Law on Vocational training

Subject to the 1992 revised Constitution of the Socialist Republic of Vietnam, subject to Decree number 51/2001/QH10 dated 25 December 2001 by the 10th National Assembly, Session 10

This law regulates vocational training

Chapter 1
General provisions

Article 1: Scope of regulating
This law regulates the organization and operations of vocational training institutions; rights and obligations of organizations and individuals engaging in vocational training.

Article 2: Subjects of application
This law is applicable to organizations and individuals engaging in vocational training and any organizations and individuals related to vocational training in Vietnam.

Article 3: Application of the Law on Vocational training
1. Vocational training activities and management are subject to this Law and to regulations of related laws.
2. In the event that an international convention to which the Socialist Republic of Vietnam is a signatory has regulations which is different from this Law, the international convention will override.

Article 4: Objectives of vocational training
Objectives of vocational training include training of a technical workforce in direct production and service provision, who have practical capabilities compatible to their qualifications, have work ethics and conscience, have professional working style, are disciplined and healthy so that after graduation, they can find a job or be self-employed, or acquire further education, meeting the national requirements for industrialization and modernization.

Article 5: Explanation of terms
Under this Law, some terms are defined as follows:
1. **Vocational training** includes the teaching and learning of necessary knowledge, skills and professional attitudes so that learners can find a job or be self-employed after graduation.

2. **Module** is a training unit which well-integrates professional knowledge, practical skills and professional attitudes so that learners will be able to complete a certain task of a vocation.

3. **Curriculum** determines the content structure; the number and lengths of each module and subject; the ratio between theory and practice in accordance with the objectives of each vocation.

4. **Vocational skill standards** are the required levels of practical accomplishment, knowledge, skills and attitudes for each task of a vocation.

**Article 6: Levels in vocational training**

Vocational training includes three levels: vocational elementary level, vocational secondary level, and vocational diploma. Vocational training includes full-time and regular training.

**Article 7: Government policies on vocational training development**

1. Investment is encouraged in enlarging the vocational training network, improving the vocational training quality in order to supply human resources for the national industrialization and modernization; helping to sort out graduates from junior high schools and high schools; popularizing vocations among the youth, meeting the demand for vocational training; training workers for overseas employment.

2. Investment is focused to renew vocational training syllabus, curriculum and methods, to develop the trainer force, to modernize equipment, to encourage scientific research to improve training quality; the development of some vocational training institutions should be focused in order to approach regional and world levels; due attention is paid to the development of vocational training in socio-economic areas with specially poor conditions; priority is given to the training of vocations required by the market, but which are difficult to socialize.

3. To socialize vocational training activities, encourage Vietnam-based organizations and individuals, foreign organizations and individuals, and overseas Vietnamese to set up vocational training institutions and participate in vocational training activities. To encourage artisans and expert workers to participate in vocational training; to encourage and support the training of traditional and rural vocations. Vocational training institutions are equal and enjoy incentives in land, tax, and credits in accordance with laws and regulations.

4. Supports are to be made to policy-enjoying subjects, those who have devoted to the country, veterans, ethnic minority people, the poor, the disabled people, homeless orphans, labourers of agricultural households.
whose cultivated land was confiscated and other welfare-benefiting subjects. These are aimed at providing them with a vocation so that they can find a job or be self-employed to earn a living.

**Article 8: Inter-disciplinary training**

1. Inter-disciplinary training is subject to the training curriculum. Learners, when moving from a lower to a diploma in the same vocation, or when moving to a different vocation with different level, do not need to learn those contents they already learned.

2. Principals of institutions as indicated in Articles 22 and 29 of this Law shall determine which module(s) or subject(s) or content(s) students do not need to relearn, in accordance with the training curriculum.

3. Heads of central State managing institutions of vocational training shall supervise the inter-disciplinary training of different levels of vocational training.

4. The Minister of Education and Training, in coordination with heads of central State managing institutions of vocational training, shall be in charge of regulating the inter-disciplinary training between the secondary level and the diploma and the graduate level of the same vocation.

**Article 9: Prohibited activities in vocational training**

1. Any activities taking advantage of vocational training for personal benefit or labour abuses.

2. Any activities offending the honour, dignity, or physical body of trainers, management staff and other staff of the vocational training institutions as well as vocation trainees.

3. Cheating in enrolling, examinations, tests, and degree and certificate granting.

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**Chapter II**

**Levels in vocational training**

**Section 1**

**Elementary training level**

**Article 10: Objectives of the elementary level in vocational training**

Vocational training at the elementary level aims at equipping trainees the practical capability of a simple vocation or the practical capability of certain tasks of a vocation; providing them with work ethics and conscience, professional working style, discipline awareness and health so that after graduation, trainees can find a job or be self-employed, or acquire further education.

**Article 11: Time span for vocational training at the elementary level**

Vocational training at the elementary level shall be limited from three months up to one year for those who are qualified and healthy enough for the vocation.

**Article 12: Requirements as for contents and methods of vocational training at the elementary level**
1. The contents of vocational training at the elementary level shall be in accordance with the objectives of training at this level, with a focus on the practical capability, and in line with scientific and technological development and practice.

2. The methods of vocational training at the elementary level shall focus on the drilling of practical capability, making full use of trainees’ activeness and self-awareness.

Article 13: Curriculum of vocational training at the elementary level

1. The curriculum of vocational training at the elementary level is subject to the objectives of vocational training at the elementary level; the curriculum shall determine standards in knowledge, skills, scope and structure, method and form of training, methods of assessment for each module and vocation.

2. The curriculum of vocational training at the elementary level is determined and approved by the heads of vocational training institutions as per Article 15 of this Law.

Article 14: Syllabus of vocational training at the elementary level

The syllabus of vocational training at the elementary level specifies requirements as for contents, knowledge and skills of each module in the training curriculum, in favour of active learning and teaching approach. The heads of vocational training institutions as per Article 15 of this Law shall be in charge of compiling and approving the official syllabus and training documents.

