

THE MINISTRY OF JUSTICE

THE MINISTRY OF FOREIGN AFFAIRS

THE SUPREME PEOPLE'S COURT

**Joint Circular No. 15/2011/TTLT-BTP-BNG-TANDTC  
dated September 15, 2011 of the Ministry of Justice,  
the Ministry of Foreign Affairs and the Supreme  
People's Court guiding the application of a number of  
provisions of the Law on Legal Assistance in the civil  
domain**

*Pursuant to November 21, 2007 Law No. 08/2007/QH12 on Legal Assistance;*

*For proper and uniform application of the Law on Legal Assistance, the Ministry of Justice, the Ministry of Foreign Affairs and the Supreme People's Court jointly provide uniform application of a number of provisions of the Law on Legal Assistance on legal assistance in the civil domain as follows:*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope of regulation**

This Joint Circular guides the application of a number of provisions of the Law on Legal Assistance on principles, jurisdiction, order and procedures for providing legal assistance in the civil domain; handling of results of legal assistance in the civil domain and responsibilities of Vietnamese state agencies for legal assistance in the civil domain.

**Article 2. Subjects of application**

This Joint Circular applies to Vietnamese agencies, organizations and individuals; and foreign agencies, organizations and individuals involved in activities of legal assistance in the civil domain with Vietnam.

**Article 3. Application of foreign laws to legal assistance in the civil domain**

1. A foreign law may be applied under Clause 2, Article 3 of the Law on Legal Assistance when the following conditions are fully satisfied:

a/ There is a treaty on legal assistance between Vietnam and a foreign country concerning this issue;

b/ The application of the foreign law is not contrary to basic principles of Vietnamese laws and is compliant with international law and practice;

c/ There is a written request of a foreign country's authority for the application of this country's law.

2. The Ministry of Justice shall assume the prime responsibility for, and coordinate with the Ministry of Foreign Affairs and the Supreme People's Court in, considering and deciding on the application of foreign laws. In case conditions for application of foreign laws are not fully satisfied, the Ministry of Justice shall reply in writing to requesting countries.

#### **Article 4. Application of the principle of reciprocity**

1. The principle of reciprocity shall be applied at the request of a Vietnamese authority:

a/ In case a Vietnamese court or authority requests an authority of a foreign country to provide legal assistance in a civil case or matter when there is no treaty on legal assistance in the civil domain between Vietnam and that country or there is neither an agreement on nor a precedent in application of the principle of reciprocity regarding relevant issues, the court shall send to the Ministry of Justice a written request for application of the principle of reciprocity enclosed with a dossier of legal mandate in the civil domain.

b/ Within 10 working days after receiving a dossier of legal mandate in the civil domain, the Ministry of Justice shall send a written request enclosed with this dossier to the Ministry of Foreign Affairs for consideration and decision on requesting a foreign authority to apply the principle of reciprocity.

c/ Within 10 working days after receiving a dossier, the Ministry of Foreign Affairs shall consider and make a decision specified at Point d or e, Clause 1 of this Article. In case of necessity to consult the Ministry of Justice and the Supreme People's Court on the application of the principle of reciprocity, this time limit is 20 days.

d/ In case the Ministry of Foreign Affairs requests a foreign authority to apply the principle of reciprocity, it shall send to an overseas Vietnamese representative mission a dossier of legal mandate in the civil domain enclosed with a diplomatic note requesting a foreign authority to apply the principle of reciprocity. Such note must request a foreign authority to issue an official reply on the application of the principle of reciprocity with Vietnam.

e/ In case the Ministry of Foreign Affairs does not request a foreign authority to apply the principle of reciprocity, it shall return the dossier to the Ministry of Justice and clearly state the reason.

f/ Within 5 working days after receiving a dossier, an overseas Vietnamese representative mission shall send a dossier of request for application of the principle of reciprocity to the foreign authority.

