



# INTRODUCTION INTO VIETNAMESE LEGAL SYSTEM & EDUCATION

*Bao Trung, Duong*  
*Baker & McKenzie Vietnam*

# Content

## *A. Vietnamese Legal System*

*1) The Apparatus of the State*

*2) The Hierarchy of the Laws*

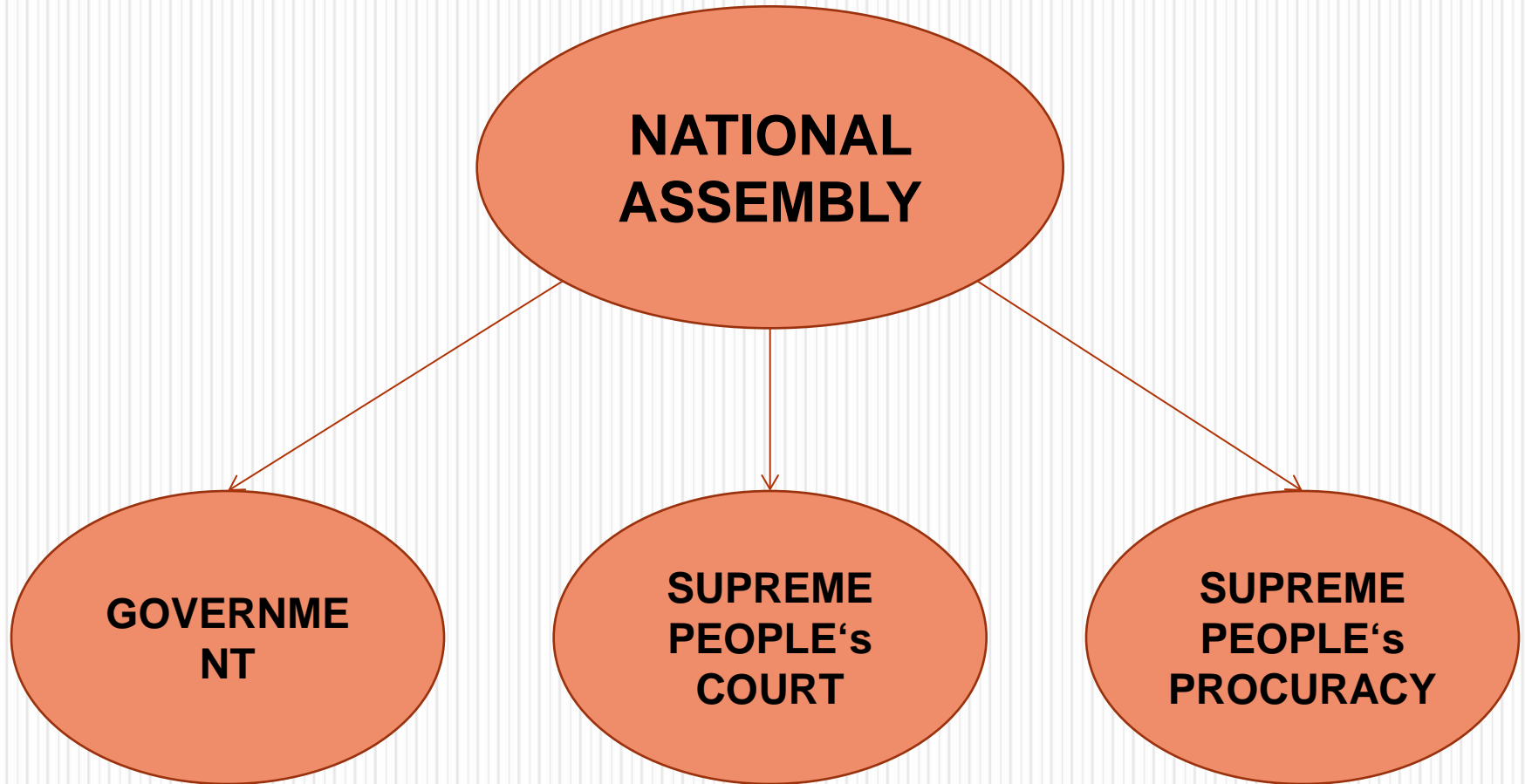
*3) How a typical Act is made*

## *B. Legal Education in Vietnam*

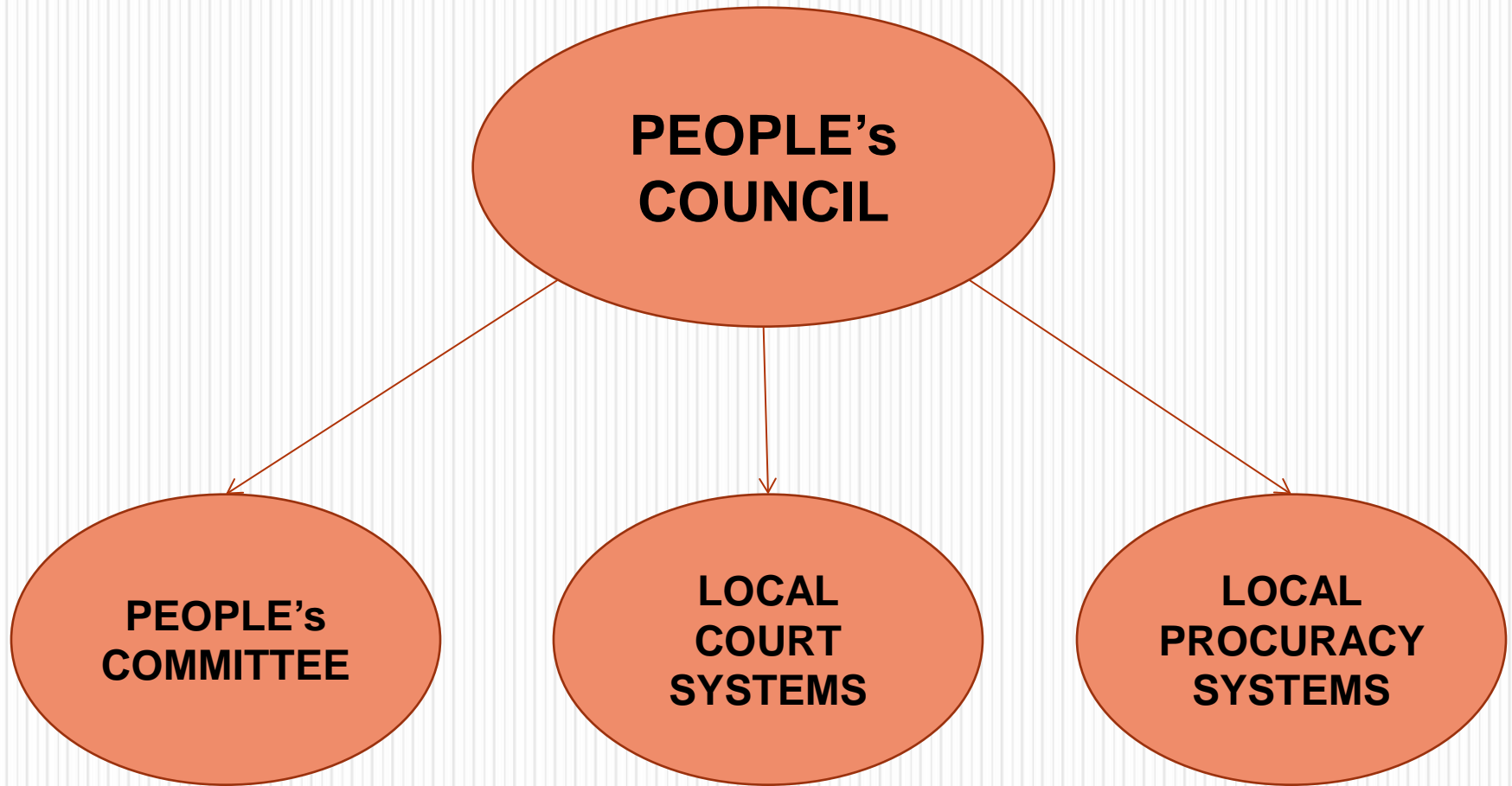
# A) Vietnamese Legal System

## **1) The Apparatus of the State**

## *1.1. The Apparatus at Central Level*



## *1.2. The Apparatus at Local Levels*



## 2) The Hierarchy of the Laws

As a typical code-based country, Vietnamese legal system is primarily established by codes, laws and other legal documents

