

GOVERNMENT

SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

No: 95/2021/ND-CP

Hanoi, November 1, 2021

DECREE

Amendments and supplements to SOME Articles of DECREE No. 83/2014/ND-CP dated September 3, 2014 ON petrol and oil trading

Pursuant to the June 19, 2015 Law on Government Organization; The Law amending and supplementing a number of articles of the Law on Government Organization and the Law on Organization of Local Government dated November 22, 2019;

Pursuant to the June 14, 2005 Commercial Law;

Pursuant to the June 20, 2012 Law on Prices;

At the proposal of the Minister of Industry and Trade;

The Government promulgates a Decree amending and supplementing a number of articles of the Government's Decree No. 83/2014/ND-CP dated September 3, 2014 on petrol and oil trading.

Article 1. Amending and supplementing a number of articles of the Government's Decree No. 83/2014/ND-CP dated September 3, 2014 on petrol and oil trading

1. Clause 2 Article 2 is amended and supplemented as follows:

"2. This Decree does not apply to traders who import, export, produce and mix specialized petrol and oil for their own needs with the quantity not exceeding 200 liters/kg/month and not circulating on the market. school."

2. Clause 1, Clause 3, Clause 7, Clause 9, Clause 10, and Clause 11 Article 3 are amended and supplemented as follows:

"first. Petrol is a common name to refer to products of the technological process of distilling, processing crude oil, waste and other materials to create products used as fuel, including: gasoline, diesel fuel, kerosene, fuel oil, aviation fuel, biofuel and other products used as fuel, excluding liquefied petroleum gas and compressed natural gas."

"3. Petroleum production is the technological process of distilling and processing crude oil, petroleum products, semi-finished petroleum products, waste and other materials into petroleum products.

"7. World petrol price is the price of petroleum products traded on the international market determined and announced by the Ministry of Industry and Trade.

"9. The base price is determined based on the factors that form the aggregate price from domestic and imported petroleum sources; serve as a basis for state agencies to determine the operating price (base price minus (-) minus the level of expenditure using the Price Stabilization Fund), which is the basis for deciding the domestic retail price of petrol and oil (particularly for petrol and oil). is the wholesale price)."

"ten. Traders dealing in petrol and oil include: Traders of petrol and oil business; the leading trader of petrol and oil production; petrol and oil distributors; traders acting as general agents for petrol and oil trading; traders acting as petrol and oil retail agents; traders receiving the right to retail petrol and oil; traders dealing in petroleum services."

"11. Key traders include petrol and oil wholesalers and petrol and oil production wholesalers.

The main trader of petrol and oil is a trader who buys petrol and oil directly from a petrol and oil production or preparation plant (or from an enterprise that is assigned the right to overwrite all petroleum products of the plant in the case of a petrol and oil plant). manufactures do not directly sell finished petroleum products) or import petrol and oil to supply petrol and oil for their system, sell to other petrol and oil traders and export petrol and oil.

Enterprises that are assigned the right to offload all petroleum products of the oil refinery are entitled to export and import finished petroleum products to ensure the balance of petrol and oil sources supplied to the main petrol and oil traders according to the regulations. guidelines of the Ministry of Industry and Trade.

The main trader of petrol and oil production is a trader that conducts the technological process of distillation and processing of crude oil, petroleum products, semi-finished petroleum products, waste and other materials into petroleum products. ."

3. Add Clause 17, Clause 18, Clause 19, and Clause 20 to Article 3

"17. Biofuels in this Decree are gasoline, diesel fuel, and fuel ethanol specified in the National Technical Regulations on gasoline, diesel fuel and biofuels issued by the Ministry of Industry and Trade. Science and Technology promulgated."

"18. Owning petrol and oil trading facilities (including petrol and oil retail stores, warehouses, means of transport, wharfs, loading and unloading vehicles, testing laboratories and other means for petrol production and trading). oil) in this Decree means the ownership by the owner separately or jointly in part with the ownership percentage of at least 35% of the value of the type of facilities at the time of establishing the ownership of such facilities. ."

"19. Remove the concept of "co-ownership" as prescribed in Decree No. 83/2014/ND-CP ."

"20. Small-scale petrol and oil vending equipment means petrol and oil selling equipment located at fixed petrol and oil selling points registered with the authorities, which has been controlled in terms of measurement and fire safety and requirements. other requirements as prescribed by law. The Ministry of Industry and Trade shall guide in detail the limitation of petrol and oil capacity of small-scale petrol vending equipment.

4. To add Article 5a after Article 5 as follows:

"Article 5a. Transfer of shares to foreign investors

Apart from petrol and oil traders that have been approved by the Prime Minister to contribute capital or transfer shares to foreign investors, petrol and oil traders engaged in petroleum production if they wish to transfer their shares to foreign investors. Parts for foreign investors must be approved by the Prime Minister."

5. Change the name of the trader doing business in exporting and importing petrol and oil specified in Decree No. 83/2014/ND-CP into the main trader in petrol and oil trading. Change the name of

the petrol and oil import and export business license to the Certificate of eligibility to act as a key trader in petrol and oil trading.

Amend Form No. 1, Form No. 2, Form No. 3, supplement Form No. 3a, Form No. 4a in the Appendix to Decree No. 83/2014/ND-CP .

6. Clause 3, Clause 4, Clause 5, Clause 7 Article 7 is amended and supplemented as follows:

“3. There depots imported petroleum minimum capacity of fifteen thousand cubic meters (15,000 m³) to directly receive oil from tankers petrol and transport of petroleum and other specialized, owned by the enterprise or lease it from a petrol and oil trader for five (05) years or more.”

“4. Having domestic means of transportation of petrol and oil owned by enterprises or leased to use by petrol and oil traders for five (05) years or more.”

“5. Having a petrol and oil distribution system: at least ten (10) petrol and oil retail stores owned or rented with a lease term of five (05) years or more, of which at least five (05) stores belong to ownership of the business; at least forty (40) general petrol and oil trading agents or petrol retail agents or petrol and oil retail franchisees under the trader's distribution system.”

“7. The main trader of aviation fuel is not required to have the distribution system specified in Clause 5 of this Article but must further satisfy the following conditions:

- Having a means of transport, aeronautical refueling vehicle in accordance with regulations and standards of aviation fuel products owned or leased with a lease term of five (05) years or more.
- Having a receiving warehouse at the airport with equipment and facilities meeting the standards of aviation fuels owned or rented with a lease term of five (05) years or more.
- Having a qualified testing laboratory owned or hired to check the quality of aviation fuel products according to national and international standards according to current regulations.

