

**DECREE No. 04/2000/ND-CP OF FEBRUARY
11, 2000 ON ENFORCEMENT OF THE LAW
AMENDING AND SUPPLEMENTING A
NUMBER OF ARTICLES OF THE LAND
LAW**

THE GOVERNMENT

*Pursuant to the Law on Organization of the
Government of September 30, 1992;*

Pursuant to the Land Law of July 14, 1993 and

the Law amending and supplementing a number of articles of the Land Law of December 2, 1998;

At the proposal of the General Director of the Land Administration,

DECREES:

Chapter I

GENERAL PROVISIONS

Article 1.- Scope of regulation.

This Decree prescribes the enforcement of the December 2, 1998 Law amending and supplementing a number of articles of the Land Law.

Article 2.- The competence to lease land.

1. The agencies competent to assign land as defined in Clause 3, Articles 23 and 24 of the Land Law shall be the bodies competent to lease land.

The leasing of land for the purpose of agricultural production, aquaculture or salt making shall comply with the provisions in Clause 5, Article 1 of Decree No. 85/1999/ND-CP of August 28, 1999 of the Government on amendments and supplements to a number of articles of the Regulation on assignment of agricultural land to family households and individuals for a stable and long-term use for the purpose of agricultural production and supplements to the assignment of salt-making land to family households and individuals for a stable and long-term use (called Decree No. 85/1999/ND-CP of the Government for short); the leasing of land for the forestry purpose shall comply with the provisions in Article 16 of Decree No. 163/1999/ND-CP of November 16, 1999 of the Government on allotment and lease of forestry land to organizations, family households and individuals for a stable and long-term use for the forestry purpose (called Decree No. 163/1999/ND-CP of the Government for short).

2. The procedures for leasing land for project execution shall comply with the procedures for land assignment defined in Articles 19 and 20 of this Decree.

Article 3.- Granting land use right certificates

1. Organizations, family households and individuals using land and having one of the papers prescribed in Clause 2, Article 3 of Decree No. 17/

1999/ND-CP of March 29, 1999 of the Government on procedures for transfer, assignment, lease, sublease, inheritance of the land use right as well as mortgage of and capital contribution with, the land use right value (called Decree No. 17/1999/ND-CP of the Government for short), shall be granted land use right certificates.

Where organizations, family households and/or individuals use the land stated in this Clause and such land lies in the construction planning already ratified by the competent State body(ies) while there have been no decisions to recover such land for the execution of such planning, they shall still be granted the land use right certificates but have to strictly observe the regulations on construction. When the State recovers such land for the execution of the construction planning, the organizations, family households and/or individuals shall have to abide by the decisions of the competent State body(ies) on the land recovery and shall be compensated for damage in terms of land and properties affixed thereto according to the provisions of law.

2. Organizations, family households and/or individuals using land without any papers defined in Clause 1 of this Article but with the certification by the commune-level People's Committees that there have been no disputes over such land, shall be considered for the granting of the land use right certificates.

Where organizations, family households and/or individuals use the land without any papers defined in this Clause while such land is covered by the construction planning already ratified by the competent State body(ies), they shall not be granted the land use right certificates.

3. The provincial-level People's Committees shall grant the land use right certificates to the following subjects:

- a) Organizations that use land;
- b) Family households and individuals using assorted land in urban areas of cities and provincial towns and residential land as well as special-use land in district towns;
- c) Churches, pagodas, religious shrines;
- d) Population community using land with such works thereon as communal houses, temples, shrines, small pagodas, worship halls, ancestral worship houses in urban areas.

4. The district-level People's Committees shall grant the land use right certificates to the following subjects:

a) Family households and individuals using land for the purpose of agricultural production, forestry, aquaculture or salt making in rural areas and district towns;

b) Family households and individuals using residential land and/or special-use land in rural areas;

c) Population community using land with such works thereon as communal houses, temples, shrines, small pagodas, worship halls, ancestral worship houses in rural areas.

Article 4.- Land used for public purpose.

1. Land used for public purposes defined at Point 5, Clause 5, Article 1 of the Law amending and supplementing a number of articles of the Land Law shall include land used for the construction of roads, bridges, sluices, pavements, water supply and drainage systems, rivers, reservoirs, dykes, dams, schools, hospitals, markets, parks, flower gardens, play grounds for children, public squares, stadiums, airports, wharves and ports.

