

**THE GOVERNMENT**

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**THE SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom - Happiness**

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No. 108/2021/ND-CP

*Hanoi, December 07, 2021*

## **DECREE**

### **ADJUSTMENTS TO RETIREMENT PENSIONS, SOCIAL INSURANCE ALLOWANCES AND MONTHLY BENEFITS**

*Pursuant to the Law on Government Organization dated June 19, 2015; Law on Amendments to some Articles of the Law on Government Organization and Law on Local Government Organization dated November 22, 2019;*

*Pursuant to the Law on Social Insurance dated November 20, 2014;*

*Pursuant to the National Assembly's Resolution No. 34/2021/QH15 dated November 13, 2021 on the 2022's state budget estimates;*

*At the request of the Minister of Labor, War Invalids and Social Affairs;*

*The Government hereby promulgates a Decree adjusting retirement pensions, social insurance allowances and monthly benefits.*

## **Chapter I**

### **GENERAL**

#### **Article 1. Regulated entities**

1. This Decree provides for adjustments to amounts of retirement pensions, social insurance allowances and monthly benefits for the following persons receiving retirement pensions, social insurance allowances and monthly benefits before July 01, 2022:

a) Cadres, officials, public employees and workers (including those contributing social insurance voluntarily and retired people transferred from Social Insurance Fund of farmers of Nghe An province as prescribed in the Prime Minister's Decision No. 41/2009/QD-TTg dated March 16, 2009); military personnel, police officers and cipher officers who are receiving monthly retirement pensions.

b) Cadres of communes, wards and commune-level towns (hereinafter referred to as "communes") prescribed in Government's Decree No. 92/2009/ND-CP dated October 22, 2009, Government's Decree No. 121/2003/ND-CP dated October 21, 2003 and Government's Decree No. 09/1998/ND-CP dated January 23, 1998 who are receiving monthly retirement pensions and benefits.

c) Those who are receiving monthly work-capacity loss allowance as per the law; those who are on monthly benefits as prescribed in Decision No. 91/2000/QD-TTg dated August 4, 2000 and Decision No. 613/QD-TTg dated May 6, 2010 of the Prime Minister; workers in the rubber-manufacturing industry on monthly benefits as prescribed in the Decision No. 206-CP dated May 30, 1979 of the Government.

d) Cadres of communes who are on monthly benefits as prescribed in Decision No. 130/CP dated June 20, 1975 of Government Council and Decision No. 111-HDBT dated October 13, 1981 of Council of Ministers.

dd) Military personnel who is on monthly benefits as prescribed in Decision No. 142/2018/QD-TTg dated October 27, 2008 (amended by the Prime Minister's Decision No. 38/2010/QD-TTg dated May 06, 2010).

e) Police officers who are receiving monthly benefits as prescribed in the Prime Minister's Decision No. 53/2010/QD-TTg dated August 20, 2010.

g) Military personnel, police officers and cipher officers who are receiving the same salaries as the military personnel and police officers on monthly benefits as prescribed in the Prime Minister's Decision No. 62/2011/QD-TTg dated November 09, 2011.

2. The persons specified in Clause 1 of this Article who retired before January 01, 1995 and are receiving retirement pensions, social insurance allowances and monthly benefits after being adjusted as prescribed in Clause 1 Article 2 of this Decree less than VND 2,500,000/month.

## **Article 2. Time and rate of adjustment**

1. As of January 01, 2022, the amount of retirement pensions, social insurance allowances and monthly benefits payable to the persons prescribed in Clause 1 Article 1 of this Decree increases by 7.4% compared to the amount of December 2021.

2. As of January 01, 2022, for the persons specified in Clause 2 Article 1 of this Decree, the specific adjustment is as follows: those whose retirement pension, social insurance allowance or monthly allowance is VND 2,300,000 or below will receive an additional VND 200,000 each per month, those whose retirement pension, social insurance allowance or monthly allowance is from VND 2,300,000 to less than VND 2,500,000 will receive an retirement pension, social insurance allowance or monthly allowance to make their total VND 2,500,000 each per month.

