilateral recognition of conformity assessment results based on their regulations and managing sectors regarding competence dossier, independence, objectivity of foreign conformity assessment organizations, and the conformity with relevant national standards, international standards, and national technical regulations.

4. Ministries are responsible for supervising the implementation of unilateral recognition of conformity assessment results periodically or unexpectedly to maintain technical competence requirements and conformity of the accredited results.

5. The Minister of Science and Technology shall elaborate this Article.

Chapter V

REQUIREMENTS FOR PROVISION OF CONFORMITY ASSESSMENT SERVICES

Section 1. REQUIREMENTS FOR PROVISION OF TESTING SERVICES

Article 42. Requirements for provision of product and goods testing services

1. It is one of the types of organization prescribed in Article 50 of the Law.

2. It has a management system and operational capacity that meet the requirements prescribed in the national standard TCVN ISO/IEC 17025 or the international standard ISO/IEC 17025, or other national or international standards applicable to specialized testing.

3. It has at least 06 official analysts (either public employees or employees with a fixed-term labor contract of at least 12 months or indefinite-term labor contract) who meet the following requirements:

a) Be graduated from college or higher with a major suitable for the registered testing field;

b) Be trained on the national standard TCVN ISO/IEC 17025 or the international standard ISO/IEC 17025, or other national and international standards applicable to specialized testing; be trained to use testing equipment, methods and procedures corresponding to the registered field.

In case of expanding testing fields, there must be at least one official analyst (either public employees or employees with a fixed-term labor contract of at least 12 months or indefinite-term labor contract) for each field who meets the requirements prescribed in this clause.

4. It has testing and measuring machines, equipment and tools that comply with the laws and are suitable for the registered field.

Article 43. Application for issuance of Certificate of eligibility for provision of product and goods quality testing services

1. Application-receiving authorities:

The People's Committee of province and city where the headquarters of the testing body is located shall assign specialized authorities under their management to receive the application for registration of testing services. If the testing body registers for operating in multidisciplinary fields under the management of more than two ministries, the President of People's Committee of province and city shall assign one specialized authority under his/her management to act as the focal point for receiving the application.

2. The application for new issuance includes:

- a) The application form using Form No. 01 in the Appendix attached to this Decree.
- b) Certificates and relevant documents of each analyst including the copy of the Decision on employment or the employment contract; copies of training certificates in accordance with clause 3, Article 42 of this Decree.
- c) The list of testing and measuring machines, equipment and tools serving testing services in the registered field using Form No. 04 in the Appendix attached to this Decree.
- d) Proofs of testing competence in accordance with clause 2, Article 42 of this Decree. To be specific:

In case the testing body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree for the entire scope of registered testing services, the testing body shall submit a copy of the accreditation certificate attached with the accredited scope.

In case the testing body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree, but the scope of registered testing services is broader than the accredited scope, the testing body shall submit copies of the accreditation certificate attached with the accredited scope and the declaration of testing competence in accordance with the national standard TCVN ISO/IEC 17025 or the international standard ISO/IEC 17025 or applicable national/international standards in specialized field for the unaccredited scope using Form No. 17 in the Appendix attached to this Decree.

In case the testing body has not been accredited, the body shall submit the declaration of testing competence in accordance with the national standard TCVN ISO/IEC 17025 or the international standard ISO/IEC 17025 or applicable national/international standards in specialized field using Form No. 17 in the Appendix attached to this Decree.

dd) The test result form.

3. The application for amendment includes:

- a) The application form using Form No. 05 in the Appendix attached to this Decree;

- b) Amended certificates and relevant documents of each analyst including the copy of the Decision on employment or the employment contract; copies of training certificates in accordance with clause 3, Article 42 of this Decree. If an analyst of the testing body has documents submitted in previous registration and still satisfies requirements prescribed in this Decree, the testing body shall send a written request for retaining the analyst's documents;
- c) Amended list of testing and measuring machines, equipment and tools serving testing services in the registered field using Form No. 04 in the Appendix attached to this Decree;
- d) Amended proofs of testing competence in accordance with clause 2, Article 42 of this Decree. To be specific:

In case the testing body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree for the entire scope of registered testing services, the testing body shall submit a copy of the accreditation certificate attached with the accredited scope.

In case the testing body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree, but the scope of registered testing services is broader than the accredited scope, the testing body shall submit copies of the accreditation certificate attached with the accredited scope and the declaration of testing competence in accordance with the national standard TCVN ISO/IEC 17025 or the international standard ISO/IEC 17025 or applicable national/international standards in the specialized field for the unaccredited scope using Form No. 17 in the Appendix attached to this Decree.

In case the testing body has not been accredited, the body shall submit the declaration of testing competence in accordance with the national standard TCVN ISO/IEC 17025 or the international standard ISO/IEC 17025 or applicable national/international standards in specialized field using Form No. 17 in the Appendix attached to this Decree.

- 4. The application for re-issuance includes the application form for re-issuance of the Certificate using Form No. 06 in the Appendix attached to this Decree.
- 5. Before the Certificate expires 90 days, if the testing body wishes to continue participating in testing services, it shall submit a set of application as for new issuance prescribed in clause 2 of this Article to the application-receiving authority prescribed in clause 1 of this Article. If the analyst of the testing body has documents submitted in previous registration and still satisfies requirements prescribed in this Decree, the testing body shall send a written request for retaining the tester's documents and is not required to submit certificates and documents related to each analyst as prescribed in point b, clause 2 of this Article.

Article 44. Methods for submission of the application

The testing body shall submit 01 set of application online via the National Public Service Portal. The National Public Service Portal may connect and share the data to the National Database on Standards, Metrology and Quality.

If the National Public Service Portal is error or its infrastructure is incomplete, the testing body shall submit paper application as prescribed in this Decree in person or by post.

Article 45. Procedures for issuance of Certificate of eligibility for provision of product and goods quality testing services

1. Regarding new issuance:

a) If the application is incomplete as prescribed by laws, within 03 working days from the receipt of the application, the application-receiving authority shall request the testing body to make amendments to the application;

b) If the application is complete and valid, within 07 working days from the receipt of the application, the application-receiving authority shall issue the Certificate to the testing body using the Form No. 10 in the Appendix attached to this Decree. If the address of the testing body's headquarters is different from the address of its laboratory, the address of the laboratory shall be included in the Certificate;

c) The Certificate is valid for a maximum of 05 years from the date of issuance. The electronic Certificate has the same legal value as the paper Certificate.

