

LAW ON ACCOUNTING

Pursuant to the Constitution of Socialist Republic of Vietnam;

The National Assembly promulgates the Law on Accounting.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Law provides for contents of accounting works, accounting apparatus, accountants, accounting services, accounting management by regulatory bodies, and accounting associations.

Article 2. Regulated entities

1. Agencies responsible for revenues and expenditures of state budget at various levels.
2. State agencies, organizations, public service agencies using state budget.
3. Organizations, public service agencies that do not use state budget.
4. Enterprises established and operated under Vietnam's law; branches and representative offices of foreign enterprises operating in Vietnam.
5. Cooperatives, cooperative associations.
6. Business households, artels.
7. Accountants.
8. Accounting practitioners, enterprises and households providing accounting services.
9. Accounting associations.
10. Other agencies, organizations, and individuals involved in accounting and provision of accounting services in Vietnam.

Article 3. Definitions

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

1. *Financial statement* means a system of financial information of an accounting unit demonstrated according to a form provided for by accounting standards and accounting regime.
2. *Accounting regime* means a set of regulations and instructions on accounting applied to certain fields or works promulgated by accounting authorities or organizations authorized by accounting authority
3. *Accounting records* are documents and storage devices that contain economic/financial transactions that occur and have been complete as the basis for making accounting books.
4. *Accounting units* are the agencies, organizations and units specified in Clause 1 through 5 Article 2 of this Law that make financial statements.
5. *Original price* means the initially recorded value of an asset or liability. Original price includes the cost of purchase, handling, transport, assembly, processing, and other direct costs until the asset is ready to be used.
6. *Reasonable value* means the value that is appropriate for market price that can be generated when selling an asset or transferring a liability at that time.
7. *Form of accounting* means the forms of accounting books, procedures and methods for making accounting books, and the relation among the accounting books.
8. *Accounting* means collection, processing, inspecting, analysis, and provision of economic, financial information in the form of value, objects, and working hours.
9. *Financial accounting* means collection, processing, inspecting, analysis, and provision of economic, financial information in the form of financial statements for entities that need information about the accounting unit.
10. *Administrative accounting* means collection, processing, inspecting, analysis, and provision of economic, financial information to serve administrative requirements and the making of internal economic, financial decisions of the accounting unit.
11. *Accounting practitioner* means a person granted the License to provide accounting services prescribed by this Law.
12. *Accounting inspection* means examination, assessment of conformity with regulations of law on accounting, truthfulness and accuracy of accounting information and data.

13. *Provision of accounting services* means provision of accounting services, chief accountant's services, making of financial statements, accounting consultancy, and other accounting works defined by this Law for service users.

14. *Accounting period* means a period of time from the time the accounting unit starts to make its accounting book to the time it closes the accounting book to make the financial statement.

15. *Economic/financial transactions* are activities that increase or decrease assets and sources of assets of an accounting unit.

16. *Accounting method* means the specific method and procedures for doing each accounting work.

17. *Electronic equipment* means equipment operating based on electric, electronic, digital, magnetic technologies, wireless transmission, optical technologies, electromagnetic technology, or similar technologies.

18. *Accounting documents* are accounting records, accounting books, financial statement, administrative accounting reports, audit reports, accounting inspection reports, and other documents relevant to accounting.

Article 4. Accounting objectives

1. Collecting, processing accounting information and data according to subjects and contents of accounting works, accounting standards and accounting regime.

2. Inspecting, supervising revenues, expenditures, debts; inspecting the management, use of assets and sources of assets; discovering and preventing violations against regulations on finance and accounting.

3. Analyzing accounting information and data; advising, proposing solutions for resolving administrative requirements and making of economic, financial decisions of the accounting unit.

4. Providing accounting information and data as prescribed by law.

Article 5. Accounting requirements

1. All economic/financial transactions are fully recorded into accounting records, accounting books, and financial statements.

2. Accounting information and data are recorded in a timely manner.

3. Accounting information and data are recorded in a clear, understandable, and accurate timely manner.

4. Status, nature, contents, and value of economic/financial transactions are recorded truthfully and objectively.
5. Accounting information and data must be continuously recorded from the beginning to the end of every economic, financial activity, from the establishment to the shutdown of the accounting unit; the accounting data of a period must continue that of the previous period.
6. Accounting information and data are classified and sorted systematically in a way that can be compared and verified.

Article 6. Accounting principles

1. Values of assets and liabilities must be recorded according to their original prices. After being initially recorded, regarding certain types of assets and liabilities whose values fluctuate according to market prices and can be reliably re-determined according to reasonable values at the end of the financial statement period.
2. Chosen regulations and accounting method must be consistently applied throughout the fiscal year; where the chosen regulations and accounting method are changed, the accounting unit must provide explanation in its financial statement.
3. The accounting unit must collect, record economic/financial transactions that occur objectively, fully, truthfully, and in the correct accounting period.
4. Every financial statement must be completely, accurately, made and sent to competent authority in a timely manner. Information and data in financial statements of accounting units must be made publicly available in accordance with Article 31 and Article 32 of this Law.
5. Accounting units shall apply methods for evaluation of assets, distribute the revenues and expenditures carefully; do not falsify the results of their economic, financial activities.
6. Financial statements must be made and presented in a way that correctly reflects the nature of the transactions rather than their names.
7. Apart from Clause 1 through 6 of this Article, regulatory bodies, organizations, public service agencies using state budget shall do accounting according to state budget tables.

Article 7. Accounting standards and codes of ethics for accountants

1. Accounting standards comprise the basic accounting methods and regulations for making financial statements.
2. Code of ethics for accountants comprises regulations and instructions on principles, application of the code of ethics to accountants, accounting practitioners, enterprises and households providing accounting services.

3. The Ministry of Finance shall provide for accounting standards and codes of ethics for accountants based on international accounting standards and Vietnam's conditions.

Article 8. Accounting subjects

1. Accounting subjects with regard to revenues, expenditures of state budget, administrative operation; operation of units and organizations using state budget include:

- a) Money, supplies, and fixed assets;
- b) Budgets, funds;
- c) Internal and external payments of the accounting unit;
- d) Revenues, expenditures, and settlement of difference between revenue and expenditure;
- dd) Revenues, expenditures, and surplus of state budget;
- e) Financial, credit investment by the State;
- g) Debt and settlement of public debt;
- h) Public assets;
- i) Other property, assets, and liabilities related to the accounting unit.

2. Accounting subjects with regard to operation of units and organizations that do not use state budget include assets and sources of assets specified in Point a, b, c, d, and I Clause 1 of this Article.

3. Accounting subjects with regard to business operation, except for the activities specified in Clause 4 of this Article, include:

- a) Assets;
- b) Liability and owner's capital;
- c) Revenues, operating cost, incomes, and other costs;
- d) Taxes and amounts payable to state budget;
- dd) Business outcome and distribution thereof;
- e) Other property, assets, and liabilities related to the accounting unit.

4. Accounting subjects with regard to the fields of banking, credit, insurance, securities, and financial investment include:

- a) The subjects specified in Clause 3 of this Article;
- b) Financial and credit investment;
- c) Internal and external payments of the accounting unit;
- d) Commitments, guarantees, valuable papers.

