

THE GOVERNMENT

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SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

Hanoi, November 14, 2013

DECREE

ON THE SANCTION OF ADMINISTRATIVE VIOLATIONS IN THE DOMAIN OF ENVIRONMENTAL PROTECTION

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the June 20, 2012 Law on handling of administrative violations;

Pursuant to the November 29, 2005 Law on Environmental Protection;

Pursuant to the November 11, 2008 Law on biodiversity;

At the proposal of Minister of Natural Resources and Environment;

The Government promulgates Decree on the sanction of administrative violations in the domain of environmental protection,

Chapter 1.

GENERAL PROVISIONS

Article 1. Scope of regulation

1. This Decree provides for:

- a) Administrative violations in the domain of environmental protection, sanctioning forms, levels, competence to make written record of administrative violations, competence to sanction administrative violations and remedial measures;
- b) The competence, order and procedures for applying forms of handling such as forcible relocation or operation ban of seriously-polluting production, business or service establishments (hereinafter collectively referred to as establishments);
- c) Publish information on administrative violations in domain of environmental protection committed by establishments and economic zones, industrial parks, export processing zones, hi-tech parks, concentrated industrial clusters (hereinafter collectively referred to as the concentrated production, business or service zones);
- d) Coercive measures, competence and procedures for applying coercive measures to execute decisions on operation suspension; decisions on forcible relocation, operation ban on seriously-polluting establishments.

2. Acts of administrative violations in the domain of environmental protection include:

- a) Violation of regulations on environmental protection commitments, environmental impact assessment reports, or environmental protection schemes;
- b) Polluting acts;
- c) Violation of waste management regulations;
- d) Violation of environmental protection regulations in the import of machinery, equipment, means of transport, raw materials, fuel, materials, scraps and biological preparations;
- e) Violation of environmental protection regulations in tourism, rational exploitation and use of natural resources;

- f) Violation of regulations on prevention, control and remedying of environmental pollution, degradation or incidents;
 - g) Acts of administrative violations on biodiversity include: Conservation and sustainable development of Natural ecosystem; conservation and sustainable development of species and conservation and sustainable development of genetic natural resources;
 - h) Acts of obstructing acts of state management, inspection, examination and sanction of administrative violations, and other violations on environmental protection.
3. Other acts of administrative violation related to domain of environmental protection which are defined in other relevant Government's Decrees on sanction of administrative violations in domain of state management shall be handled under such regulations.

Article 2. Entities subject to sanction of administrative violations

Domestic and foreign individuals and organizations (below collectively referred to as individuals and organizations) that commit administrative violations in the domain of environmental protection in the territory, the contiguous zone, the exclusive economic zones and continental shelves of the Socialist Republic of Vietnam shall all be sanctioned under this Decree or relevant decrees.

Article 3. Interpretation of terms

In this Decree, the following terms are construed as follows

1. Discharge of sewage into environment means discharge of sewage of all kinds, by individuals or organizations, into land, underground water, and surface water, inside and outside establishments, concentrated production, business or service zones. Case of discharging sewage into land and underground water, upon calculating number of times exceeding technical regulations on waste, value of the receiving source K_q shall be equal to 01 (one) according to that technical regulation.
2. Exhaust of dust, waste gas into environment means the generating of dust, waste gas into air environment by individuals or organizations.
3. Dangerous environmental parameters in sewage are environmental parameters according to the national technical regulations on dangerous waste threshold.
4. Dangerous environmental parameters in water gas and air environment are environmental parameters according to the national technical regulations on a number of hazardous substances in surrounding air.
5. Nonhazardous environmental parameters are environmental parameters according to the national technical regulations on waste and surrounding environment, other than environmental parameters defined at Clause 3 and Clause 4 of this Article.
6. Acts of Illegally exploiting species mean acts of hunting, fishing, gathering and keeping aiming to take organisms (including animals, plants, mould, and microorganisms), parts or derivatives of fauna and flora without permission of competent state agencies or in excess of the permitted quantity in the exploitation license issued by competent state agencies.
7. Safe distance on environmental protection for residential areas means the minimum distance from establishments, concentrated production, business or service zones to the nearest residential area according to the concerned standards and technical regulations.
8. An environmental protection commitment includes: Declaration on production activities that affect to environment; registration of satisfying environmental standards and environmental protection commitments.

9. An environmental impact assessment report may include: Preliminary environmental impact assessment report; detailed environmental impact assessment report; environmental impact assessment report of the operating establishments; the additional environmental impact assessment report and environmental impact assessment report.

10. A scheme on payment a deposit, environmental rehabilitation and restoration includes: Plan on environmental rehabilitation and restoration; project on environmental rehabilitation and restoration, and scheme on payment a deposit, environmental rehabilitation and restoration.

Article 4. Sanctioning forms, levels and remedial measures for administrative violations in domain of environmental protection

1. Principal sanctioning forms, sanctioning levels:

Individuals and organizations committing administrative violations in domain of environmental protection shall be applied one of the following principal sanctioning forms:

a) Caution;

b) Fine imposed on one administrative violation in domain of environmental protection which is VND 1,000,000,000 for individuals and VND 2,000,000,000 for organizations maximally.

2. Additional sanctioning forms:

a) Deprivation of the right to use, with a defined term,: Environmental standard satisfaction certificates; licenses for hazardous waste management; licenses for discharge of wastewater into water sources; certificate of eligibility for scrap import, written confirmation of eligibility for dangerous goods transport; certificate of environmentally friendly-nylon bags; certificate of circulating biological preparations in waste treatment in Vietnam; certificate of eligibility for providing environment observation services, licenses for exploiting endangered, precious and rare species prioritized for protection; licenses for rearing and cultivating endangered, precious and rare species subject to protection priority; certificate of biodiversity conservation establishments; licenses for rearing, cultivation and development of alien species; license for genetic resource access; license for testing genetically modified organism; license for import of genetically modified organism; certificate of biological safety, license for exchange, purchase and sale, gift, donation, lease of species in list of endangered, precious and rare species prioritized for protection certificate; written confirmation of genetically modified organism eligible to use in making food; written confirmation of genetically modified organism eligible to use in making livestock feed (hereinafter collectively referred to as environmental licenses) or operation suspension with a defined term as prescribed at Clause 2 Article 25 of Law on handling of administrative violations, from 01 month to 24 months, as from decisions on sanctioning administrative violations come into effect,

b) Confiscation of material evidences and means used for commission of administrative violations in the domain of environmental protection (hereinafter collectively referred to as material evidences and means involving administrative violations).

3. In addition to the sanctioning forms specified in Clauses 1 and 2 of this Article, violators in domain of environmental protection may also be subject to one or more remedial measures as follows:

a) Forcible restoration of the original environment state already altered by administrative violations; forcible planting, care and protection of the destroyed areas of conservation zone; restoration of initial habitat for species, revocation of genetic source from activities of illegal genetic source access;

- b) Forcible dismantlement of facilities, parts of construction works built in contravention of regulations on environmental protection; forcible dismantlement of facilities, breeding farms, aquaculture zones, houses, tents which are built illegally in conservation zones;
- c) Forcible application of measures to remedy environment pollution and measures to protect environment as prescribed by law on environmental protection and biodiversity;
- d) Forcible transportation out of the Vietnamese territory or forcible re-export of goods, machinery, equipment, means, raw materials, fuel, materials, scraps, articles, biological preparations and means which are imported or brought into Vietnam in contravention of environmental protection regulations or pollute the environment; Forcible transportation out of the Vietnamese territory or forcible re-export of goods, articles, means which contain alien species, genetically modified organisms, genetic specimens of genetically modified organisms;
- e) Forcible destruction of polluting firecrackers, goods, machinery, equipment of means, raw materials, fuel, materials, scraps, articles, biological preparations and means which are imported or brought into Vietnam in contravention of environmental protection regulations or cause damage to human health, livestock and environment; Forcible destruction of invading alien species, genetically modified organisms, genetic specimens of genetically modified organisms not yet had certificate of biological safety;
- f) Forcible correction of information which is untrue, causes misleading on environment status of the production, business and service establishments;
- g) Forcible removal of infringing elements on environmentally friendly products;
- h) Forcible recovery or handling of expired or discarded products under regulations; forcible recovery of results arising from activities of illegal genetic source access;
- i) Forcible remittance of illegal benefits gained from commission of administrative violations or Forcible remittance of the amounts equal to value of material evidences and means involving administrative violations which have been sold, dispersed, destroyed in contravention with law
- k) Forcible application of measures to reduce noise and vibration, to manage solid waste and dangerous waste, to process waste to satisfy environmental technical regulations; forcible elaboration and implementation of scheme on environmental rehabilitation and restoration; forcible payment of deposit for environmental rehabilitation and restoration, purchase liability insurance for compensation to environmental damages, implement requirements related to activities of environmental protection;
- l) Forcible construction and installation of environmental treatment facilities under regulations; forcible proper operation of environmental treatment facilities under regulations;
- m) Forcible relocation out of banned zones; proper implementation of regulations on safe distance to protect environment for residential areas;
- n) Retrospective collection of deficient or unpaid environmental protection charges under regulations; forcible payment for expenses to solicit the assessment, measure and analyze environment samples in case of violations on discharging waste in excess of environmental technical regulations or polluting environment under the current norms and unit price.

Article 5. The fine levels and sanctioning competence

1. The fine levels for administrative violations defined in section 1, chapter II of this Decree are fine levels applied to administrative violations committed by individuals, the fine levels for administrative violations committed by organizations shall be twice the fine levels of the same administrative violation committed by individuals.

2. The competence to impose sanctions on administrative violations of persons defined in Articles from Article 50 thru Article 53 of this Decree is competence to apply to one administrative violation committed by individuals; in case of fine, the competence to impose sanctions on organizations shall be double the competence to impose sanctions on individuals for respective position.

Article 6. Application of environmental technical regulations and use of environmental parameters to identify acts and the extent of administrative violation in the domain of environmental protection

1. National technical regulations serve as a basis for identifying acts and the extent of administrative violation in the domain of environmental protection when individuals or organizations discharge waste to environment. In case both national and local technical regulations are available, local ones will apply (hereinafter collectively referred to as technical regulations).

2. The number of times in excess of environmental technical regulations shall be determined on the basis of the highest level of observation, supervision, measurement and analysis of one of environmental parameters of waste samples, environmental samples surrounding divided by the permitted maximum value of those parameters in environmental technical regulations.

3. When applying form of imposing fine on act of discharging sewage (Article 13 and Article 14 of this Decree) or exhaust of dust and gas (Article 15 and Article 16 of this Decree) exceeding the environmental technical regulations, if in sewage and dust, gas, there are both hazardous and non-hazardous environmental parameters and value pH also exceeds the environmental technical regulations, parameters respectively with violation of the highest fine of sewage or dust, gas samples shall be selected for sanction.

The remaining environmental parameters exceeding the environmental technical regulations of same waste sample shall be sanctioned increasingly from 1% to 4% of the fine levels for each environmental parameter exceeding that technical regulation but total fines for each violation shall not exceed the maximum fine.

If an establishment or concentrated production, business or service zone has many spot discharging sewage or exhaust of dust, gas in excess of environmental technical regulations, it shall be sanctioned for each such spot of discharge or exhaust.

Article 7. Use of professional technical means and equipment in detecting and sanctioning administrative violations in the domain of environmental protection

1. Agencies and persons competent to sanction administrative violations may use professional technical means and equipment to detect administrative violations in the domain of environmental protection according to regulations on management, use and list of professional technical means and equipment used to detect administrative violations.

2. Agencies and persons competent to sanction administrative violations may use results of verification, measurement and analysis of environmental samples of organizations providing environmental observation services or observation organizations which are designated by competent agencies as basis for sanctioning administrative violations in the domain of environmental protection.

3. In case where functional agencies detected administrative violations through use of professional technical means and equipment to record images, the infringing individuals and organizations have obligation to cooperate with functional agencies to define objects and violations in the domain of environmental protection.

Chapter 2.

SANCTIONING OF ADMINISTRATIVE VIOLATIONS IN THE DOMAIN OF ENVIRONMENTAL PROTECTION

SECTION 1. ADMINISTRATIVE VIOLATIONS IN THE DOMAIN OF ENVIRONMENTAL PROTECTION, SANCTIONING FORMS, LEVELS, AND REMEDIAL MEASURES

Article 8. Violation of regulations on implementing environmental protection commitments

1. Violation of regulations on environmental protection commitments of production, business and service activities not subject to making of investment projects shall be sanctioned as follows:

- a) A caution on acts of failing to properly realize one of contents of environmental protection commitments already been certified by competent state agencies, except for case defined at point c this clause;
- b) A fine of between VND 500,000 and 1.000.000 for acts of failing to fully realize one of contents of environmental protection commitments already been certified by competent state agencies, except for case defined at point d this clause;
- c) A fine of between VND 1,000,000 and 1,500,000 for acts of failing to properly build and install, failing to regularly operate or failing to properly operate for the environmental treatment facilities under regulations;
- d) A fine of between VND 1,500,000 and 2,000,000 for acts of failing to build and install, failing to operate for the environmental treatment facilities under regulations, in case where waste exceeds environmental technical regulations;
- e) A fine of between VND 2,000,000 and 2,500,000 for acts of failing to realize all contents of environmental protection commitments already been certified by competent state agencies;

2. Violations of regulations on implementing environmental protection commitments for entities required to make investment projects shall be sanctioned as follows:

- b) A fine of between VND 1,000,000 and 3.000.000 for acts of failing to properly realize one of contents of environmental protection commitments already been certified by competent state agencies, except for case defined at points c and e this clause;
- b) A fine of between VND 3,000,000 and 5,000,000 for acts of failing to fully realize one of contents of environmental protection commitments already been certified by competent state agencies, except for case defined at point d and f this clause;
- c) A fine of between VND 5,000,000 and 10,000,000 for acts of failing to properly and fully realize program on environmental observation and supervision under regulations (of location, frequency or parameter in environmental supervision);
- d) A fine of between VND 10,000,000 and 15,000,000 for acts of failing to realize program on environmental observation and supervision under regulations;
- e) A fine of between VND 15,000,000 and 20,000,000 for acts of failing to improperly build and install, failing to regularly operate or improperly operating environmental treatment facilities according to contents of environmental protection commitments already been certified by competent state agencies;
- f) A fine of between VND 20,000,000 and 25,000,000 for acts of failing to build and install, failing to operate environmental treatment facilities according to contents of environmental protection commitments already been certified by competent state agencies;

g) A fine of between VND 25,000,000 and 30,000,000 for acts of failing to realize all contents of environmental protection commitments already been certified by competent state agencies.

3. Form of additional sanction:

a) Suspension of establishment's activities causing environmental pollution, from 01 month to 03 months, for violations specified at point d and point e Clause 1 this Article;

b) Suspension of establishment's activities causing environmental pollution, from 03 months to 06 months, for violations specified at point f and point g Clause 2 this Article.

4. Remedial measures:

a) Forcible operation which is proper with the process for the environment treatment works, forcible dismantlement of environmental treatment works which are constructed and installed in contravention with provisions on environmental protection or cause environment pollution, for violations specified at point c Clause 1 and point d Clause 2 this Article;

b) Forcible construction and installation of the environment treatment works meeting technical regulations within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified at point d and point e Clause 1, point f and point g Clause 2 this Article;

c) Forcible application of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in this Article.

Article 9. Violations of regulations on implementation of report on environment impact assessment

1. Violations of regulations on implementation of the approved report on environment impact assessment shall be sanctioned as follows:

a) A fine of between VND 5,000,000 and 10,000,000 for act of failing to have written report, reporting later than the prescribed time limit to agencies approved the report on environment impact assessment , regarding the environment management plan;

b) A fine of between VND 10,000,000 and 15,000,000 for act of failing to list publicly the environment management plan of project at location of project implementation and head office of the communal-level People's Committee where the consultation to the community has been implemented for people to be informed, inspect and supervise;

c) A fine of between VND 15,000,000 and 20,000,000 for act of reporting wrongly with the truth to agencies approved report on environment impact assessment regarding the environment management plan or adjustments, modifications of contents, measures to protect environment in report on environment impact assessment ;

d) A fine of between VND 20,000,000 and 30,000,000 for act of making, approving improperly with one of contents in the environment management plan;

e) A fine of between VND 30,000,000 and 40,000,000 for act of making, approving insufficiently one of contents in the environment management plan;

f) A fine of between VND 40,000,000 and 50,000,000 for act of failing to make, approve the environment management plan under regulations;

g) A fine of between VND 50,000,000 and 60,000,000 for act of implementing improperly, insufficiently one of contents in the environment observation and supervision program under regulations (about position, frequency or parameters of environment supervision);

- h) A fine of between VND 60,000,000 and 70,000,000 for act of failing to implement the environment observation and supervision program under regulations;
- i) A fine of between VND 70,000,000 and 80,000,000 for act of failing to implement properly with one of contents of the approved report on environment impact assessment, except for cases specified at points a, b, d and g this Clause;
- k) A fine of between VND 80,000,000 and 90,000,000 for act of implement insufficiently one of contents of the approved report on environment impact assessment, except for cases specified at points a, b, e, f and m this Clause;
- l) A fine of between VND 90,000,000 and 100,000,000 for act of failing to cooperate with the management agencies for environmental protection in inspecting implementation of the environment management plan and works, measures to protect environment, prevent and respond environment incidents; failing to supply sufficiently information and date involving project as requested;
- m) A fine of between VND 100,000,000 and 110,000,000 for act of failing to construct and install the works for environmental protection; failing to operate for test on the waste treatment works of project; failing to conduct pre-acceptance test of the works for environmental protection under regulations; failing to make, approve the environment management plan under regulations; failing to make, approve and implement the plan on cleaning lake bed before storing water in case where project has content of investment in construction of irrigation reservoirs or Hydro-power reservoirs;
- n) A fine of between VND 110,000,000 and 120,000,000 for act of failing to implement all measures to protect environment in stage of investment preparation and stage of construction of project;
- o) A fine of between VND 120,000,000 and 130,000,000 for act of failing to stop immediately activities of project which cause malfunction influencing badly to environment quality and community's health; failing to organize response for incidents; failing to conduct emergency notice to the provincial environment management agencies and relevant agencies where project is implemented to be directed and cooperated in handling; reporting wrongly with the truth about result of implementation of works, measures to protect environment serving for the operation stage of project or results of measurement, analysis of environmental samples of project improperly with the actual pollution of the discharging sources;
- p) A fine of between VND 130,000,000 and 140,000,000 for act of failing to make dossier of requesting for examination and confirmation involving available implementation of works, measures for environmental protection serving for the operation stage of project under regulations and send it to agencies approved reports on environment impact assessment in order to be checked and certified implementation before putting the project into official operation;
- q) A fine of between VND 140,000,000 and 150,000,000 for act of failing to have confirmation on available implementation of works, measures for environmental protection serving for the operation stage of project or confirmation on available implementation of one of work items of a invested project in case where project has been divided investment period into many stages before putting the project, works into official operation;
- r) A fine of between VND 150,000,000 and 180,000,000 for act of implementing improperly, insufficiently one of contents in confirmation on available implementation of works, measures for environmental protection serving for the operation stage of project or confirmation on available implementation of one of work items of an invested project in case where project has been divided investment period into many stages before putting the project, works into official operation.

2. A fine of between VND 180,000,000 and 200,000,000 for act of failing to make report on environment impact assessment of project under regulations.

3. Form of additional sanction:

Suspension of establishment's activities or activities causing environmental pollution of concentrated production, business or service zones, from 03 months to 06 months, for violations specified at points m, n, o and q Clause 1 and Clause 2 this Article.

4. Remedial measures:

Forcible construction and installation of environment treatment works meeting technical regulations; forcible implementation of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified in this Article.

Article 10. Violations of regulations on service of advisory for making reports on environment impact assessment and providing service of appraising reports on environment impact assessment

1. Violations of regulations on service of advisory for making reports on environment impact assessment to owners of project shall be sanctioned as follows:

a) A fine of between VND 5,000,000 and 10,000,000 for act of failing to have environment officers with 05-year experiences or more in case of possessing university degree, 03-year experience in case of possessing master's degree, 01-year experience in case of doctor's degree; failing to have officers trained in specialties related to project at university qualification or higher;

b) A fine of between VND 10,000,000 and 30,000,000 for act of failing to have material-technical establishments, special-use equipment for measurement, sampling, processing, analyzing environment samples, ensuring technically under regulations;

c) A fine of between VND 30,000,000 and 50,000,000 for act of supplying wrongly information and data of project in report on environment impact assessment; reporting wrongly with the truth about environment status where project is performed and adjacent areas;

d) A fine of between VND 80,000,000 and 100,000,000 for act of failing to satisfy sufficiently all conditions for supplying service of advisory for making reports on environment impact assessment but still making reports on environment impact assessment;

e) A fine of between VND 100,000,000 and 150,000,000 for act of providing service of advisory for making reports on environment impact assessment violating provisions in this Clause and causing consequences on environment pollution.

2. Violations of regulations on supplying service of appraisal of reports on environment impact assessment to owners of project shall be sanctioned as follows:

a) A fine of between VND 50,000,000 and 100,000,000 for act of supplying service of appraisal of reports on environment impact assessment upon not being eligible under regulations;

b) A fine of between VND 100,000,000 and 150,000,000 for act of providing service of appraising reports on environment impact assessment violating provisions at point a this Clause and causing consequences on environment pollution.

3. Form of additional sanction:

a) Suspension of activities of supplying services of advisory for making reports on environment impact assessment, from 03 months to 06 months, for violations specified at Clause 1 this Article;

b) Suspension of activities of supplying services of appraising reports on environment impact assessment, from 06 months to 09 months, for violations specified at Clause 2 this Article;

Article 11. Violations of regulations on scheme of environmental protection

1. Violations of regulations on simple schemes and schemes of environmental protection which fall in the confirmation duty of Divisions of Natural Resources and Environment or agencies authorized by the district-level People's Committees shall be sanctioned as follows:

a) A fine of between VND 1,000,000 and 3,000,000 for act of failing to have written report of agencies conducting confirmation on scheme of environment protection regarding completion of measures for environmental protection under regulations;

b) A fine of between VND 3,000,000 and 5,000,000 for act of implementing improperly with one of contents in the certified scheme of environmental protection, except for cases specified at points a, d and e this Clause;

c) A fine of between VND 5,000,000 and 7,000,000 for act of implementing improperly with one of contents in the certified scheme of environmental protection, except for cases specified at points a, e and g this Clause;

d) A fine of between VND 7,000,000 and 9,000,000 for act of implementing improperly, insufficiently the environment observation and supervision program under regulations (about position, frequency or parameters of environment supervision);

e) A fine of between VND 9,000,000 and 11,000,000 for act of failing to implement the environment observation and supervision program under regulations;

f) A fine of between VND 11,000,000 and 13,000,000 for act of improper construction and installation, failing to operate regularly or operating improperly with the process for the environment treatment works committed in the certified scheme of environmental protection;

g) A fine of between VND 13,000,000 and 15,000,000 for act of failing to construct and install, failing to operate the environment treatment works committed in the certified scheme of environmental protection;

h) A fine of between VND 15,000,000 and 20,000,000 for act of failing to implement all contents in the certified scheme of environmental protection.

2. Violations of regulations on the detailed scheme of environmental protection, scheme on environmental protection in the approval duty of the provincial Services of Natural Resources and Environment, the provincial People's Committees or agencies authorized by the provincial Services of Natural Resources and Environment, the provincial People's Committees shall be sanctioned as follows:

a) A fine of between VND 5,000,000 and 10,000,000 for act of failing to have written report of agencies conducting approval for scheme of environment protection regarding completion of measures for environmental protection under regulations;

b) A fine of between VND 10,000,000 and 30,000,000 for act of implementing improperly with one of contents in the approved scheme of environmental protection, except for cases specified at points a, d and f this Clause;

c) A fine of between VND 30,000,000 and 50,000,000 for act of implementing insufficiently one of contents in the approved scheme of environmental protection, except for cases specified at points a, e and g this Clause;

- d) A fine of between VND 50,000,000 and 60,000,000 for act of implementing improperly, insufficiently the environment observation and supervision program under regulations (about position, frequency or parameters of environment supervision);
- e) A fine of between VND 60,000,000 and 70,000,000 for act of failing to implement the environment observation and supervision program under regulations;
- f) A fine of between VND 70,000,000 and 80,000,000 for act of improper construction and installation, failing to operate regularly or operating improperly with the process for the environment treatment works committed in the certified scheme of environmental protection;
- g) A fine of between VND 80,000,000 and 100,000,000 for act of failing to construct and install, failing to operate the environment treatment works committed in the certified scheme of environmental protection;
- h) A fine of between VND 100,000,000 and 150,000,000 for act of failing to implement all contents in the certified scheme of environmental protection.

3. Violations of regulations on the detailed scheme of environmental protection in the approval duty of Ministries and Ministerial-level agencies shall be sanctioned as follows:

- a) A fine of between VND 10,000,000 and 20,000,000 for act of failing to have written report of agencies conducting approval for scheme of environment protection regarding completion of measures for environmental protection under regulations;
- b) A fine of between VND 20,000,000 and 50,000,000 for act of implementing improperly with one of contents in the approved scheme of environmental protection, except for cases specified at points a, d and f this Clause;
- c) A fine of between VND 50,000,000 and 60,000,000 for act of implementing insufficiently one of contents in the approved scheme of environmental protection, except for cases specified at points a, e and g this Clause;
- d) A fine of between VND 60,000,000 and 70,000,000 for act of implementing improperly, insufficiently the environment observation and supervision program under regulations (about position, frequency or parameters of environment supervision);
- e) A fine of between VND 70,000,000 and 80,000,000 for act of failing to implement the environment observation and supervision program;
- f) A fine of between VND 80,000,000 and 100,000,000 for act of improper construction and installation, failing to operate regularly or operating improperly with the process for the environment treatment works committed in the approved scheme of environmental protection;
- g) A fine of between VND 100,000,000 and 150,000,000 for act of failing to construct and install, failing to operate the environment treatment works committed in the approved scheme of environmental protection;
- h) A fine of between VND 150,000,000 and 200,000,000 for act of failing to implement all contents in the approved scheme of environmental protection.

