

No: 21/2013/TT-BCT

*Hanoi, September 25, 2013*

**CIRCULAR**

**Detailing a number of articles of Government Decree No 67/2013/NĐ-CP dated July 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco trading**

*Pursuant to Government Decree No 95/2012/NĐ-CP dated November 12, 2012 on regulations of functions, responsibilities, authorities and organization structure of the Ministry of Industry and Trade;*

*Pursuant to Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco trading;*

*The Minister of Industry and Trade has stipulated in details a number of articles of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco trading as follows:*

**Chapter I  
GENERAL PROVISIONS**

**Article 1. Scope of Adjustment**

This Circular stipulates that:

Proposal Form, Certificate of Qualification Form to invest in tobacco farming, License Form and Lists related to the issuance, supplement, amendment, re-issuance of Certificates and Licenses shall include: Certificate of Qualification to invest in tobacco farming, License to trade in tobacco raw materials, License to process tobacco raw materials, License to manufacture tobacco products, License to trade in tobacco products.

Regulation guidelines, reporting forms; tobacco specialized equipment directory; guidelines for registration form specifying import demands for cigarette rolling paper, loose-leaf tobacco, tobacco leaf raw materials, and regulations on inspections of tobacco trading operations.

**Article 2. Subjects of Application**

This Circular applies to both domestic and foreign entities participating in tobacco trading and other activities related to tobacco products trading within Viet Nam's territory.

**Article 3. Interpretation of Terms**

Unofficial Translation

A number of terms described in this Circular are construed as follows:

1. “Copy” described in this Circular is interpreted as one of the forms conforming to each of the following methods:

a) Certified True Copy (for file submission by postal mail/administrative official letter);

b) Copy attached to original document for comparison (for direct file submission);

c) Scanned copy from original (if administrative protocol is set up for online file submission).

2. Control agency is the agency assigned to the task of state management of tobacco trading as part of the Ministry management of sectors and professional agencies under the People's Committee of provinces and cities directly under the Central Committee.

## **Chapter II**

### **PROPOSAL FORM AND LIST TO ISSUE CERTIFICATES, LICENSES, AND CERTIFICATION FORM, LICENSE FORM**

#### **Article 4. Proposal Form and List to Issue Certificate of Qualification to Invest in Tobacco Farming**

Proposal Form and List to Issue Certificate of Qualification to Invest in Tobacco Farming shall include:

1. Proposal to issue Certificate of Qualification to invest in tobacco farming (in accordance with Template in Appendix 1 attached to this Circular).

2. List of surface areas, diagrams of warehouses, plants, offices and other auxiliary areas (in accordance with Template in Appendix 2 attached to this Circular) and total surfaces of such categories above.

3. Equipment Inventory List: ventilation systems, devices and equipments for fire prevention and fire fighting, hygrometers, thermometers, devices for the prevention and control of pest and termite infestations; holders or platforms, stands for tobacco raw material bales (in accordance with Template in Appendix 3 attached to this Circular).

4. List of labor (in accordance with Template in Appendix 4 attached to this Circular).

5. List of total tobacco crop surface area, projected raw tobacco leaf yield (in accordance with Template in Appendix 5 attached to this Circular).

#### **Article 5. Proposal Form and List to issue License to Trade in Tobacco Raw Materials**

Proposal Form and List to issue License to Trade in tobacco raw materials shall include:

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1. Proposal Form to issue License to Trade in tobacco raw materials (in accordance with Template in Appendix 7 attached to this Circular).

2. List of surface areas, diagrams of warehouses, offices and other auxiliary areas (in accordance with Template in Appendix 2 attached to this Circular).

3. Equipment Inventory List: ventilation systems, devices and equipments for fire prevention and fire fighting, hygrometers, thermometers, devices to prevent and control pest and termite infestations; holders or platforms, stands for tobacco bales, means of transport (in accordance with Template in Appendix 3 attached to this Circular).

4. List of labor (in accordance with Template in Appendix 4 attached to this Circular).

**Article 6. Proposal Form and List to issue License to Process Tobacco Raw Materials**

Proposal Form and List to issue License to Process tobacco raw materials shall include:

1. Proposal Form to issue License to Process tobacco raw materials (in accordance with Template in Appendix 9 attached to this Circular).

