

Vietnam Law On Competition

Mark Furse

The Application of Competition Law to Vietnam's State Monopolies Tran Thang

Long, 2013 Unlike other countries, monopolistic entities in Vietnam - mostly state firms - were established by administrative decisions. They are criticised for having detrimental effects on competition and undermining a healthy environment for doing business. This book explores that the application of competition rules to state monopolies is problematic. This is reflected in the poor enforcement of competition law and the limited intervention of the competition authority in cases involving state monopolies. This book concludes that state monopolies exist as an inevitable trend to support the political determination of Vietnam's Communist Party. This, however, facilitates the ability of state monopolies to engage in monopolistic behaviour and creates obstacles for the application of competition law in Vietnam. This book suggests that Vietnam's competition authorities should be reformed to become more independent and accountable. There should be a number of modifications with regard to current anti-monopoly provisions. Finally, consideration of 'non law-matter' issues will be another factor contributing to the effective application of competition law to state monopolies.

Antitrust Law in China, Korea and Vietnam Mark Furse, 2009-06-18 This book is the first in English to cover the practical implications of the recent developments in antitrust (competition) law in China, Taiwan, Hong Kong, Korea and Vietnam. It is invaluable to lawyers and advisers with clients operating in these regimes.

Promoting Competition Policy & Law in Vietnam Consumer Unity & Trust Society (CUTS) International. Centre for Competition, Investment & Economic Regulation, Consumer Unity & Trust Society (Jaipur, India), CUTS Centre for Competition, Investment & Economic Regulation (Jaipur, India), Central Institute for Economic Management (CIEM) (Ha Noi)., Viện nghiên cứu quản lý kinh tế trung ương (Vietnam), 2006

Corporate Acquisitions and Mergers in Vietnam Tony Foster, 2017-03-29 Derived from Kluwer's multi-volume Corporate Acquisitions and Mergers, the largest and most detailed database of M&A know-how available anywhere in the world, this work by the managing partner of the leading international law firm Freshfields Bruckhaus Deringer – Hanoi and Ho Chi Minh City offices, provides a concise, practical analysis of current law and practice relating to mergers and acquisitions of public and private companies in Vietnam. The book offers a clear explanation of each step in the acquisition process from the perspectives of both the purchaser and the seller. Key areas covered include: structuring the transaction; due diligence; contractual protection; consideration; and the impact of applicable company, competition, tax, intellectual property, environmental and data protection law on the acquisition process. Corporate Acquisitions and Mergers is an invaluable guide for both legal practitioners and business executives seeking a comprehensive yet practical analysis of mergers and acquisitions in Vietnam. Equivalent analyses of M&A law and practice in some 50 other jurisdictions, all contributed by leading law firms, are accessible on-line at www.kluwerlawonline.com. under Corporate Acquisitions and Mergers.

Corporate Acquisitions and Mergers in Vietnam Tony Foster, Bui Thanh Tien, 2019-05-23 Derived from Kluwer's multi-volume Corporate Acquisitions and Mergers, the largest and most detailed database of M&A know-how available anywhere in the world, this work by a highly experienced partner in the leading international law firm Freshfields Bruckhaus Deringer provides a concise, practical analysis of current law and practice relating to mergers and acquisitions of public and private companies in Vietnam. The book offers a clear explanation of each step in the acquisition process from the perspectives of both the purchaser and the seller. Key areas covered include: structuring the transaction; due diligence; contractual protection; consideration; and the impact of applicable company, competition, tax, intellectual property, environmental and data protection law on the acquisition process. Corporate Acquisitions and Mergers is an invaluable guide for both legal practitioners and business executives seeking a comprehensive yet practical analysis of mergers and acquisitions in Vietnam. Equivalent analyses of M&A law and practice in some 50 other jurisdictions, all contributed by leading law firms, are accessible on-line at www.kluwerlawonline.com under

Corporate Acquisitions and Mergers.

Competition Law, Technology Transfer and the TRIPS Agreement Tu Thanh

Nguyen,2010-01-01 The book deals with a difficult subject with an assured touch and will be a valuable text for postgraduate students, policy-makers and practitioners. European Intellectual Property Review This is the first ever book that addresses the important issue of the competition law, intellectual property and trade interface in a developing world context. The book's unique contribution is a set of comparative case studies on this complex interface. D. Daniel Sokol, University of Florida Levin College of Law, US The book investigates competition law and international technology transfer in the light of the TRIPS Agreement and the experience of both developed and developing countries. On that basis, it draws relevant implications for developing countries. Tu Thanh Nguyen argues that technology transfer-related competition law should be globalized appropriately for the needs of local contexts, while intellectual property rights (IPR) are globalized. The book reveals that developing countries, according to the TRIPS Agreement, have the right to use domestic competition law to promote access to technology in order to protect national interests and consumer welfare. However, competition law is antitrust. It is neither anti-IPR nor anti-trade. The author finds that developing countries with limited competition law resources should set realistic priorities for the control of technology transfer-related anti-competitive practices. They can reasonably apply and adapt relevant regulations, decisions and judgments from developed country jurisdictions to their own circumstances. Competition Law, Technology Transfer and the TRIPS Agreement is a timely resource for postgraduate students, practitioners, and scholars in international competition law, IPR, and technology transfer. Policymakers in the field of technology transfer-related competition law/policy, especially in developing countries, will also find this book invaluable.

