



Asia-Pacific  
Economic Cooperation

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Agenda Item: 7

## **The Development of Competition Law and Policy in Vietnam**

Purpose: Information  
Submitted by: Viet Nam



**Competition Policy and Deregulation Group  
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## THE DEVELOPMENT OF COMPETITION LAW AND POLICY IN VIETNAM

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## Outline

- I. THE VIETNAM COMPETITION LAW
- II. ENFORCEMENT OF COMPETITION LAW
- III. CHALLENGES
- IV. NEEDS OF TECHNICAL ASSISTANCE

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## The Competition Law

- The Competition Law has been passed on December 3, 2004 by the 11th National Assembly of the Socialist Republic of Vietnam at its 6th session.
- Legal enforcement: from the 1st July, 2005.

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## Contents of Law

- Competition-restricting acts
- Unfair competition acts
- Order and procedures for settling competition cases
- Vietnam Competition Authorities

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## ENFORCEMENT OF COMPETITION LAW

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## Drafting guidelines

- Decree on providing detailed regulations and guidelines for implementation of the law on competition
- Decree on administration multilevel marketing practices
- Decree on handling Violations of the Laws Concerning Competition
- Decree on establishment, functions, organization structure and powers of Competition Administration Department.
- Decree on establishment, functions, organization structure and powers of Competition Council.

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## Competition advocacy

- Building strategic alliances with other economic actors/stakeholders
- Doing or getting research done into possible areas of economic governance
- Conducting public meetings and seminars for all stakeholders to demonstrate the benefits of enforcement actions,
- Build institutional credibility

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## Market Research

- Telecommunications.
- Finance.
- Banking.
- Electronic



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## Recruit and training agency staff

1. 20 new staffs;
2. Training on investigation skills

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## Enhance cooperation with other competition agencies

- APEC, OECD, UNCTAD, ICN etc.
- ASEAN Consultative Forum for competition
- International workshops or seminars
- The United State, Canada, Japan, Korea, Taiwan, France.



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## CHALLENGES

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## Challenges

- Budget
- Human resources
- Independence
- Public relations
- International competition issues (cross-border M&As, international cartels)



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## NEEDS OF TECHNICAL ASSISTANCE

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- Advice in relation to the consolidation and the functioning of the current Competition authority;
- Conduct economic research to understand national, regional and international markets in key sectors for Vietnam and advice in relation to the adoption of targeted strategies in these sectors;
- Review implementing decrees to the Law on Competition and define missing elements.

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## NEEDS OF TECHNICAL ASSISTANCE

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- ✓ Assistance in the adoption of any additional relevant implementing decrees to the Law on Competition
- ✓ Train competition investigators;
- ✓ Undertake measures that enhance transparency and public appreciation of competition policy and actions

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Thank you for your attention!

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