2. List of surface areas, diagrams of plants for sorting, processing, packaging, warehouses, offices and other auxiliary areas (in accordance with Template in Appendix 2 attached to this Circular).

3. List of integrated specialized machinery and equipment for tobacco raw material processing, quality control equipment for materials before and after processing (in accordance with Template in Appendix 10 attached to this Circular).

4. Equipment Inventory List: ventilation systems, devices and equipment for fire prevention and fire fighting, hygrometers, thermometers, devices for prevention and control of pest and termite infestations; holders or platforms, stands for tobacco bales (in accordance with Template in Appendix 3 attached to this Circular).

5. List of labor (in accordance with Template in Appendix 4 attached to this Circular).

**Article 7. Proposal Form and List to issue License to Manufacture Tobacco Products**

Proposal Form and List to issue License to Manufacture tobacco products shall include:

1. Proposal Form to issue License to Manufacture tobacco products (in accordance with Template in Appendix 12 attached to this Circular).

2. Subsidiaries shall send files to holding company proposing the issuance of License to Manufacture tobacco products. Holding company, as representative of holding company-subsidiaries corporation, shall collect all files

(including files from holding company and subsidiaries) and shall propose the Ministry of Industry and Trade to issue License to Manufacture tobacco products to holding company-subsidiaries corporation (in accordance with Template in Appendix 13 attached to this Circular).

3. Report results of business manufacturing and trade operation within the nearest 3 (three) years (if applicable) and provide projection of business production volume for the next 5 (five) years (in accordance with Template in Appendix 14 attached to this Circular).

4. List of cigarette rolling and cigarette packing machinery and equipment (in accordance with Template in Appendix 15 attached to this Circular).

5. List of surface areas, diagrams of warehouses, plants, offices and other auxiliary areas (in accordance with Template in Appendix 2 attached to this Circular).

6. List of investments in tobacco farming (in accordance with Template in Appendix 16 attached to this Circular).

### **Article 8. Proposal and Commitment Forms to issue License to Trade in Tobacco Products**

Proposal and Commitment Forms to issue License to Distribute tobacco products, License to Sell tobacco products, Tobacco Products Retailer License shall include:

1. Proposal Form to issue License to Distribute tobacco products (in accordance with Template in Appendix 19 attached to this Circular).

2. Proposal Form to issue License to Sell tobacco products (in accordance with Template in Appendix 21 attached to this Circular).

3. Proposal Form to issue License to Sell tobacco products (in accordance with Template in Appendix 23 attached to this Circular).

4. Business Entity Commitment Form ensuring full compliance with the requirements and conditions for fire prevention, fire control and environmental protection (in accordance with Template in Appendix 25 attached to this Circular)

### **Article 9. Forms for Certificate of Qualification and Licensing**

1. Form for Certificate of Qualification to invest in tobacco farming (in accordance with Template in Appendix 6 attached to this Circular).

2. Licensing Form to trade in tobacco raw materials (in accordance with Template in Appendix 8 attached to this Circular).

3. Licensing Form to process tobacco raw materials (in accordance with Template in Appendix 11 attached to this Circular).

4. Licensing Form to manufacture tobacco products (in accordance with Templates in Appendices 17 and 18 attached to this Circular).

5. Licensing Form to trade in tobacco products (in accordance with Templates in Appendices 20, 22 and 24 attached to this Circular).

**Chapter III**  
**FORMS TO PROPOSE ISSUANCE OF AMENDMENTS,  
SUPPLEMENTS, RE-ISSUANCE OF CERTIFICATES AND LICENCES,  
AND FORMS TO ISSUE AMENDMENTS, SUPPLEMENTS, RE-  
ISSUANCE FOR CERTIFICATES AND LICENSES**

**Article 10.** Proposal Forms and Forms to issue amendments, supplements for Certificate of Qualification to invest in tobacco farming, License to Trade in tobacco raw materials, License to Process tobacco raw materials, License to Manufacture tobacco products, License to Trade in tobacco products

Proposal Forms to issue amendments, supplements of Certificate of Qualification to invest in tobacco farming, License to Trade in tobacco raw materials, License to Process tobacco raw materials, License to Manufacture tobacco products, License to Trade in tobacco products shall include:

1. Proposal Forms to issue amendments, supplements of Certificate of Qualification to invest in tobacco farming, License to Trade in tobacco raw materials, License to Process tobacco raw materials, License to Manufacture tobacco products, License to Trade in tobacco products (in accordance with Templates in Appendices 26, 28, 30, 32, 34, 46, 48 and 50 attached to this Circular).

