village and hamlet officials to make such an estimate of the popula-
tion as deemed the most accurate and workable.

3. In uncontrolled areas - A joint Committee composed of repre-
sentatives of the army, the people and government officials and mo-
deled on the above mentioned Committee plus representatives of the
Intelligence Agency and military forces in operation in the area will
make an estimate of the population therein, using information col-
lected from reconnaissance operations from documents seized and from
other data received by the Committee.

III. Census of Servicemen:

For the purpose of preserving secrecy and since most servicemen
are recorded in the family book, they should be regarded as civilian
personnel when a census of the population is conducted. In a post
or billet where no family books are available, local administrative
authorities will get in touch with the military authorities concerned
to get necessary information.

The S.C.A. will ask the Ministry of Defense to request military
commanders to assist local administrative authorities in the conduct
of the census of population, particularly the census of servicemen
and their families.

IV. Deadline for the census of population and reporting methods

Immediately after receipt of this circular, the S.C.A. requests
your Office to make a thorough study of the problem and to prepare
plans without delay in order to facilitate the nation wide census
which will begin on 20 June 1967 and terminate on 30 June 1967.

Number of population to be computed as of 30 June 1967

The two forms attached will be used in the conduct of population
census:

FORM A: to be established by the Prefecture, Provinces and munici-
palities based on FORM B.

FORM B: to be established by Districts based on documents dealt
with in part II.
These two forms will be forwarded to Central Government before 15 July 1967:

- Ministry of Revolutionary Development........2 copies (1 copy for each form)
- Ministry of Security..........................2 copies (same)
- Ministry of Defense............................2 copies "
- General Staff Headquarters...................2 copies "
- National Institute of Statistics............2 copies "
- Special Commission for Administration.....6 copies (3 copies for each form)

The S.C.A. is now having the forms printed to be sent to your Office in the near future.

The results of this census of the population will be considered the official population figures.

Due to the urgency and importance of this problem, we earnestly request your Office to follow the guidelines and criteria stated above and to organize the census of population consistent with local conditions and in the manner deemed most accurate and workable.

Nguyen Van Tuong
3. Breakdown of nationalities and give the number of each nationality as follows: .......

## CENSUS OF POPULATION
as of 30 June 1967

### Secure Areas (1)

<table>
<thead>
<tr>
<th>Districts:</th>
<th>Secure Areas (1)</th>
<th>Semi-Secure Areas (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violent</td>
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<td>Total (B)</td>
</tr>
<tr>
<td></td>
<td>(2)</td>
<td>(3)</td>
</tr>
<tr>
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<td>Chinese</td>
<td></td>
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<tr>
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<tr>
<td>Cham</td>
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<tr>
<td>Highlanders</td>
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<tr>
<td>Aliens</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
</tr>
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</table>

### Uncontrolled Areas (1): A + B + C

1. Secure area: Saigon 5 municipalities, villages, Hamlets in province capitals, District Capitals and other villages/hamlets where there are elections of villages Councils and Hamlet Chiefs during 1967.

2. Semi-secure areas: Villages/hamlets where Provisional village Adm. Committees and management Committees are appointed (elections could not be held due to security reasons).

3. Uncontrolled areas: Areas where there are no village/hamlet administration.

2. Breakdown of races and give the number of each race as follows: .....

3. Breakdown of nationalities and give the number of each nationality as follows: ....
### Secure Areas (1)

<table>
<thead>
<tr>
<th>Villages</th>
<th>Secure Areas (1)</th>
<th>Semi-Secure Areas (1)</th>
<th>Total (A)</th>
<th>Total (B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vietnamese</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chinese descent</td>
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<tr>
<td>Cambodian descent</td>
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<tr>
<td>Cham descent</td>
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<td></td>
</tr>
<tr>
<td>Highlanders</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aliens (permanent)</td>
<td></td>
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</tbody>
</table>

### Semi-Secure Areas (1)

<table>
<thead>
<tr>
<th>Villages</th>
<th>Semi-Secure Areas (1)</th>
<th>Total (B)</th>
</tr>
</thead>
<tbody>
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<td>Vietnamese</td>
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<td></td>
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<tr>
<td>Chinese descent</td>
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<td>Cambodian descent</td>
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<td>Cham descent</td>
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<td>Highlanders</td>
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<tr>
<td>Aliens (permanent)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Total

- Secure areas: Saigon 5 municipalities, villages, Hamlets in province capitals, District Capitals and other villages/hamlets where there are elections of villages Councils and Hamlet Chiefs during 1967.

- Semi-secure areas: Villages/Hamlets where Provisional village Adm. Committees and management Committees are appointed (elections could not be held due to security reasons).

- Uncontrolled areas: Areas where there are no village/hamlet administration.

2. Breakdown of races and give the number of each race as follows:

3. Breakdown of nationalities and give the number of each nationality as follows:
CENTRAL GOVERNMENT: Procedure for the regularization of transfer of property which is occupied for the execution of public works, national defense or public interest projects.

Republic of Vietnam
Central Executive Committee
--00--

No. 002/67

The Chairman of the Directory decrees:

Article I. - The transfer of property which is occupied for the execution of public works, national defense or public interest projects, can be regularized in accordance with the following provisions:

Chapter I.

Generalities

Article 2. - The transfer of the property specified in article 1 to the State of Vietnam, to local administrative corporate bodies or to public agencies shall be made through a bill of sale or a court judgment.

1. After an arrete has been issued by the Chairman of the Central Executive Committee authorizing the purchase for the State of Vietnam or government agencies or after an arrete has been issued by the Special Commissioner for Administration authorizing the purchase for local administrative corporate bodies.

2. After an arrete has been issued by the Commissioner of the Ministry enjoying the use of the property or by the Ministry in charge of supervising the activities of public agencies or after a decision has been made by the Province Chief defining the particulars of the property and the recommended purchase price if these are not mentioned in the arrete set forth in paragraph I.

Article 3. - The following will automatically have no effect on the occupied property:

1. Any registration of lien or special assignment made after the day of publication of the arrete defining the particulars of the property and the recommended purchase price.
2 - Any contract signed after the above date, aiming at transferring all this property to any individual body or corporate body other than that enjoying the use of the property.

