

**THE MINISTRY OF
SCIENCE AND
TECHNOLOGY**

No. 08/2020/TT-BKHCHN

SOCIALIST REPUBLIC OF VIETNAM
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Hanoi, December 24, 2020

CIRCULAR

AMENDING SOME ARTICLES OF CIRCULAR NO. 13/2016/TT-BKHCHN DATED JUNE 30, 2016 BY MINISTER OF SCIENCE AND TECHNOLOGY ON MANAGEMENT OF SCHEME FOR STATED-FUNDED TRAINING AND REFRESHER COURSES FOR SCIENCE AND TECHNOLOGY WORKERS IN VIETNAM AND OVERSEAS

Pursuant to the Law on Science and Technology dated June 18, 2013,

Pursuant to the Government's Decree No. 95/2017/ND-CP dated August 16, 2017 on functions, tasks, powers and organizational structure of the Ministry of Science and Technology;

Pursuant to the Government's Decree No. 40/2014 / ND-CP dated May 12, 2014 stipulating the use and good treatment of individuals who operate in the field of science and technology;

Pursuant to the Government's Decree No. 101/2017/ND-CP dated September 01, 2017 on training and refresher training of officials and public employees;

Implementing the Prime Minister's Decision No. 2395/QĐ-TTg dated December 25, 2015 approving scheme for stated-funded training and refresher courses for science and technology workers in Vietnam and overseas (hereafter referred to as "Project 2395");

At the request of Director General of Human Resources Department and Director General of Department of Legal Affairs,

The Minister of Science and Technology hereby promulgates a Circular amending some Articles of Circular No. 13/2016/TT-BKHCHN dated June 30, 2016 by Minister of Science and Technology on management of scheme for stated-funded training and refresher courses for science and technology workers in Vietnam and overseas (hereinafter referred to as "Circular No. 13/2016/TT-BKHCHN").

Article 1. Amendment to some Articles of Circular No. 13/2016/TT-BKHCHN

1. Article 1a is added after Article 1 as follows:

“Article 1a. Interpretation of terms

1. “*reputable international journals*” means academic journals mentioned in Clause 3 Article 2 of Circular No. 37/2014/TT-BKHHCN dated December 12, 2014 by the Minister of Science and Technology on guidelines for the management of basic research topics sponsored by the National Science and Technology Development Fund.

2. “*reputable ISI journals*” means academic journals mentioned in Clause 4 Article 2 of Circular No. 37/2014/TT-BKHHCN dated December 12, 2014 by the Minister of Science and Technology on guidelines for the management of basic research topics sponsored by the National Science and Technology Development Fund.

3. “*scientific articles*” is provided for in Clause 1 Article 1 of Circular No. 01/2020/TT-BKHHCN dated January 20, 2020 by the Minister of Science and Technology amending some Articles of Joint Circular No. 24/2014/TTLT-BKHHCN-BNV dated October 01, 2014 by the Minister of Science and Technology and Minister of Home Affairs on codes and standards for titles of public employees in the field of science and technology.

4. “*monographs*” is provided for in Clause 1 Article 1 of Circular No. 01/2020/TT-BKHHCN dated January 20, 2020 by the Minister of Science and Technology amending some Articles of Joint Circular No. 24/2014/TTLT-BKHHCN-BNV dated October 01, 2014 by the Minister of Science and Technology and Minister of Home Affairs on codes and standards for titles of public employees in the field of science and technology.

5. “*science and technology awards*” is provided for in the Government’s Decree No. 78/2014/ND-CP dated July 30, 2014 on Ho Chi Minh Award, State Award and other awards for science and technology, which is amended by the Government’s Decree No. 60/2019/ND-CP.”.

2. Clause 4 and Clause 7 Article 7 are amended as follows:

“4. Have an outline for the research to be conducted during the training or refresher course made using form B1.5-DCNC in Appendix 1 enclosed therewith and approved by the training institution in the foreign country in writing.”