2. Regarding amendments:

a) The Certificate shall be amended in cases where the testing body amends, expands or reduces the scope of testing services;

b) Procedures for issuance of the Certificate shall comply with points a and b, clause 1 of this Article;

c) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of testing services. The electronic Certificate has the same legal value as the paper Certificate.

3. Regarding re-issuance:

a) The Certificate shall be re-issued in cases where the holder of the valid Certificate changes its name or address, or the Certificate is lost or damaged;

b) Within the validity of the Certificate, the testing body may submit 01 set of application for re-issuance of the Certificate as prescribed in clause 4, Article 43 of this Decree to the application-receiving authority;

c) Within 03 working days from the receipt of the complete and valid application, the application-receiving authority shall re-issue the Certificate to the testing body. If the application is not valid, the application-receiving authority shall make notification and clarify the reasons;

d) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of testing services. The electronic Certificate has the same legal value as the paper Certificate.

Section 2. REQUIREMENTS FOR PROVISION OF INSPECTION SERVICES

Article 46. Requirements for provision of inspection services for entities operating in the field of standards and technical regulations

1. It is one of the types of organization prescribed in Article 50 of the Law.

2. It has a management system and operational capacity that meet the requirements prescribed in the national standard TCVN ISO/IEC 17020 or the international standard ISO/IEC 17020, or other national or international standards applicable to specialized inspection

3. It has at least six official inspectors (either public employees or employees with fixed-term labor contracts of more than 12 months, or employees with indefinite-term labor contracts) who meet the following requirements:

a) Hold a college degree or higher with a major suitable to the inspected products or goods;

b) Have been trained on the national standard TCVN ISO/IEC 17020, or the international standard ISO/IEC 17020, or applicable national/international standards in specialized inspection;

c) Have at least 02 years of experience in performing inspection of conformity with standards and technical regulations with a minimum of 20 inspections confirmed by the inspection body.

In case of expanding inspection fields, there must be at least two official inspectors (either public employees or employees with fixed-term labor contracts of more than 12 months, or employees with indefinite-term labor contracts) who meets the requirements prescribed in this clause.

Article 47. Application for issuance of Certificate of eligibility for provision of inspection services for entities operating in the field of standards and technical regulations

1. Application-receiving authorities:

The People's Committee of province and city where the headquarters of the inspection body is located shall assign specialized authorities under their management to receive the application for registration of inspection services. If the testing body registers for operating in multidisciplinary fields under the management of more than two ministries, the President of People's Committee of province and city shall assign one specialized authority under his/her management to act as the focal point for receiving the application.

2. The application for new issuance includes:

a) The application form using Form No. 01 in the Appendix attached to this Decree.

b) Certificates and relevant documents of each inspector including the copy of the Decision on employment or the employment contract; copies of training certificates in accordance with clause 3, Article 46 of this Decree; a summary of experience in inspection activities using Form No. 03 in the Appendix attached to this Decree and proofs of inspection experience.

c) Proofs of inspection competence in accordance with clause 2, Article 46 of this Decree. To be specific:

In case the inspection body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree for the entire scope of registered inspection services, the inspection body shall submit a copy of the accreditation certificate attached with the accredited scope.

In case the inspection body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree, but the scope of registered inspection services is broader than the accredited scope, the inspection body shall submit copies of the accreditation certificate attached with the accredited scope and the declaration of inspection competence in accordance with the national standard TCVN ISO/IEC 17020 or the international standard ISO/IEC 17020 or applicable national/international standards in the specialized field for the unaccredited scope using Form No. 17 in the Appendix attached to this Decree.

In case the inspection body has not been accredited, the body shall submit the declaration of inspection competence in accordance with the national standard TCVN ISO/IEC 17020 or the international standard ISO/IEC 17020 using Form No. 17 in the Appendix attached to this Decree.

d) Inspection certificate.

3. The application for amendment includes:

a) The application form using Form No. 05 in the Appendix attached to this Decree.

b) Amended certificates and relevant documents of each inspector including the copy of the Decision on employment or the employment contract; copies of certificates in accordance with clause 3, Article 46 of this Decree; a summary of experience in inspection activities using Form No. 03 in the Appendix attached to this Decree and proofs of inspection experience. If an inspector of the inspection body has documents submitted in previous registration and still satisfies requirements prescribed in this Decree, the inspection body shall send a written request for retaining the inspector's documents.

c) Proofs of inspection competence in accordance with clause 2, Article 46 of this Decree. To be specific:

In case the inspection body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree for the entire scope of registered inspection services, the inspection body shall submit a copy of the accreditation certificate attached with the accredited scope.

In case the inspection body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree, but the scope of registered inspection services is broader than the accredited scope, the inspection body shall submit copies of the accreditation certificate attached with the accredited scope and the declaration of inspection competence in accordance with the national standard TCVN ISO/IEC 17020 or the international standard ISO/IEC 17020 or applicable national/international standards in the specialized field for the unaccredited scope using Form No. 17 in the Appendix attached to this Decree.

In case the inspection body has not been accredited, the body shall submit the declaration of inspection competence in accordance with the national standard TCVN ISO/IEC 17020 or the international standard ISO/IEC 17020 using Form No. 17 in the Appendix attached to this Decree.

4. The application for re-issuance includes the application form for re-issuance of the Certificate using Form No. 06 in the Appendix attached to this Decree.

5. Before the Certificate expires 90 days, if the inspection body wishes to continue participating in inspection services, it shall submit a set of application as for new issuance prescribed in clause 2 of this Article to the application-receiving authority prescribed in clause 1 of this Article. If the inspector of the inspection body has documents submitted in previous registration and still satisfies requirements prescribed in this Decree, the inspection body shall send a written request for retaining the inspector's documents and is not required to submit certificates and documents related to each inspector as prescribed in point b, clause 2 of this Article.

Article 48. Methods for submission of the application

The inspection body shall submit 01 set of application online via the National Public Service Portal. The National Public Service Portal may connect and share the data to the National Database on Standards, Metrology and Quality.

If the National Public Service Portal is error or its infrastructure is incomplete, the inspection body shall submit paper application as prescribed in this Decree in person or by post.