Article 9. Financial accounting, administrative accounting, general accounting, detailed accounting

1. Accounting works of an accounting unit include financial accounting and administrative accounting.

2. When doing financial accounting and administrative accounting, the accounting unit must also do general accounting and detailed accounting as follows:

- a) General accounting involves collection, processing, recording, and provision of general information about economic and financial activities of the accounting unit. General accounting uses currencies to reflect assets, sources of assets, status and outcomes of economic and financial activities of the accounting unit. General accounting is done based on information and data of detailed accounting;
- b) Detailed accounting involves collection, processing, recording, and provision of detailed information in the form of currencies, objects, and working hours of each particular accounting subject of the accounting unit. Detailed accounting is meant to illustrate general accounting. Detailed accounting data must be consistent with general accounting data in an accounting period.

3. The Ministry of Finance shall provide guidance on application of administrative accounting to each field.

Article 10. Units for accounting

1. The accounting currency is Vietnam dong; its Vietnamese symbol is “đ” and international symbol is "VND". Where an economic/financial transaction in a foreign currency occurs, the accounting unit must record the foreign currency and VND at the actual exchange rate, unless otherwise prescribed by law; if there is not exchange rate between the foreign currency and VND, it shall be exchanged into another foreign currency that has an exchange rate with VND.

An accounting unit whose most revenues and expenditures are in a foreign currency may use such foreign currency as the accounting currency and has to take legal responsibility for such action and notify its supervisory tax authority. When making a financial statement which is used

in Vietnam, the accounting unit must convert the foreign currency into VND at the actual exchange rate, unless otherwise prescribed by law.

2. Items and working hours used as units for accounting are legal units of measurement of Socialist Republic of Vietnam; Where an accounting unit uses another unit of measurement, it must be converted into a legal unit of Socialist Republic of Vietnam.

3. Accounting units are allowed to round numbers, use abbreviated units when making or publishing their financial statements.

4. The government shall elaborate and provide guidance on implementation of this Article.

Article 11. Text and numbers for accounting

1. The language of accounting shall be Vietnamese. Where a foreign language must be used on an accounting record, accounting book, or financial statement which is used in Vietnam, it is required to use both Vietnamese and that foreign language.

2. Numbers used for accounting are Arabic numerals; the thousands separator is a dot (.); and the decimal mark is a comma (,).

3. With regard to foreign enterprises, branches of foreign enterprises or foreign organizations who have to sent their financial statements to the parent companies or overseas organization, or share the same transaction management software programs with the parent companies or overseas organization may use a comma (,) as the thousands separator and a dot as a decimal mark. In this case, it is required to be noted in the accounting documents, accounting books, and financial statements; the financial statements submitted to tax authorities, statistics authorities, and other competent authorities shall comply with Clause 2 of this Article.

Article 12. Accounting periods

1. Accounting periods include annual accounting periods, quarterly accounting periods, and monthly accounting periods. To be specific:

a) An annual accounting period is 12 months from January 01 to the end of December 31. Any accounting unit, because of its difference in organizational structure or operation, that is allowed to begin the annual accounting period on the 1st of the first month of a quarter and end it on the last day of the last month of the next four quarter must notify the finance authority and tax authority.

b) A quarterly accounting period lasts for 03 months from the 1st of the first month of the quarter to the last day of the last month of the quarter;

c) A monthly accounting period lasts for 01 month from the 1st to the last day of the month.

2. Accounting periods of a new accounting unit:

- a) The first accounting period of a new enterprise begins on the issuance date of the Certificate of Enterprise Registration and ends on the last day of the annual, quarterly, or monthly accounting period specified in Clause 1 of this Article;
- b) The first accounting period of another accounting unit other than a new enterprise begins on the issuance date of the decision on establishment of the accounting unit and ends on the last day of the annual, quarterly, or monthly accounting period specified in Clause 1 of this Article.
3. Where an accounting unit is divided, consolidated, merged, converted, transferred, dissolved, shut down, or bankrupt, the last accounting period begins on the first day of the annual, quarterly, or monthly accounting period specified in Clause 1 of this Article and ends on the day preceding the effective date of the decision on division, consolidation, merger, conversion, transfer, dissolution, shutdown, or bankruptcy of the accounting unit.
4. If the first or last annual accounting period is shorter than 90 days, it may be aggregated with the next or previous annual accounting period, respectively; the first or last annual accounting period must be shorter than 15 months.

Article 13. Prohibited acts

1. Forging, making false statements in, falsifying accounting records or other accounting documents, or forcing another person to do so.
2. Intentionally providing, verifying false accounting information and data, or colluding with another person in doing so or forcing another person to do so.
3. Leaving assets, liabilities of the accounting unit or related to the accounting unit from the accounting books.
4. Destroying or deliberately damaging accounting documents before the expiration of the retention period specified in Article 41 of this Law.
5. Promulgating, publishing accounting standards or accounting regimes ultra vires.
6. Bribing, threatening, repressing, forcing accountants to do accounting works against this Law.
7. Allowing the manager or operator of an accounting unit to act as its accountant, warehouse-keeper, or treasurer, except for private enterprises and any limited liability company owned by a single individual.
8. Assigning or hiring people that fail to satisfy all standards and requirements specified in Article 51 and Article 54 of this Law as accountants or chief accountants.
9. Renting, borrowing, leasing out, or lending the accountant certificate or Certificate of Accounting Practice Registration in any shape or form.

10. Establishing two or more accounting book systems or providing, publishing financial statements that contain inconsistent data in the same accounting period.
11. Providing accounting services without the Certificate of eligibility to provide accounting services or practice accounting without satisfying all requirements specified in this Law.
12. Use the phrase “dịch vụ kế toán” (“accounting services”) in the enterprise’s name without the Certificate of eligibility to provide accounting services after 06 months from the issuance date of the Certificate of Enterprise Registration, or while the enterprise has stopped providing accounting services.
13. Hiring individuals or organizations that fail to satisfy all requirements for practicing accounting or providing accounting services to provide accounting services.
14. Accounting practitioners and accounting firms colluding with their clients in providing or verifying false accounting information and data.
15. Other prohibited acts according to regulations of law against corruption in accounting works.

Article 14. Value of accounting documents and data

1. Accounting documents and data have the legal value and used for publishing as prescribed by law.
2. Accounting documents and data are the basis for formulating and approving plans, estimates, financial statements, and evaluation of violations.

Article 15. Responsibility for management, use, provision of accounting information and documents

1. Accounting units are responsible for management, use, preservation, and retention of accounting documents.
2. Accounting units have the responsibility to provide accounting information and documents in a timely, complete, truthful, and transparent manner to other agencies, organizations, and individuals as prescribed by law.

Chapter II

CONTENTS OF ACCOUNTING WORKS

Section 1. ACCOUNTING RECORDS

Article 16. Contents of accounting records

1. An accounting record must have:

- a) Name and number of the accounting record;
 - b) Date of the accounting record;
 - c) Name, address of the entity that makes the accounting record;
 - d) Name, address of the entity that receives the accounting record;
 - dd) Contents of the economic/financial transaction that occurs;
 - e) Quantity, unit price, amount of the economic/financial transaction in number; total amount of accounting records serving collection or payment of money in both number and words;
 - g) Signatures, full names of the persons who make, approve the accounting record, and relevant persons
2. Apart from the primary contents specified in Clause 1 of this Article, an accounting record may have other contents depending on its type.