Chapter II. -

Administrative measures

Article 4. - The arrête authorizing the purchase together with the map drawn up at a proper scale will be reviewed and signed, based upon the report of the agency enjoying the use of the property.

Article 5. - The arrête or decision confirming the particulars of the property and the recommended purchase price will be reviewed and signed based upon:

1. The land registry document or land survey report or another document confirming the ownership mentioned in articles 15 and 16.

2. The report of the local Valuation Committee the composition of which will be specified by an arrête or a decision of the local authority, This Committee must include among its members a legal representative of the landlord.

With regard to the transfer of a property to the State of Vietnam or to a public agency, this document must be countersigned by the Special Commission for Administration and the Commission of Finance.

If the property is transferred to a local administrative corporate body, the agreement from the agency in charge of controlling the implementation of the local budget must be obtained.

Article 6. - The arrête or decision confirming the particulars of the property, the name of the landlord, the area, the recommended purchase price, etc. .... must show the year when the occupancy of the property took place, the official assigned with the establishment of the purchase contract. The arrête must also be published in

1. the official Journal of the Republic of Vietnam
2. three daily newspapers authorized to publish legal announcements for two consecutive days through a notice giving briefly required information.

This notice shall advise that people can consult the file mentioned in article 7, specify the period of time they have to make known the privileges mentioned in article 9 and mention in full text articles 12, 27 and 28 of this decree.
3 - The Province Chief, Prefect or Mayor shall notify the Presiding Judge of the Court of First Instance or the Justice of the Peace with extended powers, the Chief of Land Administration Service or the administrative agency of the locality where the property is located.

The above notification shall also be published for 10 calendar days at the district, province administrative offices, city halls and government offices at the location where the property is located.

Article 7. - From the day this notice is posted, a file composed of:

1 - a copy of this decree
2 - the arrête authorizing the purchase
3 - the arrête or decision confirming the particulars of the property and the recommended purchase price must be left for people's consultation at the administrative offices of the province, district or village where the property is located.

Article 8. - The Province Chief must establish a certificate confirming that the procedures provided for in the above articles 6 and 7 have been applied in full.

Chapter III. -

Transfer of property and effects concerning priority rights, mortgage and other real rights.

Article 9. - Within a period of 15 days, after the end of the date of posting of the notice mentioned in article 6, preferential creditors (priority rights, mortgage and other real rights) of the property must notify the Province Chief or mayor if these rights have not been registered in land registry records.

The above priority rights are based on land registry records according to common regulations; in case of loss or destruction of records, they are based on the declaration of loss or on proofs produced by creditors before the Court.

Notification of rights if any can be made either by registered or ordinary mail. The Concerned party must personally submit the letter to the local administrative Office and the official who receives it must issue a receipt.

Article 10. - Also within the above period, any copy of registration of a private property or dowry property must also be issued by the village administrative agency or the Chief of the Land Administration Service who will notify the Province chief and the Mayor accordingly.
In case land registry records are not yet established, or lost or destroyed, the rightful claimants must again declare the above registration to the village administrative agency for notification to the province.

**Article 11.** - The above preferential creditors may only ask for a revision of the price of the property but may not ask for an increase in the adjudication price.

If the requests a revision of the price, the concerned party must state in the notification mentioned in article 9 that he will submit an application for a price revision and pledge to bear all expert appraisal costs and court costs, and will deposit a bond fixed by the Court.

The concerned party can also ask for a revision of the price in the notification itself which should then give all particulars and be enclosed with all concerned justificative papers.

**Article 12.** - If no notification is made within the prescribed period of time, the property can be considered as free from obligations (mortgage, pledging, seizure, ...) or any lien of any kind.

If creditors send in their notification but make no mention of the recommended purchase price of the property, this can be interpreted as if they have approved the price.

**Article 13.** - The procedure specified in the above articles 9 and 10 will not be applied to property of which the occupied portion does not cost more than $5,000.

In this case, the landlord or the party entitled must be responsible for the payment of debts.

The price of $5,000 stipulated in paragraph 1 of this article as well as the prices stipulated in other paragraphs of this decree are fixed by the Valuation Committee.

**Article 14.** - With regard to property which is tied up by liens or special assignment with occupied portions costing more than $5,000, the Court will decide on:

- the use of the money from the sale of the property (cases of property assigned to worshipping of ancestors)
- or share this money between different creditors and the landlord except in the case when all concerned parties agree to let the landlord or the rightful claimant receive the whole amount.

**Chapter IV.** -

Concerning the proof of ownership, the party entitled to represent the landlord, and the signatory of the contract for the Sale of the property:
Article 15. - The ownership of the occupied portion of the property will be determined on the basis of land registry records.

Article 16. - If land registry records kept at village administrative offices or local land administration agency are destroyed or missing,
   1 - in case the Sale contract is not lost, the village administrative agency will certify that the occupied portion of land is actually the property of the person whose name is shown on the contract if he agrees to pledge to take full responsibility in case of error or forgery of the contract.
   2 - In case the contract of sale is also lost, the village administrative agency will certify that the occupied portion of land is the property of the concerned party.
      a - based on actual facts if the recommended purchase price of the occupied portion of the property is not over $5,000 -
      b - based on actual facts and statements from two witnesses if the recommended purchase price is over $5,000 but less than $10,000 -
      c - based on actual facts after posting the name of the landlord and the plan at the village administrative office for 15 calendar days if the recommended price is between $10,000 and $20,000 -

This procedure supersedes that stipulated in the above paragraph 1, 2 (items a and b) if the village administrative agency deems it necessary.

Article 17. - If the landlord is dead, absent or due to some reason, he cannot produce the contract or express his opinion, the village administrative agency will, upon request of the party entitled, certify the jurisdiction of this person so that he can represent the landlord, sign a contract or express his opinions and receive money.

The village administrative agency will
   1 - based on actual facts if the recommended price of the occupied portion of the property does not exceed $5,000 -
   2 - based on actual facts and statements of the family head-landlord if the recommended price is between $5,000 and $10,000 -
   3 - based on actual facts and the report of the family council-landlord if the recommended purchase price of the property is between $10,000 and $20,000 -

This procedure should be used to replace the above procedures 1 and 2 if the village administrative agency deems it necessary.

