

**THE GOVERNMENT OF  
VIETNAM**

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No. 144/2021/ND-CP

**SOCIALIST REPUBLIC OF VIETNAM  
Independence - Freedom - Happiness**

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*Hanoi, December 31, 2021*

**DECREE**

**ADMINISTRATIVE PENALTIES FOR VIOLATIONS AGAINST REGULATIONS ON  
SOCIAL SAFETY, SECURITY, ORDER; SOCIAL EVILS, FIRE PREVENTION AND  
FIREFIGHTING; RESCUE; DOMESTIC VIOLENCE PREVENTION AND CONTROL**

*Pursuant to the Law on Government Organization of Vietnam dated June 19, 2015; the Law dated November 22, 2019 on amendments to the Law on Government Organization of Vietnam dated June 19, 2015 and the Law on Local Government Organization;*

*Pursuant to the Law on Handling of Administrative Violations of Vietnam dated June 20, 2010; the Law dated November 13, 2020 on Amendments to the Law on Handling of Administrative Violations;*

*Pursuant to the Law on Domestic Violence Prevention and Control of Vietnam dated November 21, 2007;*

*Pursuant to the Law on Fire Prevention and Firefighting of Vietnam dated June 29, 2001; the Law dated November 22, 2013 on Amendments to the Law on Fire Prevention and Firefighting;*

*Pursuant to the Law on Citizen Identification of Vietnam dated November 20, 2014;*

*Pursuant to the Law on Housing of Vietnam dated November 25, 2014;*

*Pursuant to the Law on Guard of Vietnam dated June 20, 2017;*

*Pursuant to the Law on Entry, Exit, Transit, and Residence of Foreigners In Vietnam of Vietnam dated June 16, 2014; the Law dated November 25, 2019 on Amendments to the Law on Entry, Exit, Transit, and Residence of Foreigners In Vietnam;*

*Pursuant to the Law on Management and Use of Weapons, Explosives and Combat Gears of Vietnam dated June 20, 2017 and the Law dated November 25, 2019 on Amendments to the Law on Management and Use of Weapons, Explosives and Combat Gears;*

*Pursuant to the Law on State Secret Protection of Vietnam dated November 15, 2018;*

*Pursuant to the Law on Execution of Criminal Judgments of Vietnam dated June 14, 2019;*

*Pursuant to the Law on Entry and Exit of Vietnamese Citizens of Vietnam dated November 22, 2019;*

*Pursuant to the Law on Investment of Vietnam dated June 17, 2020;*

*Pursuant to the Law on Residence of Vietnam dated November 13, 2020;*

*Pursuant to the Law on Prevention and Control of Narcotic Substances of Vietnam dated March 30, 2021;*

*Pursuant to the Law on Environment Protection of Vietnam dated November 17, 2020;*

*Pursuant to the 2003's Ordinance on Prostitution Prevention and Combat;*

*At the request of the Minister of Public Security of Vietnam;*

*The Government promulgates a Decree on Administrative penalties for violations against regulations on social safety, security, order; social evils, fire prevention and firefighting; rescue; domestic violence prevention and control.*

## **Chapter I**

### **GENERAL PROVISIONS**

#### **Article 1. Scope**

1. This Decree specifies administrative violations, penalties, fines, remedial measures imposed against each administrative violations, persons having the power to issue offence notices, impose penalties and specific fines.
2. Other the Government's Decrees on administrative penalties for violations against relevant regulations shall apply to other administrative violations that are directly related to social safety, security, order; social evils, fire prevention and firefighting; rescue; domestic violence prevention and control that are not provided for in this Decree.

#### **Article 2. Regulated entities**

1. Vietnamese organizations and individuals, foreign organizations and individuals that commit administrative penalties for violations against regulations on social safety, security, order; social evils, fire prevention and firefighting; rescue; domestic violence prevention and control within the territory, inland waterways, territorial sea, contiguous zones, exclusive economic zones and continental shelves of the Socialist Republic of Vietnam; on airplanes with Vietnamese nationality and ships with Vietnamese flags.

2. Vietnamese citizens and organizations that commit the violations specified in this Decree outside the territory of the Socialist Republic of Vietnam may also incur administrative penalties specified in this Decree.

3. Authorities and persons imposing administrative penalties for violations against regulations on social safety, security, order; social evils, fire prevention and firefighting; rescue; domestic violence prevention and control, relevant organizations and individuals.

### **Article 3. Administrative penalties and remedial measures**

1. Primary administrative penalties for violations against regulations on social safety, security, order; social evils, fire prevention and firefighting; rescue; domestic violence prevention and control include:

a) Warnings;

b) Fines.

2. Depending on the nature and extent of the violation, the organizations and individuals that commit violations against regulations on social safety, security, order; social evils, fire prevention and firefighting; rescue; domestic violence prevention and control may have to incur one or some of the following additional penalties:

a) Suspension of the license or practicing certificate;

b) Suspension of operation;

c) Confiscation of exhibits or vehicles used for commission of the administrative violations (hereinafter referred to as "exhibits and means of administrative violations");

d) Deportation.

3. In addition to the remedial measures specified in Points a, c, e and I Clause 1 Article 28 of the Law on Handling of Administrative Violations, organizations and individuals that commits the administrative violations specified in this Decree may also have to implement one or some of the following remedial measures:

a) Mandatory return of the illegally appropriated property;

b) Mandatory return of the certificates relevant to weapons, combat gears and firecrackers; certificates of security and order; certificates of security operation; certificates of seal registration; licenses to transport goods with fire hazards/explosion hazards; fire safety approvals; practicing certificates, certificates of eligibility to provide fire prevention and firefighting services; certificates of inspection of fire safety and firefighting equipment that are falsified ((hereinafter referred to as "licenses, practicing certificates, certificates of registration");

- c) Mandatory return of the ID card;
- d) Mandatory return of the seal, the certificate of seal registration;
- dd) Mandatory destruction of documents that are illegally sealed;
- e) Mandatory withdrawal, return of documents, fliers, articles, pictures serving commission of the administrative violations;
- g) Mandatory withdrawal, return of classified documents and items;
- h) Mandatory removal of classified documents;
- i) Mandatory reservation, placement, arrangement of goods with fire hazards/explosion hazards as per regulations; reduction of quantity, volume, categories of the goods with fire hazards/explosion hazards as per regulations; or relocation of goods with fire hazards/explosion hazards to a specific warehouse or location as per regulations.
- k) Mandatory ventilation;
- l) Mandatory installation and maintenance of anti-static devices or systems as per regulations;
- m) Mandatory installation of devices for detecting and responding to leakage of substances/goods with fire hazards/explosion hazards;
- n) Mandatory installation of electric devices or systems serving fire prevention, firefighting and rescue;
- o) Mandatory installation of the lightning protection system or rectification of error or repair of damage to the lightning protection system;
- p) Mandatory implementation of fire separation solutions as prescribed by law;
- q) Mandatory update of the fire prevention and firefighting database as per regulations;
- r) Mandatory maintenance of continuous operation of incident communication devices;
- s) Mandatory withdrawal of the fire safety and firefighting equipment or the inspection record;
- t) Mandatory public apology;
- u) Mandatory fulfillment of contribution/nurturing obligations;
- v) Mandatory payment of the entire medical examination and treatment cost.

4. Procedures for return of a falsified license or certificate:

- a) The competent person shall issue a decision; the violator shall return the falsified license or certificate in accordance with Clauses 1, 2, 3 and 4 Article 85 of the Law on Handling of Administrative Violations;
- b) The decision issuer mentioned in Point a of this Clause shall send a written notification to the issuer of the license or certificate.

#### **Article 4. Maximum fines, organizations incurring administrative penalties**

1. The maximum fine for a domestic violence-related offence shall be 30.000.000 VND if imposed upon an individual, 60.000.000 VND if imposed upon an organization; the maximum fine for an offence against regulations on social security and order shall be 40.000.000 VND if imposed upon an individual, 80.000.000 VND if imposed upon an organization; the maximum fine for an offence against regulations on fire prevention, firefighting and rescue shall be 50.000.000 VND if imposed upon an individual, 100.000.000 VND if imposed upon an organization; the maximum fine for an offence against regulations on social evils shall be 75.000.000 VND if imposed upon an individual, 150.000.000 VND if imposed upon an organization.
2. The fines specified in Chapter II of this Decree are imposed upon administrative violations committed by individuals. The fine imposed upon an organization for the same violation shall be twice the fine imposed upon an individual.
3. The organizations mentioned in Clause 1 and Clause 2 of this Article include:
  - a) Business organizations established under the Law on Enterprises, including: sole proprietorships, joint stock companies, limited liability companies, partnerships and dependent units of enterprises;
  - b) Business organizations established under the Law on Cooperatives, including: cooperatives, cooperative unions;
  - c) Social organizations, socio-political organizations, social-professional organizations;
  - d) Public service providers;
  - d) State agencies that commit violations that are not their state management tasks;
  - e) Artels.
4. Households, household businesses that commit violations specified in this Decree shall incur the same penalties as individuals.

#### **Article 5. Prescriptive period**

1. Prescriptive period for imposition of administrative penalties for violations against regulations on social safety, security, order; social evils, fire prevention and firefighting; rescue; domestic violence prevention and control is 01 year.

2. Determination of prescriptive period:

a) If the administrative violation has ended, the prescriptive period begins when the violation ends;

b) For an ongoing administrative violation, the prescriptive period begins when it is discovered by a competent person;

c) In case an administrative penalty is imposed under a notice sent by a competent person, the prescriptive period will be the same as that prescribed in Clause 1 of this Article, Point a and Point b of this Clause by the date of issuance of the decision on penalty imposition.

## **Article 6. Procedures for imposition of penalties for violations that are also provided for in the Criminal Code**

Upon discovery of the violations specified in Point d Clause 1, Point c Clause 2, Point b Clause 3, Points b and c Clause 4, Points a and d Clause 5 Article 7; Points b and c Clause 4 Article 9; Point a Clause 3, Points a and b Clause 4 Article 10; Point c Clause 2, Clause 5 Article 11; Point c Clause 3, Points b, dd and e Clause 5 Article 12; Point e Clause 3, Points a and b Clause 4 Article 13; Points a, b, c and dd Clause 1, Points c, d and e Clause 2 Article 15; Point a Clause 3 Article 16; Point a Clause 4, Point c Clause 6 and Point a Clause 7 Article 18; Point dd Clause 2, Clause 4 Article 19; Clause 3 Article 21; Clause 2, Clause 3, Points b, c, d, dd and e Clause 5 Article 23; Point c Clause 4 Article 26; Clause 2, Points b and d Clause 4, Points a and d Clause 5 Article 28; Clause 4 Article 32; Point c Clause 5 Article 34; Point a Clause 2 Article 50; Point a Clause 4 Article 51; Clause 1 Article 52 and Clause 1 Article 53 of this Decree, the competent person who is handling the case shall transfer the case file to a criminal proceeding authority for criminal prosecution in accordance with Clauses 1, 2 and 4 Article 62 of the Law on Handling of Administrative Violations.

In case the criminal proceeding authority issues a decision to not initiate criminal prosecution; a decision to cancel the decision on criminal charge; a decision to suspend criminal investigation; a decision to suspend the case; or a decision to cancel the decision on criminal charge and return the case file, the case file shall be transferred to the person having the power to impose administrative penalties specified in Clause 3 Article 62 and Article 63 of the Law on Handling of Administrative Violations for imposition of administrative penalties in accordance with this Decree.

## **Chapter II**

### **ADMINISTRATIVE VIOLATIONS, PENALTIES AND REMEDIAL MEASURES**

## **Section 1. ADMINISTRATIVE VIOLATIONS AGAINST REGULATIONS ON SOCIAL SAFETY, ORDER AND SECURITY**

### **Article 7. Violations against regulations on public order**

1. A warning or a fine ranging from 300.000 VND to 500.000 VND shall be imposed for any of the following violations:

a) Disrupting order at a place with ongoing art performance, sports activities, commerce, office buildings, residential areas or other public places, except the cases specified in Point a Clause 2 and Point b Clause 5 of this Article;

b) Allowing domestic animals to run off-leash in an urban area or public area;

c) Allowing domestic animals, plants or other items to occupy the road surface, sidewalk, public park, playground, urban area or public area in a residential area or urban area;

d) Unintentionally causing injuries or bodily harm to another person but not liable to criminal prosecution;

dd) Throwing or putting any other item on the perimeter walls and adjacent areas of the protected area;

e) Raising, grazing livestock and poultry in an apartment building

2. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

a) Using alcohol or stimulants in a manner that disrupts public order;

b) Assembling, joining a crowd in a public area in a manner that disrupts public order;

c) Allowing a domestic animal to cause injuries or damage to property of another organization or individual but not liable to criminal prosecution;

d) Flying kites, balloons, playing other flying toys in an area where they are banned or in a protected area;

dd) Using an unmanned aerial vehicle (UAV) or an ultralight aircraft without a flight license, or organizing flights before having the license or after having been registered but the permitted time, location, area, coordinates and limits are not adhered to;

e) Obstructing, harassing another person during handling, transport, storage of luggage at a market, wharf, bus station, airport, port, train station or another public area;

g) Lighting and launching sky lanterns;

- h) Failure to have adequate documents while operating an UAV or ultralight aircraft;
- i) Organizing flights of an UAV or ultralight aircraft while the operator has not fulfilled flight requirements;
- k) Organizing flights of an UAV or ultralight aircraft while the UAV or ultralight aircraft is not flight-qualified;
- l) Spraying paint, writing, drawing, sticking images or text on a wall, utility pole or another place in a residential area, public area, apartment building, a citizen's residence or another construction work without permission of a competent authority.

3. A fine ranging from 2.000.000 VND to 3.000.000 VND shall be imposed for any of the following violations:

- a) Taunting, teasing, insulting, humiliating another person, except the cases specified in Point b Clause 2 Article 21 and Article 54 of this Decree;
- b) Organizing, hiring, enticing, tempting another person to cause injuries or bodily harms, or to insult or humiliate another person but not liable to criminal prosecution;
- c) Providing false information for a competent authority or organization;
- d) Calling 111, 113, 114, 115 or a hotline number of an organization for the purpose of harassment, threatening or insulting;
- dd) Manufacturing, storing, transporting sky lanterns;
- e) Designing, manufacturing, repairing, maintaining, testing UAVs or ultralight aircrafts, engines, propellers and parts thereof without adequate legal documents issued by or registered with competent authorities as per regulations;
- g) Designing, manufacturing, repairing, maintaining, testing UAVs or ultralight aircrafts, engines, propellers and parts thereof without maintaining fulfillment of personnel requirements under the license issued by a competent authority;
- h) Designing, manufacturing, repairing, maintaining, testing UAVs or ultralight aircrafts, engines, propellers and parts thereof without adequate equipment, tools, workshop, area under the license issued by a competent authority;
- i) Designing, manufacturing, repairing, maintaining, testing UAVs or ultralight aircrafts, engines, propellers and parts thereof without compliance with regulations of law on security, safety and environment.

4. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:



- a) Hiring, inciting, enticing, tempting another person to cause disruption of public order;
- b) Carrying, storing, hiding cold weapons, combat gears or other items that can cause injuries; items, vehicles for the purpose of disrupting public order or causing injuries to another person;
- c) Taking advantage of democracy, freedom of religion and belief to organize, hire, entice, tempt another person to infringe upon interests of the State, or lawful rights and interests of another organization or individual;
- d) Disrupting or obstructing normal operation of an organization;
- dd) Gathering, joining crowds illegally at Communist Party agency, State agency or an area where crowds are banned.
- e) Dumping, throwing wastes, dirty matters, chemicals, debris or other objects into a house, residence; at a person, item or property of another person; into the premises of an organization, workplace, factory, business organization, protected area or guard post thereof;
- g) Entering a protected area or guard post thereof without permission;
- h) Using an UAV or ultralight aircraft to fly a flag, banner, drop fliers or play audio propaganda against the flight permit;
- i) Writing, spreading, circulating documents or images that are meant to slander another organization or individual, except the case specified in Clause 1 Article 101 of the Government's Decree No. 15/2020/ND-CP.

5. A fine ranging from 5.000.000 VND to 8.000.000 VND shall be imposed for any of the following violations:

- a) Deliberately inflicting injuries or bodily harm to another person but not liable to criminal prosecution;
- b) Disrupting public order while carrying cold weapons, combat gears or other items that can cause injuries;
- c) Filming, photographing, charting an restricted area that is relevant to defense and security;
- d) Molestation of a person under 16 but not liable to criminal prosecution;
- dd) Molestation, sexual harassment;
- e) Engaging in sexual acts in public;

g) Perform designing, manufacturing, repairing, maintaining, testing UAVs or ultralight aircrafts, engines, propellers and parts thereof against the categories or quality specified in the license issued by a competent authority;

h) Using UAVs and ultralight aircrafts to launch, drop harmful or dangerous objects or substances without permission.