7. Point a and d Clause 2 and Clause 6 Article 8 are amended and supplemented as follows:

“a) For new issue, the application includes:

- An application form for a Certificate of eligibility to act as a key trader in petrol and oil, made according to Form No. 1 in the Appendix to this Decree;
- A copy of the business registration certificate;
- A list of material and technical facilities in service of petrol and oil trading as prescribed in Clauses 2, 3 and 4, Article 7 of this Decree, together with supporting documents;
- List of petrol and oil retail stores owned or leased, list of general petrol and oil trading agents, petrol and oil retail agents, petrol and oil retail franchisees under the petrol and oil distribution system of the company. traders as prescribed in Clause 5, Article 7 of this Decree, together with supporting documents.”

“d) In case the Certificate of eligibility to act as the main trader of petrol and oil expires, the trader must make a dossier similar to the case of new issuance specified at Point a of this Clause and send it to the Ministry of Industry and Trade. Industry and Trade at least thirty (30) working days before the Certificate expires.”

“6. The Ministry of Industry and Trade has the authority to revoke the Certificate of eligibility to act as the focal point of petrol and oil trading. The certificate of eligibility to act as a key trader in petrol and oil trading shall be revoked in the following cases: the trader has not engaged in

petroleum business for a period of one (01) quarter or more; the trader fails to fulfill the minimum total resources assigned by the Ministry of Industry and Trade for two (02) consecutive years; traders go bankrupt according to the provisions of law; the trader fails to satisfy the conditions specified in Article 7 of this Decree; the trader fails to store petrol and oil in accordance with the provisions of Article 31 of this Decree; traders repeatedly violate regulations on quality assurance of petrol and oil circulating on the market in this Decree and other cases as prescribed by law.”

8. To amend Clause 1, Clause 2, Clause 7, Clause 11, Clause 18 Article 9 and add Clause 20 and Clause 21 Article 9 as follows:

"first. To be assigned by the Ministry of Industry and Trade the minimum annual total petroleum source.”

"2. To have the right to import or buy domestically materials for the preparation of petrol and oil, notify the customs authority to carry out procedures and control the trader's import of raw materials.

“7. To ensure the supply of petrol and oil is not lower than the minimum total source assigned by the Ministry of Industry and Trade for the whole year according to the quarterly schedule or specific guidance documents of the Ministry of Industry and Trade; ensure the quality, quantity, structure, types and minimum level of compulsory petroleum reserve specified in Clause 1, Article 31 of this Decree.”

“11. The leading petrol and oil trader is the owner of petrol and oil throughout his/her petrol and oil distribution system, except for the case where petrol and oil are sold to other petrol and oil wholesalers, petrol and oil distributors and selling petrol and oil. for traders to receive the right to retail petrol and oil. The main trader in petrol and oil trading must register their distribution system according to the regulations of the Ministry of Industry and Trade.”

“18. To authorize affiliated subsidiaries to carry out a number of petroleum trading powers under the guidance of the Ministry of Industry and Trade.”

“20. The main petrol and oil trader must set up, spend, use and manage the petrol and oil price stabilization fund and report and publicize it according to the provisions of this Decree and the guidance of the Ministry of Finance.

“21. In case a petrol and oil major trader has his/her Certificate of eligibility to act as a key trader in petrol and oil revoked, or fails to carry out procedures for a new issuance when the Certificate of eligibility to act as a key trader is revoked. petrol and oil has expired, or the petrol and oil key trader actively registers not to continue to be the leading petrol and oil trader, or the enterprise that is the leading petrol and oil trader goes bankrupt or is dissolved. the main trader of petrol and oil is obliged to transfer and remit the entire balance of the petrol and oil price stabilization fund to the state budget (if the price stabilization fund at the enterprise has a positive balance).”

9. Clause 1, Clause 3, Clause 8, Article 11 is amended and supplemented as follows:

"first. To purchase domestic raw materials, to directly import petroleum raw materials and finished products, or to entrust a trader with a Certificate of eligibility to act as a key trader in petrol and oil trading. The import of petroleum raw materials and finished products must follow the plan confirmed by the Ministry of Industry and Trade, and notify the customs authority to carry out procedures and control the trader's import of petroleum raw materials and finished products.

“3. To be able to consume petrol and oil produced in the domestic market by traders through their distribution systems as prescribed in Clause 8 of this Article, and to sell petrol and oil to other key traders. In addition, to sell special types of gasoline (which are types of gasoline not allowed to circulate on the market) to functional units to serve security and defense purposes according to the list approved by the Prime Minister. approved by the government.”

"8. To organize the domestic petrol and oil distribution system, to comply with the provisions of Clauses 4 and 5, Article 7; Clauses 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 Article 9 of this Decree and a certificate of eligibility to act as a petrol and oil key trader by the Ministry of Industry and Trade .”

10. Clause 2, Clause 3, Clause 5 Article 13 is amended as follows:

"2. There are warehouses, tank capacity of two thousand cubic meters minimum (2,000 m³), owned by the business or rental use of the traders of petroleum from five (05) years or more. "

“3. Having means of transportation of petrol and oil owned by an enterprise or leased to use by a petrol and oil trader for five (05) years or more.”

“5. Having a petroleum distribution system in the area of two (02) provinces or centrally run cities or more, including at least five (05) petrol and oil retail stores owned or leased with a lease term from five (05) years or more, of which at least three (03) stores are owned; at least ten (10) petrol and oil retail stores belonging to petrol and oil retail franchisees or traders shall be granted a Certificate of eligibility for petrol and oil retail according to the provisions of Article 25 of this Decree.”

11. To amend point d and add to point a, clause 2, Article 14 the following contents:

Add to point a :

A copy of the petrol and oil trading contract of the trader applying for the Certificate of eligibility to act as a petrol and oil distributor with the petrol and oil supplier.”

Modify point d :

“d) In case the Certificate of eligibility to act as a petrol and oil distributor expires, the trader must compile a dossier as in the case of new issuance specified at Point a of this Clause and send it to the Ministry of Industry and Trade. at least thirty (30) working days before the Certificate expires.”

12. Clauses 1 and 4, Article 15 are amended and supplemented as follows:

"first. To buy petrol and oil from many petroleum wholesalers and other petrol and oil distributors under the petrol and oil purchase and sale contract.”

“4. In addition to retailing at petrol and oil retail stores affiliated to traders, franchising for traders receiving the right to retail petrol and oil, and selling petrol and oil to units directly using petrol and oil for production, may only delivering petrol and oil in the form of an agent specified in the Commercial Law to the trader acting as an agent specified in Article 19 and this trader does not violate the provisions of Clauses 2 and 3, Article 21 of this Decree.”

13. Clauses 2, 3 and 4, Article 16 are amended and supplemented as follows:

"2. There are warehouses, fuel tanks of a minimum capacity of two thousand cubic meters (2,000 m³), owned by the business or rental use of the traders of petroleum from five (05) years or more.
"

“3. Having means of transportation of petrol and oil owned by an enterprise or leased to use by a petrol and oil trader for five (05) years or more.”