g/ Within 5 working days after receiving an official reply of the foreign authority, the overseas Vietnamese representative mission shall send a notice to the Ministry of Foreign Affairs. Within 5 working days after receiving this written notice, the Ministry of Foreign Affairs shall notify such receipt to the Ministry of Justice and the Supreme People's Court for coordination.

h/ In case the foreign authority agrees to apply the principle of reciprocity on certain conditions, the Ministry of Foreign Affairs shall consider these conditions and make decision after consulting the Ministry of Justice and the Supreme People's Court. Procedures for reaching unanimity among these agencies are similar to those for considering and deciding on the application of the principle of reciprocity at the request of the foreign authority specified in Clause 2 of this Article.

2. Application of the principle of reciprocity at the request of a foreign authority:

a/ In case the Ministry of Foreign Affairs receives a request of a foreign authority for legal assistance in the civil domain when there is no treaty on legal assistance in the civil domain between Vietnam and that country or there is neither an agreement on nor a precedent in application of the principle of reciprocity regarding relevant issues, the Ministry of Foreign Affairs shall send to the Ministry of Justice and the Supreme People's Court a written request for consideration of application of the principle of reciprocity, enclosed with relevant dossiers (if any).

b/ Within 10 working days, or 20 working days for special cases, after receiving a written request of the Ministry of Foreign Affairs, the Ministry of Justice and the Supreme People's Court shall give their written opinions on the application of the principle of reciprocity on the grounds specified in Article 5 of this Joint Circular.

c/ Within 5 working days after receiving opinions of the Ministry of Justice and the Supreme People's Court, the Ministry of Foreign Affairs shall consider and decide on the application of the principle of reciprocity, send a written reply to the requesting foreign authority and its copy to the Ministry of Justice and the Supreme People's Court for coordination. In case the Ministry of Foreign Affairs agrees to apply the principle of reciprocity, the Ministry of Justice shall carry out procedures for receiving and inspecting the validity of the sent dossier (if any) and then send it to a court with jurisdiction for legal mandate under Article 15 of the Law on Legal Assistance and Point a, Clause 3, Article 20 of this Joint Circular.

## **Article 5. Grounds for consideration and decision on the application of the principle of reciprocity**

The application of the principle of reciprocity in legal assistance with foreign countries shall be considered and decided on the following grounds:

- a/ Necessity of and Vietnam's needs for legal assistance in each specific case or in the general relationship with the involved country;
- b/ Non-contravention of Vietnamese laws and relevant treaties to which Vietnam is a contracting party and compliance with international law and practice;
- c/ Satisfaction of requirements of external relations and political, economic, social and other impacts, if any;
- d/ Impacts on rights and interests of the Vietnamese State and concerned Vietnamese individuals and legal persons.

## **Article 6. Languages used in legal assistance in the civil domain**

1. Languages used for making dossiers of request for foreign legal assistance in the civil domain or in requests for Vietnam's legal assistance in the civil domain comply with Article 5 of the Law on Legal Assistance.
2. In case an authority or a Vietnam-based representative mission of a country requests legal mandate in the civil domain when there is no treaty on legal assistance in the civil domain between Vietnam and this country, the language used in legal assistance is Vietnamese. Legal mandate dossiers and their Vietnamese translations must be certified or consularly legalized by consular offices under Vietnamese law, except those exempt from consular legalization under treaties or on the principle of reciprocity.
3. In case a dossier-making court cannot ascertain the language in legal assistance acceptable by the country requested to provide legal assistance, it shall request in writing the Ministry of Foreign Affairs to do so. Within 5 working days after receiving the request, the Ministry of Foreign Affairs shall reply in writing.
4. In case a court making a legal mandate dossier requests an overseas Vietnamese representative mission to perform legal mandate for an overseas Vietnamese citizen, the language used in legal mandate is Vietnamese. In this case, the legal mandate dossier is not required to be consularly legalized.

## **Article 7. Provision of information related to treaties on legal assistance in the civil domain**

Courts may send to the Ministry of Justice written requests for provision of information related to treaties on legal assistance in the civil domain. The

Ministry of Justice shall reply in writing within 5 working days after receiving a request.

