

VISUAL SUMMARY

8 NEW PRECEDENTS APPLIED FROM 1 JULY 2026

Under Decision No. 162/QĐ-CA dated 29 May 2026 of the Chief Justice
of the Supreme People's Court
Adopted by the Judges' Council on 21 May 2026



OVERVIEW OF 8 NEW PRECEDENTS

Applied in adjudication from 1 July 2026 · Decision 162/QĐ-CA



AL 83

Insurer's liability to compensate when the party causing the damage is unidentified

Insurance



AL 84

Termination of adoption when a single adoptive parent dies

Marriage & Family



AL 85

Litigation status of member insurers in co-insurance

Insurance · Litigation



AL 86

Grounds for reopening an effective commercial judgment

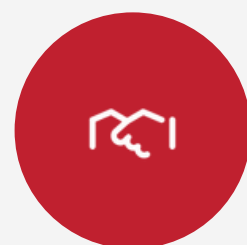
Civil Procedure



AL 87

Payment priority when enforcing secured assets

Secured Assets



AL 88

Authorization to litigate in a child custody dispute

Marriage & Family



AL 89

Compensation for assets on land upon State land recovery

Land



AL 90

Court's authority to annul a land use right certificate

Land · Administrative

PRECEDENT NO. 83/2026/AL

On an insurer's liability to compensate for property damage where the competent authority has not identified the party that caused the damage

Source:

Appellate Judgment No. 73/2023/DS-PT dated 26 August 2023 of the People's Court of Quảng Nam Province in the civil case *"Dispute over a Motor Vehicle Insurance Contract"* between the plaintiff, Mr. Vương Ngọc A, and the defendant, H Insurance Corporation; person with related rights and obligations: Ms. Vũ Hoàng U.

Summary:

Case Facts:

The motor vehicle insurance contract is valid. A fire damages the vehicle, constituting an insured event. The appraisal authority attributes the fire to human action, but the authorities have not identified who caused it.

Legal Solution:

The Court must hold the insurer liable to compensate the insured for the property damage, while reserving — or having transferred to it — the right to seek reimbursement under the law.

Legal Basis:

Point e, Clause 1, Article 17 and Article 49 of the 2000 Law on Insurance Business (as amended in 2010 and 2019); corresponding to Point e, Clause 1, Article 20 and Article 54 of the 2022 Law on Insurance Business (as amended in 2025).

Adopted by the Judges' Council of the Supreme People's Court on 21 May 2026 and published under Decision No. 162/QĐ-CA dated 29 May 2026 of the Chief Justice of the Supreme People's Court.

PRECEDENT NO. 84/2026/AL

On termination of the adoption of a minor when the single adoptive parent dies

Source:

Cassation Decision No. 06/2024/DS-GĐT dated 22 April 2024 of the High People's Court in Ho Chi Minh City, in the civil matter "*Petition to Terminate an Adoption*" between petitioners Ngô Thành M and Cao Thị G, and the minor related party, Ngô Phát T.

Legal Basis:

- *Clause 5, Article 29 of the 2015 Code of Civil Procedure (as amended in 2019, 2020, 2022, 2023, 2024 and 2025).*
- *Articles 25, Clause 3 of Article 26, and Clauses 2 and 3 of Article 27 of the 2010 Law on Adoption.*
- *Articles 15, 22, 23, 24 and 27 of the 2016 Law on Children.*

Summary:

Case Facts:

A lawful adoption relationship is established between a single adoptive parent and a minor adoptee. After the adoptive parent dies, the minor's biological parents petition the Court to terminate the adoption.

Legal Solution:

In this case, the Court grants the biological parents' petition to terminate the adoption of their minor child.

Adopted by the Judges' Council of the Supreme People's Court on 21 May 2026 and published under Decision No. 162/QĐ-CA dated 29 May 2026 of the Chief Justice of the Supreme People's Court.

PRECEDENT NO. 85/2026/AL

On the litigation status of member insurers under a co-insurance principal agreement

Source:

Appellate Judgment No. 64/2024/DS-PT dated 3 June 2024 of the People's Court of Quảng Nam Province in the civil case "*Insurance Contract Dispute*" between the plaintiff, Mr. Lương Văn H, and the defendant, B Insurance Corporation; persons with related rights and obligations: 2 individuals.

Summary:

Case Facts:

- The co-insurance principal agreement among the insurers designates the lead insurer as responsible for entering into the insurance contract with the policyholder, settling and paying compensation upon occurrence of an insured event, and for requiring the member insurers to contribute compensation in proportion to their co-insurance share; it does not make member insurers directly liable to the policyholder.
- The policyholder did not contract with the member insurers but with the lead insurer, and a dispute arose. During first-instance proceedings, the lead insurer did not request that the member insurers be joined as persons with related rights and obligations.