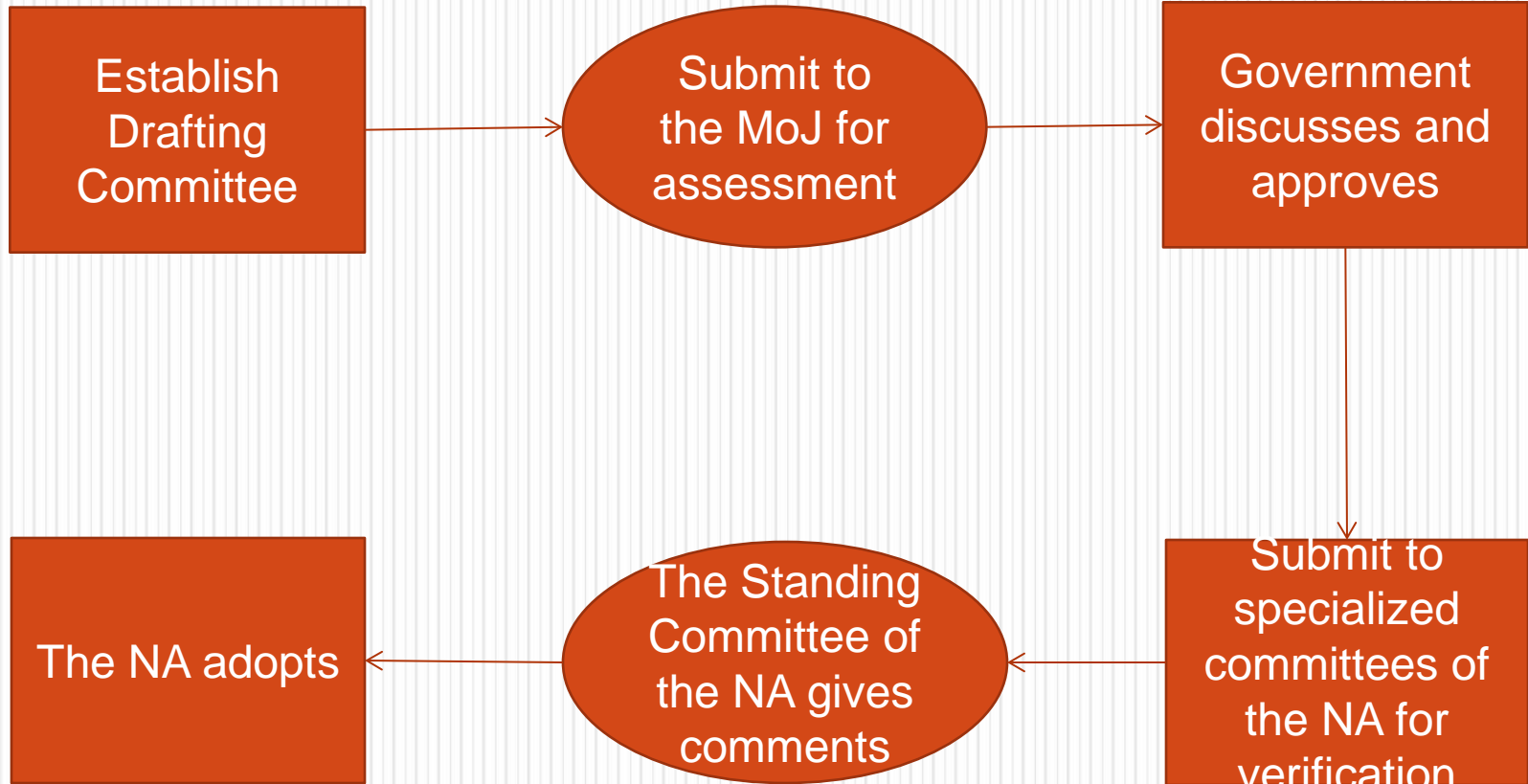
1. Constitution, acts and resolutions of the National Assembly.
2. Ordinances and resolutions of the Standing Committee of the National Assembly.
3. Orders and decisions of the State President.
4. Decrees of the Government.
5. Decisions of the Prime Minister.
6. Resolutions of the Judge Council of the Supreme Peoples Court and circulars of the Chief Judge of the Supreme People's Court.
7. Circulars of the President of the Supreme People's Procuracy.