“7. The applicant’s management unit agrees to send the applicant to the training or refresher course in writing, which must specify that the management unit will support the applicant in conducting their research according to the outline and developing their professional capacity after the training or refresher course.”.

3. Clause 2 and Clause 4 Article 8 are amended as follows:

“2. The group leader has a scientific and technological achievement that is shown via a scientific article published on a reputable international journal or reputable ISI journal; monograph; beneficial invention or solution, plant variety granted protection document or scientific and technological award within 05 years before the application time.”

“4. Have an outline for the research to be conducted during the training or refresher course made using form B1.5-DCNC in Appendix 1 enclosed therewith and approved by the training institution in the foreign country in writing.”.

4. Clause 3, Clause 4 and Clause 5 Article 9 are amended and Clause 6 is added to Article 9 as follows:

“3. Be the main author of at least 01 scientific article published on a reputable international journal within 05 years before the application time.

4. Have one Vietnamese or foreign scientist as the mentor for postdoctoral research.

5. Have an outline for postdoctoral research made using form B1.5-DCNC in Appendix 1 enclosed therewith and approved by the training institution in the foreign country in writing.

6. Be proficient in a foreign language as required by the training institution or achieve foreign language proficiency equivalent to level 4 (B2) according to regulations of Circular No. 01/2014/TT-BGDDT.”.

5. Clause 2 and Clause 3 Article 10 are amended as follows:

“2. Quality of outline of research to be conducted during training or refresher course

Prioritize outlines of researches concerning special scientific and technological tasks and national scientific and technological tasks of extreme importance in response to urgent national issues of national defense and security, natural disasters, epidemics and scientific and technological development; national scientific and technological tasks or equivalent; scientific and technological tasks supporting new research approaches or transfer and application of new technologies in scientific and technological organizations, enterprises and state agencies.

3. Scientific achievements of the mentor researcher; suitability of qualifications and facility conditions and reputation of the training institution,”.

6. Article 10a is added after Article 10 as follows:

“Article 10a. Requirements for results of expert, research team and postdoctoral training and refresher courses

1. The results are stated in the approved research outline and confirmed by the training institution.

2. The results are confirmed to be satisfactory by the management unit of the researcher or unit where the research team is conducting its research or recipient of result transfer.

3. The results acknowledge the support provided by Project 2395.”.

7. Clause 3 Article 11 is amended as follows:

“3. Selection announcements shall be published on the web portal of the Ministry of Science and Technology at <http://www.most.gov.vn/>.”

8. Article 12 is amended as follows:

“Article 12. Applications for training and refresher courses

Applications for training and refresher courses may be submitted directly or online via the public service portal of the Ministry of Science and Technology. An application includes:

1. Application for the course with confirmation of the applicant’s management unit, which is made using form B1.2-DKCG, form B1.3-DKNNC or form B1.4-DKSTS in Appendix 1 enclosed therewith;
2. Scientific profile in Vietnamese and English;
3. Outline for the research to be conducted during the training or refresher course in Vietnamese and English made using form B1.5-DCNC in Appendix 1 enclosed therewith;
4. Written agreement on receiving the applicant of the training institution in Vietnam or the foreign country (translated into Vietnamese), which must specify how the institution will support the applicant with carrying out the research outline, amounts payable to the training institution (if any) and researcher mentoring agreement (for postdoctoral courses);
5. Written agreement on sending the applicant to the course by the applicant’s management unit;
6. Copies of degrees and certificates; evidences that the conditions in Article 7 or Article 8 or Article 9 herein are satisfied;
7. Professional development orientation (for expert training); in-depth research plan and orientation (for research team) in Vietnamese and English;
8. Written commitment to fulfilling responsibilities and obligations during and after the course;
9. Estimated state funding (according to expenditure items and levels mentioned in the Circular providing for financial mechanism of Project 2395);
10. Confirmation of other assistance not from state budget (if any).”

9. Article 13 is amended as follows:

“Article 13. Processing applications and approving list of successful applicants

1. Within 05 working days from the date of receipt of an application, the unit assigned as the standing body of Project 2395 by the Minister of Science and Technology (hereinafter referred to as “project standing body”) shall check the adequacy and validity of the application. If the application is invalid, the project standing body shall notify the applicant for amendment in writing.

