

Law No. 34/2018/QH14

Hanoi, November 19, 2018

LAW

ON AMENDMENTS TO THE LAW ON HIGHER EDUCATION

Pursuant to the Constitution of Socialist Republic of Vietnam;

The National Assembly promulgates the Law on amendments to the Law on Higher Education No. 08/2012/QH13, which is amended by Law No. 32/2013/QH13, Law No. 74/2014/QH13 and Law No. 97/2015/QH13.

Article 1. Amendments to the Law on Higher Education

1. Article 2 is amended as follows:

“Article 2. Regulated entities

1. This Law applies to higher education institutions, organizations and individuals involved in higher education.

2. Academic institutions and other institutions established by the Prime Minister under the Law on Science and Technology may provide doctoral training in accordance with this Law.”.

2. Article 4 is amended as follows:

“Article 4. Definitions

For the purposes of this Law, the terms below are construed as follows:

1. “higher education institution” means an education institution of the national education system and is permitted to provide higher education training, engage in science and technology activities and serve the community.

2. “university” means a higher education institution that provides training in multiple academic disciplines and has an organizational structure conformable with this Law.

3. “parent university” also refers to a higher education institution that provides training in multiple fields, has an organizational structure conformable with this Law and multiple units that pursue the same missions and objectives.

4. “subsidiary” means a university or research institution that is a legal entity, established or permitted to be established by the Prime Minister, has the autonomy over its organization and operation as prescribed by law and its own internal rules and regulations.

5. “affiliate” means a legal entity affiliated to a higher education institution, established under a decision of the school council of the university or parent university (hereinafter referred to as “school council”); organized and run in accordance with law, internal rules and regulations of the higher education institution.

6. “affiliate” also refers to a unit of a higher education institution that is not a legal entity, established under a decision of the university council (school council); organized and run in accordance with law, internal rules and regulations of the higher education institution.

7. “school” means a training unit of a higher education institution, established under a decision of the university council (school council) in accordance with regulations of the Government; organized and run in accordance with internal rules and regulations of the higher education institution.

8. “academic discipline” means an area of knowledge and skills relevant to a specific profession or science, defined and categorized by the Ministry of Education and Training.

9. “major” means the advanced knowledge and skills of an academic discipline, decided by the higher education institution.

10. “field” means a group of academic disciplines that have common knowledge and skills relevant to a specific profession or science, defined and categorized by the Prime Minister.

11. “autonomy” means the right of a higher education institution to determine its own targets and how to achieve them; to decide and assume accountability for their professional and academic activities, organization, personnel, finance, assets and other activities within the law and the capacity of the higher education institution itself.

12. “accountability” means the responsibility of a higher education institution to provide information for learners, the public, competent authorities, the owner and relevant parties about its conformity with law and its rules and commitment.”.

3. Article 6 is amended as follows:

“Article 6. Training levels and forms

1. Higher education training levels include undergraduate training, master’s training and doctoral training.

2. Training forms include formal training, in-service training and distance education. Students can transfer between the training forms through bridge programs.

3. A higher education institution may provide continuing education courses, short-term courses and issue diplomas or certificates in accordance with law in order to serve lifelong learning.

4. The Government shall prescribe training levels of special academic disciplines.”.

4. Article 7 is amended as follows:

“Article 7. Higher education institutions

1. Higher education institutions are legal entities, including universities, parent universities and other types of higher education institutions defined by law.

National universities and regional universities are parent universities responsible for achievement of strategic national and regional development objectives.

2. Types of higher education institutions:

a) Public higher education institutions invested, maintained and represented by the State as the owner;

b) Private higher education institutions invested and maintained domestic or foreign investors.

A non-profit higher education institution is one in which the investor declare that the institution does not run for profit as written in the decision to permit its establishment or conversion; the investor will not withdraw capital or receive dividends; the annual accumulated profit shall be considered non-distributable property and will be used as reinvestment in such institution.

Only conversion from a private higher education institution to a non-profit private higher education institution is permitted.

3. All types of higher education institutions are equal before law.

4. Classification by orientations:

a) Research-oriented higher education institutions;

b) Application-oriented higher education institutions;

5. The Government shall elaborate regulations on recognition of research-oriented higher education institutions on the basis of their training and research results; conversion of universities into parent universities; association between universities and parent universities; conversion of private higher education institutions into non-profit private higher education institutions; rules for naming and renaming higher education institutions; organization and operation of higher education institutions established under treaties between the Government of Socialist Republic of Vietnam and foreign parties.”.

5. Article 9 is amended as follows:

“Article 9. Ranking of higher education institutions

1. Ranking of higher education institutions is meant to reflect their reputation, quality and effective according to certain criteria and ensure accessibility of information to relevant organizations and individuals.

2. Higher education institutions may select and participate in reputable domestic and international ranking systems.

3. Vietnamese non-commercial legal entities may rank higher education institutions and have the responsibility to ensure truthfulness, objectivity and transparency; publish and explain their ranking method, criteria and results.”.

6. Article 11 is amended as follows:

“Article 11. Higher education institution network planning

1. The higher education institution network planning shall ensure efficient use of available resources; harmony between the public and private higher education institutions; development of private non-profit higher education institutions; introduce a mechanism for establishment of major universities in order to meet the needs of learning, achieve sustainable development, serve industrialization, modernization and international integration.

2. Higher education institution network shall comply with the Law on Planning and the following regulations:

a) Determine the targets and orientations for development of the higher education system;

b) establish higher education institution standards;

c) Arrange space and distribute resources for development of the higher education institution network; improve training quality to facilitate development of high quality human resources; development key economic regions and extremely disadvantaged areas.

3. The preparation, appraisal, approval, announcement, revision and implementation of the higher education institution network planning shall comply with planning laws and relevant laws.”.

7. Article 12 is amended as follows:

“Article 12. State policies on development of higher education

1. Development of higher education is meant to develop high quality human resources, meet socio-economic development requirements and ensure national defense and security.

2. Funds and resources shall be given to development of higher education on principles of competitiveness, equality and efficiency through investment in research and development (R&D) investment, signing research and training contracts, offering scholarships, student credit and other forms.

Higher education development will be given certain privileges and incentives in terms of land, tax, credit and other policies.

3. Prioritize investment in development of certain regional and international higher education institutions, academic disciplines and teacher training institutions; develop some special academic disciplines and higher education institutions capable of achieving strategic national and regional objectives.

Encourage rearrangement and merger of universities into parent universities; apply technology to higher education.

4. Seek private investment in higher education; encourage development of private higher education institution; give priority to non-profit private higher education institution; provide incentives for organizations and individuals that invest in education and training, science and technology activities in higher education institutions; grant tax exemption or reduction to property that are donated to serve higher education, given as scholarships or participation in student credit programs.