Article 15: Institutions providing vocational training at the elementary level

1. Vocational training centres

2. Vocational secondary schools and colleges who have registered to provide vocational training at the elementary level.

3. Enterprises, cooperatives, other production and trading units (hereinafter called enterprises), professional secondary schools, colleges, universities and other educational institutions who have registered to provide vocational training at the elementary level.

Article 16: Elementary level Certification in vocational training

Trainees who have completed an elementary program of vocational training, met all requirements, and passed the test shall be awarded the elementary certificate in vocational training by the heads of vocational training institutions as per Article 15 of this Law, in accordance with regulations passed by the heads of central State managing institutions of vocational training.

Section 2

Secondary level vocational training

Article 17: Objectives of the secondary level in vocational training

Vocational training at the secondary level aims at equipping trainees the professional knowledge and practical capability to carry out tasks of a vocation;
improving the capability to work individually with technological applications; providing them with work ethics and conscience, professional working style, discipline awareness and health so that after graduation, trainees can find a job or be self-employed, or acquire further education.

**Article 18: Time span for vocational training at the secondary level**

Vocational training at the secondary level shall be limited from one year up to two years for those who have graduated from high school, depending on the vocation; and from three up to four years for those who have graduated from secondary schools. **Article 19: Requirements as for contents and methods of vocational training at the secondary level**

1. The contents of vocational training at the secondary level shall be in accordance with the objectives of training at this level, with a focus on the practical capability of tasks in a vocation, on the higher qualification as required by the course, on the systematic knowledge, and in line with scientific and technological development and practice.

2. The methods of vocational training at the secondary level shall combine the practical capability with professional knowledge, making full use of trainees’ activeness, self-awareness and independence.

**Article 20: Curriculum of vocational training at the secondary level**

1. The curriculum of vocational training at the secondary level is subject to the objectives of vocational training at the secondary level; the curriculum shall determine standards in knowledge, skills, scope and structure, method and form of training, methods of assessment for each module, subject and vocation.

2. The heads of central State managing institutions of vocational training shall cooperate with Minister, heads of quasi-ministerial institutions, and heads of related government institutions in structuring the curriculum framework for secondary level training.

3. The heads of central State managing institutions of vocational training shall determine to establish an appraisal committee for secondary level training curriculum framework; to assign responsibility, authority, working schedule and the number of members for the committee; to provide the secondary level training framework based on the appraisal results of the committee.

4. In accordance with the curriculum framework, the curriculum of vocational training at the secondary level is determined and approved by the principals of vocational training institutions as per Article 22 of this Law.

**Article 21: Syllabus of vocational training at the secondary level**

The syllabus of vocational training at the secondary level specifies requirements as for contents, knowledge and skills of each module and subject in the training curriculum, in favour of active learning and teaching approach. The principals of
vocational training institutions as per Article 22 of this Law shall be in charge of compiling and approving the official syllabus and training materials.

**Article 22: Institutions providing vocational training at the secondary level**
1. Secondary vocational schools
2. Vocational colleges who have registered to provide vocational training at the secondary level.
3. Professional secondary schools, colleges and universities who have registered to provide vocational training at the secondary level.

**Article 23: Secondary level degree in vocational training**
Trainees who have completed an intermediate program of vocational training, met all requirements, and passed the test shall be granted the secondary degree in vocational training by the principals of vocational training institutions as per Article 22 of this Law, in accordance with regulations passed by the heads of central State managing institutions of vocational training.

### Section 3
**Diploma training**

**Article 24: Objectives of the diploma in vocational training**
Vocational training at the diploma aims at equipping trainees the professional knowledge and practical capability to carry out tasks of a vocation; improving the capability to work individually or in team; enhancing creativity in technological applications; giving them the ability to solve practical problems; providing them with work ethics and conscience, professional working style, discipline awareness and health so that after graduation, trainees can find a job or be self-employed, or acquire further education.

**Article 25: Time span for vocational training at the diploma**
Vocational training at the diploma shall be limited from two to three years for those who have graduated from high school, depending on the vocation; and from one up to two years for those who have secondary level certificate of the same vocation.

**Article 26: Requirements as for content and methods of vocational training at the diploma**
1. The contents of vocational training at the diploma shall be in accordance with the objectives of training at this level, with a focus on the practical capability of tasks in an vocation, on the higher qualification as required by the course, on the systematic, basic and modern knowledge, and in line with scientific and technological development and practice.
2. The methods of vocational training at the diploma shall combine the practical capability with professional knowledge, making full use of trainees' activeness, self-awareness and the ability to work in groups.
Article 27: Curriculum of vocational training at the diploma
1. The curriculum of vocational training at the diploma is subject to the objectives of vocational training at the diploma: the curriculum shall determine standards in knowledge, skills, scope and structure, method and form of training, methods of assessment for each module, subject and vocation.
2. The heads of central State managing institutions of vocational training shall cooperate with Minister, heads of quasi-ministerial institutions, and heads of related government institutions in structuring the curriculum framework for diploma training.
3. The heads of central State managing institutions of vocational training shall determine to establish an appraisal committee for diploma curriculum framework; to assign responsibility, authorities, working schedule and the number of members for the committee; to provide the diploma curriculum framework based on the appraisal results of the committee.
4. In accordance with the curriculum framework, the curriculum of vocational training at the diploma is determined and approved by the principals of vocational training institutions as per Article 29 of this Law.

Article 28: Syllabus of vocational training at the diploma
The syllabus of vocational training at the diploma specifies requirements as for contents, knowledge and skills of each module and subject in the training curriculum, in favour of active learning and teaching approach. The principals of vocational training institutions as per Article 29 of this Law shall be in charge of compiling and approving the official syllabus and training materials.

