

NEW REGULATION IN AUTHENTICATION ACTIVITY

On the 3rd of March 2020, Ministry of Justice has promulgated Circular No. 01/2020/TT-BTP relating to issue the copies from master registers, certification of true copies from originals, authentication of signatures and contracts ("**Circular 01/2020**"), guiding Decree No. 23/2015/ND-CP on 16th of February 2015 ("**Decree 23/2015**").

Accordingly, Circular 01/2020 provides a number of remarkable points as follows:

1. Legal validity of certified true copies against the law

- (i) The certified true copies of originals or authenticated signatures, which are against the legal regulations, are not valid;
- (ii) The Presidents of the People's Committees at district or provincial level have the competency to cancel the legal value of documents issued by their offices. After that the information shall be posted on the portal of provincial People's committee.

2. Certifying copies shall include all pages with original information

- (i) Certified true copies from originals shall be full cover to all pages with information;
- (ii) Certified true copies from originals of family record book shall be captured the full cover page and all pages written information about the family members named in the book;
- (iii) Certified true copies from passport shall be captured the

full cover page and all pages with written information.

3. Comment on the résumé are not allowed

The authentication procedure of signatures in the résumé prescribes as follows:

- (i) Authenticating persons are not allowed to write any comments into the résumé, except for testimonies, or otherwise as prescribes in specialized law;
- (ii) The one who requests for authentication shall be liable for all the information in their resume;
- (iii) Categories without content in the resume shall be crossed out before requested for authentication.

4. Procedures to ask for authentication of amendments, supplements, or cancellation of contracts

The one who requests for authentication of amendments, supplements or cancellation of contracts shall present their valid identity card to authenticating persons and hand in a set of documents included:

- (i) The authenticated contracts;
- (ii) The draft of the amendments, supplements, or cancellation to the authenticated contracts;
- (iii) Certificated copies of documents proving ownerships, usage rights and present the originals for collation.

Circular 01/2020 will enter into force on 20th of April 2020.

If you are interested in the content of this newsletter or you need professional legal advice, please feel free to contact with LuatViet as information follows:

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