2. Forms to issue amendments, supplements for Certificate of Qualification to invest in tobacco farming, License to Trade in tobacco raw materials, License to Process tobacco raw materials, License to Manufacture tobacco products, License to Trade in tobacco products (in accordance with Templates in Appendices 27, 29, 31, 33, 35, 47, 49 and 51 attached to this Circular).

**Article 11.** Proposal Forms and Re-issue Forms for Certificate of Qualification to invest in tobacco farming, License to Trade in tobacco raw materials, License to Process tobacco raw materials, License to Manufacture tobacco products, License to Trade in tobacco products

1. Proposal Forms to re-issue Certificate of Qualification to invest in tobacco farming, License to Trade in tobacco raw materials, License to Process tobacco raw materials, License to Manufacture tobacco products, License to Trade in tobacco products that have been issued and have expired (in accordance with Templates in Appendices 1, 7, 9, 12, 13, 19, 21 and 23 attached to this Circular).

2. Proposal Forms to re-issue Certificate of Qualification to invest in tobacco farming, License to Trade in tobacco raw materials, License to Process tobacco raw materials, License to Manufacture tobacco products, License to Trade in tobacco products that have been issued but are lost, partially or totally destroyed, torn, shredded or burnt (in accordance with Templates in Appendices 36, 38, 40, 42, 44, 52, 54 and 56 attached to this Circular).

3. Forms to re-issue for Certificate of Qualification to invest in tobacco farming, License to Manufacture tobacco products, License to Trade in tobacco products that have been issued but are lost, partially or totally destroyed, torn, shredded or burnt (in accordance with Templates in Appendices 37, 39, 41, 43, 45, 53, 55 and 57 attached to this Circular).

#### **Chapter IV**

### **PROPOSAL FORM TO IMPORT TOBACCO RAW MATERIALS CIGARETTE ROLLING PAPER**

#### **Article 12. Registration Form Specifying Demands for Tobacco Raw Materials, Cigarette Rolling Paper**

1. Proposal Forms to import tobacco raw materials and cigarette rolling paper to manufacture tobacco products for domestic consumption, stating clearly the business manufacturing results, status of tobacco raw material and cigarette rolling paper import of the reporting year, commitment to use tobacco raw materials, cigarette rolling paper for intended purpose without deviation, trading in any forms and suggestions, petitions (if any).

2. Reporting status of tobacco manufacturing and consumption of the reporting year and projection for the following year (in accordance with Template in Appendix 58 attached to this Circular).

3. Reporting expected usage levels of tobacco raw materials and cigarette rolling paper for the following year (in accordance with Template in Appendix 59 attached to this Circular).

4. Register demands for cigarette rolling paper, tobacco raw materials for the following year (in accordance with Template in Appendix 60 attached to this Circular).

#### **Article 13. Proposal Forms to Import Tobacco Raw Materials and Cigarette Rolling Paper to Manufacture for Export or to Process for Export**

1. Proposal Forms to import tobacco raw materials and cigarette rolling paper to manufacture tobacco products for export or to process for export (in accordance with Template in Appendix 61 attached to this Circular).

2. Proposal Forms to import tobacco raw materials for processing of tobacco raw materials for export or for treatment of tobacco raw materials for export (in accordance with Template in Appendix 61 attached to this Circular).

#### **Chapter V**

### **FORMS AND REPORTING SCHEDULE**

#### **Article 14. Forms and Reporting Schedule for State Management Offices for Industry and Trade at All Levels**

1. Periodically every 06 (six) months, each Department of Industry and Trade shall have the duty to report to the Ministry of Industry and Trade the status of business operations and the status of issuing Certificate of Qualification

to invest in tobacco farming, License to Trade in tobacco raw materials, License to Sell tobacco products, Tobacco Products Retailer License and Tobacco Products Business License of business entities in its area no later than 20 (twenty) days from the Reporting Period End Date (in accordance with Template in Appendices 62, 64 and 65 attached to this Circular).

