



## **PROPOSAL**

**Regarding the authorization to decide issues under the authority of the General Meeting of Shareholders during the implementation of the investment project to construct container berths No. 3 and No. 4 in Hai Phong International Gateway Port (Lach Huyen port complex), Hai Phong city**

To: The General Meeting of Shareholders of Port of Hai Phong Joint Stock Company

Pursuant to the Law on Enterprise No. 59/2020/QH14 dated June 17, 2020 passed by the National Assembly of the Socialist Republic of Vietnam;

Pursuant to the Law on Construction No. 50/2014/QH13 dated June 18, 2014; Law No. 62/2020/QH14 dated June 17, 2020 amending and supplementing a number of articles of the Law on Construction No. 50/2014/QH13 passed by the National Assembly of the Socialist Republic of Vietnam;

Pursuant to the Law on Bidding No. 43/2013/QH13 dated November 26, 2013 passed by the National Assembly of the Socialist Republic of Vietnam;

Pursuant to the Investment Law No. 61/2020/QH14 dated June 17, 2020 passed by the National Assembly of the Socialist Republic of Vietnam;

Pursuant to the Decree No. 15/2021/ND-CP dated March 3, 2021 issued by the Government defining details of a number of contents on construction investment project management;

Pursuant to the Decree No. 63/2014/ND-CP dated June 26, 2014 issued by the Government guiding the implementation of a number of articles of the Bidding Law on contractor selection;

Pursuant to the Decree No. 155/2020/ND-CP dated December 31, 2020 issued by the Government guiding the implementation of a number of articles of the Law on Securities;

Pursuant to the Circular 116/2020/TT-BTC dated December 31, 2020 issued by the Ministry of Finance guiding a number of articles on corporate governance applicable to public companies;

Pursuant to the Resolution No. 01/2021/NQ-ĐHĐCD dated April 29, 2021 issued by the General Meeting of Shareholders of Port of Hai Phong Joint Stock Company on the content of the Annual General Meeting of Shareholders in 2021;

Pursuant to the Charter of organization and operation of Port of Hai Phong Joint Stock Company;

Pursuant to the Decision No. 1207/QĐ-CHP dated April 29, 2021 issued by the Board of Management of Port of Hai Phong Joint Stock Company on the promulgation of internal regulations on corporate governance of Port of Hai Phong Joint Stock Company;



Pursuant to the Decision No. 1208/QD-CHP dated April 29, 2021 issued by the Board of Management of Port of Hai Phong Joint Stock Company promulgating the Operation Regulation of the Board of Management of Port of Hai Phong Joint Stock Company;

Pursuant to the Resolution No. 01/2021/NQ-ĐHĐCD dated April 29, 2021 issued by the General Meeting of Shareholders of Port of Hai Phong Joint Stock Company (Port of Hai Phong), the investment project to construct container berths No. 3 and No. 4 in Hai Phong International Gateway Port (Lach Huyen port complex), Hai Phong city was approved by the General Meeting of Shareholders of Port of Hai Phong on April 29, 2021. Pursuant to the Law on Bidding (on the responsibilities of competent authority under the Article 73 of the Law on Bidding No. 43/2013/QH13), the Law on Construction (on the rights and responsibilities of the authority deciding on construction investment according to Article 72 of the Law on Construction No. 50/2014/QH13), works conducted in the project implementation phase and the construction completion phase such as: Approval of the contractor selection plan, construction drawing design, cost estimates, final settlement of construction investment amount,... will be under the decision of the competent authority/person who decides the construction investment.

Aimed to shorten the project timeline and ensure the compliance with the law, the Board of Management of Port of Hai Phong would like to submit to the General Meeting of Shareholders to approve the Resolution of the General Meeting of Shareholders on the authorization to decide issues under the authority of the General Meeting of Shareholders in the implementation process of the "Investment project to construct container berths No. 3 and No. 4 in Hai Phong International Gateway Port (Lach Huyen port complex), Hai Phong city", specifically as follows:

1. The General Meeting of Shareholders of Port of Hai Phong authorizes the Board of Management of Port of Hai Phong to consider and decide issues related to the construction investment project of container berths No. 3 and No. 4 in Hai Phong International Gateway Port (Lach Huyen port complex), Hai Phong city which are under the authority of the General Meeting of Shareholders during the implementation phase and the construction completion phase of the Project, excluding the approval of the final settlement of construction investment amount, in compliance with the Company's Charter and full compliance with the law.

2. The Board of Management of Port of Hai Phong is responsible for performing the works authorized by the General Meeting of Shareholders, ensuring full compliance with the law and reports the results to the General Meeting of Shareholders in the earliest shareholder meeting.

Faithfully,

Recipients: 

- As above;
- Management Board, Supervisory Board;
- Filing: Company Secretary.

 ON BEHALF OF THE BOARD OF  
MANAGEMENT  
CHAIRMAN



  
**Pham Hong Minh**