

THE GOVERNMENT

No: 222/2013/ND-CP

SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

Hanoi, December 31, 2013

DECREE

ON CASH PAYMENT

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the June 16, 2010 Law on the State bank of Vietnam;

Pursuant to the June 16, 2010 Law on credit institutions;

At the proposal of the Governor of the State bank of Vietnam;

The Government promulgates Decree on cash payment,

Chapter 1.

GENERAL PROVISIONS

Article 1. Scope of regulation

This Decree prescribes the cash payment and state management on cash payment in a few of payment transactions on Vietnam's territory.

Article 2. Subjects of application

Subjects of application of this Decree include: The State bank of Vietnam (hereinafter abbreviated to the State bank), credit institutions, foreign banks' branches, State Treasuries and organizations and individuals related to the cash payment.

Article 3. Interpretation of terms

In this Decree, the following terms are construed as follows:

1. Cash means paper money, metal money issued by the State bank.
2. Cash payment means the cash use of organizations and individuals in order to directly pay or perform other obligations of payment in the payment transactions.
3. Cash service mean activity of the State bank, credit institutions, foreign banks' branches, State Treasuries in order to provide for clients involving remittance and withdrawal of cash or other services involving cash.

4. Organizations using funding from state budget mean estimate units, units using state budget, agencies and organizations being supported funding from state budget, investors, the management board of projects under capital sources of state budget.

5. Organizations using state capital mean organizations using credit capital guaranteed by State, credit capital for development investment of State and other investment capital of State.

Chapter 2.

CASH PAYMENT FOR SOME PAYMENT TRANSACTIONS

Article 4. Organizations using funding from the State budget and organizations using state capital

1. Organizations using funding from the State budget do not perform cash payment in transactions, except for some cases allowed to perform cash payment as prescribed by the Ministry of Finance.

2. Organizations using state capital do not perform cash payment in transactions, except for some cases allowed to perform cash payment as prescribed by the State bank.

Article 5. Securities transactions

1. Organizations and individuals do not perform cash payment in securities transactions on the Stock Exchange.

2. Organizations and individuals do not perform cash payment in securities transactions registered and made depository at Center of securities depository not through the transaction system of the Stock Exchange.

Article 6. Financial transactions of enterprises

1. Enterprises do not perform cash payment in transactions of capital contribution and purchase, sale, transfer of the capital parts contributed into enterprises.

2. Enterprises not being credit institutions do not use cash when borrowing and providing loans with each other.

Article 7. Disbursement of the loaning capital

Credit institutions, foreign banks' branches may perform disbursement of the loaning capital for clients in cash in accordance with regulations of the State bank.

Article 8. Agreements and registrations about need of cash withdrawal

1. Credit institutions, foreign banks' branches may agree with clients about plan of cash withdrawal and notification by clients before performing cash withdrawal with big quantity.

2. Units transacting with State Treasuries and wishing to perform cash withdrawal at State Treasuries may perform registration as prescribed by the Ministry of Finance.

Article 9. Charge for cash services

1. The State bank shall define the charges for cash service to its clients.
2. Credit institutions, foreign banks' branches may define the charges for cash services to their clients and publicly list charges as prescribed by law.

Chapter 3.

RESPONSIBILITIES OF STATE MANAGEMENT AGENCIES AND RELEVANT PARTIES

Article 10. Responsibilities of the State bank

1. Guide implementation of Clause 2 Article 4, Article 7 and Article 9 of this Decree.
2. Do as focal agencies to coordinate with relevant Ministries, sectors and agencies in guiding, monitoring, urging, inspecting implementation of this Decree; annually, sum up situations and report them to the Prime Minister.
3. Do as focal agencies to coordinate with the Ministry of Information and Communications in formulating and performing plan on information and propagation in serve of implementation of this Decree.

Article 11. Responsibilities of the Ministry of Finance

Guide implementation of Clause 1 Article 4, Article 5, Article 6 and Clause 2 Article 8 of this Decree.

Article 12. Responsibilities of relevant Ministries, sectors and People's Committees of provinces and central-affiliated cities

1. The relevant Ministries and sectors and People's Committees of provinces and central-affiliated cities shall, within their functions and tasks, direct the propagation and deploy to organizations, individuals, agencies, affiliated units in strictly complying with provisions of this Decree.
2. Relevant Ministries and sectors, and People's Committees of provinces and central-affiliated cities shall monitor, sum up and report annually about situation of implementation of this Decree in their fields and management scope, send them to the State bank for summing up and reporting to the Prime Minister.

Chapter 4.

IMPLEMENTATION PRVISIONS

Article 13. Effect

1. This Decree takes effect on March 01, 2014.
2. This Decree replaces the Government's Decree No. 161/2006/ND-CP dated December 28, 2006, providing for cash payment.

Article 14. Responsibilities of implementation

The Governor of the State bank of Vietnam, Ministers, Heads of ministerial-level agencies, Heads of Governmental agencies, chairmen of People's Committees of provinces and central-affiliated cities and relevant agencies, organizations and individuals shall implement this Decree.

**ON BEHALF OF GOVERNMENT
THE PRIME MINISTER**

Nguyen Tan Dung

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