Laws on Corporate Social Responsibility and the Developmental Trend in Vietnam Nguyen Binh An,Phan Thong Anh,2023-01-20 This book examines the law and its development trends in the area of corporate social responsibility (CSR) in Vietnam. It is an important reference in implementing the requirements of CPTPP and EVFTA in Vietnam, and it is also very important in improving the legal framework in Vietnam to comply with international standards, especially in the areas of labor, environment and consumer protection, and in raising awareness of CSR among Vietnamese companies. Many articles in this book analyze and assess the legal status of CSR, thus providing a number of constructive suggestions for improving the relevant laws in Vietnam. Corporate social responsibility is not only the contribution of corporate philanthropy to society, but also the compliance of companies with international standards and national laws in the fields of labor, environment, investment, labor security, social security, etc. Against the backdrop of Vietnam's growing international integration, the requirement of corporate social responsibility has been, and continues to be, paramount in business activities. It is not only a need at the enterprise level, but is also related to the internationalization of international standards and the improvement of national laws on CSR.

Regional Responses to U. S. -China Competition in the Indo-Pacific Derek

Grossman,2021-01-15 This report explores Vietnam's perspective on rising U.S.-China competition by evaluating how Vietnam is responding to U.S. and Chinese influence in diplomatic and political, economic, and security and military domains.

Vietnam Economic Times ,2002

Asian Capitalism and the Regulation of Competition Michael W. Dowdle,John Gillespie,Imelda Maher,2013-04-18 Asian Capitalism and the Regulation of Competition explores the implications of Asian forms of capitalism and their regulation of competition for the emerging global competition law regime. Expert contributors from a variety of backgrounds explore the topic through the lenses of formal law, soft law and transnational regulation, and make extensive comparisons with Euro-American and global models. Case studies include Japan, China and Vietnam, and thematic studies include examinations of competition law's relationship with other regulatory terrains such as public law, market culture, regulatory geography and transnational production networks.

Competition Law, Regulation and SMEs in the Asia-Pacific Michael T Schaper, 2017-03-09 Small and medium-sized enterprises (SMEs) account for more than 90 per cent of all businesses in the Asia-Pacific region - an area which is rapidly updating its competition laws and regulations to encourage greater entrepreneurship and open, dynamic economies. Yet SMEs are almost invisible when those competition policies and laws are developed and enforced. SMEs are often quite different businesses than large, multinational corporations, but their nature, significance and characteristics are often overlooked. This book seeks to rectify the relative neglect in research and policy discussions on the role of the SME sector in competition policy and law. Drawing on contributions from a wide range of competition regulators, lawyers, academics, consultants and advisers to the SME sector, it addresses such important issues as: perceptions and views of small businesses about competition law; regulator engagement and education of the SME sector; the link between competition law and economic growth; franchising, SMEs and competition law; issues in enforcing competition law against SMEs; the role of Chinese family firms; trade, professional and industry associations; country case studies from Vietnam, Singapore, Indonesia, Malaysia, China, South Korea, Hong Kong SAR, Japan and the Pacific Islands.

The Political Economy of Competition Law in Asia Mark Williams, 2013-01-01 'This is a very timely book which provides an unprecedented analysis of the factors which have shaped the competition law systems of ten Asian countries and Australia. The comprehensive discussion from varying viewpoints against the backdrop of the significantly different environments within which the respective regimes have developed creates a framework for the comparative assessment of competition law systems elsewhere in the world.' Lutz-Christian Wolff, The Chinese University of Hong Kong 'New competition laws have been adopted throughout Asia in recent years, and some of the older laws have been significantly strengthened. This makes Asia a fascinating region in which to look at the political and economic circumstances of the countries in which such laws are to be found, and to consider the very different conditions that exist within them. This book will be an invaluable guide to anyone with an interest in the developing competition law regimes of this immensely important part of the world.' Richard Whish, King's College London, UK This detailed book describes and analyses the essential political economy features that provide the backdrop to the competition policies and competition law regimes of several of the most important Asian economies. The book also discusses the impact of these political economy influences in determining whether the adopted competition policy is effective. Each of the authors experts in their respective countries offer specific insights into the nature and structure of their competition regimes and discuss to what extent the varied political economy factors unique to that country help to determine whether and to what extent the established system promotes or hinders economic competition in that jurisdiction. Comprising wide coverage of Asian jurisdictions, including Australia, this book will strongly appeal to students and academics of law, politics, economics and economic development, policy makers in national governments, international agencies and competition authorities, as well as practicing competition lawyers and in-house counsel.