The person who signs the contract and receives money must be responsible before other rightful claimants. After the contract has been signed, if any claim is received as to the ownership of the concerned property or to the amount of money received, the contracting agency will not be involved and the document on the transfer of the property cannot be considered as null and void for any reason whatsoever.
Article 18. - If due to any logical reason the village administrative office refuses to certify the property or the qualification of the party entitled according to the procedure stipulated above or the recommended purchase price of the occupied portion of the property exceeds $20,000 or the total amount of recommended price paid to each landlord or party entitled exceeds this sum, the concerned parties must certify their rights or qualification according to common law.

Article 19. - The here under mentioned persons who are entitled to exercise the rights granted to the owner of the property, except the receipt of proceeds from the sale of the property if the recommended price is over $5,000 must wait for a decision of the court on the use of the money:

1. The present beneficiaries of the property (with regard to property left by heritage)
2. The wife (with regard to dowry property)

Article 20. - The procedure stipulated in articles 17 and 18 shall also be applied to certify the rights and qualification of the beneficiary of the property.

Article 21. - With regard to public property assigned to private use and private property of the village, the village administrative agency is entitled to exercise officially granted rights.

However, in the use of the proceeds from the sale of the above property, the village administrative agency must comply with current regulations in force.

Article 22. - The certification of ownership, qualifications of the party entitled to represent the landlord or the beneficiary of the property according to particular procedures stipulated in this chapter is only good for the occupied portion of the property.

Chapter V.

Procedure of transfer of ownership

Article 23. - The transfer of ownership shall be made immediately after the sale contract of the property has been signed or after a judgment replacing this document is available.

If there is a conflict on the ownership of the occupied property, the transfer will be made only after a judgment has been delivered by the court.
Article 24. - The sale contract of the property shall be signed at the locality between
- the representatives of the Ministry enjoying the use of the property, the public agency or the local administrative corporate body.
- and the landlord or the rightful claimant according to common law or according to special provisions stipulated in chapter 4.

These persons are entitled to sign the sale contract without requiring the concurrence of the spouse if the recommended price of the property is not over $ 50,000.

The contract shall be signed
- after the deadline of posting of the notice stipulated in article 6 if the occupied portion of the property is recommended at a price under $ 5,000.
- after the deadline of posting of privileges or special assignment if this portion of land is recommended at a price over $ 5,000, with no one requesting a revision.

Article 25. - The contract can be established under the form of an administrative certificate or a legal document and covers all the property in a village belonging to one or several landlords.

The signing with finger prints or chinese characters can be considered as regular if certified by a witness.

Article 26. - In case they do not agree upon the recommended purchase price, rightful claimants must send a registered petition to the Province Chief or mayor.

Concerned parties can also personally file their petition with the province administrative offices or city halls. In this case, the official receiving the petition must issue a receipt.

The petition must be enclosed with required justificative papers. Any declaration, remark and request should be made in the petition. The petitioner should also pledge to bear all expert appraisal and court costs in accordance with articles 37 and 38 of this decree.

After receiving the petition, the Province chief or Mayor must transmit it to the Court of First Instance or the Justice of the Peace with extended powers for examination.
Article 27. - The period of time allowed to landlords or rightful claimants to appear to sign the contract or to request a revision of price is three months counting from the day of posting of the notice mentioned in article 6.

Article 28. - Any landlord or rightful claimant who does not appear to sign the contract or does not submit a request to revise the price within the period of time allowed can be considered to have agreed to sell the occupied portion of his property at the recommended price.

The Province chief will issue a report to confirm this fact and send it to the court

- for revising the price if preferential creditors ask for a revision of the price

- for confirming the agreement, if there is no preferential creditor or if preferential creditors do not ask for a revision of the price.

Article 29. - The judgment resetting the price or confirming the agreement shall replace the sale contract of the property.

Article 30. - The sale contract of the property or the judgment replacing it, after registration, shall be sent to the local land administration agency for registration in land registry records or for recording in title deed records and for transmittal to the Ministry of Finance for registration in the public property register.

The transfer of ownership to the State of Vietnam, public agencies or local administrative corporate bodies will be automatically made in accordance with the contract or the judgment mentioned above without requiring any registration.

Article 31. - If the occupied property is already publicly owned and has been purchased by public funds, no procedure is required besides updating the land registry records.

The updating will automatically be made in accordance with the arrete authorizing the purchase and the arrete or decision confirming the particulars of the occupied property.

Chapter VI. -

Legal procedure on the transfer of ownership.

Article 32. - The file transmitted by the Province chief to the court for execution of the above articles 11, 14, 26 and 28 will include:
A. For all cases:

1. A copy of this decree
2. The arrête authorizing the purchase
3. The arrête or decision confirming the particulars and recommended purchase price of the property
4. The certificate stipulated in article 8.

B. For each particular case:

a. In order for the court to decide the sharing and use of the money (article 14), notification of liens or special assignment should be made.

b. In order for the court to revise the price of the property (articles 11 and 26), notification of liens or application for a revision of the price including the statements, remarks, desiderata of the concerned party and enclosed with required justificative papers should be made.

c. The court pronounces a judgment to confirm the agreement (article 28) if a report has been received confirming that nobody has showed up to sign the contract and ask for a revision of the price.

Article 33. If the file received is not regular and complete, the court will, within 15 days from the date the file is received, notify concerned parties for completion and regularization within a period of one month. After this deadline, the Court will make a decision as the case may be.

In any case, after receiving the file or after the deadline for completion of the file, the court must:

1. Revise the price within a period of 3 months
2. Approve the agreement within a period of 15 days
3. Decide the sharing or use of the proceeds from the Sale of the property within a period of one month.

If many decisions are required, the concerned periods of time must be added together.

Article 34. In the revision of the price, the court can only handle those cases likely to alter the price of the property.

The court can itself appoint one or several experts, give orders to apply all measures and procedures required.

Article 35. If it is deemed necessary to have experts assigned, the court will notify:
The concerned parties (the landlord or the party entitled to represent preferential creditors) who have made a request for the price revision.

The local representative of the Ministry, the public agency or the administrative corporate body asking for the purchase of the property, who is assigned to sign the contract so that both parties can appoint two experts and notify the court within 15 days from the date they are notified by this agency. This period of time also includes the depositing of the bond.