Legal Solution:

In this case, the Court must find that the member insurers are not persons with related rights and obligations in the case and should not be joined to the proceedings.

Legal Basis:

Clause 4, Article 68 of the 2015 Code of Civil Procedure (as amended in 2019, 2020, 2022, 2023, 2024 and 2025).

Adopted by the Judges' Council of the Supreme People's Court on 21 May 2026 and published under Decision No. 162/QĐ-CA dated 29 May 2026 of the Chief Justice of the Supreme People's Court.

PRECEDENT NO. 86/2026/AL

On the legal event giving rise to grounds for considering a protest under reopening procedure

Source:

Reopening Decision No. 05/2022/KDTM-TT dated 25 February 2022 of the High People's Court in Hanoi, in the commercial case "*Credit Contract Dispute*" between plaintiff Q Commercial Bank and defendant T Co., Ltd.; related party: H Co., Ltd.

Summary:

Case Facts:

A credit contract dispute between the plaintiff (a credit institution) and the defendant (an enterprise) was resolved by a legally effective judgment ordering the defendant to pay the plaintiff. The investigating authority later found the defendant's legal representative had committed fraud to misappropriate the plaintiff's money, initiated criminal proceedings against that person, and recommended a protest against the judgment.

Adopted by the Judges' Council of the Supreme People's Court on 21 May 2026 and published under Decision No. 162/QĐ-CA dated 29 May 2026 of the Chief Justice of the Supreme People's Court.

Legal Solution:

The Court must find that the decision to prosecute the accused, together with the investigating authority's accompanying documents, constitutes grounds for a protest under reopening procedure against the effective judgment or decision.

Legal Basis:

Articles 351, 352 and Clause 1 of Article 353 of the 2015 Code of Civil Procedure (as amended in 2019, 2020, 2022, 2023, 2024 and 2025).

PRECEDENT NO. 87/2026/AL

On the payment priority order when enforcing secured assets

Source:

Cassation Decision No. 30/2023/KDTM-GĐT dated 29 December 2023 of the High People's Court in Hanoi, in the commercial case "*Credit Contract Dispute*" between plaintiff A Commercial Bank and defendant H Maritime JSC; related party: Đ Shipbuilding JSC.

Summary:

Case Facts:

The plaintiff (a credit institution) entered into a credit contract and a mortgage over a vessel with the defendant (a customer). The parties agreed to have a third party repair, upgrade and guard the vessel to raise its value. When the defendant defaulted, the plaintiff sued and sought enforcement of the secured asset. The third party filed an independent claim for its repair, upgrade and custody costs.

Adopted by the Judges' Council of the Supreme People's Court on 21 May 2026 and published under Decision No. 162/QĐ-CA dated 29 May 2026 of the Chief Justice of the Supreme People's Court.

Legal Solution:

The Court must find that, when enforcing a secured asset, priority goes to paying a third party's labor costs, taxes and custody fees for repairing, upgrading and guarding that asset.

Legal Basis:

- *Article 307 of the 2015 Civil Code.*
- *Clause 12, Article 1 of Decree No. 11/2012/NĐ-CP dated 22 February 2012 amending Decree No. 163/2006/NĐ-CP on secured transactions.*

PRECEDENT NO. 88/2026/AL

On authorization to participate in proceedings in a child custody dispute

Source:

First-Instance Judgment No. 34/2023/HNGĐ-ST dated 8 June 2023 of Long Mỹ Town People's Court, Hậu Giang, in the case *"Divorce and Joint Child Custody Dispute"* between plaintiff Lê Thái A and defendant Dương Văn L.

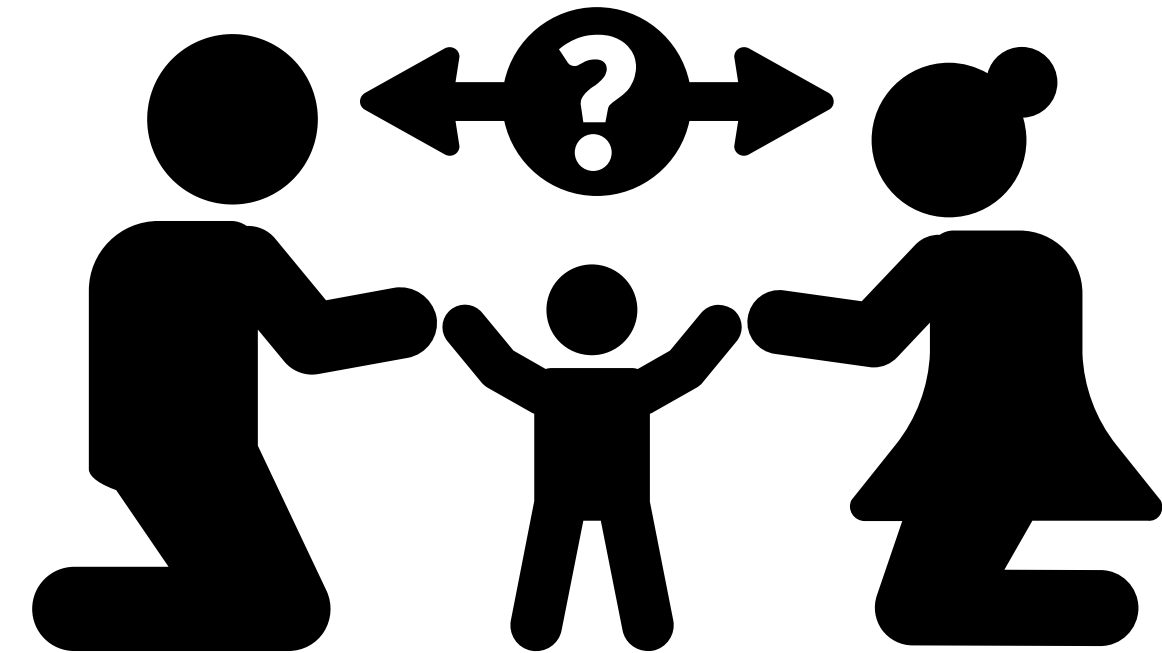
Summary:

