

No.: 2018/QĐ-UBND

*Hau Giang, November 14<sup>th</sup>, 2019*

**DECISION**

**On approval of equitization plan for Provincial Agricultural Breeding Center**

**CHAIRMAN OF THE PEOPLE'S COMMITTEE OF HAU GIANG PROVINCE**

Pursuant to the Law on organization of the local governments dated June 19<sup>th</sup>, 2015;

Pursuant to Decision no. 22/2015/QĐ-TTg dated June 22<sup>nd</sup>, 2015 of the prime minister on transformation of public non-business units into joint stock companies;

Pursuant to Decree no 126/2017/NĐ-CP dated November 16<sup>th</sup>, 2017 of the government on conversion from state-owned enterprises and single-member limited liability companies with 100% of charter capital invested by state-owned enterprises into joint-stock companies;

Pursuant to Documentary no.766/VPCP-ĐMDN dated January 25<sup>th</sup>, 2017 of the government office on Hau Giang's list of Public non-business units converted into joint-stock companies;

Pursuant to Circular No. 35/2016/TT-BLDTBXH dated October 25<sup>th</sup>, 2016 of MoLISA Minister providing guidance on implementation of employee policies in the context of transformation of public service establishments into joint-stock companies under Decision No. 22/2015/QĐ-TTg;

Pursuant to Circular no. 40/2018/TT-BTC dated May 4<sup>th</sup>, 2018 providing guidelines for initial offering of shares and management and use of proceeds from equitization of state-owned enterprises and single-member limited liability companies wholly owned by state-owned enterprises;

Pursuant to Circular no. 41/2018/TT-BTC dated May 4<sup>th</sup>, 2018 providing guidelines on financial settlement and enterprise valuation upon equitization of state-owned enterprises and single-member limited liability companies 100% charter capital of which is held by state-owned enterprises;

Pursuant to Decision no. 1284/QĐ-UBND dated August 22<sup>nd</sup>, 2019 of Chairman of Hau Giang Provincial People's Committee on approval of the value of provincial agricultural breeding center at the time of December 31<sup>st</sup>, 2018 for equitization;

Considering proposal of the head of equitization steering committee under provincial agricultural breeding center at the report no. 23/TTR-BCĐTTG dated November 5<sup>th</sup>, 2019;

Pursuant to conclusion of Provincial Standing People's Committee in the meeting in November 11<sup>th</sup>, 2019

## DECISION:

**Articles 1.** Approve equitization plan of provincial agricultural breeding center with the following provisions:

**1. Name of the joint-stock company**

- Company name in Vietnamese: CONG TY CO PHAN NONG NGHIEP CONG NGHE CAO HAU GIANG

- Company name in English: HAU GIANG HIGH-TECH AGRICULTURE JOINT STOCK COMPANY

- Head quarter: No. 128, National Route 61, Hamlet 12, Vi Thang commune, Vi Thuy district, Hau Giang Province

- Tel: (0293) 3572 202

- Website: <http://giongnongnghiephaugiang.vn>.

- E-mail: haugiang.abc@gmail.com

**2.** Hau Giang High-Tech Agriculture Joint Stock Company has legal person status according to Vietnam laws from the date of company registration certification; follows mechanism of independent economic accounting, has its own stamp; can open bank account(s) according to the laws, organizes and operates according to its own company rules and compliant with Laws on enterprises and relative regulations; can complete business registration according to the laws.

- Hau Giang High-Tech Agriculture Joint Stock Company shall receive the legitimate rights, obligations and interests of agricultural breeding center according to the laws

**3. Charter capital and structure of issued shares:**

- Charter capital of the joint stock company: 18,756,500,000 dongs (eighteen billion, seven hundred and fifty-six million, five hundred thousand dongs)

- Par value of one share: 10,000 dongs

- Share structure issued:

+State holds 919,069 shares, accounting for 49% of charter capital.

+Shares sold to employees in enterprises: 178,400 shares, accounting for 9.5 % of charter capital. In which: preferential sale basing on actual working time in state section is 25,800, accounting for 1.4% of charter capital; sales basing on committed working time at the joint stock company is 152,600, accounting for 8.1% of charter capital.

+Auctioned to the public: 778,181 stocks, accounting for 41.5% of charter capital.

- Starting price for auction to the public: 10,000 dongs/share

- Selling form: sell a part of current state capital of the center

- The representative of state capital owner in Hau Giang High-Tech Agriculture Joint Stock Company: People's committee of Hau Giang province



#### 4. Organization of shares selling

- Selling method: auction of shares for the initial offering, then selling shares to employees in the company.

- Selling agency:

- + Auction to the public: intermediary auction through Beta securities incorporation; auction organizer: Ho Chi Minh City Stock Exchange.

- + Sold to the employees: upon success of auction to the public. Place of sales: Hau Giang High-Tech Agriculture Joint Stock Company

#### 5. Labor arrangement plan:

- Total quantity of employees at the time defining equitization value of the organization (12/31/20018): 37 people

- Total quantity of employees at the time announcing value of the organization: 27 people

- Total employees transferred to joint stock company: 27 people

- Redundant workers: 0 people

6. Land use plan: follow the land use plan of provincial agricultural breeding center after equitization approved at the decision no. 1288/QĐ-UBND dated September 4<sup>th</sup>, 2019; and decision no. 1990/QDD-UBND dated November 11<sup>th</sup>, 2019 of Hau Giang province

- Form of use: Lease and pay annual rent according to current regulations on land; land use right value is not included in the enterprise value when equitizing.

7. Equitization expenses: the proceeds from the sales of shares less equitization costs shall be paid to business development and reorganization assistance fund

**Article 2.** Equitization committee under provincial agricultural breeding center shall take responsibility for commanding provincial agricultural breeding center to sell stocks and make settlement reports according to regulations; verifying and submitting equitization costs settlement and equitization results to the chairman of provincial people's committee for approval according to regulations.

**Article 3.** The director of provincial agricultural breeding center shall decide and take responsibility for actual costs necessary for equitization according to the current regulations; take responsibility for checking and signing auction service contract with Ho Chi Minh City Stock Exchange and making payment, settlement according to regulations; be responsible for managing, administrating the unit until handing over entire assets, capital and labor to the joint stock company and for company business results according to current regulations.

**Article 4.** Director of Department of Finance, Director of Agriculture and Rural Development Department, head of equitization committee under provincial agricultural



breeding center, Director of provincial agricultural breeding center; head of concerned organizations and units are responsible for implementation of this decision from the date of signing.

***Receivers:***

- As the article 4
  - Stored at: VT, KT. TD
- E/2017QD/DA/STC\_ approval of equitization plan for  
Agricultural Breeding Center

**PP CHAIRMAN  
VICE CHAIRMAN**

*(signed and sealed)*

**Truong Canh Tuyen**

**Công ty TNHH Phạm Lữ Gia** xin xác nhận bản dịch *tiếng Anh* hoàn toàn đúng so với bản gốc *tiếng Việt* đã giao và chúng tôi không có trách nhiệm cho mục đích sử dụng của tập tài liệu này.

*Pham Lu Gia Company Limited confirm English Translation quite right with original Vietnamese have assigned and we are not responsible for the purposes of this document.*



**MS. LỮ TRUNG DUNG**