The expert assigned by the concerned parties requesting a price revision must meet with other experts to proceed with the survey but he must advise the court and other experts in advance. This meeting lasts at least two days.

Experts from both parties will together estimate the price of the property. Their survey report must be submitted to the court within a period of 30 days after they are appointed.

Article 36. If no expert is appointed within the prescribed period of time, this can be interpreted to mean that the concerned parties requesting a price revision have agreed upon the recommended purchase price and the court will pronounce a judgment to confirm this agreement.

Any expert who is appointed to make the survey but who does not do so because of any reason whatsoever will be assumed to be in agreement with the conclusion of the majority of the experts who have made the survey.

If the survey report is not submitted within the prescribed period of time, the court will judge according to the dossier received.

Article 37. If the price as revised by the court is equal to the recommended purchase price, concerned parties who have made a request for a price revision must pay all costs (court costs, lawsuit costs, expert appraisement costs).

If the price as revised by the court is equal to the sale price requested, the budget of the agency purchasing the property must bear all costs.

If the price as revised by the court is higher than the recommended purchase price but lower than the sale price requested, the court will decide the sharing of costs that each party must bear according to the percentage of difference between the recommended or requested price of each party and the revised price.
In any case, the portion of costs to be borne by the concerned parties who have requested a price revision cannot exceed the costs fixed by the court. The excess shall be borne by the public agency purchasing the property.

Article 38. - If all rightful claimants request a price revision, no depositing of a bond is required.

If among preferential creditors landlords or the party entitled to represent the landlords and other rightful claimants, some agree on the recommended purchase price while some do not agree and request a price revision, the Court will have the latter deposit a bond provided for the payment of charges.

Failure of payment of bond within the prescribed period of time shall be interpreted as non-confirmation of the request for a price revision and agreement upon the recommended purchase price and the Court will pronounce a judgment to confirm this agreement.

If the revised price, after deduction of charges, is lower than the recommended purchase price, only the person requesting a price revision will have to pay the difference in the two prices.

Article 39. - A judgment revising the price or confirming the agreement is final. Only an appeal to the Supreme Court can be made.

Request for an appeal to the Supreme Court must be filed within 3 days after the judgment is pronounced.

Article 40. - Current legal procedure will be applied if it is not contradictory to the provisions of this decree.

Chapter VII.

Payment

Article 41. - The amount of money to be paid to the landlord or rightful claimant includes the cost of the property and interest.

Article 42. - The cost of the property is the recommended purchase price approved by the landlord or the rightful claimant or the price as revised by the Court.

It is the cost of the land at the time it is occupied when construction has not yet started. All damages resulting from the moving of buildings, crops, plants, graves and equipment if any will be certified by the agency enjoying the use of the property and recommended by the Valuation Commission and paid to the person who actually suffers the loss.
Article 43. Interest computed according to the cost of the property is charged at the rate of 6%.

It is computed for a full year and without limitation of the number of years for which interest has to be paid. The year when the land is occupied and the year when payment of this is effected are considered as two separate years.

Article 44. The cost of the occupied property shall be paid to the landlord or the rightful claimant in cash immediately after the sale contract has been signed or after the judgment replacing it has been pronounced if the transferred portion of property is recommended at a price under $5,000 or if the property has not been granted or especially assigned to some agency or if there are only preferential creditors who agree to allow the landlord or the rightful claimant to receive the full amount of money.

Article 45. This decree automatically governs payment for the occupied property. Creditors will be paid according to the terms fixed by the landlord.

Sums of money which are retained and cannot be paid yet either pending the court's decision for their sharing or use (article 14) or due to the absence of the landlord, will be deposited in the Deposit and Consignment Fund.

All obligations binding the occupied property shall be automatically cancelled after the payment or after the money paid has been deposited in the Deposit and Consignment Fund.

Chapter VIII

Miscellaneous provisions

Article 46. All contracts or judgments replacing them, the decision on the sharing or use of the sums of money concerning the sale of property mentioned in this decree are exempted from payment of registration tax and fiscal stamps.

Payment of inheritance tax is also exempted for the occupied property if the landlord or the rightful claimant does not ask for a price revision.

Article 47. All judgments replacing the contract (except the judgment revising the price) and decisions of the court on the sharing and use of the sums of money concerning the portions of land transferred to the State of Vietnam to a local corporate body or a public agency are exempted from payment of charges and court costs.
Article 48. Payment of fees for registration or issuance of land certificates regarding the above property is also waived.

Article 49. With regard to expropriation for public interest performed within the framework of the decree of June 15, 1930 or arrete No. 580 Cab/SG of November 19, 1951, the provisions of this decree can also be applied if payment has not already been made while the land was occupied and if the Ministry enjoying the use of the property deems it necessary.

In the above case, the provisions of this decree will be executed one after another in accordance with the arrete of the Ministry enjoying the use of the property. The here under mentioned arrete or decree will be considered as an arrete authorizing the purchase mentioned in article 4:

1. the arrete promulgating the expropriation specified in article 2 or arrete No. 580 Cab/SG of November 19, 1951.

2. the law or decree authorizing the execution of work specified in article 1 of the decree of June 15, 1930.

Article 50. With regard to property specified in article 2 whose purchase is authorized by an existing decree, the Ministry enjoying the use of the property, if it deems necessary, can also assimilate the above arrete with one or two following documents as the case may be:

- arrete authorizing the purchase (articles 2 and 4)
- arrete confirming the particulars of the property and the recommended purchase price (articles 2 and 5)

Article 51. The Chairman of the Central Executive Committee is charged with the execution of this decree which will be published in the Official Journal of the Republic of Vietnam.