4. Form of additional sanction:

- a) Suspension of establishment's activities causing environmental pollution, from 01 month to 03 months, for violations specified at point g Clause 1, point g Clause 2 and point g Clause 3 this Article;
- b) Suspension of activities causing environmental pollution of the concentrated production, business or service zones, from 03 months to 06 months, for violations specified at point g and point h Clause 1, point g and point h Clause 2 and point g and point h Clause 3 this Article;

c) Suspension of establishment's activities, from 06 month to 09 months, for violations specified at point h Clause 1, point h Clause 2 and point h Clause 3 of this Article.

5. Remedial measures:

a) Forcible operation which is proper with the process for the environment treatment works, for violations specified at point f and point g Clause 1 and point g Clause 2 and point f and point g Clause 3 of this Article;

b) Forcible construction and installation of the environment treatment works within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified at point g and point h Clause 1, point g and point h Clause 2, and point g and point h clause 3 of this Article;

c) Forcible dismantlement of the environment treatment works which are constructed and installed improperly with contents in the certified or approved schemes of environmental protection in case where such works violate regulations on environmental protection or cause environment pollution, for violations specified at point f Clause 1, point f Clause 2 and point f Clause 3 this Article;

d) Forcible application of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in this Article.

Article 12. Violations of regulations on environmental protection in production, business and service activities without commitments on environmental protection or reports on environment impact assessment

1. For production, business and service activities with scale and output equivalent to cases required for making commitments on environmental protection of objects not required for making investment project shall be sanctioned as follows:

a) A fine of between VND 500,000 and 1,000,000 for act of failing to apply measures to prevent and limit adverse impacts to environment due to activities of individuals, organizations; failing to implement remedy of environment pollution due to activities of individuals, organizations;

b) A fine of between VND 1,000,000 and 1,500,000 for act of letting leakage, dispersing emitted gas, toxic steam, gas to environment; failing to apply measures to limit noise, heat emission causing adverse influences to environment and people;

c) A fine of between VND 1,500,000 and 2,000,000 for act of failing to have a system of sewage and gas treatment satisfying technical regulations on environment;

d) A fine of between VND 2,000,000 and 3,000,000 for act of failing to have a certified commitment on environmental protection under regulations.

2. For production, business and service activities with scale and output equivalent to cases required for making commitments on environmental protection of objects required for making investment project shall be sanctioned as follows:

a) A fine of between VND 5,000,000 and 10,000,000 for act of failing to apply measures to prevent and limit adverse impacts to environment due to activities of individuals, organizations; failing to implement remedy of environment pollution due to activities of individuals, organizations; failing to implement the reporting regime and environment observation under regulations;

b) A fine of between VND 10,000,000 and 30,000,000 for act of failing to have a system of collecting sewage which is separate from system of storm water drainage in case of having sewage from production in excess of environment technical regulations; failing to have

sufficiently equipment, devices for collecting, storing, classifying solid waste at source; letting leakage, dispersing emitted gas, toxic steam, gas to environment; failing to apply measures to limit noise, heat emission causing adverse influences to surrounding environment and people;

c) A fine of between VND 30,000,000 and 40,000,000 for act of failing to have a system of sewage and gas treatment satisfying technical regulations on environment; designing, installing pipelines, valves improperly with process of waste treatment;

d) A fine of between VND 40,000,000 and 50,000,000 for act of failing to have a certified commitment on environmental protection under regulations.

3. For production, business and service activities with scale and output equivalent to cases required for making reports on environment impact assessment to submit to Ministries, Ministerial-level agencies and the provincial People's Committees for approval shall be sanctioned as follows:

a) A fine of between VND 10,000,000 and 50,000,000 for act of failing to apply measures to prevent and limit adverse impacts to environment due to activities of individuals, organizations; failing to implement remedy of environment pollution due to activities of individuals, organizations; failing to implement the reporting regime and environment observation under regulations;

b) A fine of between VND 50,000,000 and 100,000,000 for act of failing to have a system of collecting sewage which is separate from system of storm water drainage in case of having sewage from production in excess of environment technical regulations; failing to have sufficiently equipment, devices for collecting, storing, classifying solid waste at source; letting leakage, dispersing emitted gas, toxic steam, gas to environment; failing to apply measures to limit noise, heat emission causing adverse influences to surrounding environment and people;

c) A fine of between VND 100,000,000 and 200,000,000 for act of failing to have a system of sewage and gas treatment satisfying technical regulations on environment; designing, installing pipelines, valves improperly with process of waste treatment;

d) A fine of between VND 200,000,000 and 250,000,000 for act of failing to have an approved report on environment impact assessment under regulations.

4. Form of additional sanction:

Suspension of establishment's activities or activities causing environmental pollution of concentrated production, business or service zones, from 06 months to 12 months, for violations specified at point d Clause 1, point d Clause 2 and point d Clause 3 this Article.

5. Remedial measures:

a) Forcible application of measures to manage solid waste, hazardous waste, minimize noise and vibration, and process sewage, emitted gas to meet technical regulations on waste within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified in this Article;

b) Forcible application of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in this Article.

Article 13. Violations of regulations on discharging sewage with non-hazardous environment parameters into environment

1. Act of discharging sewage less than twice in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 1,000,000 and 5,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);
- b) A fine of between VND 5,000,000 and 20,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);
- c) A fine of between VND 20,000,000 and 30,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and less than 20 m³/day (24 hours);
- d) A fine of between VND 30,000,000 and 50,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);
- e) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);
- f) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);
- g) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);
- h) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);
- i) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);
- k) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);
- l) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);
- m) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);
- n) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);
- o) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);
- p) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);
- q) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);
- r) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);
- s) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);

v) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);

x) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);

y) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

2. Act of discharging sewage twice and less than 05 times in excess of technical regulations on waste shall be sanctioned as follows:

a) A fine of between VND 10,000,000 and 20,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);

b) A fine of between VND 20,000,000 and 30,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);

c) A fine of between VND 30,000,000 and 50,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);

d) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);

e) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);

f) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);

g) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);

h) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);

i) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);

k) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);

l) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);

m) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);

n) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);

o) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);

p) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);

q) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);

r) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);

- s) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);
- y) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

3. Act of discharging sewage of between 05 times and less than 10 times in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 20,000,000 and 30,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);
- b) A fine of between VND 30,000,000 and 50,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);
- c) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);
- d) A fine of between VND 100,000,000 and 100,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);
- e) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);
- f) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);
- g) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);
- h) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);
- i) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);
- k) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);
- l) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);
- m) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);
- n) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);

- o) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);
- p) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);
- q) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);
- r) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);
- s) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);
- y) A fine of between VND 750,000,000 and 850,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

4. Act of discharging sewage of 10 times or more in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 30,000,000 and 50,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);
- b) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);
- c) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);
- d) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);
- e) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);
- f) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);
- g) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);
- h) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);
- i) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);

- k) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);
- l) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);
- m) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);
- n) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);
- o) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);
- p) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);
- q) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);
- r) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);
- s) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 750,000,000 and 850,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);
- y) A fine of between VND 850,000,000 and 950,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

5. An increase of 1% of the corresponding fine, for violations specified in this article for each environment parameter less than twice in excess of technical regulations; 2% for each environment parameter of between twice and less than 05 times in excess of technical regulations; 3% for each environment parameter of between 05 and less than 10 times in excess of technical regulations; 4% for each environment parameter of 10 times or more in excess of technical regulations. Total fine level for each violation shall not exceed VND 1,000,000,000.

6. Form of additional sanction:

- a) Suspension of activities causing environmental pollution implemented by establishments or the concentrated production, business or service zones, from 03 months to 06 months, for violations specified at points i, k, l, m, n, o, p, q, r, s, t and u Clause 2, points h, i, k, l, m, n, o, p, q, r, s and t Clause 3 and points g, h, i, k, l, m, n, o, p, q, r and s Clause 4 of this Article;
- b) Suspension of establishment's activities or activities causing environmental pollution of concentrated production, business or service zones, from 06 months to 12 months, for

violations specified at points w, v, x and y Clause 2, points u, w, v, x and y Clause 3 and points t, u, w, v, x and y Clause 4 of this Article.

7. Remedial measures:

a) Forcible application of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in this Article;

b) Forcible return of illegal benefits gained from committing administrative violations for violations specified in this Article;

c) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article.

Article 14. Violations of regulations on discharging sewage with hazardous environment parameters into environment

1. Act of discharging sewage less than twice in excess of technical regulations on waste shall be sanctioned as follows:

a) A fine of between VND 3,000,000 and 5,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);

b) A fine of between VND 5,000,000 and 30,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);

c) A fine of between VND 30,000,000 and 50,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);

d) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);

e) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);

f) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);

g) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);

h) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);

i) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);

k) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);

l) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);

m) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);

n) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);

o) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);

- p) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);
- q) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);
- r) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);
- s) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);
- y) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

2. Act of discharging sewage of between twice and less than 03 times in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 20,000,000 and 30,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);
- b) A fine of between VND 30,000,000 and 50,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);
- c) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);
- d) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);
- e) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);
- f) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);
- g) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);
- h) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);
- i) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);
- k) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);

- l) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);
- m) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);
- n) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);
- o) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);
- p) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);
- q) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);
- r) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);
- s) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);
- y) A fine of between VND 750,000,000 and 850,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

3. Act of discharging sewage of between 03 times and less than 05 times in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 30,000,000 and 50,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);
- b) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);
- c) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);
- d) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);
- e) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);
- f) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);

- g) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);
- h) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);
- i) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);
- k) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);
- l) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);
- m) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);
- n) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);
- o) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);
- p) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);
- q) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);
- r) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);
- s) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 750,000,000 and 850,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);
- y) A fine of between VND 850,000,000 and 950,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

4. Act of discharging sewage of 05 times or more in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);
- b) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);

- c) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);
- d) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);
- e) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);
- f) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);
- g) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);
- h) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);
- i) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);
- k) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);
- l) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);
- m) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);
- n) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);
- o) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);
- p) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);
- q) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);
- r) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);
- s) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 750,000,000 and 850,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 850,000,000 and 950,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);

y) A fine of between VND 950,000,000 and 1,000,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

5. Act of discharging sewage in excess of technical regulations on waste with pH from 04 to the allowed lower limit of technical regulations or from the allowed upper limit of technical regulations to less than 10.5 shall be sanctioned as follows:

a) A fine of between VND 20,000,000 and 30,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);

b) A fine of between VND 30,000,000 and 50,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);

c) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);

d) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);

e) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);

f) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);

g) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);

h) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);

i) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);

k) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);

l) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);

m) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);

n) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);

o) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);

p) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);

q) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);

r) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);

s) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);

t) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);

- u) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);
- y) A fine of between VND 750,000,000 and 800,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

6. Act of discharging sewage in excess of technical regulations on waste with pH from 02 to less than 04 or from 10.5 to less than 12.5 shall be sanctioned as follows:

- a) A fine of between VND 30,000,000 and 50,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);
- b) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);
- c) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);
- d) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);
- e) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);
- f) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);
- g) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);
- h) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);
- i) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);
- k) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);
- l) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);
- m) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);
- n) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);
- o) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);
- p) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);

- q) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);
- r) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);
- s) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 750,000,000 and 850,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);
- y) A fine of between VND 850,000,000 and 980,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

7. Act of discharging sewage in excess of technical regulations on waste with pH from 0 to less than 02 or from 12.5 to 14 shall be sanctioned as follows:

- a) A fine of between VND 50,000,000 and 100,000,000 in case of discharging volume of sewage less than 05 m³/day (24 hours);
- b) A fine of between VND 100,000,000 and 110,000,000 in case of discharging volume of sewage of between 05 m³/day (24 hours) and less than 10 m³/day (24 hours);
- c) A fine of between VND 110,000,000 and 120,000,000 in case of discharging volume of sewage of between 10 m³/day (24 hours) and 20 m³/day (24 hours);
- d) A fine of between VND 120,000,000 and 130,000,000 in case of discharging volume of sewage of between 20 m³/day (24 hours) and less than 40 m³/day (24 hours);
- e) A fine of between VND 130,000,000 and 140,000,000 in case of discharging volume of sewage of between 40 m³/day (24 hours) and less than 60 m³/day (24 hours);
- f) A fine of between VND 140,000,000 and 150,000,000 in case of discharging volume of sewage of between 60 m³/day (24 hours) and less than 80 m³/day (24 hours);
- g) A fine of between VND 150,000,000 and 160,000,000 in case of discharging volume of sewage of between 80 m³/day (24 hours) and less than 100 m³/day (24 hours);
- h) A fine of between VND 160,000,000 and 180,000,000 in case of discharging volume of sewage of between 100 m³/day (24 hours) and less than 200 m³/day (24 hours);
- i) A fine of between VND 180,000,000 and 200,000,000 in case of discharging volume of sewage of between 200 m³/day (24 hours) and less than 400 m³/day (24 hours);
- k) A fine of between VND 200,000,000 and 220,000,000 in case of discharging volume of sewage of between 400 m³/day (24 hours) and less than 600 m³/day (24 hours);
- l) A fine of between VND 220,000,000 and 250,000,000 in case of discharging volume of sewage of between 600 m³/day (24 hours) and less than 800 m³/day (24 hours);

- m) A fine of between VND 250,000,000 and 300,000,000 in case of discharging volume of sewage of between 800 m³/day (24 hours) and less than 1,000 m³/day (24 hours);
- n) A fine of between VND 300,000,000 and 350,000,000 in case of discharging volume of sewage of between 1,000 m³/day (24 hours) and less than 1,500 m³/day (24 hours);
- o) A fine of between VND 350,000,000 and 400,000,000 in case of discharging volume of sewage of between 1,500 m³/day (24 hours) and less than 2,000 m³/day (24 hours);
- p) A fine of between VND 400,000,000 and 450,000,000 in case of discharging volume of sewage of between 2,000 m³/day (24 hours) and less than 2,500 m³/day (24 hours);
- q) A fine of between VND 450,000,000 and 500,000,000 in case of discharging volume of sewage of between 2,500 m³/day (24 hours) and less than 3,000 m³/day (24 hours);
- r) A fine of between VND 500,000,000 and 550,000,000 in case of discharging volume of sewage of between 3,000 m³/day (24 hours) and less than 3,500 m³/day (24 hours);
- s) A fine of between VND 550,000,000 and 600,000,000 in case of discharging volume of sewage of between 3,500 m³/day (24 hours) and less than 4,000 m³/day (24 hours);
- t) A fine of between VND 600,000,000 and 650,000,000 in case of discharging volume of sewage of between 4,000 m³/day (24 hours) and less than 4,500 m³/day (24 hours);
- u) A fine of between VND 650,000,000 and 700,000,000 in case of discharging volume of sewage of between 4,500 m³/day (24 hours) and less than 5,000 m³/day (24 hours);
- w) A fine of between VND 700,000,000 and 750,000,000 in case of discharging volume of sewage of between 5,000 m³/day (24 hours) and less than 6,000 m³/day (24 hours);
- v) A fine of between VND 750,000,000 and 850,000,000 in case of discharging volume of sewage of between 6,000 m³/day (24 hours) and less than 8,000 m³/day (24 hours);
- x) A fine of between VND 850,000,000 and 950,000,000 in case of discharging volume of sewage of between 8,000 m³/day (24 hours) and less than 10,000 m³/day (24 hours);
- y) A fine of between VND 950,000,000 and 1,000,000,000 in case of discharging volume of sewage of 10,000 m³/day (24 hours) or more.

8. A fine of between VND 950,000,000 and 1,000,000,000 for act of discharging sewage which contains radioactive substances causing environmental radioactive contamination in excess of prescribed technical regulations.

9. An increase of 1% of the corresponding fine, for violations specified in this Article for each environment parameter less than twice in excess of technical regulations; 2% for each environment parameter of between twice and less than 03 times in excess of technical regulations or value pH from 04 to the allowed lower limit of technical regulations or from the upper limit of technical regulations to less than 10.5; 3% for each environment parameter of between 03 times and less than 05 times in excess of technical regulations or value pH from 02 to less than 04 or from 10.5 to less than 12.5; 4% for each environment parameter of 05 times or more in excess of technical regulations or value pH less than 02 or from 12.5 to 14. Total fine for each violation does not exceed 1,000,000,000 VND.

10. Form of additional sanction:

a) Suspension of activities causing environment pollution of establishments or concentrated production, business or service zones, from 03 months to 06 months, for violations specified at points h, i, k, l, m, n, o, p, q, r, s and t Clause 2, points g, h, i, k, l, m, n, o, p, q, r and s Clause 3, points f, g, h, i, k, l, m, n, o, p, q and r Clause 4, points h, i, k, l, m, n, o, p, q, r, s and t Clause 5, points g, h, i, k, l, m, n, o, p, q, r and s Clause 6 and points f, g, h, i, k, l, m, n, o, p, q and r Clause 7 of this Article;

b) Suspension of establishment's activities or activities causing environmental pollution of concentrated production, business or service zones, from 06 months to 12 months, for violations specified at points u, w, v, x and y Clause 2, points s, t, u, w, v, x and y Clause 3, points s, t, u, w, v, x and y Clause 4, points u, w, v, x and y Clause 5, points t, u, w, v, x and y Clause 6, points s, t, u, w, v, x and y Clause 7 and Clause 8 of this Article.

11. Remedial measures:

a) Forcible application of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in this Article;

b) Forcible return of illegal benefits gained from committing administrative violations for violations specified in this Article;

c) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article.

Article 15. Violations of discharging dust, emitted gas which contain non-hazardous environmental parameters into environment

1. A fine of between VND 1,000,000 and 3,000,000 for act of discharging fetid odors into the environment.

2. Act of discharging gas, dust of less than 1.5 times in excess of technical regulations on waste shall be sanctioned as follows:

a) A fine of between VND 5,000,000 and 10,000,000 in case of waste gas flow less than 500 m³/hour;

b) A fine of between VND 10,000,000 and 20,000,000 in case of waste gas flow of between 500 m³/hour and less than 5,000 m³/hour;

c) A fine of between VND 20,000,000 and 30,000,000 in case of waste gas flow of between 5,000 m³/hour and less than 10,000 m³/hour;

d) A fine of between VND 30,000,000 and 50,000,000 in case of waste gas flow of between 10,000 m³/hour and less than 15,000 m³/hour;

e) A fine of between VND 50,000,000 and 70,000,000 in case of waste gas flow of between 15,000 m³/hour and less than 20,000 m³/hour;

f) A fine of between VND 70,000,000 and 90,000,000 in case of waste gas flow of between 20,000 m³/hour and less than 25,000 m³/hour;

g) A fine of between VND 90,000,000 and 110,000,000 in case of waste gas flow of between 25,000 m³/hour and less than 30,000 m³/hour;

h) A fine of between VND 110,000,000 and 130,000,000 in case of waste gas flow of between 30,000 m³/hour and less than 35,000 m³/hour;

i) A fine of between VND 130,000,000 and 150,000,000 in case of waste gas flow of between 35,000 m³/hour and less than 40,000 m³/hour;

k) A fine of between VND 150,000,000 and 200,000,000 in case of waste gas flow of between 40,000 m³/hour and less than 45,000 m³/hour;

l) A fine of between VND 200,000,000 and 250,000,000 in case of waste gas flow of between 45,000 m³/hour and less than 50,000 m³/hour;

- m) A fine of between VND 250,000,000 and 300,000,000 in case of waste gas flow of between 50,000 m³/hour and less than 55,000 m³/hour;
 - n) A fine of between VND 300,000,000 and 350,000,000 in case of waste gas flow of between 55,000 m³/hour and less than 60,000 m³/hour;
 - o) A fine of between VND 350,000,000 and 400,000,000 in case of waste gas flow of between 60,000 m³/hour and less than 65,000 m³/hour;
 - p) A fine of between VND 400,000,000 and 450,000,000 in case of waste gas flow of between 65,000 m³/hour and less than 70,000 m³/hour;
 - q) A fine of between VND 450,000,000 and 500,000,000 in case of waste gas flow of between 70,000 m³/hour and less than 75,000 m³/hour;
 - r) A fine of between VND 500,000,000 and 550,000,000 in case of waste gas flow of between 75,000 m³/hour and less than 80,000 m³/hour;
 - s) A fine of between VND 550,000,000 and 600,000,000 in case of waste gas flow of between 80,000 m³/hour and less than 85,000 m³/hour;
 - t) A fine of between VND 600,000,000 and 650,000,000 in case of waste gas flow of between 85,000 m³/hour and less than 90,000 m³/hour;
 - u) A fine of between VND 650,000,000 and 700,000,000 in case of waste gas flow of between 90,000 m³/hour and less than 95,000 m³/hour;
 - w) A fine of between VND 700,000,000 and 750,000,000 in case of waste gas flow of between 95,000 m³/hour and less than 100,000 m³/hour;
 - v) A fine of between VND 750,000,000 and 800,000,000 in case of waste gas flow of 100,000 m³/hour or more;
3. Act of discharging gas, dust of between 1.5 times and less than twice in excess of technical regulations on waste shall be sanctioned as follows:
- a) A fine of between VND 10,000,000 and 20,000,000 in case of waste gas flow less than 500 m³/hour;
 - b) A fine of between VND 20,000,000 and 30,000,000 in case of waste gas flow of between 500 m³/hour and less than 5,000 m³/hour;
 - c) A fine of between VND 30,000,000 and 50,000,000 in case of waste gas flow of between 5,000 m³/hour and less than 10,000 m³/hour;
 - d) A fine of between VND 50,000,000 and 70,000,000 in case of waste gas flow of between 10,000 m³/hour and less than 15,000 m³/hour;
 - e) A fine of between VND 70,000,000 and 90,000,000 in case of waste gas flow of between 15,000 m³/hour and less than 20,000 m³/hour;
 - f) A fine of between VND 90,000,000 and 110,000,000 in case of waste gas flow of between 20,000 m³/hour and less than 25,000 m³/hour;
 - g) A fine of between VND 110,000,000 and 130,000,000 in case of waste gas flow of between 25,000 m³/hour and less than 30,000 m³/hour;
 - h) A fine of between VND 130,000,000 and 150,000,000 in case of waste gas flow of between 30,000 m³/hour and less than 35,000 m³/hour;
 - i) A fine of between VND 150,000,000 and 200,000,000 in case of waste gas flow of between 35,000 m³/hour and less than 40,000 m³/hour;

- k) A fine of between VND 200,000,000 and 250,000,000 in case of waste gas flow of between 40,000 m³/hour and less than 45,000 m³/hour;
- l) A fine of between VND 250,000,000 and 300,000,000 in case of waste gas flow of between 45,000 m³/hour and less than 50,000 m³/hour;
- m) A fine of between VND 300,000,000 and 350,000,000 in case of waste gas flow of between 50,000 m³/hour and less than 55,000 m³/hour;
- n) A fine of between VND 350,000,000 and 400,000,000 in case of waste gas flow of between 55,000 m³/hour and less than 60,000 m³/hour;
- o) A fine of between VND 400,000,000 and 450,000,000 in case of waste gas flow of between 60,000 m³/hour and less than 65,000 m³/hour;
- p) A fine of between VND 450,000,000 and 500,000,000 in case of waste gas flow of between 65,000 m³/hour and less than 70,000 m³/hour;
- q) A fine of between VND 500,000,000 and 550,000,000 in case of waste gas flow of between 70,000 m³/hour and less than 75,000 m³/hour;
- r) A fine of between VND 550,000,000 and 600,000,000 in case of waste gas flow of between 75,000 m³/hour and less than 80,000 m³/hour;
- s) A fine of between VND 600,000,000 and 650,000,000 in case of waste gas flow of between 80,000 m³/hour and less than 85,000 m³/hour;
- t) A fine of between VND 650,000,000 and 700,000,000 in case of waste gas flow of between 85,000 m³/hour and less than 90,000 m³/hour;
- u) A fine of between VND 700,000,000 and 750,000,000 in case of waste gas flow of between 90,000 m³/hour and less than 95,000 m³/hour;
- w) A fine of between VND 750,000,000 and 800,000,000 in case of waste gas flow of between 95,000 m³/hour and less than 100,000 m³/hour;
- v) A fine of between VND 800,000,000 and 850,000,000 in case of waste gas flow of 100,000 m³/hour or more.