5. Introduce uniform policies to ensure autonomy and accountability of higher education institutions.

6. Ensure relation between training and demand for labor; research into application of science and technology; enhance cooperate between higher education institutions, enterprises and science and technology organizations; provide tax incentives for science and technology products of higher education institutions; encourage organizations and enterprises to facilitate students and lecturers to improve practical skills, participate in internship, scientific research and technology transfers in order to improve training quality.

7. Attract, employ lecturers and provide benefits for lecturers in order to improve their quality; focus on increasing the quantity of lecturers that are masters, doctors and leading professors in higher education institutions.

8. Give priority to people eligible for social benefits (hereinafter referred to as “disadvantaged people”), people in extremely disadvantaged areas and students in special academic disciplines in order to ensure adequate human resources for socio-economic development; ensure gender equality in higher education.

9. Encourage and intensify international integration and cooperation in order to raise Vietnam’s higher education to regional and international levels.”.

8. Article 14 is amended as follows:

“Article 14. Organizational structure of a university

1. The organizational structure of a university consists of:

- a) The university council or academy council (hereinafter referred to as “school council”);
- b) The university principal or academy director (hereinafter referred to as “principal”); the vice-principals or vice-directors (hereinafter referred to as “vice-principals”);
- c) The science and training council; other councils (if any);
- d) Faculties, dedicated rooms, library, science and technology organization, other organizations serving training activities;
- dd) Schools, campuses, research institutes, service facilities, enterprises, business establishments and other units (if any) necessary for development of the university.

2. The specific organizational structure or a university, relationship and level of autonomy of its affiliates shall be specified in the university’s internal rules and regulations.”.

9. Article 15 is amended as follows:

“Article 15. Organizational structure of a parent university

1. The organizational structure of a parent university consists of:

- a) The school council;
- b) The principal and vice-principals;
- c) The science and training council; other councils (if any);
- d) Affiliated universities and research institutes (if any); schools, boards, science and technology organizations, library and other organizations serving training activities;
- dd) Faculties, campuses, research institutes, service facilities, centers, enterprises, business establishments and other units (if any) necessary for development of the parent university.

2. The specific organizational structure or a parent university, relationship and level of autonomy of its subsidiaries and affiliates shall be specified in the university’s internal rules and regulations.”.

10. Article 16 is amended as follows:

“Article 16. School council of a public university

1. The school council of a public university is the executive organization that represents the rights of the owner and other parties with relevant interests.

2. The school council of a public university has the following responsibilities and entitlements:

a) Decide the development strategies, development plans, annual plans of the university; orientation to develop the university into a parent university or merge the university into another;

b) Issue the university's internal rules and regulations, finance regulations and grassroots democracy regulations in accordance with this Law and relevant laws;

c) Decide plans for enrolment, offering new programs, training, cooperation in education, scientific activities, international cooperation; policies on higher education quality assurance, cooperation between the universities and enterprises and employers;

d) Decide the organizational structure, personnel structure, establishment, merger, division, dissolution of the university's units; prepare a list of work positions, standards and working conditions thereof; issue regulations on recruitment, employment and management of lecturers and other employees in accordance with law;

dd) Decide and propose recognition or dismissal of the principal; designation and dismissal vice-principal on the basis of the principal's request; other managerial positions shall be specified in the university's internal rules and regulations; organize annual performance assessment by the school council president or the principal; have mid-tenure or irregular vote on confidence in the school council president or principal according to the university's internal rules and regulations;

e) Decide policies on attracting investments in the universities; tuition fees and assistance for students; approve financial plans; approve annual financial statements and statements of lawful sources of income of the university;

g) Decide investment guidelines and use of valuable assets under the management of the university in accordance with its internal rules and regulations; decide salaries, bonuses and other benefits of holders of managerial positions (hereinafter referred to as "managers") according to their performance, and other issues under the university's internal rules and regulations;

h) Supervise the implementation of decisions issued by the school council, adherence to law, implementation of democracy regulations during the university's operation and the principal's accountability; supervise the management and use of funds and assets of the university; submit annual reports on supervision results to the school assembly.

i) Adhere to law; take responsibility before the law and to competent authorities and relevant parties for decisions made by the school council; ensure transparency and availability of information and reports; facilitate inspections by competent authorities; assume accountability within the scope responsibility and power of the school council; facilitate supervision by the society, organizations and individuals within the university;

k) Other responsibilities and entitlements specified in the university's internal rules and regulations.

3. Quantity and responsibility members of the school council of a public university:

a) The quantity of school council members must be an odd number and not smaller than 15, including both internal and external members;

b) Internal members include inherent members and members elected by the general assembly or delegate assembly of the university (hereinafter referred to as "school assembly").

Inherent members include the secretary of internal communist party organization, the principal, union president and representative of the steering board of Communist Youth Union of Ho Chi Minh City that are students of the university.

Elected members include representative of lecturers, the quantity of which shall account for at least 25% of the total number of members; representatives of other employees;

c) The quantity of external members shall account for at least 30% of the total number of members, including representatives of competent authorities and social communities elected by the school assembly including political leaders, managers, education experts, culture researchers, scientists, business peoples, former students, representatives of employers;

d) School council members shall perform and take responsibility for the performance of the tasks given by the school council president and other tasks prescribed by law and the university's internal rules and regulations; participate in every meeting of the school council and take responsibility for the performance of their responsibilities and entitlements.

4. The election, standards, responsibilities and entitlements of the school council president:

a) The school council president shall have political credentials, good ethics, reputation, experience of higher education management, good health suitable for his/her tasks, and age conformable with law.

b) A member of the school council shall be elected by the school council as president by holding a ballot under the majority rule; the elected president will receive a recognition decision issued by a competent authority; in the cases where an external member is elected as school council president, he/she shall become a full-time officer of the university; the school president shall not concurrently hold any other managerial position in the university;

c) The school council presidents has the responsibility and the right to direct and organize performance of tasks and entitlements of the school council; direct the development of annual plans and programs; hold and chair school council meetings; sign documents issued by the school council; use the existing apparatus and seal of the university to serve the operation of the school council; perform tasks of a school council member and other duties and entitlements prescribed by law and the university's internal rules and regulations;

d) Assume responsibility for performance of his/her duties and entitlements.