Saigon, February 14, 1967

Lt. General Nguyen Van Thieu
Republic of Vietnam

Office of the Chairman of the Central Executive Committee

No. 15-SL/HP/PC

The Chairman of the Central Executive Committee

Considering the Provisional Convention dated June 19/1965;

Considering the Decision No. 3-QLVNCH/QD dated June 14/1965, determining the composition of the National Leadership Committee;

Considering the Decree No. O01-a/CT/LDQG/SL dated June 19/1965, amended by the Decree No. 121-CT/LDQ/SL dated Oct. 5/1965, and determining the composition of the Central Executive Committee;

Considering the Decree No. O19-a/CT/LDQG/SL dated January 21/1966, establishing the Ministry of War Veterans;

Considering the statute No. 3/62, dated January 17/1962, regulating the joint national mutual assistance given to war veterans and to orphans and widows of war dead;

Considering the Decree No. 604-QP/ND dated April 10/1962, determining the organization and management of Orthopedics and Professional Training Center;

Considering the service-needs,

DECREES:

CHAPTER I

Generalities

Article 1.- The National Institute of Rehabilitation is now established, and placed under the direct supervision of the Ministry of War Veterans; it includes facilities in Saigon and in the Tactical Regions.

The National Institute of Rehabilitation is a public agency, with legal status and administrative and financial autonomy.

Article 2.- The National Institute of Rehabilitation assumes the following responsibilities:
Orthopaedics

- Physical exercise of disabled persons, in order for them to recover their former capacity of movement.

Professional orientation

- Professional training; issuance of professional training certificate.

- Finding out of jobs at government and private agencies; setting up of services for the protection of professional practice in behalf of wounded or disabled soldiers of the V.N. Armed Forces, paramilitary forces, and of civilians disabled by war injuries and diseases.

- Training of: - rehabilitation technicians
  - phisio-chemo-therapy technicians
  (School of Physio-Therapy and Rehabilitation)

CHAPTER II

Administration

Article 3. The National Institute of Rehabilitation is managed by a Governing Board, whose composition is as follows:

- Commissioner for War Veterans (or his representative) Chairman
- Representative of the Ministry of Defense Member
- Representative of the Ministry of Health
- Representative of the Ministry of Education
- Representative of the Ministry of Social Welfare
- Representative of the Ministry of Labor
- Dean of the Faculty of Medicine of Saigon or his representative
- Director of the National Institute of Rehabilitation Reporter
- Director General of Budget and Foreign Aid (or his representative) Member
Article 4.- The Governing Board will be in charge of:

- The examination and endorsement of the statute of the National Institute of Rehabilitation.

- The setting up of a long-range program and of annual programs, in compliance with the Institute Director's recommendations.

- The vote of the annual autonomous budget of the Institute, which should be submitted to the Chairman of the Central Executive Committee for approval.

- The study of technical, administrative and financial reports and comparative documents worked out by the Institute Director on an yearly basis.

- The nomination of managers of Professional Orientation Centers, in accordance with the Institute Director's recommendations.

- The examination and endorsement of the Institute personnel status which will be submitted to the Chairman of the Central Executive Committee for approval.

- The taking of decision concerning receipts and expenses over 500,000VN$.

- The acceptance of donations and legacies on behalf of the Institute and the taking of decision concerning the use of these donations and legacies.

- The taking of decisions concerning the recruitment of personnel of categories A and B.

- The nomination of the Institute Director.

Article 5.- The Governing Board is convened by the Chairman when required and at least once every 6 months. Furthermore, the Governing Board may convene in special session in compliance with the request made by the Institute Director or by the Chairman of the Board.

The decisions of the Board are only valid when taken in presence of the chairman and at least by 2/3 of its members.

The Board votes by absolute majority.
CHAPTER III
Management

Article 6. The National Institute of Rehabilitation is managed by a Director appointed by a decree of the Chairman of the Central Executive Committee in accordance with the recommendations made by the Governing Board and with the concurrence of the Commissioner for War Veterans.

An Administrative and Accounting Assistant is appointed by a decree of the Commissioner for War Veterans, in accordance with the recommendation made by the Institute Director, in order to take charge of administrative and accounting affairs of the Institute.

Article 7. The Institute Director is in charge of:

- the drawing up of the statutes of the Institute for submittal to the Governing Board.

- the administration and management of all facilities, properties and activities of the Institute under the technical, administration and financial aspect, in accordance with the decisions by, and under the supervision of, the Governing Board.

- the representation of the Institute before a law-court, and the relationship with banks, government agencies, private agencies, and third persons.

- the reporting to the Governing Board on difficulties and obstacles, in order for the Board to study these cases and give assistances as required.

- the setting up of annual autonomous budget of the Institute in accordance with the proposal submitted by dependent agencies.

- the appointment of operating personnel.

- the submittal of recommendations to the Governing Board, regarding the recruitment of personnel of categories A and B.

- the taking of decisions concerning the recruitment of personnel of categories C and D.

- the nomination of the Administrative and Accounting Assistant.
CHAPTER IV
Finance, Accounting, Personnel

Article 8. The resources of the National Institute of Rehabilitation consist of:

- Real estates, chattels, equipment, supplies and funds turned over by the Center of Orthopedy and Professional Orientation;

- Subsidies, advanced funds or loans from the National Budget or private individuals, agencies, groups and philanthropic organizations;

- Aid, advanced funds or loans from the Foreign Aid Budget or international agencies;

- Donations and legacies;

- The Institute's own income.

Article 9. The current system of governmental accounting is applied at the National Institute of Rehabilitation. However, after the closing of the financial year, the residual balance of the autonomous budget - if any - will be paid in the Institute's reserve fund deposited at the National Treasury under a non-interest account.

If the subsequent financial year budget shows a deficit, the Institute Governing Board will, at the request of the Institute Director, report to the Chairman of the Central Executive Committee to take out some money from the reserve fund to make up the deficit.

Article 10. The Director of the National Institute of Rehabilitation is the Autonomous Budget's Authorizing Officer for both payment and receipt. A non-interest account of the National Institute of Rehabilitation is opened at the National Treasury for collection of receipts and payment of expenditures contemplated in the budget. The Assistant in charge of administration and accounting will be the Manager of this account.

Every expenditure is paid by a cheque issued by the Manager of the Account, and visaed and signed by the Institute Director.

Article 11. By the 10th of each month, the Institute will send to the Directorate General of Budget and Foreign Aid the Monthly Statement of Payments and Receipts of the Autonomous Budget.
Article 12.- An auditor designated by the Chairman of the Central Executive Committee in compliance with the recommendation by the Director General of Budget and Foreign Aid, will control all account books and proofs of the Institute at least twice a year.

On the other hand the auditor may check the Institute's records relating to financial activities, at any time when necessary.