Article 29: Institutions providing vocational training at the diploma
1. Vocational colleges.
2. Colleges and universities who have registered to provide vocational training at the diploma.

Article 30: Diploma in vocational training
Students who have completed a course in advanced vocational training, met all requirements, and passed exams shall be awarded the diploma in vocational training by the principals of vocational training institutions as per Article 29 of this Law, in accordance with regulations passed by the heads of central State managing institutions of vocational training.

Section 4
Full-time and regular vocational training

Article 31: Full-time vocational training
Full-time vocational training is applicable to primary, intermediate and advanced full-time training courses carried out by vocational training institutions as specified in Articles 15, 22 and 29 of this Law.
Article 32: Regular vocational training
1. Regular vocational training is applicable to regular vocational training courses as regulated in item 1 Article 33 of this Law.
2. Regular vocational training shall be held in flexible time, venue, and training methods to meet trainees' need, facilitating lifetime study of labourers, improving professional skills to meet the labour market's requirements, giving trainees a chance to find a job or be self-employed.

Article 33: Programs and methods of regular vocational training
1. Regular vocational training programs include:
   a) programs to improve, upgrade, and update knowledge and work skills;
   b) programs of vocational supervision and passing down;
   c) technological transfer programs;
   d) Training programs as regulated in Articles 13, 20 and 27 of this Law which are carried out for in-service trainees or for guided self-study trainees who shall be granted elementary level certificate, secondary level degree or diploma degree.
2. Regular vocational training shall bring into full use the activeness, self-study skills and experience of trainees.
3. Regular training programs specified in points a, b and c, item 1 of this Article shall be developed, organized and certified by the heads of vocational training institutions specified in Article 15 of this Law. The certificate shall specify the contents and period of time of the program.
   Trainees of regular training programs specified in points a, b and c, item 1 of this Article include teachers, scientists, artisans, expert and experienced workers.
4. Vocational training institutions specified in Articles 15, 22 and 19 of this Law shall carry out training programs as specified in point d, item 1 of this Article only if they have implemented full-time training.

Chapter III
Vocational trainee intake, vocational training contract, test and examination

Article 34: Trainee intake
1. Applicants of elementary level programs are selected by records.
2. Applicants of secondary level programs are selected by records.
3. Applicants of diploma programs are selected by records or by examinations.
4. The following applicants are approved for diploma programs without considering the intake criteria:
   a) Those who graduate from secondary level programs with at least the Good degree enroll in a course of the same vocation.
b) Those who graduate from secondary level programs of a vocation with at least two years' experience in that vocation enroll in a course of the same vocation.

5. Vocational enrollment shall be carried out at least once a year, depending on the training capability of the vocational training institutions, the lengths of the course and the demand of trainees and enterprises.

6. Procedure for vocational trainee intake shall be issued by the heads of central State management institution for vocational training.

**Article 35: Vocational training contract**

1. Vocational training contract is the agreement of rights and obligations between the head of vocational training institution and trainee.

2. Vocational training contract must be made in writing in the following cases:
   a) An enterprise selects trainees who will work for the enterprise;
   b) Training takes place in foreign-invested vocational training institutions.

3. Vocational training contract must be made orally or in writing in the following cases:
   a) vocation passing down
   b) apprenticeship at the enterprise.

4. Vocational training contract is made directly between the head of vocational training institution and trainees. In case of a written contract, the contract must be made in two copies of the same value, one for each side.

**Article 36: Content of the vocational training contract**

1. A vocational training contract shall include the following points:
   a) name of the vocation, skills to be acquired
   b) Places of training and practicing;
   c) Period of time of the course;
   d) Tuition fee and method of payment of tuition;
   e) Signatories' responsibilities to compensate for damages when the contract is breached;
   f) Other terms and conditions which are not against laws and social ethics.

2. In the case when the business select trainees to work for them, besides the points mentioned in item 1 of this Article, the vocational training contract must include the following points:
   a) Trainee's commitment as for the working time in the business
   b) Enterprise's commitment as for the working contract after trainee's graduation
   c) Remuneration for trainees or those who are involved in actual production during their training time.

3. The vocational training contract which is vocation supervision, besides the points in item 1 of this Article, must include agreements to the time when
trainee starts to receive remuneration and the amount paid to trainee in
different periods of time.

**Article 37: Termination of vocational training contract**
1. The trainee, if unilaterally terminates the vocational training contract, shall
not be refunded with the tuition. In case the trainee serves in the army; is in
bad health; has an accident or on maternity leave; or has family problems
which prevent him from continuing the course, he will be refunded with the
remaining tuition pro rata.
2. The vocational training institution, if unilaterally terminates the vocational
training contract, shall give trainees at least three-working-day notice and
return all the tuition, except for cases of force majeure as stipulated by the
Civil Code.
3. In case the enterprise selects trainees for future employment in the
business, if the trainee fails to work as agreed, the trainee shall have to
repay the training cost. The level of repayment is mutually agreed in the
vocational training contract.

Training costs shall include reasonable expenses for trainers, training
materials, practicing materials, depreciation of premises, machinery and other
costs for trainee.

**Article 38: Test and examination**
1. Test and examination during vocational training include periodical test;
   end-of-module test, end-of-subject test as determined by the syllabus; end-
   of-course examination or test.
2. Test and examination procedure shall be stipulated by the heads of central
   State managing institution for vocational training.

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**Chapter IV**

**Vocational training institutions**

**Section 1**

**Organization and operation of vocational training centres, secondary level
schools and vocational colleges**

**Article 39: Forms of vocational training centres, secondary level schools and
vocational colleges**
1. Public vocational training centres, secondary level schools and vocational
   colleges are established by the State, who shall invest in the infrastructure
   and sufficiently finance regular expenses.
2. Private vocational training centres, secondary level schools and vocational
   colleges are established by organizations or individuals, who shall invest in
   the infrastructure and sufficiently finance regular expenses.
3. Foreign-invested vocational training centres, secondary level schools and vocational colleges are established as joint-venture or 100% foreign-owned by foreign or overseas Vietnamese organizations or individuals, who shall invest in the infrastructure and sufficiently finance regular expenses.