Article 17. Electronic records

1. Electronic records are considered accounting records if they have the contents specified in Article 16 of this Law and are displayed in the form of electronic data, encrypted and not changed during transmission through the computer network or telecommunications network or by a storage device such as magnetic tape, magnetic disc, or payment cards.
2. Electronic records must ensure security and integrity of data and information being used and stored, be managed and inspected to avoid illegal access, duplication, or piracy. Electronic records are managed as if accounting documents in original forms when they are created, sent, or received, provided there are suitable devices for using them.
3. When a physical record is converted into an electronic one and vice versa, the electronic may be used for making the economic/financial transaction; the physical record is only for retention, not for making transactions or payments.

Article 18. Making and retention of accounting records

1. An accounting record shall be made for each economic/financial transaction that occurs during the operation of an accounting unit. Only one accounting record shall be made for each economic/financial transaction.
2. Accounting records must be made in a clear, complete, timely, and accurate manner in accordance with the set form. If an accounting record form is not available, the accounting unit may design its own accounting records as long as they have sufficient contents specified in Article 16 of this Law.

3. Economic/financial transactions on accounting records must not be abbreviated, erased, changed; Text must be written by pen; digits and letters must be written continuously without interruption; blank spaces must be crossed out. Accounting records that are changed are not valid for payment and recording in accounting books. Every incorrect accounting record must be crossed out.

4. An accounting record must have a sufficient number of copies as prescribed. Contents of the copies of an accounting record for an economic/financial transaction must be identical.

5. The persons who make, approve, and other persons that sign the accounting record are responsible for its content.

6. Electronic accounting records must comply with provisions of Article 17, Clause 1 and Clause 2 of this Article. Electronic accounting records shall be printed and retained in accordance with Article 41 of this Law. If electronic records are stored in electronic devices instead of being printed, it is required to ensure safety and security of information and accessibility during the retention period.

Article 19. Signing accounting records

1. An accounting record must sufficient signatures. Accounting records must be signed with indelible ink. It is prohibited to use red ink or rubber signature stamps on accounting records. Signatures on accounting records appended by the same person must be consistent. The Government shall provide for signatures on accounting records appended by visually impaired people.

2. Accounting records must be signed by competent persons or authorized persons. It is prohibited to sign an accounting record that does not have sufficient content.

3. Accounting records on payment must be signed by the person competent to approve payments and the chief accountant or an authorized person before making such payment. Every copies of an accounting record on payment must be signed.

4. Electronic records must bear electronic signatures. Signatures on electronic records are as valid as signatures on physical records.

Article 20. Invoices

1. Invoices are accounting records made by goods sellers and service providers to record information about the goods sale or service provision as prescribed by law.

2. The content and appearance of invoices, procedures for making, managing, and using invoices shall comply with regulations of law on taxation.

Article 21. Management and use of accounting records

1. Information and data on accounting records are the basis for making accounting books.
2. Accounting records must be sorted by transaction content and by time, and preserved as prescribed by law.
3. Only competent authorities are entitled to impound, confiscate, or seal accounting records. Where accounting records are impounded or confiscated, the competent authority shall photocopy the records impounded or confiscated, append signature on the copies, and give the copies to the accounting unit; make a record which specifies the reasons for impoundment or confiscation, quantity of each type of accounting records impounded or confiscated, and append the signature and seal on the record.
4. The competent authority that seals accounting records shall issue a record which specifies the reasons for sealing, quantity of each type of accounting records sealed, and append the signature and seal on the record.

Section 2. ACCOUNTS AND ACCOUNTING BOOKS

Article 22. Accounts and account system

1. Accounts are used for classifying and systemizing economic/financial transactions.
2. The account system consists of necessary accounts. Each accounting unit may only use one account system for financial accounting as prescribed by the Ministry of Finance.
3. The Ministry of Finance shall promulgate specific regulations on accounts and account systems of the following accounting units:
 - a) Accounting units responsible for revenues and expenditures of state budget;
 - b) Accounting units using state budget;
 - c) Accounting units that do not use state budget;
 - d) Accounting units that are enterprises;
 - dd) Other accounting units.

Article 23. Options to apply an account system

1. Each accounting unit shall select an account system from the account systems established by the Ministry of Finance.
2. An accounting unit may detail the selected accounts to serve its purpose.

Article 24. Accounting books

1. Accounting books are used for recording economic/financial transactions that occurred and are related to the accounting unit.
2. Each accounting book must specify the name of the accounting unit; name, opening date, closing date of the book; signature of the book maker, chief accountant, legal representative of the accounting unit, page numbers, and overlapping seals.
3. Each accounting book must have:
 - a) Date of each entry;
 - b) Numbers and dates of accounting records that serve as the basis for making the entries;
 - c) Summary of economic/financial transactions that occurred;
 - d) Amount of money of economic/financial transactions recorded in the accounts;
 - dd) Opening balance, transactions that occur during the period, and closing balance.
4. Accounting books include the general accounting book and detailed accounting books.
5. The Ministry of Finance shall promulgate specific regulations on accounting books.

Article 25. Accounting book system

1. Each accounting unit shall select an accounting book system from the accounting book systems established by the Ministry of Finance.
2. Each accounting unit shall use only one accounting book system for an annual accounting period.
3. The accounting unit may detail the selected accounting books to serve its purpose.

Article 26. Opening, recording, closing, and retention of accounting books

1. Accounting books shall be opened at the beginning of the annual accounting period; new accounting units shall open their accounting books from the inauguration date.
2. Accounting records are the basis for making accounting books.
3. Accounting books must be made clearly, completely, and in a timely manner. Information and data recorded in the accounting books must be accurate, truthful, and consistent with accounting records.
4. Economic/financial transactions must be recorded in the accounting books in chronological order. Information and data recorded in accounting books of the next year must continue those

on the accounting books of the preceding year. An accounting book must be continuously made from the beginning to the closing of the book.

5. Information and data on the accounting books must be recorded by pen, must not be inserted at the top or bottom and must not overlap; no lines shall be skipped; any empty space of the page must be crossed out; if one page is not enough, a sum must be done at the end of each page and carried forward to the next page.

6. The accounting unit must close its accounting books at the end of the accounting period before making the financial statement and in other cases specified by law.

7. Accounting units may make electronic accounting books. Electronic accounting books must comply with regulations on accounting books in Article 24, Article 25, Clause 1, 2, 3, 4, and 6 of this Article, except for regulations on the overlapping seal. After electronic accounting books are closed, they must be printed out and bound into books for each annual accounting period in order to be retained. If electronic accounting books are stored in electronic devices instead of being printed, it is required to ensure safety and security of information and accessibility during the retention period.

Article 27. Correcting accounting books

1. If an error is found in an accounting book, they must not be erased and must be rectified in one of the following manners:

a) Cross out the error, write the correct text or number above, and request the chief accountant to sign next to it;

b) Rewrite the incorrect number in red ink or in round brackets, then write the correct number and request the chief accountant to sign next to it;

c) Issue “chứng từ điều chỉnh” (“corrective note”) and write the difference.

2. If an error is found in an accounting book before the annual financial statement is submitted to a competent authority, rectification must be made in the accounting books of the same year.