2. Land used for the construction of other public works shall include land used for the construction of power plants, transformer stations, hydro-electric power plant reservoirs, communications lines, power transmission lines, petroleum pipelines, gas pipelines, hydro-meteorological stations, observation posts in service of research and public services, water works, railway stations, car terminals, ferries, national gardens, sanitaria, disadvantaged children centers, sport and physical training establishments, handicapped children's functional rehabilitation establishments, vocational training centers, cultural projects, statues, memorial monuments, clubs, theatres, museums, exhibition houses, cinemas, circuses, drug rehabilitation centers, reformatories, human dignity restoration establishments, cemeteries, grave-yards, waste treatment areas, garbage yards.

Article 5.- Duration of land assignment or land lease, duration for use of land received through the land use right transfer.

1. The duration of land assignment or land lease:

a) The duration of land assignment or land lease to family households and individuals for growing annual or perennial trees, aquaculture or salt making

shall comply with the provisions in Clauses 3 and 5, Article 1 of Decree No. 85/1999/ND-CP of the Government;

The duration of land assignment or land lease to organizations, family households and individuals for forestry purpose shall comply with the provisions in Article 14 of Decree No. 163/1999/ND-CP of the Government.

b) The duration of land assignment for family households and individuals for construction of dwelling houses shall be stable and long-termed, and the State shall recover such land in circumstances defined in Articles 26 and 27 of the Land Law;

c) The duration of land assignment to economic organizations to create capital for construction of infrastructure under projects shall be stable and long-termed; the State shall recover such land only in circumstances defined in Articles 26 and 27 of the Land Law;

d) The duration of land assignment to economic organizations for construction of infrastructure for transferring or leasing the right to use the land associated with such infrastructure shall comply with the duration of the projects already ratified by the competent State body(ies), but shall not exceed 50 years. For projects which require longer land use duration, it shall be decided by the Prime Minister, but shall not exceed 70 years; after such duration, if organizations still have the demand to continue the use of such land, they shall have to fill in the procedures for decision by the competent State body(ies).

2. The duration for use of transferred land is stipulated as follows:

a) Where family households and individuals receive residential land and/or special-use land and economic organizations receive residential land and/or special-use land, which are transferred from family households and/or individuals with the transfer charges having not originated from the State budget, the duration for use of transferred land shall be stable and long-termed;

b) Where economic organizations, family households and/or individuals are transferred the right to use land of the type with the prescribed use duration and do not change the land use purpose, the land use duration shall be the remainder of the prescribed use duration. After such duration, if the organizations, family households and/or individuals

still have the demand to continue using the land, they shall have to fill in the procedures for decision by the competent State body(ies);

c) Where economic organizations, family households and/or individuals are transferred the right to use agricultural land and/or forestry land and at the same time change the land use purpose with the permission of the competent State body(ies), the land use duration shall be calculated according to the duration of the projects already ratified or approved by the competent State body(ies) but shall not exceed 50 years. Particularly for family households and individuals that are transferred the right to use agricultural land and/or forestry land and permitted by the competent State body(ies) to change such land into the residential land, the land use duration shall be stable and long-termed.

Article 6.- Residential land of family households and individuals

1. Residential land of family households and individuals is the land used for construction of dwelling houses and works in service of daily life such as kitchens, yards, water wells, bath rooms, toilets, animal stables, poultry coops, storehouses, animal feeds depots, fuel stores, garages.

2. Limits of land assigned to family households or individuals for house construction.

a) Limits of land assigned to family households or individuals for construction of houses in rural areas.

Depending on the local land fund, the provincial-level People's Committees shall decide the limit of land assigned to each family household or each individual for house construction according to the following regulations:

- It shall not exceed 300 m², for delta communes;
- It shall not exceed 400 m², for midland, mountainous and island communes;
- For localities where, as a custom, people of many generations live in the same household or where exist particular natural conditions, the land limit may be higher but at most shall not exceed twice the limits prescribed for such respective localities.

b) The limits of land assigned to family households and individuals for construction of houses in urban areas shall be determined according to investment projects on construction of dwelling houses for sale or lease, which have been approved

by the competent State body(ies).

Where there are not enough conditions for land assignment according to projects, the provincial-level People's Committees shall base themselves on their local land funds to determine the limits of land assigned to each family household, each individuals for building their dwelling houses in strict accordance with the urban planning and the designing norm and criteria for urban construction.

3. The land assignment limits defined in Clause 2 of this Article shall apply only to cases of new land assignment for construction of dwelling houses, not to cases of using residential land before this Decree takes implementation effect.

Article 7.- Subjects entitled to land assignment without collection of land use levy.