**Article 40: Conditions for setting up vocational training centres, secondary level schools and vocational colleges**

1. Vocational training centres, secondary level schools and vocational colleges shall be established when the following major conditions are met:
   a) There are premises, funds and equipment for theoretical and practical teaching which are compatible to the training vocation, levels and scopes;
   b) There are qualified teaching staff and management staff of adequate numbers, with synchronized organizational structure, of good qualifications and skills, who can accomplish objectives of vocational training.

2. Specific conditions to set up vocational training centres, secondary level schools and vocational colleges shall be determined by the heads of central State management institutions of vocational training.

**Article 41: Authorities, establishment procedure, establishment licensing, termination of vocational training activities, merger, splitting, separation, dissolution of vocational training centres, secondary level schools and vocational colleges**

1. The authorities to establish public and private vocational training centres, secondary level schools and vocational colleges are determined as follows:
   a) Chairman of People’s committees of provinces and centrally-governed cities (hereinafter called Chairman of provincial People’s Committee) shall decide to set up provincial public vocational training centres and secondary level schools; permit the establishment of private vocational training centres and secondary level schools within the local area.
   b) Minister, heads of quasi-ministerial institutions, heads of the central socio-political institutions shall decide to set up vocational training centres and secondary level schools at their levels.
   c) The heads of central state management institutions of vocational training shall decide to set up public vocational colleges and permit the establishment of private vocational colleges.

2. Those who have the authorities to set up or permit the establishment of vocational training centres, secondary level schools and vocational colleges shall have the authorities to terminate, merge, split, separate, and dissolve the same.

3. The heads of central state management institutions of vocational training shall determine the procedures to set up, permit the establishment, terminate, merge, split, separate, dissolve and register the activities of vocational training centres, secondary level schools and vocational colleges.
Article 42: Termination of vocational training activities

1. Vocational training activities of institutions specified in Articles 15, 22 and 29 of this Law shall be terminated in case of infringement of laws on vocational training, which have detrimental consequences.

2. Training of individual vocation in institutions specified in Articles 15, 22 and 29 of this Law shall be terminated in case of infringement of laws on vocational training as follows:
   a) Requirements for premises, funds, physical conditions and training equipment as specified in point a, item 1, Article 40 of this Law are not met;
   b) Requirements for management and teaching staff as specified in point b, item 1, Article 40 of this Law are not met;
   c) Requirements for curriculum and syllabus as specified in Articles 13, 14, 20, 21, 27 and 28 of this Law are not met.

3. The termination period of vocational training activities is regulated as follows:
   a) Vocational training activities of institutions shall be terminated until the correction of infringement, but in no case longer than 24 months. In case the infringement of law is not corrected within this time frame, vocational training institutions specified in item 3 Article 15, item 3 Article 22 and item 2 Article 29 of this Law shall not be allowed to resume their training activities; vocational training institutions specified in items 1 and 2 Article 15, items 1 and 2 Article 22, item 1 Article 29 of this Law shall be dissolved as per Article 43 of this Law.
   b) Training activities of individual vocation shall be terminated until the correction of infringement, but in no case longer than 12 months. In case the infringement of law is not corrected within this time frame, vocational training institutions shall not be allowed to resume their training activities of that vocation.

Article 43: Dissolvent of vocational training centres, secondary level schools and vocational colleges

1. Vocational training centres, secondary level schools and vocational colleges shall be dissolved in the following cases:
   a) Infringement of laws on vocational training, which have very detrimental consequences;
   b) Vocational training centres, secondary level schools and vocational colleges have not corrected the infringement after the termination period;
   c) At the request of the founding organizations or individuals of vocational training centres, secondary level schools and vocational colleges;
   d) End of the chartered operation period of vocational training centres, secondary level schools and vocational colleges.
2. In case of dissolvent of vocational training centres, secondary level schools and vocational colleges, a plan to settle the benefits of management, administrative and teaching staff, labourers, and trainees; and to fulfill financial responsibilities as stipulated by laws, shall be developed and submitted to the person who has set up or permitted the establishment of the institution.

**Article 44: Statutes of vocational training centres, Charters of secondary level schools and vocational colleges**

1. Sample statutes of vocational training centres shall include the followings:
   a) Duties and authority of the vocational training centres;
   b) Duties and authority of trainers and trainees;
   c) Organization, operation and management of the vocational training centres;
   d) Relationship between the vocational training centres and business and the society.

2. Sample charters of secondary level schools and vocational colleges shall be as per item 2 Article 52 of the Law on Education.

3. Sample statutes of vocational training centres, sample charters of secondary level schools and sample charters of vocational colleges shall be issued by the heads of central State management institutions of vocational training.

4. Subject to the sample Statute, vocational training centres shall issue its Statute. Subject to the sample Charter, secondary level schools and vocational colleges shall issue their Charters.

**Article 45: Manager of vocational training centres**

1. The manager of vocational training centre shall meet the following requirements:
   a) Having virtues and morality
   b) Having at least the college degree;
   c) Having been trained in management skills;
   d) Being as healthy as regulated.

2. The authority to nominate and recognize the manager of vocational training centre is as follows:
   a) Those who have the authority to set up public vocational training centre shall nominate the manager of directly vertical public vocational training centre.
   b) Chairman of provincial People's committee shall recognize the manager of private vocational training centres in the locality at the request of funding organizations or partners or of individuals who own the centre.