5. List of members, tenure and working regulations of the school council of a public university:

a) The list of president and members of the school council shall be posted on the university's website after it is recognized by a competent authority;

b) The tenure of a school council is 05 years. The school council shall hold a periodic meeting at least every 03 months and ad hoc meetings as requested by the president or principal or at least one third of the school council members. A school council meeting is considered valid when it is participated by 50% of the members, including external members;

c) The school council shall work on the principle of collectives and make decisions under the majority rule, unless a higher ratio is prescribed by the university's internal rules and regulations; decisions of the school councils shall be presented in the form of resolutions,

6. Internal rules and regulations of a public university include the following contents:

a) Standards, number of tenures and authorization by the school council president;

b) Standards, duties and entitlements, procedures for electing and dismissing vice-presidents (if any) and school council secretary;

c) Quantity, structure of members; addition and replacement of members; methods for making decisions of the school council regarding each type of activities;

d) Procedures for designation of the principal and other managers of the university; grounds and procedures for proposing dismissal of the principal; quantity of deputies; tenure of the principal, vice-principals and other managers of the university;

dd) Operating budget, standing body, control body and assistance apparatus of the school council; composition and procedures for holding the school assembly;

e) Separation between responsibilities and entitlements of the school council and those of the principal;

g) Other contents necessary for operation of the school council.

7. The school council of a public university that is a member of a parent university shall implement the provisions of this Article and the parent university's internal rules and regulations.

8. The Government shall elaborate the procedures for establishment and recognition of school councils; recognition and dismissal of school council presidents; designation and dismissal of other school council members; organization of school councils of higher education institutions affiliated to the Ministry of Public Security and the Ministry of National Defense."

11. Article 16a is added after Article 16 as follows:

“Article 16a. Investors

1. An investor is a domestic/foreign organization or individual that invests in establishment of a for-profit or non-profit private higher education institution from non-state capital.

2. Responsibilities and entitlements of an investor:

a) Ratify the strategies or plans for development of the higher education institution, plans for development from a university into a parent university or merger of the university into another university proposed by the school council or the parent university’s council;

b) Decide the total capital contribution of the investor, project of investment in development of the higher education institution, raising of capital (if any); the annual plan for use of the difference between revenue and expense or loss cut plan; ratify annual financial statements of the higher education institution;

c) Elect or nominate, dismiss school council members; ratify standards and designation of the principal or director of the university proposed by the school council;

d) Organize supervision and evaluation of the school council’s performance;

dd) Promulgate and amend finance regulations of the higher education institution; ratify the regulations on finance and assets of the higher education institution in terms of salaries, bonuses and other benefits of managers in the higher education institution;

e) Contribute capital in full and punctually; supervise capital contribution under the higher education institution scheme;

g) Establish a board of controllers which will inspect and supervise the performance of management and operation tasks of by the school council, principal, vice-principals, director, vice-directors and other units in the higher education institution; establishment, composition, duties and entitlements of the board of controllers shall comply with the Law on Enterprises and relevant laws;

h) Consider imposing penalties for violations committed by the school council if they cause damage to the higher education institution in accordance with law and the higher education institution’s internal rules and regulations;

i) Decide reorganization or dissolution of the higher education institution in accordance with law;

k) Publish the list of capital contributors of the higher education institution on its website;

l) Other responsibilities and entitlements prescribed by the Law on Investment and relevant laws;

m) Investors in private non-profit higher education institutions shall be given credit for their contribution.

3. Investors in a higher education institution may choose one of the following methods:

a) Invest in establishment of a business organization in accordance with the Law on Investment and the Law on Enterprises, which will subsequently establish the private higher education institution in accordance with this Law;

b) Directly invest in establishment of a private higher education institution in accordance with this Law, in which case, the higher education institution's internal rules and regulations shall provide for the general assembly of investors and investors' activities, application of relevant laws on limited liability companies or social funds to solve issues in the higher education institution that are not regulated by this Law; responsibilities and entitlements of investors and the board of controllers in accordance with applied laws.”.

12. Article 17 is amended as follows:

“Article 17. School councils of for-profit or non-profit private universities

1. The school council of a for-profit or non-profit private university is the executive organization that represents the investors and other parties with relevant interests.

2. The school council of a for-profit or non-profit private university has the same responsibilities and entitlements specified in Clause 2 Article 16 of this Law, except for those of investors specified in Clause 2 Article 16a of this Law; is entitled to directly designate and dismiss the university's principal in accordance with its internal rules and regulations.

3. The number of members of the school council of a for-profit or non-profit private university shall be an odd number and:

a) the school council of a private university consists of the investors, internal and external members elected by the general assembly of investors according to their holdings;

b) the school council of a non-profit private university consists of representatives of investors elected by the investors according to their holdings; internal and external members.

Internal members include inherent members and members elected by the school assembly. Inherent members include the secretary, the principal, union president and representative of the steering board of Communist Youth Union of Ho Chi Minh City that are students of the university. Elected members include representatives of lecturers and employees of the university.

External members are elected by the school assembly, including political leaders, managers, education experts, culture researchers, scientists, business peoples, former students, representatives of employers.

4. The election, standards, responsibilities and entitlements of the school council president; the list and tenure of school council members; working rules of the school council of a for-profit or non-profit private university:

a) The school council president shall be a full-time or part-time manager of the university as prescribed by its internal rules and regulations, elected by the school council and recognized by the general assembly of investors or the owner;

b) The principal is entitled to attend and discuss during school council meetings, and may only vote if he/she is a school council member;

c) In the cases where the school council president is also the university's legal representative or a person mentioned in Point b Clause 3 Article 20 of this Law, he/she must satisfy the principal's standards and take responsibility for performance of his/her tasks and entitlements;

d) Other provisions in Clause 4 and Clause 5 Article 16 of this Law.

5. The internal rules and regulations of a for-profit or non-profit private university include the contents specified in Clause 6 Article 16 of this Law and shall specify the ratio of representatives of investors to total number of school council members.

6. The Government shall elaborate the procedures for establishment and recognition of school councils; recognition and dismissal of school council presidents.”.