“4. Having a petrol and oil distribution system: at least five (05) petrol and oil retail stores owned or rented with a lease term of five (05) years or more, of which at least three (03) stores belong to own; at least ten (10) petrol and oil retail stores belonging to the agents that are granted the Certificate of eligibility for petrol and oil retail according to the provisions of Article 25 of this Decree.”

14. Point d Clause 3 Article 17 is amended as follows:

“d) In case the Certificate of eligibility to act as a general agent for petrol and oil trading expires, the trader must compile a dossier as in the case of new issuance specified at Point a of this Clause and send it to the competent authority. authorized at least thirty (30) working days before the Certificate expires.”

15. Clause 2, Article 19 is amended and supplemented as follows:

"2. Having a petrol and oil retail store owned or rented with a lease term of five (05) years or more shall be granted a Certificate of eligibility for petrol and oil retail according to the provisions of Article 25 of this Decree.”

16. Clause 3, Article 20 is amended and supplemented as follows:

“3. In case a trader being a petrol and oil retail agent has only one (01) petrol and oil retail store owned or rented by the enterprise, it is not required to issue a Certificate of eligibility to act as a petrol and oil retail agent. .”

17. Clause 2, Article 22 is amended and supplemented as follows:

"2. Having a petrol and oil retail store owned or rented with a lease term of five (05) years or more shall be granted a Certificate of eligibility for petrol and oil retail according to the provisions of Article 25 of this Decree.”

18. Clauses 2 and 3 of Article 24 are amended and supplemented as follows:

"2. Owned or leased with a lease term of five (05) years or more of a trader being a petrol and oil retail agent or a general petrol and oil trading agent or a petrol and oil retail franchisee or a petrol distributor petroleum or the main petrol and oil trader or the main petrol and oil producer with a distribution system as prescribed in this Decree (the trader applying for issuance must be named in the Certificate of eligibility to sell petrol and oil). petroleum retail). In case of renting a petrol and oil retail store, the tenant trader must have his/her name on the Certificate of eligibility for petrol and oil retailing.”

“3. Designed, built and equipped with equipment in accordance with the provisions of the National Technical Regulations on design requirements for petrol stations, ensuring fire safety, fire fighting and environmental protection of the management agency. competent state authorities.”

19. To add Article 24a as follows:

“Article 24a. Small-scale petrol vending equipment

Small-scale petrol and oil vending equipment is allowed to operate if it meets the following requirements:

1. To be controlled in terms of measurement and safety inspection by competent authorities according to regulations.

2. Operating in remote and isolated areas under the guidance of the Ministry of Industry and Trade in accordance with current regulations.

3. Owned by traders being petrol and oil retail agents or general petrol and oil trading agents or petrol and oil retail franchisees or petrol and oil distributors or key petrol and oil traders or traders. The main producer of petrol and oil has a distribution system as prescribed in this Decree.

4. Petrol and oil traders with small-scale petrol and oil selling equipment must send a notification dossier to the local Department of Industry and Trade where the petrol and oil selling equipment is located in order to be granted a Certificate of receipt of notice of petrol and oil trading by means of a small-scale petrol and oil selling device. small-scale petroleum sales.

a) A dossier of application for a Certificate of receipt of a notice of petrol and oil trading with a small-scale petrol and oil vending device includes:

- Notice of petrol and oil trading by small-scale petrol and oil vending equipment according to Form No. 3a of the Appendix to this Decree.

- A copy of the certificate of being a petrol and oil trader according to the provisions of this Decree.

- A copy of the certificate of training and professional training in fire prevention and fighting of direct sales staff.

- A copy of the certificate of inspection of small-scale petrol and oil vending equipment.

b) After a period of five (05) working days from the date of receipt of a complete dossier of notification of petrol and oil trading by small-scale petrol and oil vending equipment, the Department of Industry and Trade must have a Certificate of receipt of the notice of petrol trading. oil according to Form No. 4a in the Appendix to this Decree and send it to the small-scale petrol and oil trading unit. If the dossier sent to the Department of Industry and Trade is incomplete, after three (03) working days, the Department of Industry and Trade must send a written request to the trader to supplement the dossier as prescribed.

5. In case the trader changes the information on the Receipt for the notice of petrol and oil retail by small-scale petrol and oil vending equipment, the trader shall submit a dossier evidencing the change of information or the case where the receipt is lost. If it is lost or damaged, the trader shall submit a dossier as prescribed at Point a, Clause 4 of this Article and send it to the Department of Industry and Trade for re-issuance of the Certificate of Receipt of a notice of petrol and oil trading with a small-scale petrol and oil vending device.”

20. Point a is added , and Point d, Clause 2, Article 25 is amended as follows:

“a) For new issue, the application includes:

- An application form for the Certificate of eligibility to retail petrol and oil, made according to Form No. 3 in the Appendix to this Decree;

- A copy of the certificate of business registration of the trader applying for the Certificate of petrol and oil retail stores;

- A list of equipment and equipment of the petrol and oil retail store as prescribed in Clause 3, Article 24 of this Decree and documents proving the legality of construction of the petrol and oil retail store;
- Copies of certificates or equivalent papers on professional training of store managers and employees as prescribed in Clause 4, Article 24 of this Decree;
- A copy of the trader's written certification of goods supply to petrol stations;
- A copy of legal papers proving ownership or lease with a lease term of five (05) years or more of the trader applying for the Certificate.”

“d) In case the Certificate of eligibility for petrol and oil retailing expires, the trader must make a dossier similar to the case of new issuance specified at Point a of this Clause and send it to the Department of Industry and Trade in advance. at least thirty (30) working days, before the Certificate expires. In case the petrol station is not built or renovated or expanded, the application for re-issuance of the Certificate when the validity expires does not include documents proving the legality of construction of the petrol and oil retail store. .”

21. Clause 6 Article 26 is amended as follows:

“6. Stop selling goods only after receiving written approval from the Department of Industry and Trade, except for force majeure (fire, explosion, flood or have tried to apply remedial measures but cannot maintain sales).).”

22. Clauses 1 and 4 of Article 29 are amended as follows:

"first. To conduct the business of leasing ports and warehouses for receiving petrol and oil, and providing transportation and fueling services according to signed contracts.”

“4. If there are other business activities in petrol and oil (the main trader, the distributor, the general agent, the agent, the retail franchisee) must strictly comply with the regulations on such business activities. .”

23. Article 31 is amended and supplemented as follows:

"first. From the effective date of this Decree, the main petrol and oil trader and the main petrol and oil producer who have an organized petrol and oil distribution system must ensure the stability of the minimum compulsory petroleum reserve. equal to twenty (20) days of supply, calculated according to the average domestic consumption volume of one (01) day of the preceding year, both in terms of structure and categories; including reserve for national energy security and compulsory circulation reserve.