Article 49. Procedures for issuance of Certificate of eligibility for provision of inspection services for entities operating in the field of standards and technical regulations

1. Regarding new issuance:

a) If the application is incomplete as prescribed by laws, within 03 working days from the receipt of the application, the application-receiving authority shall request the inspection body to make amendments to the application;

b) If the application is complete and valid, within 07 working days from the receipt of the application, the application-receiving authority shall issue the Certificate to the inspection body using the Form No. 10 in the Appendix attached to this Decree;

c) The Certificate is valid for a maximum of 05 years from the date of issuance. The electronic Certificate has the same legal value as the paper Certificate.

2. Regarding amendments:

a) The Certificate shall be amended in cases where the inspection body amends, expands or reduces the scope of inspection services;

b) Procedures for issuance of the Certificate shall comply with points a and b, clause 1 of this Article;

c) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of inspection services. The electronic Certificate has the same legal value as the paper Certificate.

3. Regarding re-issuance:

a) The Certificate shall be re-issued in cases where the holder of the valid Certificate changes its name or address, or the Certificate is lost or damaged;

b) Within the validity of the Certificate, the inspection body may submit 01 set of application for re-issuance of the Certificate as prescribed in clause 4, Article 47 of this Decree to the application-receiving authority;

c) Within 03 working days from the receipt of the complete and valid application, the application-receiving authority shall re-issue the Certificate to the inspection body. If the application is not valid, the application-receiving authority shall make notification and clarify the reasons;

d) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of inspection services. The electronic Certificate has the same legal value as the paper Certificate.

Section 3. REQUIREMENTS FOR PROVISION OF PRODUCT CERTIFICATION AND MANAGEMENT SYSTEM CERTIFICATION SERVICES

Article 50. Requirements for provision of product certification and management system certification services

1. It is one of the types of organization prescribed in Article 50 of the Law.
2. It has management system and operational competence in accordance with national standards, international standards and international guidelines for each of the following corresponding services:
 - a) National standard TCVN ISO/IEC 17065 or international standard ISO/IEC 17065, or applicable national or international standards applicable to the field of specialized product certification and relevant guidelines of the International Accreditation Forum (IAF), or standards corresponding to requirements of specialized certification programs for product and goods certification services;
 - b) National standard TCVN ISO/IEC 17021-1 or international standard ISO/IEC 17021-1 and relevant guidelines of the International Accreditation Forum (IAF), or standards corresponding to requirements of specialized certification programs for management system certification services.

3. It has at least 06 official assessors (either public employees or employees with a fixed-term labor contract of more than 12 months or indefinite-term labor contract) who meet the following requirements:

- a) Have a university degree or higher.
- b) Have been trained for certification assessment skills in accordance with the professional training framework as prescribed by the Ministry of Science and Technology.

If the assessor has been issued a certificate of completion of training for the corresponding certification assessment skills at a training institution that has received a Notification of acceptance of the training capacity declaration from the competent authority, and the certificate is still valid, this requirement may be waived.

- c) Have been trained and issued a certificate of completion of training for specialized product certification skills in accordance with relevant specialized laws.
- d) Have at least 20 person-days of assessment experience for the corresponding certification program.

For new management system certification programs, the expert must have at least 20 person-days of assessment experience in certification programs for other management systems that have the same nature, logic, or belong to the same field; or at least 05 person-days of assessment experience for the registered certification program.

For certification programs for new products and additional products, the expert must have at least 05 person-days of assessment experience with products of the same category, technology, or testing methods.

In the case of expanding certification services, the inspection body must have at least 02 official experts (either public employees or employees with a fixed-term labor contract of more than 12 months or indefinite-term labor contract) corresponding to each additional certification field that satisfy requirements prescribed in this clause.

Article 51. Application for issuance of Certificate of eligibility for provision of product certification and management system certification services

1. Application-receiving authorities:

The People's Committee of province and city where the headquarters of the certification body is located shall assign specialized authorities under their management to receive the application for registration of product certification and management system certification services. If the certification body registers for operating in multidisciplinary fields under the management of more than two ministries, the President of People's Committee of province and city shall assign one specialized authority under his/her management to act as the focal point for receiving the application.

2. The application for new issuance includes:

- a) The application form using Form No. 01 in the Appendix attached to this Decree.
- b) Certificates and relevant documents of each expert including the copy of the Decision on employment or the employment contract; copies of certificates in accordance with clause 3, Article 50 of this Decree; a summary of experience in assessment activities using Form No. 03 in the Appendix attached to this Decree and proofs of assessment experience.
- c) Proofs of certification competence in accordance with clause 2, Article 50 of this Decree. To be specific:

In case the certification body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree for the entire scope of registered certification services, the certification body shall submit a copy of the accreditation certificate attached with the accredited scope.

In case the certification body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree, but the scope of registered certification services is broader than the accredited scope, the certification body shall submit copies of the accreditation certificate attached with the accredited scope and the declaration of certification competence in accordance with the national standard TCVN ISO/IEC 17065 or the international standard ISO/IEC 17065 or applicable national/international standards in the field of specialized product certification (for product certification body); or the

national standard TCVN ISO/IEC 17021-1 or the international standard ISO/IEC 17021-1 (for management system certification body) for the unaccredited scope using Form No. 17 in the Appendix attached to this Decree.

In case the certification body has not been accredited, it shall submit the declaration of certification competence in accordance with the national standard TCVN ISO/IEC 17065 or the international standard ISO/IEC 17065 or applicable national/international standards in the field of specialized product certification (for product certification body); or the national standard TCVN ISO/IEC 17021-1 or the international standard ISO/IEC 17021-1 (for management system certification body) using Form No. 17 in the Appendix attached to this Decree.

d) Template of certificate of eligibility, and certification mark.

3. The application for amendment includes:

a) The application form using Form No. 05 in the Appendix attached to this Decree.

b) Amended certificates and relevant documents of each expert including the copy of the Decision on employment or the employment contract; copies of certificates in accordance with clause 3, Article 50 of this Decree; a summary of experience in assessment activities using Form No. 03 in the Appendix attached to this Decree and proofs of assessment experience. If an assessor of the certification body has documents submitted in previous registration and still satisfies requirements prescribed in this Decree, the certification body shall send a written request for retaining the expert's documents.

c) Amended proofs of certification competence in accordance with clause 2, Article 50 of this Decree. To be specific:

In case the certification body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree for the entire scope of registered certification services, the certification body shall submit a copy of the accreditation certificate attached with the accredited scope.