3. The manager of vocational training centre shall have the following responsibilities and authority:
a) Being responsible for controlling and managing the vocational training centre’s activities;
b) Issuing vocational primary certificate
4. The heads of central state management institution for vocational training shall determine the procedures for nomination and recognition of managers of vocational training centres.

Article 46: Principal of vocational secondary level schools, principal of vocational colleges
1. Principal of vocational secondary level schools, principal of vocational colleges shall meet the following requirements:
a) Having virtues and morality, having at least five year experience of vocational teaching or training management;
b) Principal of vocational secondary level schools shall have at least a bachelor degree, principal of vocational colleges shall have at least a master degree;
c) Having been trained in management skills
d) Being as healthy as regulated.
2. The authority to nominate and recognize the principal of vocational secondary level schools, principal of vocational colleges is as follows:
a) Minister, head of quasi-ministerial institutions, head of governmental offices, chairman of provincial People’s Committee, heads of the central socio-political institutions shall nominate the principal of public vocational secondary level schools and public vocational colleges at their levels;
b) Chairman of provincial People’s Committee shall recognize managers of private secondary level vocational schools in their locals at the request of the board of management or individual owners of the school;
c) Head of central state management institutions shall recognize the principal of private vocational college at the request of the board of management or individual owners of the college
3. The principal of vocational secondary level schools and vocational colleges shall have the following responsibilities and authority:
a) Being responsible for supervising and managing the activities of the school or college
b) The principal of secondary level vocational school shall grant secondary level degree and elementary level certificate; the principal of vocational college shall grant vocational degree, diploma and elementary level certificate
4. The heads of central state management institution for vocational training shall determine the procedures for nomination and recognition of principals of vocational secondary level schools and vocational colleges.

Article 47: Institution’s committee
1. The institution’s committee shall be established at public vocational secondary level school and vocational college; the board of management shall be established at private vocational secondary level school and
vocational college with more than two partners (hereinafter called the institution’s committee)

2. The institution’s committee shall have the following responsibilities and authorities:

a) Determining the institution’s orientation, objectives, plans and development projects

b) Determining the institution’s charter, its amendment or addition to submit to authorized level for approval;

c) Determining the mobilizations and supervision of institution’s resources

d) Supervising the implementation of resolution of the institution’s committee, maintaining democracy in the institution’s operations.

3. Procedures to set up the organizational structure, responsibilities and authority of the institution’s committee shall be determined in the sample charter of secondary level vocational schools and vocational colleges.

Article 48: Party, Youth league, social organizations in vocational training centres, secondary level schools and colleges

Vietnam Communist Party, Youth league, social organizations in vocational training centres, secondary level schools and colleges are subject to their organizational charters and to laws.

Article 49: Consultant committee, curriculum and syllabus appraisal committee in vocational training centres, secondary level schools and colleges

1. Manager and principal shall set up the consultant committee in vocational training centres, secondary level schools and colleges to collect opinions of teachers, management staff, representatives of organizations in the centre, school or college in order to carry out the manager and principal’s responsibilities and authority.

2. The syllabus and curriculum appraisal committee is the consulting body which shall assist the manager and principal to approve the curriculum and syllabus. The appraisal committee shall include teachers, vocational training management staff, scientific staff, technical staff and employers who are knowledgeable of the vocation. The appraisal committee shall include from five to nine members, depending on each curriculum and syllabus to be appraised.

3. The manager and principal shall determine the organization, operations, responsibilities and authority of the consultant committee and the curriculum and syllabus appraisal committee.

Article 50: Responsibilities and authority of vocational training centres, secondary level schools and colleges

1. Vocational training centres, secondary level schools and colleges shall have responsibilities, authority, autonomy as per Articles 58, 59 and 60 of the Law on Education.

2. In addition to responsibilities and authority as per item 1 of this Article, vocational training centres, secondary level schools and colleges shall have the following responsibilities and authority:
a) Consultation of vocational training and employment for trainees free of charge;
b) Carrying out study tours and probation at the business for trainees
c) Cooperating with domestic and overseas businesses, organizations, and individuals in vocational training.
d) Setting up business and carrying out production, trading and servicing in accordance with laws.
e) Incorporating the teaching of languages, customs and traditions, respective foreign laws and related Vietnam laws into the training syllabus for trainees who shall be working overseas.

Section 2
Foreign-invested vocational centres, secondary level schools and colleges

Article 51: Foreign-invested vocational centres, secondary level schools and colleges
1. Legal rights and benefits of foreign-invested vocational centres, secondary level schools and colleges shall be protected by Vietnam Government in accordance with Vietnam laws and international agreements to which the Socialist Republic of Vietnam is a signatory
2. Foreign-invested vocational centres, secondary level schools and colleges shall conduct their vocational training activities in accordance with this Law and other related laws.

Article 52: The establishment of foreign-invested vocational centres, secondary level schools and colleges
1. Foreign-invested vocational centres, secondary level schools and colleges shall be established when the following conditions are met:
   a) Adequate teaching and management staff
   b) Premises, theoretical and practical teaching equipment relevant to the vocations, levels and scope of training;
   c) Bank statement certifying chartered capital.
2. State investment management office shall have the authority to grant investment license to foreign-invested vocational centres, secondary level schools and colleges when conditions as per item 1 of this Article are met and a written approval by authorised state management office for vocational training is available.

Section 3
Incentive policies for vocational training institutions

Article 53: Incentive policies for vocational training institutions
1. The government has policy to grant or lease land and premises, provide credit incentives, reduce or exempt tax for vocational training centres as permitted by laws; products produced by training activities of these institutions shall be exempted from tax as permitted by laws.
2. People’s committees at all levels shall have the responsibilities to create favourable conditions for vocational training institutions, other training centres, scientists who diffuse scientific knowledge and technological transfer, especially in agricultural, forestry and fishery fields.
3. Private vocational training institutions shall enjoy policies as per Articles 65, 66, 67 and 68 of the Law on Education.