4. Act of discharging gas, dust of between twice and less than 03 times in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 20,000,000 and 30,000,000 in case of waste gas flow less than 500 m³/hour;
- b) A fine of between VND 30,000,000 and 50,000,000 in case of waste gas flow of between 500 m³/hour and less than 5,000 m³/hour;
- c) A fine of between VND 50,000,000 and 70,000,000 in case of waste gas flow of between 5,000 m³/hour and less than 10,000 m³/hour;
- d) A fine of between VND 70,000,000 and 90,000,000 in case of waste gas flow of between 10,000 m³/hour and less than 15,000 m³/hour;
- e) A fine of between VND 90,000,000 and 110,000,000 in case of waste gas flow of between 15,000 m³/hour and less than 20,000 m³/hour;
- f) A fine of between VND 110,000,000 and 130,000,000 in case of waste gas flow of between 20,000 m³/hour and less than 25,000 m³/hour;
- g) A fine of between VND 130,000,000 and 150,000,000 in case of waste gas flow of between 25,000 m³/hour and less than 30,000 m³/hour;

- h) A fine of between VND 150,000,000 and 200,000,000 in case of waste gas flow of between 30,000 m³/hour and less than 35,000 m³/hour;
- i) A fine of between VND 200,000,000 and 250,000,000 in case of waste gas flow of between 35,000 m³/hour and less than 40,000 m³/hour;
- k) A fine of between VND 250,000,000 and 300,000,000 in case of waste gas flow of between 40,000 m³/hour and less than 45,000 m³/hour;
- l) A fine of between VND 300,000,000 and 350,000,000 in case of waste gas flow of between 45,000 m³/hour and less than 50,000 m³/hour;
- m) A fine of between VND 350,000,000 and 400,000,000 in case of waste gas flow of between 50,000 m³/hour and less than 55,000 m³/hour;
- n) A fine of between VND 400,000,000 and 450,000,000 in case of waste gas flow of between 55,000 m³/hour and less than 60,000 m³/hour;
- o) A fine of between VND 450,000,000 and 500,000,000 in case of waste gas flow of between 60,000 m³/hour and less than 65,000 m³/hour;
- p) A fine of between VND 500,000,000 and 550,000,000 in case of waste gas flow of between 65,000 m³/hour and less than 70,000 m³/hour;
- q) A fine of between VND 550,000,000 and 600,000,000 in case of waste gas flow of between 70,000 m³/hour and less than 75,000 m³/hour;
- r) A fine of between VND 600,000,000 and 650,000,000 in case of waste gas flow of between 75,000 m³/hour and less than 80,000 m³/hour;
- s) A fine of between VND 650,000,000 and 700,000,000 in case of waste gas flow of between 80,000 m³/hour and less than 85,000 m³/hour;
- t) A fine of between VND 700,000,000 and 750,000,000 in case of waste gas flow of between 85,000 m³/hour and less than 90,000 m³/hour;
- u) A fine of between VND 750,000,000 and 800,000,000 in case of waste gas flow of between 90,000 m³/hour and less than 95,000 m³/hour;
- w) A fine of between VND 800,000,000 and 850,000,000 in case of waste gas flow of between 95,000 m³/hour and less than 100,000 m³/hour;
- v) A fine of between VND 850,000,000 and 900,000,000 in case of waste gas flow of 100,000 m³/hour or more.

5. Act of discharging gas, dust of 03 times or more in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 30,000,000 and 50,000,000 in case of waste gas flow less than 500 m³/hour;
- b) A fine of between VND 50,000,000 and 70,000,000 in case of waste gas flow of between 500 m³/hour and less than 5,000 m³/hour;
- c) A fine of between VND 70,000,000 and 90,000,000 in case of waste gas flow of between 5,000 m³/hour and less than 10,000 m³/hour;
- d) A fine of between VND 90,000,000 and 110,000,000 in case of waste gas flow of between 10,000 m³/hour and less than 15,000 m³/hour;
- e) A fine of between VND 110,000,000 and 130,000,000 in case of waste gas flow of between 15,000 m³/hour and less than 20,000 m³/hour;

- f) A fine of between VND 130,000,000 and 150,000,000 in case of waste gas flow of between 20,000 m³/hour and less than 25,000 m³/hour;
- g) A fine of between VND 150,000,000 and 200,000,000 in case of waste gas flow of between 25,000 m³/hour and less than 30,000 m³/hour;
- h) A fine of between VND 200,000,000 and 250,000,000 in case of waste gas flow of between 30,000 m³/hour and less than 35,000 m³/hour;
- i) A fine of between VND 250,000,000 and 300,000,000 in case of waste gas flow of between 35,000 m³/hour and less than 40,000 m³/hour;
- k) A fine of between VND 300,000,000 and 350,000,000 in case of waste gas flow of between 40,000 m³/hour and less than 45,000 m³/hour;
- l) A fine of between VND 350,000,000 and 400,000,000 in case of waste gas flow of between 45,000 m³/hour and less than 50,000 m³/hour;
- m) A fine of between VND 400,000,000 and 450,000,000 in case of waste gas flow of between 50,000 m³/hour and less than 55,000 m³/hour;
- n) A fine of between VND 450,000,000 and 500,000,000 in case of waste gas flow of between 55,000 m³/hour and less than 60,000 m³/hour;
- o) A fine of between VND 500,000,000 and 550,000,000 in case of waste gas flow of between 60,000 m³/hour and less than 65,000 m³/hour;
- p) A fine of between VND 550,000,000 and 600,000,000 in case of waste gas flow of between 65,000 m³/hour and less than 70,000 m³/hour;
- q) A fine of between VND 600,000,000 and 650,000,000 in case of waste gas flow of between 70,000 m³/hour and less than 75,000 m³/hour;
- r) A fine of between VND 650,000,000 and 700,000,000 in case of waste gas flow of between 75,000 m³/hour and less than 80,000 m³/hour;
- s) A fine of between VND 700,000,000 and 750,000,000 in case of waste gas flow of between 80,000 m³/hour and less than 85,000 m³/hour;
- t) A fine of between VND 750,000,000 and 800,000,000 in case of waste gas flow of between 85,000 m³/hour and less than 90,000 m³/hour;
- u) A fine of between VND 800,000,000 and 850,000,000 in case of waste gas flow of between 90,000 m³/hour and less than 95,000 m³/hour;
- w) A fine of between VND 850,000,000 and 900,000,000 in case of waste gas flow of between 95,000 m³/hour and less than 100,000 m³/hour;
- v) A fine of between VND 900,000,000 and 950,000,000 in case of waste gas flow of 100,000 m³/hour or more.

6. An increase of 1% of the corresponding fine, for violations specified in this article for each environment parameter of less than 1.5 times in excess of technical regulations; 2% for each environment parameter of between 1.5 times and less than twice in excess of technical regulations; 3% for each environment parameter of between 02 and less than 03 times in excess of technical regulations; 4% for each environment parameter of 03 times or more in excess of technical regulations. Total fine level for each violation shall not exceed VND 1,000,000,000.

7. Form of additional sanction:

- a) Suspension of activities causing environment pollution of establishments, from 03 months to 06 months, for violations specified at points i, k, l, m, n, o, p, q, r and s Clause 2, points h,

i, k, l, m, n, o, p, q and r Clause 3, points g, h, i, k, l, m, n, o, p and q Clause 4, and points e, g, h, i, k, l, m, n, o and p Clause 5 of this Article;

b) Suspension of establishment's activities, from 06 months to 12 months, for violations specified at points t, u, w and v Clause 2, points s, t, u, w and v Clause 3, points r, s, t, u, w and v Clause 4, and points q, r, s, t, u, w and v Clause 5 of this Article.

8. Remedial measures:

a) Forcible application of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in this Article;

b) Forcible return of illegal benefits gained from committing administrative violations for violations specified in this Article;

c) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article.

Article 16. Violations of discharging dust, emitted gas which contain hazardous environmental parameters into environment

1. A fine of between VND 3,000,000 and 5,000,000 for acts of emitting the chemicals, steam of organic solvent in production zone or residential areas causing typical smell of such chemicals, steam of organic solvent.

2. Act of discharging gas, dust of less than 1.5 times in excess of technical regulations on waste shall be sanctioned as follows:

a) A fine of between VND 10,000,000 and 20,000,000 in case of waste gas flow less than 500 m³/hour;

b) A fine of between VND 20,000,000 and 30,000,000 in case of waste gas flow of between 500 m³/hour and less than 5,000 m³/hour;

c) A fine of between VND 30,000,000 and 50,000,000 in case of waste gas flow of between 5,000 m³/hour and less than 10,000 m³/hour;

d) A fine of between VND 50,000,000 and 70,000,000 in case of waste gas flow of between 10,000 m³/hour and less than 15,000 m³/hour;

e) A fine of between VND 70,000,000 and 90,000,000 in case of waste gas flow of between 15,000 m³/hour and less than 20,000 m³/hour;

f) A fine of between VND 90,000,000 and 110,000,000 in case of waste gas flow of between 20,000 m³/hour and less than 25,000 m³/hour;

g) A fine of between VND 110,000,000 and 130,000,000 in case of waste gas flow of between 25,000 m³/hour and less than 30,000 m³/hour;

h) A fine of between VND 130,000,000 and 150,000,000 in case of waste gas flow of between 30,000 m³/hour and less than 35,000 m³/hour;

i) A fine of between VND 150,000,000 and 200,000,000 in case of waste gas flow of between 35,000 m³/hour and less than 40,000 m³/hour;

k) A fine of between VND 200,000,000 and 250,000,000 in case of waste gas flow of between 40,000 m³/hour and less than 45,000 m³/hour;

l) A fine of between VND 250,000,000 and 300,000,000 in case of waste gas flow of between 45,000 m³/hour and less than 50,000 m³/hour;

- m) A fine of between VND 300,000,000 and 350,000,000 in case of waste gas flow of between 50,000 m³/hour and less than 55,000 m³/hour;
- n) A fine of between VND 350,000,000 and 400,000,000 in case of waste gas flow of between 55,000 m³/hour and less than 60,000 m³/hour;
- o) A fine of between VND 400,000,000 and 450,000,000 in case of waste gas flow of between 60,000 m³/hour and less than 65,000 m³/hour;
- p) A fine of between VND 450,000,000 and 500,000,000 in case of waste gas flow of between 65,000 m³/hour and less than 70,000 m³/hour;
- q) A fine of between VND 500,000,000 and 550,000,000 in case of waste gas flow of between 70,000 m³/hour and less than 75,000 m³/hour;
- r) A fine of between VND 550,000,000 and 600,000,000 in case of waste gas flow of between 75,000 m³/hour and less than 80,000 m³/hour;
- s) A fine of between VND 600,000,000 and 650,000,000 in case of waste gas flow of between 80,000 m³/hour and less than 85,000 m³/hour;
- t) A fine of between VND 650,000,000 and 700,000,000 in case of waste gas flow of between 85,000 m³/hour and less than 90,000 m³/hour;
- u) A fine of between VND 700,000,000 and 750,000,000 in case of waste gas flow of between 90,000 m³/hour and less than 95,000 m³/hour;
- w) A fine of between VND 750,000,000 and 800,000,000 in case of waste gas flow of between 95,000 m³/hour and less than 100,000 m³/hour;
- v) A fine of between VND 800,000,000 and 850,000,000 in case of waste gas flow of 100,000 m³/hour or more.

3. Act of discharging gas, dust of between 1.5 times and less than 02 times in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 20,000,000 and 30,000,000 in case of waste gas flow less than 500 m³/hour;
- b) A fine of between VND 30,000,000 and 50,000,000 in case of waste gas flow of between 500 m³/hour and less than 5,000 m³/hour;
- c) A fine of between VND 50,000,000 and 70,000,000 in case of waste gas flow of between 5,000 m³/hour and less than 10,000 m³/hour;
- d) A fine of between VND 70,000,000 and 90,000,000 in case of waste gas flow of between 10,000 m³/hour and less than 15,000 m³/hour;
- e) A fine of between VND 90,000,000 and 110,000,000 in case of waste gas flow of between 15,000 m³/hour and less than 20,000 m³/hour;
- f) A fine of between VND 110,000,000 and 130,000,000 in case of waste gas flow of between 20,000 m³/hour and less than 25,000 m³/hour;
- g) A fine of between VND 130,000,000 and 150,000,000 in case of waste gas flow of between 25,000 m³/hour and less than 30,000 m³/hour;
- h) A fine of between VND 150,000,000 and 200,000,000 in case of waste gas flow of between 30,000 m³/hour and less than 35,000 m³/hour;
- i) A fine of between VND 200,000,000 and 250,000,000 in case of waste gas flow of between 35,000 m³/hour and less than 40,000 m³/hour;

- k) A fine of between VND 250,000,000 and 300,000,000 in case of waste gas flow of between 40,000 m³/hour and less than 45,000 m³/hour;
- l) A fine of between VND 300,000,000 and 350,000,000 in case of waste gas flow of between 45,000 m³/hour and less than 50,000 m³/hour;
- m) A fine of between VND 350,000,000 and 400,000,000 in case of waste gas flow of between 50,000 m³/hour and less than 55,000 m³/hour;
- n) A fine of between VND 400,000,000 and 450,000,000 in case of waste gas flow of between 55,000 m³/hour and less than 60,000 m³/hour;
- o) A fine of between VND 450,000,000 and 500,000,000 in case of waste gas flow of between 60,000 m³/hour and less than 65,000 m³/hour;
- p) A fine of between VND 500,000,000 and 550,000,000 in case of waste gas flow of between 65,000 m³/hour and less than 70,000 m³/hour;
- q) A fine of between VND 550,000,000 and 600,000,000 in case of waste gas flow of between 70,000 m³/hour and less than 75,000 m³/hour;
- r) A fine of between VND 600,000,000 and 650,000,000 in case of waste gas flow of between 75,000 m³/hour and less than 80,000 m³/hour;
- s) A fine of between VND 650,000,000 and 700,000,000 in case of waste gas flow of between 80,000 m³/hour and less than 85,000 m³/hour;
- t) A fine of between VND 700,000,000 and 750,000,000 in case of waste gas flow of between 85,000 m³/hour and less than 90,000 m³/hour;
- u) A fine of between VND 750,000,000 and 800,000,000 in case of waste gas flow of between 90,000 m³/hour and less than 95,000 m³/hour;
- w) A fine of between VND 800,000,000 and 850,000,000 in case of waste gas flow of between 95,000 m³/hour and less than 100,000 m³/hour;
- v) A fine of between VND 850,000,000 and 900,000,000 in case of waste gas flow of 100,000 m³/hour or more.

4. Act of discharging gas, dust of between twice and less than 03 times in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 30,000,000 and 50,000,000 in case of waste gas flow less than 500 m³/hour;
- b) A fine of between VND 50,000,000 and 70,000,000 in case of waste gas flow of between 500 m³/hour and less than 5,000 m³/hour;
- c) A fine of between VND 70,000,000 and 90,000,000 in case of waste gas flow of between 5,000 m³/hour and less than 10,000 m³/hour;
- d) A fine of between VND 90,000,000 and 110,000,000 in case of waste gas flow of between 10,000 m³/hour and less than 15,000 m³/hour;
- e) A fine of between VND 110,000,000 and 130,000,000 in case of waste gas flow of between 15,000 m³/hour and less than 20,000 m³/hour;
- f) A fine of between VND 130,000,000 and 150,000,000 in case of waste gas flow of between 20,000 m³/hour and less than 25,000 m³/hour;
- g) A fine of between VND 150,000,000 and 200,000,000 in case of waste gas flow of between 25,000 m³/hour and less than 30,000 m³/hour;

- h) A fine of between VND 200,000,000 and 250,000,000 in case of waste gas flow of between 30,000 m³/hour and less than 35,000 m³/hour;
- i) A fine of between VND 250,000,000 and 300,000,000 in case of waste gas flow of between 35,000 m³/hour and less than 40,000 m³/hour;
- k) A fine of between VND 300,000,000 and 350,000,000 in case of waste gas flow of between 40,000 m³/hour and less than 45,000 m³/hour;
- l) A fine of between VND 350,000,000 and 400,000,000 in case of waste gas flow of between 45,000 m³/hour and less than 50,000 m³/hour;
- m) A fine of between VND 400,000,000 and 450,000,000 in case of waste gas flow of between 50,000 m³/hour and less than 55,000 m³/hour;
- n) A fine of between VND 450,000,000 and 500,000,000 in case of waste gas flow of between 55,000 m³/hour and less than 60,000 m³/hour;
- o) A fine of between VND 500,000,000 and 550,000,000 in case of waste gas flow of between 60,000 m³/hour and less than 65,000 m³/hour;
- p) A fine of between VND 550,000,000 and 600,000,000 in case of waste gas flow of between 65,000 m³/hour and less than 70,000 m³/hour;
- q) A fine of between VND 600,000,000 and 650,000,000 in case of waste gas flow of between 70,000 m³/hour and less than 75,000 m³/hour;
- r) A fine of between VND 650,000,000 and 700,000,000 in case of waste gas flow of between 75,000 m³/hour and less than 80,000 m³/hour;
- s) A fine of between VND 700,000,000 and 750,000,000 in case of waste gas flow of between 80,000 m³/hour and less than 85,000 m³/hour;
- t) A fine of between VND 750,000,000 and 800,000,000 in case of waste gas flow of between 85,000 m³/hour and less than 90,000 m³/hour;
- u) A fine of between VND 800,000,000 and 850,000,000 in case of waste gas flow of between 90,000 m³/hour and less than 95,000 m³/hour;
- w) A fine of between VND 850,000,000 and 900,000,000 in case of waste gas flow of between 95,000 m³/hour and less than 100,000 m³/hour;
- v) A fine of between VND 900,000,000 and 950,000,000 in case of waste gas flow of 100,000 m³/hour or more.

5. Act of discharging gas, dust of 03 times or more in excess of technical regulations on waste shall be sanctioned as follows:

- a) A fine of between VND 50,000,000 and 70,000,000 in case of waste gas flow less than 500 m³/hour;
- b) A fine of between VND 70,000,000 and 90,000,000 in case of waste gas flow of between 500 m³/hour and less than 5,000 m³/hour;
- c) A fine of between VND 90,000,000 and 110,000,000 in case of waste gas flow of between 5,000 m³/hour and less than 10,000 m³/hour;
- d) A fine of between VND 110,000,000 and 130,000,000 in case of waste gas flow of between 10,000 m³/hour and less than 15,000 m³/hour;
- e) A fine of between VND 130,000,000 and 150,000,000 in case of waste gas flow of between 15,000 m³/hour and less than 20,000 m³/hour;

- f) A fine of between VND 150,000,000 and 200,000,000 in case of waste gas flow of between 20,000 m³/hour and less than 25,000 m³/hour;
- g) A fine of between VND 200,000,000 and 250,000,000 in case of waste gas flow of between 25,000 m³/hour and less than 30,000 m³/hour;
- h) A fine of between VND 250,000,000 and 300,000,000 in case of waste gas flow of between 30,000 m³/hour and less than 35,000 m³/hour;
- i) A fine of between VND 300,000,000 and 350,000,000 in case of waste gas flow of between 35,000 m³/hour and less than 40,000 m³/hour;
- k) A fine of between VND 350,000,000 and 400,000,000 in case of waste gas flow of between 40,000 m³/hour and less than 45,000 m³/hour;
- l) A fine of between VND 400,000,000 and 450,000,000 in case of waste gas flow of between 45,000 m³/hour and less than 50,000 m³/hour;
- m) A fine of between VND 450,000,000 and 500,000,000 in case of waste gas flow of between 50,000 m³/hour and less than 55,000 m³/hour;
- n) A fine of between VND 500,000,000 and 550,000,000 in case of waste gas flow of between 55,000 m³/hour and less than 60,000 m³/hour;
- o) A fine of between VND 550,000,000 and 600,000,000 in case of waste gas flow of between 60,000 m³/hour and less than 65,000 m³/hour;
- p) A fine of between VND 600,000,000 and 650,000,000 in case of waste gas flow of between 65,000 m³/hour and less than 70,000 m³/hour;
- q) A fine of between VND 650,000,000 and 700,000,000 in case of waste gas flow of between 70,000 m³/hour and less than 75,000 m³/hour;
- r) A fine of between VND 700,000,000 and 750,000,000 in case of waste gas flow of between 75,000 m³/hour and less than 80,000 m³/hour;
- s) A fine of between VND 750,000,000 and 800,000,000 in case of waste gas flow of between 80,000 m³/hour and less than 85,000 m³/hour;
- t) A fine of between VND 800,000,000 and 850,000,000 in case of waste gas flow of between 85,000 m³/hour and less than 90,000 m³/hour;
- u) A fine of between VND 850,000,000 and 900,000,000 in case of waste gas flow of between 90,000 m³/hour and less than 95,000 m³/hour;
- w) A fine of between VND 900,000,000 and 950,000,000 in case of waste gas flow of between 95,000 m³/hour and less than 100,000 m³/hour;
- v) A fine of between VND 950,000,000 and 1,000,000,000 in case of waste gas flow of 100,000 m³/hour or more.

6. A fine of between VND 950,000,000 and 1,000,000,000 for act of discharging gas, dust which contain radioactive substances causing environmental radioactive contamination in excess of the prescribed technical regulations.

7. An increase of 1% of the corresponding fine, for violations specified in this article for each environment parameter less than 1.5 times in excess of technical regulations; 2% for each environment parameter of between 1.5 times and less than twice in excess of technical regulations; 3% for each environment parameter of between twice and less than 03 times in excess of technical regulations; 4% for each environment parameter of 03 times or more in excess of technical regulations. Total fine level for each violation shall not exceed VND 1,000,000,000.

8. Form of additional sanction:

- a) Suspension of activities causing environment pollution of establishments, from 03 months to 06 months, for violations specified at points h, i, k, l, m, n, o, p, q and r Clause 2, points g, h, i, k, l, m, n, o, p and q Clause 3, points f, g, h, i, k, l, m, n, o and p Clause 4, and points e, f, g, h, i, k, l, m, n and o Clause 5 of this Article;
- b) Suspension of establishment's activities, from 06 months to 12 months, for violations specified at points s, t, u, w and v Clause 2, points r, s, t, u, w and v Clause 3, points q, r, s, t, u, w and v Clause 4, and points p, q, r, s, t, u, w and v Clause 5 and Clause 6 of this Article.

9. Remedial measures:

- a) Forcible application of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in this Article;
- b) Forcible return of illegal benefits gained from committing administrative violations for violations specified in this Article;
- c) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article.

Article 17. Violations of regulations on noise

- 1. A fine of between VND 1,000,000 and 5,000,000 for act of making noise less than 5 dBA in excess of technical regulations on noise.
- 2. A fine of between VND 5,000,000 and 20,000,000 for act of making noise of between 05 dBA and less than 10 dBA in excess of technical regulations on noise.
- 3. A fine of between VND 20,000,000 and 40,000,000 for act of making noise of between 10 dBA and less than 15 dBA in excess of technical regulations on noise.
- 4. A fine of between VND 40,000,000 and 60,000,000 for act of making noise of between 15 dBA and less than 20 dBA in excess of technical regulations on noise.
- 5. A fine of between VND 60,000,000 and 80,000,000 for act of making noise of between 20 dBA and less than 25 dBA in excess of technical regulations on noise.
- 6. A fine of between VND 80,000,000 and 100,000,000 for act of making noise of between 25 dBA and less than 30 dBA in excess of technical regulations on noise.
- 7. A fine of between VND 100,000,000 and 120,000,000 for act of making noise of between 30 dBA and less than 35 dBA in excess of technical regulations on noise.
- 8. A fine of between VND 120,000,000 and 140,000,000 for act of making noise of between 35 dBA and less than 40 dBA in excess of technical regulations on noise.
- 9. A fine of between VND 140,000,000 and 160,000,000 for act of making noise of more than 40 dBA in excess of technical regulations on noise.

10. Form of additional sanction:

- a) Suspension of establishment's activities causing noise pollution, from 03 months to 06 months, for violations specified at Clauses 3, 4, 5 and 6 of this Article;
- b) Suspension of establishment's activities, from 06 months to 12 months, for violations specified at Clauses 7, 8 and 9 of this Article.

11. Remedial measures:

a) Forcible application of measures to remedy noise to satisfy technical regulations within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing noise pollution specified in this Article.

b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on noise in excess of environment technical regulations or causing noise pollution according to the current norm and unit price for violations specified in this Article.

Article 18. Violations of regulations on vibration

1. Violations of regulations on vibration in construction operation shall be sanctioned as follows:

a) A fine of between VND 1,000,000 and 5,000,000 for act of causing vibration less than 5 dB in excess of technical regulations on vibration;

b) A fine of between VND 5,000,000 and 20,000,000 for act of causing vibration of between 5 dB and less than 10dB in excess of technical regulations on vibration;

c) A fine of between VND 20,000,000 and 40,000,000 for act of causing vibration of between 10 dB and less than 15 dB in excess of technical regulations on vibration;

d) A fine of between VND 40,000,000 and 60,000,000 for act of causing vibration of between 15 dB and less than 20 dB in excess of technical regulations on vibration;

e) A fine of between VND 60,000,000 and 80,000,000 for act of causing vibration of between 20 dB and less than 25 dB in excess of technical regulations on vibration;

f) A fine of between VND 80,000,000 and 100,000,000 for act of causing vibration of between 25 dB and less than 30 dB in excess of technical regulations on vibration;

g) A fine of between VND 100,000,000 and 120,000,000 for act of causing vibration of between 30 dB and less than 35 dB in excess of technical regulations on vibration;

h) A fine of between VND 120,000,000 and 140,000,000 for act of causing vibration of between 35 dB and less than 40 dB in excess of technical regulations on vibration;

i) A fine of between VND 140,000,000 and 160,000,000 for act of causing vibration of 40 dB or more in excess of technical regulations on vibration.