2. Before January 15 of each year, each Department of Industry and Trade shall have the duty to report to the Ministry of Industry and Trade the status of investment in tobacco farming in its area (in accordance with Template in Appendix 63 attached to this Circular).

3. Periodically every 06 (six) months, each Industry and Trade Office or Economic Office (specialized agency under the People's Committee of districts, parishes, provincial towns - together hereinafter referred to as Industry and Trade Office) shall have the duty to report to the Department of Industry and Trade the status of business operations, issuance of Tobacco Products Retailer License to business entities in its area no later than 10 (ten) days from the Reporting Period End Date (in accordance with Template in Appendix 66 attached to this Circular).

#### **Article 15. Forms and Reporting Schedule for Enterprise**

1. Periodically every 06 (six) months, enterprises engaged in the business of manufacturing tobacco products, importing tobacco shall submit their reports to the Ministry of Industry and Trade and the Ministry of Finance regarding their tobacco products manufacturing and tobacco products importing activities no later than 10 (ten) days from the Reporting Period End Date (in accordance with Template in Appendix 67 attached to this Circular).

2. Periodically every 06 (six) months, enterprises engaged in the business of manufacturing tobacco products shall submit their reports to the Ministry of Industry and Trade regarding their status of importing tobacco raw materials and cigarette rolling paper no later than 10 (ten) days from the Reporting Period End Date (in accordance with Template in Appendix 68 attached to this Circular).

3. Periodically every 06 (six) months, enterprises engaged in the business of manufacturing tobacco products shall submit their reports to the Ministry of Industry and Trade regarding their status of domestic trading in tobacco raw materials to manufacture tobacco products for domestic consumption and to manufacture for export no later than 10 (ten) days from the Reporting Period End Date (in accordance with Template in Appendix 69 attached to this Circular).

4. Periodically every 06 (six) months, enterprises investing in tobacco farming shall submit their reports to the Department of Industry and Trade regarding their status of investment in tobacco farming no later than 10 (ten) days from the Reporting Period End Date (in accordance with Template in Appendix 70 attached to this Circular).

5. Periodically every 06 (six) months, enterprises engaged in the business of trading in tobacco raw materials shall submit their reports to agencies that issued their License to Trade in tobacco raw materials regarding the status of their consigned import-export of tobacco raw materials no later than 10 (ten) days from the Reporting Period End Date (in accordance with Template in Appendix 71 attached to this Circular).

6. Periodically every 06 (six) months, enterprises engaged in the business of processing tobacco raw materials shall submit their reports to agencies that issued their License to process tobacco raw materials regarding the status of their manufacturing business, processing tobacco raw materials no later than 10 (ten) days from the Reporting Period End Date (in accordance with Template in Appendix 72 attached to this Circular).

7. Before January 31 of each year, enterprises engaged in tobacco business shall submit their unit's previous year report to competent authorities that issued their Licenses regarding the status of their tobacco raw materials manufacturing for export and processing for export (in accordance with Template in Appendix 73 attached to this Circular).

8. In cases of enterprises importing new machinery, equipment to manufacture for export or to replace old machinery, equipment, before January 31 of each year, enterprises engaged in the business of manufacturing tobacco products shall submit their reports to agencies that issued their License regarding the status of their importing and use of specialized machinery and equipment for the tobacco industry (in accordance with Template in Appendix 74 attached to this Circular).

9. Periodically every 06 (six) months, tobacco product providers shall submit their unit's statistics reports on production capacity, type of tobacco product operation (according to distribution systems, wholesale, retail) to the Ministry of Industry and Trade and the Department of Industry and Trade where business entity headquarter is located (in accordance with Templates in Appendices 75 and 76 attached to this Circular).

10. Periodically every 06 (six) months, business entities engaged in tobacco products distribution, wholesale, retail shall submit their business status reports to state management authorities on Industry and Trade (in accordance with Templates in Appendices 77, 78, and 79 attached to this Circular).

## **Chapter VI REGULATIONS ON INSPECTIONS**

### **Article 16. Periodic Inspections**

1. Based upon real situations and requirements to inspect implementation of the laws on tobacco business operation for each entity, State agencies have the authority to formulate plans for annual periodic inspection.