**Article 54: Incentive policies for vocational training centres which have ethnic minority boarding students and those who have trainees to be working overseas.**
1. The government has policy ensuring that ethnic minority boarding trainees shall be admitted to vocational training institutions once they graduate.
2. The government has policy to support vocational training institutions to enlarge vocations that meet the need of trainees who shall be working overseas.

**Chapter V**

**Authorities and obligations of enterprise in vocational training operations**

**Article 55: Authorities of enterprise in vocational training operations**
1. Enterprise is allowed to set up vocational training centre, secondary level school and college to train the workforce for direct production and servicing of the enterprise and of the society.
2. Enterprise is allowed to provide vocational training for those who will work for the enterprise.
3. Enterprise is allowed to cooperate and set up joint venture with vocational training institutions to carry out vocational training, research, production, application, and technical transfer as per this Law and other related laws.
4. Enterprise shall be invited by state vocation management office and by vocational training institutions to join in curriculum and syllabus appraisal committee; to teach, supervise and assess trainees’ studying results; to participate in establishing vocational skill standards, assessing national vocational skills for vocations related to the production and trading of the enterprise.
5. The following expenses shall be deducted from taxable revenue as regulated by laws:
a) Reasonable investment and expenditures to maintain the operation of vocational training institutions which directly serve the enterprise's production and trading.
b) Enterprise's expenses on training labourers who are employed to work for the enterprise.

**Article 56: Enterprise's Obligations in Vocational Training Operation**

1. Providing information on the vocations, training and employment needs of the enterprise to state vocational management office.
2. Receiving trainees who visit and carry out apprenticeship at the enterprise in accordance with contracting vocational training institutions.
3. Remunerating trainees when they work directly or make products for the enterprise. Remuneration rate is mutually agreed.

**Article 57: Enterprise's Responsibility in Training and Improving Vocational Skills and Retraining of Vocational for Its Workers**

1. Enterprise shall establish and carry out its plans on training and improving the skills of its workers in order to meet its demand for workforce and the demand for latest technology in production and trading.
2. Enterprise shall facilitate its employees to work and study simultaneously to improve their work skills.
3. Enterprise shall retrain its employees once they take over a new job in the enterprise. Retraining costs, remuneration and wages of employees during their training time shall be borne by the enterprise.

**Chapter VI**

**Vocational Trainers and Trainees**

**Section 1**

**Vocational Trainers**

**Article 58: Vocational Trainers**

1. Vocational trainers include those who teach theory and/or practice in vocational training institutions.
2. Vocational trainers shall meet the standards as per item 2 Article 70 of the Law on Education.
3. The standard qualifications of vocational trainers are as follows:
   a) Trainers of theory at elementary level shall have at least the secondary level certificate in vocation; trainers of practice shall have at least the secondary level certificate in vocation, or be artisans, or be very skillful.
   b) Trainers of theory at secondary level shall have bachelor degree on technical teachers' training or professionally specialized bachelor degree; trainers of practice shall have vocational diploma or be artisans, or be very skillful.
c) Trainers of theory at diploma shall have at least bachelor degree on technical teachers' training or professionally specialized bachelor degree; trainers of practice shall have vocational diploma or be artisans, or be very skillful.

d) In case trainers as specified in points a, b and c of this item do not have bachelor degree or diploma degree on technical teachers' training, they must have certificate in teachers' training.

Article 59: Responsibility and rights of vocational trainers
1. Vocational trainers shall have responsibilities as per Article 71 of the Law on Education.
2. Vocational trainers shall have rights as per Article 73 of the Law on Education, and additional rights as follows:
   a) Be allowed to go to production sites and approach latest technology;
   b) Be allowed to use documents, facilities, teaching aid, equipment and physical site of the vocational training institutions to carry out their assigned work;
   c) Raise their opinion in orientation and plan of the vocational training institutions, compile syllabus and teaching documents, set up teaching methods and other issues affecting their benefits.

Article 60: Recruitment and knowledge improvement for vocational trainers
1. The recruitment of vocational trainers in public vocational training institutions shall be in accordance with items 2 and 3 Article 58 of this Law and with regulations on employees, public employees and the labour law.
2. The recruitment of vocational trainers in private vocational training institutions shall be in accordance with items 2 and 3 Article 58 of this Law and with the labour law.
3. Knowledge improvement for standardization, specialized knowledge improvement, pedagogy techniques, vocational techniques, information technology and foreign languages for trainers are determined by the head of Central State management office for vocational training.

Article 61: Visiting trainers
1. Vocational training institutions are allowed to invite visiting trainers who meet the requirements as regulated in items 2 and 3 of this Law.
2. Visiting trainers shall have responsibilities as regulated in Article 72 of the Law on Education.
3. Visiting trainers who are public carders shall ensure that they have fulfilled their responsibilities in their original workplace.

Article 62: Incentives for vocational trainers
1. Vocational trainers shall enjoy incentives on knowledge improvement, remuneration, incentives for teachers in special schools and areas of
especially poor socio-economic conditions as per Articles 80, 81 and 82 of the Law on Education.

2. Vocation trainers of practice shall receive extra proceeds when they teach hard, hazardous, and dangerous vocations as per Government regulation. They also receive other incentives for teachers.

Section 2
Vocation trainees

Article 63: Responsibilities and rights of vocation trainees
Vocation trainees shall have responsibilities and rights as per Articles 85 and 86 of the Law on Education.

Article 64: Trainees' responsibilities to work in a limited time
1. Those who graduated from training courses carried out under the selective policy, or Government-ordered programs, or state scholarship programs, or foreign-sponsored programs under agreements with the Vietnam government, shall be subject to government secondment within a limited time; otherwise they shall have to repay all the scholarship and training costs.
2. Those who graduated from training courses in which scholarship and training costs are borne by employers shall have to work for the employers within the time period as agreed in the training contract, otherwise they shall have to repay all the scholarship and training costs.

