

tions.

- To have responsibility before laws, for the violations committed by auditors or auditing organizations when performing their auditing tasks and for the bad consequences stemming from the mistakes made by auditors or auditing organizations over audited objects.

ORGANIZATIONAL STRUCTURE OF THE STATE AUDITING SYSTEM

• The organizational machinery assisting the General State Auditor to perform his assignment consists of:

- Department for auditing State budget

- Department for auditing basic construction and Governmental programs, projects, loans and aids.

- Department for auditing State-owned enterprises

- Department for auditing special programs (those of national security, defense, reserves etc...)

- Bureau of State auditing

The above specialized organizations and the Bureau of State auditing have a position of departmental equivalence.

During its course of operations, in some key regions and areas, if the General State Auditor finds it necessary, he can discuss and reach agreement with the Minister-Head of the Department of Governmental Organization and Personnel to propose the P.M. to decide on the establishment of regional State auditing offices under the authority of the State Auditing System.

• The Head of the State Auditing System is the General State Auditor. The General State Auditor has some Deputy General State Auditors who help the General State Auditor with controlling each field of the State auditing works. The General auditor and Deputy General auditors are appointed and dismissed by the P.M.

The General Auditor bears responsibility before the P.M. for all State auditing activities. The Deputy General Auditors are responsible before the General Auditor for their assigned duties.

• The branch auditing organizations belonging to the State Auditing System will assist the General State Auditor in auditing the accounting data and documents as well as financial statements of objects within their own branches. Head of each branch auditing organization is the Auditing Chief (Department Director level).

Each auditing chief has some Deputy Auditors (Vice-Director level); the Auditing Chief and Deputy Auditors are appointed or dismissed by the General State Auditor ■

GUIDELINES FOR THE RENT OF LAND, SEA SURFACE

by LÊ VĂN CHẨN

On April 1, 1995 the Ministry of Finance issued document No 740-TC/TCT on guidelines for implementing Decision No 1417 TC/TCDN signed by Minister of Finance on Dec 31, 1994. The following are excerpts:

AS FOR PROJECTS LICENCED BEFORE JAN 1, 1995

As stipulated in Point 3, Article 11 of Decision No 1417-TC/TCDN by Minister of Finance on Dec 31, 1994, foreign invested enterprises (FIEs) licensed before Jan 1, 1995 have to pay rent of land, water, sea surface at the rate defined in the investment licence granted by SCCI. As for projects of which investment licence do not include clear definition of the rate of rent, investors have to pay rent stipulated in Point 3, Section III of Circular No 50-TC/TCDN by the Ministry of Finance.

In case due to business demand, FIEs leased ground surface, factory buildings, offices of Vietnamese enterprises, individuals (the area is beyond the techno-economic study and investment licence); the settlement is as follows:

- FIEs leasing ground surface, workshops, offices have to pay rent of land generated before Jan 1, 1995 to the State budget. The rate of rent is defined in Circular No 50-TC/TCDN by the Ministry of Finance.

- As of Jan 1, 1995 the collection of FIEs' land rent is carried out on the base of the land lease signed with the State land management agency in case of leasing land of the State as stipulated in Decision No 1417-TC/TCDN by Minister of Finance on Dec 31, 1995. In case of leasing land, house, workshop, office of FIEs entitled to trade in infrastructure or leasing house, office of Vietnamese organizations, individuals authorized to rent house (not to mention State land management agencies), FIEs need not pay rent to the State and only have to pay rent according to the lease signed with the lessors.

AS FOR PROJECTS LICENSED AFTER JAN 1, 1995

FIEs shall pay rent to the State at the rate defined in Decision No 1417-TC/TCDN by Minister of Finance (detailedly defined in the investment licence and the lease signed by the enterprise and the competent land management agency).

AS FOR LESSEES ENJOYING EXEMPTION, REDUCTION

As for lessees enjoying exemption, reduction stipulated in Point 2, Section I of Circular No 50-TC/TCDN dated July 3, 1995 and Article 7 of Decision No 1417-TC/TCDN by Minister of Finance on Dec 31, 1994, but not detailedly defined in the lease, tax departments of provinces and cities directly under the Central Government are mandated to inspect, determine the rent, the duration of exemption, reduction and keep the lessor informed. The provincial, municipal tax departments base on the techno-economic study, building contract and transferring minute of each part of the project so as to determine the rent and duration of exemption, reduction for each project ■