6. A fine ranging from 6.000.000 VND to 8.000.000 VND shall be imposed for using UAVs and ultralight aircrafts to perform aerial photography or videography without permission.

7. A fine ranging from 8.000.000 VND to 10.000.000 VND shall be imposed for operating UAVs and ultralight aircrafts against the license issued by a competent authority.

8. A fine ranging from 10.000.000 VND to 15.000.000 VND shall be imposed for operating UAVs and ultralight aircrafts against orders and signals of the flight operation and supervision authority.

9. A fine ranging from 15.000.000 VND to 20.000.000 VND shall be imposed for designing, manufacturing, repairing, maintaining, testing UAVs or ultralight aircrafts, engines, propellers and parts without a license issued by a competent authority.

10. A fine ranging from 20.000.000 VND to 30.000.000 VND shall be imposed for operating UAVs and ultralight aircrafts without a license issued by a competent authority.

11. A fine ranging from 30.000.000 VND to 40.000.000 VND shall be imposed for operating a UAV and ultralight aircraft obstructing or endangering other aircrafts.

12. Hygiene-related offences shall be handled in accordance with the Government's Decree on administrative penalties for environmental protection-related offences and relevant legislative documents.

13. Additional penalties:

a) Confiscation of the exhibits and means of administrative violations for the violations specified in Points a, d, dd and g Clause 2; Points dd Clause 3; Points b, e and I Clause 4; Points a, b and c Clause 5; Clauses 6 and 10 of this Article;

b) 3 - 6 months suspension of the license for designing, manufacturing, repairing, maintaining, testing UAVs or ultralight aircrafts, engines, propellers and parts thereof in case of violations specified in Point h and Point I Clause 3 and Clause 9 of this Article ;

c) 3 – 6 months suspension of the flight license in case of violations specified in Clauses 6, 7, 8 and 11 of this Article;

d) Expulsion of foreigners committing the violations specified in Points c, e and g Clause 4 of this Article.

14. Remedial measures:

a) Mandatory restoration of original condition in case of violations specified in Point c Clause 1; Point l Clause 2 and Point e Clause 4 of this Article;

b) Mandatory rectification of false or confusing information in case of violations specified in Point a Clause 3; Point l Clause 4 of this Article;

c) Mandatory public apology in case of violations specified in Point a Clause 3, Points d and dd Clause 5 of this Article, unless it is relinquished in writing by the victim;

d) Mandatory environmental recovery in case of violations specified in Point h Clause 5 of this Article;

dd) Mandatory payment of the entire medical examination and treatment cost in case of violations specified in Point d Clause 1, Point c Clause 2, Point b Clause 3 and Point a Clause 5 of this Article.

**Article 8. Violations against regulations on public serenity**

1. A warning or a fine ranging from 500.000 VND to 1.000.000 VND shall be imposed for any of the following violations:

a) Making loud noises in a residential area or public area during 10 p.m – 6 a.m;

b) Failure to comply with regulations on maintaining serenity in health facilities, sanitariums, schools or other places with such regulations;

c) Selling food and/or drink past the hour specified in by the People’s Committee of the province.

2. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for using loudspeakers, gongs, drums, horns or other devices to make loud noises in public without permission of competent authorities.

3. Additional penalty:

Confiscation of the exhibits and means of administrative violations in case of violations specified in Clauses 2 of this Article.

**Article 9. Violations against regulations on residence management and registration**

1. A fine ranging from 500.000 VND to 1.000.000 VND shall be imposed for any of the following violations:

a) Failure to comply with regulations on registration of permanent residence and temporary residence, cancellation of permanent residence and temporary residence, household division or revision of residence in of in Residence Database;

b) Failure to comply with regulations on notification of residence and temporary absence;

c) Failure to present the family register, temporary residence register, residence certification, other residence documents at the request of a competent authority.

2. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

a) Erasing, changing or otherwise falsifying the family register, temporary residence register, residence certification, other residence documents;

b) Buying, selling, leasing out the family register, temporary residence register, residence certification, other residence documents for commission of illegal acts;

c) Borrowing, lending or using the family register, temporary residence register, residence certification, other residence documents for commission of illegal acts;

d) Residing in a new lawful residence without completing procedures for change of residence despite eligibility therefor;

dd) Operating a lodging establishment, tenement, treatment facility, tourist accommodation or any other lodging facility without notifying the accommodation of 1 - 3 guests;

e) Enticing, tempting, persuading, brokering, forcing another person to violate residence laws;

g) Pledging the family register, temporary residence register, residence documentation or receiving them as pledge;

h) Destroying the family register, temporary residence register, residence documentation.

3. A fine ranging from 2.000.000 VND to 4.000.000 VND shall be imposed for any of the following violations:

a) Allowing another person to join the residence for personal gain;

b) Operating a lodging establishment, tenement, treatment facility, tourist accommodation or any other lodging facility without notifying the accommodation of 04 - 08 guests;

c) Obstructing a citizen from exercising his/her freedom of residence.

d) Giving, brokering, receiving bribes in residence registration and management.

4. A fine ranging from 4.000.000 VND to 6.000.000 VND shall be imposed for any of the following violations:

a) Providing false information, documents about residence for the purpose of registration of permanent residence, temporary residence, declaring residence information, issuance of other residence document or performing other illegal acts;

b) Making, using forged documents or data about residence for the purpose of registration of permanent residence, temporary residence, declaring residence information, issuance of other residence document or performing other illegal acts;

c) Making, using a forged family register or temporary residence register for the purpose of registration of permanent residence, temporary residence, declaring residence information, issuance of other residence document or performing other illegal acts;

d) Operating a lodging establishment, tenement, treatment facility, tourist accommodation or any other lodging facility without notifying the accommodation of 09 guests or more;

dd) Failure to have an adequate number of people keeping fire watches as prescribed by law;

e) Obstructing, resisting residence or lodging inspection by competent authority.

5. Additional penalty:

Confiscation of the exhibits and means of administrative violations in case of violations specified in Points a and h Clause 2, Points b and Clause 4 of this Article.

6. Remedial measure:

Mandatory return of the illegal profits earned from commission of the administrative violations specified in Points b and g Clause 2 and Point a Clause 3 of this Article.

#### **Article 10. Violations against regulations on issuance, management, use of ID cards and citizen identity cards**

1. A warning or a fine ranging from 300.000 VND to 500.000 VND shall be imposed for any of the following violations:

a) Failure to present the ID card or citizen identity card or ID number certificate at the request of a competent person;

b) Failure to comply with regulations of law on issuance, replacement, reissuance of the citizen identity card;

c) Failure to return the ID card or citizen identity card to the competent authority upon renunciation, loss of the Vietnamese nationality or cancellation of the decision to grant the

Vietnamese nationality; failure to return the ID card or citizen identity card to the authority that executes the detention order, sentences including imprisonment, compulsory education in a reform school, correctional institution or rehabilitation center.

2. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

- a) Appropriating, using another person's ID card or citizen identity card or ID number certificate;
- b) Erasing, changing or otherwise falsifying the ID card or citizen identity card or ID number certificate;
- c) Destroying, deliberately damaging the ID card or citizen identity card or ID number certificate;

3. A fine ranging from 2.000.000 VND to 4.000.000 VND shall be imposed for any of the following violations:

- a) Making, using forged documents or data in order to be granted an ID card or citizen identity card or ID number certificate;
- b) Providing false information or documents in order to be granted an ID card or citizen identity card or ID number certificate.

4. A fine ranging from 4.000.000 VND to 6.000.000 VND shall be imposed for any of the following violations:

- a) Forging the ID card or citizen identity card or ID number certificate; but not liable to criminal prosecution;
- b) Using a forged ID card or citizen identity card or ID number certificate;
- c) Pledging the ID card or citizen identity card or ID number certificate, or receiving them as pledge;
- d) Buying, selling, taking or granting lease of the ID card or citizen identity card or ID number certificate;
- dd) Borrowing, lending the ID card or citizen identity card or ID number certificate for commission of illegal acts.

5. Additional penalty:

Confiscation of the exhibits and means of administrative violations for the violations specified Points b and c Clause 2, Point a Clause 3, points a, b, c and d Clause 4 of this Article.

6. Remedial measures:

- a) Mandatory return of the ID card or citizen identity card or ID number certificate in case of violations specified in Point a Clause 2 and Point dd Clause 4 of this Article;
- b) Mandatory return of the illegal profits earned from commission of the administrative violations specified in Points a, c, d and dd Clause 4 of this Article.

**Article 11. Violations against regulations on management and use of weapons, explosive materials, explosive precursors, combat gears, fireworks, firecrackers, and dangerous banned toys**

1. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

- a) Failure to implement or promptly and fully implement regulations on periodic inspection of weapons and combat gears issued;
- b) Failure to fully declare and register weapons and combat gears to competent authorities;
- c) Violating regulations on preservation of weapons and combat gears;
- d) Using or allowing children to use dangerous banned toys;
- dd) Circulating expired licenses, confirmations, certificates, qualifications relevant to management and use of weapons, combat gears, fireworks and firecrackers.

2. A fine ranging from 2.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

- a) Destroying, deliberately damaging weapons or combat gears issued;
- dd) Appropriating, exchanging, buying, selling, giving away, borrowing, lending, renting, leasing, pledging licenses, confirmations, certificates, qualifications relevant to weapons, combat gears, fireworks and firecrackers, or receiving them as pledge;
- c) Forging licenses, confirmations, certificates, qualifications relevant to weapons, combat gears, fireworks and firecrackers;
- d) Concealing, assisting or failure to report illegal fabrication, production, carry, purchase, sale, repair, export, import, storage, transport, use or destruction of weapons, combat gears, fireworks and firecrackers;
- dd) Losing licenses, confirmations, certificates, qualifications relevant to weapons, combat gears, fireworks and firecrackers;

- e) Using weapons or combat gears with a license but failing to comply with regulations of law;
- g) Assigning weapons or combat gears to unqualified persons as prescribed by law;
- h) Assigning an unqualified person to manage the warehouse or depot where weapons and combat gears are stored;
- i) Failure to prepare a place for storage of weapons and combat gears as prescribed by law;
- k) Deliberately providing incorrect information about management of weapons and combat gears; failure to report or timely report, concealing or falsifying information about loss, accidents, incidents relevant to weapons, explosive materials, explosive precursors, combat gears, fireworks and firecrackers;
- dd) Failure to present, surrender licenses, confirmations, certificates, qualifications relevant to weapons, explosive materials, combat gears as prescribed by law;
- m) Carrying a weapon or combat gear without a certificate, license or confirmation of registration;
- n) Giving explosive fireworks, pyrotechnic compositions to an unqualified organization or individual as prescribed by law;
- o) Erasing, falsifying licenses, confirmations, certificates, qualifications relevant to weapons, combat gears, fireworks and firecrackers.

3. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for any of the following violations:

- a) Exchanging, giving away, sending, borrowing, lending, renting, leasing, pledging weapons, combat gears, explosive fireworks, smuggled fireworks or pyrotechnic compositions for illegal firework production; parts, assemblies of weapons, combat gears or scraps and refuses thereof;
- b) Transporting or destroying weapons, explosive materials, explosive precursors or combat gears without ensuring safety or affecting the environment but not liable to criminal prosecution;
- c) Failure to carry out testing, inspection, assessment and registration as prescribed by regulations of law on management of product quality before initiation production, sale, use of weapons or combat gears in Vietnam;
- d) Illegal storage, transport of junk and scrap of weapons and combat gears;
- dd) Transport, storage of dangerous banned toys;



e) Selling explosive precursors to an organization or enterprise that has not been granted the certificate of security and order, certificate of eligibility to manufacture industrial explosives, license for sale of explosive precursors or written approval issued by a competent authority;

g) Losing provided cold weapons or combat gears;

h) Using weapons or combat gears without a license;

i) Illegal use of firecrackers, fireworks or pyrotechnic compositions;

k) Manufacturing, providing, storing, transporting, repairing weapons or combat gears with a license but failing to comply with regulations of law.

4. A fine ranging from 10.000.000 VND to 20.000.000 VND shall be imposed for any of the following violations:

a) Illegally manufacturing, providing, storing, transporting, repairing cold weapons or combat gears; parts or assemblies of weapons or combat gears, or explosive components;

b) Appropriating cold weapons or combat gears; parts or assemblies of weapons or combat gears, or explosive components;

c) Illegally manufacturing, storing, transporting, using weapons that have similar functions to hunting guns, cold weapons, sporting weapons or parts, assemblies for manufacture of weapons or combat gears with similar functions;

d) Manufacturing, providing, storing, transporting, repairing, using appropriating hunting guns, parts or assemblies thereof;

dd) Illegally excavating, searching, collecting weapons, explosive materials, combat gears, wastes or scraps thereof;

e) Illegally transporting, storing firecrackers, fireworks, pyrotechnic compositions, materials or components for production thereof;

g) Losing military or sporting weapons;

h) Illegally sawing, cutting or otherwise defusing bombs, mines, bullets, grenades, explosives, naval mines, torpedoes and other weapons;

g) Illegally instructing, training, organizing training in fabrication, production, repair or use of weapons and combat gears in any shape or form.

5. A fine ranging from 20.000.000 VND to 40.000.000 VND shall be imposed for any of the following violations:

a) Illegally manufacturing, providing, storing, transporting, repairing, using military or sporting weapons;

b) Appropriating military or sporting weapons;

c) Illegally bringing weapons, combat gears, firecrackers or fireworks into or out of the territory of the Socialist Republic of Vietnam, into a prohibited area or protected area.

6. Administrative violations against regulations on management of explosive materials, explosive precursors, production, sale of firecrackers shall be handled in accordance with the Government's Decree on administrative violations against regulations on chemicals and industrial explosives, Decree on administrative violations against regulations on trade, production, sale of counterfeit, banned goods and protection of consumers, and relevant legislative documents.

7. Additional penalties:

a) Confiscation of the exhibits and means of administrative violations for the violations specified in Points d and dd Clause 1, Points a, b, c, e and g Clause 2; Points a, c, d, dd, e, h, i and k Clause 3; Points a, b, c, d, dd, e, h and I Clause 4 and Clause 5 of this Article;

b) 3 – 6 months suspension of the license for use, certificate of registration of weapon or combat gear in case of violations specified in Point e Clause 2 of this Article;

c) 9 - 12 months suspension of the license, certificate of weapon, combat gear or fireworks in case of violations specified in Point a Clause 2, Points b and k Clause 3 of this Article.

8. Remedial measures:

a) Mandatory environmental recovery in case of violations specified in Point b Clause 3 of this Article;

b) Mandatory return of the illegal profits earned from commission of the administrative violations specified in Points b and c Clause 2; Points a, b, c, d, dd, e and k Clause 3; Points a, c, d, e and I Clause 4 and Point a Clause 5 of this Article;

c) Mandatory return of the license, certificate of weapon, combat gear or fireworks in case of violations specified in Point o Clause 2 of this Article;

## **Article 12. Violations against regulations on management of business lines subject to security and order conditions**

1. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

- a) Untimely, untruthful, inadequate quarterly reports on implementation of regulations on security and order according to regulations of the Ministry of Public Security;
- b) Incorrect or inadequate business records according to regulations of the Ministry of Public Security;
- c) Failure to send a notice and a copy of the certificate of security and order to the police department of the commune where the business is located within 05 days from the inauguration date;
- d) Failure to send a notice to the police authority that issued the certificate of security and order and the police department of the commune where the business is located within 10 days from the suspension date;
- dd) Failure to send a notice to the police authority that issued the certificate of security and order within 03 working days from the day on which the loss of the certificate is discovered;
- e) Failure to send a notice and relevant documents to the police department of the commune where the protected target is located within 05 days from the date of deployment of the protected target outside the province in which the (security service provider (private security company) is headquartered;
- g) Failure to issue or publicize the procedures for receiving applications for production of seals and prices thereof at the seal production facility;
- h) Failure to present the original certificate of security and order at the request of a competent police authority.

2. A fine ranging from 2.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

- a) Failure to submit quarterly reports on implementation of regulations on security and order to the police authority that issued the certificate of security and order;
- b) Failure to submit ad hoc reports on security and order-related incidents that occur at the business establishment to the police authority that issued the certificate of security and order and the police department of the commune where the business establishment is located;
- c) Failure to keep a log of business operation that is suitable for the business lines as prescribed by law;
- d) Failure to develop a plan for assurance of security and order in the business lines that such a plan is required by law;
- dd) Failure to have a warehouse or an adequate warehouse for storage of materials, goods, products for sale;

- e) Hiring unqualified people to work in business establishments subject to security and order conditions as prescribed by law;
- g) Failure to fully implement regulations on responsibility for assurance of security and order during conditional business operation;
- h) Failure to retain copies of ID papers of mortgagor as prescribed by law;
- i) Providing paintball gun services for customers under 18 years;
- k) Failure to have a health worker on duty at the paintball gun area, who will handle accidents that occur during these activities;
- l) Failure to inspect and retain copies of ID papers of plastic surgery clients as prescribed by law;
- m) Failure to fully follow procedures for inspection and retention of information of guests and their visitors as prescribed by law;
- n) Failure to send a notice to the police authority that issued the certificate of security and order within 03 working days from the day on which the person in charge of security and order of the business establishment is changed.

3. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for any of the following violations:

- a) Failure to maintain fulfillment of security and order conditions throughout business operation;
- b) Including false information in documents in order to obtain the certificate of security and order;
- c) Forging documents in order to obtain the certificate of security and order;
- d) Falsifying the certificate of security and order or certificate of security guard training;
- dd) Lending, leasing out, selling, buying the certificate of security and order;
- e) Doing business at a location other than that specified in the certificate of security and order;
- g) Giving the seal to the customer without transferring it to a competent police authority for registration as prescribed by law;
- h) Providing the seal design of a organization to unauthorized persons;
- i) Receive collateral without making a mortgage contract as prescribed by law;

k) Receive collateral without retention of the pledged property or original copy of the certificate of ownership of the pledged property at the business establishment throughout the mortgage period if such certificate of ownership is required by law;

l) Receiving collateral that is owned by another person without valid authorization of the owner to the mortgagor;

m) Selling or providing emergency signaling devices for entities that do not have the license to use these devices or entities whose licenses are not suitable for these devices;

m) Manufacturing, importing, buying, selling emergency signaling devices that exceed the standards for sound and brightness of horns and lights as prescribed by law;

o) Employing a foreigner or a Vietnamese national who resides overseas as the person in charge of security and order of the private security company or to directly operate the business or as a private security guard;

p) Failure to provide or provide proper clothing and signs for private security guards as prescribed by law;

q) Providing security services without signing contracts with clients;

r) Buying or selling mobile signal jammers to an organization or individual that has not obtain a license or written approval from a competent authority;

s) Failure to hire or hire an adequate number of security guards who are employees of the private security company during operation of a night club, an establishment providing electronic prize-winning games for foreigners, or a casino as prescribed by law;

t) Hiring a private security guard who has not obtained the certificate of security guard training.

4. A fine ranging from 10.000.000 VND to 20.000.000 VND shall be imposed for any of the following violations:

a) Operating in a business line subject to security and order conditions without the certificate of security and order or during suspension thereof;

b) Irresponsibility that leads to threats to security and order, violations of law, acts that are contrary to fine traditions and ethics at the business establishment directly under their management;

c) Producing seals of organizations or state officials before having the seal design transfer note of the seal design registry as prescribed by law;

d) Running a pawn business with the interest rate exceeds that specified in the Civil Code;

dd) Failure to apply for registration of the business line subject to security and order conditions that involves grant of secured loans with interest rate exceeds that specified in the Civil Code;

e) Failure to preserve the pledged property or preserving pledged property at a location other than that registered with the competent authority;

g) Providing security guard services for illegal subjects, targets or activities;

h) Failure to include sufficient information about the customers in the logbook and failure to retain copies of ID papers of customers of the casino or establishment providing electronic prize-winning games for foreigners;

i) Buying, selling, importing goods, products that are military clothing or military equipment without retention of adequate documents as prescribed by law;

k) Selling or providing military clothing or military equipment for subjects have not obtain a license or written approval from a competent authority.

5. A fine ranging from 20.000.000 VND to 40.000.000 VND shall be imposed for any of the following violations:

a) Taking advantage of the business line subject to security and order conditions to commit acts that are contrary to fine traditions and ethics;

b) Receiving collateral that is obtained by theft, fraud, appropriation or crime but not liable to criminal prosecution;

c) Providing security services using violence or threat to use violence for the purpose of threatening, obstructing normal operation of an organization or individual, or infringe upon lawful rights and interests of an organization or individual;

d) Using violence, threatening to use violence or using other illegal methods to collect debts;

dd) Forging the certificate of security and order or certificate of security guard training;

e) Using a forged certificate of security and order or certificate of security guard training,

6. Additional penalties:

c) 3 - 6 months suspension of the license, practicing certificate, certificate of security and order in case of violations specified in Point e Clause 3 and Points c, e and g Clause 4 of this Article;

b) 6 – 9 months suspension of the license, practicing certificate, certificate of security and order in case of violations specified in Points h and q Clause 3; Point d Clause 4 and Clause 5 of this Article;

c) Suspension of operation for 06 – 09 months in case of violations specified in Point q Clause 3; Point a Clause 4 of this Article;

d) Confiscation of the exhibits and means of administrative violations in case of violations specified Points b, c, h, m, n and r Clause 3; Points c and k Clause 4, and Points b, dd and e Clause 5 of this Article;

dd) Expulsion of foreigners committing the violations specified in Clauses 3, 4 and 5 of this Article.

#### 7. Remedial measures:

a) Mandatory return of the illegal profits earned from commission of the administrative violations specified in Points dd, i, k, l, m, n and r Clause 3; Points d, dd and k Clause 4 and Point b Clause 5 of this Article;

b) Mandatory return of the certificate of security and order or certificate of security guard training in case of violations specified in Point d Clause 3 of this Article.

### **Article 13. Violations against regulations on management and use of seals**

1. A fine ranging from 500.000 VND to 1.000.000 VND shall be imposed for any of the following violations:

- a) Failure to apply for reissuance of the certificate of seal registration after its loss;
- b) Failure to apply for reissuance of the certificate of seal registration after it is lost;
- c) Failure to notify the relevant organization of the seal design before use;
- d) Failure to issue internal regulations on management and use of the organization's own seal.

2. A fine ranging from 2.000.000 VND to 3.000.000 VND shall be imposed for any of the following violations:

- a) Removing the seal from the organization without permission of a state official or the head of the organization;
- b) Failure to re-register the seal design as prescribed by law;
- c) Failure to submit to seal inspection; failure to present the seal, the certificate of seal registration upon request for inspection of the seal registration authority;
- d) Failure to send a written notice to the authority that issued the certificate of seal registration and the police authority of the commune where the seal is lost within 02 working days from the day on which the loss of the seal is discovered;

3. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

- a) Failure to turn the seal in under the decision of a competent authority or the seal registration authority;
- b) Appending the seal to a document that does not have the signature of the competent person or has the seal of an unauthorized person;
- c) Borrowing, lending, giving lease, taking lease, pledging, buying, selling the seal, illegally destroying the seal; using the seal of another organization for operation;
- d) Using an expired seal;
- dd) Deliberately deform or change content of a registered seal;
- e) Forging the certificate of seal registration;
- g) Using an seal without registration;
- h) Failure to return the seal and the certificate of seal registration upon issuance of the a competent authority's decision on division, merger or consolidation, or revocation of the certificate of business registration or operation license, or business suspension or termination; or upon receipt of a competent authority's request for of the seal as prescribed by law;
- i) Erasing, falsifying the certificate of seal registration.

4. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for any of the following violations:

- a) Forging documents to make an additional seal of an organization or state official;
- b) Forging a seal or using a fake seal;
- c) Appropriating, illegal trading seals;
- d) Illegally destroying seals.

5. Additional penalties:

- a) Confiscation of the exhibits and means of administrative violations in case of violations specified in Points c, e and g Clause 3 and Points a and b Clause 4 of this Article;
- b) Expulsion of foreigners committing the violations specified in Clauses 3 and 4 of this Article.

6. Remedial measures:



- a) Mandatory return of the seal, the certificate of seal registration in case of violations specified in Point b Clause 2; Points a, d and dd Clause 3 and Point c Clause 4 of this Article;
- b) Mandatory destruction of documents that are illegally sealed in case of violations specified in Point b Clause 3 of this Article;
- c) Mandatory return of the illegal profits earned from commission of the administrative violations specified in Point c Clause 3 and Point c Clause 4 of this Article;
- d) Mandatory return of the certificate of seal registration in case of violations specified in Point I Clause 3 of this Article.

**Article 14. Violations against regulations on criminal sentence execution and implementation of administrative measures**

1. A warning or a fine ranging from 500.000 VND to 1.000.000 VND shall be imposed for any of the following violations:

- a) Failure to fulfill obligations of a person who is subject to compulsory education in the commune, a person granted parole, a person who has served his/her imprisonment sentence as prescribed by law;
- b) Violations against regulations on implementation of administrative measures including compulsory education in the commune, compulsory admission to a reform school, correctional institution or rehabilitation center.

2. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

- a) Violations against regulations on implementation of preventive measures, enforcement measures: emergency detention, arrest, detention or custody, bail, prohibition from leaving residence, suspension from exit, escort, transport, distraint of property, freezing of accounts or commission of violations that lead to other preventive measures, enforcement measures as prescribed by law;
- b) Violations against regulations on implementation of detention or custody measures; violations against regulations on execution of penalties including fines, confiscation of property, deportation.

3. A fine ranging from 2.000.000 VND to 3.000.000 VND shall be imposed for any of the following violations:

- a) The person who is granted deferral of imprisonment sentence fails to be present when being summoned by a criminal sentence execution authority or the People's Committee of the commune;

- b) The person who is granted deferral of imprisonment sentence fails to facilitate the transfer from the detention center, the district-level criminal sentence execution authority to the People's Committee of the commune;
- c) The person who is granted deferral of imprisonment sentence fails to report at the request of the People's Committee of the commune;
- d) The person who is given a suspended sentence fails to be present when being summoned by the sentence execution authority or the People's Committee of the commune;
- dd) The person who is given a suspended sentence fails to make a commitment to serve the sentence;
- e) The person who is given a suspended sentence fails to be present at the disciplinary meeting; fails to report the serving of the sentence;
- g) The person who is serving a community sentence fails to be present when being summoned by the sentence execution authority or People's Committee of the commune;
- h) The person who is serving a community sentence fails to serve the sentence;
- i) The person who is serving a community sentence fails to report the serving of the sentence;
- k) The person who is serving a community sentence fails to be present at the disciplinary meeting;
- l) The person who is serving a community sentence fails to turn in part of the deductible income;
- m) The person who is serving a community sentence fails to do certain works serving the local community under the decision of the criminal sentence execution authority;
- n) The person who is under mandatory supervision fails to fulfill his/her obligations as prescribed by law;
- o) The person who is under mandatory supervision fails to be present at the request of the criminal sentence execution authority or the People's Committee of the commune in which he/she is being supervised without acceptable explanation;
- p) The person who is under mandatory supervision fails to make a commitment to serve the sentence;
- q) The person who is under mandatory supervision fails to be present and report to the People's Committee of the commune as prescribed by law;
- r) The person who is incurring prohibition from residence fails to be present at the request of the People's Committee of the commune;

- s) The person who is incurring prohibition from residence fails to make a commitment to serve the sentence;
- t) The person who is given conditional parole fails to be present at the People's Committee of the commune after the parole is given;
- u) The person who is given conditional parole fails to make a commitment to fulfill his obligations;
- v) The person who is given conditional parole fails to be present at the request of the criminal sentence execution authority or People's Committee of the commune;
- x) The person who is given conditional parole fails to attend the disciplinary meeting;
- y) The person who is given conditional parole fails to report as prescribed by law.

4. A fine ranging from 3.000.000 VND to 4.000.000 VND shall be imposed for any of the following violations:

- a) The person who is granted deferral of imprisonment sentence leaves his/her residence without the consent of the People's Committee of the commune or the police department of the commune;
- b) The person who is granted deferral of imprisonment sentence fails to be present at criminal sentence execution authority after the expiration of the postponement duration or at the request of the competent authorities.
- c) The person who is granted deferral of imprisonment sentence fails to be present at a place where he/she will serve the sentence before the deferral or at criminal sentence execution authority after the expiration of the deferral duration or at the request of the competent authorities.
- d) The person who is sentenced to prison while on bail with decision on execute criminal judgments fails to be present at criminal sentence execution authority within the prescribed time limit.
- dd) The person who is given a suspended sentence leaves his/her residence without permission or the consent of the People's Committee of the commune or fails to be present at his/her resident longer than the length of time he/she is allowed to be absent;
- e) The person who is given a suspended sentence changes his/her place of residence without the consent of the competent authorities;
- g) The person who is under mandatory supervision leaves the place of mandatory supervision without the consent of the competent persons or over the time he/she is allowed to leave without reasonable reasons;

- h) The person who is given conditional parole fails to abide by management of the People's Committee of the commune;
- i) The person who is given conditional parole leaves his/her residence without permission or the consent of the People's Committee of the commune or fails to be present at his/her resident longer than the length of time he/she is allowed to be absent;
- k) The person who is given conditional parole changes his/her place of residence without the consent of the competent authorities;
- l) The person who is incurring prohibition from residence comes to reside at a place in which he/she is prohibited from residing without permission or resides longer than the length of time he/she is allowed to reside
- m) The person who is serving a community sentence leaves his/her residence without permission or the consent of the People's Committee of the commune or fails to be present at his/her resident longer than the length of time he/she is allowed to be absent;
- n) The person who is serving a community sentence changes his/her place of residence without the consent of the competent authorities;
- o) The person subject to the sentence of deprivation of certain civil rights exercises the prohibited rights according to the judgment;
- p) The person who serves the sentence of prohibition from holding certain positions, practicing certain professions or performing certain jobs fails to perform his/her obligations as prescribed by law;
- q) The person who is given conditional parole fails to perform his/her obligations during the probation period;

**Article 15. Violations against regulations on causing damage to property of other organizations or individuals**

1. A fine of from VND 2.000.000 to VND 3.000.000 shall be imposed for any of the following violations:

- a) Stealing property, intruding into residential areas, warehouses or other places under the management of another person for the purpose of theft or appropriation of property
- b) Blatantly appropriating property;
- c) Taking a loan, borrowing, leasing property of another person or receiving property of another person under a contract, then uses deception to appropriate it or refuses to repay the loan or return the property when the repayment or return of property is due despite he/she is capable of doing so.

d) Taking a loan, borrowing, leasing property of another person or receiving property of another person under a contract and then fails to repay loan or return property and uses it for illegal purposes which result in the offender's inability to repay the loan or return the property

dd) Negligence that results in damage to property of the State, authorities, organizations and enterprises.

2. A fine of from VND 3.000.000 to VND 5.000.000 shall be imposed for any of the following violations:

a) Destroying or deliberately damaging property of organizations or individuals, except for violations mentioned in Point b Clause 3 Article 21 of this Decree;”.

b) Using deception or creating circumstances to force another person into giving money or property;

c) Cheating or defrauding in brokerage, instruction or introduction of services of trading of house and land or other property;

d) Buying, selling, concealing, or using property of another person despite knowing that the assets were illegally obtained;

dd) Using, buying, selling, mortgaging, illegally pledging or impounding property of another person;

e) Extorting property without bringing criminal prosecution

3. Additional penalties:

a) Confiscate the exhibits and means used for committing administrative violations specified in Points a,b,c and d Clauses 1 and Points a,b,c and dd Clause 2 of this Article.

b) Expel foreigners committing the administrative violations specified in Clauses 1 and 2 of this Article.

4. Remedial measures:

a) Enforced return of benefits illegally obtained from the commission of the violation in Points c, d and dd Clause 2 of this Article;”.

b) Mandatory return of the illegally appropriated property in case of commission of the violations in Points dd and e Clause 2 of this Decree."

c) Mandatory restoration of original condition in case of administrative violations specified in Point a Clause 2 of this Article."

## **Article 16. Violations against regulations on tontine**

1. A fine of from VND 2.000.000 to VND 5.000.000 shall be imposed for any of the following violations:

- a) Failing to notify members of the new place of residence which any member changes.;
- b) Failing to notify those who wish to participate in tontine groups of sufficient number of tontine groups; annuity shares, tontine opening; number of members of each tontine group which he/she acts as the tontine holder.
- c) Failing to make written agreements on tontine or make written agreements without the main contents as prescribed by law;
- d) Falling to open tontine books;
- dd) Failing to hand over the annuities to the annuity-receiving members at each tontine opening.
- e) Failing to let members see and copy the tontine book and supply information related to the tontine upon request.
- g) Failing to issue a receipt for a member when contributing or receiving annuity shares or interests or conduct other relevant transactions

2. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for any of the following violations:

- a) Failing to notify the local People's Committee of commune in writing of organization of a tontine group. The value of annuity shares of which at a tontine opening is at least VND 100 million;
- b) Failing to notify the local People's Committee of commune in writing of organization of at least two tontine groups.

3. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

- a) Taking advantage of organization of tontine to practice usury with interest rate exceeding the interest rate as prescribed by the Civil Code;
- b) Organizing tontine to mobilize illegal fund.

4. Remedial measure:

Enforced return of benefits illegally obtained from the commission of the violation in Clause 3 of this Article;”.

**Article 17. Violations against regulations on protection for public works or security and order works.**

1. A fine of from VND 500.000 to VND 1.000.000 shall be imposed for shifting signals, instruction signs, signboards of agencies and organizations without permission.

2. A fine of from VND 1.000.000 to VND 2.000.000 shall be imposed for any of the following violations:

a) Arbitrarily shifting and dismantling column of telephone, telegraph, lamp-post and fence of state agencies or other public works;

b) Dismantling, demolishing or doing anything else that may damage the signals, instruction signs, signboards of agencies and organizations.

c) Destroying property and kind at a protected area or guard post thereof; climbing or performing other acts that impact on the gate, door, fence of a protected area or guard post thereof without permission.

3. Additional penalties:

a) Confiscate the exhibits and means used for committing administrative violations specified in Clauses 1 and 2 of this Article.

b) Expel foreigners committing the administrative violations specified in Clause 2 of this Article.

4. Remedial measure:

Mandatory restoration of original condition in case of administrative violations specified in Clauses 1 and 2 of this Article."

**Article 18. Violations against regulations on exit, entry, transit, residence and travel**

1. A warning or a fine ranging from VND 300.000 to VND 500.000 shall be imposed upon a foreigner for traveling within the territory of Vietnam without bearing passport, laissez-passer, international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card.

2. A fine of from VND 500.000 to VND 2.000.000 shall be imposed for any of the following violations:

a) Failing to notify competent authorities of loss or damage of passport, laissez-passer, international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card;

b) Intentionally providing false information to be issued, extended or restored or false information relating to loss of passport or laissez-passer; intentionally providing false information to be issued with international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card;

c) A foreigner fails to possess a permit when entering areas which require a permit granted by a competent authority or travels beyond the scope or validity period of the issued permit;

d) Failing to present passport, laissez-passer, international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card at the request of competent authorities or officials of Vietnam; failing to comply with the request of a competent authority or official of Vietnam for frisking of people or vehicles, or inspection of articles or places where the exhibits and instrumentalities of an administrative violation are hidden;

dd) A foreigner still uses certificate of temporary residence, approval of temporary residence extension or temporary resident card or fails to apply for replacement of permanent residence card for residing in Vietnam without obtaining permission from a competent authority when one of these documents has been expired for less than 16 days.

3. A fine of from VND 3.000.000 to VND 5.000.000 shall be imposed for any of the following violations:

a) Crossing national borders without following immigration procedures as prescribed by law;

b) Destroying, erasing, deleting, altering or falsifying format or contents of passport, laissez-passer, international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card;

c) Gifting, giving, hiring, leasing, pawning or receiving passport, laissez-passer, international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card as collateral;

d) Letting another person use one's passport, laissez-passer, international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card for performing illegal acts;

dd) Using another person's passport, laissez-passer, international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card for entering, exiting, transiting, residing or performing other acts of violation;

e) A foreigner still uses certificate of temporary residence, approval of temporary residence extension or temporary resident card or fails to apply for replacement of permanent residence card for residing in Vietnam without obtaining permission from a competent authority when one of these documents has been expired for from 16 days to less than 30 days;



g) A foreigner issued with a permanent residence card fails to notify changes in his/her address to serve replacement of his/her permanent residence card; a foreigner who makes entry into economic zones of border checkpoint areas or coastal economic zones under visa exemption mechanism fails to possess a Vietnamese visa when visiting other destinations of Vietnam as prescribed by law;

h) A tourist accommodation establishment that is a hotel fails to make internet connection or connect their computer network with the immigration division affiliated to the relevant provincial department of public security for transmitting information about foreigners' declaration of temporary residence;

i) An accommodation establishment fails to make declaration of temporary residence or update information about temporary residence when providing overnight accommodation for foreigners; a foreigner fails to provide information or provides false information for the accommodation establishment when making declaration of temporary residence as prescribed by law.

4. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for any of the following violations:

a) Using a fake passport, laissez-passer, international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card;

b) A foreigner still uses certificate of temporary residence, approval of temporary residence extension or temporary resident card or fails to apply for replacement of permanent residence card for residing in Vietnam without obtaining permission from a competent authority when one of these documents has been expired for from 30 days to less than 60 days.

5. A fine of from VND 10.000.000 to VND 15.000.000 shall be imposed for any of the following violations:

a) A foreigner enters, works or performs other activities in Vietnam without obtaining permission from a competent authority of Vietnam;

b) A foreigner still uses certificate of temporary residence, approval of temporary residence extension or temporary resident card or fails to apply for replacement of permanent residence card without obtaining permission from a competent authority when one of these documents has been expired for from 60 days to less than 90 days;

c) Buying or selling passports, laissez-passers, international travel documents, documents issued to foreigners entering, leaving or residing in Vietnam or ABTC cards.

6. A fine of from VND 15.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

a) Following procedures for inviting or sponsoring a foreigner for entry, exit or residence in Vietnam without fulfilling responsibilities as prescribed by law, or providing false information when following such procedures;

b) A foreigner fails to use his/her visa, temporary resident card or approval of temporary residence extension for the stated purpose or program;

c) Forging documents to be issued with passport, laissez-passer, international travel document, document issued to a foreigner entering, leaving or residing in Vietnam or ABTC card;

d) A foreigner still uses certificate of temporary residence, approval of temporary residence extension or temporary resident card or fails to apply for replacement of permanent residence card without obtaining permission from a competent authority when one of these documents has been expired for 90 days or more;

dd) An agency or organization that uses or employs foreigners fails to follow procedures for inviting or sponsoring them to apply for issuance of visa or temporary resident card, unless these documents can be repurposed as prescribed by law.

7. A fine of from VND 30.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Forging passports, laissez-passers, international travel documents, documents issued to foreigners entering, leaving or residing in Vietnam or ABTC cards;

b) Entering or staying at an embassy, consulate, diplomatic mission, consular mission or international authority or organization located in Vietnam without their permission;

c) A foreigner resides in a prohibited area;

d) Vehicle owner, manager or operator transports persons who illegally enter or leave Vietnam;

dd) Organizing, arranging, assisting, inciting, concealing, harboring or enabling others to illegally enter and stay in foreign countries or enter and stay in Vietnam or illegally cross national borders.

a) A foreigner fails to comply with a decision issued by a competent authority to force him/her to leave Vietnam and continues staying in Vietnam;

8. Additional penalties:

a) Confiscation of the exhibits and means of administrative violations in case of violations specified in Points b, c, d Clause 3; Point a Clause 4; Point a Clause 5; Point c Clause 6; Points a, d Clause 7 of this Article;

b) Expulsion of foreigners who commit the violations specified in Clauses 1 through 7 of this Article.

9. Remedial measure:

Mandatory return of the illegal profits earned from commission of the administrative violations specified in Point c Clause 3 and Points a and c Clause 5 of this Article.

### **Article 19. Violations against regulations on protection for classified information**

1. A fine of from VND 1.000.000 to VND 3.000.000 shall be imposed for any of the following violations:

a) Failing to issue regulations on protection for classified information in agencies, organizations, or local authorities according to regulations of the Law;

b) Copying, keeping, transporting, giving or receiving classified documents or items in contravention of law;

c) Failing to withdraw classified documents or items according to regulations of the law;

d) Bringing classified documents or items out of the place of storage of the classified documents or items serving works without permission of competent persons;

dd) Failing to hand over classified documents and items in case of resignation, job transfer, retirement or failure to be assigned to continue to manage classified information;

e) Failing to use classified information for the stated purposes;

g) Failing to determine classified information for the documents that do not contain classified information; mark classification level on the documents that do not contain classified information in accordance with the law;

h) Determining the classification level in an inexact manner according to regulations of the Law.

i) Failing to determine or mark the classification level according to regulations of the Law.

2. A fine of from VND 3.000.000 to VND 5.000.000 shall be imposed for any of the following violations:

a) Failing to collect classified information in accordance with regulations of the law;

b) Flailing to carry out measures for prevention and remedial measures in case of disclosure or loss of classified information

c) Failing to notify the competent state agencies or persons in case of disclosure or loss of classified information;

d) Failing to remove classified information when changing intended purpose of use of computers and other devices used for drafting, keeping and exchanging classified information;

dd) Failing to destroy classified documents or items in accordance with regulations of the law;

3. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for any of the following violations:

a) Failing to draft and keep classified documents on computers or other devices that have been connected to the Internet, computer networks or telecommunications networks in accordance with the Law;

b) Using devices that are capable of receiving, transmitting signals, recording audio or video or other forms in conferences, seminars or meetings with classified information without permission of competent persons;

c) Misjudging or destroying classified documents or items;

d) Failing to provide or transfer classified information in accordance with regulations of the law;

dd) Entering a place where the classified information is kept or preserved; or filming, photographing or drawing a map of the place where the classified information kept or preserved without permission of the competent person.

4. A fine of from VND 20.000.000 to VND 30.000.000 shall be imposed for any of the following violations:

a) Disclosing classified information; losing classified documents or items, but not to the extent of being prosecuted for penal liability;

b) Failing to post or spread classified documents on the mass media, the Internet, computer networks and telecommunications networks in accordance with regulations of the Law;

c) Failing to transmit classified documents on the mass media, telecommunications networks in accordance with regulations of the Law;

5. Additional penalty:

Confiscate the exhibits and means used for committing administrative violations specified in Points b, did Clauses 3 of this Article.

6. Remedial measures:

- a) Enforced return of classified documents or items in case of the violations specified in Points b,d,dd Clause 1, Point a Clause 2, point d Clauses 3 of this Article;
- b) Enforced withdrawal of classified documents or items in case of the violations specified in Point c Clause 1 of this Article;
- c) Enforced removal of classified documents or items in case of the violations specified in Point a Clause 3, Points b and c Clause 4 of this Article;
- d) Enforced restoration of original condition in case of administrative violations specified in Point c Clause 3 of this Article."

**Article 20. Violations against regulations on management, use of uniform, insignia, badge, identification number, police ID card or other papers that are exclusive to the People's Public Security force**

- 1. A fine of from VND 500.000 to VND 1.500.000 shall be imposed for Illegal possession and use of uniform, insignia, badge, identification number, police ID card or other papers that are exclusive to the People's Public Security force
- 2. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for Illegal trading and change of uniform, insignia, badge, identification number, police ID card or other papers that are exclusive to the People's Public Security force
- 3. A fine of from VND 10.000.000 to VND 30.000.000 shall be imposed for Illegal production or fabrication of uniform, insignia, badge, identification number, police ID card or other papers that are exclusive to the People's Public Security force
- 4. Additional penalties:
  - a) Confiscate the exhibits and means used for committing administrative violations specified in Clauses 1, 2 and 3 of this Article.
  - b) Expel foreigners committing the administrative violations specified in Clauses 1, 2 and 3 of this Article.

5. Remedial measure:

Enforced return of benefits illegally obtained from the commission of the violation in prescribed Clauses 2 and 3 of this Article;

**Article 21. Acts of obstructing or resisting inspection, examination and control of on-duty officers or giving bribes to on-duty officers**

1. A fine of from VND 1.000.000 to VND 4.000.000 shall be imposed for brokering, assisting organizations or individuals committing the violation to evade their responsibilities in inspection, examination and control of on-duty officers

2. A fine of from VND 4.000.000 to VND 6.000.000 shall be imposed for any of the following violations:

a) Obstructing or failing to comply with the requirements for inspection, examination and control or other duties of on-duty officers according to regulations of the Law;

b) Having words or actions threatening, abusive, insulting the honor and dignity of the on-duty officers;

c) Organizing, enticing, assisting, tempting another person not to comply with the requirements for inspection, examination and control of the on-duty officers;

3. A fine of from VND 6.000.000 to VND 8.000.000 shall be imposed for any of the following violations:

a) Using force or threatening to use force against the on-duty officers;

b) Causing damage to property and/or facilities of the state agencies or the on-duty officers;

d) Giving bribes (money, property, other material benefits or intangible benefits) to on-duty officers.

4. Remedial measure:

a) Mandatory public apology in case of commission of the violation in Point b Clause 2 of this Decree."

## **Article 22. Violations against regulations on creation, management and use of the national database on population, database on residence, database on citizen identity**

1. A fine of from VND 2.000.000 to VND 4.000.000 shall be imposed for deliberately failing to provide, inadequately providing, falsifying information, papers or documents serving creation, collection, updating, management and use of the national database on population, database on residence, database on citizen identity.

2. A fine of from VND 4.000.000 to VND 6.000.000 shall be imposed for any of the following violations:

a) Falsifying books, documents, data, papers and information about citizens in the national database on population, database on residence, database on citizen identity

b) Extracting or using database, information about citizens in the national database on population, database on residence, database on citizen identity without the consent of the holders of the database;

c) Obstructing, preventing or interrupting the transmission, provision and receipt of the national database on population, database on residence, database on citizen identity.

3. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

a) Illegally providing or extracting information about citizens in the national database on population, database on residence, database on citizen identity;

a) Deliberately disclosing secret information about citizens in the national database on population, database on residence, database on citizen identity;

4. A fine of from VND 30.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Illegally accessing, changing, deleting, spreading information in the national database on population, database on residence, database on citizen identity;

b) Destroying technical infrastructure, transmission lines and pages and equipment serving the normal operation of the agency that manage national database on population.

5. Additional penalty:

Confiscate the exhibits and means used for committing administrative violations specified in Point a Clauses 3 and 4 of this Article.

6. Remedial measure:

Enforced return of benefits illegally obtained from the commission of the violation in prescribed Clauses 2, 3 and 4 of this Article;

## **Section 2. ADMINISTRATIVE VIOLATIONS AGAINST REGULATIONS ON PREVENTION AND COMBAT AGAINST SOCIAL VICES**

### **Article 23. Violations against regulations on prevention, combat and control of narcotic substances**

1. A warning or a fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for illegal use of narcotic substances.

2. A fine of from VND 2.000.000 to VND 5.000.000 shall be imposed for any of the following violations:

a) Illegally possessing, transporting or appropriating narcotic substances without bringing criminal prosecution

b) Possessing, transporting, trading or appropriating precursors used in illegal manufacturing of narcotic substances;

c) Manufacturing, possession, transport, trading of instruments and equipment used in illegal manufacturing or use of narcotic substances.

3. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for growing opium poppy plants, coca plants, cannabis plants, khat plants other plants containing narcotic substances.

4. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

a) A head, a legal representative, a person assigned to manage the service business establishment, a manager of vehicle(s) or another person who is responsible for the management of restaurant(s), tourist accommodation establishment(s), club(s), karaoke business, discotheque, video game business and vehicle(s) allow illegal possession, trade and use of narcotic substances to occur in the area(s) and vehicle(s) under their management;

b) Brokering, assisting or other acts that help another person to illegally use narcotic substances.

5. A fine of from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Providing premises, instruments for another person to illegally use, possess, trade narcotic substances.

b) Violations against regulations on export, import, temporary import, re-export, temporary export, re-import or transit through Vietnam's territory narcotic substances, narcotic drug, psychotropic drug and precursors;

c) Violations against regulations on research, analysis, test, manufacturing, preservation or storage of narcotic substances and/or precursors;

d) Violations against regulations on delivery, possession, transport of narcotic substances, narcotic drug, psychotropic drug and precursors;

dd) Violations against regulations on distribution, trading, use, exchange of narcotic substances, narcotic drug, psychotropic drug and precursors;

e) Violations against regulations on management, control, storage of narcotic substances, narcotic drug, psychotropic drug and precursors in the border checkpoint area or at sea;



g) Carrying out narcotic substance rehabilitation that exceeds the scope of operation stated in licenses to operate voluntary rehabilitation centers

6. A fine of from VND 40.000.000 to VND 50.000.000 shall be imposed for leasing out, lending, transferring or using the license to operate voluntary rehabilitation center for other purposes.

7. A fine of from VND 50.000.000 to VND 75.000.000 shall be imposed for organization of voluntary rehabilitation without registration or operating license.

8. Additional penalties:

a) Confiscate the exhibits and means used for committing administrative violations specified in Clauses 1, 2, 3, 4, 5, 6 and 7 of this Article.

b) Suspend the license, practicing certificate, certificate of security and order from 06 to 12 months in case of violations specified in Point a Clauses 4 and 6 of this Article;

c) Suspend operation for 03 - 06 months in case of commission of the violation specified in points b and g Clauses 5 of this Article;

d) Expel foreigners committing the administrative violations specified in Clauses 1, 2, 3, 4, 5, 6 and 7 of this Article.

9. Remedial measure:

Enforced return of benefits illegally obtained from the commission of the violation in Clause 6 of this Article;”.