2. Violations of regulations on vibration in production, trading and service activities shall be sanctioned as follows:

a) A fine of between VND 3,000,000 and 5,000,000 for act of causing vibration less than 5 dB in excess of technical regulations on vibration;

b) A fine of between VND 5,000,000 and 30,000,000 for act of causing vibration of between 5 dB and less than 10dB in excess of technical regulations on vibration;

c) A fine of between VND 30,000,000 and 50,000,000 for act of causing vibration of between 10 dB and less than 15 dB in excess of technical regulations on vibration;

d) A fine of between VND 50,000,000 and 70,000,000 for act of causing vibration of between 15 dB and less than 20 dB in excess of technical regulations on vibration;

e) A fine of between VND 70,000,000 and 90,000,000 for act of causing vibration of between 20 dB and less than 25 dB in excess of technical regulations on vibration;

f) A fine of between VND 90,000,000 and 110,000,000 for act of causing vibration of between 25 dB and less than 30 dB in excess of technical regulations on vibration;

g) A fine of between VND 110,000,000 and 130,000,000 for act of causing vibration of between 30 dB and less than 35 dB in excess of technical regulations on vibration;

- h) A fine of between VND 130,000,000 and 150,000,000 for act of causing vibration of between 35 dB and less than 40 dB in excess of technical regulations on vibration;
- i) A fine of between VND 150,000,000 and 170,000,000 for act of causing vibration of 40 dB or more in excess of technical regulations on vibration.

3. Form of additional sanction:

- a) Suspension of establishment's activities causing vibration, from 03 months to 06 months, for violations specified at points c, d, e and f Clause 1, and points c, d, e and f Clause 2 of this Article;
- b) Suspension of establishment's activities, from 06 months to 12 months, for violations specified at points g, h and i Clause 1, and points g, h and i Clause 2 of this Article.

4. Remedial measures:

- a) Forcible application of measures to minimize vibration to satisfy technical regulations within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing vibration specified in this Article;
- b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on vibration in excess of environment technical regulations according to the current norm and unit price for violations specified in this Article.

Article 19. Acts of causing land, water, air pollution; causing serious environment pollution under decision of competent state agencies

- 1. A fine of between VND 3,000,000 and 5,000,000 for act of burying or discharging into soil liquid pollutants, mud or cesspool waste in contravention of the environmental protection law.
- 2. A fine of between VND 5,000,000 and 10,000,000 for act of discharging oils, greases, hazardous chemicals, wastes, pathogenic sources, or other hazardous elements into the water environment in contravention of the environmental protection law.
- 3. An increase of between 20% and 30% of the corresponding fine shall be imposed for violations specified in Articles 13, 14, 15 and 16: Clauses 3 and 4, Article 20; Point a, Clause 8, Clause 9 and Clause 10, Article 21; Clause 8 and Clause 9, Article 22; Clause 7 and Clause 8, Article 23; Clauses 3 and 4, Article 24; Clauses 3, 4, 5 and 6, Article 29; Clause 5 and Clause 6, Article 34 or violations in sub-zones for ecological restoration, zone protected strictly of preservation zone, which make the content of pollutants in soil, water or air to exceed less than 3 times, for hazardous parameters, or less than 5 times, for non-hazardous parameters, technical regulations on the surrounding land, water and air environment. Total fine level for each violation shall not exceed VND 1,000,000,000.
- 4. An increase of between 30% and 40% of the corresponding fine shall be imposed for violations specified in Articles 13, 14, 15 and 16: Clauses 3 and 4, Article 20; Point a, Clause 8, Clause 9 and Clause 10, Article 21; Clause 8 and Clause 9, Article 22; Clause 7 and Clause 8, Article 23; Clauses 3 and 4, Article 24; Clauses 3, 4, 5 and 6, Article 29; Clause 5 and Clause 6, Article 34 or violations in sub-zones for ecological restoration, zone protected strictly of preservation zone, which make the content of pollutants in soil, water or air to exceed between 3 times and less than 05 times, for hazardous parameters, or between 5 times and less than 10 times, for non-hazardous parameters, technical regulations on the surrounding land, water and air environment. Total fine level for each violation shall not exceed VND 1,000,000,000.
- 5. An increase of between 40% and 50% of the corresponding fine shall be imposed for violations specified in Articles 13, 14, 15 and 16: Clauses 3 and 4, Article 20; Point a, Clause 8, Clause 9 and Clause 10, Article 21; Clause 8 and Clause 9, Article 22; Clause 7 and Clause 8, Article 23; Clauses 3 and 4, Article 24; Clauses 3, 4, 5 and 6, Article 29; Clause 5 and

Clause 6, Article 34 or violations in sub-zones for ecological restoration, zone protected strictly of preservation zone, which make the content of pollutants in soil, water or air to exceed 05 times or more, for hazardous parameters, or 10 times or more, for non-hazardous parameters, technical regulations on the surrounding land, water and air environment. Total fine level for each violation shall not exceed VND 1,000,000,000.

6. Violations of regulations on environmental protection in list of establishments causing serious environment pollution shall be sanctioned as follows:

a) A fine of between VND 100,000,000 and 130,000,000 for act of improperly or inadequately realizing the contents of requirements, process on handling environment pollution;

b) A fine of between VND 130,000,000 and 150,000,000 for act of failing to apply measures to minimize pollution during handling pollution thoroughly; failing to realizing measures to prevent, limit sources causing environment pollution, restrict the spread of these sources, affecting the surrounding environment.

7. Form of additional sanction:

a) Suspension of establishments' operation, from 03 months to 06 months, for violations specified at Clause 3 this Article;

b) Suspension of establishments' operation, from 06 months to 09 months, for violations specified at Clause 4 this Article;

c) Suspension of establishment's activities, from 09 months to 12 months, for violations specified at Clauses 5 and 6 of this Article;

d) Confiscation of material evidences and means used for committing administrative violations for violations specified at Clause 1 and Clause 2 this Article.

8. Remedial measures:

a) Forcible restoration of the original state already altered, implementation of measures remedying environment pollution within the time limit set in decision on sanction of administrative violations by persons competent to sanction for violations causing changes, environment pollution specified in this Article;

b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article.

Article 20. Violations of regulations on hygiene at public places; collection, transport, burying, discharge of daily-life waste and normal solid waste; transport of raw materials, materials, goods causing environment pollution

1. Acts of collecting, discharging daily-life waste not at prescribed places or in contravention of environmental protection regulations shall be sanctioned as follows:

a) A caution or fine of between VND 50,000,000 and 100,000,000 for acts of throwing, discharging cigarette head, piece or ashes in contravention of regulation at apartment buildings, commercial and service zones or public places;

b) A fine of between VND 100,000 and 200,000 for acts of throwing, discharging daily-life waste not at prescribed places at apartment buildings, commercial and service zones or public places, except for violations specified at point d this Clause;

- c) A fine of between VND 200,000 and 300,000 for acts of solving personal hygiene demands (urination, defecation) not at prescribed places at apartment buildings, commercial and service zones or public places;
 - d) A fine of between VND 300,000 and 400,000 for acts of throwing, discharging daily-life waste on pavements, roads or in urban sewage drainage system or surface water drainage system in urban areas;
 - e) A fine of between VND 400,000 and 500,000 for act of collecting daily-life waste in contravention of the environmental protection law.
2. A fine of between VND 1,000,000 and 2,000,000 for drivers of vehicles transporting raw materials, materials, goods or wastes for failing to cover them or letting them drop on the roads during joining in traffic.
3. A fine of between VND 5,000,000 and 8,000,000 for acts of failing to use special-use equipment or vehicles to ensure that raw materials, materials, goods or wastes do not leak or emit into the environment during transportation.
4. Act of transferring, donating, selling normal solid waste to units which have no function, capability of normal solid waste treatment under regulations; burying, discharging normal solid waste not at prescribed places or in contravention with environmental protection regulations; receiving normal solid waste but failing to have measures to handle or failing to transfer normal solid waste to the functional unit for handling under regulations shall be sanctioned as follows:
- a) A fine of between VND 200,000 and 500,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of less than 1 m³ (or ton);
 - b) A fine of between VND 500,000 and 1,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 1 m³ (or ton) and less than 2 m³ (or ton);
 - c) A fine of between VND 1,000,000 and 2,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 2 m³ (or ton) and less than 3 m³ (or ton);
 - d) A fine of between VND 2,000,000 and 3,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 3 m³ (or ton) and less than 4 m³ (or ton);
 - e) A fine of between VND 3,000,000 and 4,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 4 m³ (or ton) and less than 5 m³ (or ton);
 - f) A fine of between VND 4,000,000 and 5,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 5 m³ (or ton) and less than 10 m³ (or ton);
 - g) A fine of between VND 5,000,000 and 10,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 10 m³ (or ton) and less than 20 m³ (or ton);
 - h) A fine of between VND 10,000,000 and 20,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 20 m³ (or ton) and less than 30 m³ (or ton);
 - i) A fine of between VND 20,000,000 and 50,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 30 m³ (or ton) and less than 40 m³ (or ton);

k) A fine of between VND 50,000,000 and 100,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 40 m³ (or ton) and less than 60 m³ (or ton);

l) A fine of between VND 100,000,000 and 150,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 60 m³ (or ton) and less than 80 m³ (or ton);

m) A fine of between VND 150,000,000 and 200,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of between 80 m³ (or ton) and less than 100 m³ (or ton);

n) A fine of between VND 200,000,000 and 250,000,000 in case of transferring, donating, selling, receiving, burying, discharging normal solid waste of 100 m³ (or ton) or more.

5. An increase of between 40% and 50% of the corresponding fine, for violations specified at Clause 4 of this Article, in case of causing environment pollution or if waste contains hazardous environment parameters in excess of the surrounding environment technical regulation. Total fine level for each violation shall not exceed VND 1,000,000,000.

6. A fine of between VND 900.000.000 and 1.000.000.000, for violations specified at Clause 4 of this Article, if waste contains radioactive substances, causes environmental radioactive contamination.

7. Form of additional sanction:

a) Depriving the right to use environmental permit, from 03 months to 06 months, for violations specified at Clauses 4, 5 and 6 of this Article;

b) Confiscation of material evidences and means used for committing administrative violations for violations specified at Clauses 4, 5 and 6 of this Article.

8. Remedial measures:

a) Forcible restoration of the original environment state already altered by violations specified at Clauses 4, 5 and 6 of this Article;

b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article;

c) Forcible application of measures to remedy environment pollution in a time limit fixed in decision on sanction of administrative violation by person competent to sanction, for violations causing environment pollution specified in this Article.

Article 21. Violations of regulations on environmental protection committed by hazardous waste-discharging source owners

1. A fine of between VND 5,000,000 and 10,000,000 for any of the following acts:

a) Failing to make periodical reports on hazardous waste management under regulations or failing to make ad-hoc reports at the request of competent state agencies; reporting improperly with the actuality to competent state agencies about situation of hazardous waste management;

b) Failing to report adequately information of hazardous waste which arises irregularly (not regular every year) under regulations;

c) Failing to copy and send registration book of hazardous waste-discharging source owners to the district-level and communal-level People's Committees where establishments discharging hazardous waste are located;

d) Declaring improperly, inadequately hazardous waste in papers of hazardous waste under regulations.

2. A fine of between VND 10,000,000 and 20,000,000 for any of the following acts:

a) Failing to send papers of hazardous waste to competent agencies under regulations;

b) Failing to store papers of the used hazardous waste; failing to store report on hazardous waste management and other dossiers, documents which are required to be stored, involving activities of hazardous waste management under regulations.

3. A fine of between VND 20,000,000 and 30,000,000 for any of the following acts:

a) Failing to declare and use papers of hazardous waste under regulations;

b) Failing to notify in writing and submit registration book of hazardous waste-discharging source owners to agencies managing the waste-discharging source owners upon termination of operation.

4. A fine of between VND 30,000,000 and 40,000,000 for any of the following acts:

a) Failing to register for being hazardous waste-discharging source owners or failing to register for re-grant of hazardous waste-discharging source owner under regulations;

b) Failing to declare, declaring improperly, inadequately normal solid waste when registering for hazardous waste-discharging source owner under regulations.

c) Failing to register and report under regulations with competent state agencies about temporary storage of hazardous waste exceeding 06 months after arising hazardous waste in case where adequate subjects of hazardous waste transport, handling and destruction have not yet been found.

5. A fine of between VND 40,000,000 and 50,000,000 for any of the following acts:

a) Failing to transfer hazardous waste to units licensed for hazardous waste management exceeding 12 months after arising hazardous waste for transport, handling and destruction under regulations, unless there is no function unit in Vietnam to handle such hazardous waste, and the provincial Services of Natural Resources and Environment has permitted further storage;

b) Failing to divide, classify, define properly quantity, volume of hazardous waste which must be registered and managed under regulations;

c) Failing to pack and preserve hazardous wastes in packings suitable to their types or equipment to contain temporarily hazardous waste which meets the prescribed technical regulation;

d) Failing to allocate or allocating areas for temporary storage of hazardous waste which fail to meet the prescribed technical regulation;

e) Failing to collect thoroughly hazardous waste in areas for temporary storage under regulations; letting hazardous waste outdoor while such hazardous waste may be spilled, discharged in environment.

6. Act of mixing different hazardous wastes with one another or with other wastes shall be sanctioned as follow:

a) A fine of between VND 5,000,000 and 10,000,000 in case of mixing hazardous waste in solitary form of discarded products within daily-life waste or normal industrial waste;

b) A fine of between VND 10,000,000 and 40,000,000 in case of mixing from 02 to less than 05 hazardous waste types in solitary form of discarded products or less than 10% of volume

of other hazardous waste within equipment of containing, packaging containing other hazardous waste or in daily-life waste or normal industrial waste;

c) A fine of between VND 40,000,000 and 70,000,000 in case of mixing from 05 to less than 10 hazardous waste types in solitary form of discarded products or from 10% to less than 50% of volume of other hazardous waste in equipment of containing, packaging containing other hazardous waste or in daily-life waste or normal industrial waste;

d) A fine of between VND 70,000,000 and 100,000,000 in case of mixing 10 or more hazardous waste types in solitary form of discarded products or 50% or more of volume of other hazardous waste in equipment of containing, packaging containing other hazardous waste or in daily-life waste or normal industrial waste.

7. Act of transferring, donating, selling hazardous waste to organizations or individuals not possessing license for hazardous waste management shall be sanctioned as follows:

a) A fine of between VND 10,000,000 and 40,000,000 in case of transferring, donating, selling less than 120 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or less than 600 kg for hazardous waste containing other hazardous elements;

b) A fine of between VND 40,000,000 and 70,000,000 in case of transferring, donating, selling from 120 kg to less than 500 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 600 kg to less than 2,000 kg for hazardous waste containing other hazardous elements;

c) A fine of between VND 70,000,000 and 100,000,000 in case of transferring, donating, selling from 500 kg to less than 1,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 2,000 kg to less than 4,000 kg for hazardous waste containing other hazardous elements;

d) A fine of between VND 100,000,000 and 130,000,000 in case of transferring, donating, selling from 1,000 kg to less than 2,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 4,000 kg to less than 8,000 kg for hazardous waste containing other hazardous elements;

e) A fine of between VND 130,000,000 and 160,000,000 in case of transferring, donating, selling from 2,000 kg to less than 3,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 8,000 kg to less than 12,000 kg for hazardous waste containing other hazardous elements;

f) A fine of between VND 160,000,000 and 190,000,000 in case of transferring, donating, selling from 3,000 kg to less than 4,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 12,000 kg to less than 16,000 kg for hazardous waste containing other hazardous elements;

g) A fine of between VND 190,000,000 and 220,000,000 in case of transferring, donating, selling from 4,000 kg to less than 5,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 16,000 kg to less than 20,000 kg for hazardous waste containing other hazardous elements;

h) A fine of between VND 220,000,000 and 250,000,000 in case of transferring, donating, selling 5,000 kg or more hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or 20,000 kg or more for hazardous waste containing other hazardous elements.

8. A fine of between VND 200,000,000 and 250,000,000 for any of the following acts:

a) Letting hazardous waste leaked, spilled, discharged or letting incidents of spilling hazardous waste in land, underground water, surface water environment happen;

b) Self processing hazardous waste while having no appropriate treatment works and without permission of competent agencies;

c) Exporting hazardous waste without written consent or in contravention with content of written consent made by competent state agencies.

9. Acts of burying, throwing, discharging hazardous waste in contravention with environmental protection regulation shall be sanctioned as follows:

a) A fine of between VND 50,000,000 and 100,000,000 in case of burying, throwing, discharging less than 120 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or less than 600 kg for hazardous waste containing other hazardous elements;

b) A fine of between VND 100,000,000 and 200,000,000 in case of burying, throwing, discharging from 120 kg to less than 500 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 600 kg to less than 2,000 kg for hazardous waste containing other hazardous elements;

c) A fine of between VND 200,000,000 and 300,000,000 in case of burying, throwing, discharging from 500 kg to less than 1,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 2,000 kg to less than 4,000 kg for hazardous waste containing other hazardous elements;

d) A fine of between VND 300,000,000 and 400,000,000 in case of burying, throwing, discharging from 1,000 kg to less than 2,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 4,000 kg to less than 8,000 kg for hazardous waste containing other hazardous elements;

e) A fine of between VND 400,000,000 and 500,000,000 in case of burying, throwing, discharging from 2,000 kg to less than 3,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 8,000 kg to less than 12,000 kg for hazardous waste containing other hazardous elements;

f) A fine of between VND 500,000,000 and 600,000,000 in case of burying, throwing, discharging from 3,000 kg to less than 4,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 12,000 kg to less than 16,000 kg for hazardous waste containing other hazardous elements;

g) A fine of between VND 600,000,000 and 700,000,000 in case of burying, throwing, discharging from 4,000 kg to less than 5,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 16,000 kg to less than 20,000 kg for hazardous waste containing other hazardous elements;

h) A fine of between VND 700,000,000 and 800,000,000 in case of transferring, donating, selling 5,000 kg or more hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or 20,000 kg or more for hazardous waste containing other hazardous elements.

10. A fine of between VND 900,000,000 and 1,000,000,000 for acts of transferring, donating, selling in contravention with regulation, burying, throwing, discharging hazardous waste in list of persistent organic pollutants (POPs) according to provisions in Stockholm Convention on persistent organic pollutants causing environment pollution or burying, throwing, discharging radioactive substances causing environmental radioactive contamination.

11. Form of additional sanction:

a) Suspension of establishment's activities, from 06 months to 12 months, for violations specified at Clauses 9 and 10 of this Article;

b) Confiscation of material evidences and means used for committing administrative violations for violations specified at Clauses 9 and 10 of this Article.

12. Remedial measures:

a) Forcible dismantlement of illegal works for self processing hazardous waste, for violations specified at point b Clause 8 of this Article;

b) Forcible restoration of the original environment state already altered by violations specified at point a Clause 8, Clause 9 and Clause 10 of this Article;

c) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article;

d) Forcible application of measures to remedy environment pollution in a time limit fixed in decision on sanction of administrative violation by person competent to sanction, for violations causing environment pollution specified in this Article.

Article 22. Violations of regulations on environmental protection involving transport of hazardous waste

1. A fine of between VND 10,000,000 and 20,000,000 for any of the following acts:

a) Failing to comply with the safe operation process of equipment, special-use devices in the set of registration dossier enclosed with license for hazardous waste management;

b) Failing to implement properly with plan on pollution control and environmental protection in the set of registration dossier enclosed with license for hazardous waste management;

c) Failing to implement properly with plan on labor safety and health protection in the set of registration dossier enclosed with license for hazardous waste management;

d) Failing to implement properly with plan on prevention and response to incidents in the set of registration dossier enclosed with license for hazardous waste management;

e) Failing to implement properly with plan on annual training and improvement courses in the set of registration dossier enclosed with license for hazardous waste management;

f) Failing to report with competent agencies for inspection and handling in cases of detecting owners of hazardous waste reuse them but fail to properly implement duties under regulations;

g) Failing to report with the licensing agencies about changes regarding material, technical facilities, key personnel or programs and plans in the set of registration dossier enclosed with license for hazardous waste management in comparison with contents when they are licensed;

h) Failing to declare and use papers of hazardous waste under regulations;

i) Failing to send papers of hazardous waste to competent agencies under regulations;

k) Failing to copy and send license for hazardous waste management (granted for first time, granted for extension, granted for adjustment) to the district-level and communal-level People's Committees where transport establishments/agents are located under regulations.

2. A fine of between VND 20,000,000 and 30,000,000 for any of the following acts:

a) Failing to notify in writing for the licensing agencies to withdraw licenses for hazardous waste management upon termination of operation;

b) Failing to notify the licensing agencies for withdrawal of old licenses for hazardous waste management in case of changing license in which there is change of the licensing agencies related to change of operation location under regulations;

- c) Failing to store papers of the used hazardous waste; reports on hazardous waste management and other dossiers, documents which are required to be stored, involving activities of hazardous waste management under regulations;
- d) Failing to make periodical reports on hazardous waste management under regulations or failing to make other ad-hoc reports at the request of competent state agencies; reporting improperly with the actuality to competent state agencies about activities of hazardous waste management;
- e) Failing to make and send dossier of through-border transport to hazardous waste-discharging source owners, competent state agencies under regulations;
- e) Failing to make book, diary book to monitor hazardous waste under regulations; failing to make dossier to monitor movement of means of transport by GPS under regulations;
- g) Failing to notify in writing to hazardous waste-discharging source owners in case of having reason for temporary storage of hazardous waste and not transporting for handling passing 03 months but not exceeding 06 months as from the date of transfer stated on papers of hazardous waste;
- h) Failing to implement properly with plan on processing pollution and environmental protection upon termination of operation.

3. A fine of between VND 30,000,000 and 50,000,000 for any of the following acts:

- a) Failing to equip global positioning system (GPS) for means of transporting hazardous waste under regulations;
- b) Transporting hazardous waste not according to routes, road sections or time prescribed by competent agencies;
- c) Special-use vehicles and equipment for collection, transportation, packing, preservation and temporary storage of hazardous wastes do not satisfy the prescribed technical regulation;
- d) Mixing with other hazardous waste which is able to generate reaction, interact with each other during transport or temporary storage of hazardous waste;
- e) Failing to enter into contracts with hazardous waste-discharging source owners before collecting, transporting hazardous waste under regulations;
- f) Failing to enter into three-party contracts with hazardous waste-discharging source owners, persons practicing hazardous waste management or providers of hazardous waste treatment who have been licenses about transfer of hazardous waste or entering into contract with waste-discharging source owners without the witness, confirmation of persons practicing hazardous waste management or providers of hazardous waste treatment on contract under regulations;
- g) Failing to make a written request enclosed with contract to the licensing agencies for consideration and approval in writing before transferring hazardous waste to other unit of hazardous waste treatment;
- h) Failing to have sufficient quantity of means of transporting hazardous waste which are registered under their name under regulations;

4. A fine of between VND 50,000,000 and 100,000,000 for any of the following acts:

- a) Collecting, transporting hazardous waste outside locations stated in license for hazardous waste management;
- b) Failing to comply with one of contents stated in license for hazardous waste management except for violations specified at point a clause 4, clause 5 and clause 6 of this Article.

5. A fine of between VND 100,000,000 and 150,000,000 for any of the following acts:

- a) Collecting, transporting hazardous waste not in list of hazardous waste stated in license for hazardous waste management;
- b) Collecting, transporting hazardous waste in excess of volume stated in license for hazardous waste management;
- c) Using means of transporting hazardous waste which have not yet been registered for circulation, not stated in license for hazardous waste management.

6. Act of transferring, donating, selling hazardous waste to organizations or individuals ineligible for management, processing, destruction of hazardous waste or not possessing license for hazardous waste management shall be sanctioned as follows:

- a) A fine of between VND 10,000,000 and 40,000,000 in case of transferring, donating, selling less than 120 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or less than 600 kg for hazardous waste containing other hazardous elements;
- b) A fine of between VND 40,000,000 and 70,000,000 in case of transferring, donating, selling from 120 kg to less than 500 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 600 kg to less than 2,000 kg for hazardous waste containing other hazardous elements;
- c) A fine of between VND 70,000,000 and 100,000,000 in case of transferring, donating, selling from 500 kg to less than 1,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 2,000 kg to less than 4,000 kg for hazardous waste containing other hazardous elements;
- d) A fine of between VND 100,000,000 and 130,000,000 in case of transferring, donating, selling from 1,000 kg to less than 2,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 4,000 kg to less than 8,000 kg for hazardous waste containing other hazardous elements;
- e) A fine of between VND 130,000,000 and 160,000,000 in case of transferring, donating, selling from 2,000 kg to less than 3,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 8,000 kg to less than 12,000 kg for hazardous waste containing other hazardous elements;
- f) A fine of between VND 160,000,000 and 190,000,000 in case of transferring, donating, selling from 3,000 kg to less than 4,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 12,000 kg to less than 16,000 kg for hazardous waste containing other hazardous elements;
- g) A fine of between VND 190,000,000 and 220,000,000 in case of transferring, donating, selling from 4,000 kg to less than 5,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 16,000 kg to less than 20,000 kg for hazardous waste containing other hazardous elements;
- h) A fine of between VND 220,000,000 and 250,000,000 in case of transferring, donating, selling 5,000 kg or more hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or 20,000 kg or more for hazardous waste containing other hazardous elements.

7. A fine of between VND 200,000,000 and 250,000,000 for acts of transporting hazardous waste without license for hazardous waste management, except for hazardous waste arising from daily-life activities or establishments of business and service (excluding production) at scale of households or individuals which are managed and handled under regulations on recall, handling of expired or eliminated products.