1. Organizations assigned land by the State without collection of land use levy shall include:

a) Organizations which are assigned forest land and land for planting headwater protection forests, forests against wind, sand storms, sea tide encroachment or for ecological environment protection; organizations assigned by the State to manage national gardens, nature preservation forests or cultural-historical-environmental forests;

b) State enterprises which are using land assigned by the State before January 1st, 1999 for agricultural and forestry production, aquaculture or salt making;

c) State bodies, political organizations, socio-political organizations, people's armed forces units, which have used land for construction of working offices, for military or security purposes, for construction of economic, cultural, social, scientific and technical or diplomatic projects of branches and non-business sectors; organizations assigned to manage land where exist classified historical or cultural relics;

d) Organizations using land for public purposes defined in Article 4 of this Decree.

2. Family households and individuals directly engaged in agricultural and forestry production, aquaculture and salt making and using land for the purpose of agricultural production, forestry, aquaculture or salt making within the limits prescribed by land legislation.

3. Religious organizations using land.

Article 8.- Subjects entitled to land assignment

with the collection of land use levy.

1. Family households and individuals assigned land by the State for house construction.

2. Economic organizations investing in the construction of dwelling houses for sale or lease.

3. Economic organizations investing in the construction of infrastructure for transfer or lease of the right to use the land where such infrastructure is affixed to.

4. Economic organizations assigned land with the collection of land use levy in order to create capital for construction of infrastructure under projects decided by the Prime Minister.

Article 9.- Subjects entitled to land lease by the State

1. Family households and individuals that have the demand to use land for production and business activities.

2. Family households which use agricultural land beyond the limits prescribed at Point 1, Clause 5, Article 1 of the Law amending and supplementing a number of articles of the Land Law.

3. Economic organizations which use land for production and/or business activities.

4. Economic organizations which invest in the construction of infrastructure for transfer or lease of the right to use land where such infrastructure is affixed to in industrial parks, export processing zones or high-tech parks.

Article 10.- Exemption or reduction of land use levy or land rent.

1. The land users shall be exempt from land use levy in the following cases:

a) Using land for the construction of gratitude houses;

b) Using land for the construction of condominiums for sale or lease; the construction of boarding schools;

c) Using land in island, border, highland, deep-laying or remote areas for the construction of dwelling houses;

d) Using land for construction of dwelling houses in case of evacuation and relocation due to natural calamity;

e) Persons who are using garden land and/or

ponds and are permitted by the competent State bodies to convert such land into residential land within the land allotment limits and in conformity with the zonings.

2. Persons with meritorious services to the revolution shall be entitled to land use levy exemption or reduction under the Prime Minister's decisions.

3. Land rent exemption, reduction:

a) Organizations, family households and/or individuals that lease land and are hit by natural calamities or fires which affect their production and/or business activities;

b) Organizations, family households and/or individuals that lease land for execution of projects in the domains where investment is encouraged according to the provisions of legislation on promotion of domestic investment or lease land for investment in reclamation of unused land and/or bare hills.

4. Enterprises with factories and/or workshops lying in inner areas of cities or provincial towns which are relocated into industrial zones under the planning shall be entitled to land use levy and/or land rent exemption or reduction.

Article 11.- Management and use of unreclaimed land, unused land.

For dug soil tubs, dead-end rivers, canals, ditches, dikes, dams, unused roads, riverside or seaside alluvium soils, unreclaimed land and/or unused land in communes, wards and/or district towns, the commune-level People's Committees shall have to manage such land areas.

The competence to assign and lease land and the time limits for using such land for the production and/or business purposes shall comply with the provisions in Articles 20, 23 and 24 of the Land Law and Articles 2 and 5 of this Decree.

Chapter II

RIGHTS AND OBLIGATIONS OF ORGANIZATIONS, FAMILY HOUSEHOLDS AND INDIVIDUALS, ASSIGNED LAND BY THE STATE WITHOUT COLLECTION OF LAND USE LEVY

Section 1. FOR ORGANIZATIONS

Article 12.- Rights of organizations assigned land

by the State without collection of land use levy

1. The organizations assigned land by the State shall enjoy the rights prescribed in Clauses 1, 2, 4, 5, 6 and 8 of Article 73 of the Land Law. For economic organizations using land defined at Point d, Clause 1, Article 7 of this Decree, they shall also enjoy the right to mortgage their own properties associated with the land use right for capital borrowing according to the provisions of law.