Article 13.- The National Institute of Rehabilitation's staff consist of regular and non-regular military and civil personnel detailed from various governmental agencies, and employees recruited by the Institute. The detailed personnel are always placed under the control of either the military regulations system or the government employees' administrative system, but their salaries and allowances are paid by the Institute autonomous budget.

The employees recruited by the Institute will be placed under the Institute's own statute.

CHAPTER V

Transitional Clauses

Article 14.- The National Institute of Rehabilitation's Governing Board will meet 15 days after the issuance of the present Decree at the latest, for nomination of the Institute Director and reporting to the Chairman of the Central Executive Committee for appointment of the Institute Director.

Article 15.- The National Center of Orthopedic and Professional Orientation (under the Ministry of National Defense) is turned over to the National Institute of Rehabilitation together with its budget, military and civil personnel, real estates, equipment, supplies, files and records.

Article 16.- The internal organization of the National Institute of Rehabilitation will be determined by a decree from the Ministry of War Veterans, in compliance with the recommendation by the Governing Board of the National Institute of Rehabilitation.

Article 17.- The related Commissioners General and Commissioners are charged, each one as he may be concerned, with carrying out the present decree.
This decree is published in the Official Gazette of the Republic of Vietnam.

Saigon February 5, 1966
(S) Vice Air-Marshal Nguyen Cao Ky

Distribution:

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- Directorate of the Wards of the Nation
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Saigon, February ..... 1966
Col. Le Van Thong, M.D.
Director of the Center of Orthopedic and Professional Orientation
LAND REFORM --- A review of the situation which points up the major problems and inequities and what is being done about them.

"Land for the tiller" has been the cry of the land reform enthusiast for decades. However, expropriation alone has not historically been a sound or lasting answer to the problems of land tenure security. Land reform, to be just and lasting, must be accompanied by the building of needed new rural institutions and the strengthening of existing services.

The basic legislation for redistribution of land was written in 1956. This limited riceland holdings to 100 hectares per landlord, plus 15 hectares for ancestor worship, and it made provisions for payments to landlords expropriated under these laws. Approximately 772,000 acres of cultivatable land were purchased under Ordinance 57, and 615,000 acres of this have been redistributed. Much of the rest lies in insecure territory.

The second major land acquisition-redistribution program has involved ricelands formerly owned by French nationals. The French Government paid these owners for their lands in Francs and the GVN has distributed about 9,200 acres of approximately 250,000 cultivatable acres. Most of the ricelands in South Vietnam are still cultivated by tenant farmers or hired labor. These methods of production take many forms, however. In the south, landlords tend to own larger tracts than in the central region where an absentee landlord may own less than a hectare of paddy.

The land tenure situation is not uniform throughout the country and writing legislative improvements for it is a complicated undertaking. The following table gives the percentage of operators by tenure:

<table>
<thead>
<tr>
<th>Tenure</th>
<th>Southern Provinces</th>
<th>Central Lowland Provinces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner-operators only</td>
<td>23</td>
<td>29</td>
</tr>
<tr>
<td>Operator with only rented land</td>
<td>47</td>
<td>11</td>
</tr>
<tr>
<td>Operators with both owned and rented land</td>
<td>30 (100%)</td>
<td>60 (100%)</td>
</tr>
</tbody>
</table>
Laws limiting land rents to 25 percent of the crop have been in force in the country since 1955; also, restraints have been imposed upon landlords concerning collection of back rents from former Viet Cong territory. The same instruction expressly forbids use of military forces by landlords in the collection of rents. Landlords are likewise excused from GVN taxation during periods of VC control.

Besides the immediate political benefits from redistribution and rent control, these programs aim at economic objectives; by giving the farmer a firm and permanent title to his land, we hope to induce him to make the investments of capital and labor necessary to raise his surplus production above a marginal level. One program to strengthen land tenure rights is now being tested in the An Giang Priority Area. In this, aerial photographs are being made of the entire province and land descriptions determined from them. The great advantages offered by the advanced cadastral techniques are speed, accuracy and safety (a limited amount of work need be done on the ground). The title produced by this process contains a description of the land, its area, a photograph of the parcel, and other pertinent information. The titles will be easily reproducible so copies may be given to the owners as well as filed centrally.

Another major effort to strengthen land tenure is being run as a priority program by the Directorate of Land Affairs in Saigon. It consists of a drive to replace all temporary land ownership certificates (issued until 1965) with permanent ones, and issuance of new ownership titles will also be on a definitive basis. These titles cover former French land, Ordinance 57 land, squatted lands and land development center lands; over 100,000 such permanent titles have been produced since the beginning of 1967. In cases where full payment for the lands has not been received by the GVN, the title is issued regardless; the owner remains liable for the unpaid balance.

The major problems and inequities still existing regarding land tenure in the rural areas are: (1) violation of tenant-landlord contracts and terms of tenure relationships; (2) biased and inadequate village administrative authority to cope with disputes, conflicts and enforcement of regulations; (3) a disproportionately high landlord influence in village affairs and decisions; and (4) Viet Cong land redistribution and taxation in insecure areas. Primary attention in development of land tenure policy must be directed at rectifying these inequities.
CANDID COMMENT • • • • •

A former district chief and district judge who was educated for his role in government under the old mandarinate system replies to the author of "Vietnamese and American Values and Preferences in Administration" which was published in Public Administration Bulletin No. 37, May 1, 1967.

* * *

First of all, I must pay a tribute to the American writer of the article "Vietnamese and American Values and Preferences in Administration". It constitutes a very useful guide, for Americans and Vietnamese as well, because while most of the Vietnamese are busy making more and more money, there is an American who spends useful moments studying cultural and historical aspects of Vietnamese life, and knows much more about Confucian philosophy and morale than does the average Vietnamese.

Of course, it is true that the Vietnamese administrative system evolved from the old Chinese Empire in that Viet-Nam was under Chinese rule for well over one thousand years... But it must be emphasized that today, it is an undeniable fact that Chinese culture in Viet-Nam belongs to the past. During some eighty years of French domination (1862-1945), four generations, the French swept out all remnants of the Chinese administrative system and entirely replaced it by their own system, in this Indo-China which they always called "France of Asia". In this respect, it should be noted that the current classification of Vietnamese executives in the Cadre of Line Administrators is an imported feature from France rather than from China.