### **Article 8. Expenses for legal assistance in the civil domain**

Domestic and foreign individuals and organizations that request legal assistance shall pay a charge and expenses for legal assistance. Charge and expense levels, payers and collectors; and the management and use of collected charge and expense amounts comply with relevant laws.

## **Chapter II**

### **REQUESTING FOREIGN COUNTRIES TO PROVIDE LEGAL ASSISTANCE IN THE CIVIL DOMAIN**

#### **Article 9. Competence for requesting legal assistance in the civil domain**

1. Provincial-level people's courts and appellate courts of the Supreme People's Court are competent to request legal assistance in the civil domain.
2. In the course of settlement of civil cases, if receiving requests for legal assistance in the civil domain, people's courts of urban districts, rural districts, towns or provincial cities shall make legal mandate dossiers under Article 11 of the Law on Legal Assistance and Article 10 of this Joint Circular, and then send them to provincial-level people's courts for completion of general procedures.

#### **Article 10. Dossiers of legal mandate in the civil domain**

1. A dossier of legal mandate in the civil domain must comprise the documents specified in Article II of the Law on Legal Assistance, specifically as follows:
  - a/ A written request for performance of legal mandate in the civil domain, made according to form No. 01 provided in this Joint Circular (not printed herein);
  - b/ A document on legal mandate in the civil domain specified in Article 12 of the Law on Legal Assistance, made according to form No. 02 provided in this Joint Circular (not printed herein);
  - c/ Other papers as requested by an authority of the country requested to perform the mandate;
  - d/ Other papers and documents required for the legal mandate (for example, notice of case acceptance for settlement, decision on mandated collection of evidence, court judgment or ruling, etc.).
2. A dossier of legal mandate in the civil domain must be made by a court by the following method:

a/ It must be signed by the court president or a vice president authorized by the president, except for the papers and documents specified at Point d. Clause 1 of this Article, and compiled into 3 sets to be sent to the Ministry of Justice.

b/ The written request for performance of legal mandate in the civil domain made by the court must be the original while other documents and papers required for the legal mandate can be either originals or copies. Copies and translations of these documents and papers must be duly certified under the law on making of copies from original books, certification of copies of originals and signatures.

c/ For a case requiring legal mandate for many involved parties with different mandate jobs or addresses or nationalities, the court shall make a separate legal mandate dossier of each involved party.

d/ In case legal assistance is requested for an involved party who holds both Vietnamese citizenship and a foreign citizenship, the court shall make a legal mandate dossier as for cases of performance of legal mandate for overseas Vietnamese citizens when the court ascertains that the effective citizenship of the involved party is Vietnamese and the legal mandate is not contrary to the foreign law or the foreign country does not object.

#### **Article 11. Conditions for dossiers of legal mandate in the civil domain to be valid**

A legal mandate dossier is considered valid when fully satisfying the following conditions:

1. It is made under Articles 11 and 12 of the Law on Legal Assistance and Article 10 of this Joint Circular.
2. It is made in a language under Article 5 of the Law on Legal Assistance and Article 6 of this Joint Circular.
3. It is made in a sufficient number of sets under Clause 2, Article 11 of the Law on Legal Assistance and Article 10 of this Joint Circular.
4. Expenses for legal assistance in civil domain have been paid under law, except cases exempt from these expenses.

#### **Article 12. Order and procedures for receipt and sending of dossiers of legal mandate in the civil domain at the Ministry of Justice**

Within 10 working days after receiving a legal mandate dossier sent by a court, the Ministry of Justice shall record it in a register of dossiers of legal mandate in the civil domain (section for outward mandate), check the validity of the dossier under the Law on Legal Assistance and Article 11 of this Joint Circular, and make any of the following decisions:

1. In case the legal mandate dossier is complete and valid:



a/ To transfer the dossier to the authority of the foreign country or the Ministry of Foreign Affairs under the treaty to which Vietnam and this country are contracting parties.

b/ To transfer the dossier to the Ministry of Foreign Affairs for consideration and decision on application of the principle of reciprocity according to the procedures specified in Clause 1, Article 4 of this Joint Circular if there is no treaty on legal assistance in the civil domain between Vietnam and the concerned country or there is neither an agreement on or nor a precedent in the application of the principle of reciprocity.