2. From the effective date of this Decree, petrol and oil distributors must ensure a stable level of compulsory petroleum reserve equal to at least five (05) days of supply, calculated according to the average domestic consumption volume. one (01) day of the preceding year, both in terms of structure and categories.

3. From the effective date of this Decree, the main petrol and oil producer must ensure the stability of the minimum compulsory petroleum reserve according to current regulations on petrol and oil reserves.

4. The mechanism for using the compulsory reserve of petroleum must comply with the provisions of the law on national reserves and/or the direction of the Ministry of Industry and Trade to serve the work of ensuring the balance of supply and demand and stability. market when needed.”

24. Article 33 is amended and supplemented as follows:

“Article 33. Minimum total petroleum source

1. Every year, based on the national economy's petroleum demand and domestic production, the Ministry of Industry and Trade determines the oriented demand for the total petroleum source of the following year. The demand for petroleum for national defense is determined separately.

2. On the basis of the directional demand for the total actual domestic consumption of petrol and oil in the preceding year and the registration of the leading petrol and oil trader, the Ministry of Industry and Trade shall assign the minimum total petrol and oil source to serve. domestic consumption for the whole year according to the category structure for each trader who has a Certificate of eligibility to act as the main trader of petrol and oil.

3. In case of necessity, in order to ensure the supply, the Ministry of Industry and Trade shall specify the schedule for importing or buying domestic petrol and oil for key traders to implement.

4. Based on market demand, the main trader of petrol and oil shall decide on the total volume of petrol and oil trading all kinds for consumption in the domestic market but must not be lower than the assigned minimum amount.

5. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned ministries and branches in, inspecting and supervising the assurance of the minimum total petroleum source of traders, ensuring the satisfaction of the needs of the economy and consumers' consumption. society. In case of necessity, the Ministry of Industry and Trade shall adjust the minimum amount of total resources assigned to traders.”

25. Article 34 is amended and supplemented as follows:

“Article 34. Procedures for registration of the minimum total source of petrol and oil

1. Every year, on the basis of the petroleum consumption situation in the year and the development plan in the following year, the main petrol and oil trader shall register the minimum total petroleum source with the Ministry of Industry and Trade.

2. The registration dossier is one (01) set, including:

a) A written request, clearly stating the quantity and type of petrol and oil registered to be assigned the minimum total source.

b) Report on the petroleum business of the unit in the year.”

26. Article 37 is amended as follows:

“Article 37. Petroleum price stabilization fund

1. Petroleum price stabilization fund means a financial fund that is not included in the state budget balance (hereinafter referred to as the price stabilization fund); all sources set aside and spent are used to participate in regulation and support for the goal of stabilizing domestic petrol and oil prices.

The main trader of petrol and oil is obliged to set up a price stabilization fund; separately accounting and monitoring the Price Stabilization Fund with an account opened at a commercial bank or foreign bank branch lawfully operating in Vietnam (hereinafter referred to as the bank) in accordance with this Decree and guidance of the Ministry of Finance. The main trader in petrol and oil trading shall take full responsibility before the law for the selection of a bank, management and assurance of the balance of the Price Stabilization Fund.

2. Setting up and spending the Price Stabilization Fund

a) The level of setting up of the Price Stabilization Fund: is an element constituting the base price; is a specific amount calculated on a liter, kg of gasoline and oil actually consumed (VND/liter, kg) according to the notice of petrol and oil price management of the Ministry of Industry and Trade.

In case at the time of administering petrol and oil prices, if the balance of the Price Stabilization Fund is large, the Ministry of Industry and Trade shall consider having a plan to reduce or suspend the setting up of the Price Stabilization Fund.

b) The level of expenditure to use the Price Stabilization Fund: is a specific amount calculated per liter, kg of gasoline and oil actually consumed (VND/liter, kg) according to the notice on petrol and oil price management of the Ministry of Industry and Trade. be considered for flexible management in cases where the base price increases or the increase in petrol and oil prices affects socio-economic development and people's lives.

The main trader in petrol and oil trading is only allowed to use the price stabilization fund according to the notice on petrol and oil price management of the Ministry of Industry and Trade, not to use the petrol and oil price stabilization fund for other purposes.

c) The Ministry of Industry and Trade shall base themselves on the actual situation, balance of the Price Stabilization Fund, and changes in the base price of petrol and oil at the time of petrol and oil price management to decide on the setting up and spending levels for the following use of the Price Stabilization Fund. when agreeing on policies with the Ministry of Finance.

d) The amount set up and spent using the Price Stabilization Fund in the period must be deducted and promptly deposited into the Price Stabilization Fund account at the bank; The balance of the deposit account of the Price Stabilization Fund is charged interest at the rate applicable to the current deposit account of the bank where the main petrol and oil trader opens a deposit account in the Price Stabilization Fund in the same period. period. The profit arising on the positive price stabilization fund balance account is recorded into the price stabilization fund.

The main trader in petrol and oil trading uses the Price Stabilization Fund according to the executive notice of the Ministry of Industry and Trade, but at that time the balance of the Deposit Account of the Price Stabilization Fund is no longer available (the balance of the deposit account of the Average Price Fund is no longer available). price stabilization at banks is zero (0)), petrol and oil key traders may borrow capital or use lawful financial sources to compensate for the excess of the Price Stabilization Fund (the balance of the Price Stabilization Fund). negative price stabilization).

- In case the leading petroleum trader borrows a bank loan to make up for the excess of the Price Stabilization Fund, the interest rate will be calculated at the lowest agreed-upon interest rate at the bank where the main trader is located. petroleum business loans.

- In case the main petrol and oil trader uses legal financial sources to make up for the excess of the Price Stabilization Fund, the maximum interest rate will be equal to the interest rate applied to the cash account. deposit the lowest payment of one (01) in the banks where the lead trader opens a deposit account of the Price Stabilization Fund.

3. The main petrol and oil trader shall have to publicly announce on the enterprise's electronic means of communication or on the mass media the situation of setting aside, spending and using, accrued interest and the amount balance of the Price Stabilization Fund; and at the same time report to the Ministry of Finance and the Ministry of Industry and Trade.