8. Circulars of Ministers or Heads of Ministry-equivalent Agencies.
9. Decisions of the State Auditor General.
10. Joint resolutions of the Standing Committee of the National Assembly or the Government and the central offices of socio-political organizations.
11. Joint circulars of the Chief Judge of the Supreme People's Court and the President of the Supreme Peoples' Procuracy; those of Ministers or Heads of Ministry-equivalent Agencies and the Chief Judge of the Supreme People's Court, the President of the Supreme Peoples' Procuracy; those of Ministers or Heads of Ministry-equivalent Agencies.
12. Legal documents of Peoples Councils and Peoples Committees.

# 3) How a Typical Act is made

# COMMON PROCESS



# ĐẢNG CỘNG SẢN VIỆT NAM QUANG VINH MUÔN NĂM



"ĐẢNG LÀ MỘT ĐẢNG  
CÁNH CỬA, MỘT ĐẢNG  
TRUYỀN VÀ CÁN BỘ PHẢI  
THAY ĐỔI THẦN BIỂU  
ĐẠO ĐỨC CÁCH MẠNG,  
PHẢI ĐÓNG KÈM LÊN  
CHUYỀN, CHỈ CÔNG VÀ TỬ  
PHẢI CHỈ ĐÓN HẸNG TÀI  
TÀI THƯỜNG SÁCH PHẢI  
SANG TRƯỞNG VÀ NGƯỜI  
CÁNH CỬA VÀ NGƯỜI  
CÁN BỘ PHẢI ĐÓNG  
TRUYỀN VÀ CÁN BỘ PHẢI  
ĐÓNG KÈM LÊN."



"ĐẢNG CỘNG SẢN VIỆT NAM,  
CÁNH CỬA TRUYỀN BẮC  
KỶ SỰ NGHIỆP CÁCH MẠNG  
CỦA ĐẢNG CỘNG SẢN VIỆT NAM,  
CÁNH CỬA TRUYỀN BẮC  
KỶ SỰ NGHIỆP CÁCH MẠNG  
CỦA ĐẢNG CỘNG SẢN VIỆT NAM."



## QUỐC HỘI KHÓA XI KỶ HỌP THỨ NĂM



## B) Legal Education in Vietnam

## ❖ **LL.B. Decree:**

- Study at Law Schools or Faculties of Law in a 4-year course
- Being taught numerous law subjects
- Moot Courts
- Exam: oral, written

## ❖ **Practicing License:**

# LAWYER

- Who is lawyer?
- Steps to become a lawyer:

Obtain a law  
bachelor  
degree



Participating in  
a lawyer-  
training course  
at a lawyer-  
training  
establishment  
for 12 months  
and acquire a  
graduation  
certificate



Taking a  
probation at  
law-practicing  
organizations  
for 12 months;  
Take a Bar  
Exam



Joining a bar  
associations

# JUDGE

- Who is judge?
- Steps to become a judge:

Having a  
law-  
bachelor  
degree

```
graph LR; A[Having a law-bachelor degree] --> B[Having been trained in adjudicating operations]; B --> C[Having been engaged in practical work];
```

Having  
been  
trained in  
adjudicating  
operations

Having  
been  
engaged  
in  
practical  
work



# PROCURATOR

- Who is Procurator?
- Steps to become a procurator :

Having a  
law-  
bachelor  
degree

```
graph LR; A[Having a law-bachelor degree] --> B[Having been trained in adjudicating operations]; B --> C[Having been engaged in practical work];
```

Having  
been  
trained in  
adjudicating  
operations

Having  
been  
engaged  
in  
practical  
work

**THANK YOU FOR YOUR  
ATTENTION**