8. Acts of burying, throwing, discharging hazardous waste in contravention with environmental protection regulation shall be sanctioned as follows:

a) A fine of between VND 50,000,000 and 100,000,000 in case of burying, throwing, discharging less than 120 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or less than 600 kg for hazardous waste containing other hazardous elements;

b) A fine of between VND 100,000,000 and 200,000,000 in case of burying, throwing, discharging from 120 kg to less than 500 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 600 kg to less than 2,000 kg for hazardous waste containing other hazardous elements;

c) A fine of between VND 200,000,000 and 300,000,000 in case of burying, throwing, discharging from 500 kg to less than 1,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 2,000 kg to less than 4,000 kg for hazardous waste containing other hazardous elements;

d) A fine of between VND 300,000,000 and 400,000,000 in case of burying, throwing, discharging from 1,000 kg to less than 2,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 4,000 kg to less than 8,000 kg for hazardous waste containing other hazardous elements;

e) A fine of between VND 400,000,000 and 500,000,000 in case of burying, throwing, discharging from 2,000 kg to less than 3,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 8,000 kg to less than 12,000 kg for hazardous waste containing other hazardous elements;

f) A fine of between VND 500,000,000 and 600,000,000 in case of burying, throwing, discharging from 3,000 kg to less than 4,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 12,000 kg to less than 16,000 kg for hazardous waste containing other hazardous elements;

g) A fine of between VND 600,000,000 and 700,000,000 in case of burying, throwing, discharging from 4,000 kg to less than 5,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 16,000 kg to less than 20,000 kg for hazardous waste containing other hazardous elements;

h) A fine of between VND 700,000,000 and 800,000,000 in case of transferring, donating, selling 5,000 kg or more hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or 20,000 kg or more for hazardous waste containing other hazardous elements.

9. A fine of between VND 900,000,000 and 1,000,000,000 for acts of transferring, donating, selling in contravention with regulation, burying, throwing, discharging hazardous waste in list of persistent organic pollutants (POPs) according to provisions in Stockholm Convention on persistent organic pollutants causing environment pollution or burying, throwing, discharging radioactive substances causing environmental radioactive contamination.

10. Form of additional sanction:

a) Depriving the right to use practice license of hazardous waste transport, from 06 months to 12 months, for violations specified at Clauses 1, 2, 3, 4, 5 and 6 of this Article;

b) Suspension of hazardous waste collection and/or transport by agents of hazardous waste transport, from 06 months to 12 months, for violations specified at Clauses 1, 2, 3, 4, 5 and 6 of this Article;

c) Suspension of establishment's activities, from 06 months to 12 months, for violations specified at Clauses 7, 8 and 9 of this Article;

d) Confiscation of material evidences and means used for committing administrative violations for violations specified at Clause 8 and Clause 9 this Article.

11. Remedial measures:

a) Forcible restoration of the original environment state already altered by violations specified at Clause 8 and Clause 9 of this Article;

b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article;

c) Forcible application of measures to remedy environment pollution in a time limit fixed in decision on sanction of administrative violation by person competent to sanction, for violations causing environment pollution specified in this Article.

Article 23. Violations of regulations on environmental protection involving hazardous waste treatment

1. A fine of between VND 10,000,000 and 20,000,000 for any of the following acts:

a) Failing to comply with the safe operation process of equipment, special-use devices in the set of registration dossier enclosed with license for hazardous waste management;

b) Failing to implement properly with plan on pollution control and environmental protection in the set of registration dossier enclosed with license for hazardous waste management;

c) Failing to implement properly with plan on labor safety and health protection in the set of registration dossier enclosed with license for hazardous waste management;

d) Failing to implement properly with plan on prevention and response to incidents in the set of registration dossier enclosed with license for hazardous waste management;

e) Failing to implement properly with plan on annual training and improvement courses in the set of registration dossier enclosed with license for hazardous waste management;

e) Failing to realize program on treatment operation supervision and assessment over efficiency of hazardous waste treatment in the set of registration dossier enclosed with license for hazardous waste management;

g) Failing to copy and send license for hazardous waste management (granted for first time, granted for extension, granted for adjustment) to the district-level and communal-level People's Committees where establishments of as hazardous waste treatment are located under regulations;

h) Failing to declare and use papers of hazardous waste under regulations;

i) Failing to send papers of hazardous waste to competent agencies under regulations;

k) Failing to store papers of the used hazardous waste; reports on hazardous waste management and other dossiers, documents which are required to be stored, involving activities of hazardous waste management under regulations;

l) Failing to report with the licensing agencies about changes regarding material, technical facilities, key personnel or programs and plans in the set of registration dossier enclosed with license for hazardous waste management in comparison with contents when they are licensed;

2. A fine of between VND 20,000,000 and 50,000,000 for any of the following acts:

a) Failing to notify in writing for the licensing agencies to withdraw licenses for hazardous waste management upon termination of operation;

- b) Failing to notify the licensing agencies for withdrawal of old licenses for hazardous waste management in case of changing license in which there is change of the licensing agencies related to change of operation location under regulations;
- c) Failing to make periodical reports on hazardous waste management under regulations or failing to make other ad-hoc reports at the request of competent state agencies; reporting improperly with the actuality to competent state agencies about activities of hazardous waste management;
- d) Failing to make record, diary book to monitor hazardous waste, products which are re-produced or recalled from hazardous waste under regulations;
- e) Failing to report in writing to the licensing agencies about changes of content, extension or termination of contracts with other transport units in the prescribed time limit from the day of implementing changes, extension or termination;
- f) Failing to notify in writing to hazardous waste-discharging source owners in case of having reason for temporary storage of hazardous waste and not putting into process passing 03 months but not exceeding 06 months as from the date of transfer stated on papers of hazardous waste;
- g) Failing to implement properly with plan on processing pollution and environmental protection upon termination of operation.

3. A fine of between VND 50,000,000 and 100,000,000 for any of the following acts:

- a) Failing to comply with provisions under content of contract of hazardous waste treatment;
- b) Failing to store hazardous waste before and after treatment in special-use equipment suitable with type and form of hazardous waste;
- c) Special-use equipment in serve of storing hazardous waste, areas for temporary storage of hazardous waste or equipment for hazardous waste treatment do not satisfy the prescribed technical regulation.

4. A fine of between VND 100,000,000 and 150,000,000 for any of the following acts:

- a) Receiving and processing hazardous waste which is transported and handed by individuals or organizations not possessing license for hazardous waste management without report to competent management agencies; except for hazardous waste arising from daily-life activities or establishments of business and service (excluding production) at scale of households or individuals which are managed and handled under regulations on recall, handling of expired or eliminated products;
- b) Violations on entering into contract, receipt of hazardous waste in case where quantity of units transporting hazardous waste in excess of the prescribed limitation;
- c) Failing to have written consent of competent state agencies before receiving hazardous waste from other transport units;
- d) Failing to comply with provisions stated in license for hazardous waste management except for cases specified at points b, c d and e clause 5 of this Article.

5. A fine of between VND 150,000,000 and 200,000,000 for any of the following violations:

- a) Using special-use means and devices to process hazardous waste which are not stated in license for hazardous waste management;
- b) Processing hazardous waste not in list of hazardous waste stated in license for hazardous waste management;

- c) Processing hazardous waste which is collected outside locations stated in license for hazardous waste management;
 - d) Processing hazardous waste in excess of volume stated in license for hazardous waste management;
 - e) Transferring, donating, selling hazardous waste from transport units to other organizations or individuals for treatment without consent of the licensing agencies.
6. A fine of between VND 200,000,000 and 250,000,000 for act of processing hazardous waste without license for hazardous waste management.
7. Acts of burying, throwing, discharging hazardous waste in contravention with environmental protection regulation shall be sanctioned as follows:
- a) A fine of between VND 50,000,000 and 100,000,000 in case of burying, throwing, discharging less than 120 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or less than 600 kg for hazardous waste containing other hazardous elements;
 - b) A fine of between VND 100,000,000 and 200,000,000 in case of burying, throwing, discharging from 120 kg to less than 500 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 600 kg to less than 2,000 kg for hazardous waste containing other hazardous elements;
 - c) A fine of between VND 200,000,000 and 300,000,000 in case of burying, throwing, discharging from 500 kg to less than 1,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 2,000 kg to less than 4,000 kg for hazardous waste containing other hazardous elements;
 - d) A fine of between VND 300,000,000 and 400,000,000 in case of burying, throwing, discharging from 1,000 kg to less than 2,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 4,000 kg to less than 8,000 kg for hazardous waste containing other hazardous elements;
 - e) A fine of between VND 400,000,000 and 500,000,000 in case of burying, throwing, discharging from 2,000 kg to less than 3,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 8,000 kg to less than 12,000 kg for hazardous waste containing other hazardous elements;
 - f) A fine of between VND 500,000,000 and 600,000,000 in case of burying, throwing, discharging from 3,000 kg to less than 4,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 12,000 kg to less than 16,000 kg for hazardous waste containing other hazardous elements;
 - g) A fine of between VND 600,000,000 and 700,000,000 in case of burying, throwing, discharging from 4,000 kg to less than 5,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 16,000 kg to less than 20,000 kg for hazardous waste containing other hazardous elements;
 - h) A fine of between VND 700,000,000 and 800,000,000 in case of transferring, donating, selling 5,000 kg or more hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or 20,000 kg or more for hazardous waste containing other hazardous elements.
8. A fine of between VND 900,000,000 and 1,000,000,000 for acts of burying, throwing, discharging hazardous waste in list of persistent organic pollutants (POPs) according to provisions in Stockholm Convention on persistent organic pollutants into environment in contravention with regulation or burying, throwing, discharging radioactive substances causing environmental radioactive contamination.

9. Form of additional sanction:

- a) Depriving the right to use license for hazardous waste management, from 01 month to 03 months, for violations specified at Clauses 3, 4 of this Article;
- b) Depriving the right to use license for hazardous waste management, from 03 months to 06 months, for violations specified at Clause 5 of this Article;
- c) Suspension of establishments' operation, from 06 months to 12 months, for violations specified at Clauses 6 and 7 of this Article;
- d) Suspension of establishments' operation, from 12 months to 24 months, for violations specified at Clause 8 of this Article;
- e) Confiscation of material evidences and means used for committing administrative violations for violations specified at Clauses 7 and 8 of this Article.

10. Remedial measures:

- a) Forcible restoration of the original environment state already altered by violations specified at Clause 7 and Clause 8 of this Article;
- b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article;
- c) Forcible application of measures to remedy environment pollution in a time limit fixed in decision on sanction of administrative violation by person competent to sanction, for violations causing environment pollution specified in this Article.

Article 24. Violations of regulations on environmental protection committed by hazardous waste-reusing persons

1. A fine of between VND 10,000,000 and 20,000,000 for any of the following violations:

- a) Failing to declare and use papers of hazardous waste under regulations;
- b) Failing to coordinate, supply information for persons practicing hazardous waste management to report on plan, situation of reusing directly hazardous waste in periodical reports on hazardous waste management;
- c) Failing to report in writing to the local state management agencies on environmental protection about situation of reusing directly hazardous waste under regulations;
- d) Failing to send written explanation to the Sub-Departments of environmental protection or the provincial Services of Natural Resources and Environment in localities where Sub-Departments of environmental protection have not yet been established in case where total volume of the reused hazardous waste is more than or equal to 120 kg and implementing without consent of these agencies in the prescribed duration.

2. A fine of between VND 20,000,000 and 50,000,000 for any of the following violations:

- a) Receiving hazardous waste for direct reuse from entities not being persons practicing hazardous waste management with appropriate license for hazardous waste management;
- b) Directly reusing hazardous waste in contravention with the initial purpose of means, equipment, products, materials, chemicals which are sources arising these hazardous waste or using for other purpose or transferring waste to other organizations or individuals who are not permitted direct reuse

3. Acts of burying, throwing, discharging hazardous waste in contravention with environmental protection regulation shall be sanctioned as follows:

- a) A fine of between VND 50,000,000 and 100,000,000 in case of burying, throwing, discharging less than 120 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or less than 600 kg for hazardous waste containing other hazardous elements;
- b) A fine of between VND 100,000,000 and 200,000,000 in case of burying, throwing, discharging from 120 kg to less than 500 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 600 kg to less than 2,000 kg for hazardous waste containing other hazardous elements;
- c) A fine of between VND 200,000,000 and 300,000,000 in case of burying, throwing, discharging from 500 kg to less than 1,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 2,000 kg to less than 4,000 kg for hazardous waste containing other hazardous elements;
- d) A fine of between VND 300,000,000 and 400,000,000 in case of burying, throwing, discharging from 1,000 kg to less than 2,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 4,000 kg to less than 8,000 kg for hazardous waste containing other hazardous elements;
- e) A fine of between VND 400,000,000 and 500,000,000 in case of burying, throwing, discharging from 2,000 kg to less than 3,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 8,000 kg to less than 12,000 kg for hazardous waste containing other hazardous elements;
- f) A fine of between VND 500,000,000 and 600,000,000 in case of burying, throwing, discharging from 3,000 kg to less than 4,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 12,000 kg to less than 16,000 kg for hazardous waste containing other hazardous elements;
- g) A fine of between VND 600,000,000 and 700,000,000 in case of burying, throwing, discharging from 4,000 kg to less than 5,000 kg hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or from 16,000 kg to less than 20,000 kg for hazardous waste containing other hazardous elements;
- h) A fine of between VND 700,000,000 and 800,000,000 in case of transferring, donating, selling 5,000 kg or more hazardous waste containing special hazardous elements in excess of threshold of hazardous waste or 20,000 kg or more for hazardous waste containing other hazardous elements.

4. A fine of between VND 900,000,000 and 1,000,000,000 for acts of burying, throwing, discharging hazardous waste in list of persistent organic pollutants (POPs) according to provisions in Stockholm Convention on persistent organic pollutants into environment in contravention with regulation or burying, throwing, discharging radioactive substances causing environmental radioactive contamination.

5. Form of additional sanction:

- a) Suspension of hazardous waste reuse operation, from 03 months to 06 months, for violations specified at Clause 2 of this Article;
- b) Suspension of establishments' operation, from 06 months to 12 months, for violations specified at Clause 3 and 4 of this Article;
- c) Confiscation of material evidences and means used for committing administrative violations for violations specified at Clauses 3 and 4 of this Article.

6. Remedial measures:

- a) Forcible restoration of the original environment state already altered by violations specified at Clause 3 and Clause 4 of this Article;
- b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article;
- c) Forcible application of measures to remedy environment pollution in a time limit fixed in decision on sanction of administrative violation by person competent to sanction, for violations causing environment pollution specified in this Article.

Article 25. Violations of regulations on environmental protection in importing machinery, equipment, means of transport, raw materials, fuels, materials in contravention with environmental protection regulation

1. A fine of between VND 100,000,000 and 150,000,000 for importing machinery, equipment, means of transport, raw materials, fuels, materials which fail to satisfy environmental technical regulation.

2. A fine of between VND 150,000,000 and 200,000,000 for acts of transporting, transiting goods, equipment, means which are able to cause pollution, deterioration, environmental incidents through territory of the Socialist Republic of Vietnam without permission of state management agencies on environmental protection.

3. A fine of between VND 200,000,000 and 250,000,000 for any of the following violations:

- a) Importing machinery, equipment, means contaminated radioactive substances, pathogenic microbes or other toxic substances which are not yet or cannot be cleaned;
- b) Importing raw materials, fuel, materials, chemicals, goods in list banned from import of State;
- c) Importing the used machinery, equipment, means of transport for dismantlement in contravention of the environmental protection law;
- d) Importing the ozone layer-depleting compounds under treaties to which the Socialist Republic of Vietnam is a contracting party.

4. Form of additional sanction:

Confiscation of material evidences and means used for committing administrative violations for violations specified in this Article.

5. Remedial measures:

- a) Forcible re-export or destruction of machinery, equipment, vehicles, raw materials, fuel or materials. Confiscation of valuable products after destruction and disposal under law;
- b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article;
- c) Forcible application of measures to remedy environmental pollution or spread of epidemics, within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified in this Article.

Article 26. Violations of regulations on environmental protection involving import of scraps

1. A fine of between VND 20,000,000 and 50,000,000 for any of the following administrative violations:

- a) Failing to report about import and use of imported scraps under regulations;
- b) Failing to notify in writing the provincial Services of Natural Resources and Environment where production establishments or warehouses, yards containing import scraps are located about catalogues, quantity, weight, origin of scrap, import border-gate, route, warehouses or yards where scraps are gathered and places for scraps to be put into for production before unloading under regulations.

2. A fine of between VND 50,000,000 and 100,000,000 for acts of importing scraps in any of the following cases:

- a) Failing to have certificate of eligibility for scrap import under regulations;
- b) Failing to have sufficient conditions of capability, warehouse, plan on processing imported scraps which satisfy requirements on environmental protection under regulations;
- c) Having no contracts on entrusted import of scraps under law;
- d) Gathering the imported scraps not at the registered locations of warehouses, yards;
- e) Transferring, donating, selling import scraps to other organizations, individuals in contravention with regulation.

3. A fine of between VND 100,000,000 and 150,000,000 for any of the following acts:

- a) Importing scraps not sorted out or cleansed under regulations or mixed with pathogenic microbes;
- b) Failing to dispose of impurities in imported scraps up to environmental technical regulations or donating or selling these impurities.

4. A fine of between VND 200,000,000 and 250,000,000 for act of importing scraps which contain impurities in excess of the permitted rate under the national environmental technical regulations for imported scraps

5. A fine of between VND 250,000,000 and 300,000,000 for violations of regulation on temporary import, border-gate transfer of scraps in the following cases:

- a) Removing, opening, using and dispersing scraps during transport, storage on territory of the Socialist Republic of Vietnam;
- b) Causing changes on nature, volume of scraps;
- c) Failing to re-export, transfer border-gate all scraps brought in territory of the Socialist Republic of Vietnam.

6. A fine of between VND 300,000,000 and 350,000,000 for act of importing scraps which contain impurities being hazardous waste.

7. A fine of between VND 350,000,000 and 400,000,000 for act of importing, transiting scraps which contain radioactive substances; importing scraps not in list of scraps permitted import.

8. Form of additional sanction:

Depriving the right to use certificate of eligibility for scrap import, from 06 months to 12 months, for violations specified at points b, c, d and e Clause 2, Clauses 4, 5, 6 and 7 of this Article.

9. Remedial measures:

- a) Forcible re-export or destruction for violations specified at point a Clause 3, Clauses 4, 5, 6 and 7 of this Article. Confiscation of valuable products after destruction and disposal under law;
- b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on importing scraps which violate environment technical regulations or cause environment pollution according to the current norm and unit price for violations specified in this Article;
- c) Forcible application of measures to remedy environmental pollution or spread of epidemics, within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified at Clauses 3, 4, 5, 6 and 7 of this Article.

Article 27. Violations of regulations on environmental protection involving import, production of biological preparations in waste treatment

1. For violations of regulation on circulating biological preparations inconsistently with content of certificate of circulating biological preparations in processing waste in Vietnam shall be sanctioned as follows:

- a) A fine of between VND 20,000,000 and 40,000,000 for violations of the registered forms and content of packaging, labels of preparations;
- b) A fine of between VND 40,000,000 and 60,000,000 for violations of components of biological preparations;
- c) A fine of between VND 60,000,000 and 80,000,000 for cases of changing origin of microorganism kind for biological preparations;
- d) A fine of between VND 80,000,000 and 100,000,000 for violations of the registered characteristics and effectiveness of biological preparations;
- e) A fine of between VND 100,000,000 and 120,000,000 for violations of industrial ownership for the registered biological preparations;

2. A fine of between VND 120,000,000 and 150,000,000 for acts of circulating biological preparations in waste treatment in Vietnam in case of not being granted certificate of circulating biological preparations in waste treatment in Vietnam or where the registration certificate has been expired

3. A fine of between VND 150,000,000 and 200,000,000 for acts of importing biological preparations in waste treatment in case of not being granted certificate of circulating biological preparations in waste treatment in Vietnam.

4. A fine of between VND 200,000,000 and 250,000,000 for acts of producing biological preparations in waste treatment for commercial purpose (except for research, test) before being granted certificate of circulating biological preparations in waste treatment in Vietnam by competent agencies.

5. Form of additional sanction:

- a) Depriving the right to use certificate of circulating biological preparations in waste treatment in Vietnam, from 03 months to 06 months, for violations specified at Clause 1 of this Article;
- b) Suspension of establishments' operation, for violations specified at Clauses 2, 3 and 4 of this Article.

6. Remedial measures:

- a) Forcible re-export or destruction of goods, biological preparations which are imported, put into Vietnam in contravention with environmental protection regulation for violations specified at Clause 3 of this Article;
- b) Forcible recall and destruction of biological preparations which have been produced, circulates or used illegally for violations specified at Clause 2 and Clause 4 this Article.

Article 28. Violations of regulations on environmentally-friendly nylon bag

1. A fine of between VND 20,000,000 and 50,000,000 for any of the following violations:

- a) Failing to print or printing improperly with label and code on products under commitment in dossier of registration for recognition of environmentally friendly nylon bags;
- b) Using color ink on 01 product in excess of rate of the printing area permitted in certificate of environmentally friendly nylon bag.

2. A fine of between VND 50,000,000 and 100,000,000 for acts of using additives, chemicals to produce products of environmentally friendly nylon bags in contravention with declaration in the registration dossier without consent of agencies granting certificate of environmentally friendly nylon bags.

3. A fine of between VND 100,000,000 and 150,000,000 for any of the following violations:

- a) Failing to perform plan on recalling, reproducing after-use products in accordance with dossier of registration for grant of certificate of environmentally friendly nylon bags;
- b) Failing to perform properly with commitment on submitting report on result of test on biological decomposition ability of products which have been granted certificate of environmentally friendly nylon bags, to competent state agencies under regulations;
- c) Products fail to satisfy one of criteria on environmentally friendly nylon bags under regulations.

4. A fine of between VND 150,000,000 and 200,000,000 for acts of having no certificate of environmentally friendly nylon bags or after this certificate has been expired, still producing products of environmentally friendly nylon bags.

5. Form of additional sanction:

- a) Depriving the right to use certificate of environmentally friendly nylon bags, from 03 months to 06 months, for violations specified at Clause 2 of this Article;
- b) Depriving the right to use certificate of environmentally friendly nylon bags, from 06 months to 09 months, for violations specified at Clause 3 of this Article;
- c) Suspension of establishments' operation, from 09 months to 12 months, for violations specified at Clause 4 of this Article.

6. Remedial measures:

- a) Forcible removal of violation elements on goods, packaging of goods, means of business, environmentally friendly products, for violations specified at Clauses 1, 2 and 3 of this Article;
- b) Forcible retrieval and disposal of nylon bag products which fail to satisfy quality for violations specified at point c Clauses 3 and 4 of this Article;
- c) Forcible return of illegal benefit gaining from commission of administrative violations for violations specified in this Article.

Article 29. Violations of regulations on maritime environmental protection

1. A fine of between VND 10,000,000 and 20,000,000 for owners of means of transport, warehouses storing goods at sea which have risk of causing environmental incidents who fail to notify forces of the national rescue and salvage, maritime police, other relevant organizations and individuals under regulations.

2. A fine of between VND 50,000,000 and 80,000,000 for organizations and individuals mining minerals, owners of means of transporting petrol, oil, chemicals, radioactive substances and other toxic substances at sea which fail to have plan, human resource, equipment to ensure for prevention and response to environmental incidents.

3. A fine of between VND 80,000,000 and 150,000,000 for any of the following acts:

a) Activities of exploiting maritime natural resources and other activities relating to exploitation and use of maritime natural resource in contravention with the approved planning on using natural resources;

b) Operating in natural preservation zones, mangrove forest zones, sea natural heritage in contravention with regulation of management boards, environmental protection law and other provisions of relevant law;

c) Failing to treat wastes and other pollutants from production, business, service, construction, transport or exploitation activities at sea up to environmental technical regulations;

d) Laying, storing means of transport, warehouses, and works of petroleum exploitation at sea in excess of duration for handling;

e) Failing to collect, store and handle hazardous waste under regulations for activities of survey, exploitation of maritime natural resources, dismantling means of transport at sea.

4. A fine of between VND 150,000,000 and 250,000,000 for acts or pouring the normal waste at sea of means of transport; drilling rigs operating at sea without treatment under regulations or failing to treat this waste up to technical regulation on waste; discharging solid waste from land down sea without written consent of state management agencies on environmental protection under regulations; discharging waste from dredging creeks down sea without written consent of state management agencies on environmental protection under regulations.

5. A fine of between VND 250,000,000 and 500,000,000 for acts of discharging waste down sea areas of natural preservation zones, natural heritage, zones of new natural ecology, area of regular or seasonal reproduction of aqua species.

6. A fine of between VND 500,000,000 and 1,000,000,000 for discharging hazardous waste, waste containing radioactive substances down sea area of the Socialist Republic of Vietnam.

7. Form of additional sanction:

Confiscation of material evidences and means used for committing administrative violations for violations specified at Clauses 4, 5 and 6 of this Article.

8. Remedial measures:

a) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article.

b) Forcible application of measures to remedy environment pollution in a time limit fixed in decision on sanction of administrative violation by person competent to sanction, for violations causing environment pollution specified in this Article.

Article 30. Violations of regulations on environmental protection at public places, urban areas, residential areas and traditional villages

1. A fine of between VND 1,000,000 and 2,000,000 for activities of managing park, entertainment areas, tourism areas, markets, train stations, bus stations, wharves, ports, ferries, and other public places with one of the following acts:

- a) Failing to list the regulation on keeping environment hygiene at public place;
- b) Failing to have sufficient works of public hygiene, means, equipment for collecting waste which satisfy requirements on keeping environment hygiene under regulations;
- c) Failing to have sufficient force for collecting waste, cleaning for environment hygiene within their management under regulations.

