

Gap: No Antitrust Legislation.
Source: Business International, IL&T, Indochina.
Date: April 1992.
Details:

Vietnam has not adopted any antitrust legislation to establish rules of competition. SOEs are still very numerous and active in the Vietnamese economy, and "the degree to which private domestic and foreign investors will be permitted to compete with state enterprises remains a crucial issue" (p.12).

It does not appear that any Antitrust Legislation is in the works.

Endnotes

- 1 Note that at the time of the incident, Article 38 of Decree 18 was actually Article 48 of Decree 28. Decree 18 replaced Decree 28 on April 16, 1993.
- 2 Note that no gaps and deficiencies in the actual legislation were identified here. There may very well be several deficiencies in the public administration that implements the legislation; however, as was emphasized on p.23, this section does not address deficiencies in the implementation of laws. This section focuses solely on the legislative deficiencies.
- 3 From Do Dinh Luong, Legal Expert, Institute of Law Research, unpublished manuscript on foreign investment in Vietnam, p.53, March 1992.
- 4 *Ibid*, p.53.
- 5 Note that under the Ordinance on Housing, residential buildings can be mortgaged.
- 6 See Ngoc Diep, "Foreign court verdicts recognized in Vietnam", in *Vietnam Investment Review*, May 17-23, 1993 (Hanoi: Vietnam Investment Review Ltd., 1993), p. 3.
- 7 It is believed that this restriction is in the Law on Foreign Investment in Vietnam.
- 8 The exception is foreign bank branches.
- 9 See Fred Burke, Baker & McKenzie, *Indochina Law Quarterly* June 1993, p.26.