2. In case the legal mandate dossier is incomplete and invalid:

The Ministry of Justice shall return the dossier to the court that has made it and clearly state the reason for the return.

**Article 13. Order, procedures and time limit for receipt and sending of dossiers of legal mandate in the civil domain by the Ministry of Foreign Affairs and overseas Vietnamese representative missions**

1. For cases in which the Ministry of Foreign Affairs performs legal mandate for overseas Vietnamese citizens or if specified by relevant treaties, the time limit for transferring a dossier to an overseas Vietnamese representative mission is 5 working days after the receipt of a valid legal mandate dossier transferred from the Ministry of Justice.

Within 5 working days after receiving a legal mandate dossier, an overseas Vietnamese representative mission shall perform the legal mandate for overseas Vietnamese citizens or transfer the dossier to a foreign authority.

2. For case of performance of legal mandate on the principle of reciprocity, the time limit and procedures for performance by the Ministry of Foreign Affairs and overseas Vietnamese representative missions comply with Points c and f, Clause 1, Article 4 of this Joint Circular.

**Article 14. Handling of legal mandate results by the Ministry of Foreign Affairs and overseas Vietnamese representative missions**

1. Within 5 working days after completing the legal mandate or after receiving a written notice of legal mandate results from a foreign authority, an overseas Vietnamese representative mission shall send a written notice of legal mandate results, a written record of delivery of the legal mandate dossier enclosed with related documents and evidences to the Ministry of Foreign Affairs.

2. Within 3 months after receiving a legal mandate dossier from a domestic authority, if an overseas Vietnamese representative mission cannot perform the legal mandate for overseas Vietnamese citizens or if a foreign authority neither sends a notice of legal mandate results nor replies Vietnam's request

for the application of the principle of reciprocity under Clause 1, Article 4 of this Joint Circular, the overseas Vietnamese representative mission shall notify such to the Ministry of Foreign Affairs.

3. Within 5 working days after receiving a written notice of legal mandate results sent by an overseas Vietnamese representative mission, the Ministry of Foreign Affairs shall forward this notice to the Ministry of Justice for subsequent forwarding to the court under Clause 3, Article 14 of the Law on Legal Assistance.

### **Article 15. Handling of legal mandate results by courts**

1. Handling of results of the delivery of legal mandate documents to overseas Vietnamese citizens:

a/ In case a court receives a written notice of legal mandate results specified in Clause 2, Article 17 of this Joint Circular, it shall continue the legal mandate if it can identify the accurate name, address and personal information of the overseas involved party.

In case the court has taken every measure but still cannot identify the address of the overseas involved party, it shall make explanations so that the legal mandate-requesting party can request the court to announce the search for an absentee from his/ her place of residence under Chapters XX and XXII of the Civil Procedure Code. After obtaining results of announcement of search for an absentee from his/her place of residence, the court shall continue settling the case according to general procedures. Within one month after the court makes explanations, if the legal mandate-requesting party does not request the court to search for an absentee from his/her place of residence, the court shall stop settling the case under Articles 168 and 192 of the Civil Procedure Code.

b/ In case a court receives a written notice of legal mandate results under Clauses 1, 3 and 4, Article 17 of this Joint Circular, it shall continue settling the case under the Civil Procedure Code.

2. Handling of legal mandate results for foreigners residing overseas:

a/ In case a court is notified by a foreign authority of legal mandate results, stating that the name, address or personal information of the person to whom legal mandate documents must be delivered is incorrect or this person has moved to a new address which is unidentified or this person is absent from his/her address and the time of his/her return is unknown, the court shall continue the legal mandate for the second time if it can identify the accurate address, name and personal information of the overseas involved party.

