

## **AMENDMENT OF INVESTMENT CERTIFICATE**

### **REQUIREMENTS**

#### For all types of amendments

1. Registration / Request for amendment of Investment Certificate.
2. Authenticated copy of Investment Certificate.
3. Amended charter of the company having all signatures of the legal representative and of members or their authorized representatives for limited liability companies with two or more members; of founding shareholders or their authorized representatives, for shareholding companies; of owner for one-member limited liability companies.
4. Amended Joint Venture Contract for joint venture companies or Business Cooperation Contract for investment projects implemented in form of Business Cooperation Contract.
5. Report on operation of company and project until time of request for amendment of Investment Certificate.
6. Passport/ID Card of the person submitting the application file (presenting the original).
7. Letter of introduction of the company to the person submitting the application file if the legal representative of the company does not submit the application file directly.

#### For change of company's business lines / head office address / name.

8. Written decision and a copy of meeting minutes of Members`Council in case of companies with two or more members; of General Meeting of Shareholders in case of shareholding company; of Owner in case of one-member limited liability companies on change of company's business lines / head office address / name.

#### For change of company's legal representative

9. Written decision and a copy of meeting minutes of Members`Council in case of companies with two or more members; of General Meeting of Shareholders in case of shareholding company; of Owner in case of one-member limited liability companies on change of the legal representative.
10. Authenticated copy of the passport or ID card of the new legal representative.

#### For change of company's charter capital

11. Written decision and a copy of meeting minutes of Members`Council in case of companies with two or more members; of General Meeting of Shareholders in case of shareholding company; of Owner in case of one-member limited liability companies on change of company`s charter capital.
12. In case of charter capital reduction, the companies shall make commitment to ensure the payment of all debts and other asset liabilities after the capital reduction, and attach the latest financial statement available following the time of making decision to reduce its charter capital.

For change of founding shareholders of shareholding companies

13. Written decision and a copy of meeting minutes of General Meeting of Shareholders on change of founding shareholders.
14. List of founding shareholders after being changed and documents showing legal status of new investors:
  - for individual investors:
15. Authenticated copy of passport or ID card.
  - for corporate investors:
16. Authenticated copy of certificate of incorporation, certificate of business registration, certificate of enterprise registration or equivalent documents.
17. Authorization document issued by the investor for the authorized representative in the company.
18. Authenticated copy of the passport or ID card of the authorized representative.

For change of members of limited liability companies with two or more members

11. Written decision and a copy of meeting minutes of Members`Council on change of members.
12. List of members after being changed and documents showing legal status of new investors:
  - for individual investors:
13. Authenticated copy of passport or ID card
  - for corporate investors:
14. Authenticated copy of certificate of incorporation, certificate of business registration, certificate of enterprise registration or equivalent documents.
15. Authorization document issued by the investor for the authorized representative in the company.
16. Authenticated copy of the passport or ID card of the authorized representative.

- for change of members due to transfer of capital contribution

17. Transfer contract and documents on fulfillment of the transfer with certification of the company.

- for change of members due to admission of a new member

18. Written decision and a copy of meeting minutes of Members`Council on admission of a new member.

19. Written certification of the capital contribution of the new member to the company.

For amendment of capital of investment projects which, upon amendment, have an invested capital of three hundred (300) billion VND or more

20. Explanatory statement (clearly mentioning changes in comparison with currently implemented project) and reasons for changes.

Number of sets of an application file:

- For investment project having investment capital of less than three hundred (300) billion VND: 01 original set.

- For investment project having investment capital of three hundred (300) billion VND or more: 08 sets, including at least 01 original set.

Notes:

a. All foreign documents must be consularly legalized and translated into Vietnamese.

b. Copy of certificate of incorporation, certificate of business registration or equivalent document of corporate investors must be the copy that has been consularly legalized within 03 months prior to the date of submitting application file.

c. Foreign passports can be authenticated by any district level people`s committee with no need for consular legalization.

d. Amendments relating to objectives, scale, location, form, capital and duration of implementation of investment project must get prior approval of Investment Certificate issuing authority.

e. Amendments of Investment Certificate relating to business registration contents must be carried out within 10 working days as from the date that company decided to change.