13. Article 18 is amended as follows:

“Article 18. School councils of parent universities

1. The school council of a parent university has the following responsibilities and entitlements:

a) Decide the development strategies, development plans, annual plans of the parent university, its reorganization and admission of new members as prescribed by law;

b) Issue the parent university's internal rules and regulations, finance regulations and grassroots democracy regulations, except for the cases specified in Clause 2 Article 29 of this law, in accordance with this Law and relevant laws;

cc) Decide the training orientation, scientific activities, international cooperation and ensure higher education quality;

d) Decide organizational structure and subsidiaries of the parent university; standards of the president, vice-presidents (if any) and members of the school council; standards of the director and vice-directors; issue or propose issuance of decisions on recognition and dismissal of the director; designate and dismiss vice-directors as proposed by the director, except for the cases specified in Clause 3 Article 8 of this Law; managerial positions in the affiliates prescribed by the parent university's internal rules and regulations; organize annual assessment of performance

of the school council president and director; hold mid-tenure or irregular vote on confidence in the school council president or director;

dd) Decide policies on investment, development of facilities and resources commonly shared in the parent university; policies on attracting investments in development of the parent university; policies of investment and use of valuable assets under the management of the parent university according to its internal rules and regulations; salaries, bonuses and other benefits of managers of affiliates of the parent university according to their performance; tuition fees and assistance for students; approve financial plans; ratify annual financial statements and statements of lawful sources of income of the university;

e) Supervise the implementation of decisions issued by the school council, implementation of democracy regulations and the director's accountability; supervise the management and use of funds and assets of the parent university; submit annual reports on supervision results and performance of the school council to the school assembly;

g) Adhere to law; take responsibility before the law and to competent authorities and relevant parties for decisions made by the school council; ensure transparency and availability of information and reports; facilitate inspections by competent authorities; assume accountability within the scope responsibility and power of the school council; facilitate supervision by the society, organizations and individuals within the parent university;

h) Perform responsibilities and entitlements specified in the parent university's internal rules and regulations; other responsibilities and entitlements to their affiliates according to Clause 2 Article 16 of this Law.

2. The school council of a for-profit or non-profit private university has the same responsibilities and entitlements specified in Clause 2 Article 16 of this Law, except for those of investors specified in Clause 2 Article 16a of this Law; is entitled to directly designate and dismiss the university's principal in accordance with its internal rules and regulations.

3. The number of members of the school council of a parent university shall be an odd number and:

a) The school council consists of both internal and external members.

Internal members include the secretary of the internal communist party organization, president of the internal union, representatives of Communist Youth Union of Ho Chi Minh City that are students of the university, presidents of school councils of the subsidiaries (or heads of the subsidiaries without school councils), representatives of lecturers and other employees of the parent university elected by its school assembly.

The quantity of external members shall account for at least 30% of the total number of members, including representatives of competent authorities; representatives of external members elected by the school assembly including political leaders, managers, education experts, culture researchers, scientists, business peoples, former students, representatives of employers;

b) The school council of a private parent university consists of the investors, internal and external members elected by the general assembly of investors according to their holdings;

c) The school council of a non-profit private parent university consists of the investors elected by the general assembly of investors according to their holdings, internal and external members.

Internal members include inherent members that are the secretary of the internal communist party organization, president of the internal union, representatives of Communist Youth Union of Ho Chi Minh City that are students of the university, representatives of lecturers and other employees of the parent university elected by its school assembly.

External members are elected by the school assembly, including political leaders, managers, education experts, culture researchers, scientists, business peoples, former students, representatives of employers;

d) Members of the school council shall perform its tasks given by the school council president and other tasks prescribed by law and the parent university's internal rules and regulations; participate in every meeting of the school council and take responsibility for the performance of their responsibilities and entitlements.

4. The election and standards of the school council president; the list and tenure of school council members; working rules of the school council of a public parent company shall comply with Clause 4 and Clause 5 Article 16 of this Law. Responsibilities of the school council president of a private parent company; the list and tenure of school council members; working rules of the school council of a private parent company shall comply with Clause 4 Article 17 of this Law.

5. Regulations on school councils of parent universities include the following contents:

a) Standards, number of tenures and authorization by the school council president;

b) Standards, duties and entitlements, procedures for electing and dismissing vice-presidents (if any) and school council secretary;

c) Quantity, structure of members; addition and replacement of members; methods for making decisions of the school council regarding each type of activities;

d) Procedures for designation of the director and managers of the university; grounds and procedures for proposing dismissal of the director; quantity of deputies; tenure of the director, vice-directors and other managers of affiliates without legal entity status of the parent university;

dd) Operating budget, standing body, control body and assistance apparatus of the school council; composition and procedures for holding the school assembly, and other regulations on organization and operation of the school assembly;

e) Separation between responsibilities and entitlements of the school council and the director; the relationship between the school council and the council of subsidiaries and affiliates (if any);

g) Other contents necessary for operation of the school council.

6. The Government shall elaborate the procedures for establishment and recognition of school councils; recognition and dismissal of school council presidents and members of parent universities.”.

14. Article 20 is amended as follows:

“Article 20. Principals of higher education institutions

1. The principal of a university or the director of a parent university (hereinafter referred to as “principal”) is the person responsible for management and administration of the higher education institution’s activities in accordance with law and the higher education institution’s internal rules and regulations.

The designation of the principal of a public higher education institution shall be decided by the school council and recognized by a competent authority; the designation of the principal of a for-profit or non-profit private higher education institution shall be decided by the school council.

The tenure of the principal shall be decided by the school council and must not exceed the tenure of the school council.

2. The principal of a higher education institution shall:

a) have political credentials, a doctoral degree; be physically capable of his/her duties; has academic reputation, experience of higher education management and an age conformable with law;

b) satisfy specific standards prescribed by the higher education institution’s internal rules and regulations.

3. Duties and entitlements of the principal:

a) Act as the legal representative and account holder of the higher education institution, unless otherwise prescribed by the internal rules and regulations of the for-profit or non-profit private higher education institution;

b) organize professional and academic activities, personnel, finance, assets, domestic and international cooperation and other activities prescribed by law, the higher education institution’s internal rules and regulations and decisions of the school council;

c) Submit documents to the school council for issuance after getting comments from relevant entities within the higher education institution; issue other regulations of the higher education institution in accordance with its existing internal rules and regulations;

d) Propose designation and dismissal of managers under the management of the school council; designate and dismiss other managers of the higher education institution; decide investment projects in accordance with the higher education institution's internal rules and regulations;

dd)) Submit annual reports to the school council on performance of the principal and the board of administrators, finance and assets of the higher education institution; ensure transparency and availability of information; comply with regulations on reporting and inspections by competent authorities; assume accountability for the principal's duties and entitlements;

e) Perform other duties and entitlements prescribed by law; take responsibility before the law, the school council and relevant parties; be supervised by relevant organizations and individuals regarding fulfillment of given duties and entitlements.”.

15. Article 21 is amended as follows:

“Article 21. Campuses of higher education institutions

1. Campuses in Vietnam of Vietnamese higher education institutions:

a) A campus in Vietnam of a Vietnamese higher education institution belongs to its organizational structure and does not have legal entity status; such a campus may be established in a province other than that of the headquarters of the higher education institution and must comply with the higher education institution network planning;

b) The campus in Vietnam of a Vietnamese higher education institution shall perform part of the functions, tasks, and entitlements of the higher education institution as assigned by its principal; submit reports to the People's Committee of the province where the campus is situated on activities within the management of the provincial authority;

c) The organizational structure and operation of such a campus shall comply with the higher education institution's internal rules and regulations.