#### **Article 24. Sex buying;**

1. A fine of from VND 1.000.000 to VND 2.000.000 shall be imposed for buying sex:

2. A fine of from VND 2.000.000 to VND 5.000.000 shall be imposed for buying sex in case the offence involves more than one person at the same time.

3. Additional penalty:

Confiscate the exhibits and means used for committing administrative violations specified in Clauses 1 and 2 of this Article.

#### **Article 25. Sex selling;**

1. A warning or a fine ranging from 300.000 VND to 500.000 VND shall be imposed for selling sex.

2. A fine of from VND 1.000.000 to VND 2.000.000 shall be imposed for selling sex in case the offence involves more than one person at the same time.

3. Additional penalties:

a) Confiscate the exhibits and means used for committing administrative violations specified in Clauses 1 and 2 of this Article.

b) Expel foreigners committing the administrative violations specified in Clauses 1 and 2 of this Article.

4. Remedial measure:

Enforced return of benefits illegally obtained from the commission of the violation in prescribed Clauses 1 and 2 of this Article;

### **Article 26. Other acts related to prostitution activities**

1. A warning or a fine ranging from 300.000 VND to 500.000 VND shall be imposed for prostitution or engaging in sexual acts.

2. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for concealment, protection for prostitution.

3. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for assisting, enticing, tempting, forcing or another person to buy or sell sex:

4. A fine of from VND 30.000.000 to VND 50.000.000 shall be imposed for any of the following violations:

a) Using force or threatening to use force to protect or maintain prostitution;

b) Contributing money and property to prostitution;

c) Procuring

5. “2. A fine of from VND 50.000.000 to VND 75.000.000 shall be imposed for one of acts that abuse positions, powers, dignity to protect or maintain prostitution.

6. Remedial measure:

Enforced return of benefits illegally obtained from the commission of the violation in prescribed Clauses 1, 2, 3, 4 and 5 of this Article;

### **Article 27. Abusing the business and services for prostitution activities;**

1. A fine ranging from 20.000.000 VND to 30.000.000 VND shall be imposed for prostitution or sexual activities as the business methods.

2. A fine ranging from 30.000.000 VND to 40.000.000 VND shall be imposed for a head, a legal representative, a person assigned to manage the service and business establishment(s) who allows prostitution or sexual acts to happen in the area(s) under their management

3. Additional penalties:

a) Suspend the certificate of security and order from 06 to 12 months in case of violations specified in Point a Clauses 1 and 2 of this Article;

b) Expel foreigners committing the administrative violations specified in Clauses 1 and 2 of this Article.

4. Remedial measure:

Enforced return of benefits illegally obtained from the commission of the violation in Clause 1 of this Article;”.

#### **Article 28. Illegal gambling;**

1. A fine of from VND 200.000 to VND 500.000 shall be imposed for participation in lottery-based gambling:

2. A fine of from VND 1.000.000 to VND 2.000.000 shall be imposed for any of the following violations:

a) Illegally gambling with one of the forms such as “xoc dia”, “ta la”, “to tom”, “tu lo kho”, “tam cuc”, “3 cay”, “tu sac”, “do den”, “co the”, “binh an do 6 la”, “binh xap xam 13 la”, “tien len 13 la”, “da ga”, “tai xiu” or other forms which are lost or won in cash, property or in kind;

b) Gambling with machine or illegal electronic games;

c) Illegally betting in sports competition, entertainment or other activities.

3. A fine of from VND 2.000.000 to VND 5.000.000 shall be imposed for any of the following violations:

a) Illegally receiving deposit, pawn or loan at casinos or other gambling places;

b) Selling illegal lottery number, lottery sheet or printed matters used for playing illegal lottery; handing them over to another person to receive commissions;

c) Assisting, concealing the illegal gambling;

d) Protecting illegal casinos or other gambling places;

dd) An owner, a manager of machine or illegal electronic games, a head of business establishment in term of electronic games or another business establishment allows illegal gambling to happen at their establishments due to lack of sense of responsibility

4. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for one of the acts of gambling organization as follows:

a) Enticing, inciting or gathering people for illegal gambling;

b) Using home or accommodation or other means and locations to organize the gambling;

c) Illegally placing gambling or electronic game machine;

d) Organizing illegal betting activities;

5. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for one of acts of organizing the illegal lottery as follows:

a) As a banker;

b) Organizing the production and distribution of illegal lottery sheets or other printed matters used for illegal lottery playing;

c) Organizing network for sales of illegal lottery;

d) Organizing the betting in sports competition activities, entertainment or in the other forms to play gambling for money;

6. Additional penalties:

a) Confiscate the exhibits and means used for committing administrative violations specified in Clause 1, Clause 2; Points a and b Clause 3 and Points b,c and dd Clauses 4 and 5 of this Article;

b) Suspend operation for 06 - 12 months in case of commission of the violation specified in point d Clause 3 of this Article;

c) Expel foreigners committing the administrative violations specified in Clauses 1, 2, 3, 4 and 5 of this Article.

7. Remedial measure:

Enforced return of benefits illegally obtained from the commission of the violation in Clause 1, Clause 2 or Points a and b Clause 3; points b, c and d Clauses 4 and 5 of this Article;”.

### **Section 3. ADMINISTRATIVE VIOLATIONS AGAINST REGULATIONS ON FIRE PREVENTION AND FIREFIGHTING; RESCUE**

#### **Article 29. Violations against regulations on promulgation, dissemination and implementation of rules and regulations, signs, warning signs, diagrams, direction signs related to fire prevention, firefighting and rescue**

1. A warning or a fine ranging from 100.000 VND to 300.000 VND shall be imposed for any of the following violations:

- a) Failure to fully comply with rules and regulations on fire prevention, firefighting and rescue of the competent person or competent authority;
- b) Putting up rules and regulations, signs, warning signs, diagrams, direction signs about fire prevention, firefighting and rescue where they are not visible or do not work as intended;
- c) Putting up signs, warning signs, direction signs related to fire prevention, firefighting and rescue against regulations.

2. A fine ranging from 300.000 VND to 500.000 VND shall be imposed for any of the following violations:

- a) Failure to put signs, warning signs, diagrams, direction signs about fire prevention and firefighting; warning signs in dangerous areas as prescribed by law;
- b) Failure to comply with rules and regulations on fire prevention, firefighting and rescue of the competent person or competent authority;
- c) Failure to disseminate rules and regulations on fire prevention, firefighting and rescue among people under management;
- d) Promulgating rules and regulations on fire prevention, firefighting and rescue with inadequate contents or with contents that are not appropriate for the operation of the facility.

3. A fine ranging from 1.000.000 VND to 3.000.000 VND shall be imposed for failure to putting up rules and regulations on fire prevention, firefighting and rescue.

4. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for failure to have rules and regulations on fire prevention, firefighting and rescue or having rules and regulations on fire prevention, firefighting and rescue that contradict legislative documents of the State

#### **Article 30. Violations against regulations on inspection of fire safety and rescue requirements**

1. A fine ranging from 300.000 VND to 500.000 VND shall be imposed for failure to implement or punctually implement fire safety and rescue requirements that are imposed by a competent authority in writing.

2. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

a) Failure to organize implementation of documents with instructions on fire prevention, firefighting and rescue of the competent authority;

b) Failure to implement documents with requirements for fire prevention, firefighting and rescue of the competent authority;

c) Failure to present documents serving inspection of fire safety and rescue requirements;

d) Failure to assign persons with responsibility to work with the inspecting persons after having received the notice of inspection of fire safety and rescue requirements;

dd) Failure to carry out self-inspection of fire safety and rescue requirements as prescribed by law;

e) Failure to send the report on inspection of fire safety as prescribed by law.

3. A fine ranging from 15.000.000 VND to 25.000.000 VND shall be imposed for failure to implement the decision on suspension of operation as prescribed by regulations of law on fire prevention and firefighting.

4. A fine ranging from 30.000.000 VND to 50.000.000 VND shall be imposed for failure to implement the decision on termination of operation as prescribed by regulations of law on fire prevention and firefighting.

### **Article 31. Violations against regulations on documents for management and monitoring of fire prevention, firefighting and rescue activities**

1. A fine ranging from 300.000 VND to 500.000 VND shall be imposed for any of the following violations:

a) Failure to have adequate documents for management and monitoring of fire prevention, firefighting and rescue activities as prescribed by law;

b) Failure to update and supplement documents for management and monitoring of fire prevention, firefighting and rescue activities.

2. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for failure to prepare documents for management and monitoring of fire prevention, firefighting and rescue activities.

**Article 32. Violations against regulations on documents for management, preservation and use of substances/goods with fire hazards/explosion hazards**

1. A warning or a fine ranging from 100.000 VND to 300.000 VND shall be imposed for failure to have documents for management and monitoring of substances/goods with fire hazards/explosion hazards.
2. A fine ranging from 1.000.000 VND to 3.000.000 VND shall be imposed for storing, placing, arranging substances/goods with fire hazards/explosion hazards in inappropriate places or exceeding the capacity or without maintaining safety distance or without sorting them by categories as prescribed by law.
3. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for using containers of substances/goods with fire hazards/explosion hazards that do not have the certificate of inspection or do not satisfy fire safety requirements.
4. A fine ranging from 15.000.000 VND to 25.000.000 VND shall be imposed for illegal storage of substances/goods with fire hazards/explosion hazards.
5. A fine ranging from 30.000.000 VND to 40.000.000 VND shall be imposed for bringing substances/goods with fire hazards/explosion hazards to a crowded area.
6. A fine ranging from 40.000.000 VND to 50.000.000 VND shall be imposed for illegal use of substances/goods with fire hazards/explosion hazards.

7. Additional penalties:

- a) Confiscation of the exhibits and means of administrative violations in case of violations specified in Clauses 3, 4, 5 and 6 of this Article;
- b) Expulsion of foreigners committing the violations specified in Clauses 4, 5 and 6 of this Article.

8. Remedial measure:

Mandatory storage, placement, arrangement, reduction of quantity of substances/goods with fire hazards/explosion hazards in case of violations specified in Clause 2 of this Article.

**Article 33. Violations against regulations on fire prevention and firefighting during manufacture and sale of substances/goods with fire hazards/explosion hazards**

1. A fine ranging from 1.000.000 VND to 3.000.000 VND shall be imposed for any of the following violations:
  - a) Failure to have or maintain air ventilation as prescribed by law;

b) Failure to install anti-static devices or systems or installing unfit anti-static devices or systems.

2. A fine ranging from 8.000.000 VND to 15.000.000 VND shall be imposed for any of the following violations:

a) Failure to install devices for detecting and responding to leakage of substances/goods with fire hazards/explosion hazards;

b) Failure to have a plan for response to broken reservoirs or pipelines containing substances/goods with fire hazards/explosion hazards.

3. A fine ranging from 15.000.000 VND to 25.000.000 VND shall be imposed for any of the following violations:

a) Manufacturing, selling, packaging, filling substances/goods with fire hazards/explosion hazards without a license;

b) Packaging, filling substances/goods with fire hazards/explosion hazards at inappropriate location; packaging, filling substances/goods with fire hazards/explosion hazards into containers that are not appropriate for these substances/goods.

4. A fine ranging from 30.000.000 VND to 40.000.000 VND shall be imposed for manufacturing, selling banned substances/goods with fire hazards/explosion hazards.

5. Additional penalties:

a) Confiscation of the exhibits and means of administrative violations in case of violations specified in Clauses 3 and 4 of this Article;

b) Suspension of operation for 03 – 06 months in case of violations specified in Point b Clause 3 and Clause 4 of this Article.

6. Remedial measures:

a) Mandatory ventilation in case of violations specified in Point a Clause 1 of this Article;

b) Mandatory installation of anti-static devices or systems in case of violations specified in Point b Clause 1 of this Article;

c) Mandatory installation of devices for detecting and responding to leakage of substances/goods with fire hazards/explosion hazards in case of violations specified in Point a Clause 2 of this Article.

**Article 34. Violations against regulations on transport of goods with fire hazards/explosion hazards**



1. A warning or a fine ranging from 100.000 VND to 300.000 VND shall be imposed for failure to remove the fire hazards/explosion hazards symbol from the vehicle after the goods with fire hazards/explosion hazards have been removed from the vehicle.

2. A fine ranging from 1.000.000 VND to 3.000.000 VND shall be imposed for any of the following violations:

- a) Arranging goods with fire hazards/explosion hazards on the vehicle against regulations of law;
- b) Failure to bring the transport license when transporting goods with fire hazards/explosion hazards.

3. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

- a) Failure to maintain fulfillment of fire safety requirements during the transport of the goods with fire hazards/explosion hazards on the vehicle;
- b) Transporting other goods and the goods with fire hazards/explosion hazards on the same vehicle without permission by a competent authority;
- c) Carrying unauthorized persons on the vehicle transporting goods with fire hazards/explosion hazards;
- d) Losing the license for transporting goods with fire hazards/explosion hazards without notifying a competent authority.

4. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for failure putting up fire hazards/explosion hazards symbols on the vehicle.

5. A fine ranging from 10.000.000 VND to 15.000.000 VND shall be imposed for any of the following violations:

- a) Transporting goods with fire hazards/explosion hazards exceeding the maximum permissible quantity/weight or transporting wrong categories of goods;
- b) Transporting goods with fire hazards/explosion without the license to transport goods with fire hazards/explosion hazards;
- c) Using a fake license to transport goods with fire hazards/explosion hazards;
- d) Falsifying the license to transport goods with fire hazards/explosion hazards;
- dd) Failure to ensure fire safety or failure to comply with instructions of the person in charge while unloading, pumping, moving goods with fire hazards/explosion hazards from the vehicle;

e) Failure to have or maintain fire safety measures for the devices or pipelines for transporting flammable/explosive gases/liquids;

g) Unloading, pumping, moving goods with fire hazards/explosion hazards at a location that do not satisfy fire safety requirements;

h) Unloading, pumping moving goods with fire hazards/explosion hazards to another vehicle during the trip without permission by a competent authority.

6. Additional penalty:

Confiscation of the exhibits and means of administrative violations in case of violations specified in Points b, c, and d Clauses 5 of this Article.

7. Remedial measures:

a) Mandatory reduction of quantity, volume, categories of the goods with fire hazards/explosion hazards in case of violations specified in Point a Clause 5 of this Article;

b) Mandatory transport of the goods with fire hazards/explosion hazards to a designated warehouse or location in case of violations specified in Point g Clause 5 of this Article;

c) Mandatory return of the license to transport goods with fire hazards/explosion hazards in case of violations specified in Point d Clause 5 of this Article.

### **Article 35. Violations against regulations on fire prevention and firefighting during management, use of sources of fire/heat, fire-/heat-generating devices or electronic devices**

1. A warning or fine of from 100.000 VND to 300.000 VND shall be imposed for bringing matches, lighters, cellphones, sources of fire/heat, fire-/heat-generating devices to areas where they are banned.

2. A fine ranging from 300.000 VND to 500.000 VND shall be imposed for use of sources of fire/heat, fire-/heat-generating devices without maintaining a fire safety distance according to regulations of law.

3. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for use of sources of fire/heat, fire-/heat-generating devices, electric devices or electronic devices in areas where they are banned.

4. A fine ranging from 10.000.000 VND to 15.000.000 VND shall be imposed for welding, cutting metals without implementing fire safety measures as prescribed by law.

### **Article 36. Violations against regulations on fire prevention and firefighting during installation, management and use of electricity**

1. A fine ranging from 2.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

a) Changing the design or fundamental specifications of an electricity system or electric device without permission by a competent authority;

b) Installing, using electric wires/cables, shut-off devices, protective devices or electric devices without ensuring fire safety as prescribed by law.

2. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for any of the following violations:

a) Using electric devices without satisfying explosion proof requirements in an environment with fire hazards/explosion hazards;

b) Failure to have or maintain a backup power source for the fire prevention and firefighting system and relevant technical systems as prescribed by law.

3. A fine ranging from 15.000.000 VND to 25.000.000 VND shall be imposed for failure to install electric devices or systems serving fire prevention, firefighting and rescue as prescribed by law.

4. Remedial measure:

Mandatory installation of electric devices or systems serving fire prevention, firefighting and rescue in case of violations specified in Clause 3 of this Article.

### **Article 37. Violations against regulations on fire safety during installation, inspection and maintenance of lightning protection system**

1. A warning or fine of from 100.000 VND to 300.000 VND shall be imposed for failure to have documents for monitoring the lightning protection system as prescribed by law.

2. A fine ranging from 300.000 VND to 500.000 VND shall be imposed for failure to carry out periodic inspection of the lightning protection system as prescribed by law.

3. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for failure to rectify errors or repair damage that compromise the lightning protection system.