In case the certification body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree, but the scope of registered certification services is broader than the accredited scope, the certification body shall submit copies of the accreditation certificate attached with the accredited scope and the declaration of certification competence in accordance with the national standard TCVN ISO/IEC 17065 or the international standard ISO/IEC 17065 or applicable national/international standards in the field of specialized product certification (for product certification body); or the national standard TCVN ISO/IEC 17021-1 or the international standard ISO/IEC 17021-1 (for management system certification body) for the unaccredited scope using Form No. 17 in the Appendix attached to this Decree.

In case the certification body has not been accredited, it shall submit the declaration of certification competence in accordance with the national standard TCVN ISO/IEC 17065 or the

international standard ISO/IEC 17065 or applicable national/international standards in the field of specialized product certification (for product certification body); or the national standard TCVN ISO/IEC 17021-1 or the international standard ISO/IEC 17021-1 (for management system certification body) using Form No. 17 in the Appendix attached to this Decree.

4. The application for re-issuance includes the application form for re-issuance of the Certificate using Form No. 06 in the Appendix attached to this Decree.

5. Before the Certificate expires 90 days, if the certification body wishes to continue participating in inspection services, it shall submit a set of application as for new issuance prescribed in clause 2 of this Article to the application-receiving authority prescribed in clause 1 of this Article. If the assessor of the certification body has documents submitted in previous registration and still satisfies requirements prescribed in this Decree, the certification body shall send a written request for retaining the expert's documents and is not required to submit certificates and documents related to each expert as prescribed in point b, clause 2 of this Article.

Article 52. Methods for submission of the application

The certification body shall submit 01 set of application online via the National Public Service Portal. The National Public Service Portal may connect and share the data to the National Database on Standards, Metrology and Quality.

If the National Public Service Portal is error or its infrastructure is incomplete, the certification body shall submit paper application as prescribed in this Decree in person or by post.

Article 53. Procedures for issuance of Certificate of eligibility for provision of product certification and management system certification services

1. Regarding new issuance:

a) If the application is incomplete as prescribed by laws, within 03 working days from the receipt of the application, the application-receiving authority shall request the certification body to make amendments to the application;

b) If the application is complete and valid, within 07 working days from the receipt of the application, the application-receiving authority shall issue the Certificate to the certification body using the Form No. 10 in the Appendix attached to this Decree;

c) The Certificate is valid for a maximum of 05 years from the date of issuance. The electronic Certificate has the same legal value as the paper Certificate.

2. Regarding amendments:

a) The Certificate shall be amended in cases where the certification body amends, expands or reduces the scope of certification services;

b) Procedures for issuance of the Certificate shall comply with points a and b, clause 1 of this Article;

c) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of certification services. The electronic Certificate has the same legal value as the paper Certificate.

3. Regarding re-issuance:

a) The Certificate shall be re-issued in cases where the holder of the valid Certificate changes its name or address, or the Certificate is lost or damaged;

b) Within the validity of the Certificate, the certification body may submit 01 set of application for re-issuance of the Certificate as prescribed in clause 4, Article 51 of this Decree to the application-receiving authority;

c) Within 03 working days from the receipt of the complete and valid application, the application-receiving authority shall re-issue the Certificate to the certification body. If the application is not valid, the application-receiving authority shall make notification and clarify the reasons;

d) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of certification services. The electronic Certificate has the same legal value as the paper Certificate.

Section 4. REQUIREMENTS FOR PROVISION OF VALIDATION AND VERIFICATION SERVICES

Article 54. Requirements for provision of validation and verification services

1. It is one of the types of organization prescribed in Article 50 of the Law.

2. It has a management system and operational capacity that meet the requirements prescribed in the national standard TCVN ISO/IEC 17029 or the international standard ISO/IEC 17029, or other national or international standards applicable to specialized validation and verification, and relevant guidelines.

3. It has at least 06 official experts (either public employees or employees with a fixed-term labor contract of more than 12 months or indefinite-term labor contract) who meet the following requirements:

a) Have a university degree or higher with a major suitable to the field of validation and verification;

b) Have been trained for validation and verification skills in accordance with the professional training framework as prescribed by the Ministry of Science and Technology; have been trained

and issued a certificate of completion of training for specialized validation and verification skills in accordance with the laws;

c) Have at least 02 years of work experience since graduation related to validation and verification;

d) Have participated in at least 20 person-days performing validation and verification services. For newly established validation and verification bodies, experts must have at least 20 person-days of experience in management system certification assessment and at least 20 person-days of experience in product certification assessment.

In the case of expanding services, the body must have at least 02 official experts (either public employees or employees with a fixed-term labor contract of more than 12 months or indefinite-term labor contract) corresponding to each additional field of validation and verification that satisfy requirements prescribed in this clause.

Article 55. Application for issuance of Certificate of eligibility for provision of validation and verification services

1. Application-receiving authorities:

The Ministry of Science and Technology shall receive the application for registration for provision of validation and verification services.

2. The application for new issuance includes:

a) The application form using Form No. 01 in the Appendix attached to this Decree;

b) Certificates and relevant documents of each expert including the copy of the Decision on employment or the employment contract; copies of certificates in accordance with clause 3, Article 54 of this Decree; a summary of experience using Form No. 03 in the Appendix attached to this Decree and proofs of experience;

c) Proofs of validation and verification competence in accordance with clause 2, Article 54 of this Decree. To be specific:

In case the validation and verification body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree for the entire scope of registered validation and verification services, the body shall submit a copy of the accreditation certificate attached with the accredited scope.

In case the validation and verification body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree but the scope of registered validation and verification services is broader than the accredited scope, the body shall submit a copy of the accreditation certificate attached with the accredited scope, documents, procedures and proofs of capacity for provision of validation and

verification services in accordance with clause 2, Article 54 of this Decree for unaccredited scope.

In case the validation and verification body has not been accredited, it shall submit documents, procedures and proofs of capacity for provision of validation and verification services in accordance with clause 2, Article 54 of this Decree.

d) Declaration for validation and verification.