Article 65: Incentives for vocational trainees
1. Vocational trainees shall enjoy scholarship and social benefits, the selective policy, educational credit policy, student concession of public fees as per Articles 89, 90, 91 and 92 of the Law on Education.
2. Those who graduated from ethnic minority boarding secondary schools, ethnic minority boarding high schools, including private schools shall be directly admitted to secondary level vocational schools.
3. Students of ethnic minority boarding schools shall enjoy the same incentive policies as ethnic minority boarding students when studying in vocational training institutions.
4. During the training course, trainees, if leave to serve in the army, or take sick leave, or have an accident or take maternity leave, or have family problems which prevent them from carrying on the study or work, shall have the right to reserve their studying results and carry on their course. The reservation time is limited to four years.

Article 66: Incentives for trainees who shall be working overseas
1. The Government have policies to provide vocational training to those who shall be working overseas.
2. In case trainees cease their course to work overseas, they shall reserve their study results. The reservation time is limited to four years.
Article 67: Incentives for award-winners in vocational competitions
1. The government encourages trainees to participate in vocational competitions in order to improve their work skills. Award-winners in national and international vocational competitions shall be rewarded as per the laws on rewarding.
2. The award-winners of one of the first, second or third prize in international vocational competitions shall be directly selected to the relevant university for a degree relevant to their prize-winning vocation if they have baccalaureate or diploma in vocational training.
3. The award-winners of one of the first, second or third prize in national vocational competitions shall be directly selected to colleges or vocational colleges for a degree relevant to their prize-winning vocation if they have baccalaureate or diploma in vocational training.

Chapter VII
Vocational training for the handicapped and congenitally disabled people

Article 68: Objectives of vocational training for handicapped and congenitally disabled people
Vocational training for the handicapped and congenitally disabled people aims at creating them the capability to work which is suitable to their workability, eventually they can create a work for themselves or find a job to stabilize their life and integrate into the community.

Article 69: Vocational training institutions for the handicapped and congenitally disabled people
1. In addition to regulations as per Article 40 of this Law, vocational training institutions for the handicapped and congenitally disabled people shall meet the following conditions:
   a) Having physical conditions, training equipment; syllabus, method and training time suitable to the handicapped and congenitally disabled people;
   b) Having trainers with skills and teaching methods suitable for the handicapped and congenitally disabled people.
2. Construction projects for studying handicapped and congenitally disabled people shall meet the requirements determined by the Minister of Construction.

Article 70: Incentive policies for vocational training institutions serving the handicapped and congenitally disabled people
1. The government encourages organizations and individuals to establish vocational training institution for only the handicapped and congenitally disabled people and other vocational training institutions to train the handicapped and congenitally disabled people.
2. Vocational training institutions for the handicapped and congenitally disabled people shall enjoy policies for vocational training institutions as per Article 53 of this Law, be funded by the government to invest in physical infrastructure, training equipment; be granted with tax-free land or rent areas which are suitable for the training of the handicapped and congenitally disabled people.

**Article 71: Incentive policies for training handicapped and congenitally disabled people**

1. The handicapped and congenitally disabled people shall enjoy scholarship and social benefits, the selective policy, educational credit policy, student concession of public fees as per Articles 89, 90, 91 and 92 of the Law on Education.
2. The handicapped and congenitally disabled people shall receive free consultation of training and employment.
3. The handicapped and congenitally disabled people shall pay reduced tuition or be exempted from tuition.
4. The handicapped and congenitally disabled people from poor households shall be exempted from tuition, granted scholarship and sponsored with accommodation, meals, and transportation as regulated by laws.

**Article 72: Incentives policies for trainers of the handicapped and congenitally disabled people**

1. The government shall invest in the training of knowledge, skills and methods for trainers of the handicapped and congenitally disabled people.
2. Trainers of the handicapped and congenitally disabled people shall enjoy policies as per Article 62 of this Law and special subsidy as regulated by the Government.

**Chapter VIII**

**Quality accreditation for vocational training**

**Article 73: Quality accreditation for vocational training**

1. Quality accreditation for vocational training aims at assessing the level by which the vocational training institution has fulfilled its objectives and training syllabus.
2. Quality accreditation for vocational training shall be carried out periodically for all vocational training institutions nation-wide. Results shall be publicized for trainees and the society.

**Article 74: Content and methods of quality accreditation for vocational training**

1. Quality accreditation for vocational training shall include the following contents:
   a) Objectives and duties;
b) Management and control

c) Teaching and learning activities

d) Teaching and management staff;

e) Curriculum and syllabus;

f) Libraries

g) Physical conditions, training equipment and teaching aid

h) Financial management;

i) Services for trainees

2. Quality accreditation for vocational training shall be in the following forms:

a) Self accreditation of quality in vocational training institutions;

b) Quality accreditation by state vocation management office.

Article 75: Management and organization of quality accreditation for vocational training

The head of central State management office for vocational training shall determine standards and procedures for quality accreditation, supervise and implement quality accreditation for vocational training.

Article 76: Responsibilities and authority of vocational training institutions in carrying out quality accreditation.

1. To set up and implement long-term and annual plans for improving vocational training quality.

2. To organize the self-accreditation of quality for vocational training in accordance with standards and procedures of quality accreditation for vocational training.

3. To provide information and documents for quality accreditation of vocational training to state vocation management office who are carrying out quality accreditation at the institution.

4. In case of disagreement, to appeal a complaint against the quality accreditation results in accordance with laws

Article 77: Certification of quality in vocational training

1. Vocational training institutions under quality accreditation shall be granted a certificate of good quality in vocational training if meeting all the conditions. This certificate is valid for five years.