4. A fine ranging from 10.000.000 VND to 15.000.000 VND shall be imposed for installing a lightning protection system that fails to satisfy lightning protection requirements.

5. A fine ranging from 10.000.000 VND to 25.000.000 VND shall be imposed for failure to install a lightning protection system in a house or building in which a lightning protection system is mandatory as prescribed by law.

6. Remedial measures:

a) Mandatory rectification of error or repair of damage in case of violations specified in Clause 3 of this Article;

b) Mandatory installation of a conformable lightning protection system in case of violations specified in Clause 4 and Clause 5 of this Article.

**Article 38. Violations against regulations on fire prevention and firefighting in investment and construction**

1. A fine ranging from 1.000.000 VND to 3.000.000 VND shall be imposed for failure to have measures and instruments for assurance of fire safety during the construction process as prescribed by law.

2. A fine ranging from 8.000.000 VND to 15.000.000 VND shall be imposed for any of the following violations:

a) Executing construction against the fire safety designed approved by a competent authority;

b) Modifying, repurposing a work or motor vehicle before having the fire safety design certificate or approval document;

c) Falsifying the certificate of approval or the document approving the commissioning result or other documents relevant to fire prevention and firefighting commissioning issued by competent authorities.

3. A fine ranging from 15.000.000 VND to 25.000.000 VND shall be imposed for any of the following violations:

a) Executing construction of a work subject to fire safety appraisal before having the fire safety design certificate or approval document;

b) Manufacturing motor vehicles subject to fire safety appraisal before having the fire safety design certificate or approval document.

4. A fine ranging from 30.000.000 VND to 50.000.000 VND shall be imposed for putting into operation a work, work item or motor vehicle before having the fire safety commissioning document.

5. A fine ranging from 40.000.000 VND to 50.000.000 VND shall be imposed for putting into operation a work, work item or motor vehicle before having the fire safety design certificate or approval document.

6. Remedial measures:

- a) Mandatory fire safety appraisal in case of violations specified in Point b Clause 2 and Clause 3 of this Article;
- b) Mandatory fire safety commissioning in case of violations specified in Clause 4 of this Article;
- c) Mandatory fire safety appraisal and commissioning in case of violations specified in Clause 5 of this Article;
- d) Mandatory return of the certificate of fire safety approval or commissioning in case of violations specified in Point c Clause 2 of this Article.

### **Article 39. Violations against regulations on fire safety and fire separation distance**

1. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

- a) Placing, arranging supplies or goods without maintaining fire safety and fire separation distance as prescribed by law;
- b) Failure to organize industrial cleaning which causes fire hazards/explosion hazards in the environment.

2. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for installing fire-rated walls, partitions, doors and other fire separation solutions that do not satisfy requirements as prescribed by law.

3. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for building ceilings, floors, partitions, roofs or placing flammable materials where they are not allowed.

4. A fine ranging from 15.000.000 VND to 25.000.000 VND shall be imposed for any of the following violations:

- a) Failure to clean flammable materials along the corridor of pipelines for petroleum, gas and petroleum products;
- b) Execute construction without maintaining fire safety distance as prescribed by law;

c) Building housing, residential works in the forest or along the forest without maintaining fire safety distance and fire safety corridor as prescribed by law.

5. A fine ranging from 30.000.000 VND to 50.000.000 VND shall be imposed for any of the following violations:

- a) Failure to install fire-rated walls, partitions, doors and other fire separation solutions as prescribed by law;

b) Failure to maintain fire separation measures as prescribed by law.

6. Remedial measure:

Mandatory implementation of fire separation solutions in case of violations specified in Point b Clause 5 of this Article.

#### **Article 40. Violations against regulations on fire escape**

1. A fine ranging from 500.000 VND to 1.000.000 VND shall be imposed for installing mirrors on the escape route; installing escape doors that do not swing in the direction of egress.

2. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

a) Placing supplies, goods, vehicles and other items blocking the escape route;

b) Removing, damaging or compromising emergency lighting, emergency exit signs, escape plan, fire safety signs along the escape route;

c) Failure to install the escape plan, fire safety signs along the escape route;

d) Failure to inspect and maintain emergency lighting and emergency exit signs;

dd) Failure to maintain continuous operation of emergency lighting and emergency exit signs;

3. A fine ranging from 2.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

a) Failure to install emergency lighting, emergency exit signs along the escape route; emergency lighting, emergency exit signs do not have enough brightness or are not installed properly or are not functional as prescribed by law;

b) The sizes or quantity of escape doors, routes, staircases are inadequate as prescribed by law.

4. A fine ranging from 5.000.000 VND to 15.000.000 VND shall be imposed for any of the following violations:

a) Locking, blocking the escape door;

b) Failure to maintain smoke protection for the house or building as prescribed by law.

5. A fine ranging from 15.000.000 VND to 25.000.000 VND shall be imposed for compromising the escape route.

6. Remedial measure:

Mandatory restoration of original condition in case of violations specified in Point b Clause 2; Clauses 4 and 5 of this Article.

#### **Article 41. Violations against regulations on firefighting and rescue plans**

1. A warning or fine of from 100.000 VND to 300.000 VND shall be imposed for failure to manage the firefighting plan as prescribed by law.

2. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

a) Developing a firefighting and rescue plan that has adequate contents as prescribed by law;

b) Failure to send the fire drill plan and the report to the supervisory authority as prescribed by law;

c) Failure to send copies of the rescue plan to competent authorities.

3. A fine ranging from 2.000.000 VND to 3.000.000 VND shall be imposed for any of the following violations:

a) Using a firefighting and rescue plan that has not been approved as prescribed by law;

b) Failure to organize drills of the scenarios in the firefighting plan prescribed by law;

c) Failure to appoint persons or provide necessary information and documents about the development of the firefighting plan as requested by the competent authority.

4. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

a) Failure to develop a firefighting and rescue plan;

b) Failure to organize periodic or irregular fire and rescue drills as prescribed by law;

c) Failure to assign personnel and vehicles under management to participate in the fire drill when mobilized by the competent person.

#### **Article 42. Violations against regulations on fire and incident/accident alarm**

1. A fine ranging from 1.000.000 VND to 2.000.000 VND shall be imposed for any of the following violations:

a) Failure to fire alarm devices as prescribed by law;

b) Failure to replace damaged or compromised fire alarm devices as prescribed by law.

2. A fine ranging from 4.000.000 VND to 6.000.000 VND shall be imposed for any of the following violations:

- a) Failure to sound the fire alarm or accident alarm, or obstructing the sounding of fire alarm or incident/accident alarm;
- b) Sounding false fire alarm or incident/accident alarm.

**Article 43. Violations against regulations on declaration of fire prevention and firefighting data and incident communication**

1. A warning or fine of from 100.000 VND to 300.000 VND shall be imposed for failure to incorrectly or inadequately update the fire prevention and firefighting database as prescribed by law.

2. A fine ranging from 500.000 VND to 1.500.000 VND shall be imposed for failure to maintain continuous operation of the incident communication devices as prescribed by law.

3. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for failure to update the fire prevention and firefighting database as prescribed by law.

4. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for failure to incident communication devices as prescribed by law.

5. Remedial measures:

a) Mandatory update of the fire prevention and firefighting database in case of violations specified in Clause 1 and Clause 3 of this Article;

a) Mandatory maintenance of continuous operation of incident communication devices in case of violations specified in Clause 2 of this Article.

**Article 44. Violations against regulations on provision, storage and use of fire safety and firefighting equipment**

1. A warning or a fine ranging from 100.000 VND to 300.000 VND shall be imposed for any of the following violations:

- a) Visually or physically blocking the access of fire safety and firefighting equipment;
- b) Use of unfit common firefighting equipment as prescribed by law;
- c) Failure to prepare documents for management of fire safety, firefighting and rescue equipment.



2. A fine ranging from 500.000 VND to 1.500.000 VND shall be imposed for any of the following violations:

- a) Failure to periodically inspect and maintain the fire safety and firefighting equipment and system;
- b) Failure to preserve personal protective equipment and extinguishing agent as prescribed by law;
- c) Failure to have adequate or compatible fire safety and firefighting equipment as prescribed by law;
- d) Failure to provide common firefighting equipment on motor vehicles as prescribed by law;
- dd) Losing, damaging or compromising common firefighting equipment, extinguishing agents, firefighting communication devices.

3. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

- a) Providing, installing, using fire safety and firefighting equipment that have not undergone fire prevention and firefighting inspection as prescribed by law;
- b) Providing fire safety and firefighting equipment that is not suitable for the fire hazards/explosion hazards of the facility as prescribed by law;
- c) Use of firefighting equipment at its post for unintended purposes;
- d) Use of the firefighting water source for unintended purposes or failure to have adequate reserve of water for firefighting as prescribed by law;
- dd) Moving, relocating fire safety and firefighting equipment against the designed approved by a competent authority;
- e) Failure to provide common firefighting equipment on motor vehicles that transport goods with fire hazards/explosion hazards as prescribed by law.

4. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for any of the following violations:

- a) Failure to provide common firefighting equipment in houses, buildings or on motor vehicles that have special fire safety requirements for passenger transport as prescribed by law;
- b) Losing, damaging or compromising firefighting apparatus, fire alarm or firefighting system;

c) Failure to maintain the readiness of the available firefighting apparatus, fire alarm or firefighting system as prescribed by law;

d) Falsifying the certificate of inspection of fire safety and firefighting equipment.

5. A fine ranging from 15.000.000 VND to 25.000.000 VND shall be imposed for any of the following violations:

a) Failure to install the fire alarm and firefighting system as prescribed by law;

b) Failure to have firefighting apparatus as prescribed by law.

6. Remedial measures:

a) Mandatory restoration of original condition in case of violations specified in Point b Clause 4 of this Article;

b) Mandatory return of the certificate of inspection of fire safety and firefighting equipment in case of violations specified in Point d Clause 4 of this Article.

#### **Article 45. Violations against regulations on firefighting and rescue**

1. A warning or fine of from 100.000 VND to 300.000 VND shall be imposed for entering the firefighting or rescue site without permission of a competent person.

2. A warning or fine of from 300.000 VND to 500.000 VND shall be imposed for failure to promptly rescue people, property or extinguish fire.

3. A fine ranging from 2.000.000 VND to 5.000.000 VND shall be imposed for any of the following violations:

a) Failure to be prepared in terms of forces, vehicles, water sources and other conditions serving firefighting and rescue as prescribed by law;

b) Failure to follow orders of the incident commander;

c) Failure to follow the order to participate in the firefighting or rescue issued by the competent person;

d) Failure to have or maintain a firefighting elevator and a fire control station as prescribed by law.

4. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for any of the following violations:

a) Obstructing operation of the firefighting or rescue force or vehicle;

- b) Failure to participate in post-fire recovery activities at the request of the competent person;
- c) Failure to participate in protection of the incident site as per regulations;
- d) Failure to prepare, maintain roads, parking lot, access for the firefighting apparatus and force to operate as per regulations.

5. A fine ranging from 10.000.000 VND to 15.000.000 VND shall be imposed for any of the following violations:

- a) Failure to organize the escape, rescue of people or firefighting;
- b) Taking advantage of the firefighting or rescue to harm to health or lawful property of other citizens and the State.

**Article 46. Violations against regulations on dissemination of fire prevention, firefighting and rescue law and knowledge, provision of training in fire prevention, firefighting and rescue**

1. A warning or fine of from 100.000 VND to 300.000 VND shall be imposed for damaging fire prevention and firefighting banners, posters, billboards.

2. A fine ranging from 500.000 VND to 1.500.000 VND shall be imposed for any of the following violations:

- a) Failure to organize dissemination of fire prevention, firefighting and rescue law and knowledge as prescribed by law;
- b) Assigning a person who has not been granted the certificate of training in fire prevention and firefighting or who has an expired certificate of training in fire prevention and firefighting to an internal or professional firefighting force, as operator or attendant on a vehicle for transport of more than 29 passengers or goods with fire hazards/explosion hazards, or to work in a environment with fire hazards/explosion hazards or regular contact with goods with fire hazards/explosion hazards;
- c) Employing a person as a professional rescuer without a certificate of rescue training or with an expired certificate of rescue training;
- d) Organize training in fire prevention, firefighting and rescue with inadequate contents or time as prescribed by law.

3. A fine ranging from 1.500.000 VND to 3.000.000 VND shall be imposed for failure to organize training in fire prevention, firefighting and rescue.

**Article 47. Violations against regulations on establishment and management of internal and professional firefighting teams**

1. A warning or a fine ranging from 100.000 VND to 300.000 VND shall be imposed for any of the following violations:

- a) Failure to have an adequate number of people keeping fire watches as prescribed by law;
- b) Failure to proficiently use the fire safety and firefighting equipment available at the facility.

2. A fine ranging from 300.000 VND to 500.000 VND shall be imposed for failure to organize watches at the facility or positions that require watches as prescribed by law.

3. A fine ranging from 1.000.000 VND to 3.000.000 VND shall be imposed for any of the following violations:

- a) Establishing an internal or professional firefighting team that does not have an adequate number of members;
- b) Failure to manage or maintain operation of the internal or professional firefighting team as prescribed by law;
- c) Failure to provide or adequately provide fire safety and firefighting equipment for the internal or professional firefighting team as prescribed by law;
- d) Failure to assign people to the internal firefighting team as prescribed by law.

4. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for failure to participate in fire prevention and firefighting activities at the request of the competent person.

5. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for failure to establish the internal firefighting team as per regulations.

6. A fine ranging from 10.000.000 VND to 15.000.000 VND shall be imposed for failure to establish the professional firefighting team as per regulations.

#### **Article 48. Violations against regulations on provision of fire prevention and firefighting services**

1. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for providing fire prevention and firefighting services without the practicing certificate for fire prevention and firefighting that is appropriate for the business operation as prescribed by law.

2. A fine ranging from 10.000.000 VND to 15.000.000 VND shall be imposed for any of the following violations:

- a) Employing a person who does not have the practicing certificate for fire prevention and firefighting to provide fire prevention and firefighting services if such a certificate is required;

- b) Falsifying the practicing certificate or certificate of eligibility to provide fire prevention and firefighting services;
- c) Failure to return the certificate of eligibility to provide fire prevention and firefighting services when no longer providing fire prevention and firefighting services;
- d) Failure to maintain adequate personnel, material facilities, vehicles and equipment for provision of fire prevention and firefighting services after the certificate of eligibility to provide fire prevention and firefighting services is granted;
- dd) Issuing the certificate of inspection of fire safety and firefighting equipment to equipment that is not on the list of equipment of which inspection is permitted by a competent authority;
- e) Issuing the certificate of inspection of fire safety and firefighting equipment without following the inspection procedures established by a competent authority.

3. A fine ranging from 15.000.000 VND to 25.000.000 VND shall be imposed for any of the following violations:

- a) Providing fire prevention and firefighting services before the certificate of eligibility to provide fire prevention and firefighting services is granted as prescribed by law;
- b) Providing fire prevention and firefighting services that are not covered by the certificate of eligibility to provide fire prevention and firefighting services;
- c) Issuing the certificate of inspection without actually carry out the inspection or issuing a false certificate of inspection.

4. A fine ranging from 30.000.000 VND to 50.000.000 VND shall be imposed for any of the following violations:

- a) Manufacturing, selling fire safety and firefighting equipment with specifications different from those specified in the certificate of inspection of fire safety and firefighting equipment issued by a competent authority;
- b) Putting fire safety and firefighting equipment into circulation without inspection as prescribed by law.

5. Additional penalty:

Suspension of the certificate of eligibility to provide fire prevention and firefighting services for 03 – 06 months in case of violations specified in Point b Clause 3 of this Article.

6. Remedial measures:

- a) Confiscation of the fire safety and firefighting equipment in case of violations specified in Point a and Point b Clause 4 of this Article;
- b) Revocation of the certificate of eligibility to provide fire prevention and firefighting services for 03 – 06 months in case of violations specified in Point c and Point d Clause 2 of this Article;
- c) Mandatory revocation of the inspection record in case of violations specified in Point C Clause 3 of this Article;
- d) Mandatory return of the practicing certificate or certificate of eligibility to provide fire prevention and firefighting services in case of violations specified in Point b Clause 2 of this Article.

#### **Article 49. Violations against regulations on compulsory fire and explosion insurance**

1. A fine ranging from 20.000.000 VND to 30.000.000 VND shall be imposed for any of the following violations:

- a) Buying compulsory fire and explosion insurance against regulations of law on principles and premiums of compulsory fire and explosion insurance;
- b) Failure to issue the certificate of compulsory fire and explosion insurance or issuing a certificate with inadequate contents as prescribed by law.

2. A fine ranging from 30.000.000 VND to 40.000.000 VND shall be imposed for failure to buy compulsory fire and explosion insurance (for facilities to which fire and explosion insurance is compulsory).