3. If an error is found in an accounting book after the annual financial statement is submitted to a competent authority, rectification must be made in the accounting books of the year in which the error is found and explanation must be provided.

4. Rectification of electronic accounting books shall apply the method specified in Point c Clause 1 of this Article.

Article 28. Evaluation and recording according to reasonable value

1. Assets and liabilities to be evaluated and recorded according to their reasonable values at the end of the financial statement period include:

a) Financial instruments required by accounting standards to be recorded and re-evaluated according to their reasonable values

b) Accounts derived from foreign currencies at actual exchange rates;

c) Other assets and liabilities whose values regularly fluctuate and required by accounting standards to be re-evaluated according to their reasonable values.

2. Re-evaluation of assets and liabilities according to their reasonable values must be well founded. If the values cannot be reliably determined, assets and liabilities shall be recorded at their original prices.

3. The Ministry of Finance shall regulate assets and liabilities to be recorded and re-evaluated according to reasonable values, accounting method for recording and re-evaluating according to reasonable values.

Section 3. FINANCIAL STATEMENTS

Article 29. Financial statements of accounting units

1. Financial statements of an accounting unit are used for aggregating and describing its financial conditions and performance. Financial statements of an accounting unit include:

a) Financial condition statement;

b) Business performance statement;

c) Cash flow statement;

d) Note to financial statements;

dd) Other statements defined by law.

2. Financial statements of an accounting unit are made as follows:

a) Each accounting unit shall make the financial statement at the end of the annual accounting period, unless otherwise prescribed by law;

c) Financial statements shall be based on figures after accounting books are closed. The superior accounting unit shall make a general financial statement or consolidated financial statement based on financial statements of inferior accounting units;

c) Financial statements must be made correctly in terms of contents, method, and consistency accounting periods; any difference in presentation of financial statements of different accounting periods must be explained;

d) Financial statements shall bear the signatures of the makers, the chief accountant, and the legal representative of the accounting unit. The persons who sign a financial statement are responsible for its content.

3. The annual financial statement of an accounting unit shall be submitted to the competent authority within 90 days from the end of the annual accounting period as prescribed by law.

4. The Ministry of Finance shall promulgate specific regulations on financial statements in each field; responsibility, maker, period, method, deadline, places for submission of financial statements, and publishing of financial statements.

Article 30. Financial statements of the State

1. Financial statements of the State are made according to consolidation of financial statements of regulatory agencies, public service agencies, business organizations, and relevant units of the State, used for consolidating and describing financial conditions of the State, result of financial activities of the State, and cash flow thereof nationwide and of each administrative division.

2. Financial statements of the State provide information about revenues and expenditures of state budget, public funds, public debts, state capital in enterprises, assets, sources of capital, and use of state capital. Financial statements of the State include:

a) Financial condition statement;

b) Statement of financial activity result;

c) Cash flow statement;

d) Note to financial statements of the State.

3. Financial statements of the State are made as follows:

a) The Ministry of Finance shall make nationwide financial statements, submit them to the Government for reporting to the National Assembly; direct State Treasuries to take charge and cooperate with finance authorities in making financial statements of local governments and submitting them to the People's Committees of provinces for reporting to the People's Councils of provinces;

b) Other regulatory agencies, public service agencies, business organizations, and relevant units shall make their own financial statements and provide financial information serving the making of nationwide and local financial statements.

4. Financial statements of the State shall be made and submitted to the National Assembly or the People's Council at the same time as the state budget statement according to the Law on State budget.

5. The Government shall promulgate specific regulations on financial statements of the State; the making and publishing of financial statements of the State; responsibility of agencies, units, and local governments for provision of information serving the making of financial statements of the State.

Article 31. Published contents of financial statement

1. Accounting units using state budget shall publish information about revenues, expenditures of state budget in accordance with the Law on State budget.

2. Accounting units that do not use state budget shall publish their annually revenue and expenditure statements.

3. Accounting units using the people's contributions shall publish the purposes and use of such contributions, contributors, contributed amount, results, revenues and expenditures related to such contributions.

4. Accounting units doing business shall publish:

b) Assets, liabilities and owner's capital;

b) Business performance;

c) Development and use of funds;

d) Workers' incomes;

dd) Other contents required by law.

5. Financial statements of accounting units that are, by law, required to be audited must be enclosed with audit reports made by the auditing bodies.

Article 32. Manners and deadline for publishing financial statements

1. A financial statement shall be published in one of the following manner:

a) Publication;

b) Written notice;

c) Posting;

d) Publication on a website;

dd) Other manners prescribed by law.

2. The manners and deadlines for publishing financial statements of accounting units using state budget shall comply with regulations of law on state budget.

3. Accounting units that do not use state budget, accounting units using the people's contributions shall publish their annual financial statements within 30 days from their submission dates.

4. Accounting units doing business shall publish their annual financial statements within 120 days from the end of the annual accounting period. Where regulations of law on securities, credit, or insurance provide for different manners and deadlines for publishing financial statements; such regulations shall apply.

Article 33. Audit of financial statements

1. Financial statements of accounting units that are, by law, required to be audited must be audited before they are submitted to competent authorities and published.

2. Audited accounting units shall comply with regulations of law on audit.

3. Audited financial statements of accounting units must be enclosed with audit reports when being submitted to competent authorities.

Section 4. ACCOUNTING INSPECTION

Article 34. Accounting inspection

1. Accounting units shall have their accounting works inspected by competent authorities. Accounting inspection shall only be carried out under a decision of a competent authority as prescribed by law, except for the authorities specified in Point b Clause 3 of this Article.

2. The authorities that are competent to decide accounting inspection include:

a) The Ministry of Finance;

b) Other Ministries, ministerial agencies, Governmental agencies, other central agencies shall decide accounting inspection of accounting units under their management;

c) The People's Committees of provinces shall decide accounting inspection of accounting units in their provinces;

d) Superior units shall decide accounting inspection of affiliated units.

3. The authorities that are competent to carry out accounting inspection include:

a) The authorities specified in Clause 2 of this Article;

b) State inspection agencies, finance inspection agency, State Audit Agency, tax authorities during inspection and audit of accounting units.

Article 35. Contents of accounting inspection

1. An accounting inspection consists of:

- a) Inspection of performance of accounting works;
- b) Inspection of the accounting apparatus and accountants;
- c) Inspection of the organization structure and provision of accounting services;
- d) Inspection of the adherence to other regulations of law on accounting.

2. The accounting inspection content must be specified in the decision on accounting inspection, except for the case in Point b Clause 3 Article 34 of this Law.

Article 36. Duration for accounting inspection

The Duration of an accounting inspection is decided by the authority competent to carry out the accounting inspection but not exceeding 10 days, excluding days off and public holidays defined by the Labor Code. If the inspection content is complicated and thus requires more time to evaluate and draw a conclusion, the inspecting authority may extend the duration for up to 05 days, excluding days off and public holidays defined by the Labor Code.

Article 37. Rights and obligations of accounting inspectorates

1. During an accounting inspection, the inspectorate must announce the decision on accounting inspection, except for the inspectorates and audit commissions specified in Point b Clause 3 Article 34 of this Law. The accounting inspectorate is entitled to request the accounting unit to provide accounting documents related to the accounting inspection content and explanation where necessary.