In case the performance of legal mandate by a foreign authority yields no result despite the fact that the court has taken every measure but still cannot



identify the address, name and personal information of the overseas involved party, the court shall continue settling the case under the Civil Procedure Code.

b/ In case a court is notified by a foreign authority of legal mandate results, stating that the person to whom legal mandate documents must be delivered has received these documents or that this person refuses to receive these documents and rejects the legal mandate request, the court shall settle the case according to general procedures.

c/ In case the legal mandate cannot be performed in a civil case as there is no treaty between Vietnam and the concerned country or the principle of reciprocity is not applied, the court that has accepted the case shall carry out procedures for posting up the legal mandate dossier at its office or the commune-level People's Committee of the locality in which the mandatory resides or last resides (if any) for 6 months and publish it on a central daily for 3 consecutive issues and broadcast on a central radio or television (the channel for foreigners) for 3 times in 3 consecutive days. Past this time limit, if there is still no information about the overseas involved party, the court shall continue settling the civil case according to general procedures.

3. Handling of legal mandate results in case of delivery of first-instance court judgments or rulings:

In case a court makes a legal mandate for delivery of a first-instance court judgment or ruling to an overseas involved party and within 3 months after the delivery of this judgment or ruling to this party or within 6 months after this judgment or ruling is posted up at an overseas Vietnamese representative office or after the sending of the legal mandate dossier to a foreign authority for performance of legal mandate, it receives no appeal of the overseas involved party, and within the time limit for filing an appeal or a protest, no other party files an appeal or procuracies make no protest, the first-instance court judgment or ruling will become legally effective and the court shall no longer make the legal mandate.

4. Handling of legal mandate results in cases no notice of legal mandate results is received

Six months after the Ministry of Justice sends for the second time a valid legal mandate dossier to a foreign authority or the Ministry of Foreign Affairs, if it receives no notice of the legal mandate results, the court requesting the legal mandate shall base itself on collected documents and evidences to settle the case under law without having to further request legal mandate.

5. Handling of legal mandate results in cases a notice of results of legal mandate is received

In case a notice of legal mandate results is received, a court shall base itself on documents and evidences to settle the case if considering these documents and evidences are correct and sufficient according to requirements. In case these documents and evidences are incorrect or insufficient according to requirements, the court shall continue making legal mandate according to general procedures.

### **Chapter III**

#### **PERFORMANCE OF LEGAL MANDATE FOR OVERSEAS VIETNAMESE CITIZENS BY OVERSEAS VIETNAMESE REPRESENTATIVE MISSIONS**

##### **Article 16. Performance of requested legal assistance by overseas Vietnamese representative offices**

Requests for legal assistance, covering delivery of papers, dossiers and documents, taking of testimonies, summoning of witnesses and expert witnesses, provision or collection of evidences and other cases of legal assistance under Vietnamese laws for overseas involved parties, shall be performed by overseas Vietnamese representative missions according to the procedures specified in Article 17 of this Joint Circular, the Civil Procedure Code, other provisions of Vietnamese laws and treaties to which Vietnam is a contracting party, and laws of host countries.

##### **Article 17. Delivery of legal mandate documents to overseas Vietnamese citizens through overseas Vietnamese representative missions**

1. In case a person to whom legal mandate documents must be delivered has received these documents or is absent from his/her address but has a relative with the full civil act capacity to receive these documents on his/her behalf and pledge to hand over these documents to him/ her in person, an overseas Vietnamese representative mission shall make a written record of delivery. In case the person to whom legal mandate documents must be delivered has moved to a new address other than that stated in legal mandate requests, the overseas Vietnamese representative mission shall deliver these documents to the new address.
2. In case the name, address or personal information of a person to whom legal mandate documents must be delivered is incorrect or this person has moved to a new address which is unidentified or is absent from his/her address for an unknown period, an overseas Vietnamese representative mission shall make a written record of failure to deliver documents, clearly stating the reason.
3. In case a person to whom legal mandate documents must be delivered refuses to receive legal mandate documents, the deliverer shall make a

written record of refusal, clearly stating the reason for refusal and bearing signatures of this person and the deliverer. In case this person refuses to sign the written record, the signature of a witness to the refusal is required.