2. Campuses in Vietnam of foreign higher education institutions:

a) Campuses in Vietnam of foreign higher education institutions are established and maintained by the foreign higher education institutions;

b) Regulations applied to private higher education institutions established in Vietnam by foreign investors shall apply to campuses in Vietnam of foreign higher education institutions.

3. Overseas campuses of Vietnamese higher education institutions:

a) Overseas campuses of Vietnamese higher education institutions are established overseas and maintained by Vietnamese higher education institutions, which have the responsibility to report to the Ministry of Education and Training;

b) Regulations of the host country on establishment and operation of higher education institutions shall apply to overseas campuses of Vietnamese higher education institutions.

4. The Government shall elaborate regulations on establishment and operation of campuses in Vietnam of higher education institutions.”.

16. Point d Clause 1 Article 22 is amended as follows:

“d) Foreign-invested higher education institutions shall satisfy other conditions prescribed by the Law on Investment.”.

17. Article 32 is amended as follows:

“Article 32. Autonomy and accountability of higher education institutions

1. Higher education institutions shall have autonomy and accountability as prescribed by law. Organizations and individuals shall respect and protect autonomy of higher education institutions.

2. In order to have autonomy, a higher education institution shall:

a) have a school council; has certification of quality issued by a lawful training quality assessment organization;

b) has issued and implemented its internal rules and regulations; finance regulations; other internal regulations and procedures; has policies on quality assurance and fulfillment of standards prescribed by the State;

c) assign specific autonomy and accountability to every unit and individual in the higher education institution;

d) publish the conditions for quality assurance; inspection result; ratio of graduated and employed students as prescribed by law.

3. Academic autonomy and professional autonomy include promulgating and organizing implementation of quality policies and standards, offering new programs, enrolment, training, scientific activities, domestic and international cooperation in accordance with law.

4. Autonomy over organization and personnel include promulgating and organizing implementation of internal rules and regulations on organizational structure, personnel, list, standards and benefits of each position; employing and dismissing lecturers and other

employees, deciding executive and managerial personnel in the higher education institution in accordance with law.

5. Financial autonomy include promulgating and organizing implementation of internal rules and regulations on sources of income, management and use of assets and sources of income; attracting investment; tuition fees and scholarships, and other policies in accordance with law.

6. Accountability of a higher education institution to its owner, students, the public, competent authorities and relevant parties include:

a) Providing description of implementation of quality policies and standards, promulgation and implementation of its regulations; responsibility for failure to adhere to regulation or commitment to quality;

b) Publishing of annual reports on performance indicators on its website; submit periodic and irregular reports to the owners and competent authorities;

c) Providing explanation for salaries, bonuses and other benefits of managers of the higher education institution for the general assembly of employees; have annual financial statements, investment and purchases audited, provide explanation for operation of the higher education institution for its owner and competent authorities;

d) Publishing of annual financial statements and other contents on its website in accordance with regulations of the Ministry of Education and Training;

dd) Other contents prescribed by law

7. The Government shall elaborate regulations on autonomy and accountability of higher education institutions.”.

18. Article 33 is amended as follows:

“Article 33. Offering new programs

1. Conditions for offering a new undergraduate, master’s or doctoral program:

a) The academic discipline is suitable for the demand for human resources for industrial, local, regional or national socio-economic development; facilitates international integration;

b) The full-time lecturers and academic personnel are capable in terms of quantity, quality, qualifications and ratio;

c) The institution’s facilities, library and textbook are suitable for the teaching and learning of the new academic discipline;

d) There is a training program conformable with Article 36 of this Law.

2. The Minister of Education and Training shall elaborate conditions and procedures for offering new programs, suspension of existing programs; decide to grant permission to unqualified higher education institutions to offer new programs relevant to health, teacher training, national defense and security in accordance with Clause 3 of this Article.

3. A higher education institution that satisfies all of the conditions specified in Clause 1 and Clause 2 of this Article and Clause 2 Article 32 of this document may offer a new undergraduate program in a specific academic discipline; when the undergraduate program passes the quality assessment, it may offer a master's program in the same academic discipline; when the undergraduate program and master's program pass the quality assessment, it may offer a doctoral program in the same academic discipline, except for disciplines in the fields of health, teacher training, national defense and security; when opening a new academic discipline at master's or doctoral level, the higher education institution shall comply with Clause 5 of this Article and regulations on quality assessment of this Law.

4. A higher education institution that offers a new program without satisfy every condition shall have such program suspended and be suspended from opening new disciplines for 05 years from the day on which a conclusion is issued by a competent authority.

5. Before the completion of the first course, the program shall undergo quality assessment; right after the completion of the first course, the training program shall undergo further assessment in accordance with this Law. In the cases where the assessment or appraisal result is not satisfactory, the higher education institution has the responsibility to improve the training quality and program quality, protect learners' interests, and shall not enroll students in such discipline until the quality assessment is passed.”.

19. Some contents of Article 34 are amended as follows:

a) Clause 1 is amended as follows:

“1. Enrolment target:

a) The enrolment target shall be determined on the basis of market demand, its necessity for socio-economic development, quantity and quality of available lecturers, facilities; ratio of students that are employed after graduation, and other quality assurance conditions;

b) Each higher education institution shall determine its own enrolment target; publish its enrolment target, training quality and quality assurance conditions, ratio of students employed after graduation; assurance of graduates' quality as declared;

c) A higher education institution that violates any of the regulations on enrolment targets and conditions shall face penalties and be suspended from determining their own enrolments targets for 05 years from the day on which a conclusion is issued by a competent authority.”;

b) Clause 3 is amended as follows:

“3. The Minister of Education and Training shall promulgate enrolment regulations and sources of enrolment at undergraduate level from high school, college and associate college graduates; rules and procedures for determination of enrolment targets; enrolment targets of teacher training-related disciplines and enrolment targets of the higher education institutions mentioned in Point c Clause 1 of this Article; input quality thresholds of teacher training-related and health-related disciplines in which graduates are granted practising certificates.”.

20. Article 35 is amended as follows:

“Article 35. Training duration

1. The training duration varies between the programs and levels and depends on the quantity of credits that a student has to obtain. The mandatory quantity of credits of each level is specified in the national training level framework. The principal of each higher education institution shall decide the mandatory quantity of credits of each program and level in accordance with law.

2. The Prime Minister shall consider approving the national education system framework and national training level framework; training duration of various higher education levels in the national education system framework.”.