2. Within 30 days from the date of receipt of sufficient valid applications, the Ministry of Science and Technology shall convene the selection council to assess the applications.

In case an application proposed for approval by the selection council needs to be amended, the project standing body shall notify the applicant. The applicant shall amend the application as suggested by the selection council and submit it to the project standing body within 10 days after the day where the selection council makes the suggestion.

3. Within 20 days after the day where the selection council makes its proposals, the Ministry of Science and Technology shall approve the list of successful applicants and notify the successful applicants and their management units in one or more than one of the following ways:

a) Posting on the web portal of the Ministry of Science and Technology at <http://www.most.gov.vn/>;

b) By post;

c) Via emails.

Selection results are valid for 12 months from the date on which the decision approving the selection is signed.”.

10. Article 14 is amended as follows:

“Article 14. Selection council

1. The selection council shall be established by the Minister of Science and Technology and consist of 05 - 09 members, namely:

a) Council chairperson, who shall be the head of the unit that supports the Minister of Science and Technology with managing training and refresher courses of the Ministry of Science and Technology;

b) Council deputy chairperson, who shall be the representative of leaders of the unit that supports the Minister of Science and Technology with managing plans and finance of the Ministry of Science and Technology;

c) Council members, who shall be science and technology experts experienced in the field of the course that the applicants are applying for; representatives of units and regulatory bodies

involved in contents of the courses or professional units of the Ministry of Science and Technology;

d) Council secretary, who shall be the representative of the project standing body.

2. Applicants and parents, spouses and biological siblings of applicants may not join the selection council.

3. Operating rules and responsibilities of the selection council:

a) At least 3/4 of council members must be present at a council meeting, including the chairperson or deputy chairperson and at least 02 experts in the field of the course that the applicants are applying for;

b) The council chairperson shall preside over the council's meetings. If the chairperson is to be absent, they shall delegate this task to the deputy chairperson in writing;

c) The selection council shall operate on the basis of democratic centralism. A conclusion of the council is passed when it is approved by at least 3/4 of the present council members via voting;

d) The selection council shall make honest, objective and fair assessments. The secretary shall compile different opinions of council members for the council to discuss and vote to pass. Council members may request to have any opinion different from the council's conclusion recorded. Council members shall take individual responsibility for their assessments and collective responsibility for the council's conclusions.”.

11. Article 14a is added after Article 14 as follows:

“Article 14a. Preparation for selection council's meetings

1. The project standing body shall organize the selection council's meetings, and prepare and send meeting documents to council members.

2. Meeting documents include:

a) Council establishment decision;

b) Copies or electronic copies of applications;

c) Application assessment sheets using form B2.1-PNX in Appendix 2 enclosed therewith.

d) Other relevant contents (if any).”.

12. Article 14b is added after Article 14a as follows:

“Article 14b. Work procedures and tasks of selection council

1. The representative of the project standing body shall read the council establishment decision and introduce council members and guests participating.
2. The council chairperson shall announce the requirements and contents of application assessment and selection according to Project 2395.
3. The council shall agree on the working rules.
4. The council shall assess the applications as follows:
 - a) Council members shall present their assessments of the application and quality of research outlines according to regulations on conditions for application in Article 7, Article 8 or Article 9, which are made using form B2.1-PNX in Appendix 2 enclosed therewith.

An application may be proposed for approval when it meets all criteria in the assessment sheet.

- b) The council secretary shall read the written comments of the absent members (if any) for the Council to consider.
5. The council secretary shall compile application assessment sheets using form B2.2-THPDG and compile the council's proposals for the applications using form B2.3-THKN in Appendix 2 enclosed therewith.
6. In case the number of applications exceeds the training/ refresher course participant quota, the selection council shall select the applications based on the criteria in Article 10 herein.”.