4. In case all necessary measures have been applied but legal mandate documents still cannot be delivered, an overseas Vietnamese representative mission shall post up these documents at its office. Within 30 days after these documents are posted up, if a person to whom legal mandate documents must be delivered still does not show up to receive these documents, the overseas Vietnamese representative mission shall make a written record of completion of procedures for posting up these documents and its results.

#### **Chapter IV**

### **PERFORMANCE OF LEGAL MANDATE IN FOREIGN CIVIL CASES AND MATTERS**

#### **Article 18. Jurisdiction for performing foreign legal mandate**

1. Provincial-level people's courts have the jurisdiction for performing legal mandate requested by foreign authorities, unless otherwise provided by law.

2. Territory-based jurisdiction of courts for performing legal mandate is determined as follows:

a/ Courts with the jurisdiction for performing legal mandate are courts of localities in which persons to whom legal mandate documents must be delivered reside or agencies or organizations to which legal mandate documents must be delivered are headquartered;

b/ Courts of localities in which persons summoned to act as witnesses or expert witnesses reside or work;

c/ Courts of localities in which evidences are collected or provided;

d/ Courts with the jurisdiction for performing other requests for legal assistance in the civil domain are those with the jurisdiction defined by Vietnamese laws.

#### **Article 19. Dossiers of legal mandate in foreign civil cases and matters**

Dossiers of legal mandate in the civil domain of foreign authorities are considered valid when containing all the documents under Articles 11 and 12 of the Law of Legal Assistance and Articles 10 and 11 of this Joint Circular, unless otherwise provided by treaties to which Vietnam is a contracting party.

#### **Article 20. Receipt and checking of validity of dossiers of legal mandate in foreign civil cases and matters**

1. The Ministry of Justice shall receive dossiers of legal mandate in the civil domain sent by authorities of foreign countries under treaties on legal assistance in the civil domain to which Vietnam and these countries are contracting parties or according to agreements on or precedents in application of the principle of reciprocity.

2. In case there is no treaty on legal assistance in the civil domain between Vietnam and a foreign country concerned or there exists no agreement on or precedent in application of the principle of reciprocity, the procedures for receiving and checking validity of a legal mandate dossier comply with Clause 2, Article 4 of this Joint Circular.

3. Within 10 working days after receiving a legal mandate dossier, the Ministry of Justice shall record it in a civil legal mandate dossier register (the section for inward mandate), examine and check the validity of the dossier, and make any of the following decisions:

a/ To transfer the dossier to a court with the jurisdiction specified in Article 18 of this Joint Circular or a competent state agency for performance under Article 23 of this Joint Circular in case the dossier is valid.

b/ To return the dossier to the foreign authority that has sent the dossier or through the Ministry of Foreign Affairs if there is no treaty on legal assistance in the civil domain between Vietnam and the country concerned, clearly stating the reason for return, in case the dossier is invalid.

#### **Article 21. Order and procedures for handling legal mandate in foreign civil cases and matters**

1. Within 7 working days after receiving a legal mandate dossier, a court shall record it in a civil legal mandate dossier register (the section for inward mandate), and examine and check the validity of the dossier, and make one of the following decisions:

a/ To accept the dossier of performance of legal mandate if the case falls within its jurisdiction;

b/ To return the dossier to the Ministry of Justice if the case falls beyond its jurisdiction.

2. A court shall apply every necessary measure provided by law to perform legal mandate and notify the Ministry of Justice of legal mandate results within 3 months after the dossier acceptance.

