



**Asia-Pacific  
Economic Cooperation**

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**2010/SOM1/CPLG/010**  
Agenda Item: 5(3) & 8

## **Development of Viet Nam Competition Law and Policy**

Purpose: Information  
Submitted by: Viet Nam



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# Development of Vietnam Competition Policy

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Views in this presentation does not necessarily reflect views of VCA

## Content



- ◆ 1. Overview of Competition law and policy
- ◆ 2. Implementation of Competition Law
- ◆ 3. Development of Competition Policy

## Overview of Competition Law and Policy



- ❖ **Issuance of Competition Law**
  - Commence drafting in 2000
  - Took effect on 1/7/2005
- ❖ **Coverages:**
  - Anticompetitive acts: addressing pure competition
    - Horizontal agreements (Cartels)
    - Vertical agreements
    - Abuse of dominances
    - Economic concentration (M&As)
  - Unfair competition acts: addressing individual unfair trade practices
    - Misleading acts
    - MLM
    - etc

## Vietnam Competition Authority (VCA)



- ❖ Established in early 2004
- ❖ Officially recognized in Jan 2006
- ❖ Under the Ministry of Industry and Trade (MoIT)
- ❖ VCA Leader (i.e. Director General): appointed by the PM
- ❖ Budget: allocated by the Govt
- ❖ Human resource: 80 staff (30% lawyer, 50% economist, 20% other)

## Implementation of Competition Law



### ❖ Phase I

- Establish institution
  - Competition Council
  - Competition Authority
- Set up a system of guideline decrees
- Develop and Train human resources
- Advocate competition legislation

## Implementation of Competition Law (cont'd)



### ▪ Publications





## Implementation of Competition Law (cont'd)

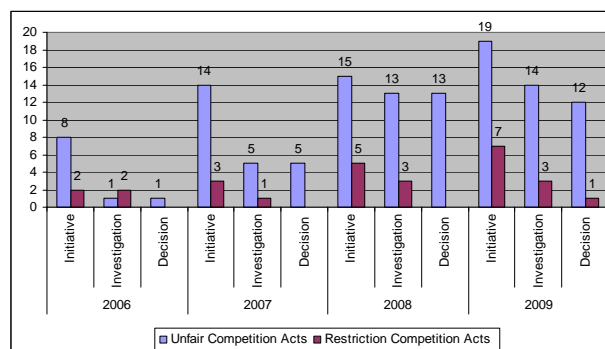
### ❖ Phase II

- Law enforcement
  - Unfair competition cases: >30
  - Competition restriction cases: 03
- Competition policy
  - 5 MOUs with sectoral regulators
  - Do studies on market structure
  - Build up a database of major markets
  - Give consultation to 3 industries of banking, maritime and aviation in respect of deregulation
- Advocacy
  - Organize seminar on introducing Competition Law
  - Organize training workshops on competition
  - Give consultation to enterprises.



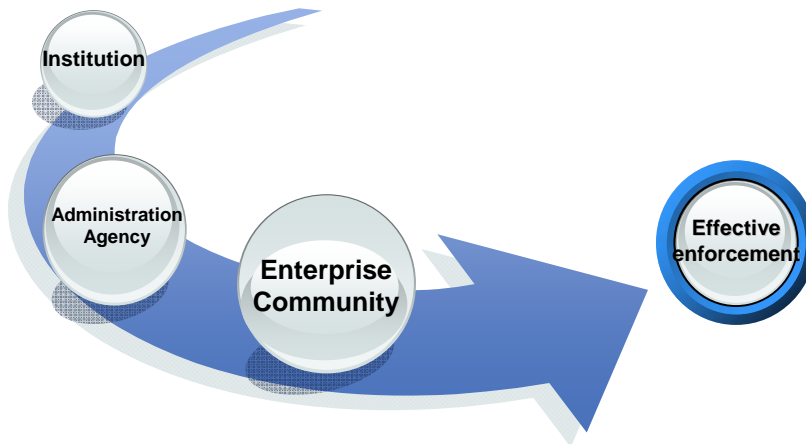
## Implementation of Competition Law (cont'd)

- Law enforcement



- Administrative and supervise
  - Sector-regulating agencies: 6
  - Market structure study: 6
  - Assessment of competitiveness: 10 sectors

## Enhance the effectiveness of law enforcement



[www.vca.gov.vn](http://www.vca.gov.vn)

[www.qct.gov.vn](http://www.qct.gov.vn)

## Development of Competition Policy



- ❖ The first phase (2005-2007) focuses on advocacy activities
- ❖ The second phase (2007-2010) focuses on law enforcement and international cooperation
- ❖ The third phase (2010-2013) focuses on law and policy revision



## Plan of revision

- ❖ **Scope of revision**
  - Competition Law
  - Guidelines
  
- ❖ **Contents of amendment**
  - Regulations on relevant market
  - Regulations on market power
  - Regulations on cartel
  - Regulations on M&As
  
- ❖ **Schedule**
  - Beginning: late 2010
  - Completion: middle 2012



Thank you for your attention!!!