

# WORKING WITH VIETNAM TO DEVELOP THEIR CODE

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## BACKGROUND

- 2008 senior OFR staff went to Vietnam to discuss
  - Effective date issues
  - Public participation in rulemaking
  - The Code of Federal Regulations
- 2009 trip to Vietnam to discuss
  - Electronic versions of Official Gazettes
  - Establishing a Code

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## PROBLEM

- Vietnam has central publication of legal normative documents in its Official Gazette
  - 28 Issuing agencies
- But many legal norms issued in unpublished official letters
- No central, official, reliable place to find all rules and procedures being enforced.

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### MAY 2010 VISIT BY MOJ

- Meeting with Ministry of Justice
- How issuing agencies work with the OFR to keep the CFR current.
- How issuing agencies use and benefit from the CFR.
- What does the agency liaison officer do?
- Challenges in the process
- How are disputes between OFR and DOI handled?

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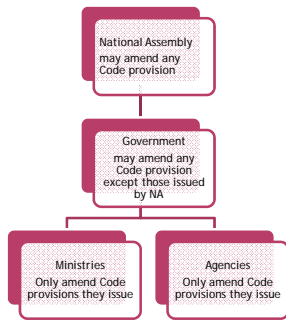
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### CODE STRUCTURE



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### OPTION 1: FINITE NUMBER SERIES

- #(Title) VNC #(Part).letter(Subpart).#(Article)
  - Title and Part relate to subject matter
  - Each entity would have its own subpart
  - The articles would be in finite spans, pre-assigned by specific topic 100-199, 200-299, etc
- 2VNC 1.A.100 – Scope
- 2VNC 1.A.101 – Definitions

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### OPTION 2: INFINITE NUMBER SERIES

- #(Title) VNC  
#(Part).letter(Subpart).#(Chapter).#(Article)
  - Title and Part relate to subject matter
  - Each entity would have its own subpart
  - The articles would remain topic-specific, but would be followed by sections with infinite numbers
- 2VNC 1.A.1.100 - Scope
- 2VNC 1.A.1.101 - Definitions

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### ASSIGNING SUBPARTS

- Option 1
  - All entities are assigned a specific letter which is effective across chapters and parts, with the National Assembly assigned "A" and the Standing Committee "B," followed by the Ministries
    - Pros: completely consistent across all facets of the law
    - Cons: not every entity issues law or regulations on every legal topic, so there could be significant chunks missing
- Option 2
  - The National Assembly is assigned "A" and the other entities are assigned letters as needed.

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### ASSIGNING SUBPARTS

- Subpart nomenclature
  - Repeating letters
    - 1.VNC2.LL.2.1
  - Serial letters
    - 1.VNC 2.AL.2.1
  - Roman numerals
    - 1.VNC 2.XXXVIII.2.1

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QUESTIONS?



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