3. A fine ranging from 40.000.000 VND to 50.000.000 VND shall be imposed for failure contribute part of the compulsory fire and explosion insurance premium to the fire prevention and firefighting fund as prescribed by law.

#### **Article 50. Violations against regulations on fire prevention and firefighting in households**

1. A fine ranging from 100.000 VND to 300.000 VND shall be imposed for any violation against regulations on fire prevention and firefighting that causes a fire or explosion and property damage of from 50.000.000 VND to less than 100.000.000 VND.

2. A fine ranging from 1.000.000 VND to 3.000.000 VND shall be imposed for any of the following violations:

- a) Any violation against regulations on fire prevention and firefighting that causes a fire or explosion and property damage of more than 100.000.000 VND;
- b) Any violation against regulations on fire prevention and firefighting that cause bodily harm upon 01 person with whole person impairment (WPI) of < 61%;

c) Any violation against regulations on fire prevention and firefighting that cause bodily harm upon 02 or more persons, each of whom suffers < 61% WPI.

3. Remedial measure:

Mandatory payment of the entire medical examination and treatment cost in case of violations specified in Point b and Point c Clause 2 of this Article.

### **Article 51. Penalties for causing fire or explosion**

1. A fine ranging from 100.000 VND to 300.000 VND shall be imposed for any violation against regulations on fire prevention and firefighting that causes a fire or explosion and property damage of less than 20.000.000 VND.

2. A fine ranging from 1.000.000 VND to 3.000.000 VND shall be imposed for violations against regulations on fire prevention and firefighting that causes a fire or explosion and property damage of from 20.000.000 VND to less than 50.000.000 VND.

3. A fine ranging from 3.000.000 VND to 5.000.000 VND shall be imposed for violations against regulations on fire prevention and firefighting that causes a fire or explosion and property damage of from 50.000.000 VND to less than 100.000.000 VND.

4. A fine ranging from 5.000.000 VND to 10.000.000 VND shall be imposed for any of the following violations:

a) Any violation against regulations on fire prevention and firefighting that causes a fire or explosion and property damage of more than 100.000.000 VND;

b) Any violation against regulations on fire prevention and firefighting that cause bodily harm upon 01 person with whole person impairment (WPI) of less than 61%;

c) Any violation against regulations on fire prevention and firefighting that cause bodily harm upon 02 or more persons, each of whom suffers < 61% WPI.

5. Remedial measure:

Mandatory payment of the entire medical examination and treatment cost in case of violations specified in Point b and Point c Clause 4 of this Article.

## **Section 4. ADMINISTRATIVE VIOLATIONS AGAINST REGULATIONS ON DOMESTIC VIOLENCE PREVENTION AND CONTROL**

### **Article 52. Acts of harming health of family members**

1. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for acts of beat causing injury to family members:

2. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

- a) Using tools, means or other objects to cause injury to family members;
- b) Failing to take the victim to the medical emergency or treatment in case the victim needs timely medical emergency or failing to take care of the victim during the treatment of injury due to domestic violence, except in cases where the victim refuses.

3. Remedial measures:

- a) Mandatory public apology upon the victim's requirement for the acts specified in Clauses 1 and 2 of this Article;
- b) Mandatory payment of the entire medical examination and treatment cost in case of violations specified in Clause 1 and Point a Clause 2 of this Article;

#### **Article 53. Acts of torturing or abusing family members**

1. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

- a) Mistreating the family members, such as forcing them to abstain from eating and drinking, suffer from coldness, wear torn clothes, prohibit or restrict personal hygiene;
- b) Neglecting without care for family members as elderly, disabled, pregnant woman or nursing woman;

2. Remedial measure:

- a) Mandatory public apology upon the victim's requirement for the acts specified in Clause 1 of this Article;

#### **Article 54. Acts of defamation of family members**

1. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for insulting, nagging or hurting the honor and dignity of family members.

2. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

- a) Disclosing or distributing materials or documentation of privacy of family members to hurt the honor and dignity;
- b) Using the media to hurt the honor and dignity of family members;



c) Disseminating and distributing the leaflets, articles, photos or sounds to hurt the honor and dignity of family members;

3. Remedial measures:

a) Mandatory public apology upon the victim's requirement for the acts specified in Clauses 1 and 2 of this Article;

b) Mandatory withdrawal of leaflets, articles, photos or sounds for the acts specified at Points a and c Clause 2 of this Article;

### **Article 55. Isolating, shunning or psychologically putting pressure**

1. A warning or a fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for any of the following violations:

a) Prohibiting family members from going out of their house, preventing family members from meeting with their relatives, friends or having legitimate and healthy social relations aimed at isolating or psychologically putting pressure on those members;

b) Prohibiting the family members from exercising the right to work;

c) Prohibiting the family members from participating healthy and legitimate social activities;

2. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for coercing the family members to witness the violence against people or animals.

3. A fine of from VND 20.000.000 to VND 30.000.000 shall be imposed for any of the following violations:

a) Forcing family members to perform erotic actions and use aphrodisiacs;

b) Having sexual arousal behavior or abusing body against family member.

4. Remedial measure:

Mandatory public apology upon the victim's requirement for the acts specified in Clauses 1 and 2 of this Article;

### **Article 56. Preventing the implementation of rights and obligations in family relationships between grandparents and grandchildren; between parents and children, between husband and wife and between brothers and sisters together**

A fine of between VND 5.000.000 and 10.000.000 shall be imposed for acts to prevent visitation and care rights between grandparents and grandchildren; between parents and children, except

for cases where the parental visitation rights is limited under the decision of the court; between husband and wife; between brothers and sisters together.

**Article 57. Violations against regulations on care, nurture or support**

1. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for any of the following violations:

a) Denying or evading support obligations between husband and wife after divorce, refusing or evading the nurturing obligations between sisters and brothers, between paternal grandparents, maternal grandparents and grandchildren under the regulations of law;

b) Denying or evading the support and nurturing obligations for parents; obligations of support and care for children after divorce as prescribed by law;

2. Remedial measure:

Mandatory fulfillment of contribution/nurturing obligations for the acts specified in Clause 1 of this Article.

**Article 58. Acts of economic violence;**

A fine of from VND 20.000.000 to VND 30.000.000 shall be imposed for any of the following violations:

1. Seizing private property of family member;

2. Forcing family members to overwork or do heavy and dangerous work, exposure to toxic substances or do other work in contradiction with regulations of law on labor;

3. Forcing family members to beg or wander for a living.

**Article 59. Illegal acts forcing family members out of their legal living place**

1. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for acts forcing family members out of their legal living place:

2. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for acts threatening with violence to force family members out of their legal living place;

**Article 60. Acts of violence against persons who prevent, detect and report of domestic violence and persons who help victims of domestic violence**

1. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed for any of the following violations:

a) Threatening the person who prevents, detects or reports of domestic violence or helps the victim of domestic violence;

b) Hurting the honor and dignity of the person who prevents, detects and reports of domestic violence and helps the victim of domestic violence.

2. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

a) Assaulting the person who prevents detects and reports of domestic violence, and helps victim of domestic violence;

b) Destroying and damaging property of the person who prevents detects and reports of domestic violence, and helps victim of domestic violence;

3. Remedial measures:

a) Mandatory restoration of original condition in case of administrative violations specified in Point b Clause 2 of this Article."

b) Mandatory public apology upon the victim's requirement for the acts specified in Clauses 1 and 2 of this Article;

### **Article 61. Forcing, inciting, instigating and enabling others to commit acts of domestic violence**

1. A fine of between VND 5.000.000 and 10.000.000 shall be imposed for coercing, inciting, instigating and enabling others to commit acts of domestic violence;

2. A fine of between VND 10.000.000 and 20.000.000 shall be imposed for forcing others to commit acts of domestic violence;

### **Article 62. Acts of intentional failure to prevent, report on domestic violence and obstruct the prevention, report on domestic violence**

A fine of from VND 1.000.000 to VND 2.000.000 shall be imposed for any of the following violations:

1. Knowing family violence and having the condition to prevent without prevention.

2. Knowing family violence without informing the competent person or authority.

3. Obstructing others to detect and report on acts of domestic violence.

### **Article 63. Using or disseminating the information, photos and sounds to incite acts of violence**

A warning or a fine of between VND 1.000.000 and 2.000.000 shall be imposed for using or disseminating the information, photos and sounds to incite acts of violence;

**Article 64. Violations against regulations on disclosing information on victim of domestic violence**

A fine of from VND 3.000.000 to VND 5.000.000 shall be imposed on medical personnel or counselors against regulations on prevention of domestic violence having one of the following acts:

1. Disclosing personal information of victims of domestic violence without the consent of the victim or the victim's guardian affecting honor, dignity and reputation of the victim.
2. Deliberately disclosing or creating the conditions for the person committing acts of violence knows the shelter of victims of domestic violence.

**Article 65. Taking advantage of activity of domestic violence prevention for illegal benefits**

1. A fine of from VND 1.000.000 to VND 2.000.000 shall be imposed for any of the following violations:

- a) Demanding for victim's money or victim's relative after helping the victim of domestic violence;
- b) Requiring the payment of victim's cost of living at the credible address in the community;
- c) Taking advantage of difficult situation of victims of domestic violence to ask them to commit illegal acts;

2. A fine of from VND 10.000.000 to VND 30.000.000 shall be imposed for any of the following violations:

- a) Establishing the consulting units of prevention of domestic violence or supporting unit for victims of domestic violence for illegal benefit;
- b) Taking advantage of activities of domestic violence prevention to commit illegal acts;

3. Additional penalty:

The certificate of business registration or operation license, practicing certificate shall be suspended for 6 – 12 months in case of the violations specified in Points a and b Clause 2 of this Article;

4. Remedial measure:

Enforced return of benefits illegally obtained from the commission of the violation in Point a Clause 1 of this Article;”.

**Article 66. Violations against regulations on operation registration for consulting units of prevention of domestic violence or supporting unit for victims of domestic violence**

1. A fine of from VND 5.000.000 to VND 10.000.000 shall be imposed on the consulting units of prevention of domestic violence or supporting unit for victims of domestic violence operating beyond the scope of certificate of operation registration;

2. A fine of from VND 10.000.000 to VND 20.000.000 shall be imposed on the consulting units of prevention of domestic violence or supporting unit for victims of domestic violence for operation without being issued with certificate of operation registration or without registration for operation;

**Article 67. Violations against regulations on banned contact of Chairperson of communal-level People’s Committee;**

1. A warning or a fine of between VND 500.000 and 1.000.000 shall be imposed for deliberately contacting the victim of domestic violence during the time to execute the decision on banned contact;

2. A fine of between VND 3.000.000 and 5.000.000 shall be imposed for using telephone and other media to threaten, taunt or insult the victims of domestic violence.

3. Additional penalty:

Confiscate the exhibits and means of administrative violations for the actions specified Clause 1 of this Article;

**Chapter III**

**POWER TO IMPOSE ADMINISTRATIVE PENALTIES**

**Article 68. Power to impose penalties of the Chairpersons of the People’s Committees at all levels:**

1. Chairperson of the People’s Committee of commune shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 3.000.000 for administrative violation against regulations on domestic violence prevention; up to VND 4.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 5.000.000 for the administrative violation against regulations on fire prevention and fighting, rescue and social evil prevention;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

d) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations.

2. Chairperson of the People's Committee of district shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 15.000.000 for administrative violation against regulations on domestic violence prevention; up to VND 20.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 25.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue; up to VND 37.500.000 for the administrative violation against regulations on social evil prevention;

c) Suspend licenses/practicing certificates or suspend operations for fixed periods;

d) Confiscate exhibits and/or means used for administrative violations;

dd) Impose the remedial measures specified in Points a, c, e and i Clause 1 Article 28 of the Law on penalties for administrative violations and points dd, e, g and h Clause 3 Article 3 of this Decree.

3. Chairperson of the People's Committees of province shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 30.000.000 for administrative violation against regulations on domestic violence prevention; up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 50.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue; up to VND 75.000.000 for the administrative violation against regulations on social evil prevention;

c) Suspend licenses/practicing certificates or suspend operations for fixed periods;

d) Confiscate exhibits and/or means used for administrative violations;

dd) Impose the remedial measures specified in Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

### **Article 69. Power to impose penalties for administrative violations of the People's Public Security**

1. The People's Police officers on duty shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 300.000 for administrative violation against regulations on domestic violence prevention; up to VND 400.000 for the administrative violation against regulations on social security, order and safety; up to VND 500.000 for the administrative violation against regulations on fire prevention and fighting, rescue and social evil prevention;

2. Head of company-level Mobile Police Unit, head of police station and leader of the officers mentioned in Clause 1 of this Article shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 900.000 for administrative violation against regulations on domestic violence prevention; up to VND 1.200.000 for the administrative violation against regulations on social security, order and safety; up to VND 1.500.000 for the administrative violation against regulations on fire prevention and fighting and rescue and social evil prevention;

3. Communal-level chief police, head of border gate police station or export processing zone, head of police authority of international airport, battalion chief of mobile police battalion and captain of squadron shall have the power to

a) Issue warnings;

b) Impose a fine up to VND 1.500.000 for administrative violation against regulations on domestic violence prevention; up to VND 2.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 2.500.000 for the administrative violation against regulations on fire prevention and fighting and rescue and social evil prevention;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

d) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations.

4. Head of the Police Authority of district, Manager of Specialized Department of Internal Political Security Department, Manager of Specialized Department of Police Department for Administrative Management of Social Order, Manager of Specialized Department of Traffic Police Department, Manager of Specialized Department of Cybersecurity and Hi-tech Crime Prevention and Control Division, Manager of Specialized Department of Immigration Department, Manager of Specialized Department of Police Department of Fire Prevention, Fighting and Rescue and Head of the Police Department of province, including Head of Police Department for Investigation into Corruption, Economy and Smuggling-related Crimes, Head of Police Department for Investigation into Social order-related Crimes, Head of Police Department for Administrative Management of Social Order, Head of Economic Security Department, Head of Internal Political Security Department, Head of Cybersecurity and Hi-tech Crime Prevention

and Control Division, Head of Traffic Police Department, Head of Immigration Department, Captain of Squadron, Head of Road-Rail Traffic Division, Head of Road Traffic Division, Head of Waterway Traffic Division, Head of Protection and Mobility Police Division, Head of Criminal Judgment Enforcement and Justice Assistance Police Division, Head of Environmental Crime Prevention Police Division, Head of Police Department for Fire Prevention and Fighting and Rescue, Head of Foreign Affairs Department and Commander of Mobile Police Regiment shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 6.000.000 for administrative violation against regulations on domestic violence prevention; up to VND 8.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 10.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue; up to VND 15.000.000 for the administrative violation against regulations on social evil prevention;

c) Suspend licenses/practicing certificates or suspend operations for fixed periods;

d) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

dd) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations.

5. Director of the Public Security Department of province shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 15.000.000 for administrative violation against regulations on domestic violence prevention; up to VND 20.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 25.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue; up to VND 37.500.000 for the administrative violation against regulations on social evil prevention;

c) Suspend licenses/practicing certificates or suspend operations for fixed periods;

d) Confiscate exhibits and/or means used for administrative violations;

dd) Apply the expulsion;

e) Impose the remedial measures specified in Points a, c and I Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

6. Director of Department of Cybersecurity and Hi-tech Crime Prevention and Control, Director of Police Department for Investigation into Social Order-related Crimes, Director of Police Department for Investigation into Corruption, Economy and Smuggling-related Crimes, Director



of Police Department for Administrative Management of Social Order, Director of Internal Political Security Department, Director of Economic Security Department, Director of Environmental Crime Prevention Police Department, Director of Traffic Police Department, Director of Police Department for Fire Prevention and Fighting and Rescue, Director of Department of Homeland Security, Director of Police Department of Custody, Temporary Detention and Criminal Judgment Execution in the community, Director of Mobile Police Department shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 30.000.000 for administrative violation against regulations on domestic violence prevention; up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 50.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue; up to VND 75.000.000 for the administrative violation against regulations on social evil prevention;

c) Suspend licenses/practicing certificates or suspend operations for fixed periods;

d) Confiscate exhibits and/or means used for administrative violations;

dd) Impose the remedial measures specified in Points a, c and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

7. Director of Immigration Department shall have the power to impose administrative penalties in Clause 6 of this Article and have the right to apply the expulsion.