4. The leading petrol and oil trader shall have to organize the implementation of the provision, use and management of the petrol and oil price stabilization fund, and report and publicize it according to the provisions of this Decree and guidance. of the Ministry of Finance. In case of violation, based on the seriousness of the act will be administratively sanctioned according to the provisions of Decree No. 109/2013/ND-CP dated September 24, 2013 and Decree No. 49/2016/ND-CP dated September 24, 2013. May 27, 2016 of the Government amending and supplementing a number of articles of Decree No. 109/2013/ND-CP dated September 24, 2013 of the Government providing for penalties for administrative violations in the field of price management , fees, charges, invoices and amendments, supplements, and replacements (if any). A petrol and oil trader who commits violations many times will be considered for suspension of business operations or with revocation of the Certificate of eligibility to act as a leading petrol and oil trader in accordance with current law.

5. The Ministry of Finance shall guide the method of setting up, spending, using and managing the petrol and oil price stabilization fund; scale of the petrol and oil price stabilization fund; inspect and supervise the main trader of petrol and oil to comply with regulations on setting up and spending the petrol and oil price stabilization fund.”

27. Article 38 is amended and supplemented as follows:

“Article 38. Principles of petrol and oil price management

1. The selling price of petrol and oil is implemented according to the market mechanism, with the State's regulation, in line with the world petrol price movement and the socio-economic situation in each period.

2. The petrol and oil wholesalers and petrol and oil distributors are entitled to decide on wholesale prices. Based on the actual situation at the enterprise, the leading petrol and oil trader and petrol and oil distributor shall decide on the retail price of petrol and oil (the wholesale price of oil is the wholesale price) in their distribution system in accordance with the provisions of the law. consistent with the actual costs incurred at the enterprise and not higher than the operating price announced by the competent state agency.

For areas far from ports, far from key warehouses, far from petrol and oil production facilities, if there are reasonable and valid (audited) actual costs incurred, it will lead to higher selling prices than cashew prices. petrol and oil traders may decide the actual selling price in that area (notified to the Ministry of Industry and Trade) to cover the incurred costs but not exceed 2% of the operating price announced together with the company. time.

The main petrol and oil traders and petrol and oil distributors are responsible for notifying the selling price to the Ministry of Industry and Trade and the Ministry of Finance right after deciding the petrol and oil selling price of the enterprise.

3. Petrol price operating time

The operating time for petrol prices is on the 1st, 11th and 21st of every month. For operating periods that coincide with holidays or public holidays according to the regulations of the State, the operating time shall be postponed to the next working day after the holiday or public holiday. For the operating period that coincides with the Lunar New Year, the operating time is postponed to the next operating period.

In case the prices of petroleum products have abnormal fluctuations, greatly affecting socio-economic development and people's lives, the Ministry of Industry and Trade is responsible for reporting to the Prime Minister for consideration and decision. regulate gasoline prices accordingly.

4. In case the factors constituting the fluctuation cause the base price to increase by more than ten percent ($> 10\%$) of the number of the previous base price, or the case where the price of petroleum products fluctuates greatly. Regarding socio-economic development and people's life, the Ministry of Industry and Trade is responsible for reporting to the Prime Minister for consideration and decision on specific management measures.

5. The petrol and oil products that the State has announced the base price for are those that are commonly consumed in the market.”

28. To add Article 38a after Article 38 on the base price formula as follows:

“Article 38a. Base price formula:

1. The base price of petrol is determined by (=) the price of petrol and oil from the imported source multiplied by (x) the proportion (%) of the petroleum output from the imported source plus (+) the price of gasoline from the production source. domestic production multiplied by (x) the proportion (%) of petroleum output from domestic production, of which:

a) The factors forming the base price, including tax expenses for calculating the base price of petrol and oil as prescribed in this Decree, are only used to calculate the base price of petrol and oil.

b) Proportion (%) of petroleum output from domestic and imported sources to calculate the base price is determined quarterly; The weight of the output of the preceding quarter is applied to calculate the base price for the operating periods of the next quarter's base price.

Quarterly, on the basis of data provided on imported petroleum output of the Ministry of Finance and reports on domestic petrol and oil sales volume of major petrol and oil producers (from the 21st of the previous month in a row). from the first month of the quarter to the 20th of the last month of the quarter), the agency in charge of administering petrol and oil prices calculates and determines the proportion (%) of petroleum output from domestic and imported sources to calculate the base price.

c) The price of petrol and oil from imported sources is determined by (=) the world petrol price plus (+) the cost of bringing petrol and oil from abroad to a Vietnamese port plus (+) the normative business expenses plus (+)) the level of setting up the Price Stabilization Fund plus (+) normative profit plus (+) tax expenses (import tax, excise tax (if any), environmental protection hire (if any), tax added value) plus (+) fees and other deductions in accordance with current law.

Inside:

- World petrol and oil prices are determined by the Ministry of Industry and Trade on the principle of averaging according to the number of days with prices between two periods of announcing the base prices of prices of petroleum products traded on the international market.

- The cost of bringing gasoline from abroad to a Vietnamese port (including plus (+) or minus (-) premium is the price adjustment factor in the petroleum import contract, insurance costs, transportation costs and other other costs incurred, if any), determined by the Ministry of Finance according to the weighted average method according to the imported petroleum output and notified to the Ministry of Industry and Trade for application in the base price formula. The Ministry of Finance reviews and adjusts the cost of bringing petrol and oil from abroad to Vietnamese ports every 6 months (except in the case of unusual fluctuations).

- The cost of petrol and oil import tax is determined on the basis of the weighted average import tax rate multiplied by (x) (world petrol price plus (+) the cost of bringing petrol and oil from abroad to a Vietnamese port. Male) times (x) the foreign exchange rate. In which, the weighted average import tax rate is determined on a quarterly basis on the basis of imported petrol and oil output (for the period from the 21st of the month preceding the first month of the quarter to the 20th of the last month of the quarter).) and the weighted average import tax rate (%) of the preceding quarter are the basis for calculating the base price of the next quarter. The foreign currency rate shall comply with the provisions of Clause 9 Article 1 of Decree No. 59/2018/ND-CP dated April 20, 2018 and the amendment, supplement and replacement document (if any).

The weighted average import tax rate (%) shall be determined and notified by the Ministry of Finance for the Ministry of Industry and Trade to apply to calculate the cost of import tax in the formula for calculating petrol and oil prices from imported sources.

- Expenses for special excise tax (if any) are determined on the basis of the excise tax calculation price multiplied by (x) the excise tax rate, in which the excise tax calculation price is determined determined on the basis of factors forming the base price guided by the Ministry of Finance for the Ministry of Industry and Trade to calculate and apply in the formula for calculating the base price. The excise tax rate shall comply with the current regulations on excise tax.

Expenses for environmental protection tax (if any), value-added tax, fees and other deductions and payments shall be made in accordance with current laws.

- The normative business expenses and profit shall be determined by the Ministry of Finance and notified annually for the Ministry of Industry and Trade to apply in the formula for calculating the base price of petrol and oil.