2. At the end of the inspection, the inspectorate shall make an inspection record and gives one copy to the inspected unit; Any violations against regulations of law on accounting shall, if they are within the competence of the inspectorate, be dealt with or, if they are beyond the competence of the inspectorate, transferred to a competent authority as prescribed by law.

3. The chief of the inspectorate is responsible for the inspection conclusion.

4. The inspectorate shall comply with the procedures, contents, scope, and duration of inspection, not affect the normal operation of the accounting unit, and not harass the accounting unit.

Article 38. Rights and obligations of inspected accounting units

1. The inspected accounting unit has the obligations to:

a) Provide the inspectorate with accounting documents related to the accounting inspection content and explanation at the request of the inspectorate;

b) Comply with the conclusion given by the inspectorate.

2. The inspected accounting unit has the rights to:

a) Refuse the inspection if it is suspected to be beyond the competence of the inspectorate as prescribed in Clause 2 and Clause 3 Article 34, or the inspection contents are not conformable with Article 35 of this Law;

b) File complaints to a competent authority if the conclusion given by the inspectorate is not concurred with.

Article 39. Internal control and audit

1. Internal control means establishment and implementation of internal mechanism, policies, procedures, and regulations conformable with law meant to prevent, discover, and deal with the risks and meet the set requirements.

2. Each accounting unit must establish an internal control system to meet the following requirements:

a) Its assets are protected from improper and inefficient use;

b) The transactions are approved *intra vires* and fully recorded as the basis for making and presenting truthful and reasonable financial statements.

3. Internal audit means inspection, assessment, and supervision of the completeness, appropriateness, and effectiveness of internal control.

4. Objectives of internal audit:

a) Inspect the compatibility, effectiveness, and efficiency of the internal control system;

b) Inspect and certify the quality, reliability of economic and financial information of the financial statement and administrative accounting report before they are submitted;

c) Inspect the adherence to the rules for operation, management, observance of law, regulations on finance, accounting, policies, resolutions, and decisions of the heads of the accounting unit;

d) Discover weaknesses in the management system; propose solutions for improvement of the management system of the accounting unit.

5. The Government shall regulate internal audit of enterprises, regulatory agencies, and public service agencies.

Section 5. STOCKTAKING, PRESERVATION AND RETENTION OF ACCOUNTING DOCUMENTS

Article 40. Stocktaking

1. Stocktaking means measurement of quantity, verification and assessment of quality and value of existing assets and sources of capital at that time in comparison with figures in the accounting books.

2. An accounting unit shall conduct stocktaking in the following cases:

a) At the end of the annual accounting period;

b) Total division, partial division, consolidation, merger, dissolution, shutdown, bankruptcy, transfer, or lease of the accounting unit;

c) Conversion of type of business of the accounting unit;

d) Occurrence of conflagration, flood, and other unexpected damage;

dd) Re-evaluation of assets under a decision of a competent authority;

e) Other cases prescribed by law.

3. After the stocktaking is done, the accounting unit shall make a stocktaking report. In case of any discrepancies between the stocktaking result and figures on the accounting books, the accounting unit must determine the cause and record the difference on the accounting books before making the financial statement.

4. The stocktaking must truthfully reflect the assets and sources of assets. The persons who make and sign the stocktaking report are responsible for it.

Article 41. Preservation and retention of accounting documents

1. Accounting documents must be fully and safely preserved by accounting units.

2. In case of impoundment or confiscation of accounting documents, it is required to have a record and copies of the impounded or confiscated accounting documents; in case of loss or damage of accounting documents, it is required to have a record and copies of documents or a certification.

3. Accounting documents shall be retained for 12 months from the end of the annual accounting period or completion of accounting works.

4. The legal representative of the accounting unit is responsible for the preservation and retention of accounting documents.

5. Duration of retention of accounting documents:

a) For accounting documents serving management and operation of the accounting unit, including those not directly used for making accounting books and financial statements: at least 05 years;

b) For accounting documents directly used for making accounting books, financial statements, accounting books, and annual financial statements: at least 10 years, unless otherwise prescribed by law;

c) For historical accounting documents or those of economic, national security, or national defense importance: permanently.

6. The Government shall regulate types of accounting documents that need retaining, duration of retention, beginning time of retention mentioned in Clause 5 of this Article, places for retention, and procedures for destruction of accounting documents.

Article 42. Responsibility of accounting units for loss or damage of accounting documents

Where accounting documents are lost or damaged, the accounting unit shall immediately:

1. Check, determine the quantity, conditions, cause of the loss or damaged; notify relevant entities and competent authorities;

2. Organize a restoration of damaged accounting documents;

3. Contact entities having transactions and accounting documents for photocopying the documents or certifying the loss or damage of accounting documents;

4. Regarding accounting documents about assets that cannot be restored as set out in Clause 2 and Clause 3 of this Article, it is required to conduct stocktaking to remake the accounting documents that are lost or damaged.

Section 6. ACCOUNTING WORKS IN CASE OF TOTAL DIVISION, PARTIAL DIVISION, CONSOLIDATION, MERGER, CONVERSION, DISSOLUTION, SHUTDOWN, BANKRUPTCY OF ACCOUNTING UNITS

Article 43. Accounting works in case of total division of an accounting unit

1. The accounting unit that undergoes a total division shall perform the following works:

a) Close accounting books, conduct stocktaking, determine unpaid debts, and make a financial statement;

- b) Distribute assets and unpaid debts, make a transfer note, and make the accounting books according to such transfer note;
 - c) Transfer accounting documents about the assets and unpaid debts to the new accounting units
2. According to the transfer note, new accounting units shall open and make their accounting books in accordance with this Law.

Article 44. Accounting works in case of partial division of an accounting unit

1. The accounting unit (transferor unit) that undergoes a partial division and establishes a new accounting unit (transferee unit) shall perform the following works:
- a) Conduct stocktaking, determine unpaid debts of the transferee unit;
 - b) Transfer assets and unpaid debts of the transferee unit, make a transfer note, and make accounting books according to such transfer note;
 - c) Transfer accounting documents about the assets and unpaid debts to the transferee unit; the transferor unit shall retain accounting documents that are not transferred in accordance with Article 41 of this Law.
2. According to the transfer note, new transferee unit shall open and make their accounting books in accordance with this Law.

Article 45. Accounting works in case of consolidation of accounting units

1. Where several accounting units (consolidating units) are consolidated into a new accounting unit (consolidated unit), the following works shall be performed:
- a) Close accounting books, conduct stocktaking, determine unpaid debts, and make a financial statement;
 - b) Transfer all assets and unpaid debts, make a transfer note, and make accounting books according to such transfer note;
 - c) Transfer all accounting documents to the consolidated unit.
2. The consolidated unit shall:
- a) Open and make its accounting books according to the transfer note and in conformity with this Law;
 - b) Consolidate financial statements of consolidating units into a financial statement of the consolidated unit;

c) Receive, retain accounting documents of consolidated units.

Article 46. Accounting works in case of acquisition of an accounting unit

1. The accounting unit that is acquired by another accounting unit (acquirer) shall:

a) Close accounting books, conduct stocktaking, determine unpaid debts, and make a financial statement;

b) Transfer all assets and unpaid debts, make a transfer note, and make accounting books according to such transfer note;

c) Transfer all accounting documents to the acquirer.