The Central Viet-Nam (formerly called An-Nam by the Chinese and the French) was the only region in which the Imperial administrative system of Viet-Nam was allowed to remain by the French Protectorate. Even in this third portion of the country, under the necessities of the time, many changes have incurred on the recommendations of the French advisors, the foremost of which were:

1916 - Suppression of the examinations in the Chinese ideological characters to confer the Bachelor's, Master's and Doctor's degrees, as requirements for entrance eligibility into the Imperial Civil Service or Mandarinate.
1933 - Reform of the Mandarinate by Bao-Dai: Replacement, in official correspondence, of the Chinese characters by the Vietnamese language in roman letters; and forbidding of prostrations before the Emperor and the mandarins.

These two dates probably tolled the knell of Confucianism in this country. The Vietnamese who had studied Chinese characters before 1916 began studying the French language for their rice bowl, and in 1933, as shown above, in the confined Empire of An-Nam, there was not enough men mastering the Chinese characters to do official jobs. Progressively, the French system of academic degrees (Baccalaureate, Licentiate, and Doctorate) replaced its equivalent in Chinese.

Later on, after 1954, the re-establishment, always in Central Viet Nam, of a Department of Chinese characters at the University of Hue led to so many desertions by the students involved because of difficulties in the studies themselves as well as in the appointment in the Vietnamese Civil Service that this department was finally closed permanently. And today, the Chinese characters are only learned by the Buddhist bonzes in their pagodas. At the Department of Buddhism and Orient Studies of the Van Hanh University, in Saigon, the courses are also taught in Vietnamese.

In short, since 1916, very few Vietnamese have been able to read Confucius out of his writings in the Chinese characters, especially his doctrines and ethics as found in "The Middle Way"; the oldest continue to practice Confucian moral teachings and rites, as taught by their parents or learned by themselves; but after 1933, Confucius has definitely left Viet Nam, and the new generation of Vietnamese only know this foreign philosopher through some French books; the Chinese characters became useless, and in the entire territory of French Indo-China, knowledge of the French language led to the highest positions in the government as well as in the private sector.

I myself was a mandarin from 1933 to 1945, i.e. a district chief and concurrently a district judge. It was then necessary for me to learn approximately one thousand Chinese characters, which allowed me to read the old contracts and to write some notes in Chinese on the requests submitted by the peasants. And now, after twenty-two years sans practice, only a handful of these figures remain in my mind, and I am not able to write even a short letter.
My entrance examination in the Mandarinate consisted of three written essays on history, administration and law, all of which were in the French language. I passed only because I had mastered the French language, and was well aware of the French colonial policy justified by this averment: "The total earth for the total humanity".

After 1945, the French language remained the first foreign language because many parents taught it to their children, and English teachers were virtually non-existent. And the young Vietnamese eventually expressed more interest in Descartes and Spinoza than in Confucius.

Finally, with the military defeat of the French Forces at Dien Bien Phu in 1954, and especially after the U.S. commitment to Viet Nam, English became the first foreign language in this country, and teachers and proponents of that language now abound.

In the field of techniques, after the Geneva agreements of 1954, those who left the country were not considered genuinely Vietnamese, because they had acquired French citizenship before that date and had refused to regain Vietnamese citizenship, and we never regret the loss of the skills of such traitors.

Do you believe that in this year of 1967, we, the Vietnamese people, keep our old traditions of the Chinese and French colonial times? - No, that all belongs to history, As you will recall, Confucius, said: "Among the three failures to devotion to the parents, the greatest one is the lack of male descendant. "Nowadays, at least fifty per cent of young Vietnamese boys do not marry, among them two of my own sons. The reason is that we forget very easily foreign traditions and foreign practices: we are neither Chinese nor French, we are Vietnamese and we must live in the twentieth century.

On the other hand, I do not believe that Buddhism means inactivity, as was demonstrated by last year's turmoils in Saigon, in Hue and in many other cities of Vietnam.

The upheaval of the Armed Forces is a pertinent fact in many under-developed countries of Asia, Africa and Latin America. But, if the soldier was not listed in the
Confucian scale of four values, that was due to the fact that everybody was drafted, except the Mandarins, the Village Officials, the Holders of University Degrees and National Rewards and the disabled. After World War II, the military are greatly respected because they have fought for the liberation of the country, and many of them are graduates from European and American institutions.

As for the demonstrations and demands for return to a "civilian" government, they are not a consequence of the Confucian teachings, but perhaps a misunderstanding of the basic requisites of Democracy in practice, as expressed by the Americans. In any society, there are always a small fraction of active people, and a large fraction of amorphous people. The rioters belong to the first group, while the government employees of low grade who remain silent in the "seminars" may belong to the second one. It is too complicated to find out a reason for such laziness in the Vietnamese traditions.

On the contrary, in the seminars conducted by Confucius in person, the philosopher always recommended discussions: and his disciples asked him many questions without "breaking the rules of harmony between individuals or embarrassing the elder..." From himself this quotation: Tri chi vi tri chi, bat tri vi bat tri, vi tri gia (When you know a thing, to hold that you know it; and when you do not know a thing, to allow that you do not know it; this is knowledge). What does he mean, if not that one has not to be ashamed if he knows his ignorance.

Under the mandarin system, the name of the position of district chief was also Tri-huyen (the official who knows the district). After World War II, this name was changed into Quan-Truong (district chief), showing once more that the Vietnamese of the second half of the Twentieth Century are far from paying the same respect to knowledge as did their ancestors trained at Confucian schools.

In the field of social relations, I do not know if Confucius recommended respect to the sly man (?). But in practice, this kind of man is rather feared than respected. To testify this truth, there is a Vietnamese saying: Nhut la so ke anh hung, Nhi la so ke so cung lieu thay.
Which can be translated:

To be feared are: First the heroes, second the poor without resources who risk their living corpses.