- The level of setting up the price stabilization fund shall comply with the notice of the Ministry of Industry and Trade at the time of announcement of the base price.

d) Petrol prices from domestic production sources

Petrol price from domestic production includes factors and is determined by (=) world petrol price plus (+) or minus (-) premium (if any) plus (+) cost of petrol from domestic oil refineries to the port (if any) plus (+) normative business expenses plus (+) the setting up of the Price Stabilization Fund plus (+) the rated profit plus (+) other expenses for taxes, fees and other deductions in accordance with current law.

Inside:

- Premium for calculating petrol and oil prices from domestic production sources (if any) is the price adjustment factor in petrol and oil purchase and sale contracts between the main trader of petrol and oil and the main trader of petrol and oil production or business. the enterprise is assigned the right to underwrite all petroleum products of the oil refinery; determined using the weighted average method. Premium includes the calculation of petrol and oil prices from domestic production sources, up to a maximum of not higher than the average world price times (x) the lowest special preferential import tax rates for petroleum products according to international commitments (case the lowest special preferential import tax rate for petrol and oil is greater than 0%).

Premium and the cost of bringing petrol and oil from domestic refineries to the port (if any) shall be reviewed and adjusted by the Ministry of Finance every 6 months (except in the case of unusual fluctuations) and notified. for the Ministry of Industry and Trade to apply in the base price formula.

Taxes, fees and other deductions shall be made in accordance with current laws.

- Price-forming factors include world petrol and oil prices, special consumption tax expenses (if any), normative business expenses, normed profits, and the level of appropriation for the Price Stabilization Fund in accordance with regulations. specified at point c, clause 1 of this article.

2. The base price of biofuel is determined by (=) the volume percentage of unleaded gasoline (%) times (x) {(world price of gasoline plus (+) the cost of bringing gasoline from abroad to the port. Vietnam plus (+) cost of gasoline import tax) times (x) proportion of imported gasoline output plus (+) (world price of gasoline plus (+) premium plus (+) cost of bringing gasoline from the factory domestic oil refinery to port (if any)) times (x) share of gasoline output from domestic production)} plus (+) volume percentage of fuel ethanol (%) times (x) price of ethanol fuel plus (+) normal business expenses plus (+) the setting up of the Price Stabilization Fund plus (+) the rated profit plus (+) expenses for taxes, fees and other deductions according to provisions of current law, including:

- The percentage by volume of unleaded gasoline, the percentage by volume of fuel ethanol applied to calculate the base price of biofuel according to the provisions of this Decree is the highest ratio allowed to be mixed. according to regulations of competent authorities suitable to each type of biofuel; The actual mixing ratio is within the allowable limit of the competent authority.

- The price of fuel ethanol applied in the formula for calculating the base price of biofuel is determined by the Ministry of Finance and notified to the Ministry of Industry and Trade for application in the formula for calculating the base price.

- Price-forming factors include: World gasoline price, cost of bringing gasoline from abroad to Vietnamese ports, premium for calculating gasoline price from domestic production sources, cost of bringing gasoline from domestic oil refineries to to the port (if any), the cost of gasoline import tax, the cost of excise tax, the normative business expense, the level of appropriation for the price stabilization fund, and the normed profit shall comply with the provisions of Point a. c Clause 1 of this Article.

3. Review and adjust the factors forming the base price

a) Periodically on the 21st of the last month of a quarter, the main petrol and oil producer shall have to summarize and report to the Ministry of Industry and Trade and the Ministry of Finance the detailed output of petrol and oil for sale of each type from the 21st of the previous month. adjacent to the first month of the quarter to the 20th of the last month of the quarter.

b) Periodically on the 21st of every month, the main petrol and oil trader is responsible for sending reports on the price of ethanol purchased domestically, price of imported ethanol, and output of ethanol purchased domestically and imported respectively to the Ministry of Finance to the Ministry of Finance. , Ministry of Industry and Trade.

c) Periodically before June 21 and December 21 every year, the leading petrol and oil traders are responsible for sending reports on the cost of bringing petrol and oil from abroad to Vietnamese ports; premium for domestic sources; expenses for bringing petrol and oil from domestic oil refineries to ports (if any) to the Ministry of Finance.

d) Before March 31 of each year, the main trader of petrol and oil shall have to conduct a separate thematic audit of petrol and oil trading costs and send reports to the Ministry of Finance and the Ministry of Industry and Trade.

dd) If the reporting date falls on a holiday or public holiday as prescribed, the submission of the report will be postponed to the next working day. The lead trader is fully responsible for the accuracy of the reported data.

e) On the basis of reports of key traders, the Ministry of Finance summarizes, reviews, evaluates and conducts actual surveys (if necessary) to consider and decide the cost of bringing petrol and oil from abroad. In addition to Vietnamese ports, premium for domestic sources, costs of bringing petrol and oil from domestic refineries to ports (if any), normative business expenses and notification to the Ministry of Industry and Trade for application in base price formula.

4. The Ministry of Finance shall guide the method of determining the elements constituting the base price.”

29. To amend Clause 2, Article 39 as follows:

"2. The Ministry of Industry and Trade is responsible for announcing on its website: World petrol and oil prices, base prices, operating prices of petroleum products; the time of application and the level of setting aside, the level of expenditure for the use of the Price Stabilization Fund in the periods of petrol and oil price management; other measures (if any).

The Ministry of Finance and the Ministry of Industry and Trade are responsible for publishing on their websites the balance of the Petrol Price Stabilization Fund every quarter.”

30. To amend point dd and add point l to clause 1 ; amending points a, b, clause 2 ; to amend point b and add point e, clause 3, Article 40 as follows:

"first. Ministry of Industry and Trade:

dd) Assume the prime responsibility for, and coordinate with the Ministry of Finance in, administering petrol and oil selling prices, setting up and spending the price stabilization fund. The level of setting aside and spending for the use of the Price Stabilization Fund at the time of base price announcement shall be made after reaching agreement with the Ministry of Finance. When there are different opinions, the Ministry of Industry and Trade shall decide and take responsibility; if necessary, report to the Prime Minister.

Assume the prime responsibility for, and coordinate with the Ministry of Finance in, inspecting and supervising key traders and petrol and oil distributors to comply with the provisions of Article 38 of this Decree.”

“1) To guide the operation in remote and remote areas and limit the petrol capacity of small-scale petrol vending equipment in accordance with current regulations.

"2. The financial:

a) Assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade in, inspecting and supervising the main traders of petrol and oil trading in compliance with the provisions of Article 37 of this Decree.

b) Guide the method of determining the elements constituting the base price; guide the method of setting up, spending, using and managing the Price Stabilization Fund; scale of the petrol and oil price stabilization fund; inspect and supervise the main trader of petrol and oil to comply with regulations on setting up and spending the price stabilization fund.”