2. In case vocational training institutions do not maintain the accredited quality, their certificate of good quality in vocational training shall be withdrawn.

3. The head of central State management office for vocational training shall have the authority to grant and withdraw the certificate of good quality in vocational training.

Article 78: Responsibilities and authority of vocational training institutions with good quality accreditation

Vocational training institutions that are certified to have good quality in vocational training shall have the following responsibilities and authority:
1. Maintain and improve their vocational training quality;
2. Report annually to the state vocational management office on the result of self-accreditation of quality;
3. Enjoy subsidized investment to improve their training quality, bid for vocational training contract as ordered by the state.

Chapter IX
Assessing and certifying national work skills

Article 79: National standards for work skills
1. National standards for work skills are based on skill levels for each vocation. The number of skill levels for each vocation depends on the level of complexity of that vocation.
2. The national standards for work skills are the base on which workers can improve their skills, meeting the increasing demand of production and trading, employers can assign different jobs for and correspondingly remunerate workers; the standards also help increase the competitiveness of the business in international integration; based on those standards, vocational training programs can be established in accordance with production and trading requirements.

Article 80: Establishing and issuing the national standards for work skills
1. The head of central State labour management office shall issue principles, procedures and manage the establishment of national standards for work skills.
2. Ministers, heads of quasi-ministerial offices, heads of governmental offices, in cooperation with related vocational institutions and associations, shall manage the establishment and issuance of national standards for work skills for each vocation when written agreements of the head of central State labour management office are available.

Article 81: The implementation of assessment and certification of national work skills
1. The central State labour management office shall, in cooperation with ministries, quasi-ministerial offices, and governmental office, manage and control the implementation of assessment and certification of national work skills for labourers.
2. The central State labour management office shall manage the assessment and certification of national work skills.

Article 82: Rights of employees participating in the assessment of the national work skills.
1. Employees who have accumulated work skills during their study or work shall have the right to be assessed in national work skills.
2. Employees shall have the right to claim for reassessment of results of national work skills; to denounce law infringements in assessing and certifying national work skills and to be legally responsible for their wrong denouncement.
3. Employees who are qualified shall be granted the certificate for national work skill at their level. The national work skill certificate is validated nation-wide.

Chapter X
State management of vocational training

Article 83: State management of vocational training shall cover the followings:
1. To set up and implement strategies, planning, plans and policies on vocational training development.
2. To issue and realize legal documents on vocational training.
3. To set objectives, contents, methods and curriculum for vocational training; standards for vocational trainers; the list of trained vocations at different levels; standards for physical conditions and equipment; statutes for intaking and certification.
4. To manage the implementation of quality accreditation in vocational training.
5. To maintain statistics and information on the organization and operation of vocational training.
6. To realize the vocational training management structure.
7. To organize and manage the training of teaching and management staff of vocational training.
8. To mobilize, manage and utilize sources for the development of vocational training.
9. To organize and manage research and technological and scientific application in vocational training.
10. To organize and manage international cooperation in vocational training.
11. To inspect and check the legal observation in vocational training; to settle claims, appeals and breach of law on vocational training.

Article 84: State management office for vocational training.
1. The Government shall unanimously control vocational training.
2. The central state vocational management office shall report to the Government on state management issues on vocational training.
3. Ministries and quasi-ministerial offices, in coordination with the central state vocational management office, shall carry out state management on vocational training in accordance with their authorities.

4. People's committees at all levels shall carry out state management on vocational training in accordance with their authorities as assigned by the Government, be responsible for investment in vocational training development to meet the local requirements for the workforce.

**Article 85: Investment in vocational training**

Financial sources for vocational training, state budget for vocational training, priorities in financial investment and land for vocational training institutions, investment incentives for vocational training, tuition, enrollment fees, tax incentives in publishing training documents and producing training equipment shall be subject to Articles 101, 102, 103, 104, 105 and 106 of the Law on Education.

**Article 86: Vocational training funds**

1. Vocational training funds are set up to support vocational trainees.

2. Vocational training funds are financed with donations from businesses, offices, organizations, and individuals, state budget and other legal sources. The state encourages businesses, organizations and individuals to sponsor these funds.

3. Vocational training funds are non-profit and exempted from tax. The management and utilization of the funds shall be in accordance with their objectives and laws.

4. The Government shall regulate the establishment, management and utilization of vocational training funds.

**Article 87: International cooperation in vocational training**

International cooperation in vocational training shall be subject to Articles 108 and 109 of the Law on Education.

**Article 88: Inspection of vocational training**

1. Inspection of vocational training is industry-specialized.

2. Inspection of vocational training shall be subject to laws and regulations on inspection.

3. The governments shall regulate the organization and operations of vocational training inspection.

**Article 89: Settlement of violations**

1. Individuals who violate regulation of this Law shall be subject to disciplinary measures, administrative fines or take criminal proceedings, depending on the level and nature of violation; and compensate for damage in accordance with laws.

2. Organizations which violate regulation of this Law shall be subject to administrative fines, depending on the level and nature of violation; and compensate for damage in accordance with laws.
3. Settlement of administrative infringement for violation of laws in vocational training shall be subject to Government regulations.

**Article 90: Claims, denouncements and settlement of claims and denouncements**

Claims, denouncements and settlement of claims and denouncements in vocational training shall be subject to laws.

**Chapter XI**

**Enforcement**

**Article 91: Enforcement validation**

This Law shall be enforced from 1st June 2007.

In case of discrepancies between regulations of this Law and other laws on the same vocational training activity, this Law shall override.

**Article 92: Guidance for implementation**

The Government shall provide details and guide the implementation of Articles 62, 72, 84, 96, 88 and 89 of this Law.

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This Law has been approved by the 11th National Assembly, Session 10 of The Socialist Republic of Vietnam on 29th November 2006

Chairman of the National Assembly

Nguyen Phu Trong