I hope that the above comments and remarks have cleared the ground for some negative aspects of the essay.
### Addresses of Government Agencies and Committees

- **NATIONAL LEADERSHIP COMMITTEE**
  Independence Palace

- **Central Executive Committee**
  Independence Palace

- **Congress of the Armed Forces**
  General Staff Headquarters
  Tan Son Nhut

- **National Assembly**
  Lam Son Plaza

- **Civilian/Military Council**
  Dien Hong Palace
  Chuong Duong Quay

- **Central Committee for Administrative Improvement**
  N.I.A. - 10 Tran Quoc Toan
  ChoLon

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<td>110 Nguyen Du</td>
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<tr>
<td><strong>National Institute of Administration</strong></td>
<td>10 Tran Quoc Toan</td>
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<tr>
<td><strong>Directorate General of Budget and Foreign Aid</strong></td>
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<td><strong>Directorate General of Port Authority</strong></td>
<td>1 Ham Nghi</td>
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<td><strong>Secretariat General of Civil Service Supreme Council</strong></td>
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<td><strong>Special Commission for Anti-Communist Refugees</strong></td>
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<td><strong>Office of Superintendent General</strong></td>
<td>27 Nguyen Trung Truc</td>
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<td>Commission</td>
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<tr>
<td>General for National Security</td>
<td>2 Nguyen Hau</td>
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<td>General for Cultural and Social Affairs</td>
<td>7 Thong Nhut</td>
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<td>General for Information and Open Arms</td>
<td>79-81 Phan Dinh Phung</td>
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<td>General for Defense</td>
<td>63 Gia Long</td>
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<td>11-C Cong Truong Lam Son</td>
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<td>45-46 Ben Chuong Duong</td>
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<td>Commission for Youth</td>
<td>272 Hien Vuong</td>
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<td>Commission for Agriculture</td>
<td>58 Nguyen Binh Khiem</td>
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<td>Commission for Communication</td>
<td>2 Dien Hong</td>
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<td>and Transport</td>
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<td>Commission for Finance</td>
<td>138 Hong Thap Tu</td>
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<td>Commission for Labor</td>
<td>459 Tran Hung Dao</td>
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<td>Commission for Commerce</td>
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<td>Commission for Handicraft</td>
<td>59 Gia Long</td>
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<td>and Industry</td>
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REPUBLIC OF VIETNAM
CENTRAL EXECUTIVE COMMITTEE

Decree No. 815/ND/XD

Chairman of the Central Executive Committee,

Ref: The Constitution of 1 April 1967; Decision No. 3-QLVNCH/QD, supplemented by Decree No. 7/QLVNCH, 6 June 1966, from the Congress of the Armed Forces, establishing the National Leadership Committee and determining the composition of this Committee; Decree No. 1-a/CT/LDOG/SL, 19 June 1965, and other supplementary documents establishing the composition of the Central Executive Committee; Order No. 29, June 29, 1953, establishing the drafting regulations; Decree No. 177/QP, 22 July 1961, dictating mobilization of young men with Baccalaureat I and higher degrees for Reserve Officer military training courses; Decree No. 1219/QP, 11 December 1961, dictating draft of male citizens between 20 and 30 years of age; Decree No. 157/QP, 6 May 1964, determining the period for the military obligation; Decree No. 1071/QP, 4 June 1964, ordering Reserve Officers and NCOs to remain in military ranks; Decree No. 137/ND/XDNT, 26 January 1966, establishing the special statute for RD Cadres; Recommendations from the RD General Ministry and the General Ministry of Defense.

DECREES:

1. This decree is to supplement Decree No. 137/ND/XDNT, 26 January 1966, amending the period of military obligation of RD Cadres.

2. RD Cadres who have served in the field continuously for six years are granted definitive exemption from their military obligation. The six year continuous period is made retroactive from 1 January 1966.
3. Applicants in age groups reserved for military service, if recruited, and, if removed or resigning within this six-year period, must be drafted to complete their military obligation throughout the draft age limit at the time of their removal or resignation.

4. An inter-ministerial Directive which determines the age limit of applicants for RD Cadres, establishes procedures for administration of RD Cadres, and dictates how to execute this decree, will be issued by the RD General Ministry and the Ministry of Defense.

5. Commissioners General and Commissioners are responsible for the execution of this decree. This decree will be published in the GVN Official Gazette.

Air Vice Marshal Nguyen Cao Ky
Chairman, Central Executive Committee
COMMISSION FOR WAR VETERANS

Decree No. 74 - SL/CCB of 26 April 1966.
(as amended to date)

COMMISSIONER

CHIEF OF CABINET
2 Expeditors
Private Secretary
Inspection Team Leader
Information
and Public Relations
Security
Mail and Records
Internal Affairs

DIRECTOR OF CABINET

DIRECTORATES

RETIREMENT PENSIONS
AND SUBVENTIONS

- For Regular Army Members
- For Regional Forces Members

SUBVENTIONS SERVICE
- For Regular Army Members
- For Regional and Popular Forces
- For The Wards of The Nation

MEDICAL CARE AND SOCIAL WORK
- Medical Care
- Social Work

PROGRAMMING AND PLANNING

- Documentation - Library
- Research and Statistics
- Planning

TRAINING AND JOB PLACEMENT

EDUCATION SERVICE
- General Education
- Technical Education
- Scholarship

VOCATIONAL GUIDANCE
- Vocational Guidance
- Organization and Equipment
- Vocational Training

ADMINISTRATION
BUDGET AND ACCOUNTING

ADMINISTRATIVE SERVICE
- General
- Disputed Claims
- Career Personnel
- Non-career Personnel

FINANCE SERVICE
- Budget and Foreign Aid
- Accounting
- Material Supply

RECESSION AGENCIES

NATIONAL INSTITUTE
OF REHABILITATION

CONVALESCENT HOMES
FOR DISABLED SERVICEMEN
HUE, VUNG-TAU

MILITARY ORPHANAGE

SCHOOLS
OF THE WARDS
OF THE NATION
GIA-DINH (DA-NANG Proposed)

REGIONAL OFFICES
(DA-NANG and CANTHO Proposed)

ADPA/USAID/VIETNAM APRIL 1967
The Office of Public Administration (ADPA) of USAID/Saigon, is on the first and second floors at 85 Le Van Duyet, Saigon. Our APO Address is ADPA/USAID, APO 96243.

We publish the Bulletin monthly, with occasional lapses into two-months intervals when more urgent business intervenes. Your opinions are welcome. New readers are welcome. To receive it you have only to let us know. Our telephone numbers are 93083 to 93090 (USAID), ext. 547.