“3. Science and technology

b) Assume the prime responsibility for, and coordinate with concerned ministries and branches in, formulating, amending, supplementing and perfecting the national system of standards and technical regulations on measurement and quality of petrol and oil; perfecting the system of legal documents on measurement and quality of petrol and oil, regulations for uniform implementation throughout the country.

e) To assume the prime responsibility for, and coordinate with concerned ministries and branches in, organizing the implementation of metrological control over small-scale petrol and oil selling equipment.”

31. To add Clause 5a to Article 40 as follows:

“5a. The Ministry of Public Security shall assume the prime responsibility for, and coordinate with relevant agencies in, technical inspection and verification and certification of conformity with regulations on fire prevention and fighting for petrol and oil selling equipment.”

32. To amend Clause 6, Article 41 as follows:

“6. Based on the socio-economic situation and the practice of petrol and oil trading in Region 3 in mountainous and highland areas as prescribed by law, the People's Committees of the provinces and centrally run cities allow petrol stations to operate. petrol and oil distributors belonging to the armed forces (defence, police) may act as petrol and oil retail agents, petrol and oil retail franchisees with scale and equipment suitable to the conditions of petrol and oil trading in Vietnam. that area; other conditions must comply with the provisions of this Decree and other relevant legal documents.”

Article 2. Effect

1. This Decree takes effect from January 2, 2022.

2. To annul Clause 6 Article 9, Clause 18 Article 9, Clause 7 Article 15 , Clause 7 Article 18, Article 36, Point e Clause 1 and Point c Clause 2 Article 40 of Decree No. 83/2014/ND-CP dated September 3, 2014 of the Government on petroleum business.

Article 3. Transition Terms

1. Petrol and oil traders who have been granted the petrol and oil import and export business licenses, certificates of petrol and oil trading, certificates of petrol and oil retail shops may continue to operate under conditions specified in Decree No. 83/2014/ND-CP until the Licenses, Certifications, and Certificates expire or there is a change in the petrol and oil trading conditions.

2. For applications for new issuance or re-issuance of petrol and oil import and export business licenses, certificates of satisfaction of petrol and oil trading conditions, and certificates of qualified petrol and oil retail shops. sent to the competent authorities fully and validly before the effective date of the Decree amending and supplementing Decree No. 83/2014/ND-CP , the conditions on petrol and oil trading as prescribed in Decree No. 83/2014/ND-CP shall apply. Decree No. 83/2014/ND-CP. Cases of submitting dossiers for issuance of permits, certifications and other certificates shall comply with the provisions of the Decree amending and supplementing Decree No. 83/2014/ND-CP.

Article 4. Implementation responsibilities and organization of implementation of the Decree

1. The Ministry of Industry and Trade and the Ministry of Finance shall coordinate with relevant ministries and branches in guiding the implementation of this Decree.

2. 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 of the provinces and centrally-run cities and related organizations and individuals shall be responsible for the implementation of the Decree. this determination.

**TM. GOVERNMENT
KT. PRIME MINISTER
VICE PRIME
MINISTER Le Van
Thanh**

Place of receipt:

- Secretariat of the Party
Central Committee;
- Prime Minister and Deputy
Prime Ministers;
- Ministries, ministerial-level
agencies, agencies attached
to the Government; -
People's Councils and
People's Committees of
provinces and centrally run
cities ; - Central Office and
Party Committees; - Office
of the General Secretary; -
Office of the President; -
Council for Ethnic
Minorities and Committees
of the National Assembly; -
Congress office; - Supreme
People's Court; - People's
Procuratorate of the
Supreme; - State audit; -
National Financial
Supervisory Commission; -
Bank for Social Policies; -
Vietnam Development
Bank; - Central Committee

of the Vietnam Fatherland
Front; - Central body of
unions; - Steering
Committee for Innovation
and Enterprise
Development; - Vietnam
Chamber of Commerce and
Industry; - Vietnam
Association of Small and
Medium Enterprises; -
Office of the Government:
BTCN, PCNs, Assistant to
TTg, General Director of E-
Portal, Departments,
Departments, affiliated units,
Official Gazette; - Save:
OFFICE, KTTH (2b).

sub- continent

(Attached to Decree No. 95/2021/ND-CP dated November 1, 2021 of the Government)

Model No. 1	Application form for grant/supplementation, amendment/re-issuance of C
Model No. 2	Certificate of eligibility to act as a key trader in petrol and oil trading

Model number 3	Application form for grant/supplementation, amendment/re-issuance of C
Model number 3a	Application for issuance/re-issuance due to change of information Receipt
Model number 4a	Receipt of notice of petrol and oil trading by small-scale petrol and oil ve

Model No. 1

BUSINESS NAME

SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

Number: /

..... day month year

**APPLICATION FOR SUPPLEMENTARY ISSUANCE, Amendment/Re-issue of
CERTIFICATE OF ELIGIBILITY TO BE FIRST TRADERS IN PETROLEUM
BUSINESS**

To: Ministry of Industry and Trade.

Name of business:
.....

Name of foreign transaction:
.....

Head office address:

Phone number : No. Fax:

Certificate of Business Registration No.... issued by... dated... month... year...

Tax code:

Request the Ministry of Industry and Trade to consider, grant/supplement, amend/re-issue the Certificate of eligibility to act as the main trader of petrol and oil for enterprises according to the provisions of Decree No. 83/2014/ND- CP dated September 3, 2014 of the Government on petroleum business; Decree No./2021/ND-CP dated month 2021 of the Government amending and supplementing a number of articles of Decree No. 83/2014/ND-CP dated 03 months September 2014 on petroleum business.

The enterprise hereby undertakes to comply with the provisions of Decree No. 83/2014/ND-CP dated September 3, 2014 of the Government on petrol and oil trading; Decree No./2021/ND-CP dated month 2021 of the Government amending and supplementing a number of articles of Decree No. 83/2014/ND-CP dated 03 months September 2014 on petroleum trading and other relevant legal documents and would like to take full responsibility before the law./.

CORPORATE DIRECTOR

(Signature and seal)

* Attached documents, including:

1. Copy of Certificate of Business Registration.
2. A list of material and technical facilities, together with supporting documents.
3. List of petrol and oil retail stores owned or rented, list of general petrol and oil trading agents, petrol retail agents, franchisees belonging to the trader's petrol and oil distribution system, enclosed with supporting documents.

Model No. 2

**MINISTRY OF
INDUSTRY AND TRADE**

**SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness**

Number: -TNĐM/QĐ-
BCT

Hanoi, month year

**CERTIFICATE OF ELIGIBILITY TO BE A LEADING TRADER IN POLICY
BUSINESS**

First level: date... month... year...

Level of supplement, amendment...: date... month.....

Re-issued for the second time...: date... month.....