2. A fine of between VND 50,000,000 and 100,000,000 for the following activities of production and warehouse which fail to implement in accordance with provision on safe distance of environmental protection for residential areas:

- a) Having flammable or explosive substances;
- b) Having highly radioactive or radiational substances;
- c) Having substances hazardous to human health as well as livestock and poultry;
- d) Emitting odors adversely affecting human health.

3. A fine of between VND 200,000,000 and 250,000,000 for investors of urban areas newly build, concentrated residential areas, apartment buildings who have act of handing works for putting into use not implementing properly and sufficiently one of following requirements on environmental protection:

- a) Having no infrastructure on environmental protection in line with urban or concentrated residential area planning already been approved by competent state agencies;
- b) Having no equipment, means for collecting, gathering daily-life solid waste which are appropriate with volume, type of waste and able for receiving waste sorted out at source from households in residential areas;
- c) Falling to ensure requirements on urban landscape, environmental hygiene;
- d) Failing to have systems of storm water and sewage drainage which are separate and appropriate with planning on sewage drainage and environmental protection of residential areas;
- e) Having no place for concentrating daily-life waste which satisfies environmental hygiene;
- f) Having no system of sewage treatment which satisfies environmental technical regulation.

4. Violations of regulations on environmental protection in production, trading and service in traditional villages shall be sanctioned as follows:

- a) A caution or fine of between VND 50,000 and 200,000 for act of failing to implement regulation on environmental protection in traditional villages;
- b) Individuals and organizations conducting activities of production, trading and service in traditional villages which commit administrative violations on environmental protection shall be sanctioned as individuals and organizations operating outside traditional villages specified in this Decree.

5. Form of additional sanction:

Suspension of establishments' operation, from 06 months to 12 months, for violations specified at Clause 2 of this Article.

6. Remedial measures:

a) Forcible compliance with provision on safe distance for environmental protection in residential areas specified at Clause 2 this Article; case of not being able to comply with safe distance for environmental protection as prescribed, they must move out residential area;

b) Forcible construction and installation of the environment protection works within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified at point b Clause 1 and Clause 3 of this Article;

c) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article;

d) Forcible application of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in this Article.

Article 31. Violations of environmental protection in natural heritage areas

1. A fine of between VND 10,000,000 and 20,000,000 for act of causing adverse effect to environment at natural heritage area.

2. A fine of between VND 20,000,000 and 50,000,000 for act of infringing illegally natural heritage area.

3. A fine of between VND 50,000,000 and 100,000,000 for act of exploiting the natural heritage area in contravention of the environmental protection law.

4. A fine of between VND 100,000,000 and 200,000,000 for act of exploiting the natural heritage area in contravention of the environmental protection law causing environment pollution or deterioration.

5. Form of additional sanction:

Suspension of illegal exploitation, for violations specified at Clauses 3 and 4 of this Article.

6. Remedial measures:

Forcible application of measures to remedy environment pollution within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in this Article.

Article 32. Violations of regulation on operation or residence in restricted areas identified by competent state agencies due to special environmental danger on human health or life

1. A fine of between VND 1,000,000 and 5,000,000 for acts of residing in restricted areas identified by competent state agencies due to particular environmental danger to human health and life without permission.

2. A fine of between VND 10,000,000 and 50,000,000 for acts of conducting illegal activities in restricted areas identified by competent state agencies due to particular environmental danger to human health and life.

3. Remedial measures:

Forcible movement from the restricted area within a time limit set by person competent to sanction in decision on sanction of administrative violations, for violations specified in this Article.

Article 33. Violations of regulation on recall and disposal of expired or discarded products

1. A caution for one on the following acts:

- a) Failing to transport discarded products to recall location under regulations;
- b) Failing to notify in writing about relevant information of recall location and place for disposal of discarded products to environment state management agencies under regulations.

2. A fine of between VND 3,000,000 and 5,000,000 for any of the following acts:

- a) Failing to report or reporting dishonestly about volume of products which are permitted producing or importing and have been sold in Vietnamese market under regulations;
- b) Failing to report or reporting dishonestly about result of recall and disposal of discarded products under regulations;
- c) Failing to publicize relevant information of recall location and place for disposal of discarded products on website under regulations.

3. A fine of between VND 10,000,000 and 20,000,000 for any of the following acts:

- a) Failing to have equipment, technical measures for pollution control and environmental protection at the collecting locations under regulations;
- b) Failing to have special-use vehicles and equipment for collection, transportation, packing, preservation and temporary storage of discarded products under regulations;
- c) Failing to have technicians in charge of collecting and transporting discarded products under regulations;

4. A fine of between VND 20,000,000 and 30,000,000 for act of failing to transport discarded products from the recall locations to the treatment place under regulations.

5. A fine of between VND 30,000,000 and 50,000,000 for any of the following acts:

- a) Failing to set up the recall locations or failing to have a collection system of discarded products under regulations;
- b) Failing to dispose the discarded products under regulations.

6. A fine of between VND 100,000,000 and 200,000,000, for violations specified at Clauses 3, 4 and 5 of this Article, causing environment pollution.

7. Remedial measures:

- a) Forcible recall and disposal of expired or discarded products in accordance with regulations, for violations specified at Clauses 3, 4 and 5 of this Article;
- b) Forcible application of measures to remedy environment pollution causing by violations specified at Clause 6 of this Article.

Article 34. Violations of regulations on environmental rehabilitation and restoration in natural resource exploitation

1. A fine of between VND 10,000,000 and 20,000,000 for any of the following acts:

- a) Failing to make map of toxic mineral mining area after ending operation under regulations;
- b) Failing to report about result of environmental restoration to competent agencies after ending the natural resource exploitation under regulations;
- c) Failing to have written notice or notifying improperly with time limit to competent agencies about content of decision on approving scheme on environmental rehabilitation and

restoration or scheme on additional environmental rehabilitation and restoration under regulations;

d) Failing to have written report, report improperly or report wrongly with the truth to state agencies which have approved scheme on environmental rehabilitation and restoration and state agencies of environmental protection in localities where projects are performed or establishments are located about plan of construction of items for environmental rehabilitation and restoration which have been approved by competent state agencies.

2. A fine of between VND 50,000,000 and 60,000,000 for act of failing to realize or realizing improperly the supervision on environment during the course of environmental rehabilitation and restoration under regulations.

3. A fine of between VND 60,000,000 and 80,000,000 for act of realizing improperly one of contents in the approved scheme on environmental rehabilitation and restoration or the approved scheme on additional environmental rehabilitation and restoration and other requirements in decision on approving such scheme.

4. A fine of between VND 80,000,000 and 100,000,000 for act of realizing inadequately one of contents in the approved scheme on environmental rehabilitation and restoration or the approved scheme on additional environmental rehabilitation and restoration and other requirements in decision on approving such scheme.

5. A fine of between VND 100,000,000 and 150,000,000 for act of stopping construction of items for environmental rehabilitation and restoration in case of happening environment incidents or environmental pollution.

6. A fine of between VND 150,000,000 and 200,000,000 for act of failing to realize environmental rehabilitation and restoration after ending each operational stage or ending mineral exploitation according to the approved scheme on environmental rehabilitation and restoration.

7. A fine of between VND 200,000,000 and 250,000,000 for act of failing to have scheme on environmental rehabilitation and restoration or scheme on additional environmental rehabilitation and restoration which has been approved by competent state agencies under regulations.

8. Form of additional sanction:

Suspension of mineral exploitation, from 06 months to 12 months, for violations specified at Clauses 6 and 7 of this Article.

9. Remedial measures:

a) Forcible implementation of scheme on environmental rehabilitation and restoration for violations specified at Clause 7 of this Article;

b) Forcible implementation of environmental rehabilitation and restoration within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified at Clause 6 and Clause 7 of this Article;

c) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article;

d) Forcible application of measures to remedy environment pollution in a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing environment pollution specified in Clauses 5, 6 and 7 of this Article.

Article 35. Violations of regulations on activities of responding oil spill incidents

1. A fine of between VND 5,000,000 and 10,000,000 for act of letting occur of oil spill incident or detecting oil spill incident but failing to report timely to agencies competent to receipt of information of oil spill incident under regulations.

2. A fine of between VND 10,000,000 and 30,000,000 for any of the following violations:

a) Failing to organize training course or assigning officers directly participating in response to incident to have outside training courses with the aim to improve skills in responding to oil spill incidents under regulations;

b) Failing to carry out practice and training involving response to oil spill incidents under regulations.

3. A fine of between VND 30,000,000 and 50,000,000 for act of failing to report in response and remedy of oil spill incidents under regulations.

4. Violations involving activities of trading in petrol and oil which has risk of occurring small oil spill incidents on inland shall be sanctioned as follows:

a) A fine of between VND 10,000,000 and 20,000,000 for acts of failing to invest in or failing to contract of ready response of oil spill incident with facilities having means and equipment for incident response or with the regional centers for oil spill incident response at level corresponding to risk of oil spill in areas under their responsibility with the aim to mobilize timely means, equipment and supplies for carrying out activities of response when oil spill incidents happen under regulations;

b) A fine of between VND 20,000,000 and 30,000,000 for acts of failing to be ready in mobilizing means, equipment and supplies to participate, coordinate in response and remedy of oil spill incident at the request of competent agencies;

c) A fine of between VND 30,000,000 and 40,000,000 for act of failing to have plan on oil spill incident response already been approved by the district-level People's Committees under regulations;

d) A fine of between VND 40,000,000 and 50,000,000 for acts of failing to build emergency plan on oil spill incident response and organize force to ensure for timely and effective prevention and response of oil spill incident at level corresponding to risk of oil spill due to their operation under regulations.

5. Violations involving activities of ports, establishments, projects which have risk of oil spill incidents shall be sanctioned as follows:

a) A fine of between VND 20,000,000 and 30,000,000 for acts of failing to invest in or failing to contract of ready response of oil spill incident with facilities having means and equipment for incident response or with the regional centers for oil spill incident response at level corresponding to risk of oil spill in areas under their responsibility with the aim to mobilize timely means, equipment and supplies for carrying out activities of response when oil spill incidents happen under regulations;

b) A fine of between VND 30,000,000 and 40,000,000 for acts of failing to be ready in mobilizing means, equipment and supplies to participate, coordinate in response and remedy of oil spill incidents at the request of competent agencies;

c) A fine of between VND 40,000,000 and 50,000,000 for act of failing to have plan on oil spill incident response already been approved by the provincial-level People's Committees under regulations;

d) A fine of between VND 50,000,000 and 60,000,000 for acts of failing to build emergency plan on oil spill incident response and organize force to ensure for timely and effective

prevention and response of oil spill incident at level corresponding to risky of oil spill due to their operation under regulations.

6. Violations involving off-shore petroleum activities which have risk of oil spill incidents shall be sanctioned as follows:

a) A fine of between VND 30,000,000 and 40,000,000 for acts of failing to invest in or failing to contract of ready response of oil spill incident with facilities having means and equipment for incident response or with the regional centers for oil spill incident response at level corresponding to risk of oil spill in areas under their responsibility with the aim to mobilize timely means, equipment and supplies for carrying out activities of response when oil spill incidents happen under regulations;

b) A fine of between VND 40,000,000 and 50,000,000 for acts of failing to be ready in mobilizing means, equipment and supplies to participate, coordinate in response and remedy of oil spill incidents at the request of competent agencies;

c) A fine of between VND 50,000,000 and 60,000,000 for act of failing to have plan on oil spill incident response already been approved by the National search and rescue Committee under regulations;

d) A fine of between VND 60,000,000 and 70,000,000 for acts of failing to build emergency plan on oil spill incident response and organize force to ensure for timely and effective prevention and response of oil spill incident at level corresponding to risky of oil spill due to their operation under regulations.

7. Violations involving activities of petroleum ships which have risk of oil spill incidents shall be sanctioned as follows:

a) A fine of between VND 25,000,000 and 35,000,000 for act of failing to have plan on oil pollution, chemical pollution response from ships already been approved by the competent state agencies under regulations;

b) A fine of between VND 35,000,000 and 45,000,000 for act of failing to have plan on transshipment between their ships with other ships at sea already been approved by the competent state agencies under regulations;

c) A fine of between VND 45,000,000 and 55,000,000 for act of failing to have plan on response to oil and toxic chemical spill incidents with the aim to timely direct, support for ships happening oil spill incidents in response and remedy of consequences from incidents;

d) A fine of between VND 55,000,000 and 65,000,000 for act of failing to purchase insurance or other financial guarantees at the civil responsibility level prescribed by law to pay compensation for oil pollution under regulations.

8. Acts causing incidents of oil fire, explosion or spill shall be sanctioned as follows:

a) A fine of between VND 40,000,000 and 80,000,000 in case where oil volume is less than 2 ton;

b) A fine of between VND 80,000,000 and 150,000,000 in case where oil volume is between 2 ton and less than 10 ton;

c) A fine of between VND 150,000,000 and 250,000,000 in case where oil volume is between 10 ton and less than 20 ton;

d) A fine of between VND 250,000,000 and 350,000,000 in case where oil volume is between 20 ton and less than 50 ton;

e) A fine of between VND 350,000,000 and 450,000,000 in case where oil volume is between 50 ton and less than 100 ton;

- f) A fine of between VND 450,000,000 and 550,000,000 in case where oil volume is between 100 ton and less than 200 ton;
- g) A fine of between VND 550,000,000 and 650,000,000 in case where oil volume is between 200 ton and less than 300 ton;
- h) A fine of between VND 650,000,000 and 750,000,000 in case where oil volume is between 300 ton and less than 400 ton;
- i) A fine of between VND 750,000,000 and 850,000,000 in case where oil volume is between 400 ton and less than 500 ton;
- k) A fine of between VND 850,000,000 and 950,000,000 in case where oil volume is 500 ton or more.

9. Acts of failing to remedy consequences from incidents of oil fire, explosion or spill; failing to pay compensation for damages due to oil pollution shall be sanctioned as follows:

- a) A fine of between VND 50,000,000 and 100,000,000 in case where oil volume is less than 2 ton;
- b) A fine of between VND 100,000,000 and 200,000,000 in case where oil volume is between 2 ton and less than 10 ton;
- c) A fine of between VND 200,000,000 and 300,000,000 in case where oil volume is between 10 ton and less than 20 ton;
- d) A fine of between VND 300,000,000 and 400,000,000 in case where oil volume is between 20 ton and less than 50 ton;
- e) A fine of between VND 400,000,000 and 500,000,000 in case where oil volume is between 50 ton and less than 100 ton;
- f) A fine of between VND 500,000,000 and 600,000,000 in case where oil volume is between 100 ton and less than 200 ton;
- g) A fine of between VND 600,000,000 and 700,000,000 in case where oil volume is between 200 ton and less than 300 ton;
- h) A fine of between VND 700,000,000 and 800,000,000 in case where oil volume is between 300 ton and less than 400 ton;
- i) A fine of between VND 800,000,000 and 900,000,000 in case where oil volume is between 400 ton and less than 500 ton;
- k) A fine of between VND 900,000,000 and 1,000,000,000 in case where oil volume is 500 ton or more.

10. Remedial measures:

- a) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations that let oil spill happens or cause environment pollution according to the current norm and unit price for violations specified in this Article;
- b) Forcible application of measures to remedy environment pollution, forcible compensation from damages due to oil pollution under regulations, in a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing pollution, damages specified at Clauses 8 and 9 of this Article.

Article 36. Violations of regulations in activities of transporting dangerous goods and prevention, response and remedy of environmental incidents

1. Violations of regulations on transporting dangerous goods shall be sanctioned as follows:

a) A fine of between VND 2,000,000 and 5,000,000 for act of failing to report about transport of dangerous goods under regulations;

b) A fine of between VND 5,000,000 and 10,000,000 for violations of regulation on conditions in transport of dangerous goods;

c) A fine of between VND 10,000,000 and 20,000,000 for act of transporting dangerous goods without confirmation on eligibility for transport of dangerous goods under regulations.

2. Violations of regulations on prevention, response and remedy of environmental incidents in production, business and service shall be sanctioned as follows:

a) A fine of between VND 5,000,000 and 10,000,000 for act of failing to timely report to state management agencies of environmental protection and competent state agencies at nearest localities upon detecting environmental incidents;

b) A fine of between VND 10,000,000 and 30,000,000 for act of failing to implement properly with plan on prevention and response of environmental incidents;

c) A fine of between VND 30,000,000 and 50,000,000 for act of failing to make plan on prevention and response of environmental incidents under regulations;

d) A fine of between VND 50,000,000 and 100,000,000 for act of failing to comply with or complying in a wrong manner with command of emergency mobilization for human force, supplies and means in response of environmental incidents;

e) A fine of between VND 100,000,000 and 150,000,000 for act of failing to apply measures under their responsibilities to timely remedy environmental incidents;

f) A fine of between VND 150,000,000 and 200,000,000 for act of causing environmental incident;

g) A fine of between VND 200.000.000 and 250.000.000, for violations specified at point e this Clause but failing to apply measures to remedy environmental incidents.

3. Form of additional sanction:

a) Depriving the right to use the confirmation on eligibility for transport of dangerous goods, from 01 month to 03 months, for violations specified at point b this Clause of this Article;

b) Suspension of activities of transporting dangerous goods, from 03 months to 06 months, for violations specified at point c Clause 1, point h of this Article;

c) Suspension of activities causing environmental pollution, from 03 months to 06 months, for violations specified at point e Clause 2 of this Article;

d) Suspension of establishments' operation, from 06 months to 12 months, for violations specified at point g Clause 2 of this Article.

4. Remedial measures:

Forcible application of measures to remedy environment pollution, environmental incidents within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations causing pollution, incidents specified at points e and g Clause 2 of this Article.

Article 37. Violations of regulations on payment of environmental protection charges, a deposit of environmental rehabilitation and restoration in mineral exploitation and environmental compensation liability insurance

1. Violations of paying environmental protection charges shall be sanctioned as follows:

a) A daily fine equal to 0.05% of the late-paid charge amount, for late charge payment;

- b) A fine equal to 10% of the deficient charge amount, for making untruthful declaration resulting in payment of a charge amount lower than prescribed;
 - c) A fine equal to between twice and three times the charge amount, for act of the charge payment evasion.
2. A daily fine equal to 0.05% of the late-paid amount of deposit for environmental rehabilitation and restoration, for late deposit payment;
 3. A fine of between VND 200,000,000 and 220,000,000 for act of failing to realize payment of a deposit for environmental rehabilitation and restoration before beginning activities of mineral exploitation.
 4. A fine of between VND 220,000,000 and 250,000,000 for act of failing to buy liability insurance for environmental compensation under regulations.
5. Remedial measures:
- a) Retrospectively collecting the deficient payment charges of environmental protection, charges evaded payment as from time of deficient payment, evasion for payment of environmental protection charge (calculated under result of analyzing waste sample made by state agencies competent to examination, inspection and sanction under regulations) for violations specified at point b and point c Clause 1 of this Article;
 - b) Forcible payment of funding for verification by experts, measurement and analysis of environment samples in case of violations on discharging waste in excess of environment technical regulations or causing environment pollution according to the current norm and unit price for violations specified in this Article;
 - c) Forcible implementation of paying deposit for environmental rehabilitation and restoration in mineral exploitation; forcible purchase of environmental compensation liability insurance for violations specified at Clause 3 and Clause 4 of this Article.

Article 38. Violations of regulations on collection, management, exploitation and use of data and information

1. A fine of between VND 1,000,000 and 5,000,000 for act of illegally interfering in the observation, collection, exchange, exploitation and use of environmental data and information.
2. A fine of between VND 5,000,000 and 10,000,000 for any of the following acts:
 - a) Supplying environmental data and information, and result of environment observation in contravention with the prescribed function and competence;
 - b) Failing to publish, supply, and publicize environmental information and data in production, business and service activities under regulations.
3. A fine of between VND 10,000,000 and 40,000,000 for act of illegally penetrating into the environmental data and information storage system.
4. A fine of between VND 40,000,000 and 60,000,000 for any of the following acts:
 - a) Failing to make statistics of or store data on environmental impacts, discharging sources, wastes from production, business or service activities under regulations;
 - b) Failing to submit sufficient investigation, survey and observation data and other relevant documents to competent state agencies under regulations.
5. A fine of between VND 60,000,000 and 80,000,000 for act of erasing environmental data and information, results of environmental observation.

6. A fine of between VND 80,000,000 and 100,000,000 for act of providing untruthful environmental data and information, results of environmental observation to competent state agencies under regulations.

Article 39. Violations of regulations on protection, use of facilities, equipment, means serving activities of environmental protection

1. A fine of between VND 1,000,000 and 5,000,000 for any of the following acts:

- a) Obstructing the exploitation and use of environmental protection facilities;
- b) Planting trees affecting technical safety corridors of environmental protection facilities.

2. A fine of between VND 5,000,000 and 10,000,000 for act of illegally displacing environmental observation equipment or machinery.

3. A fine of between VND 10,000,000 and 50,000,000 for act of building works affecting technical safety corridors of environmental protection facilities.

4. A fine of between VND 50,000,000 and 100,000,000 for act of damaging environmental protection equipment and facilities.

5. Remedial measures:

a) Forcible dismantlement or relocation of facilities or planted trees within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified in Clauses 1 and 3 of this Article;

b) Forcible restoration of the original state already altered, within the time limit set by person competent to sanction in decision on sanction of administrative violations, for violations causing changes specified in this Article.

Article 40. Violations of regulations on activities of environmental observation service

1. A fine of between VND 5,000,000 and 10,000,000 for act of changing one of contents resulting that they fail to satisfy conditions in dossier of requesting for grant of certificate of eligibility for activities of environmental observation service.

2. A fine of between VND 10,000,000 and 20,000,000 for act of implementing improperly, insufficiently one of contents in certificate of eligibility for activities of environmental observation service.

3. A fine of between VND 20,000,000 and 40,000,000 for act of failing to implement contents in certificate of eligibility for activities of environmental observation service.

4. A fine of between VND 40,000,000 and 60,000,000 for act of operating improperly with scope or field stated in certificate of eligibility for activities of environmental observation service; erasing certificate.

5. A fine of between VND 60,000,000 and 80,000,000 for act of exchanging or leasing, lending certificate of eligibility for activities of environmental observation service aiming to implement activities of environmental observation.

6. A fine of between VND 80,000,000 and 100,000,000 for act of failing to having certificate of eligibility for activities of environmental observation service under regulations or certificate is expired.

7. Form of additional sanction:

a) Depriving the right to use certificate of eligibility for environmental observation service, from 03 months to 06 months, for violations specified at Clauses 2, 3, 4 and 5 of this Article;

b) Suspension of activities of illegal environmental observation service, from 06 months to 12 months, for violations specified at Clause 6 this Article.

Article 41. Violations of regulations on preservation and sustainable development of natural ecological systems

1. Act of building works, houses, tents without permission of competent state agencies in sub-zones of ecological restoration, sub-zones of strict protection in preservation zones, shall be sanctioned as follows:

a) A fine of between VND 500,000 and 1,000,000 for act of bringing supplies, equipment for construction of works, houses, or tents into sub-zone of ecological restoration in preservation zones.

b) A fine of between VND 1,000,000 and 3,000,000 for act of bringing supplies, equipment for construction of works, houses, or tents into sub-zone of strict protection in preservation zones;

c) A fine of between VND 30,000,000 and 50,000,000 for act of building works, houses, tents in sub-zone of ecological restoration of preservation zones;

d) A fine of between VND 40,000,000 and 80,000,000 for act of building works, houses, or tents in sub-zone of strict protection of preservation zones.

2. Acts impacting to the natural ecological system in preservation zones in adverse direction, causing damages to landscape, natural ecological system (such as digging, leveling, blasting, digging or embanking to prevent water flow, using fire, toxic preparations) without permission of competent state agencies shall be sanctioned as follows:

a) A fine of between VND 1,000,000 and 5,000,000 for acts causing damages to less than 200 m² land, wetland, and water surface in preservation zone;

b) A fine of between VND 5,000,000 and 20,000,000 for acts causing damages to between 200 m² and less than 400 m² land, wetland, water surface in preservation zone;

c) A fine of between VND 20,000,000 and 40,000,000 for acts causing damages to between 400 m² and less than 800 m² land, wetland, water surface in preservation zone;

d) A fine of between VND 40,000,000 and 80,000,000 for acts causing damages to between 800 m² and less than 1,200 m² land, wetland, water surface in preservation zone;

e) A fine of between VND 80,000,000 and 150,000,000 for acts causing damages to between 1,200 m² and less than 1,500 m² land, wetland, water surface in preservation zone;

e) A fine of between VND 150,000,000 and 250,000,000 for acts causing damages to between 1,500 m² and less than 2,000 m² land, wetland, water surface in preservation zone;

g) A fine of between VND 250,000,000 and 400,000,000 for acts causing damages to 2,000 m² or more land, wetland, water surface in preservation zone.

3. Form of additional sanction:

Confiscation of material evidences and means used for committing administrative violations for violations specified at Clauses 1 and 2 of this Article.

4. Remedial measures:

a) Forcible restoration of the original environment state already altered by administrative violations including re-planting, care and protection of the destroyed areas of conservation zone; restoration of initial habitat for species, for violations specified in this Article;

b) Forcible dismantlement of works, houses and tents which are illegally built, for violations specified at Clause 1 of this Article.