3. The application for amendment includes:

a) The application form using Form No. 05 in the Appendix attached to this Decree.

b) Certificates and relevant documents of each expert including the copy of the Decision on employment or the employment contract; copies of certificates in accordance with clause 3, Article 54 of this Decree; a summary of experience using Form No. 03 in the Appendix attached to this Decree and proofs of experience.

c) Amended proofs of validation and verification competence in accordance with clause 2, Article 54 of this Decree. To be specific:

In case the validation and verification body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree for the entire amended scope of registered validation and verification services, the body shall submit a copy of the accreditation certificate attached with the accredited scope;

In case the validation and verification body has been accredited by an accreditation body prescribed in Article 58 of this Decree or a foreign accreditation body prescribed in Article 62 of this Decree but the amended scope of registered validation and verification services is broader than the accredited scope, the body shall submit a copy of the accreditation certificate attached with the accredited scope, documents, procedures and proofs of capacity for provision of validation and verification services in accordance with clause 2, Article 54 of this Decree for the unaccredited scope.

In case the validation and verification body has not been accredited, it shall submit documents, procedures and proofs of capacity for provision of validation and verification services in accordance with clause 2, Article 54 of this Decree.

4. The application for re-issuance includes the application form for re-issuance of the Certificate using Form No. 06 in the Appendix attached to this Decree.

5. Before the Certificate expires 90 days, if the validation and verification body wishes to continue participating in such services, it shall submit a set of application as for new issuance prescribed in clause 2 of this Article to the application-receiving authority prescribed in clause 1 of this Article. If documents, procedures and proofs of capacity for provision of validation and verification services; or experts of the body have documents submitted in previous registration

and still satisfies requirements prescribed in this Decree, the validation and verification body shall send a written request for retaining proofs of capacity for provision of validation and verification services, and experts' documents. The body is not required to submit certificates and documents related to each expert as prescribed in points b and c, clause 2 of this Article.

Article 56. Methods for submission of the application

The validation and verification body shall submit 01 set of application online via the National Public Service Portal. The National Public Service Portal may connect and share the data to the National Database on Standards, Metrology and Quality.

If the National Public Service Portal is error or its infrastructure is incomplete, the validation and verification body shall submit paper application as prescribed in this Decree in person or by post.

Article 57. Procedures for issuance of Certificate of eligibility for provision of validation and verification services

1. Regarding new issuance:

a) If the application is incomplete as prescribed by laws, within 03 working days from the receipt of the application, the application-receiving authority shall request the validation and verification body to make amendments to the application;

b) If the application is complete and valid, within 07 working days from the receipt of the application, the application-receiving authority shall issue the Certificate to the validation and verification body using the Form No. 10 in the Appendix attached to this Decree;

c) The Certificate is valid for a maximum of 05 years from the date of issuance. The electronic Certificate has the same legal value as the paper Certificate.

2. Regarding amendments:

a) The Certificate shall be amended in cases where the validation and verification body amends, expands or reduces the scope of its services;

b) Procedures for issuance of the Certificate shall comply with points a and b, clause 1 of this Article;

c) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of validation and verification services. The electronic Certificate has the same legal value as the paper Certificate.

3. Regarding re- issuance:

a) The Certificate shall be re-issued in cases where the holder of the valid Certificate changes its name or address, or the Certificate is lost or damaged;

- b) Within the validity of the Certificate, the validation and verification body may submit 01 set of application for re-issuance of the Certificate as prescribed in clause 4, Article 55 of this Decree to the application-receiving authority;
- c) Within 03 working days from the receipt of the complete and valid application, the application-receiving authority shall re-issue the Certificate to the validation and verification body; If the application is not valid, the application-receiving authority shall make notification and clarify the reasons;
- d) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of validation and verification services. The electronic Certificate has the same legal value as the paper Certificate.

Section 5. REQUIREMENTS FOR PROVISION OF ACCREDITATION OF CONFORMITY ASSESSMENT BODY SERVICES

Article 58. Requirements for provision of accreditation of conformity assessment body services

1. The founders, managers and executives of the accreditation body shall not simultaneously participate in managing, operating or investing in any conformity assessment body within the same accredited field.
2. It has a management system and operational capacity that meet the requirements prescribed in the national standard TCVN ISO/IEC 17011 or the international standard ISO/IEC 17011.
3. It is a signatory of mutual recognition agreements (MRA/MLA) of international or regional accreditation cooperation bodies for the registered accreditation programs and fields. These international and regional organizations include the International Laboratory Accreditation Cooperation (ILAC), the International Accreditation Forum (IAF), the Asia Pacific Accreditation Cooperation (APAC), or other accreditation organizations accredited under the mutual recognition agreements (MRA/MLA) in which Vietnam participates.
4. It has at least 06 official assessors (either public employees or employees with a fixed-term labor contract of more than 12 months or indefinite-term labor contract) including 01 chief assessor of each accreditation program who meet the following requirements:
 - a) Have a university degree or higher. Chief assessors shall have at least 02 years of experience related to quality management and competency assessment of relevant conformity assessment bodies. Assessors shall have at least 01 year of such experience;
 - b) Have been trained and issued a certificate of completion of training for accreditation assessment in accordance with applied standards (ISO/IEC 17025, ISO/IEC 17020, ISO 15189, ISO/IEC 17021-1, ISO/IEC 17065, ISO/IEC 17024, ISO/IEC 17029, and equivalent standards) suitable for the registered accreditation program;

c) Have experience conducting at least 05 accreditation assessments in accordance with applied standards (ISO/IEC 17025, ISO/IEC 17020, ISO 15189, ISO/IEC 17021-1, ISO/IEC 17065, ISO/IEC 17024, ISO/IEC 17029, and equivalent standards) under the supervision of approved chief assessors;

d) Accreditation assessors shall satisfy with other requirements prescribed in guidelines of corresponding accreditation programs of the International Laboratory Accreditation Cooperation (ILAC), International Accreditation Forum (IAF), and Asia Pacific Accreditation Cooperation (APAC).

In the case of expanding accreditation services, the body must have at least 02 official experts (either public employees or employees with a fixed-term labor contract of more than 12 months or indefinite-term labor contract) corresponding to each additional field of verification and validation that satisfy requirements prescribed in this clause.

Article 59. Application for issuance of Certificate of eligibility for provision of accreditation services

1. Application-receiving authorities:

The Ministry of Science and Technology shall receive the application for registration for provision of accreditation services.