2. Plan for annual periodic inspection shall include the following materials: Purposes, inspection requirements; subject and scope of inspection; materials to



be inspected; time, location to conduct inspection; inspection fees; inspection task force; duty assignment to organize inspection implementation; reporting schedule.

3. Prior to inspection, inspection agency shall notify entity about inspection plan no later than 15 (fifteen) days prior to inspection date.

### **Article 17. Spontaneous Inspections**

Inspection agency shall conduct spontaneous inspection under the following circumstances:

1. Upon discovery of tobacco business entity's violations of regulations promulgated in Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation and of this Circular regulations.

2. Information from mass media licensed by relevant State authority, information from entity's grievance or report.

3. As per request of relevant higher level State management authority.

4. Inspection agency does not need to notify entities beforehand of inspection plan.

### **Article 18. Materials Subjected to Inspection**

1. Inspection of file regarding issuance of Certificate of Qualification to invest in tobacco farming, License to Trade in tobacco raw materials, License to Process tobacco raw materials, License to Manufacture tobacco products, License to Trade in tobacco products in accordance with Articles 8, 10, 13, 18 and Article 27 of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation.

2. Compliance Inspection: Investing in tobacco farming, trading in tobacco raw materials, processing tobacco raw materials, manufacturing tobacco products in accordance with Articles 7, 9, 12, 17 and Article 26 of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation.

3. Compliance inspection of investing in equipment and technology renovations; investing in manufacturing for export and processing for export; planning; investing in processing of raw materials, investing in foreign entities to manufacture tobacco products in accordance with Articles 24 and 25 of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation.

4. Compliance inspection of the use of specialized tobacco manufacturing machinery and equipment, tobacco raw materials, cigarette rolling paper and

tobacco products stamps in accordance with Articles 33, 34, 35, 36 and Article 37 of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation.

### **Article 19. Handling of Inspection Findings**

1. Based on inspection findings, Inspection Task Force shall write up inspection report immediately after completing inspection at inspection site (in accordance with Templates in Appendices 81 and 82 attached to this Circular), and communicate its inspection findings to inspection agency and entity that was the subject of inspection.

2. Based on inspection findings and depending on the degree of violations, Inspection Task Force shall submit its recommendations to inspection agency to either apply sanctions or process to transfer the file regarding entity's acts of violation to relevant competent authorities for sanctions pursuant to laws on sanctions against administrative violations.

### **Article 20. Duties and Authorities of Inspection Agencies**

Agencies inspecting business operation shall have the following duties and authorities:

1. Formulate inspection plans to be submitted to relevant competent authorities for approval.

2. Issue decision to form Inspection Task Force to conduct inspection activities according to a periodic plan or a spontaneous plan.

3. Issue decision on course of actions no later than 07 (seven) business days, from the date of receipt of Inspection Task Force report regarding temporary suspension of tobacco business operation.

4. Handling of acts of violation during business operation inspection pursuant to related laws.

5. Communicate related inspection findings and conclusions to entity.

6. Resolve grievances, complaints regarding Inspection Task Force decisions, Inspection Task Force members' actions pursuant to laws on grievances and complaints.

### **Article 21. Duties and Authorities of Inspection Task Force**

During inspection, Inspection Task Force shall have the following duties and authorities:

1. Conduct inspection of tobacco business operation in accordance with Decision to Form Inspection Task Force as approved by related competent authorities.

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2. Abide by the law and fully carry out inspection tasks as stipulated in Article 18 of this Circular and other legislative regulations related to tobacco business operation.

3. Compile and report inspection status, inspection findings for tobacco business operation to provincial People's Committee and Ministry of Industry and Trade.

4. Request inspected entity to provide relevant files, documents when necessary.

5. Request tobacco business entity that shows non-compliance with tobacco business regulations to implement remedial measures.

### **Article 22. Duties and Authorities of Tobacco Business Entities**

1. Coordinate with Inspection Task Force, Inspection Agency during inspection of tobacco business operation at inspected site.

2. Provide files, documents relevant to tobacco business operation pursuant to Article 18 of this Circular.

3. Comply with inspection activities of inspection agency, Inspection Task Force and implement decisions on violation remediation as prescribed by relevant competent authorities.