#### **Article 22. Notification of legal mandate results in foreign civil cases and matters**

1. Within 5 working days after legal mandate results are obtained or in the case specified in Clause 3, Article 15 of the Law on Legal Assistance, a court shall send to the Ministry of Justice three copies of a written notice of

legal mandate results signed by its president or vice president authorized by the president.

2. The Ministry of Justice shall transfer legal mandate results to authorities of requesting countries under treaties or to the Ministry of Foreign Affairs for cases in which legal mandate dossiers are sent through these authorities, within the time limit specified in Clause 2, Article 15 of the Law on Legal Assistance.

3. Within 5 working day, the Ministry of Foreign Affairs shall send results to Vietnam-based foreign representative missions that have requested legal mandate or to overseas Vietnamese representative missions that have sent requests for performance of legal mandate.

## **Chapter V**

### **IMPLEMENTATION PROVISIONS**

#### **Article 23. Performance of requested legal assistance by other competent state agencies**

Other competent Vietnamese state agencies, when receiving legal assistance requests or performing legal mandate for foreign authorities, shall comply with the legal assistance order and procedures like courts as provided in this Joint Circular.

#### **Article 24. Updating and notification of the list of effective treaties and international agreements on civil legal assistance between Vietnam and foreign countries**

Annually, the Ministry of Justice shall update the list of effective treaties and international agreements on civil legal assistance between Vietnam and foreign countries, and send it to the Ministry of Foreign Affairs and the Supreme People's Court.

#### **Article 25. Updating and notification of names of nations and territories that have reached agreements on or share precedents in application of the principle of reciprocity with Vietnam in legal assistance in the civil domain**

Annually, the Ministry of Foreign Affairs shall update the list of nations and territories that have reached agreements on or share precedents in application of the principle of reciprocity with Vietnam in legal assistance in the civil domain, and send it to the Ministry of Justice and Supreme People's Court.

#### **Article 26. Responsibility to notify legal mandate results**

1. The Ministry of Justice and the Ministry of Foreign Affairs shall, within the ambit of their powers, inspect, urge and notify results of making

requests for foreign legal assistance in the civil domain and performance of foreign requests for legal mandate within the time limit specified by law.

2. Courts and other competent agencies shall, within the ambit of their powers, perform legal mandate requested by foreign authorities and notify legal mandate results within the time limit specified by law.

**Article 27. Assessment, preliminary review and review of legal mandate in the civil domain**

The Ministry of Justice shall assume the prime responsibility for, and coordinate with the Ministry of Foreign Affairs and the Supreme People's Court in organizing annual meetings to assess the legal mandate in the civil domain, inform treaties on legal assistance and agreements on application of the principle of reciprocity between Vietnam and foreign countries and foreign laws on this domain, and performance of legal mandate in Vietnamese civil cases and matters by foreign countries and overseas Vietnamese representative missions.

**Article 28. Effect**

1. This Joint Circular takes effect on December 1, 2011.
2. This Joint Circular does not apply to the making of protests according to cassation or reopening procedures against legally effective court judgments or rulings on civil cases and matters already settled under law, unless there exist other grounds.
3. For civil cases and matters accepted for settlement by courts before the effective date of this Joint Circular which are adjudicated according to first-instance, appellate, cassation or reopening procedures after the effective date of this Joint Circular, this Joint Circular applies to the settlement thereof.

**Article 29. Organization of implementation**

Any problems arising in the course of implementation of this Joint Circular should be reported by provincial-level people's courts or other competent state agencies to the Ministry of Justice, the Ministry of Foreign Affairs and the Supreme People's Court for prompt settlement.-

FOR THE MINISTER OF JUSTICE  
DEPUTY MINISTER  
Hoang The Lien

FOR THE MINISTER OF FOREIGN AFFAIRS  
DEPUTY MINISTER  
Nguyen Thanh Son



FOR THE PRESIDENT OF THE SUPREME PEOPLE'S COURT  
VICE PRESIDENT  
Tran Van Tu

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