2. The application for new issuance includes:

a) The application form using Form No. 11 in the Appendix attached to this Decree;

b) The copy of the Certificate of registration for scientific and technological activities;

c) Documents (documents, assessment procedures and relevant documents) in accordance with corresponding standards as prescribed in Article 58 of this Decree;

d) The explanatory document on the organizational structure and responsibilities of each position in the organizational structure;

dd) The list of proficiency testing bodies accredited by the accreditation body for the registered accreditation program;

e) Proofs that the accreditation body is a signatory member of mutual recognition arrangements/agreements (MRA/MLA) of international or regional accreditation bodies for the registered programs and fields;

g) The list of chief assessors, assessors, technical experts using Form No. 12 in the Appendix attached to this Decree and the following documents: copy of the Decisions on employment or the employment contracts; copy of professional training certificates and management system

certificates corresponding to qualifications; work experience and proofs of practical assessment experience;

h) The accreditation decision, accreditation certificate, and accreditation mark of the body.

3. The application for amendment includes:

a) The application form using Form No. 14 in the Appendix attached to this Decree.

b) Proofs of amendments.

4. The application for re-issuance includes the application form for re-issuance of the Certificate using Form No. 15 in the Appendix attached to this Decree.

5. Before the Certificate expires 90 days, if the accreditation body wishes to continue participating in accreditation services, it shall submit a set of application as for new issuance prescribed in clause 2 of this Article to the application-receiving authority.

Article 60. Methods for submission of the application

The accreditation body shall submit 01 set of application online via the National Public Service Portal. The National Public Service Portal may connect and share the data to the National Database on Standards, Metrology and Quality.

If the National Public Service Portal is error or its infrastructure is incomplete, the accreditation body shall submit paper application as prescribed in this Decree in person or by post.

Article 61. Procedures for issuance of Certificate of eligibility for provision of accreditation services

1. Regarding new issuance:

a) If the application is incomplete as prescribed by laws, within 03 working days from the receipt of the application, the application-receiving authority shall request the accreditation body to make amendments to the application;

b) If the application is complete and valid, within 07 working days from the receipt of the application, the application-receiving authority shall issue the Certificate to the accreditation body using the Form No. 13 in the Appendix attached to this Decree;

c) The Certificate is valid for a maximum of 05 years from the date of issuance. The electronic Certificate has the same legal value as the paper Certificate.

2. Regarding amendments:

a) The Certificate shall be amended in cases where the accreditation body amends, expands or reduces the scope of accreditation services;

a) If the application is incomplete as prescribed by laws, within 03 working days from the receipt of the application, the application-receiving authority shall request the accreditation body to make amendments to the application;

c) If the application is complete and valid, within 07 working days from the receipt of the application, the application-receiving authority shall issue the Certificate to the accreditation body using the Form No. 13 in the Appendix attached to this Decree. If the application is complete but the content is not suitable, or at the request of competent state authorities, or there is information or feedback indicating possible violations related to the application, the application-receiving authority shall organize an assessment team and issue the Certificate to the accreditation body using Form No. 13 in the Appendix attached to this Decree.

d) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of accreditation services. The electronic Certificate has the same legal value as the paper Certificate.

3. Regarding re- issuance:

a) The Certificate shall be re-issued in cases where the holder of the Certificate changes its name or address, or the Certificate is lost or damaged;

b) Within the validity of the Certificate, the accreditation body may submit 01 set of application for re-issuance of the Certificate as prescribed in clause 4, Article 59 of this Decree to the application-receiving authority;

c) Within 03 working days from the receipt of the complete and valid application, the application-receiving authority shall re-issue the Certificate to the accreditation body. If the application is not valid, the application-receiving authority shall make notification and clarify the reasons;

d) The expiration date of the Certificate shall be the same as that of the issued Certificate of eligibility for provision of accreditation services. The electronic Certificate has the same legal value as the paper Certificate.

Article 62. Accreditation bodies established abroad that provide accreditation services in Vietnam

1. Accreditation bodies established abroad are permitted to provide accreditation activities in Vietnam only if they are signatories of signed mutual recognition agreements for the results of conformity assessment of regional or international accreditation bodies.

2. Before providing accreditation of conformity assessment organizations in Vietnam, the foreign accreditation body shall notify the Ministry of Science and Technology of Vietnam at least 20 days in advance.

3. After providing accreditation services in Vietnam, the foreign accreditation body shall report the results to the Ministry of Science and Technology of Vietnam.

4. Certificates issued by foreign accreditation bodies that provide accreditation services in Vietnam but do not comply with regulations in this Article shall not be accredited in Vietnam.

Section 6. REVOCATION OF CERTIFICATES OF ELIGIBILITY FOR PROVISION OF CONFORMITY ASSESSMENT SERVICES

Article 63. Revocation of Certificates of eligibility for provision of conformity assessment services of conformity assessment bodies

1. A conformity assessment body shall have its Certificate revoked in the following cases:

a) Violating clause 6, Article 8 of the Law on Quality of Products and Goods;

b) Violating conformity assessment regulations two consecutive times in accordance with laws on standards and technical regulations, and regulations in this Decree;

c) Failing to perform corresponding responsibilities prescribed in Article 68 of this Decree for 02 consecutive years;

d) Failing to meet one of corresponding requirements for conformity assessment bodies as prescribed in Articles 42, 46, 50 and 54 of this Decree;

dd) Forging or falsifying documents in the application for issuance, re-issuance, or amendment to the Certificate; issuing counterfeit conformity assessment results;

e) Erasing or altering information in the issued Certificate;

g) Failing to rectify violations at the request of inspection authorities;

h) At the request of the conformity assessment body.

2. The Presidents of People's Committees of provinces and cities shall issue the Decision on revocation of Certificates in decentralized fields. The Ministry of Science and Technology shall issue the Decision on revocation of Certificates in assigned fields.

3. The conformity assessment body of which Certificate is revoked in cases prescribed in points a, b, c, d, dd, e and g, clause 1 of this Article may only be considered for re-issuance of the Certificate at least 06 months after the notification on revocation of the Certificate is issued, and only if the violations have been rectified.

