

NGUYEN HUNG QUANG

Managing Partner

CEDR Accredited Mediator

Vice President of VSIL

President of VICMC

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EDUCATION WORK POSITION

- MBA (*cum laude*), United Business Institute, Belgium (2006-2007)
- LLB, Ha Noi Law University (1991-1996)

AREA OF PRACTICE

- Direct & Indirect Investment
- Corporate Matter
- Merger & Acquisition, Insolvency
- Construction & Real Estate Business
- Infrastructure & Public Private Partnership
- Insurance
- Mineral & Energy
- HR Management & Employment
- Environment
- Insurance
- Internet & New Media
- Dispute resolution
- Policy Research & Advocacy
- Compliance Monitoring

- 2021-present: Vice President
Viet Nam Society of International Law (VSIL) for the term 2020-2025
- 2019-present: Founder, President
Vietnam International Center for Commercial Mediation (VICMC)
- 2013-present: Member of the Advisory Board
Transparency International in Viet Nam (Towards Transparency) (pro-bono)
- 2012-present: General Director
Viet-Pro Consultants Ltd.
- 2012-present: Member of the Governing Board
Center for Social Entrepreneurship Development (SPARK) (pro-bono)
- 2004-present: Founder, Managing Partner
NHQuang&Associates
- 1996-2004: Lawyer then Deputy Director
Leadco Legal Counsel

EXPERIENCE

Advising several domestic and foreign enterprises, state-owned corporations, and other organizations and individuals on diversified legal issues in different areas. Below are some typical consulting activities:

LANGUAGE

Vietnamese
English

MEMBERSHIP

- Vietnam Society of International Law (VSIL)
- Vietnam International Center for Commercial Mediation (VICMC)
- Viet Nam Business Lawyers Club (VBLC)
 - Ha Noi Bar Association
- The Law Association for Asia and the Pacific

ACADEMIC ACTIVITY

- Mediator Skills Training program of the Centre for Effective Dispute Resolution (CEDR), London, UK, 2018
- Wrongful conviction Program, New York University School of Law, USA, 2017
- Visiting scholar, Law School of Melbourne University, Australia, 2014
- Guest lecturer, British University of Viet Nam, 2014-2015
 - Guest lecturer, Ha Noi Law University for “Advanced Lawyering” course, Viet Nam, 2014

- Advising hundreds of Vietnamese and foreign investors in investment projects in Viet Nam in various areas such as construction, distribution, commercial business, hospitality, food, education, information technology, energy, etc. from the stage of negotiation, investment registration to post-establishment implementation
- Providing legal retainer services to several Vietnamese and foreign businesses operating in various areas. The advice covers all corporate matters, licensing, shareholder relationship, tax, accounting, corporate governance, labor, investment, transaction conclusion, dispute resolution, etc.
- Advising a number of Vietnamese and foreign enterprises in structuring their capital, allocating financial resources, registering guarantee, registering and structuring loans, etc.
- Advising M&A transactions by large domestic enterprises as well as multi-national and foreign corporations in Viet Nam from the very first step of transaction until completion
- Advising several transactions of large Vietnamese and foreign enterprises operating in the fields of oil and gas, mining, energy, etc.
- Drafting, advising and negotiating EPC, BOT, BT and other construction contracts for construction investment and infrastructure development companies, including large state-owned and private companies
- Advising a number of insurance companies in matters related to labor, economic transactions, contracts, non-life insurance business; engaging in resolving many disputes relative to insurance for clients at Courts and arbitrations, many of them are resolved through mediation
- Engaging in resolving disputes related to corporate governance, disputes among investors in domestic or foreign-invested companies, equitized state-owned companies, disputes between investors and state management agencies, disputes between state enterprises

- Visiting fellow, Business Law & Taxation Faculty, Monash University, Australia, 2008
- Summer fellow at Stanford Center on Democracy, Development and Rule of Law (CDDRL), USA, 2006
- Visiting scholar: Law School, University of Melbourne, Australia, 1999-2000
- Visiting scholar: Business and Law Faculty, Deakin University, Australia, 2000

INTERNATIONAL EXPERIENCE

- *How Trust Survives in Viet Nam*, presentation at international seminar “Asia-Pacific Trusts Law: Theory and Practice in Context”, University of Melbourne, Australia, 2019
- *Some Issues of Contract Law in Viet Nam*, presentation at the colloquium “Studies in the Contract Laws of Asia III”, National Taiwan University, Taiwan, 2016
- *Legal Profession Development and Law Reform in Viet Nam*, presentation at international seminar “Law and Development in China and Viet Nam”, National University of Singapore, Singapore, 2016

and foreign contractors, etc.

- Delivering legal training courses for in-house lawyers and legal staff of state-owned and private companies.