3. The amount of retirement pensions, social insurance allowances and monthly benefits adjusted as prescribed in this Article shall serve as the basis for the next adjustments to the retirement pensions, social insurance allowances and monthly benefits.

## **Article 3. Funding sources**

Sources of funding for adjustments to retirement pensions, social insurance allowances and monthly benefits for the persons prescribed in Article 1 of this Decree are prescribed as follows:

1. The state budget pays the retirement pensions, social insurance benefits and monthly benefits to the beneficiaries of social insurance before October 1, 1995; those who are on monthly

allowances according to Decision No. 91/2000/QĐ-TTg dated August 4, 2000 and Decision No. 613/QĐ-TTg dated May 6, 2010 of the Prime Minister and those prescribed in Points d, dd, e and g Clause 1 Article 1 hereof; those who are on retirement pensions prescribed in Decree No. 159/2006/ND-CP dated December 28, 2006, Decree No. 11/2011/ND-CP dated January 30, 2011 and Decree No. 23/2012/ND-CP dated April 3, 2012 of the Government.

2. The Social Insurance Fund pays the retirement pensions, social insurance benefits and monthly benefits to the beneficiaries of social insurance from October 1, 1995 onwards, including those who are on retirement pensions and monthly allowances as prescribed in Decree No. 92/2009/ND-CP dated October 22, 2009, Decree No. 34/2019/ND-CP dated April 24, 2019, Decree No. 121/2003/ND-CP dated October 21, 2003 and Decree No. 09/1998/ND-CP dated January 23, 1998 of the Government.

#### **Article 4. Implementation**

1. The Minister of Labor, War Invalids and Social Affairs shall elaborate on adjustments to retirement pensions, social insurance allowances and monthly allowances for the persons prescribed in Points a, b and c Clause 1 Article 1 hereof.

2. The Minister of Home Affairs shall elaborate on adjustments to retirement pensions, social insurance allowances and monthly allowances for the persons prescribed in Point d Clause 1 Article 1 hereof.

3. The Minister of National Defense shall elaborate on adjustments to retirement pensions, social insurance allowances and monthly allowances for the persons prescribed in Point dd Clause 1 Article 1 and those under the management of the Ministry of National Defense prescribed in Point g Clause 1 Article 1 hereof.

4. The Minister of Public Security shall elaborate on adjustments to retirement pensions, social insurance allowances and monthly allowances for the persons prescribed in Point e Clause 1 Article 1 and those under the management of the Ministry of Public Security prescribed in Point g Clause 1 Article 1 hereof.

5. The Ministry of Finance shall provide sufficient funding for adjusting retirement pensions, social insurance allowances and monthly allowances for beneficiaries of the state budget.

6. Vietnam Social Security shall adjust and pay retirement pensions, social insurance allowances and monthly allowances to the persons prescribed in Points a, b and c Clause 1 Article 1 hereof.

7. People's Committees of provinces and central-affiliated cities shall adjust and pay retirement pensions, social insurance allowances and monthly allowances for the persons prescribed in Points d, dd, e and g Clause 1 Article 1 hereof.

## **Chapter II**

### **IMPLEMENTATION CLAUSE**

#### **Article 5. Effect**

1. This Decree comes into force from January 20, 2022. The regulations set out in this Decree shall be implemented as of January 01, 2022.

2. The Government's Decree No. 44/2019/ND-CP dated May 20, 2019 shall cease to have effect from the effective date of this Decree.

**Article 6. Responsibility for implementation**

Ministers, heads of ministerial agencies, heads of Governmental agencies and Chairmen/Chairwomen of People's Committees of provinces and central-affiliated cities are responsible for the implementation of this Decree.

**ON BEHALF OF THE GOVERNMENT  
THE PRIME MINISTER**

**Pham Minh Chinh**