MINISTER OF INDUSTRY AND TRADE

Pursuant to Decree No. .../...../ND-CP dated ... month ... year ... of the Government defining the functions, tasks, powers and organizational structure of the Ministry Industry and Trade;

Pursuant to Decree No. 83/2014/ND-CP dated September 3, 2014 of the Government on petrol and oil trading;

Pursuant to the Government's Decree No...../2021/ND-CP dated month..... year 2021 amending and supplementing a number of articles of Decree No. 83/2014/ Decree-CP dated September 3, 2014 on petroleum trading;

Considering the application for issuance/grant of supplementation, amendment/re-issuance of Certificate of eligibility to act as the main petrol and oil trader of (1);

As proposed by the..... (2).

DECISION:

Article 1. Authorization.....
..... (1) (1)

Name of foreign transaction:

Head office address:

Phone number: Fax number:

Certificate of business registration number:..., issued by... date....month....year....

Tax code:

To trade in exporting and importing petroleum.

Article 2 (1) must strictly comply with the provisions of Decree No. 83/2014/ND-CP dated September 3, 2014 of the Government on petrol and oil trading; Decree No./2021/ND-CP dated month 2021 of the Government amending and supplementing a number of articles of Decree No. 83/2014/ND-CP dated 03 months September 2014 on petroleum trading and other relevant laws.

Article 3. This certificate of eligibility to act as a key trader in petrol and oil is valid until the end of the day, month, ... year; (3) replaces the Certificate of eligibility to act as a key trader in petrol and oil, dated ... month of the Minister of Industry and Trade./.

Receiving place:

-(1);
- The financial;
- The bank of Viet Nam;
- TCHQ - BTC; - Save: OFFICE, TTTN, Import-Export.

MINISTRY
(Signature and seal)

Note:

- (1) : Name of the enterprise to which the Certificate is issued.
- (2) : Name of the unit submitting the Certification.
- (3) : Used in case of supplementing, amending/re-issuing/expiring the Certificate.

Model number 3

BUSINESS NAME

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Number: /

..... day month year

**APPLICATION FOR SUPPLEMENTARY INVESTMENT, MODIFICATION/RE-
GRADE OF STORE CERTIFICATES FOR RETAIL SALES**

Dear: Department of Industry and Trade of province/city...

Name of business:
.....

Name of foreign transaction:
.....

Head office address:
.....

Phone number : Fax Number :

Business registration certificate number ... issued by ... date ... month ... year ...

Tax code:

Request the Department of Industry and Trade to consider granting/supplementing, amending/re-granting the Certificate of eligibility for petrol and oil retail to petrol and oil retail stores under the enterprise according to the provisions of Decree No. 83/2014 /ND-CP dated September 3, 2014 of the Government on petrol and oil trading; Decree No. /2021/ND-CP dated month 2021 of the Government amending and supplementing a number of articles of Decree No. 83/2014/ND-CP dated 03 months September 2014 on petroleum business.

Name of petrol and oil retail store:
.....

Address
.....

Phone: Fax Number:

The enterprise hereby undertakes to comply with the provisions of Decree No. 83/2014/ND-CP dated September 3, 2014 of the Government on petrol and oil trading; Decree No. /2021/ND-CP dated month 2021 of the Government amending and supplementing a number of articles of Decree No. 83/2014/ND-CP dated 03 months September 2014 on petroleum trading other relevant legal documents and please take full responsibility before the law./.

CORPORATE DIRECTOR

(Signature and seal)

Attached documents, including:

1. A copy of the enterprise's business registration certificate.
2. A list of equipment and equipment of the petrol and oil retail store according to regulations and documents proving the legality of construction of the petrol and oil retail store.
3. Copies of certificates or equivalent papers on professional training of managers and employees of petrol and oil retail stores.
4. A copy of the trader's written confirmation of goods supply to petrol stations.

5. Copies of legal papers proving ownership or lease with a lease term of 5 years or more of the trader applying for the Certificate of petrol and oil retail shops.

Model number 3a

BUSINESS NAME

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Number: / day month year

**NOTICE OF PETROL AND PETROLEUM BUSINESS BY SMALL-SCALE
PETROLIUM SELLING EQUIPMENT**

To: Department of Industry and Trade of province/city

Trader's name:

Name of foreign transaction:
.....

Head office address:

Phone number: Fax Number :
.....

Business registration certificate number ... issued by ... dated ... month... year

Tax code:

Request the Department of Industry and Trade to consider granting/granting changes to information on the receipt of notification of petrol and oil trading with small-scale petrol and oil vending equipment according to the provisions of Decree No. 83/2014/ND-CP dated September 3 2014 of the Government on petroleum business; Decree No./2021/ND-CP dated month 2021 of the Government amending and supplementing a number of articles of Decree No. 83/2014/ND-CP dated 03 months September 2014 on petroleum business.

Store name:

Business address

The enterprise hereby undertakes to comply with the provisions of Decree No. 83/2014/ND-CP dated September 3, 2014 of the Government on petrol and oil trading; Decree No./2021/ND-CP dated month 2021 of the Government amending and supplementing a number of articles of Decree No. 83/2014/ND-CP dated 03 months September 2014 on petroleum trading and other relevant legal documents and would like to take full responsibility before the law for its business activities./.

DIRECTOR
(Signature and seal)

Attached documents, including:

1. A copy of the certificate of being a petrol and oil trader according to the respective types as prescribed.
2. A copy of the certificate of training and professional training in fire prevention and fighting of the direct sales staff.
3. A copy of the certificate of inspection of small-scale petrol and oil vending equipment.

Model number 4a

Provincial/City People's
Committee **DEPARTMENT**
OF INDUSTRY AND
TRADE -----

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Number: /TNTB-SCT

..... day month year

**RECEIVED FORM NOTIFICATION OF PETROLEUM BUSINESS BY SMALL SIZES
OF PETROLIFE**

(Name of notice-receiving agency) confirming receipt of the receipt of a notice of petrol and oil trading by a small-scale petrol and oil vending device from:

Name of business ⁽¹⁾:

Head office address:
.....

Telephone: Faxes
.....

Store name:

Business address:

The receipt of this notice only records the commitment of the petrol and oil trader. Petrol and oil traders are responsible for implementing the periodic inspection and testing regime in accordance with current regulations and must be fully responsible for the committed contents in the Application for issuance/grant of changes in information about the Certificate. receive notices of petrol and oil trading by small-scale petrol and oil vending equipment.

Place of receipt:

-⁽¹⁾; - Ministry of Industry and Trade
(b/c); -; -Save: Office,...⁽²⁾

DIRECTOR
(Signature and seal)

Note:

(1) : Name of the merchant sending the Notice.

(2) : Names of relevant organizations and individuals.