

** Notes:*

- This List is drawn up on the basis of the List of goods and their HS codes in the Export and Import Tariffs.

- Cathode ray tube (CRT) and plasma screens are also on this list.

- Laptop computers and their monitors, IP television receivers, of LED/OLED type, are not on this list if the period from the date of manufacture to the date of customs declaration opening is less than 3 years.-

Circular No. 01/2010/TT-BTTTT of January 7, 2010, promulgating the connection charges for calls between cityphone and CDMA intra-provincial mobile wireless telecommunication networks and ground fixed telecommunication network, local long-distance fixed telecommunications network, ground mobile communications network and international ground fixed telecommunications network

This Circular takes effect on March 1, 2010.-

THE MINISTRY OF HEALTH

Circular No. 01/2010/TT-BYT of January 6, 2010, providing responsibilities and order of notification of HIV-positive test results

Pursuant to the Government's Decree No. 188/2007/ND-CP of December 27, 2007, defining the functions, tasks, powers and organizational structure of the Ministry of Health;

Pursuant to Clause 3, Article 30 of the June 29, 2006 Law on Prevention and Control of Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS);

The Minister of Health prescribes responsibilities and order of notification of HIV-positive test results as follows:

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation and subjects of application

1. This Circular provides responsibilities and order of notification of HIV-positive test results.
2. This Circular applies to domestic and foreign agencies, organizations and individuals in Vietnam responsible for, order and procedures of, notification of HIV-positive test results.

Article 2. Principles for notification of HIV-positive test results

1. To notify HIV-positive test results only when these results are confirmed by laboratories accredited by the Ministry of Health as eligible for confirming HIV-positive cases under the Health Minister's Decision No. 3052/2000/QĐ-BYT of August 29, 2000, promulgating criteria of laboratories permitted to confirm HIV-positive cases.

2. To notify HIV-positive test results only to persons defined in Clause 1, Article 30 of the

Law on Prevention and Control of Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS).

3. To provide pre- and post-test counseling to all persons subject to HIV testing under the Minister of Health's regulations.

Article 3. Counseling and return of test results

1. When a tested person is under 16 years or has lost his/her civil act capacity or has no or incomplete civil act capacity, the person responsible for returning HIV-positive test results shall counsel and then return test results to the father, mother or guardian of the tested person. Test results may be notified to the tested person only when such notification is agreed in writing by his/her father, mother or guardian and the tested person has received counseling.

2. When the tested person is full 16 years or older, the person responsible for returning HIV-positive test results shall counsel and then return test results to the tested person.

3. Only those having been trained in counseling on HIV/AIDS prevention and control may provide counseling and return HIV-positive test results.

Article 4. Time limit for notification of HIV-positive test results

HIV-positive test results shall be notified within 72 hours from the time the person responsible for test result notification of the establishment which takes the patient's blood sample receives the notice of HIV-positive test results, except the following cases:

1. The tested person comes to receive test results ahead of appointment time.

2. The tested person does not come to receive test results.

Chapter II

RESPONSIBILITIES AND ORDER OF NOTIFICATION OF HIV-POSITIVE TEST RESULTS

Article 5. Responsibilities of notification of HIV-positive test results

1. The head of an institution with a laboratory may confirm HIV-positive cases.

2. A person authorized by the head of any of the following agencies and organizations:

a/ Institutions with laboratories permitted to confirm HIV-positive cases under Clause 1, Article 2 of this Circular;

b/ Institutions with counseling sections for voluntary HIV testing;

c/ Healthcare establishments;

d/ Social security establishments;

e/ Detention camps, educational institutions, reformatories;

f/ Healthcare establishments established under the Ordinance on Handling of Administrative Violations;

g/ Investigative agencies, people's procuracies, people's courts.

3. The head of, or the person assigned to handle cases under the law on criminal procedures by the head of, an investigative agency, people's procuracy or people's court.

4. Authorization shall be made in writing. Letters of authorization of heads of the agencies and organizations specified in Clauses 2 and 3

of this Article must clearly define the scope, contents and time limit of notification of HIV-positive test results by authorized persons.

Persons authorized by heads of the agencies and organizations specified in Clauses 2 and 3 of this Article shall take responsibility before authorizing persons and law for their notification of HIV-positive test results. Authorized persons may not further authorize others.