21. Points a, b, c of Clause 1 Article 36 are amended as follows:

“a) A training program includes the targets, knowledge, structure, contents and assessment methods for each subject, academic discipline, training level and output standards according to the national training level framework;

b) Training programs shall be credit-based, include research-oriented programs, application-oriented program and profession-oriented programs; ensure connection between the training levels and disciplines; satisfy training program standards;

c) A foreign training program may be run if it is permitted by a the competent authority of the host country and it has an unexpired license or educational quality certification issued by a lawful training quality assessment organization and complies with intellectual property laws;”.

22. Article 37 is amended as follows:

“Article 37. Training organization and management

1. Higher education institutions may offer credit-based or year-based or combined courses.

2. A higher education institution may only cooperate in offering in-serving courses with other higher education institutions, colleges, associate colleges, provincial continuing education centers; training institutions of state agencies, political organizations, socio-political organizations and the people’s armed forces, provided the cooperating institutions satisfy requirements of the course in terms of teaching environment, facilities and equipment, library

and managers. Such cooperation is not permitted in health-related disciplines in which graduates are granted practising certificates.

3. Higher education institutions shall cooperate with enterprises and employers in employing their experts, facilities and equipment for practical training and internship in order to improve students' practical skills and their chance of being employed.

4. On the basis of local demand and recommendations of the People's Committee of the province, higher education institutions in the province shall offer continuing education, vocational training and higher education courses; offer bridge programs between associate, college and university level; receive students transferred from other universities.

5. The Minister of Education and Training shall elaborate regulations on levels of training in higher education.”.

23. Article 38 is amended as follows:

“Article 38. Academic degrees

1. Academic degrees in the national education system include bachelor's degrees, master's degree, doctoral degrees and equivalent degrees.

2. A person who completes a training program, qualifies its output standards and fulfills the student's obligations shall be awarded a corresponding degree by the principal of the higher education institution.

3. The higher education institution shall design, print and give degrees to its students; manage the degrees in accordance with law; publish the specimens of its degrees and information about award of its degrees on its website.

4. The Minister of Education and Training may propose or on his/her own initiative negotiate and sign international treaties in degree recognition with other nations, international organizations and entities within his/her scope of competence.

5. The Minister of Education and Training shall specify the primary contents on the degrees and appendices thereof; rules for printing blank degrees; management, issuance, withdrawal and destruction of degrees; responsibility and authority of Vietnamese higher education institutions to issue academic degrees during educational cooperation with foreign higher education institutions; responsibility of foreign-invested higher education institutions for issuance of academic degrees in Vietnam; conditions and procedures for recognition of academic degrees issued by foreign higher education institutions.

6. The Government shall promulgate regulations on the system of academic degrees and degrees in special fields of study.”.

24. Article 42 is amended as follows:

“Article 42. Responsibility of the State for scientific and technological development

1. The State shall focus on and encourage investment in development of scientific and technological potentials, development of start-up ecology in higher education institutions; priority will be given to development of some fields and disciplines to reach t regional and international level.

2. The Government shall provide for scientific activities in higher education institutions.”.

25. Article 45 is amended as follows:

“Article 45. International cooperation in education

1. International cooperation in education means cooperation between a higher education institution established in Vietnam and a foreign higher education institution in order to run courses and issue degrees or diplomas without establishing a new legal entity. International cooperation in education shall comply with the Law on Education and relevant laws.

2. Cooperative program means a foreign program or a program developed by both parties. Such a program may be run entirely in Vietnam or partly in Vietnam and partly overseas.

3. The foreign higher education institution shall have good reputation and quality, is permitted in writing by a competent authority of its home country to provide training and issue degrees in relevant fields, or have an unexpired educational quality certification issued by a lawful training quality assessment organization. The parties shall ensure fulfillment of requirements of the program in terms of facilities and equipment and lecturers, and take responsibility for the quality of the program.

4. The Minister of Education and Training shall consider approving schemes for international educational cooperation in teacher training-related and health-related fields after comments are given by relevant ministries; schemes for educational cooperation with higher education institutions other than those mentioned in Clause 5 of this Article.

5. A higher education institution that satisfies all of the conditions specified this Article and Clause 2 Article 32 of this Law is entitled to participate in cooperation in provision of undergraduate training; when the undergraduate program of such an institution passes the quality assessment, it may participate in cooperation in provision of master’s training; when the undergraduate program and master’s program of such an institution passes the quality assessment, it may participate in cooperation in provision of doctoral training.

6. In case a cooperative program that is suspended from enrolment or terminated as prescribed in Clause 3 of this Article, the higher education institution shall protect legal interests of its lecturers, employers and students; refund tuition fees to students; pay salaries and other benefits to the lecturers and other employees under employment contracts or the collective bargaining agreement; pay tax debts and other debts (if any).

7. A higher education institution shall publish on its website and mass media information about its cooperative programs, legality of the foreign degrees in the issuing country and in Vietnam; assist students in recognition of degrees; carry out assessment of the cooperative programs offered in Vietnam after the student graduate and periodically.

8. A higher education institution that offers a cooperative program without satisfying all conditions or ensure training quality as specified in the cooperation scheme shall be suspended from international cooperation in education for 5 years from the day on which a conclusion is issued by a competent authority.”.

26. Article 49 is amended as follows:

“Article 49. Higher education quality assurance; objectives, rules and subjects of higher education quality assessment

1. Higher education quality assurance is a continuous and systematic process, including policies, mechanisms, standards, procedures and measures for maintaining and improving higher education quality.

2. The higher education quality assurance system includes an internal quality assurance system and external quality assurance system through higher education quality assessment.

3. The Minister of Education and Training shall promulgate standards for training programs at various levels of higher education and minimum requirements for running such programs; quality assessment standards, procedures and cycle of higher education quality assessment.

4. Higher education quality assessment is meant to:

a) ensure and improve higher education quality;

b) determine the degree of accomplishment of specific higher education institutions or training programs over a specific period of time;

c) be a basis for higher education institutions to report to their owners, competent authorities, relevant parties and the public about their training quality;

d) be a basis for students to select a suitable higher education institution and training program; for employers to recruit workers.

5. Rules for higher education quality assessment:

a) Independent, objective, lawful;

b) Truthful, transparent;

e) Equal, mandatory, periodic.

6. Subjects of higher education quality assessment:

- a) Higher education institutions;
- b) Higher education training programs at various levels.”.

27. Article 50 is amended as follows:

“Article 50. Responsibility of higher education institutions for quality assurance

For the purpose of higher education quality assurance, a higher education institution shall:

- 1. Develop the training quality assurance system within the institution in a manner that is suitable for its objectives and capacity.
- 2. Develop policies and plans for higher education quality assurance.
- 3. Assess and improve training quality on its own initiatives; have the institution and its training programs undergo periodic assessments.