#### **Article 70. Power to impose penalties of the Border Guard forces:**

1. On-duty soldiers of the Border Guard forces shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 400.000 for the administrative violation against regulations on social security, order and safety; up to VND 500.000 for the administrative violation against regulations on fire prevention and fighting, rescue and social evil prevention;

2. Head of Border Guard station and leader of the soldiers mentioned in Clause 1 of this Article shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 2.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 2.500.000 for the administrative violation against regulations on fire prevention and fighting, rescue and social evil prevention;

3. Team leader of Crime and Drug Prevention and Control Task Force affiliated to Crime and Drug Prevention and Control Brigade shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 4.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 5.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue, up to VND 7.500.000 for the administrative violation against regulations on social evil prevention;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

dd) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

4. Head of Border Guard post, Commander of Border-guard Flotilla and Commander of Port Border Guard shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 8.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 10.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue, up to VND 15.000.000 for the administrative violation against regulations on social evil prevention;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

dd) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

5. Commander of Crime and Drug Prevention and Control Brigade affiliated to Crime and Drug Prevention and Control Department of Border Guard High Command shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 20.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 25.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue, up to VND 37.500.000 for the administrative violation against regulations on social evil prevention;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

d) Impose the remedial measures specified in Points a, c and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

6. Commander of Provincial-level Border Guard Force, Commander of Coastguard Squadron, Director of Crime and Drug Prevention and Control Department of Border Guard High Command shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 50.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue, up to VND 75.000.000 for the administrative violation against regulations on social evil prevention;

c) Suspend licenses/practicing certificates or suspend operations for fixed periods;

d) Confiscate exhibits and/or means used for administrative violations;

dd) Impose the remedial measures specified in Points a, c and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

#### **Article 71. Power to impose penalties of the Coast Guard**

1. Police officers of the Coast Guard who are on duty shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 800.000 for the administrative violation against regulations on social security, order and safety;

2. Squad leader of professional squad of Coast Guard shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 2.000.000 for the administrative violation against regulations on social security, order and safety;

3. Team leader of professional team of Coast Guard and Captain of Coast Guard Station shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 4.000.000 for the administrative violation against regulations on social security, order and safety;

c) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations.

4. Commander of Coastguard Platoon shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 8.000.000 for the administrative violation against regulations on social security, order and safety;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

dd) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations an Clause 3 Article 3 of this Decree.

5. Marine delegation chiefs of the Marine Police, Commanders of Reconnaissance Brigades, Commanders of Crime and Drug Prevention and Control Brigades affiliated to Vietnam Coast Guard shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 12.000.000 for the administrative violation against regulations on social security, order and safety;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

d) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

6. Commander of Regional Coast Guard, Director of Operation and Law Department affiliated to Vietnam Coast Guard shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 20.000.000 for the administrative violation against regulations on social security, order and safety;

c) Suspend licenses/practicing certificates for fixed periods;

d) Confiscate exhibits and/or means used for administrative violations;

dd) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

7. Commander of Vietnam Coast Guard shall have the power to:

- a) Issue warnings;
- b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety;
- c) Suspend licenses/practicing certificates or suspend operations for fixed periods;
- d) Confiscate exhibits and/or means used for administrative violations;
- dd) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

### **Article 72. Power to impose penalties of Customs**

1. On-duty officers of the Customs shall have the power to:

- a) Issue warnings;
- b) Impose a fine up to VND 500.000 for the administrative violation against regulations on social security, order and safety;

2. Team leader and squad leader of Sub-department of Customs; squad leaders of Control Teams of Customs Departments of provinces and inter-provinces; team leader of Post Clearance Audit Sub-Department shall have the power to:

- a) Issue warnings;
- b) Impose a fine up to VND 5.000.000 for the administrative violation against regulations on social security, order and safety;

3. Director of Sub-department of Customs; Director of Post Clearance Audit Sub-Department; team leaders of Control Teams of Customs Departments of provinces and inter-provinces; team leader of Criminal Investigation Team; team leader of Anti-smuggling Control Team; Commander of Sea Patrol Squadron and team leader of Anti-smuggling, Counterfeit Product Control and Intellectual Property Team affiliated to the Smuggling Investigation and Prevention Department; Director of Post Clearance Audit Sub-Department affiliated to Post Clearance Audit Department shall have the power to:

- a) Issue warnings;
- b) Impose a fine up to VND 25.000.000 for the administrative violation against regulations on social security, order and safety;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause;

dd) Impose the remedial measures specified in Points d, dd, i and k Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

4. Director of Smuggling Investigation and Prevention Department, Director of Post Clearance Audit Department affiliated to General Department of Customs, Directors of Customs Departments of provinces and inter-provinces shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety;

c) Suspend licenses/practicing certificates or suspend operations for fixed periods;

d) Confiscate exhibits and/or means used for administrative violations;

dd) Impose the remedial measures specified in Point i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

5. Director General of General Department of Vietnam Customs shall have power to:

a) Issue warnings;

b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety;

c) Confiscate material evidences and/or means used for administrative violations;

dd) Impose the remedial measures specified in Points d, dd, i and k Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

### **Article 73. Power to impose penalties of Forest Ranger**

1. On-duty forest rangers shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 500.000 for the administrative violation against regulations on social security, order and safety and fire prevention and fighting and rescue

2. Head of forest ranger station shall have power to:

a) Issue warnings;

b) Impose a fine up to VND 10.000.000 for the administrative violation against regulations on social security, order and safety and fire prevention and fighting and rescue;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

3. Head of Forest Ranger Division, leader of mobile ranger and forest fire prevention and fighting team shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 25.000.000 for the administrative violation against regulations on social security, order and safety and fire prevention and fighting and rescue;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

d) Impose the remedial measures specified in Points a, c and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

4. Director of Forest Protection Sub-Department, Director of Regional Forest Protection Sub-Department, Leader of Forest Protection Task Force affiliated to Forest Protection Department

a) Issue warnings;

b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety and up to VND 50.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

d) Suspend licenses/practicing certificates or suspend operations for fixed periods

dd) Impose the remedial measures specified in Points a, c and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

5. Director of Forest Protection Department shall have power to:

a) Issue warnings;

b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety and up to VND 50.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue

c) Confiscate material evidences and/or means used for administrative violations;

d) Suspend licenses/practicing certificates or suspend operations for fixed periods

dd) Impose the remedial measures specified in Points a, c and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

#### **Article 74. Power to impose penalties of Fisheries Resource Surveillance**

1. On-duty fishery resource surveillance personnel shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 2.000.000 for the administrative violation against regulations on social security, order and safety and fire prevention and fighting and rescue;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

2. Head of Fishery Resource Surveillance Station affiliated to the Regional Fishery Resource Surveillance Sub-department shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 10.000.000 for the administrative violation against regulations on social security, order and safety and fire prevention and fighting and rescue;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

d) Impose the remedial measures specified in Points a and i Clause 1 Article 28 of the Law on penalties for administrative violations.

3. Director of Regional Fishery Resource Surveillance Sub-Department shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety and up to VND 50.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue;

c) Confiscate material evidences and/or means used for administrative violations;

dd) Impose the remedial measures specified in Points a and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

4. Director of Viet Nam Fisheries Resources Surveillance shall have power to:



- a) Issue warnings;
- b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety and up to VND 50.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue;
- c) Suspend licenses/practicing certificates or suspend operations for fixed periods;
- d) Confiscate exhibits and/or means used for administrative violations;
- dd) Impose the remedial measures specified in Points a and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

**Article 75. Power to impose penalties for administrative violations of Market Surveillance Authorities**

1. On-duty market controllers shall have the power to:

- a) Issue warnings;
- b) Impose a fine up to VND 500.000 for the administrative violation against regulations on social security, order and safety;

2. Team leader of Market Surveillance Team, Head of Specialized Department affiliated to Department of Market Surveillance Operation shall have the power to:

- a) Issue warnings;
- b) Impose a fine up to VND 25.000.000 for the administrative violation against regulations on social security, order and safety;
- c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause
- d) Impose the remedial measures specified in Points a, e and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

3. Director of Provincial Market Surveillance Department and Director of Market Surveillance Operations Department affiliated to Vietnam Directorate of Market shall have the power to:

- a) Issue warnings;
- b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety;
- c) Confiscate material evidences and/or means used for administrative violations;

d) Impose the remedial measures specified in Points a, c, e and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

4. Director General of Vietnam Directorate of Market Surveillance shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety;

c) Confiscate material evidences and/or means used for administrative violations;

d) Impose the remedial measures specified in Points a, c, e and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

#### **Article 76. Power to impose penalties of inspectors**

1. On-duty inspectors shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 300.000 for administrative violation against regulations on domestic violence prevention; up to VND 400.000 for the administrative violation against regulations on social security, order and safety; up to VND 500.000 for the administrative violation against regulations on fire prevention and fighting and rescue; up to VND 750.000 for the administrative violation against regulations on social evil prevention;

c) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

d) Impose the remedial measures specified in Points a and c Clause 1 Article 28 of the Law on penalties for administrative violations.

2. Chief Inspector of Provincial Department shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 15.000.000 for administrative violation against regulations on domestic violence prevention; up to VND 20.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 25.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue; up to VND 37.500.000 for the administrative violation against regulations on social evil prevention;

c) Suspend licenses/practicing certificates or suspend operations for fixed periods;

d) Confiscate any exhibit or mean which has been used for committing administrative violation if its value is not 02 times as high as the fine specified in Point b of this Clause

dd) Impose the remedial measures specified in Points a, c, e and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

3. Chief Inspectors of Ministries, ministerial authorities, Director of Department of the Insurance Supervisory Authority shall have the power to:

a) Issue warnings;

b) Impose a fine up to VND 30.000.000 for administrative violation against regulations on domestic violence prevention; up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety; up to VND 50.000.000 for the administrative violation against regulations on fire prevention and fighting and rescue; up to VND 75.000.000 for the administrative violation against regulations on social evil prevention;

c) Suspend licenses/practicing certificates or suspend operations for fixed periods;

d) Confiscate exhibits and/or means used for administrative violations;

dd) Impose the remedial measures specified in Points a, c, e and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

4. Head of ministerial-level specialized inspectorate shall have power to impose penalties according to regulations of Clause 3 of this Article.

Head of provincial-level specialized inspectorates and specialized inspectorates of agencies assigned to carry out specialized inspection shall have power to impose penalties according to regulations of Clause 2 of this Article.

**Article 77. Power to impose penalties of diplomatic missions, consulates and other agencies authorized to perform the consular function of the Socialist Republic of Vietnam overseas.**

Heads of diplomatic missions, consulates and other agencies authorized to perform the consular function of the Socialist Republic of Vietnam overseas shall have the power to:

1. a) Issue warnings;

2. Impose a fine up to VND 40.000.000 for the administrative violation against regulations on social security, order and safety;

3. d) Confiscate exhibits and/or means used for administrative violations;

4. Impose the remedial measures specified in Points a and i Clause 1 Article 28 of the Law on penalties for administrative violations and Clause 3 Article 3 of this Decree.

## **Article 78. Principle to determine the authority to impose penalties**

1. The authority to impose penalty for administrative violation of the competent persons specified in Articles 68, 69, 70, 71, 72, 73, 74, 75, 76 and 77 of this Decree is the authority applied to one act of administrative violation of individuals. In case of fines, the authority to impose sanction on organizations is twice as much of that one for individuals;
2. Chairpersons of the People's Committees at all levels shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Chapter II of this Decree under their competence specified in Article 68 of this Decree; functions, powers and tasks that are assigned.
3. The persons who have the power to impose penalties of the People's Police forces shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Chapter II of this Decree under their competence specified in Article 69 of this Decree; functions, powers and tasks that are assigned within the scope and field of their management.
4. The persons who have the power to impose penalties of the Border Guard forces shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Articles 7, 8 and 15; Clause 1, Points c, d and dd Clause 2, Clauses 3, 4, 5, 6 and 7 Article 18; Articles 24, 25, 26, 27, 28, 32, 34, 45 and Articles in Section 4, Chapter II of this Decree under their competence specified in Article 70 of this Decree within the scope and field of their management and functions, powers and tasks that are assigned.
5. The persons who have the power to impose penalties of the Coast Guard forces shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Point d Clause 1, Point dd Clause 2, Point c Clause 3, Point d Clause 4, Points a and c Clause 5 Article 7; Point a, Clause 1, Points a, b and c Clause 2, Points b and d Clause 4 Article 10; points a, b, c, d and dd clause 1, points a, b, c, d, e, g and m clause 2, points a, b, d, dd, g, h, i and k clause 3, Points a, b, c, d, dd, e, g, h and i Clause 4, Points a, b and c Clause 5 Article 11; Points a, b and dd Clause 1, Points a, d, dd and e Clause 2 Article 15; Clause 1, Article 20; Articles 21, 23 and 28 of this Decree under their competence specified in Article 71 of this Decree and functions, powers, local areas and tasks that are assigned.
6. The persons who have the power to impose penalties of the Customs shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Points c and dd Clause 3, Point d Clause 4 Article 7; Points dd and k Clause 3, Points a, c, d and e Clause 4, Point a Clause 5 Article 11 and Article 21 of this Decree under their competence specified in Article 72 of this Decree and functions, powers and tasks that are assigned.
7. The persons who have the power to impose penalties of the Forest Ranger, Fisheries Resource Surveillance shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Article 21, Section 3 of Chapter II of this Decree under their competence specified in Article 73 and 74 of this Decree; functions, powers and tasks that are assigned.

8. Heads of diplomatic missions, consulates and other agencies authorized to perform the consular function of the Socialist Republic of Vietnam overseas shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Articles 18 and 21 of this Decree under their competence specified in Article 77 of this Decree; functions, powers and tasks that are assigned.

9. Labor - Invalids and Social Affairs inspectors shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Section 2 Chapter II of this Decree under their competence specified in Article 76 of this Decree; functions, powers and tasks that are assigned.

10. Culture, Sports & Tourism inspectors shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Section 4 Chapter II of this Decree under their competence specified in Article 76 of this Decree; functions, powers and tasks that are assigned.

11. Culture, Sports & Tourism inspectors shall have the power to impose administrative penalties and apply remedial measures for administrative violations in Section 4 Chapter II of this Decree under their competence specified in Article 76 of this Decree; functions, powers and tasks that are assigned.

12. The professional inspectors shall have the power to impose administrative penalties for violations in Points c and d Clause 3 Article 7 and Article 21 of this Decree under their competence specified in Article 76 of this Decree; functions, powers and tasks that are assigned.

13. The persons who have the power to impose penalties of the Market Surveillance Authorities shall have the power to impose administrative penalties for administrative violations in Article 20 of this Decree under their competence specified in Article 75 of this Decree; functions, powers and tasks that are assigned.

#### **Article 79. Power to record administrative violations**

1. The persons having the power to impose penalties for administrative violations are specified in Articles 68, 69, 70, 71, 72, 73, 74, 75, 76 and 77 of this Decree.

2. Competent persons, persons assigned to perform specialized inspection, persons of the People's Public Security forces are on duty with the assigned tasks according to their assigned tasks, functions and powers.

3. The police officers have the power record administrative violations that occur within the areas of their management.

#### **Chapter IV**

### **IMPLEMENTATION PROVISIONS**

## **Article 80: Entry into force**

1. This Decree comes into force from January 01, 2022
2. This Decree replaces the Government's Decree No. 167/2013/ND-CP dated November 12, 2013 on regulations on sanction of administrative violation in social security, order and safety, prevention and fighting of social evils, fire and domestic violence.

## **Article 81. Transitional clauses**

1. In case of a violation against regulations on social security, order and safety, social evil prevention, fire prevention and fighting and domestic violence prevention is committed before the effective date of this Decree but discovered or being handled afterwards the Government's Decree on sanction of administrative violations that is effective when the violation is committed shall be applied; In case, this Decree does not provide for legal liability or impose less serious legal liability for violations that occur prior to the entry into force of this Decree, the regulations of this Decree shall be applied.
2. If the penalized individual or organization continues to appeal against the administrative sanction decision that has already been issued or executed completely before the entry into force of this Decree, the regulations of the Law on Handling of Administrative Violations of Vietnam, Government's Decree No. 167/2013/ND-CP dated November 12, 2013 on regulations on sanction of administrative violation in social security, order and safety, prevention and fighting of social evils, fire prevention and firefighting, and domestic violence shall be applied.
3. Administrative violations regarding the management and use of the family register, temporary residence register that are committed before December 31, 2022 shall be handled according to regulations of this Decree.

## **Article 82. Responsibility of implementation**

1. The Minister of Public Security of Vietnam shall be responsible for organizing, urging, guiding and inspecting the implementation of this Decree.
2. The Ministers, the Heads of the Ministerial-Level Agencies, the Heads of the Governmental Agencies, the Chairpersons of the People's Committees of provinces and relevant organizations and individuals shall be responsible for the implementation of this Decree.

**ON BEHALF OF THE GOVERNMENT  
PP. PRIME MINISTER  
DEPUTY PRIME MINISTER**

**Pham Binh Minh**

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