BUSINESS ENVIRONMENT- RELATED RESEARCH (selected)

- **Thematic Report on Assessment of Resolution 02/NQ-CP implementation from perspective of private sector to improve business environment and support post-Covid 19 recovery, USAID LinkSME, 2020.** Undertake the research on issues faced by enterprises, particularly in the post-Covid period to select key general issues or problems faced by key sectors; Draft the thematic report on “Assessment of Resolution 02/NQ-CP implementation from perspective of private sector to improve business environment and support post-Covid 19 recovery”
- **Thematic Report on Facilitation of Non-cash Payment to Support the Increase of DBI and Business Environment Improvement (USAID LinkSME), 2020.** Undertake the desk research on Vietnamese laws, practices related to non-cash payment policies in the field of administrative procedure; Develop the thematic report on “Facilitate Non-cash Payment to Support the Increase of DBI and Business Environment Improvement
- **Paper of “How trust survives in Viet Nam”, Melbourne Law School of Melbourne University in Australia, 2019.** Research and summarize legal issues in the field of civil in Viet Nam including authorization, guardianship, usufructuary right, surface right; Develop the Research “Property management relationships and “trusts” in Vietnam”
- **Global Guide: Measures adopted to support distressed businesses through the COVID-19 crisis, INSOL International (World Bank Group), 2020.** Introduce key reforms in Viet Nam to support financially distressed

- *Condominium Law in Viet Nam*, presentation at international symposium “Condominium Laws and Urban Governance in Asia” at Hong Kong City University, Hong Kong, 2014
- *Environmental Protection Law in Viet Nam*, presentation at international workshop “Legal conflicts for Korean enterprises in some Asian countries”, Youngsan University, Busan, Korea, 2010
 - *Differences of Legal Culture between Korea and Viet Nam to Cause the Labor disputes in Viet Nam*, presentation at international workshop “Legal conflicts happen to Korean enterprises in some South Asian countries”, Youngsan University, Busan, Korea, 2009.
- *Legal Diffusion: the Role of Non-state Actors in Shaping the Regulatory Environment in Viet Nam*, presentation at international workshop “Legal Development in East Asia: China – Viet Nam compared, Monash University (Australia) and Hong Kong University, Hong Kong, 2008
- *Can Private Sector in Viet Nam Aid Democratic Development and the Rule of Law?* Stanford Center on Democracy, Development and the Rule of Law, Stanford, USA, businesses amid the COVID-19 pandemic
- **Report on Assessment Index of Administrative Procedures Compliance Cost (APCI) 2018, 2019 and 2020**, The Prime Minister’s Advisory Council for Administrative Procedure Reform in 2018, 2019 and 2020. Involve in researching, surveying enterprises carrying out administrative procedures (by direct interview method) and conduct in-depth analysis to make assessments, comments, and recommendations for administrative procedure reform solutions in the future. The APCI Report will be continued in the coming years
- **Project of Drafting 30 years of Viet Nam FDI Strategy**, Ministry of Planning and Investment (May 2018 – June 2019). Advise and summarize the international context of foreign investment and activity of foreign investment in Viet Nam through development periods; Undertake in-depth research on international investment agreements and mechanisms for dispute settlement; Conduct the preliminary assessment and analysis of Viet Nam’s economic situation during implementation of the Law on Investment
- **Project of establishing Systemic Investment Response Mechanism in Viet Nam (SIRM)**, World Bank, 2018-2019. Give advice on legal regulations to resolve grievances of foreign investors; Develop a draft diagram to resolve grievances of foreign investors
- **Report on Aspiration of Enterprises Towards Courts’ Activities in Enforcing Contracts**, the United States Agency for International Development (USAID)-the Governance For Inclusive Growth (GIG) program, 2018. Assess the court’s handling of commercial business cases
- **Research “Public – Private Partnership projects in Viet Nam”**, Asia Foundation, 2017. Provide a preliminary research to investigate PPP policies and practices in Viet Nam to address related issues
- **Policy Impact Assessment (PIA) of the Draft Labor Code**

2006

ARTICLE & WRITING

- *Chapter on Property management relationships and “trusts” in Vietnam*, Nguyen Hung Quang and Nguyen Thuy Duong, Asia-Pacific Trusts Law: Theory and Practice in Context (Co-edited by Ying Khai Liew and Matthew Harding), Hart Publishing, forthcoming, 2021
- *Contract Interpretation and Unfair Terms in Vietnamese Contract Law*, Nguyen Hung Quang and Nguyen Thuy Duong, Studies in the Contract Laws of Asia Vol III: The Contents of Contracts and Unfair Terms, Oxford University Press, forthcoming
 - *Report on Assessment Index of Administrative Procedures Compliance Cost (APCI) 2018, 2019 and 2020*, the Government Office, Nguyen Hung Quang et al., 2018, 2019 & 2020
- *Mediation – A trend for commercial dispute resolution in the integration period*, Nguyen Hung Quang, International law and practical problems in Viet Nam, Youth Publishing House, 2019
- *Amended Investment Law to relieve funding burdens*, Nguyen Hung Quang & Le Gia Khanh, Vietnam

(05 policy issues), Governance For Inclusive Growth (GIG) program, 2017. Conduct the policy impact assessment of some amended and supplemented contents in the Labor Code. The 5 policy issues include: change of overtime hours; change of regulations on salary scale and employment norm; extension of the right to unilateral termination of contracts; change of the way to determine minimum wage; change of the regulations on probation contracts