2. The acquirer shall make its accounting books according to the transfer note and in conformity with this Law.

Article 47. Accounting works in case of conversion of an accounting unit

1. The converted accounting unit shall:

a) Close accounting books, conduct stocktaking, determine unpaid debts, and make a financial statement;

b) Transfer all assets and unpaid debts, make a transfer note, and make accounting books according to such transfer note;

c) Transfer all accounting documents to the converted accounting unit.

2. According to the transfer note, new converted unit shall open and make their accounting books in accordance with this Law.

Article 48. Accounting works in case of dissolution, shutdown, or bankruptcy of an accounting unit

1. The accounting unit that is dissolved or shut down shall:

a) Close accounting books, conduct stocktaking, determine unpaid debts, and make a financial statement;

b) Open an accounting book to monitor economic/financial transaction related to the dissolution or shutdown;

c) Transfer all accounting documents of the dissolved or shut down accounting unit to the superior accounting unit or an entity in charge of document retention in accordance with Article 41 of this Law.

2. Where an accounting unit is declared bankrupt, the declaring court shall appoint a person in charge of the accounting works specified in Clause 1 of this Article.

Chapter III

ORGANIZATION OF ACCOUNTING APPARATUS AND ACCOUNTANTS

Article 49. Organization of accounting apparatus

1. Every accounting unit must organize the accounting apparatus, appoint accountants, or purchase external accounting services.
2. The organization of the accounting apparatus, appointment of accounting, the chief accountant, accounting practitioners, or purchase of accounting services or chief accountant's services shall comply with regulations of the Government.

Article 50. Responsibilities of accounting unit's legal representative

1. Organize the accounting apparatus, appointment of accountants, or decide to hire accounting firms or accounting households in accordance with this Law.
2. Appoint the chief accountant or purchase chief accountant's services in accordance with this Law, unless otherwise prescribed by other laws.
3. Organize and direct accounting works in the accounting unit in accordance with regulations of law on accounting and take responsibility for the damage caused by the legal representative's misconduct; take joint responsibility for misconduct by others people under the legal representative's management.
4. Organize internal accounting inspection and accounting inspection of inferior units.

Article 51. Standards, rights and obligations of accountants

1. Every accountant must meet the standards below:
 - a) Comply with professional ethics, be truthful, integrated, and abide by law.
 - b) Have professional accounting knowledge and skills.
2. Accountants have the right to perform accounting works independently.
3. Accountants must comply with regulations of law on accounting, perform given tasks, and take responsibility for their performance. When an accountant is replaced, the replaced accountant shall hand over his/her works and documents to the replacing accountant. The replaced accountant is still responsible for the accounting works done during his/her practice.

Article 52. People prohibited from practicing accounting

The following people are prohibited from practicing accounting:

1. Minors; people who completely or partly lose their civil capacity as declared by the court; people forcibly sent to reform schools or rehabilitation centers.
2. People banned from practicing accounting under an effective court's judgment or decision; people undergoing criminal prosecution; people sentenced to imprisonment or were convicted of economic crimes or other crimes related to finance, accounting and have not had their criminal records expunged.
3. Parents, adoptive parents, spouses, children, siblings of the legal representative, head, Director, General Director, deputies of the head, Deputy Director, Deputy General Director in charge of finance – accounting, and the chief accountant of the same accounting unit, except for private enterprises, single-member limited liability companies owned by individuals, and other cases specified by the Government.
4. People holding the position of managers, executive officers, treasurers, warehouse-keepers, buyers or sellers of assets in the same accounting unit except for private enterprises, single-member limited liability companies owned by individuals, and other cases specified by the Government.

Article 53. Chief accountant

1. The chief accountant is the head of a unit's accounting apparatus and in charge of execution of accounting works therein.
2. Chief accountants of regulatory agencies, organizations and public service agencies using state budget, and enterprises whose over 50% charter capital is held by the State, apart from the tasks specified in Clause 1 of this Article, are also responsible for assisting the accounting units' legal representatives in financial supervision of the accounting units.
3. The chief accountant is subject to direction by the accounting unit's legal representative and also direction and inspection by the chief accountant of the superior accounting unit, if any, in terms of professional works.
4. Where the chief accountant is replaced by another accountant, such accountant must satisfy the standards and conditions specified in Clause 1 Article 54 of this Law, and perform the chief accountant's rights and obligations specified in Article 55 of this Law.

Article 54. Standards and conditions for chief accountants

1. A chief accountant must meet the standards below:
 - a) Meet the standards specified in Clause 1 Article 51 of this Law;

- b) Have at least an associate degree in accounting;
 - c) Have a certificate of training in chief accountant's techniques;
 - d) The holder of a bachelor's degree in accounting must have at least 02 years' experience of accounting works; the holder of an associate degree in accounting must have at least 03 years' experience of accounting works.
2. The Government shall specify standards and conditions for chief accountants that suit each type of accounting units.

Article 55. Rights and obligations of chief accountants

1. A chief accountant has the responsibility to:
- a) Comply with regulations of law on accounting and finance of accounting units;
 - b) Organize the operation of the accounting apparatus in accordance with this Law;
 - c) Make financial statements in accordance with accounting regimes and accounting standards.
2. The chief accountant has the right to perform accounting works independently.
3. Chief accountants of regulatory agencies, organizations and public service agencies using state budget, and enterprises whose over 50% charter capital is held by the State, apart from the rights specified in Clause 2 of this Article, also have the right to:
- a) Offer opinions in writing about employment, reassignment, pay raise, commendation, and disciplinary actions for accountants, warehouse-keepers, and treasurers;
 - b) Request relevant departments of the accounting unit to provide adequate documents related to the chief accountant's accounting works and financial supervision works in a timely manner;
 - c) Preserve his/her opinions in writing if they are at odds with that of the decision maker;
 - d) Submit written reports to the legal representative of the accounting unit on discovered violations against regulations of law on finance and accounting in the unit. If the decision has to be complied with, the report shall be sent to the person superior to the decision maker or a competent authority. In this case the chief accountant is not responsible for the implementation of such decision.

Article 56. Purchase of accounting services and chief accountant's services

1. An accounting unit may enter into a contract with an accounting firm or accounting household to provide accounting services or chief accountant's services in accordance with law.

2. The purchase of accounting services or chief accountant's services must be made into a contract in accordance with law.
3. The accounting unit that purchases accounting services or chief accountant's services shall provide adequate and accurate information and documents related to such services and fully pay for the services as agreed in the contract.
4. The hired chief accountant must satisfy the standards and conditions specified in Article 54 of this Law.
5. Accounting firms, accounting households, hired accountants, and hired chief accountants are responsible for accounting information and data as agreed in the contracts.

Chapter IV

PROVISION OF ACCOUNTING SERVICES

Article 57. Accountant certificate

1. A person must meet the standards below in order to obtain the accountant certificate:
 - a) Comply with professional ethics, be truthful, integrated, and abide by law.
 - b) Have a bachelor's degree or higher in finance, accounting, audit, or another discipline specified by the Ministry of Finance;
 - c) Pass the examination for the accountant certificate.
2. The holder of an accounting expert certificate or accounting practitioner certificate issued by a foreign organization or an international accounting organization that is accredited by the Ministry of Finance of Vietnam shall be granted an accountant certificate if he/she pass the examination in Vietnam's economics, finance, and accounting laws and meet the standards specified in Point a Clause 1 of this Article.
3. The Ministry of Finance shall specify conditions for taking the examination for the accountant certificate, procedures for issuance and revocation of the accountant certificate.

