

No. 2045/QD-UBND

*Hau Giang, November 25th, 2020*

**DECISION**

**Approving the equitization plan of Bong Sen Hotel**

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

*Pursuant to the Law on Organization of Local Governments dated June 19th, 2015;*

*Pursuant to the Law amending and supplementing a number of articles of the Law organizing the local Government on November 22nd, 2019;*

*Pursuant to the Decision No. 22/2015/QD-TTg on June 22nd, 2015 issued by Minister of Government about changing Government organizations into Joint Stock Company;*

*Pursuant to the Decree No. 126/2017/ND-CP on November 16th, 2017 issued by Government about Government organizations and One Member Limited Company with 100% investment by Government to change into Joint Stock Company;*

*Pursuant to the Document No. 766/VPCP-DMDN on January 25th, 2017 issued by Government office about list of Government organizations in Hau Giang province changing into Joint Stock Company;*

*Pursuant to the Circular No. 35/2016/TT-BLDTBXH on October 25th, 2016 issued by Ministry of Labor, War invalids and Social Affairs guiding to perform the policies for the labor when changing from Government organizations into Joint Stock Company according to Decision No. 22/2015/QD-TTg on June 2nd, 2015 issued by Minister of Government;*

*Pursuant to the Circular No. 40/2018/TT-BTC on May 04th, 2018 issued by Ministry of Finance guiding about initial share offering and management of receipt from equitization of the Government organizations and One Member Limited Company with 100% investment by Government to change into Joint Stock Company;*

*Pursuant to the Circular No. 41/2018/TT-BTC on May 04th, 2018 issued by Ministry of Finance guiding about some contents on financial handling and enterprise valuation when transforming the Government organizations and One Member Limited Company with 100% investment by Government into Joint Stock Company;*

*Pursuant to Decision No. 1164/QD-UBND on June 30th, 2020 issued by Hau Giang People's Committee about approving the value of Bong Sen Hotel as of June 30th, 2019 for equitization;*

*At the proposal of the Equitization Management Committee of Bong Sen Hotel in Report No. 15/TTr-BCĐTTNMX on September 28th, 2020;*



*Based on the conclusions of Permanent collective Provincial People's Committee at the meeting on November 19th, 2020.*

**DECISION:**

**Article 1.** Approving the equitization plan of Bong Sen Hotel with the following main content:

**1. Joint stock company name:**

- Vietnamese name: Công ty Cổ phần Bông Sen Hậu Giang.
- English name: Bong Sen Hau Giang Joint Stock Company.
- Head office: No. 60 Tran Hung Dao, ward 5, Vi Thanh city, Hau Giang province.
- Phone: 0293.3600.123.

**2.** Bong Sen Hau Giang Joint Stock Company has the legal entity status under Vietnamese law from the date it is granted the Business Registration Certificate; implementing the regime of independent economic accounting; has its own seal; be allowed to open accounts at banks according to the provisions of law; organized and operated in accordance with Charter of Bong Sen Hau Giang Joint Stock Company, in accordance with the Enterprise Law and the provisions of relevant laws; be allowed to register its business according to the provisions of law.

- Bong Sen Hau Giang Joint Stock Company inherits the legal rights, obligations, and interests of Bong Sen Hotel being implemented and operating in accordance with the law.

**3. Charter capital and initial share structure:**

- Charter capital of Joint stock company: 93,000,000,000 VND (ninety three billion dong).

- Par value: 10,000 VND.

- Issued share structure:

+ Government's share holding: 3,348,000 shares, occupied 36% of charter capital.

+ Shares sold to employee in the unit: 52,800 shares, occupied 0.57% of charter capital. In which, Preference shares based on actual working time in the state sector are 15,200 shares, occupied 0.16% of charter capital; Preference shares based on commitment time to work in joint stock company are 37,600 shares, occupied 0.41% of charter capital.

+ Share offering in the public auction: 5,899,200 shares, occupied 63.43% of charter capital. In which: state capital offering in the public auction is 4,372,800 shares, occupied 47.02%; additional shares offering in the public auction is 1,526,400 shares, occupied 16.41%.

- Representative agency Owners of state capital in Bong Sen Hau Giang Joint Stock Company: Hau Giang People's Committee.

**4. Selling shares:**

- Form of share sale: combining both selling state capital and issuing additional shares to increase charter capital.



- Mode of sale: Selling initial public offering shares, then, selling shares sold to employee in the unit.

+ Share offering in the public auction: This is done through an intermediary auction organization which is Beta Securities Incorporation. Auction performing organization: Ho Chi Minh City Stock Exchange.

+ Shares sold to employee in the unit: This is done after public auctions of shares successfully. Location of selling shares: Bong Sen Hau Giang Joint Stock Company.

- Selling price:

+ Initial price for public auction: 10,000 VND/share.

+ Preferential share selling price based on actual working time in the state sector: 6,000 VND/share.

+ Selling price based on commitment time to work in a joint stock company: 10,000 VND/share.

**5. Plans for labor arrangement:**

- Total labor at value determination time of equitization unit (June 30th, 2019): 43 people.

- Total labor at value publication time of equitization unit (June 30th, 2020): 25 people.

- Total labor transferred to work for the Joint Stock Company: 25 people.

- Total redundant employees: 0 people.

**6. Land use solution:** is implemented according to the land use plan of Bong Sen Hotel after equitization approved by Hau Giang People's Committee in Decision No. 1018/QD-UBND on July 1st, 2019.

Form of use: rental land with annual payment in accordance with the current regulations of the land law and it does not include the value of land use rights in the enterprise value when equitizing.

**7. Equitization expenses:** proceeds from the sale of shares after deducting equitization expenses will be paid to the Enterprise Arrangement and Development Fund.

**Article 2.** Equitization Management Committee is assigned to direct the Bong Sen Hotel to sell shares for the first time and prepare the settlement report according to regulations; appraise and submit to the Chairman of the Provincial People's Committee for approval of equitization expenses finalization and equitization results of Bong Sen Hotel according to the law.

**Article 3.** Director of Bong Sen Hotel is assigned to take responsibility for the actual expenses necessary serving the equitization of company according to current law provisions. Responsible for checking and signing the contract providing share auction service with Ho Chi Minh City Stock Exchange and make payment and settlement according to regulations. At the same time, be responsible for operating and managing the unit until the handover of all assets, capital and labor to Joint Stock Company and be responsible for the business results of company according to current law provisions.

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**Article 4.** Director of Finance Department, Director of Construction Department, Head of Equitization Management Committee of Bong Sen Hotel, Director of Bong Sen Hotel; Heads of relevant agencies and units are responsible for implementing this Decision from the date of signing./.

***Recipients:***

- As the Article 4;
  - Stored at: VT, NCTH, <sup>TD</sup>
- E/2020/CPH/STC\_approval of equitization plan for Bong Sen Hotel

**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.*

TM. CÔNG TY  
ON BEHALF OF THE COMPANY



MS. LỮ TRUNG DUNG

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