Article 6. Order of notification of HIV-positive test results for cases of testing at health establishments within the preventive health system

1. After having HIV-positive test results, heads of testing sections shall forward notices of HIV-positive test results to heads of counseling sections.

2. After receiving notices of HIV-positive test results, heads of counseling sections shall directly counsel and notify test results to tested persons or forward these notices to assigned persons for counseling and notification of test results to tested persons.

Article 7. Order of notification of HIV-positive test results for cases of testing at voluntary counseling and testing establishments

1. After having HIV-positive test results, heads of establishments shall forward notices of these results to heads of counseling sections.

2. After receiving notices of HIV-positive test results, heads of counseling sections shall counsel or assign others to counsel tested persons before notifying them of test results.

Article 8. Order of notification of HIV-

positive test results for cases in which HIV-tested persons go to healthcare establishments for medical examination

1. After having HIV-positive test results of a patient, the head of the testing section shall forward the notice of such results to the doctor giving medical examination to the patient.

2. After receiving such notice, the responsible doctor shall directly counsel and notify HIV-positive test results to the tested patient:

a/ When the patient is not required to be admitted to hospital, the doctor shall return the notice of HIV-positive test results to the patient;

b/ When the patient has to be admitted to hospital for treatment, the doctor shall forward the medical record enclosed with the notice of HIV-positive test results to the chief nurse of the ward or division where the tested patient will be treated.

The chief nurse of the ward or division where the tested patient is treated shall report on the patient's HIV infection to the ward head for notification to the doctor and nurse directly caring for and treating the patient.

Article 9. Order of notification of HIV-positive test results for cases in which tested persons are receiving treatment at healthcare establishments

1. After having HIV-positive test results of a patient from the testing section, the head of the testing section shall forward the notice of such results to the chief nurse of the ward or division where the patient is treated.

2. The chief nurse of the ward or division where the patient is treated shall:

a/ File the notice of HIV-positive test results in the medical record;

b/ Report such to the ward head for notification to the doctor and nurse directly caring for and treating the patient.

3. The doctor directly treating the patient shall counsel and notify test results to the patient.

When it is impossible to directly counsel the patient, the doctor shall counsel at the counseling section and notify test results to the spouse of the tested patient or the father, mother or guardian of the tested patient being a juvenile or having lost the civil act capacity or having no or incomplete civil act capacity.

4. When the patient has to move to another ward, the chief nurse of the ward or division from which the patient moves shall, when transferring his/her medical record, forward the result notice to the chief nurse of the ward or division to which the patients moves.

The chief nurse of the ward or division which receives the patient shall comply with Clause 2 of this Article.

5. When the patient has to move to another hospital, the healthcare establishment from which the patient moves shall forward the notice of HIV-positive test results together with his/her medical record.

The chief nurse of the ward or division which receives the patient shall report on the patient's HIV infection to the ward head for notification to the doctor and nurse directly caring for and treating the patient.

6. When the patient is discharged from hospital, the notice of HIV-positive test results shall be filed together with his/her medical

record.

Article 10. Order of notification of HIV-positive test results for persons who are being cared for at social security establishments, educational institutions, reformatories, prisons, detention camps and medical treatment establishments (below referred to as establishments)

1. After having HIV-positive test results, the head of an establishment shall forward the notice of such results to the head of the establishment's health section.

2. The head of the health section shall:

a/ File the notice of HIV-positive test results in the medical record of the tested person;

b/ Notify the HIV-positive status of the tested person to the person directly supervising, caring for or treating the tested person;

c/ Counsel or send the tested person to an establishment eligible for counseling on HIV/AIDS prevention and control or invite a counselor of such establishment to the establishment for counseling.

3. When the tested person moves to another establishment, the head of the establishment from which that person moves shall forward the notice of HIV-positive test results together with his/her medical record to the establishment to which he/she moves.

4. When the tested person is taken care of by an organization or individual, HIV-positive test results may be notified only to the one directly caring for that person.

5. When the time limit for the tested person's stay at an establishment expires, the

establishment head shall file the entire medical record of that person at the establishment and concurrently notify the HIV/AIDS prevention and control agency of the locality where the HIV-infected person resides for further monitoring and management.