Article 58. Registration of accounting practice

1. The holder of an accountant certificate or auditor certificate according to the Law on Independent audit may register his/her accounting practice through an accounting firm or accounting household if he/she:
 - a) has full civil capacity; and

b) Has at least 36 months' experience of finance, accounting, or audit works since graduation from university; and

c) Has participated in every mandatory refresher course.

2. The person who satisfies all conditions in Clause 1 of this Article may register and be granted the Certificate of Accounting Practice Registration. The Ministry of Finance shall specify procedures for issuance and revocation of the Certificate of Accounting Practice Registration.

3. The Certificate of Accounting Practice Registration is only valid when its holder has a full-time contract with an accounting firm or an accounting household.

4. The following people must not register accounting practice:

a) Officials and public employees; professional servicemen and officers; national defense workers and public employees, police officers.

b) People banned from practicing accounting under an effective court's judgment or decision; people undergoing criminal prosecution; people sentenced to imprisonment or were convicted of economic crimes or other crimes related to finance, accounting and have not had their criminal records expunged; people put on probation, and people forcibly sent to reform schools or rehabilitation centers.

c) People convicted of serious economic crimes and have not had their criminal records expunged.

d) Any person that incurred a penalty for an administrative violation against regulations of law on finance, accounting, audit within the previous 06 months, if the penalty is a warning, or 01 years, if the penalty is other than a warning.

dd) People suspended from accounting practice.

Article 59. Accounting firms

1. An accounting firm may be established in the form of:

a) A multi-member limited liability company; or

b) A partnership; or

c) A private enterprise.

2. The firm may only provide accounting services after all conditions specified in this Law are satisfied and the Certificate of eligibility to provide accounting services is obtained.

3. The accounting firm must not contribute capital to establishment of another accounting firm, except for contribution of capital together with a foreign accounting firm to establishment of an accounting firm in Vietnam.

4. The foreign accounting firm shall provide accounting services in Vietnam in the following manners:

a) Contributing capital together with an existing accounting firm in Vietnam to establish an accounting firm;

b) Establishing branches of the foreign accounting firm;

c) Provide accounting services across the border as prescribed by the Government.

Article 60. Conditions for issuance of the Certificate of eligibility to provide accounting services

1. A multi-member limited liability company shall be granted the Certificate of eligibility to provide accounting services after all of the conditions below are satisfied:

a) The company has a Certificate of Enterprise Registration, Investment Registration Certificate, or an equivalent document as prescribed by law;

b) At least two capital contributors (members) are accounting practitioners;

c) The legal representative, Director or General Director of the company is an accounting practitioner;

d) The accounting practitioners' holdings in the enterprise, the holdings of members being organizations are conformable with regulations of the Government.

2. A partnership shall be granted the Certificate of eligibility to provide accounting services after all of the conditions below are satisfied:

a) The partnership has a Certificate of Enterprise Registration, Investment Registration Certificate, or an equivalent document as prescribed by law;

b) At least two general partners are accounting practitioners;

c) The legal representative, Director or General Director of the partnership is an accounting practitioner.

3. A private enterprise shall be granted the Certificate of eligibility to provide accounting services after all of the conditions below are satisfied:

a) The enterprise has a Certificate of Enterprise Registration, Investment Registration Certificate, or an equivalent document as prescribed by law;

b) There are at least two accounting practitioners in the enterprise;

c) The owner of the private company, who holds the position of Director, is an accounting practitioner.

4. A branch in Vietnam of a foreign accounting firm shall be granted the Certificate of eligibility to provide accounting services after all of the conditions below are satisfied:

a) The foreign accounting firm is permitted to provide accounting services according to regulations of law of its home country;

b) There are at least two accounting practitioners, including the Director or General Director of the branch;

c) The Director or General Director of the branch does not concurrently hold the position of manager or executive officer of another enterprise in Vietnam;

b) The foreign accounting firm has submitted a document to the Ministry of Finance that it is responsible for every obligations and commitments of the branch in Vietnam.

5. Within 06 months from the date of accounting service registration, if the accounting firm or branch of a foreign accounting firm is not granted the Certificate of eligibility to provide accounting services, or the Certificate of eligibility to provide accounting services has been revoked, the accounting firm or branch of a foreign accounting firm must promptly request the business registration authority to remove the phrase “dịch vụ kế toán” (“accounting services”) from its name.

Article 61. Application for Certificate of eligibility to provide accounting services

1. An application form for the Certificate of eligibility to provide accounting services.

2. Copies of the Certificate of Enterprise Registration, Investment Registration Certificate, or an equivalent document.

3. Copies of Certificates of Accounting Practice Registration of accounting practitioners.

4. Employment contracts between the accounting firm and accounting practitioners.

5. Documents proving capital contribution (for limited liability companies).

6. The company’s charter (for partnerships and limited liability companies).

7. A written commitment to take responsibility by the foreign firm; documents proving the foreign firm is permitted to provide accounting services (for branches in Vietnam of foreign accounting firms).

Article 62. Deadline for issuance of Certificate of eligibility to provide accounting services

1. Within 15 days from the receipt of the satisfactory application, the Ministry of Finance shall issue the Certificate of eligibility to provide accounting services. If the application is rejected, explanation must be provided in writing.

2. If the application needs clarifying, the Ministry of Finance shall request the applicant to provide explanation. The time limit for issuance of the Certificate of eligibility to provide accounting services begins from the date of receipt of additional documents.

Article 63. Reissuance of Certificate of eligibility to provide accounting services

1. The Certificate of eligibility to provide accounting services shall be reissued in the following cases:

a) There is a change in the name, legal representative, Director, General Director, and address of the firm's headquarters or branch of the foreign accounting firm;

b) The Certificate of eligibility to provide accounting services is lost or damaged.

2. Application for reissuance of the Certificate of eligibility to provide accounting services:

a) An application form for reissuance of the Certificate of eligibility to provide accounting services;

b) The original Certificate of eligibility to provide accounting services, except for the case in Point b Clause 1 of this Article;

c) Other documents related to reissuance of the Certificate of eligibility to provide accounting services (if any).

3. Within 15 days from the receipt of the satisfactory application, the Ministry of Finance shall reissue the Certificate of eligibility to provide accounting services. If the application is rejected, explanation must be provided in writing.

Article 64. Fees for issuance and reissuance of the Certificate of eligibility to provide accounting services

An accounting firm that is issued or reissued with the Certificate of eligibility to provide accounting services shall pay fees as prescribed by law.

Article 65. Accounting households

1. A business household may provide accounting services after all of the conditions below are satisfied:

- a) The household has a certificate of business household registration;
- b) The individual or representative of the group of individuals who establish the business household is an accounting practitioner.

2. Accounting households are not required to have the Certificate of eligibility to provide accounting services.

Article 66. Changes to be notified to the Ministry of Finance

1. Within 10 days from the occurrence of any of the changes below, the accounting firm must send a written notification to the Ministry of Finance:

- a) Changes to the list of accounting practitioners in the firm;
- b) One, some, or all of the conditions for provision of accounting services specified in Article 60 of this Law are not satisfied;
- c) Changes to the firm's name or headquarters' address;
- d) Changes to the Director, General Director, legal representative, or holdings of members/partners;
- dd) Suspension of provision of accounting services;
- e) Establishment, shutdown, or changes to the names of addresses of the accounting firm's branches;
- g) Total division, partial division, acquisition, consolidation, conversion, or dissolution of the accounting firm.