Case Facts:

In a divorce and child custody dispute, a litigant authorizes another person to represent them in the proceedings concerning the custody dispute.

Legal Solution:

In this case, the Court does not accept the authorization of another person to participate in the proceedings on behalf of the litigant with respect to the custody dispute.



Legal Basis:

- Article 25 of the 2015 Civil Code.
- Clause 4, Article 68 of the 2014 Law on Marriage and Family (as amended in 2025).
- Clause 4, Article 85 of the 2015 Code of Civil Procedure (amended 2019–2025).

Adopted by the Judges' Council of the Supreme People's Court on 21 May 2026 and published under Decision No. 162/QĐ-CA dated 29 May 2026 of the Chief Justice of the Supreme People's Court.

PRECEDENT NO. 89/2026/AL

On compensation and support upon State land recovery for assets consisting of a house purchased through liquidation for residential use on land belonging to a state agency

Source:

Cassation Decision No. 09/2023/HC-GĐT dated 13 April 2023 of the Judges' Council of the Supreme People's Court in the administrative case *"Complaint Against Administrative Decisions and Acts in Land Management and Claim for Damages"* between petitioner Nguyễn Dực H and respondents the Chairman of P Province People's Committee and T1 District People's Committee, P Province; related parties: 2 individuals.

Summary:

Case Facts:

A state agency liquidated a house built on its headquarters land, with no agreement to transfer land use rights, before the authority ordered recovery of that land. The buyer used the house for residential purposes and later built and improved assets on the land, which the state then recovered.

Legal Solution:

The Court must find that, upon State land recovery, the buyer of the assets on the land is not eligible for land compensation, but is entitled to compensation and support for the recovered assets on the land.

Legal Basis:

Clause 3, Article 43 of the 2003 Law on Land (corresponding to Clause 1, Article 89 of the 2013 Law on Land, and Clause 1, Article 102 of the 2024 Law on Land).

Adopted by the Judges' Council of the Supreme People's Court on 21 May 2026 and published under Decision No. 162/QĐ-CA dated 29 May 2026 of the Chief Justice of the Supreme People's Court.

PRECEDENT NO. 90/2026/AL

On the Court's authority to annul a land use right certificate

Source:

Cassation Decision No. 10/2024/HC-GĐT dated 16 April 2024 of the Judges' Council of the Supreme People's Court in the administrative case *"Complaint Against an Administrative Decision in Land Management"* between petitioner Trần Ngọc T and respondents G District People's Committee and Q Land Registration Office; related parties: 7 individuals.

Summary:

Case Facts:

Due to procedural errors, the People's Committee issued a land use right certificate that overlapped land already certified to an adjacent user. The wrongly certified holder transferred it to a third party, who received a replacement certificate. The adjacent user sued to annul the certificate issued to the third party.

Adopted by the Judges' Council of the Supreme People's Court on 21 May 2026 and published under Decision No. 162/QĐ-CA dated 29 May 2026 of the Chief Justice of the Supreme People's Court.

Legal Solution:

The Court must find that a land use right certificate is an administrative decision, and that it has authority to review its lawfulness and to annul it, in whole or in part.

Legal Basis:

- Clause 1, Article 3 and Clause 2, Article 193 of the 2015 Law on Administrative Procedure (as amended in 2019, 2024 and 2025).
- Point d, Clause 2, Article 106 of the 2013 Law on Land (corresponding to Point d, Clause 2, Article 152 of the 2024 Law on Land).
- Clause 5, Article 87 of Decree No. 43/2014/NĐ-CP (15 May 2014) guiding the Law on Land.

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