Article 11. Order of notification of HIV-positive test results for cases of testing upon judicial examination request or under decisions of investigative agencies, people's procuracies or people's courts

1. After having HIV-positive test results, the head of the agency requesting judicial examination or the investigative agency or people's procuracy or people's court which issues an examination request decision shall forward the notice of such results to the person responsible for handling the case.

2. The person responsible for handling the case shall:

- a/ Preserve the notice of test results;
- b/ Use test results only for the purpose of handling the case under his/her assignment;
- c/ Notify the head of the prison, detention camp or house which manages the HIV-infected person. This head shall counsel and notify HIV-positive test results to the HIV-tested person under Article 10 of this Circular.

Chapter III

PROVISIONS ON FORWARDING, DELIVERY AND RECEIPT OF NOTICES OF HIV-POSITIVE TEST RESULTS

Article 12. Provisions on forwarding, delivery and receipt of HIV-positive test results

1. Forwarding of HIV-positive test results within an establishment: The notice of HIV-positive test results shall be put in a sealed envelop which specifies the full name and address of the recipient.

2. Forwarding of HIV-positive test results from an establishment to another: The notice of HIV-positive test results shall be put in a sealed envelop which specifies the full name and address of the recipient and is appended with the seal of the establishment sending these results, unless HIV-positive test results are sent together with the medical record of the tested person.

Article 13. Provisions on forwarding, delivery and receipt of HIV-positive test results at establishments ineligible for confirming HIV-positive cases

1. After taking blood samples, the sampling establishment shall make a list of coded information on tested persons and send it to a testing establishment eligible for confirming HIV-positive cases.

2. The eligible testing establishment shall test blood samples and notify test results according to the list sent by the sampling establishment.

3. Based on the list made by the eligible testing establishment, the blood sampling establishment shall make a separate notice of test results for each tested person. Notification of HIV-positive test results complies with Chapter II of this Circular.

Chapter IV

ORGANIZATION OF IMPLEMENTATION

Article 14. Responsibilities of heads of

agencies and organizations involved in notification of HIV-positive test results

1. To circulate this Circular to all staff members under their management.

2. To assign staff to counsel on and notify HIV test results.

Article 15. Responsibilities of provincial-level Health Departments

To organize, examine and supervise the implementation of this Circular in localities under their management.

Article 16. Responsibilities of Vietnam Administration of HIV/AIDS Control

To organize, examine and supervise the implementation of this Circular nationwide.

Chapter V

IMPLEMENTATION PROVISIONS

Article 17. Invocation provisions

When documents invoked in this document are replaced or amended, replacing or amended documents shall be complied with.

Article 18. Effect

This Circular takes effect on March 1, 2010.

In the course of implementation, any arising problems should be reported to the Ministry of Health (Vietnam Administration of HIV/AIDS Control) for consideration and settlement.

For the Minister of Health
Deputy Minister
TRINH QUAN HUAN

THE STATE BANK OF VIETNAM

Circular No. 01/2010/TT-NHNN of January 6, 2010, annulling Decision No. 03/2006/QĐ-NHNN of January 18, 2006, on gold trading via overseas accounts, and Decision No. 11/2007/QĐ-NHNN of March 15, 2007, amending and supplementing Decision No. 03/2006/QĐ-NHNN

Pursuant to the 1997 Law on the State Bank of Vietnam and the 2003 Law Amending and Supplementing a Number of Articles of the Law on the State Bank of Vietnam;

Pursuant to the 1997 Law on Credit Institutions and the 2004 Law Amending and Supplementing a Number of Articles of the Law on Credit Institutions;

Pursuant to the Government's Decree No. 160/2006/ND-CP of December 28, 2006, detailing the implementation of the Ordinance on Foreign Exchange;

Pursuant to the Government's Decree No. 96/2008/ND-CP of August 26, 2008, defining the functions, tasks, powers and organizational structure of the State Bank of Vietnam;

In furtherance of the Prime Minister's concluding opinions in the Government Office's Notice No. 369/TB-VPCP of December 30, 2009;

The State Bank of Vietnam provides the following stipulations:

Article 1. To annul the State Bank Governor's Decision No. 03/2006/QĐ-NHNN of January 18, 2006, on gold trading via overseas accounts, and