4. Complete report on:

a) Status of violation remediation during business process to be submitted to inspection agency;

b) Status of implementing legislative regulations on tobacco business operation when requested by relevant competent authorities.

5. Maintain conditions ensuring operation of tobacco business pursuant to the law.

6. Remediate errors mentioned in inspection report as per request of inspection agency, Inspection Task Force.

7. Appeal Inspection Task Force conclusions pursuant to the law.

## **Chapter VII ENFORCEMENT PROVISIONS**

### **Article 23. Organize the Implementation**

1. The Department of Light Industry in its assigned functions and duties, shall take the lead and coordinate with Ministry units to carry out the following tasks:

a) Organize file intake, inspect, oversee, evaluate, submit to Ministry leadership for approval of guidelines on investment in the manufacture of tobacco products, License to Process tobacco raw materials, License to Manufacture tobacco products and activities relevant to tobacco business operation pursuant to regulations;

b) Formulate inspection plans and organize guidelines, inspection of entities in the implementation of regulations of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation, pursuant to this Circular and relevant regulations on tobacco business operation.

2. The Department of Domestic Market in its assigned functions and duties, shall take the lead and coordinate with Ministry units to carry out the following tasks:

a) Organize file intake, inspect, oversee, evaluate, submit to Ministry leadership for issuance of License to Trade in tobacco products pursuant to this Circular;

b) Formulate inspection plans and organize guidelines, inspection of entities in the implementation of regulations of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation, pursuant to this Circular and relevant regulations on tobacco business operation.

3. The Department of Market Control in its assigned functions and duties, shall take the lead and coordinate with Ministry units to carry out the following tasks:

Organize inspection of entities responsible for compliance pursuant to regulations of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation, pursuant to this Circular and relevant regulations on tobacco business operation.

4. The Department of Industry and Trade in its assigned functions and duties, shall take the lead and coordinate with relevant provincial agencies to carry out the following tasks:

a) Organize file intake, inspect, oversee, evaluate, issue Certificate of Qualification to invest in tobacco farming, License to Trade in tobacco raw materials, License to Sell tobacco products under its jurisdiction pursuant to this Circular;

b) Provide guidelines, audit the Office of Industry and Trade in the issuance of Tobacco Products Retailer License pursuant to this Circular;

c) Formulate inspection plans and organize guidelines, inspection of entities in the provincial areas in the implementation of regulations of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation, pursuant to this Circular and relevant regulations on tobacco business operation.

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5. The Office of Industry and Trade in its assigned functions and duties, shall take the lead and coordinate with relevant agencies in the area to carry out the following tasks:

a) Organize file intake, inspect, evaluate, issue Tobacco Products Retailer License under its jurisdiction pursuant to this Circular;

b) Formulate inspection plans and organize guidelines, inspection of entities in the implementation of regulations of Government Decree No 67/2013/NĐ-CP dated June 27, 2013 detailing a number of articles and measures to enforce the Laws on Prevention and Control of Tobacco Harmful Effects in tobacco business operation, pursuant to this Circular and relevant regulations on tobacco business operation.

6. Duties of the People's Committee of Provinces and Cities Directly Under the Central Committee

People's Committee of provinces and cities directly under the Central Committee shall have the duties to supervise the Department of Industry and Trade in organizing the implementation of this Circular; organize inspections, handling of acts of violation of the law regarding investment in tobacco farming, trading in tobacco raw materials and trading in tobacco products under its jurisdiction.

**Article 24. Legal Effect**

1. This Circular shall take full effect on September 15, 2013.

2. It annuls Circular No 02/2011/TT-BCT dated January 28, 2011 of the Ministry of Industry and Trade promulgating guidelines of Government Decree No 119/2007/NĐ-CP dated July 18, 2007 regarding tobacco manufacturing and business operation from the effective date of this Circular.

3. Throughout the implementation process, entities shall have the responsibilities to report regularly the results of organizing the implementation to the Ministry of Industry and Trade and timely address difficulties and problems so that the Ministry of Industry and Trade could amend, adjust./.

**SIGN ON BEHALF OF MINISTER  
VICE MINISTER**

*(Signed)*

**Nguyễn Cẩm Tú**