Competition Law, Technology Transfer and the TRIPS Agreement Dr. Tú Thanh Nguyễn, 2010 'This is the first ever book that addresses the important issue of the competition law, intellectual property and trade interface in a developing world context. The book's unique contribution is a set of comparative case studies on this complex interface.' ---D. Daniel Sokol, University of Florida Levin College of Law, USA The book investigates competition law and international technology transfer in the light of the TRIPS Agreement and the experience of both developed and developing countries. On that basis, it draws relevant implications for developing countries. Tu Thanh Nguyen argues that technology transfer-related competition law should be 'glocalized' appropriately for the needs of local contexts, while intellectual property rights (IPRs) are globalized. The book reveals that developing countries, according to the TRIPS Agreement, have the right to use domestic competition law to promote access to technology in order to protect national interests and consumer welfare. However, competition law is antitrust. It is neither anti-IPR nor anti-trade. The author finds that developing countries with limited competition law resources should set realistic priorities for the

control of technology transfer-related anti-competitive practices. They can reasonably apply and adapt relevant regulations, decisions and judgments from developed country jurisdictions to their own circumstances. Competition Law, Technology Transfer and the TRIPS Agreement is a timely resource for postgraduate students, practitioners, and scholars in international competition law, IPR, and technology transfer. Policymakers in the field of technology transfer-related competition law/policy, especially in developing countries, will also find this book invaluable.

Intellectual Property in Asia Paul Goldstein, Joseph Straus, 2009-01-07 Introduction Intellectual property rights foster innovation. But if, as it surely does, “intellectual property” means not just intellectual property rules—the law of patents, copyrights, trademarks, designs, trade secrets, and unfair competition—but also intellectual property institutions—the courts, police, regulatory agencies, and collecting societies that administer these rules—what are the respective roles of intellectual property rules and institutions in fostering creativity? And, to what extent do forces outside intellectual property rules and institutions—economics, culture, politics, history—also contribute to innovation? Is it possible that these other factors so overwhelm the impact of intellectual property regimes that it is futile to expect adjustments in intellectual property rules and institutions to alter patterns of innovation and, ultimately, economic development? It was to address these questions in the most dynamic region of the world today, Asia, that we invited leading country experts to contribute studies that not only summarize the current condition of intellectual property regimes in countries ranging in economic size from Cambodia to Japan, and in population from Laos to China, but that also describe the historical sources of these laws and institutions; the realities of intellectual property enforcement in the marketplace; and the political, economic, educational, and scientific infrastructures that sustain and direct investment in innovative activity. A.

Environmental Integration in Competition and Free-movement Laws Julian Nowag, 2016 Focusing on competition, state aid, and free movement law, this book develops a conceptual framework for understanding the integration of environmental concerns in those legal domains and compares the different legal tests that have emerged for delimiting and weighing environmental considerations against other public goals.

Confucian Culture and Competition Law in East Asia Jingyuan Ma, Mel Marquis, 2022-09-08 Shows how cultural factors have influenced the development of competition law in China, Japan and Korea.

A Framework for the Design and Implementation of Competition Law and Policy R. S. Khemani, 1999 A dynamic and competitive environment, underpinned by competition law policy, is an essential characteristic of successful market economies. To satisfy the growing demand for information on current approaches and practices in competition law policy, the project Framework for the Design and Implementation of Competition Law-Policy was initiated by the World Bank, with participation by OECD. This ensuing volume reflects the main issues that arise in design and implementation of competition law and policy in order to assist countries in developing an approach that suits their own needs and conditions. The views articulated in this publication suggest that the administration and enforcement of competition law policy should assign the greatest importance to fostering economic efficiency and consumer welfare.

The Regionalisation of Competition Law and Policy within the ASEAN Economic Community Burton Ong, 2018-02-28 This edited volume of essays examines a wide range of issues related to the regionalisation of competition policy in South East Asia, where the ten member states of ASEAN have launched the ASEAN Economic Community (AEC). Written by a diverse group of academics, practitioners and policy-makers, this book explores issues such as the role of competition policy in facilitating the market-integration ambitions of the ASEAN member states, the challenges arising from divergences in the national competition law regimes of the ASEAN member states, and the absence of a supranational legal framework and the future of competition policy in light of the AEC Blueprint 2025. Given the nexus between regional competition policy and regional market integration, this book will be of particular interest to lawyers, economists and policy-makers working in the fields of competition law and regional trade law.

Davis,2022-05-05 The food industry is a notoriously complex economic sector that has not received the attention it deserves within legal scholarship. Production and distribution of food is complex because of its polycentric character (as it operates at the intersection of different public policies) and its dynamic evolution and transformation in the last few decades (from technological and governance perspectives). This volume introduces the global value chain approach as a useful way to analyse competition law and applies it to the operations of food chains and the challenges of their regulation. Together, the chapters not only provide a comprehensive mapping of a vast comparative field, but also shed light on the intricacies of the various policies and legal fields in operation. The book offers a conceptual and theoretical framework for competition authorities, companies and academics, and fills a massive gap in the competition policy literature dealing with global value chains and food.

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