Article 42. Violations of regulation on wild flora, seedlings, fungi, microorganisms or parts of body, products of wild fauna, breeds in list of endangered, precious and rare species prioritized protection

1. Act of illegally planting, implanting artificially wild flora, seedlings, fungi or microorganisms in list of endangered, precious and rare species prioritized protection shall be sanctioned as follows:

- a) A caution for act of planting, implanting artificially at household scale;
- b) A fine of between VND 10,000,000 and 20,000,000 for act of planting, implanting artificially at industrial scale.

2. Act of illegally exploiting wild flora, seedlings, fungi or microorganisms in list of endangered, precious and rare species prioritized protection at zones not in sub-zones of strict protection in preservation zone; occupying, using, consuming, selling, buying, transporting illegally wild flora, seedlings, fungi or microorganisms in list of endangered, precious and rare species prioritized protection; illegally storing parts of body or products of wild fauna, breeds of livestock in list of endangered, precious and rare species prioritized protection shall be sanctioned as follows:

- a) A caution for exhibits of violations valued at less than VND 500,000;
- b) A fine of between VND 2,000,000 and 5,000,000 for exhibits of violations valued at between VND 500,000 and less than VND 1,500,000;
- c) A fine of between VND 5,000,000 and 15,000,000 for exhibits of violations valued at between VND 1,500,000 and less than VND 5,000,000;
- d) A fine of between VND 15,000,000 and 30,000,000 for exhibits of violations valued at between VND 5,000,000 and less than VND 10,000,000;
- e) A fine of between VND 30,000,000 and 60,000,000 for exhibits of violations valued at between VND 10,000,000 and less than VND 20,000,000;
- f) A fine of between VND 60,000,000 and 120,000,000 for exhibits of violations being wood with volume of less than 0.5 m³ or forest products valued at between VND 20,000,000 and less than VND 40,000,000;
- g) A fine of between VND 120,000,000 and 180,000,000 for exhibits of violations being wood with volume of between 0.5 m³ and less than 0.7 m³ or forest products valued at between VND 40,000,000 and less than VND 60,000,000;
- h) A fine of between VND 180,000,000 and 240,000,000 for exhibits of violations being wood with volume of between 0.7 m³ and less than 1 m³ or forest products valued at between VND 60,000,000 and less than VND 80,000,000;
- i) A fine of between VND 240,000,000 and 300,000,000 for exhibits of violations being wood with volume of between 1 m³ and less than 1.3 m³ or forest products valued at between VND 80,000,000 and less than VND 100,000,000;
- k) A fine of between VND 300,000,000 and 350,000,000 for exhibits of violations being wood with volume of between 1.3 m³ and less than 1.5 m³ or forest products valued at between VND 100,000,000 and less than VND 130,000,000;
- l) A fine of between VND 350,000,000 and 400,000,000 for exhibits of violations being wood with volume of between 1.5 m³ and less than 1.7 m³ or forest products valued at between VND 130,000,000 and less than VND 150,000,000;

m) A fine of between VND 400,000,000 and 450,000,000 for exhibits of violations being wood with volume of between 1.7 m³ and less than 1.9 m³ or forest products valued at between VND 150,000,000 and less than VND 170,000,000;

n) A fine of between VND 450,000,000 and 500,000,000 for exhibits of violations being wood with volume of 1.9 m³ or more, or forest products valued at VND 170,000,000 or more.

3. An increase of between 40% and 50% of the fine specified at clause 2 of this article, for act of illegally exploiting wild flora, seedlings, fungi, microorganisms in list of endangered, precious and rare species prioritized protection at sub-zones of strict protection in preservation zones. Total fine level for each violation shall not exceed VND 500,000,000.

4. Form of additional sanction:

Confiscation of material evidences and means used for committing administrative violations for violations specified at Clauses 1, 2 and 3 of this Article.

Article 43. Violations of regulations on protecting wild species in sub-zones of strict protection in preservation zone

1. Act of illegally exploiting wild species not in list of endangered, precious and rare species prioritized protection in sub-zones of strict protection in preservation zones shall be sanctioned as follows:

a) A caution for exhibits of violations valued at less than VND 500,000;

b) A fine of between VND 1,000,000 and 3,000,000 for exhibits of violations being wood with volume of less than 0.3 m³ or forest products valued at between VND 500,000 and less than 1,500,000;

c) A fine of between VND 3,000,000 and 10,000,000 for exhibits of violations being wood with volume of between 0.3 m³ and less than 0.5 m³ or forest products valued at between VND 1,500,000 and less than VND 5,000,000;

d) A fine of between VND 10,000,000 and 20,000,000 for exhibits of violations being wood with volume of between 0.5 m³ and less than 0.7 m³ or forest products valued at between VND 5,000,000 and less than VND 10,000,000;

e) A fine of between VND 20,000,000 and 40,000,000 for exhibits of violations being wood with volume of between 0.7 m³ and less than 1 m³ or forest products valued at between VND 10,000,000 and less than VND 20,000,000;

f) A fine of between VND 40,000,000 and 80,000,000 for exhibits of violations being wood with volume of between 1 m³ and less than 1.5 m³ or forest products valued at between VND 20,000,000 and less than VND 40,000,000;

g) A fine of between VND 80,000,000 and 120,000,000 for exhibits of violations being wood with volume of between 1.5 m³ and less than 2 m³ or forest products valued at between VND 40,000,000 and less than VND 60,000,000;

h) A fine of between VND 120,000,000 and 160,000,000 for exhibits of violations being wood with volume of between 2 m³ and less than 5 m³ or forest products valued at between VND 60,000,000 and less than VND 80,000,000;

i) A fine of between VND 160,000,000 and 200,000,000 for exhibits of violations being wood with volume of between 5 m³ and less than 10 m³ or forest products valued at between VND 80,000,000 and less than VND 100,000,000;

k) A fine of between VND 200,000,000 and 320,000,000 for exhibits of violations being wood with volume of between 10 m³ and less than 15 m³ or forest products valued at between VND 100,000,000 and less than VND 160,000,000;

l) A fine of between VND 320,000,000 and 400,000,000 for exhibits of violations being wood with volume of between 15 m³ and less than 25 m³ or forest products valued at between VND 160,000,000 and less than VND 200,000,000;

m) A fine of between VND 400,000,000 and 500,000,000 for exhibits of violations being wood with volume of 25 m³ or more, or forest products valued at VND 200,000,000 or more.

2. Form of additional sanction:

Confiscation of material evidences and means used for committing administrative violations for violations specified in this Article.

Article 44. Violations of regulations on managing biodiversity preservation establishments

1. A caution on act of failing to report on situation of species in list of endangered, precious and rare species prioritized protection under regulations.

2. A fine of between VND 500,000 and VND 1,000,000 for act of failing to register, declare origin of species in list of endangered, precious and rare species prioritized protection.

3. A fine of between VND 2,000,000 and 5,000,000 for any of the following violations:

a) Failing to maintain one of conditions for grant of certificate of biodiversity preservation establishment after having been granted certificate;

b) Failing to abide by regulations promulgated by competent state agencies about protection, cultivation and care of species in list of endangered, precious and rare species prioritized protection;

c) Failing to abide by regulations promulgated by competent state agencies about storage, preservation of genetic source and genetic specimen.

4. A fine of between VND 5,000,000 and 10,000,000 for any of the following violations:

a) Declaring improperly with the truth about conditions for grant of certificate;

b) Operating without certificate granted by competent agencies.

5. Form of additional sanction:

a) Depriving the right to use certificate of biodiversity preservation establishments, from 03 months to 06 months, for violations specified at Clause 3 of this Article;

b) Confiscation of material evidences and means used for committing administrative violations for violations specified at Clause 4 of this Article.

Article 45. Violations of regulations on control of invasive alien species

1. A caution for act of illegally culturing, storing, transporting, implanting outside the scope of preservation zone for the potential invasive alien species or potential invasive alien species, provided that the development and dispersal of these species may be controlled and not cause any damage.

2. Act of illegally culturing, storing, transporting, planting, implanting outside the scope of preservation zone for the potential invasive alien species or potential invasive alien species, shall be sanctioned as follows:

a) A fine of between VND 20,000,000 and 40,000,000 for act of causing damage valued at less than VND 10,000,000;

b) A fine of between VND 40,000,000 and VND 80,000,000 for act of causing damage valued at between VND 10,000,000 and less than VND 20,000,000;

- c) A fine of between VND 80,000,000 and 160,000,000 for act of causing damage valued at between VND 20,000,000 and less than 40,000,000;
- d) A fine of between VND 160,000,000 and 240,000,000 for act of causing damage valued at between VND 40,000,000 and less than 60,000,000;
- e) A fine of between VND 240,000,000 and 320,000,000 for act of causing damage valued at between VND 60,000,000 and less than VND 80,000,000;
- f) A fine of between VND 320,000,000 and 400,000,000 for act of causing damage valued at between VND 80,000,000 and less than 100,000,000;
- g) A fine of between VND 400,000,000 and 480,000,000 for act of causing damage valued at between VND 100,000,000 and less than VND 120,000,000;
- h) A fine of between VND 480,000,000 and 560,000,000 for act of causing damage valued at between VND 120,000,000 and less than 140,000,000;
- i) A fine of between VND 560,000,000 and 640,000,000 for act of causing damage valued at between VND 140,000,000 and less than 160,000,000;
- k) A fine of between VND 640,000,000 and 720,000,000 for act of causing damage valued at between VND 160,000,000 and less than VND 180,000,000;
- l) A fine of between VND 720,000,000 and 800,000,000 for act of causing damage valued at between VND 180,000,000 and less than VND 200,000,000;
- m) A fine of between VND 800,000,000 and 880,000,000 for act of causing damage valued at between VND 200,000,000 and less than VND 220,000,000;
- n) A fine of between VND 880,000,000 and 920,000,000 for act of causing damage valued at between VND 220,000,000 and less than 230,000,000;
- o) A fine of between VND 920,000,000 and 1,000,000,000 for acts causing damages valued at VND 230,000,000 or more.

3. Act of illegally culturing, storing, transporting, planting, implanting in the scope of preservation zone for invasive alien species, provided that the development and dispersal of these species may be controlled, shall be sanctioned as follows:

- a) A fine of between VND 5,000,000 and 10,000,000 for violations happening outside sub-zone of strict protection;
- b) A fine of between VND 10,000,000 and 20,000,000 for violations happening in sub-zone of strict protection.

4. Act of culturing, storing, transporting, planting, or implanting in the scope of preservation zone for invasive alien species, provided that the development and dispersal of these species may be controlled, shall be sanctioned as follows:

- a) An increase of between 20% and 30% of the fine specified at Clause 2 of this Article for violations preformed outside sub-zone of strict protection;
- b) An increase of between 40% and 50% of the fine specified at Clause 2 of this Article for violations preformed in sub-zone of strict protection.

The maximum fine level for each violation stated in this Clause shall not exceed VND 1,000,000,000.

5. A fine of between VND 10,000,000 and 20,000,000 for act of importing potential invasive alien flora and fauna in excess of quantity, weight licensed by competent state agencies or making wrong declaration of licensed name or kind.

6. Act of importing potential invasive alien microorganisms shall be sanctioned as follows:

a) A fine of between VND 50,000,000 and 100,000,000 for act of importing in excess of quantity, volume permitted by competent state agencies or making wrong declaration of licensed name or kind;

b) A fine of between VND 150,000,000 and 200,000,000 for act of importing without license granted by competent state agencies.

7. Act of importing the known invasive alien microorganisms shall be sanctioned a fine of between VND 150,000,000 and 200,000,000.

8. Act of importing the known invasive alien fauna or flora, or the potential invasive alien fauna or flora without license granted by competent state agencies shall be sanctioned as follows:

a) A fine of between VND 20,000,000 and 40,000,000 for exhibits of violations valued at less than VND 10,000,000;

b) A fine of between VND 40,000,000 and 80,000,000 for exhibits of violations valued at between VND 10,000,000 and less than VND 20,000,000;

c) A fine of between VND 80,000,000 and 160,000,000 for exhibits of violations valued at between VND 20,000,000 and less than VND 40,000,000;

d) A fine of between VND 160,000,000 and 240,000,000 for exhibits of violations valued at between VND 40,000,000 and less than VND 60,000,000;

e) A fine of between VND 240,000,000 and 320,000,000 for exhibits of violations valued at between VND 60,000,000 and less than VND 80,000,000;

e) A fine of between VND 320,000,000 and 400,000,000 for exhibits of violations valued at between VND 80,000,000 and less than VND 100,000,000;

g) A fine of between VND 400,000,000 and 480,000,000 for exhibits of violations valued at between VND 100,000,000 and less than VND 120,000,000;

h) A fine of between VND 480,000,000 and 560,000,000 for exhibits of violations valued at between VND 120,000,000 and less than VND 140,000,000;

i) A fine of between VND 560,000,000 and 640,000,000 for exhibits of violations valued at between VND 140,000,000 and less than VND 160,000,000;

k) A fine of between VND 640,000,000 and 720,000,000 for exhibits of violations valued at between VND 160,000,000 and less than VND 180,000,000;

l) A fine of between VND 720,000,000 and 800,000,000 for exhibits of violations valued at between VND 180,000,000 and less than VND 200,000,000;

m) A fine of between VND 800,000,000 and 880,000,000 for exhibits of violations valued at between VND 200,000,000 and less than VND 220,000,000;

n) A fine of between VND 830,000,000 and 920,000,000 for exhibits of violations valued at between VND 220,000,000 and less than VND 230,000,000;

o) A fine of between VND 920,000,000 and 1,000,000,000 for exhibits of violations valued at VND 230,000,000 or more.

9. Form of additional sanction:

Confiscation of material evidences and means used for committing administrative violations for violations specified in this Article.

10. Remedial measures:

- a) Forcible destruction of all invasive alien species appearing; forcible restoration of the original state already altered by violations specified at Clauses 1, 2, 3 and 4 of this Article;
- b) Forcible re-export of all goods, invasive alien species imported illegally out territory of the Socialist Republic of Vietnam for violations specified at Clauses 5, 6, 7 and 8 of this Article. In case of failing to re-export, force destruction of all goods, invasive alien species imported illegally.

Article 46. Violations of regulations on management, access of genetic source and share benefit from genetic source

1. A caution for one of the following violations:

- a) Failing to notify competent state management agencies about activities of exchanging, transferring, supplying genetic source for other organizations and individuals for purpose of research, development and manufacture of commercial products;
- b) Failing to notify the process, result of research, development and manufacture of commercial products, benefits arising from the process of development and manufacture of commercial products at the request.

2. A fine of between VND 5,000,000 and 10,000,000 for any of the following violations:

- a) Failing to abide by regulations on contract of accessing genetic source and sharing benefit;
- b) Failing to abide by regulations on control the investigation, collection of genetic source of organizations and individuals which are permitted accessing genetic source;
- c) Failing to sign contract in writing with organizations, households, individuals which are assigned management of genetic sources of accessing genetic source and sharing benefits;
- d) Failing to perform procedures for confirmation of competent agencies about accessing genetic source for contract of accessing genetic source and sharing benefits;
- e) Failing to perform reports as prescribed by law with competent agencies about result of research, development, manufacture of commercial products according to the time limit stated in license for accessing genetic source;
- f) Using license for accessing genetic source improperly with content, purpose.

3. A fine of between VND 10,000,000 and 30,000,000 for act of exchanging, transferring, supplying genetic source which they are assigned management to other organizations, individuals in contravention with law.

4. A fine of between VND 30,000,000 and 50,000,000 for act of accessing genetic source without permission of competent state agencies.

5. Form of additional sanction:

- a) Depriving the right to use permit for accessing genetic source, from 06 months to 12 months, for violations specified at Clause 2 of this Article;
- b) Confiscation of material evidences and means used for committing administrative violations for violations specified at Clause 3 and 4 of this Article.

6. Remedial measures:

Forcible recall of results arising from activities of illegally accessing genetic source within a time limit set by person competent to sanction in decision on sanction of administrative violation, for violations specified in this Article.

Article 47. Violations of regulations on scientific research, technological development on genetically modified organism, products of genetically modified organism, genetically modified organism test

1. A fine of between VND 5,000,000 and 10,000,000 for one of acts of researching and creating, analyzing and test, isolation of genetically modified organism, products of genetically modified organism at places banned implementation.

2. A fine of between VND 10,000,000 and 20,000,000 for any of the following violations:

a) Supplying falsified information in dossiers of registering license for test of genetically modified organism, dossier of granting certificate of biological safety for genetically modified organism, dossier of granting confirmation of genetically modified organism eligible for use to do food, livestock feed;

b) Failing to comply with content in license for test, certificate of biological safety confirmation of genetically modified organism eligible for use to do food, livestock feed.

3. A fine of between VND 20,000,000 and 30,000,000 for any of the following violations involving activities of genetically modified organism research, test:

a) Hiding information of risk of adverse effects to environment, biodiversity and human health during research;

b) Bringing the research samples not in framework of the registered theme into territory of the Socialist Republic of Vietnam.

4. A fine of between VND 30,000,000 and 50,000,000 for any of the following violations involving activities of genetically modified organism research, test:

a) Failing to strictly abide by regulations on isolation causing lost of genetically modified organism into environment during research, test;

b) Failing to apply emergency measures to handle, destroy thoroughly genetically modified organism when detecting genetically modified organism causing risk to environment, biodiversity, human health and domestic animals and failing to control;

c) Escaping genetically modified organism into environment without license for wide-area genetically modified organism test.

5. A fine of between VND 70.000.000 and 100.000.000, for violations specified at Clause 4 of this Article, causing serious consequences.

6. Form of additional sanction:

Depriving the right to use permit for genetically modified organism test, from 06 months to 12 months, for violations specified at Clause 4 and Clause 5 of this Article.

7. Remedial measures:

a) Forcible destruction of all genetically modified organisms which have not yet been granted license for genetically modified organism test or certificate of biological safety;

b) Forcible application of measures to remedy environment pollution for violations causing pollution specified in this Article.

Article 48. Violations of regulations on production, business, import, storage, transport of genetically modified organism, products of genetically modified organism shall be sanctioned as follows:

1. A fine of between VND 1,000,000 and 2,500,000 for act of failing to write on labels of goods containing genetically modified organism, products of genetically modified organism under regulations.

2. A fine of between VND 30,000,000 and 50,000,000 for act of production, business of genetically modified organism, products of genetically modified organism used to do food, livestock feed without certificate of biological safety under regulations.

3. A fine of between VND 50,000,000 and 70,000,000 for any of the following violations:

- a) Culturing, planting, letting genetically modified organisms, genetic specimens of genetically modified organisms without certificate of biological safety out environment;
- b) Illegally importing genetically modified organism, genetic specimen of genetically modified organism.

4. A fine of between VND 80,000,000 and 100,000,000 for any of the following violations:

- a) Culturing, planting, letting genetically modified organisms, genetic specimens of genetically modified organisms without certificate of biological safety out environment that cause the change of ecological system, genetic source;
- b) Illegally importing genetically modified organisms, genetic specimens of genetically modified organisms that cause the change of ecological system, genetic source.

5. Remedial measures:

- a) Forcible destruction of all genetically modified organisms, genetic specimens of genetically modified organism, for violations specified at Clause 2, point a Clause 3 and point a Clause 4 of this Article;
- b) Forcible re-export of consignment containing genetically modified organisms, genetic specimens of genetically modified organism out territory of the Socialist Republic of Vietnam, for violations specified at point b Clause 3 and point b Clause 4 of this Article. In case of failing to re-export, forcible destruction of consignment containing genetically modified organisms, genetic specimens of genetically modified organisms.

Article 49. Act of interfering state management, inspection, examination and sanction of administrative violations on environmental protection

1. A fine of between VND 5,000,000 and 10,000,000 for any of the following violations:

- a) Causing difficulties to environmental status investigation, research, control or assessment or to duty performance by competent persons;
- b) Uttering words or taking actions threatening, verbally abusing or hurting the honor of persons on duty;
- c) Refusing to receive inspection or examination decisions or administrative sanctioning decisions, decisions coercing movement, operation ban, decisions coercing the enforcement of administrative sanctioning decisions;
- d) Failing to hold environmental dialogues at the request of environmental protection state management agencies or in response to complaints, denunciations or lawsuits of concerned organizations or individuals under regulations.

2. A fine of between VND 10,000,000 and 20,000,000 for any of the following acts:

- a) Failing to declare or declaring untruthfully or after the time limit specified by persons on duty or competent state management agencies;
- b) Failing to provide or sufficiently provide information and documents related to inspection, examination or administrative sanctioning by persons on duty or competent state management agencies;
- c) Obstructing task performance by examination or inspection teams or persons assigned to conduct examination or inspection in environmental protection;
- d) Failing to assign competent representative as prescribed by law to participate in meeting for announcement of environmental protection inspection decision or assigning competent

representative to work and cooperate with environmental protection inspection and examination team.

3. A fine of between VND 20,000,000 and 50,000,000 for act of deliberately breaking seals of the sealed or temporarily seized material evidences, means, workshops, machinery or equipment or dispersing material evidences used for commission of violations, deliberately altering scenes of violation in domain of environmental protection.

4. A fine of between VND 50,000,000 and 80,000,000 for any of the following violations:

a) Delaying or shirking the enforcement of administrative decisions, inspection or examination decisions or administrative handling decisions in environmental protection domain of competent persons or agencies;

b) Failing to properly or fully realize contents and requirements in environmental protection inspection and examination conclusions of competent state agencies.

5. Remedial measures:

Forcible implementation of requirements involving environmental protection operation of competent state management persons or agencies.

SECTION 2. COMPETENCE OF AND PROCEDURES FOR SANCTION OF ADMINISTRATIVE VIOLATIONS

Article 50. Competence of chairpersons of People's Committees at all levels in sanctioning administrative violations

1. Chairpersons of the communal People's Committees have rights:

a) To impose a caution;

b) To impose a fine up VND 5,000,000;

c) To confiscate material evidences and means used for commission of administrative violations valued up VND 5,000,000;

d) To apply remedial measures for violations specified at points a, b, c and e Clause 3 Article 4 of this Decree.

2. Chairpersons of the district-level People's Committees have rights:

a) To impose a caution;

b) To impose a fine up VND 50,000,000;

c) To deprive the right to use the environmental license with a definite duration or suspend operation with a definite duration under their competence;

d) To confiscate material evidences and means used for commission of administrative violations valued up VND 50,000,000;

e) To apply remedial measures for violations specified at points a, b, c, e, f, h, i, k, l, m and n Clause 3 Article 4 of this Decree.

3. Chairpersons of the provincial People's Committees have rights:

a) To impose a caution;

b) To impose a fine up VND 1,000,000,000;

c) To deprive the right to use the environmental license with a definite duration or suspend operation with a definite duration;

d) To confiscate material evidences and means used for commission of administrative violations;

e) To apply remedial measures for violations specified at Clause 3 Article 4 of this Decree.

Article 51. Competence of People's Public Security in sanctioning administrative violations

1. Soldiers of the People's Police on duty have rights:

- a) To impose a caution;
- b) To impose a fine up VND 500,000.

2. Heads of stations, teams of persons defined at Clause 1 this Article have rights:

- a) To impose a caution;
- b) To impose a fine up VND 1,500,000.

3. Heads of commune-level police offices, heads of police station, heads of border-gate and export processing zone police stations have rights:

- a) To impose a caution;
- b) To impose a fine up VND 2,500,000;
- c) To confiscate material evidences and means used for commission of administrative violations valued up VND 2,500,000;
- d) To apply remedial measures for violations specified at points a, c and e Clause 3 Article 4 of this Decree.

4. Heads of district-level police offices, heads of divisions of provincial police agencies including: Heads of police divisions for prevention and combat against environmental crimes and heads of divisions of entry and exit administration on duty have rights:

- a) To impose a caution;
- b) To impose a fine up VND 25,000,000;
- c) To deprive the right to use the environmental license with a definite duration or suspend operation with a definite duration under their competence;
- d) To confiscate material evidences and means used for commission of administrative violations valued up VND 25,000,000;
- e) To apply remedial measures for violations specified at points a, c, e, k, l, m and n Clause 3 Article 4 of this Decree.

5. Directors of provincial Police agencies have rights:

- a) To impose a caution;
- b) To impose a fine up VND 50,000,000;
- c) To deprive the right to use the environmental license with a definite duration or suspend operation with a definite duration;
- d) To confiscate material evidences and means used for commission of administrative violations valued up VND 50,000,000;
- e) To apply remedial measures for violations specified at points a, c, e, i, k, l, m and n Clause 3 Article 4 of this Decree.

6. Director of Police Department for prevention and combat against environmental crimes and Director of Entry and Exit Administration Department on duty have rights:

- a) To impose a caution;
- b) To impose a fine up VND 1,000,000,000;

- c) To deprive the right to use the environmental license with a definite duration or suspend operation with a definite duration;
- d) To confiscate material evidences and means used for commission of administrative violations;
- e) To apply remedial measures for violations specified at points a, c, e, i, k, l, m and n Clause 3 Article 4 of this Decree.

Article 52. Competence of specialized Inspectorate in sanctioning administrative violations

1. Environmental protection-specialized inspectors, persons assigned implementation of environmental protection specialized inspection task of the provincial Departments of Natural Resources and Environment, the Vietnam Environment Administration, Ministry of Natural Resources and Environment on duty have rights:

- a) To impose a caution;
- b) To impose a fine up VND 500,000;
- c) To confiscate material evidences and means used for commission of administrative violations valued up VND 500,000;
- d) To apply remedial measures for violations specified at points a, c, e, k, l, m and n Clause 3 Article 4 of this Decree.