2. For State enterprises using agricultural, forestry, aquaculture or salt-making land assigned by the State before January 1st, 1999, in addition to the rights prescribed in Clause 1 of this Article, they shall be entitled to enjoy the right to mortgage their own properties associated with the right to use such land at Vietnamese credit institutions to borrow capital for their production and/or business activities; to contribute capital with the land use right value for production and/or business cooperation with domestic and/or foreign organizations or individuals for the continued use for agricultural, forestry, aquaculture or salt-making purposes as well as the expansion of the processing industry and services in order to develop production.

Article 13.- Obligations of organizations assigned land by the State without collection of land use levy.

1. Organizations assigned land by the State without collection of land use levy shall have the obligations prescribed in Clauses 1, 2, 3, 4, 6 and 7 of Article 79 of the Land Law.

2. Organizations using land for public purposes, organizations assigned agricultural, forestry, aquaculture or salt-making land by the State before January 1st, 1999, when permitted by the competent State body(ies) to use such land for other purposes, shall have to rent such land or be assigned the land with collection of land use levy.

Section 2. FOR FAMILY HOUSEHOLDS AND INDIVIDUALS

Article 14.- Rights of family households and individuals, assigned land by the State without collection of land use levy.

Family households and individuals, that are assigned land by the State without collection of land use levy, shall have the rights prescribed in Clauses

1, 2, 4, 5, 6 and 8 of Article 73 of the Land Law, the rights to exchange, transfer, lease, sublease, bequeath or mortgage the land use right under the provisions of land legislation. Besides, they shall also have the right to contribute capital with the land use right value during the land assignment duration for production and/or business cooperation with domestic organizations and/or individuals. Where the land use right value is contributed as capital for production and/or business cooperation with domestic organizations and/or individuals to develop the processing industry and/or services, the permission of the provincial-level People's Committee is required and the land lease shall apply.

Article 15.- Obligations of family households and individuals, assigned land by the State without collection of land use levy.

Family households and individuals, that are allotted land by the State without collection of land use levy shall have the obligations defined in Clauses 1, 2, 3, 4, 6 and 7 of Article 79 of the Land Law and Point 1, Clause 5, Article 1 of the Law amending and supplementing a number of articles of the Land Law.

Chapter III

RIGHTS AND OBLIGATIONS OF ECONOMIC ORGANIZATIONS ASSIGNED LAND BY THE STATE WITH COLLECTION OF LAND USE LEVY

Article 16.- Rights of economic organizations assigned land by the State with collection of land use levy.

Economic organizations assigned land by the State with collection of land use levy shall have the rights prescribed in Clauses 1, 2, 4, 5, 6 and 8 of Article 73 of the Land Law besides the following rights:

1. To transfer the right to use land on which architectural works and/or infrastructures have been built;
2. To lease the right to use land on which architectural works and/or infrastructures have been built;
3. To mortgage the land use right value at Vietnamese credit institutions in order to borrow

capital for production and/or business activities under the provisions of law;

4. To contribute capital with the land use right value together with their properties affixed to such land for production and/or business cooperation with domestic and/or foreign organizations and individuals under the provisions of law.

Article 17.- Obligations of economic organizations assigned land by the State with collection of land use levy.

Economic organizations assigned land by the State with collection of land use levy shall have the obligations prescribed in Article 79 of the Land Law besides the following obligations:

1. To strictly abide by the law provisions on investment and construction management.
2. To return land to the State upon the expiry of the land use duration.

Chapter IV

ASSIGNMENT OF LAND FOR INVESTMENT IN THE CONSTRUCTION OF DWELLING HOUSES FOR SALE OR LEASE IN ORDER TO CREATE CAPITAL FOR INFRASTRUCTURE CONSTRUCTION

Section 1. ASSIGNMENT OF LAND FOR INVESTMENT IN THE CONSTRUCTION OF DWELLING HOUSES FOR SALE OR LEASE

Article 18.- Planning and plans on the use of land for construction of dwelling houses.

Land used for investment in the construction of dwelling houses for sale or lease must be included in the planning for development of population quarters or urban centers, already ratified by the competent State body (ies).

Article 19.- Compilation of dossiers applying for land assignment, the order of considering and approving dossiers applying for land assignment.

1. A dossier of application for land assignment shall include:

- a) The application for land assignment;
- b) The decision of the competent State body approving the project for investment in the construction

of dwelling houses for sale or lease;

c) The plan for ground clearance compensation;

d) The extracted cadastral map or cadastral measurement of the land plot or the map of the land plot with clear determination of the boundaries and acreage of the land plot, certified by the provincial/municipal Land Administration Service or Land-House Administration Service of the locality where the land plot is located.