- **Research on Viet Nam’s Economic Complexity and Growth Diagnostics**, the Central Economic Committee sponsored by USAID, 2016. Conduct the study about “Enforcing Contracts”, one of the three mid-term constraints (together with Macro risks: financial, monetary, fiscal policies; and Tax, labor, business licensing policies)
- **Develop the Professional Guide to Policy Impact Assessment**, Governance For Inclusive Growth program of the United States Agency for International Development (USAID GIG) in collaboration with the Department of General Affairs on Legislative Development - Ministry of Justice, 2016
- **Improvement of Business Environment in Viet Nam under Resolution 19/2014 and 19/2015 of the Government**. Conduct a study for the Central Institute of Economic Management and the Government Office about limitations of laws and implementation practice of bankruptcy and contractual dispute settlement.
- **Improving competition capacity for café & warehouse sector through reforming legal issues and administrative procedures**, International Finance Company (a subsidiary of World Bank) (2009-2013). Conduct the practical situation of café & warehouse enterprises and related legal issues
- **Licensing Procedure Reform - the Task Force for Administrative Procedure Reform under the Project 30**

- Investment Review, 2020
- *Positive scope ahead in amended Law on Investment*, Nguyen Hung Quang & Pham Thi Ha Van, Vietnam Investment Review, 2020
 - *Hindrances preventing FIEs from listing on stock market*, Nguyen Hung Quang, Vietnam Investment Review, 2019
 - *Building the mechanism for sturdy FDI efficiency*, Nguyen Hung Quang & Le Net, Vietnam Investment Review, 2019
 - *Chapter 5: General skills of lawyers in providing legal services*, Nguyen Hung Quang et al., Lawyers' Handbook Volume 1, Viet Nam Bar Federation, 2017
 - *Chapter 4 - Buying and Selling enterprises*, Nguyen Hung Quang et al., Lawyer Handbook volume 3, Vietnam Bar Federation, 2017
 - *Chapter 9: Contract Enforcement*, Nguyen Hung Quang, Diagnosis of Viet Nam's economic growth, Central Economic Committee, 2016
 - *An Historical Overview of Land Law and Land Disputes in Viet Nam*, Nguyen Hung Quang and Toan Le, Resolving Land Disputes in East Asia: Exploring the Limits of Law, Hualing Fu & John Gillespie (Ed.), Cambridge University Press, 2014
 - **(2009-2011)**. Review and simplify licensing procedures selected in investment, import and export, finance/banking and mining sector; Build up capacity to improve legal capacity among key stakeholders; Develop a communication plan to support the reform process
 - **Regulatory Impact Assessment (RIA) for Mineral Law**. Promote the method for and conduct regulatory impact assessment of Mineral Law (pro bono)
 - **Global Principles for cooperation in International Bankruptcy cases**, American Law Institute & International Insolvency Institute, 2009 - 2010.
 - **Study of Laws governing M&A in Viet Nam – Project 00057741, the Task Force for implementation of the Law on Enterprise and the Law on Investment, 2009**. Study the legal framework for M&A of Viet Nam; Recommend some legal changes for promoting the M&A activities in Viet Nam; Propose a plan requiring a legal document specializing in M&A in Viet Nam
 - **Legal framework study for Public - Private Partnership for the Project “Poverty Reduction through Incorporated Support for Small Enterprise Development” - PRISED VIE/05/M01/SID”,** sponsored by the Swedish International Development Cooperation Agency (SIDA), 2009. Conduct the study and survey in 4 provinces regarding the model for public – private partnership and related legal issues; Prepare the survey report and participate in training the trainers within the project frame; Support for the completion of training materials and overall report
 - **The Development of Small and Medium Enterprises**, GTZ and Ministry of Planning and Investment, 2008. Research the legal framework and practices related to the enterprise code and tax code, and periodically report the enterprise to the business registration agency and tax authority to propose changes to the applicable regulations on business.

- *Legal diffusion: the role of non-state actors in shaping the regulatory environment in Viet Nam*, Nguyen Hung Quang in “Legal Development in East Asia: China – Viet Nam Compared), Routledge Publishing House, Albert Chen and John Gillespie (Ed.), 2010
- *Public-Private Partnership for the Poor*, Nguyen Hung Quang & Tim Dyce, VCCI – Project “Poverty Reduction Through Integrated Small Enterprise Development – PRISED”, National Politics Publishing House, 2009
- *Professional Manual for Business Registration*, Nguyen Hung Quang (Ed.), 2007
- **Private Sector Support Program in Viet Nam, UNIDO and Ministry of Planning and Investment, 2008**. Study the legal frame and practices involving enterprise code and tax code, periodic reports of enterprises with business registration agencies and tax agencies to propose changes to applicable regulations on enterprises
- **CIEM/UNDP VIE01/025: “Comparative Provincial Performance in Attracting Business Investment and Developing Private-Public Partnerships”, 2008**. Advise and recommend provincial competitive capacities for three provinces: Bac Giang, Bac Ninh and Ha Tay; Write the Business Registration Manual; and recommend a dialogue model between the Government’s Task Force for implementation of the Law on Enterprises and the Law on Investment and other stakeholders.