Article 64. Revocation of Certificates of eligibility for provision of conformity assessment services of accreditation bodies

1. A accreditation body shall have its Certificate revoked in the following cases:
 - a) Violating regulations prescribed in clause 2, Article 55 of the Law on Standards and Technical Regulations, and other regulations in this Decree two consecutive times;
 - b) Failing to meet one of requirements prescribed in Article 58 of this Decree;
 - c) Forging or falsifying documents in the application for issuance, re-issuance, or amendment to the Certificate; or the application for accreditation of the conformity assessment body;
 - d) Erasing or altering information in the issued Certificate;
 - dd) At the request of the accreditation body.
2. The Ministry of Science and Technology shall issue the Decision on revocation of the Certificate.
3. The accreditation body of which Certificate is revoked in cases prescribed in points a, b, c and d, clause 1 of this Article may only be considered for re-registration of accreditation activities after 02 years from the issuance of the notification on revocation of the Certificate.

Chapter VI

RESPONSIBILITIES OF AUTHORITIES, ORGANIZATIONS AND INDIVIDUALS OPERATING IN THE FIELDS OF STANDARDS, TECHNICAL REGULATIONS AND CONFORMITY ASSESSMENT

Article 65. Responsibilities of the Ministry of Science and Technology

1. The Ministry of Science and Technology is accountable to the Government for unified state management of standards and technical regulations prescribed in Article 7a of the Law and responsible for:
 - a) Providing guidelines for activities related to the development, appraisal, disclosure, promulgation, dissemination and application of standards; providing guidelines for direct application of international standards; regulating the organization and operation of the national technical standards committee;
 - b) Participating in the development of national standards, and providing opinions on draft national technical regulations presided by ministries, ministerial authorities, or governmental authorities to ensure uniformity, consistency and non-contradiction within the system of national standards and technical regulations;

c) Coordinating with ministries in regulating specific procedures for development, appraisal and disclosure of national standards for subjects classified as state secrets;

d) Provide guidelines for the development, appraisal and promulgation of technical regulations;

dd) Developing, disseminating, providing guidelines for application, and taking responsibility for national standards and national technical regulations that it presides over as assigned by the Government; being responsible for appraising draft national standards, and providing opinions on draft national technical regulations prepared by ministries, ministerial authorities or governmental authorities;

e) Providing guidelines for declaration of standard conformity and declaration of regulation conformity;

g) Disseminating activities in the fields of standards and technical regulations;

h) Summarizing and proposing the funding for improvement of technical infrastructure and professional capacity for authorities responsible for appraising national standards and technical regulations;

i) Conduct inspection on the compliance with regulations on development, appraisal and disclosure of standards; development and appraisal of technical regulations; and other laws on standards and technical regulations;

k) Serving as focal point to support organizations and individuals representing Vietnam to participate in development of standards, management and administration at international and regional standardization organizations;

l) Presiding over the development and proposing the Prime Minister for promulgation of regulations on application of the quality management system in the operation of authorities and organizations within the state administrative system including requirements for consulting organizations, independent consultants, certification bodies, and training institutions for consultants and assessors.

2. The Commission for the Standards, Metrology and Quality of Vietnam affiliated to the Ministry of Science and Technology shall perform roles, functions, tasks and responsibilities of the NSB; and assist the Minister of Science and Technology in performing state management in the fields of standards and technical regulations.

3. The Ministry of Science and Technology shall:

a) Receive, process the applications for new issuance, amendment, re-issuance; and revoke the Certificates of eligibility for provision of validation and verification services, or Certificates of eligibility for provision of accreditation of conformity assessment body services;

b) Providing guidelines for the professional training framework for management system assessors, product certification assessors, verification and validation experts, other experts of conformity assessment bodies;

c) Conduct inspection on the resolution of administrative procedures within jurisdiction of the Ministry of Science and Technology as prescribed in this Decree conducted by People's Committees of provinces and cities; conduct inspection on registered validation and verification bodies, certification bodies conducted by the Ministry of Science and Technology;

d) Cooperate with ministries in inspecting the resolution of administrative procedures within their jurisdiction as prescribed in this Decree conducted by People's Committees of provinces and cities;

dd) Preside over and cooperate with ministries, relevant authorities and organizations in developing, managing, operating, maintaining, updating and using the National Database on Standards, Metrology and Quality to ensure uniform, shared and open state management, and transparent information about the conformity assessment nationwide;

dd) Providing guidelines for management, use and update of the National Database on Standards, Metrology and Quality for conformity assessment bodies, certification bodies, ministries, relevant organizations and individuals.

Article 66. Responsibilities of ministries, ministerial authorities, governmental authorities

1. Ministries, ministerial authorities, governmental authorities shall perform state management of activities in the fields of standards and technical regulations within the scope and fields assigned by the Government in accordance with the Law.

2. Ministers, heads of ministerial authorities, governmental authorities shall designate focal authorities responsible for assisting ministries, ministerial authorities, governmental authorities in performing state management in the fields of standards and technical regulations.

3. Ministries, ministerial authorities and governmental authorities shall cooperate with the Ministry of Science and Technology in developing draft national standards and draft national technical regulations; appraising dossiers on draft national technical regulations; allocating funding to improve technical infrastructure and professional capacity of authorities responsible for appraising national technical regulations; managing the declaration of regulation conformity as prescribed by laws.

4. Ministries, ministerial authorities, governmental authorities shall review, complete and ensure the adequacy of national standards and national technical regulations within jurisdiction assigned by the Government; disseminate and provide guidelines for application of national standards and national technical regulations within their jurisdiction.

5. Ministries, ministerial authorities and governmental authorities shall preside over and cooperate with the Ministry of Science and Technology in regulating procedures for

development, appraisal and disclosure of national standards, national technical regulations for subjects classified as state secrets.

6. Ministries and ministerial authorities shall provide guidelines for People's Committees of provinces and cities to organize the registration for provision of conformity assessment services within jurisdiction of ministries; and conduct inspection on the resolution of administrative procedures within jurisdiction of ministries conducted by People's Committees of provinces and cities in accordance with regulations in this Decree.

Article 67. Responsibilities of People's Committees of provinces and cities

1. People's Committees of provinces and cities, within their tasks and powers, shall perform state management of activities in the fields of standards and technical regulations in provinces/cities; and manage the declaration of regulation conformity as prescribed by laws.

2. Departments of Science and Technology shall preside over and cooperate with relevant departments in assisting People's Committees of provinces and cities in performing state management of activities in the fields of standards and technical regulations in provinces/cities.