The dossier of application for land assignment shall be made in two sets for cases falling under the land-assigning competence of the provincial-level People's Committee, or four sets for cases falling under the land-assigning competence of the Government and sent to the provincial/municipal Land Administration Service or Land-House Administration Service of the locality where the land plot is located.

2. The order of considering and approving dossiers of application for land assignment:

a) Within 20 days after the full receipt of valid dossiers prescribed in Clause 1 of this Article, the provincial/municipal Land Administration or Land-House Administration Service shall have to complete the following:

- Organizing the on-spot inspection and verification, making a record on examination of the dossiers of application for land assignment;

- Making a report and submitting the dossiers of application for land assignment to the provincial-level People's Committee for consideration and decision.

b) Within 10 days after the full receipt of valid dossiers submitted by the provincial/municipal Land Administration or Land-House Administration Service, the provincial-level People's Committee shall decide the land assignment for cases falling under its jurisdiction or make a report to be submitted to the Prime Minister and send two sets of dossiers of application for land assignment to the General Land Administration for cases falling under the Government's jurisdiction to assign land.

c) Within 10 days after the full receipt of the valid dossiers sent by the provincial-level People's Committee, the General Land Administration shall evaluate the dossiers of application for land assignment and submit them to the Prime Minister for decision.

Article 20.- Organizing the execution of decisions on land assignment.

The organization of execution of decisions on land assignment is stipulated as follows:

1. After obtaining the land assignment decisions of the competent State bodies, the economic organizations to be assigned land shall have to compensate for damage caused to persons whose land are recovered according to the compensation plan approved by the competent State bodies and pay the land use levy according to the provisions of law;

2. The district-level People's Committees shall have to organize the damage compensation and proceed with the ground clearance within their respective localities;

3. The provincial/municipal Land Administration Services or Land-House Administration Services shall assume the prime responsibility and coordinate with the commune Land Administration Bureaus and People's Committees in organizing the hand-over of the boundary markers of the land plot on the field according to the competent State bodies' decisions to assign land to the economic organizations.

Article 21.- Transfer of the right to use residential land to which infrastructures are affixed.

The transfer of the right to use residential land to which infrastructures are affixed shall comply with the provisions in Articles 13 and 14 of Decree No. 17/1999/ND-CP of March 29, 1999 of the Government. The transferees shall be granted the land use right certificates by the State.

Section 2. LAND ASSIGNMENT TO CREATE CAPITAL FOR CONSTRUCTION OF INFRASTRUCTURES UNDER PROJECTS

Article 22.- Elaborating and submitting for approval projects on land fund use for creation of capital for infrastructure construction.

Annually, the provincial-level People's Committees shall elaborate and submit to the Prime Minister for approval:

1. Lists of projects entitled to use land funds for creation of capital for infrastructure construction.

2. Plans for use of land funds to create infrastructure construction capital.

Article 23.- Order of implementing projects on the use of land funds for creation of infrastructure

construction capital.

1. The provincial-level People's Committees have the responsibility:

a) To direct the elaboration and submission of infrastructure construction projects allowed for implementation by the Prime Minister to the competent authorities for approval;

b) To organize bidding in order to select investors for implementation of projects if more than one units participate therein. Where only one unit applies for the project implementation, the contractor shall be appointed;

c) To assign land or propose the Government to assign land for construction of infrastructure works according to competence prescribed in Article 23 of the Land Law;

d) To organize the pre-acceptance tests and determine the value of investment in the construction of infrastructure works according to the provisions of law;

e) To determine the value of the land plot to be returned to the investors who have invested capital in infrastructure construction according to the provisions of law;

f) To guide the elaboration and submission to the competent authorities for approval of projects for construction of infrastructures on the land plot returned to the investors and to decide the land assignment or propose the Prime Minister to assign land to investors according to competence prescribed in Article 23 of the Land Law.

2. The money collected from land assignment and the money for project construction must be fully accounted into the State budget according to legislation on budget.

Article 24.- Rights and obligations of economic organizations assigned land by the State for creation of infrastructure construction capital.

1. Economic organizations assigned land by the State for creation of infrastructure construction capital shall have the rights prescribed in Article 16 of this Decree.

2. Economic organizations assigned land by the State for creation of infrastructure construction capital shall have the obligations prescribed in Article 79 of the Land Law, besides the obligation to strictly abide by the regulations on construction of projects already

approved by competent authorities.