2. Within 10 days from the occurrence of any of the changes below, the accounting household must send a written notification to the Ministry of Finance: a) Changes to the list of accounting practitioners;

- b) Changes to the household's name;
- c) Suspension or termination of accounting service provision.

Article 67. Responsibility of accounting practitioners, accounting firms, and accounting households

1. Perform accounting works as agreed in the contract.

2. Comply with regulations of law on accounting and code of ethics for accountants.
3. Take responsibility to the clients for provided accounting services and pay compensation for any damage caused.
4. Keep improving professional knowledge and skills, participating in annual refresher courses as prescribed by the Ministry of Finance.
5. Comply with accounting service quality control by the Ministry of Finance or an accounting association authorized by the Ministry of Finance.
6. Buy professional liability insurance as prescribed by the Government.

Article 68. Cases in which provision of accounting services are prohibited

The accounting firm or accounting household must not provide accounting services for another accounting unit when the manager or executive officer of the accounting firm or representative of the accounting household or the person who directly provides accounting services:

1. Is a parent, adoptive parent, spouse, child, sibling of the manager, executive officer, chief accountant of the accounting unit, unless the accounting unit is a private enterprise or limited liability company owned by an individual, and other cases specified by the Government; or
2. Has a economic – financial relationship with such accounting unit; or
3. Does not have adequate professional knowledge or does not satisfy all conditions for provision of accounting services; or
4. Is providing chief accountant’s services for a client who has a economic – financial relationship with such accounting unit; or
5. Is requested by the accounting unit to work against the code of ethics or professional requirements; or
6. Other cases prescribed by law.

Article 69. Suspension of provision of services and revocation of Certificate of eligibility to provide accounting services, Certificate of Accounting Service Registration

1. An accounting firm shall be suspended from providing accounting services in one of the following cases:

- a) One, some, or all of the conditions specified in Article 60 of this Law are not satisfied for 03 consecutive months;

b) There are professional errors or violations against accounting standards or code of ethics for accountants that cause serious consequences or are likely to cause serious consequences.

2. An accounting firm shall have its Certificate of eligibility to provide accounting services revoked in one of the following cases:

b) Accounting services are not provided for 12 consecutive months;

c) The errors or violations mentioned in Clause 1 of this Article are not eliminated within 60 days from the suspension date;

d) The firm is dissolved, goes bankrupt, or suspends the accounting service provision itself;

dd) The Certificate of Enterprise Registration, Investment Registration Certificate, or an equivalent document is revoked;

e) The firm falsifies accounting documents, financial statements and provides false information and reports, or colludes with another entity in doing so;

g) The Certificate of eligibility to provide accounting services is forged or falsified.

3. The accounting firm whose Certificate of eligibility to provide accounting services is revoked shall immediately stop providing accounting services from the effective date of the decision on revocation.

4. An accounting household shall be suspended from providing accounting services when there are professional errors or violations against accounting standards or code of ethics for accountants that cause serious consequences or are likely to cause serious consequences.

5. An accounting household shall be shut down in one of the following cases:

a) Accounting services are not provided for 12 consecutive months;

b) The errors or violations mentioned in Clause 4 of this Article are not eliminated within 60 days from the suspension date;

c) Accounting service provision is terminated;

d) The household falsifies accounting documents, financial statements and provide false information and reports, or colludes with another entity in doing so;

dd) The household has its certificate of business household registration revoked;

e) All accounting practitioners in the same business household have their Certificates of Accounting Service Registration revoked.

6. An accounting practitioner shall be suspended from providing accounting services in one of the following cases:

- a) There are professional errors or violations against accounting standards or code of ethics for accountants that cause serious consequences or are likely to cause serious consequences.
- b) The conditions for practicing are no longer satisfied;
- c) Regulations of competent authorities on accounting inspection are not complied with;
- d) The obligations specified in Article 67 of this Law are not fulfilled.

7. An accounting practitioner shall have his/her Certificate of Accounting Service Registration revoked in one of the following cases:

- a) Fraudulent documents are used to apply for the Certificate of Accounting Service Registration;
- b) The accountant certificate is revoked;
- c) The practitioner is convicted under an effective court's judgment.

Article 70. Accounting associations

- 1. Accounting associations shall be established and operated in accordance with regulations of law on associations and accounting.
- 2. Accounting associations may provide refresher courses for accountants and accounting practitioner, and perform certain tasks related to accounting works defined by the Government.

Chapter V

STATE MANAGEMENT OF ACCOUNTING

Article 71. State management of accounting

- 1. The Government shall unify state management of accounting
- 2. The Ministry of Finance is responsible to the Government for state management of accounting and has the duties and entitlements below:
 - a) Develop and submit strategies and policies on accounting development to the Government;
 - b) Develop and promulgate legislative documents on accounting, or submit them to the Government for promulgation;

- c) Issue, reissue, revoke Certificates of Accounting Service Registration and Certificates of eligibility to provide accounting services; suspend accounting practice and provision of accounting services.
 - d) Decide the examination, issuance, revocation, and management of accountant certificates;
 - dd) Carry out accounting inspections; inspect accounting services; supervise the observance of accounting standards and accounting regimes;
 - e) Regulate update of accounting practitioners' knowledge;
 - g) Organize and manage scientific research into accounting and application of information technology to accounting works;
 - h) Carry out inspection, settle complaints and denunciations, and take actions against violations against regulations of law on accounting;
 - i) Seek international cooperation in accounting.
3. Other Ministries, ministerial agencies, within the scope of their duties and entitlements, shall cooperate with the Ministry of Finance in state management of accounting.
4. The People's Committees of provinces, within the scope of their duties and entitlements, are in charge of state management of accounting in their provinces.

Chapter VI

IMPLEMENTATION

Article 72. Effect

1. This Law comes into force from January 01, 2017.
2. The Law on Accounting No. 03/2003/QH11 on June 17, 2003 is annulled from the effective date of this Law.

Article 73. Transition

1. The Government shall prepare necessary conditions for making financial statements of the State in accordance with Article 30 of this Law within 24 months from the effective date of this Law.
2. Within 24 months from the effective date of this Law, accounting firms established before such date must satisfy all conditions specified therein to be granted the Certificate of eligibility to provide accounting services. Otherwise, the provision of accounting services must be terminated.

3. Accounting practitioner certificates issued to Vietnamese citizens and foreigners under the Law on Accounting No. 03/2003/QH11 on June 17, 2003 are as valid as accountant certificates specified in this Law.

Article 74. Elaboration

1. The Government and the Ministry of Finance shall elaborate the Articles and Clauses of this Law.
2. Pursuant to basic principles of this Law, the Government shall specify accounting works of representative offices of foreign enterprises operating Vietnam, business households, and artels.

This Law is ratified by the 13th National Assembly of Socialist Republic of Vietnam during the 10th session on November 20, 2015.

PRESIDENT OF THE NATIONAL ASSEMBLY

Nguyen Sinh Hung

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