In case a higher education institution fails to assess its training programs periodically or the assessment result is not satisfactory, it shall improve the training quality in order to ensure that its students meet graduation standards of the program. In the case it has been over 02 years from the expiration of the training quality certification or the issuance date of the unsatisfactory assessment result and the training program is not reassessed or the assessment result is still unsatisfactory, the institution shall be suspended from admitting students to such program and shall implement measures to protect students’ interests.

- 4. Maintain and improve training quality assurance conditions, including the lecturers, managers and other employees, the training programs, textbooks, teaching and learning materials, classrooms, offices, laboratories, libraries, IT system, practical training facilities; financial resources, dormitories and other service facilities.
- 5. Submit annual reports on higher education quality under the higher education quality assurance plan; publish the training quality status, training results, research outcomes, quality assessment results on the website of the Board of Directors, the website of the higher education institution and mass media.”.

28. Article 52 is amended as follows:

“Article 52. Education quality assessment organization

- 1. Education quality assessment organizations have the responsibility to assess and recognize higher education institutions and their training programs regarding fulfillment of higher education quality standards.

Education quality assessment organizations have legal entity status, are independent from regulatory authorities and higher education institutions, have accountability and responsibility before the law for their performance and higher education quality assessment results.

2. An education quality assessment organization shall be established when it satisfies all requirements and has an establishment scheme as prescribed by law; may carry out education quality assessment when satisfies requirements in terms of facilities, equipment, financial capacity and full-time assessors.

3. The Government shall specify conditions and procedures for permission, establishment and dissolution of education quality assessment organizations; their responsibilities and entitlements, conditions and procedures for recognition of foreign education quality assessment organizations operating in Vietnam.

4. The Minister of Education and Training shall issue decisions on establishment or permission for establishment of education quality assessment organizations; decisions on permission, suspension and dissolution of education quality assessment organizations; revocation of recognition of foreign education quality assessment organizations operating in Vietnam; promulgate regulations on supervision and assessment of education quality assessment organizations.”.

29. Article 54 is amended as follows:

“Article 54. Lecturers

1. Lecturers of higher education institutions shall have clear backgrounds; good qualities and professional ethics; be physically capable of performance of their duties; have qualifications conformable with this Law and the higher education institution’s internal rules and regulations.

2. Lecturers include assistant lecturers, lecturers, principal lecturers, associate professors and professors. Higher education institutions shall award lecturer titles in accordance with law, its internal rules and regulations; provide description of their positions and demand of the situation.

3. Lecturers of undergraduate programs shall have at least a master’s degree (except assistant lecturers); Lecturers of master’s programs and doctoral program shall have at least a doctoral degree. Holders of doctoral degrees shall be preferred when a higher education institution recruits lecturer; incentives shall be provided for leading professors.

4. The Minister of Education and Training shall specify standards and designation of lecturers within the scope of his/her competence; the minimum ratio of full-time lecturers of a higher education institution; standards of practice lecturers and lecturers of some special disciplines.”.

30. Some contents of Article 55 are amended as follows:

a) Clause 1 is amended as follows:

“1. Teaching, developing the training program, completing the training program and ensuring the quality thereof.”;

b) Clause 3 is amended as follows:

“3. Improving political reasoning skills, professional knowledge, professional skills and teaching methods; participate in practical activities to improve training quality and participate in scientific research.”;

c) Clause 7 is amended as follows:

“7. Remain independent in teaching and scientific research in harmony with interests of the State and society; has the right to sign visiting lecturer contracts and scientific research contracts with higher education institutions, research institutions and other organizations in accordance with regulations of the higher education institution he/she is working for.”;

d) Clause 9 is amended as follows:

“9. Other responsibilities and entitlements specified in the higher education institution’s internal rules and regulations and relevant laws.”.

31. Some contents of Article 60 are amended as follows:

a) Clause 4 is amended as follows:

“4. Being respected and equally treated without discrimination by gender, ethnicity, religion and background; receiving career counseling and information about the study process.”;

b) Clause 5 is amended as follows:

“5. Enjoying favorable conditions for learning and participating in science and technology activities, entrepreneurship, skill development, association activities, social activities, sports and artistic activities.”;

c) Clause 8 is amended as follows:

“8. Other responsibilities and entitlements specified in the higher education institution’s internal rules and regulations and relevant laws.”.

32. Article 64 is amended as follows:

“Article 64. Sources of income of higher education institutions

1. Revenues of a higher education institution include:

- a) Tuition fees and revenues from training, science and technology activities and other ancillary training services;
 - b) Payment from the State, other organizations and individuals for performance of training and research contracts; completion of tasks given by the State;
 - c) Revenues from investment of domestic and foreign entities; annual additional revenue from operation of the institution;
 - d) Revenue from business operation, social activities, financial investment (if any) and other lawful sources of income;
- dd) Loans.
2. Sponsorships, donations, gifts from former students, domestic and foreign entities.
3. State funding (if any).”.

33. Article 65 is amended as follows:

“Article 65. Tuition fees and other service charges

- 1. Tuition fee means the amount payable by the student to the higher education institution in order to fully or partly cover the cost of training.
- 2. Imposition of tuition fees by public higher education institutions:
 - a) A higher education institution that is financially autonomous and fully satisfies the conditions specified in Clause 2 Article 32 of this Law and may impose its own tuition fees;
 - b) Higher education institutions other than those mentioned in Point a of this Clause shall impose their tuition fees in accordance with regulations of the Government;
 - c) Imposition of tuition fees shall comply with economic – technical norms and be able to correctly and fully cover the cost of training.
- 3. Private higher education institutions may impose their own tuition fees.
- 4. Enrolment service charges and other service charges shall be imposed to correctly and fully cover the cost incurred in reality.
- 5. Higher education institutions shall publish on their websites the cost of training, tuition fees, enrolment service charges and other services charges for the entire course and each academic year together with the enrolment notice; use part of the revenue from tuition fees to provide assistance for disadvantaged students.”.

34. Article 66 is amended as follows:

“Article 66. Financial management by higher education institutions

1. Higher education institutions shall comply with regulations of law on finance, accountant, audit, taxation, asset valuation and financial disclosure.
2. The school council of a financially autonomous public higher education institution shall decide the use of its sources of income as follows:
 - a) Use lawful incomes other than state funding to invest in training, scientific research and technology transfers projects;
 - b) Decide the spending of revenues from tuition fees, service charges, contract performance, payment by the State, including payment of salaries, expenditure on academic activities and administration in accordance with internal spending regulations of the institution.
3. Higher education institutions that receive state funding to perform certain tasks given by the State have the responsibility to manage and use the state funding in accordance with regulations of law on public property and public financial management.
4. At least 25% of the difference between revenue and expense shall be used to reinvest in the higher education institution, educational activities, building facilities, purchasing equipment, training lecturers, education managers and employees, providing assistance for students and fulfilling social responsibility . For non-profit higher education institutions, the difference between revenue and shall be considered non-distributable property and will be used for reinvestment in such institution.
5. Higher education institutions shall audit and publish their financial status and use of their sources of income as prescribed by law.
6. The Government shall elaborate Clause 2 of this Article, the degree of financial autonomy of publish higher education institutions other than those mentioned in Clause 2 of this Article; mechanism for giving tasks, placing orders or inviting bids for provision of public services covered by state budget; regulations on foreign cooperation and investment in higher education; withdrawal and transfer of stakes in higher education institutions; assurance of stability and development of higher education institutions.
7. The Ministry of Education and Training and competent authorities shall inspect the management and use of sources of income by higher education institutions.”.