Chapter V

SETTLING CASES OF BEING ASSIGNED OR LEASED LAND BY THE STATE, BEING TRANSFERRED THE LAND USE RIGHT

Article 25.- Rights and obligations of family households and individuals using special-use land.

Family households and individuals using special-use land which is not leased by the State shall be entitled to stable and long-term land use duration and have the rights and obligations like the family households and individuals that are assigned land by the State with collection of land use levy.

Article 26.- Family households and individuals that change the purposes of using agricultural, forestry, aquaculture or salt-making land.

Family households and individuals that use agricultural, forestry, aquaculture or salt-making land and are permitted by competent State bodies to change their use purposes shall not have to lease land but shall be entitled to continue using such land according to the time limits prescribed for such types of land.

Article 27.- Economic organizations being transferred the land use right.

1. Economic organizations which are transferred the right to use residential land or special-use land lawfully from other persons with the money paid for such transfer having not originated from the State budget shall be entitled to the stable and long-term land use and shall not have to lease such land.

2. Economic organizations which are transferred the right to use agricultural or forestry land together with the use purpose change permitted by the competent State body(ies) and with money paid for such transfer and change of land use purposes having not originated from the State budget, shall not have to lease such land and the land use duration shall be calculated according to the duration of projects approved by the competent State body(ies) but shall not exceed 50 years.

3. Economic organizations using land defined in Clauses 1 and 2 of this Article and economic organizations assigned land by the State with the collection of land use levy shall not have to lease land

when they contribute capital with the land use right value to joint ventures with foreign organizations and/or individuals.

Article 28.- State enterprises based land to contribute capital to joint ventures with foreign countries

1. State enterprises leased land by the State may use the land rent value to contribute capital to joint ventures with foreign countries.

The land rent value is considered the State budget capital allocated to the enterprises which shall neither have to acknowledge the debts nor refund the land rent but shall have to pay property tax according to the provisions of law.

2. The Ministry of Finance and the General Land Administration shall guide in details the capital increase entry provided for in Clause 1 of this Article for the enterprises.

Article 29.- Organizations which have been assigned land by the State or have been transferred the land use right and the paid land rent as well as transfer charges have originated from the State budget.

Organizations which have been assigned land by the State or been transferred the land use right but the paid land rent or transfer charges have originated from the State budget shall have to shift to the land lease according to the project duration, but the lease term shall not exceed 50 years.

Article 30.- Organizations and individuals subleasing land in export processing zones, industrial parks or high-tech parks.

1. Organizations and individuals sub-leased land in export processing zones, industrial parks or high-tech parks shall be granted the land use right certificates. For the land areas with the land use right certificates being already granted to the organization and individual sublessees, the provincial/municipal Land Administration Services or Land-House Administration Services shall have to make appropriate adjustments on the land use right certificates already granted to organizations dealing in infrastructures.

2. The term of subleasing land in export processing zones, industrial parks or high-tech parks shall conform to the duration of the investment projects already approved by the competent State bodies.

3. The organizations and/or individuals that sublease land and have paid the rents for the whole subleasing term or paid the rents in advance for many years and whose paid subleasing term remains for at least five years shall have the rights:

a) To mortgage the value of the right to use the subleased land and their own properties affixed to such subleased land at Vietnamese credit institutions;

b) To transfer the right to use the subleased land and their own properties affixed thereto during the land subleasing term;

c) To contribute capital with the value of the right to use the subleased land for joint venture cooperation with domestic and/or foreign organizations and/or individuals according to the provisions of law;

d) In addition to the rights prescribed at Points a, b and c of this Clause, the individual sublessees of land in export-processing zones, industrial parks or high-tech parks may bequeath the land use right during the land subleasing term.

4. Organizations and individuals sub-leased land in export-processing zones, industrial parks or high-tech parks and having paid their land rent annually shall only enjoy the right to transfer and mortgage their own properties associated to the subleased land use right.

Chapter VI

IMPLEMENTATION PROVISIONS

Article 31.- Responsibilities of the ministries, the ministerial-level agencies, the agencies attached to the Government, the People's Committees at all levels and the land users.

The ministers, the heads of the ministerial-level agencies, the heads of the agencies attached to the Government, the presidents of the People's Committees at all levels and the land users shall have to implement this Decree.

Article 32.- Implementation effect

This Decree takes effect 15 days after its signing. The previous regulations contrary to this Decree shall all be annulled.

On behalf of the Government
Prime Minister
PHAN VAN KHAI