13. Clause 3 is added after Clause 2 Article 15 as follows:

“3. The project standing body shall sign an agreement with the training institution or competent organization or individual to pay the training/ refresher course cost, research cost and other compulsory costs related to the training/ refresher course (if any) according to regulations in this Circular and the Circular providing for financial mechanism of Project 2395.”.

14. Point a Clause 2 Article 16 is amended as follows:

“a) Hold the post of division leader or higher or planned to hold to post of Deputy Director of Department of Science and Technology, Deputy Director General or equivalent or higher; or official or public employee directly involved in formulation of science, technology, renovation and innovation policies.”.

15. Clause 3 Article 18 is amended and Clause 4 is added to Article 18 as follows:

“3. The Ministry of Science and Technology shall consolidate participant lists, decide to establish groups of participants in overseas refresher courses and assign a participant as the leader of each group.

4. The project standing body shall sign agreements on training/ refresher courses with training institutions or competent organizations or individuals; organize and manage groups of overseas refresher course participants as per regulations."

16. Article 20 is amended as follows:

“Article 20. Responsibilities of training/ refresher course participants

1. Comply with policies and laws of Vietnam and the countries where they are sent to join the courses and regulations of Vietnamese and foreign training institutions.

2. Use provided funding for the intended purposes and in an efficient manner; comply with existing regulations on payment and settlement.

3. Responsibilities of participants in expert, research group and postdoctoral training/ refresher courses:

a) Carry out research outlines and ensure research is conducted according to approved plans and schedules;

b) Complete training/ refresher courses and return to their workplaces on time to apply research results to professional work; continue to perform professional tasks; continue to perform professional tasks at their workplaces for at least twice the time they spend for the training/ refresher courses;

c) Report on their training every 06 months if the course lasts for 01 year or longer using form B3.1-BCDK in Appendix 3 enclosed therewith. These reports must have the confirmation of the mentor or training institution.

Report on training results upon end of the course using form B3.2-BCKQ in Appendix 3 enclosed therewith. Result report must have the confirmation of the training institution and management unit of the individual participant or workplace of the research team.

Send the reports to the Ministry of Science and Technology together with evidence for research results according to approved research outline;

d) Compensate training funding according to existing regulations if not participating in the course after being provided with the funding by the competent authority; quitting the course or quitting job or resigning during the course; failing to comply with regulations in Points a and b Clause 3 herein; committing a violation against regulations of the training institution or other violations that lead/s to being excluded from the course;

dd) Leaders of research teams participating in overseas training/ refresher courses must manage and take responsibility for all professional activities, research activities and other activities of their teams; represent their teams to carry out procedures related to their courses, contact their

training institutions and report to the Ministry of Science and Technology on their training results.

4. Responsibilities of science and technology management official teams participating in overseas refresher courses

a) Team leaders shall adhere to regulations in Clause 1 Article 9 of Circular No. 01/2018/TT-BNV.

b) Team members shall comply with the regulations in Clause 2 Article 9 of Circular No. 01/2018/TT-BNV.”.

Article 2. Amendment to Appendixes enclosed with Circular No. 13/2016/TT-BKHCHN

1. Form B1.5-DCNC is added to Appendix 1 enclosed with Circular No. 13/2016/TT-BKHCHN.

2. Forms in Appendix 2 enclosed with Circular No. 13/2016/TT-BKHCHN are superseded by forms B2.1-PNX, B2.2-THPDG and B2.3-THKN enclosed with this Circular.

3. Forms in Appendix 3 enclosed with Circular No. 13/2016/TT-BKHCHN are superseded by forms B3.1-BCDK and B3.2-BCKQ enclosed with this Circular.

Article 3. Effect

1. This Circular takes effect from February 11, 2021.

2. Applications submitted to the Ministry of Science and Technology before the entry into force of this Circular are not required to revise their research outlines using the form promulgated together with this Circular.

3. During the implementation of this Circular, any difficulty arising should be promptly reported to the Ministry of Science and Technology for guidance or amendment./.

**P.P. THE MINISTER
THE DEPUTY MINISTER**

Tran Van Tung

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