35. Article 67 is amended as follows:

“Article 67. Management and use of assets of higher education institutions

1. Assets of public higher education institutions shall be managed and used in the same manner as public property. Higher education institutions may use public property for business operation, lease, business association to develop higher education in a manner that improves higher education, maintains and develops the property and is suitable for the educational environment.

2. Management and use of assets of for-profit and non-profit private higher education institutions:

a) State-owned property and land use right (LUR) given by the State to a higher education institution shall be managed and used in accordance with regulations of law on management and use of public property and land, and must not be put under private ownership in any shape or form. The repurposing of other state-owned property shall be done in a manner that maintains and develop the property; land repurposing shall comply with land laws;

b) Non-distributable property includes property that is donated or given as aid, and other property defined by law as non-distributable property, owned by the institution as a whole, managed and used by the school council as prescribed by law or at the request of the transferor (if any) to serve the institution and collective benefits, ensure maintenance and development of the property; such a property must not be put under private ownership in any shape or form.

In case of transfer of stakes in a higher education institution, the non-distributable property shall not be included in the valuated assets of the institution.

In case of dissolution of a higher education institution, the non-distributable property shall be put under public ownership, management and used by competent authorities to serve higher education;

c) Higher education institutions are entitled to use and dispose of the assets other than those mentioned in Point a and Point b of this Clause and take responsibility for such actions in accordance with the Law on Enterprises and relevant laws.

3. Assets of foreign-invested higher education institutions shall be protected by the State in accordance with Vietnam's law and international treaties to which Vietnam is a signatory.

4. The Ministry of Education and Training and competent authorities shall inspect the management and use of assets of higher education institutions.”.

36. Article 68 is amended as follows:

“Article 68. Responsibility for state management of higher education by the Government and ministerial agencies

1. The Government shall unify state management of higher education.

2. The Ministry of Education and Training has the prime responsibility to assist the Government in state management of higher education and has the following responsibilities:

- a) Promulgate, or propose promulgation of, and organize implementation of legislative documents on higher education; strategies, master plans and policies on higher education development serving socio-economic development, national defense and security ; recognition, establishment and permission for establishment, dissolution and permission for dissolution of higher education institutions within its scope of competence;
- b) Establish higher education standards, including standards for higher education institutions, training programs, lecturers, managers and other standards; promulgate regulations on development, appraisal and introduction of higher education programs; promulgate the list of academic disciplines, regulations on enrolment and training, assessment and issuance of degrees and diplomas in the national education system; management of higher education quality assessment and assurance;
- c) Develop a national higher education database; assess, manage and supervise the database to ensure availability of information to relevant entities;
- d) Cooperate with relevant authorities, socio-professional organizations relevant to higher education in disseminating and educating higher education laws;
- dd) Organize the higher education management apparatus;
- e) Establish mechanisms and promulgate regulations on mobilizing, managing and use of resources serving higher education development;
- g) Manage science and technology research and application; higher education business;
- h) Manage international cooperation in higher education;
- i) Carry out inspections; settle disputes and complaints; take actions against violations against regulations of law on higher education.

3. Ministries and ministerial agencies shall study and forecast the demand for human resources of their fields in order to provide assistance in developing training plans; cooperate with the Ministry of Education and Training in state management of higher education within the scope of their responsibility and authority.”.

37. Article 69 is amended as follows:

“Article 69. Responsibility for state management of higher education by the People’s Committees of provinces

The People’s Committees of provinces shall carry out state management of higher education as assigned by the Government; provide assistance in development of higher education institutions in their provinces; inspect adherence to education laws by local higher education institutions; encourage private investment in higher education; ensure improvement of higher education quality and effectiveness in their provinces.”.

Article 2. Replacement and removal of some words and phrases in the Law on Higher Education

1. The phrase “chủ động” (initiative) is replaced with “tự chủ” (autonomy) in Clause 2 Article 8; the phrase “viện nghiên cứu khoa học” (“research institutions”) is replaced with “viện hàn lâm, viện” (“academies and institutions”) in Article 30; the phrase “tự chịu trách nhiệm” (“responsibility”) is replaced with “có trách nhiệm giải trình” (“accountability”) in Point d and Point dd Clause 1 Article 36, Clause 4 Article 41 and Article 53; the phrase “Hiệp định ký kết với Nhà nước Việt Nam” (international agreements with Vietnam”) is replaced with “điều ước quốc tế mà nước Cộng hòa xã hội chủ nghĩa Việt Nam là thành viên” (“international treaties to which Vietnam is a signatory”) in Clause 1 Article 63.

2. The phrase “được thành lập theo quyết định của hiệu trưởng trường đại học, giám đốc học viện, đại học,” (“established under decisions of the principals or directors”) and “cho hiệu trưởng, giám đốc” in Clause 1 Article 19; the phrase “quy hoạch phát triển kinh tế - xã hội và” (“master plan for socio-economic development”) in Point a Clause 1 Article 22; the phrase “, học viện” (“academy”) in Article 27 and Article 28; the phrase “, viện nghiên cứu khoa học được phép đào tạo trình độ tiến sĩ” (“research institutions permitted to provide doctoral training”) in Clause 4 Article 27; the phrase “Thủ tướng” (“the Prime Minister”) in Clause 1 Article 27 and Clause 2 Article 48; the phrase “và quy hoạch” (“and master plans”) in Clause 1 Article 48; the phrase “Điều 74 của” (“Article 47 of”) in Clause 1 Article 57; the phrase “tại các điều 89, 90, 91 và 92” (“in Articles 89, 90, 91 and 92”) in Clause 1 Article 62 are removed.

Article 3. Implementation clause

This Law comes into force from July 01, 2019.

This Law is ratified by the 14th National Assembly of Socialist Republic of Vietnam during its 6th session on November 19, 2018.

PRESIDENT OF THE NATIONAL ASSEMBLY

Nguyen Thi Kim Ngan