3. People's Committees of provinces and cities shall assign the Presidents, affiliated specialized authorities and province-level public administrative service centers according to their functions, tasks and powers to perform the following tasks:

a) Receive, process the applications and propose Presidents of People's Committees of provinces and cities for new issuance, amendment, re-issuance of Certificates of eligibility for provision of testing services, inspection services and certification services for testing bodies, inspection bodies and certification bodies via the National Public Service Database;

b) Preside over and cooperate in conducting inspection on registered testing bodies, inspection bodies and certification bodies in accordance with the laws;

c) Advise and propose the revocation of issued Certificates of registered testing bodies, inspection bodies and certification bodies in accordance with clause 1, Article 63 of this Decree.

4. Disclose and update information about testing bodies, inspection bodies and certification bodies regarding new issuance, amendment, re-issuance and revocation of their Certificates on the National Database on Standards, Metrology and Quality; and notify local authorities for management and cooperation in conducting inspection in cases where testing bodies have testing laboratories, or inspection bodies and certification bodies have branches located in other provinces/cities.

5. Preside over the management, operation and assurance of smooth connection and sharing of data between the National Public Service Portal and the National Database on Standards, Metrology and Quality for to serve activities of granting Certificates, management and post-inspection.

Article 68. Responsibilities of conformity assessment bodies and conformity bodies

1. Conformity assessment bodies shall:

- a) Update and declare their conformity assessment results for registered fields and respective organization types using Form No. 07, Form No. 08 and Form No. 09 in the Appendix attached to this Decree on the National Database on Standards, Metrology and Quality on a weekly basis (before the start of the following week), or urgently at the request of competent state authorities;
- b) Update information about changes affecting the registered operational capacity on the National Database on Standards, Metrology, and Quality within 15 days from the date of such changes;
- c) Perform registration, reporting, information updating and relevant administrative procedures electronically according to administrative procedure regulations, via the National Public Service Portal and the National Database on Standards, Metrology, and Quality; take responsibility for the accuracy, truthfulness, legality of dossiers, information, electronic data, and compliance with requirements for technical infrastructure, information security and digital signature as prescribed by laws;
- d) Be accountable to the laws for the accuracy, objectivity, truthfulness and conformity of the conformity assessment results.

2. Accreditation bodies shall:

- a) Supervise and evaluate the implementation of proficiency testing and intralaboratory comparison programs of bodies accredited in accordance with the national standard TCVN ISO/IEC 17043 or the international standard ISO/IEC 17043;
- b) Update and declare accreditation activity results for each type of organization from the 16th of the previous month to the 15th of the reporting month using Form No. 16 in the Appendix attached to this Decree on the National Database on Standards, Metrology, and Quality before 20th of each month, or urgently at the request of competent state authorities;
- c) Update information about changes affecting the registered accreditation services on the National Database on Standards, Metrology, and Quality within 15 days from the date of such changes;
- d) Perform registration, reporting, information updating and relevant administrative procedures electronically according to administrative procedure regulations, via the National Public Service Portal and the National Database on Standards, Metrology, and Quality; take responsibility for the accuracy, truthfulness, legality of dossiers, information, electronic data, and compliance with requirements for technical infrastructure, information security and digital signature as prescribed by laws;

dd) Be accountable to the laws for the accuracy, objectivity, truthfulness and conformity of the accreditation results.

Chapter VII

IMPLEMENTATION CLAUSE

Article 69. Effect

1. This Decree comes into force from the date on which it is signed.
2. The following Decrees and regulations cease to be effective from the effective date of this Decree:
 - a) Decree No. 127/2007/ND-CP dated August 01, 2007 of the Government elaborating some articles of the Law on Standards and Technical Regulations;
 - b) Decree No. 78/2018/ND-CP dated May 16, 2018 of the Government on amendments to some articles of Decree No. 127/2007/ND-CP dated August 01, 2007 of the Government elaborating some articles of the Law on Standards and Technical Regulations;
 - c) Decree No. 107/2016/ND-CP dated July 01, 2016 of the Government on requirements for provision of conformity assessment services;
 - d) Article 3 of Decree No. 154/2018/ND-CP dated November 09, 2018 of the Government on amendment and annulment of some articles regarding conditions for investment and business in state management of the Ministry of Science and Technology, and some regulations on specialized inspection;
 - dd) Articles 51, 52, 53, 54, 55, 56; section B, Appendix V.1; Appendix V.2 of Decree No. 133/2025/ND-CP dated June 12, 2025 on decentralization and devolvement in state management of the Ministry of Science and Technology;
 - e) Decree No. 67/2009/ND-CP dated August 03, 2009 on amendment to some articles of Decree No. 127/2007/ND-CP dated August 01, 2007 of the Government elaborating some articles of the Law on Standards and Technical Regulations; and Decree No. 132/2008/ND-CP dated December 31, 2008 of the Government elaborating some articles of the Law on Product and Goods Quality.

Article 70. Transitional provisions

1. Conformity assessment bodies that were granted Certificates of eligibility for provision of conformity assessment services by ministries or People's Committees of provinces/cities before the effective date of this Decree shall continue to provide conformity assessment services until the expiry of their Certificate's validity period.

2. Accreditation bodies that were granted Certificates for their registered fields of operation by the Ministry of Science and Technology before the effective date of this Decree shall continue to perform accreditation services until the expiry of their Certificate's validity period.

3. Training institutions for product certification assessors and management system assessors that were granted the Notification of acceptance of the training capacity declaration by competent authorities before the effective date of this Decree shall continue their training operations until the expiry of the Notification's validity period.

4. For application forms, and applications for registration for provision of conformity assessment services; registration for training institutions for product certification assessors and management system assessors that were received before the effective date of this Decree but have not been processed, competent authorities shall process them in accordance with the laws applicable at the time of receipt.

Article 71. Implementation

1. The Minister of Science and Technology are responsible for providing guidelines for implementation of this Decree.

2. Ministers; Heads of ministerial authorities; Heads of governmental authorities; Presidents of People's Committees of provinces and cities; relevant organizations and individuals are responsible for implementing this Decree./.

**ON BEHALF OF THE GOVERNMENT
PP. PRIME MINISTER
DEPUTY PRIME MINISTER**

Nguyen Chi Dung

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