2. The Chief Inspector of provincial Departments of Natural Resources and Environment and equivalent titles assigned to perform function of environmental protection specialized inspection by Government have rights:

- a) To impose a caution;
- b) To impose a fine up VND 50,000,000;
- c) To deprive the right to use the environmental license with a definite duration or suspend operation with a definite duration;
- d) To confiscate material evidences and means used for commission of administrative violations valued up VND 50,000,000;
- e) To apply remedial measures for violations specified at Clause 3 Article 4 of this Decree.

3. Director of Pollution Control Department and equivalent titles, who are assigned to perform function of environmental protection specialized-inspection by Government, shall have rights:

- a) To impose a caution;
- b) To impose a fine up VND 250,000,000;
- c) To deprive the right to use the environmental license with a definite duration or suspend operation with a definite duration;
- d) To confiscate material evidences and means used for commission of administrative violations valued up VND 250,000,000;
- e) To apply remedial measures for violations specified at Clause 3 Article 4 of this Decree.

4. The Chief Inspector of the Ministry of Natural Resources and Environment, and Director General of the Vietnam Environment Administration shall have rights:

- a) To impose a caution;
- b) To impose a fine up VND 1,000,000,000;

- c) To deprive the right to use the environmental license with a definite duration or suspend operation with a definite duration;
- d) To confiscate material evidences and means used for commission of administrative violations;
- e) To apply remedial measures for violations specified at Clause 3 Article 4 of this Decree.

5. Heads of environmental protection specialized inspection teams of the Ministry of Natural Resources and Environment have sanction competence as prescribed at Clause 3 this Article.

Heads of environmental protection specialized inspection teams of the provincial Departments of Natural Resources and Environment, the Vietnam Environment Administration and state management agencies assigned implementation of environmental protection specialized-inspection have sanction competence as prescribed at Clause 2 this Article.

Article 53. Sanction competence of other forces

Border Guard, Maritime Police, Customs, Forest Ranger, market management, tax agencies, Maritime Port Authorities, Inland water way Port Authorities have right to sanction under their competence as prescribed in Articles 40, 41, 42, 43, 44, 45 and 47 of Law on handling administrative violations for administrative violations in domain of environmental protection involving domains managed by them and stated in this Decree.

Article 54. Delimitation of competence on sanctioning administrative violations in domain of environmental protection

1. Delimitation of competence on sanctioning administrative violations in domain of environmental protection of forces shall be specified as follows:

- a) Forest ranger forces have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection involving ranger operation, specified in Articles 41, 42, 43, 44, 45, 46, 47, 48 and 49 of this Decree;
- b) Maritime Port Authorities shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection involving maritime operation, specified in Articles 29, 35, 36 and 49 of this Decree;
- c) Inland Waterway Port Authorities shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection in inland waterway areas, specified in Articles 35, 36 and 49 of this Decree;
- d) Border Guard shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection, specified in Articles 29, 35, 36, 41, 42, 43, 44, 45, 46, 47, 48 and 49 of this Decree;
- e) Maritime Police shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection, which happen on sea areas, exclusive economic zones, areas in sovereignty of the Socialist Republic of Vietnam specified in Articles 13, 14, 15, 16, 19, 20; Clauses 7, 8, 9 and 10 Article 21; Clauses 6, 7, 8 and 9 Article 22; Articles 29, 35, 36, 41, 42, 43, 44, 45, 46, 47, 48 and 49 of this Decree;
- f) Custom agencies shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of

environmental protection involving custom operation, specified in Articles 25, 26, 27, 42, 45, 47, 48 and 49 of this Decree;

g) Market management agencies shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection involving market and goods management and purchase, sale and use of wild animals, specified in Articles 27, 28, 42, 45, 48 and 49 of this Decree;

h) Taxation agencies shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection involving tax, charge management, specified in Articles 37 and 49 of this Decree;

i) Border-gate Police shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection at border gates;

k) Police agencies of entry and exit management shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection involving exit and entry;

l) Commune-level police offices shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection, specified in Articles 20, 30, 41, 42, 43, 45, 48 and 49 of this Decree;

m) Commune-level police offices shall have competence to sanction administrative violations under their authority, in their domain and management, for administrative violations in domain of environmental protection, specified in Articles 20, 30, 31, 41, 42, 43, 45, 48 and 49 of this Decree;

n) The provincial Police agencies shall have competence to sanction administrative violations under their authority, in their domain and management as prescribed in this Decree, except for violations of administrative procedures and state management activities under duties of environmental protection state management agencies specified in Articles 8, 9, 10, 11 and 12; Clauses 1, 2, 3, 4, 5, 6, 7 and 8 Article 21; Clauses 1, 2, 3, 4, 5, 6 and 7 Article 22; Clause 1, 2, 3, 4, 5 and 6 Article 23; Clauses 1 and 2 Article 24, Articles 26, 27, 28, 34, 37, 38 and 40 of this Decree;

o) The Police agencies for prevention and combat against environmental crimes shall have competence to sanction administrative violations under their authority, in their domain and management as prescribed in this Decree, except for violations of administrative procedures and state management activities under duties of environmental protection state management agencies specified in Articles 8, 9, 10, 11 and 12; Clauses 1, 2, 3, 4, 5, 6, 7 and 8 Article 21; Clauses 1, 2, 3, 4, 5, 6 and 7 Article 22; Clauses 1, 2, 3, 4, 5 and 6 Article 23; Clause 1 and 2 Article 24, Articles 26, 27, 28, 34, 37, 38 and 40 of this Decree;

p) Chairpersons of the communal People's Committees shall have competence to sanction administrative violations in domain of environmental protection, under their authority and management, for violations specified in Articles 12, 19, 20, 30, 32, 41, 42, 43, 44, 45, 46, 47, 48 and 49 of this Decree;

q) Chairpersons of the district-level People's Committees shall have competence to sanction administrative violations in domain of environmental protection, under their powers and duties of environmental protection inspection and examination and management, for violations specified in Articles 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 38, 41, 42, 43, 44, 45, 46, 47, 48 and 49 of this Decree;

r) Chairpersons of the provincial People's Committees shall have competence to sanction administrative violations in domain of environmental protection, under their authority and management, for violations specified in this Decree;

s) The Chief Inspector of provincial Departments of Natural Resources and Environment and equivalent titles assigned to perform function of environmental protection specialized inspection by Government shall have competence to sanction administrative violations in domain of environmental protection, under their powers and duties of environmental protection inspection and examination in provinces and central-affiliated cities managed by them;

t) The Chief Inspector of Ministry of Natural Resources and Environment, Director General of the Vietnam Environment Administration, Director of the Pollution Control Department and equivalent titles assigned to perform function of environmental protection specialized inspection by Government shall have competence to sanction administrative violations in domain of environmental protection, under their powers nationwide.

2. Persons competent to administrative violation sanction in domain of environmental protection at an Article or a Clause of this Decree shall be entitled to perform professional measures, investigation, examination, inspection on environmental protection in scope of that Article or Clause of this Decree;

Article 55. Procedures for depriving the right to use of environmental license with a definite duration or suspending operation with a definite duration and procedures for examination, confirmation for finishing remedy of consequences of administrative violations

1. Procedures for depriving the right to use of environmental license with a definite duration or suspending operation with a definite duration for activities causing pollution, or production, business and service establishments causing environment pollution at section 1 Chapter II of this Decree shall comply with Law on handling of administrative violations.

2. For individuals and organizations which are deprived the right to use environmental license with a definite duration and have no activity of production, business and service involving environmental licenses, when ending time limit of depriving the right to use environmental license stated in sanction decision, persons competent to sanction shall hand environmental licenses to individuals and organizations which are deprived such environmental licenses.

3. For individuals and organizations which are deprived the right to use environmental license with a definite duration and suspended operation with a definite duration and related to activities of production, business and service causing environment pollution or establishments causing environment pollution, the provincial Departments of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with agencies of persons conducted sanction, the provincial Police Departments, the district-level People's Committees where the infringing individuals reside or infringing organizations locate and relevant agencies in organizing to seal workshops, machinery, equipment of such individuals, organizations on the beginning day of applying form of depriving right to use environmental license or suspending operation stated in decision on sanction. Individuals and organizations shall be entitled to operate again after competent state management agencies have been examined, inspected on environmental protection and make a confirmation for finishing remedy of consequences of administrative violations.

4. Procedures for inspection, confirmation for finishing remedy of consequences of administrative violations, applied to individuals and organizations which are deprived the right to use of environmental license or suspended activities of production, business and service before operating again in case where sanction is made by state agencies competent to examination, inspection on environmental protection are prescribed as follows:

- a) Before at least 15 (fifteen) working days, after expiring time for depriving the right to use environmental license or operation suspension, individuals and organizations conducting production, business or service activities must have written report, enclosed with dossiers, documents, data and results of analyzing waste sample which satisfy environmental technical regulations and are performed by functional units eligible for providing environmental observation service (if any) to prove that they have finished remedy of consequences of violations, and send such reports to agencies of persons conducted sanction;
- b) Within 5 (five) working days, after receiving report on result of finishing compliance of sanction decision, state agencies competent to inspection, examination on environmental protection shall examine remedy of consequences of violations in environmental protection according to content of decision on sanctioning administrative violations and conclusions of environmental protection examination and inspection (if any). Result of examining the remedy of consequences of violations must be presented in minutes according to form 01 in Annex part promulgated together with this Decree;
- c) In case where individuals or organizations have finished remedy of consequences of violations in environmental protection, within 5 (five) working days, after ending examination of remedy of violations, state agencies competent to examination, inspection on environmental protection shall issue decision on finishing remedy of consequences of violations on environmental protection and removing the sealing. Decision on finishing remedy of consequences of violations on environmental protection shall comply with Form 02 in Annex part promulgated together with this Decree;
- d) If individuals or organizations fail to finish remedy of consequences of violations of environmental protection, they shall continue remedy but not exceeding time limit stated in decision on sanction; if time for remedy is not sufficient, they shall request state agencies competent to examination, inspection on environmental protection for consideration and expansion to remedy; if they deliberately fail to implement remedy of violation, they shall be coerced for implementation as prescribed by law.

5. Procedures for inspection, confirmation for finishing remedy of consequences of administrative violations, applied to individuals and organizations which are deprived the right to use of environmental license or suspended activities of production, business and service before operating again in case where agencies or persons conducted sanction are not competent to examination, inspection on environmental protection shall be prescribed as follows:

- a) Before at least 15 (fifteen) working days, after expiring time for depriving the right to use environmental license or suspending operation, individuals and organizations having activities of production, business and service must have written report, enclosed with dossiers, documents, data and results of analyzing waste samples which satisfy environment technical regulations and are performed by functional units eligible for providing environmental observation service (if any) proving that they have finished remedy of consequences of violations to the Ministry of Natural Resources and Environment (if projects, establishments, concentrated production, business or service zones have been approved reports on environmental impact assessment by Ministries, Ministerial-level agencies), to the provincial Departments of Natural Resources and Environment (if projects, establishments, concentrated production, business or service zones under competence of approval for reports on environmental impact assessment of the provincial People's Committees or other projects, establishments, or production, business or service zones with output scale corresponding to subjects required to make reports on environmental impact assessment but having no procedures or dossier of environment) or to the district-level People's Committees (if establishments have size and output corresponding to subjects required to make commitments on environmental protection) and agencies of persons conducted sanction in order to

coordinate in inspection and supervision over remedy of consequences of violations in domain of environmental protection;

b) Within 5 (five) working days, after receiving report on result of finishing compliance of sanction decision, competent agencies prescribed at point a this clause shall assume the prime responsibility for, and coordinate with agencies of persons conducted sanction in inspecting remedy of consequences of violations in environmental protection according to content of decision on sanctioning administrative violations and conclusions of environmental protection examination and inspection (if any). Result of examining the remedy of consequences of violations must be presented in minutes according to form 01 in Annex part promulgated together with this Decree;

c) In case where individuals or organizations have finished remedy of consequences of violations in environmental protection, within 5 (five) working days, after ending examination of remedy of violations, competent agencies prescribed at point a this Clause shall issue decision on finishing remedy of consequences of violations on environmental protection, and the provincial Departments of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with the district-level People's Committees in removing the sealing for individuals or organizations able to operate again. Decision on finishing remedy of consequences of violations on environmental protection shall comply with Form 02 in Annex part promulgated together with this Decree;

d) If individuals or organizations fail to finish remedy of consequences of violations of environmental protection, they shall continue remedy but not exceeding time limit stated in decision on sanction; if time for remedy is not sufficient, they shall request competent agencies prescribed at point a this Clause for consideration and expansion to remedy; if they deliberately fail to implement remedy of violation, they shall be coerced for implementation as prescribed by law.

Article 56. Provision on minutes, competence to make minutes and decide on sanctioning administrative violations in domain of environmental protection

1. Minutes on administrative violations in domain of environmental protection shall be made according to Article 58 of Law on sanctioning administrative violations and Decree providing in details and measures to implement Law on handling of administrative violations.

2. Titles have competence to make minutes on administrative violations in domain of environmental protection include:

a) Persons competent to sanction administrative violations in domain of environmental protection on duty:

b) Civil servants, public employees who are on duty for environmental protection of the Ministry of Natural Resources and Environment, the Vietnam Environment Administration; the provincial Departments of Natural Resources and Environment, Sub-Departments of environmental protection and management board of economic zones, industrial parks, export processing zones of provinces and central-affiliated cities; Divisions of Natural Resources and Environment of the district-level People's Committees;

c) Civil servants on duty for environmental protection of sector managed by them of Ministries, Ministerial-level agencies;

d) Cadres, civil servants, public employees of communes, wards and towns on duty for environmental protection in areas managed by them;

e) Soldiers of People's Public Security, Polices of communes, wards and towns and cadres of public order on duty involving environmental protection at urban areas, apartment buildings, commercial, service areas or public place;

f) Cadres, civil servants, public employees of Forest Management Boards, Management Boards of national gardens, natural preservation zones, and biosphere reserve zones on duty for environmental protection.

Persons competent to make minutes on administrative violations prescribed at this Clause, when detecting administrative violations in domain of environmental protection, must timely make minutes to sanction or transfer to persons competent to sanction as prescribed by law on handling of administrative violations and this Decree.

3. Form of minutes and form of decision used in sanction of administrative violations in domain of environmental protection shall comply with Decree providing in details and measures to implement Law on handling of administrative violations.

Chapter 3.

FORM OF HANDLING ESTABLISHMENTS CAUSING SERIOUS ENVIRONMENTAL POLLUTION; ANNOUNCING PUBLICLY INFORMATION OF ADMINISTRATIVE VIOLATIONS IN DOMAIN OF ENVIRONMENTAL PROTECTION

Article 57. Form of handling establishments causing serious environmental pollution

1. Establishments causing seriously environmental pollution and committed acts of administrative violations in domain of environmental protection, apart from being sanctioned administratively, shall be applied one of the following handling forms:

- a) Forcible relocation to other place in line with planning and environmental load;
- b) Operation ban.

2. Establishments which are applied form of forcible relocation:

- a) Establishments of production, warehouses which are sanctioned administratively as prescribed at Clause 2 Article 30 of this Decree;
- b) Establishments in list of establishments causing serious environmental pollution subject to relocation under decision of competent agencies.

3. Establishments banned operation:

- a) Establishments which have been suspended activities causing environment pollution or suspended their operation and in time of 03 years, From the day of issuing decision, already finished remedy of consequences caused by administrative violations, but continue causing environment pollution;
- b) Establishments in list of establishments causing serious environmental pollution shall be banned operation under decision of competent agencies.

Article 58. Competence of and procedures for applying form of forcible relocation

1. Competence of applying form of forcible relocation:

- a) The Prime Minister shall decide application of form of forcible relocation for establishments under competence for approving investment guideline of the Prime Minister;
- b) Chairpersons of the provincial People's Committees shall decide application of form of forcible relocation for establishments in their localities, except for cases under competence to decide on application of form of forcible relocation of the Prime Minister specified at point a this Clause.

2. Procedures for applying form of forcible relocation for cases specified at point a Clause 2 Article 57 of this Decree:

a) If chairpersons of the provincial People's Committees issue decisions on sanction of administrative violations for establishments committed violations specified at Clause 2 Article 30 of this Decree, within 20 (twenty) working days, after issuing decision on sanction of administrative violations, chairpersons of the provincial People's Committees shall direct the provincial Departments of Natural Resources and Environment to assume the prime responsibility for, and coordinate with relevant agencies in completing dossier and submitting chairpersons of the provincial People's Committees. Within 20 (twenty) working days, after receiving dossier, chairpersons of the provincial People's Committees shall consider and decide on application of form of forcible relocation under authority or send written proposal enclosed with decision on sanction and one set of dossier of case to the Minister of Natural Resources and Environment, for establishments forced relocation under decision authority of the Prime Minister.

b) If the Chief Inspector of the Ministry of Natural Resources and Environment, Director of Pollution Control Department and equivalent titles who are assigned to perform function of environmental protection specialized inspection by Government, Director general of the Vietnam Environment Administration, Director of Police Department for prevention and combat against environmental crimes and other person competent to sanction issue decision on sanction of administrative violations in which establishments are coerced to apply form of forcible relocation, within 05 (five) working days, from the day of issuing decision on sanction of administrative violations must send written proposal enclosed with decision on sanction and a set of dossier of case to the provincial People's Committees where establishment locate for case of forcible relocation under application authority of chairpersons of the provincial People's Committee or send written proposal enclosed with decision on sanction and a set of dossier of case to the Minister of Natural Resources and Environment for cases of forcible relocation under decision authority of the Prime Minister;

c) Within 20 (twenty) working days, after receiving dossier stated at point a and point b this Clause, chairpersons of the provincial People's Committees shall consider and decide on application of form of forcible relocation for establishments under their authority;

d) Within 20 (twenty) working days, after receiving dossier stated at point a and point b this Clause, the chairpersons Minister of Natural Resources and Environment shall consider and submit to the Prime Minister for decision on applying form of forcible relocation of establishments under decision authority of the Prime Minister.

Within 30 (thirty) working days, after receiving dossier, the Prime Minister shall consider and decide on application of form of forcible relocation;

e) Decision on applying form of forcible relocation must state clearly reason thereof, the beginning time of application of form of forcible relocation, time limit for finishing relocation, agencies supervising implementation and responsibilities of establishments coerced to apply form of forcible relocation. Decision on applying form of forcible relocation shall comply with form 03 in Annex part promulgated together with this Decree.

Within 03 (three) working days, from the day of issuing, decision on applying form of forcible relocation must be sent to establishment subject to forcible relocation, the Prime Minister, the Ministry of Natural Resources and Environment, the provincial People's Committees where establishments coerced relocation locate and relevant agencies.

3. For cases applied form of forcible relocation as prescribed at point b Clause 2 Article 57 of this Decree, within 30 (thirty) working days, from the day of issuing decision on promulgating list of establishments causing serious environment pollution of competent persons, chairpersons of the provincial People's Committees shall organize execution of decision on applying form of forcible relocation for establishments in their management localities.

4. Chairpersons of the provincial People's Committees shall direct the provincial Departments of Natural Resources and Environment to assume the prime responsibility for, and coordinate with the provincial Police agencies, the district-level People's Committees where establishments locate and relevant agencies in supervising relocation of the establishments which are coerced relocation.

In time limit for implementing decision on coercing forcible relocation, establishments subject to forcible relocation must suspend their activities as prescribed in this Decree. In this case, chairpersons of the provincial People's Committees may issue a decision including application of form of suspending operation and coercive measures of forcible relocation.

5. Content of decision on applying form of forcible relocation as stated in this Article must be published on website of the provincial Departments of Natural Resources and Environment, the provincial People's Committees, the Vietnam Environment Administration, Ministry of Natural Resources and Environment and published in three consecutive issues on newspaper of Natural Resources and Environment.

Article 59. Competence of and procedures for applying form of operation ban

1. Competence of applying form of operation ban:

a) The Prime Minister shall decide application of form of operation ban for establishments under competence for approving investment guideline of the Prime Minister;

b) Chairpersons of the provincial People's Committees shall decide application of form of operation ban for establishments in their localities, except for cases under competence to decide on application of form of operation ban of the Prime Minister specified at point a this Clause.

2. Procedures for applying form of operation ban for cases specified at point a Clause 3 Article 57 of this Decree:

a) Within 20 working days after detecting establishments falling in cases defined at point a clause 3 article 57 of this Decree, the provincial Departments of Natural Resources and Environment or persons competent to sanction of administrative violations defined at point b Clause 2 Article 58 of this Decree must make dossier to report to chairpersons of the provincial People's Committees where establishment locate;

b) Within 20 (twenty) working days, after receiving report of the provincial Departments of Natural Resources and Environment or persons competent to sanction on administrative violations specified at point b Clause 2 Article 58 of this Decree, chairpersons of the provincial People's Committees shall decide on application of form of operation ban for establishments under their authority or send written proposal enclosed with one set of dossier of case to the Minister of Natural Resources and Environment, for cases of operation ban under decision authority of the Prime Minister;

c) Within 30 (thirty) working days, after receiving dossier, the Minister of Natural Resources and Environment shall consider and submit to the Prime Minister for decision on applying form of operation ban for establishments;

d) Within 30 (thirty) working days, after receiving dossier, the Prime Minister shall consider and decide on applying form of operation ban for establishments;

e) Decisions on applying form of operation ban must be stated clearly thereof, time for ending operation, time limit for implementing measures to solve matters arising when establishments banned operation, agencies supervising implementation and responsibilities of establishments coerced to apply form of operation ban. Decision on applying form of operation ban shall comply with form 04 in Annex part promulgated together with this Decree.

Within 03 (three) working days, from the day of issuing, decision on applying form of operation ban must be sent to establishments subject to being banned operation, the Prime Minister, the Ministry of Natural Resources and Environment, the provincial People's Committees where establishments coerced relocation locate and relevant agencies.

3. For cases applied form of operation ban as prescribed at point b Clause 3 Article 57 of this Decree, within 30 (thirty) working days, from the effective day of issuing decision on promulgating list of establishments causing serious environment pollution of competent persons, chairpersons of the provincial People's Committees shall organize execution of decision on applying form of operation ban for establishments in their management localities.

4. Chairpersons of the provincial People's Committees shall direct the provincial Departments of Natural Resources and Environment to assume the prime responsibility for, and coordinate with the provincial Police agencies, the district-level People's Committees where establishments locate and relevant agencies in supervising implementation of decision on applying form of operation ban for establishments.

5. Content of decision on applying form of operation ban as stated in this Article must be published on website of the provincial Departments of Natural Resources and Environment, the provincial People's Committees, the Vietnam Environment Administration, Ministry of Natural Resources and Environment and published in three consecutive issues on newspaper of Natural Resources and Environment.

6. Establishments banned operation must realize measures to relocate, preserve, handle which satisfy technical regulations for flammable substances, explosive substances, substances containing highly radioactive or radiational substances, substances harmful to human health, and cattle, poultry, emitting odors adversely affecting human health and solve concerned matters arising where establishments banned operation as prescribed by law.

7. Coercing implementation of decisions on applying form of operation ban: Expiring for completion of operation ban, if establishments subject to application of form of operation ban fail to terminate their operation, chairpersons of the provincial People's Committee shall issue decision on coercion and organize implementation of coercion.

Article 60. Announcing publicly information of pollution and administrative violations in domain of environmental protection

1. Subjects which are announced publicly information:

a) Individuals and organizations committing acts of administrative violations which are deprived right to use environmental license or suspended activities causing environmental pollution and suspended operation of establishments shall be announced publicly information of administrative violations in domain of environmental protection;

b) Establishments which are applied form of forcible relocation and operation ban.

2. Form of announcing publicly on website or newspaper of the Ministry of Natural Resources and Environment, the Vietnam Environment Administration, the provincial Departments of Natural Resources and Environment, the provincial People's Committees where administrative violations occur or management agencies of competent persons committed sanction of administrative violations.

Article 61. Competence of and procedures for applying disclosure of information of pollution and administrative violations in domain of environmental protection

1. Agencies of persons competent to sanction on violations specified at point a Clause 1 Article 60, persons competent to decision on applying form of forcible relocation, operation ban shall disclose publicly information of pollution and administrative violations in domain of environmental protection.

Heads of agencies of persons issued decisions on sanction on administrative violations, persons competent to decision on forcible relocation, operation ban shall send written notice of publicly disclosure and copy of decision on sanction of administrative violations, decision on forcible relocation, operation ban, for establishments to persons in charge of websites or newspaper of management agencies of Ministries, provincial Departments or provincial People's Committees where violations occur within 03 (three) working days, from day of issuing decision on sanction, decision on forcible relocation, operation ban.

2. Content of information required disclosure includes: Business registration name, commercial name, name of infringing organization or individual, main operation and business field; address of head office of business or service establishments, organizations committing violations, act of administrative violation in domain of environmental protection; process of violation and consequences due to violations; form of handling, remedy measures, remedy duration.

3. Heads of agencies responsible for publicly disclosure, must be responsible for correcting the misleading information within 01 (one) working day, after detecting or receiving requirements for correcting and must bear cost for correcting.

Persons in charge of website or newspaper publishing information must publish news within 01 (one) working day for website or issue of newspaper following time of receiving requirement; if websites or newspaper publish incorrectly information specified at Clause 2 this Article, they shall correct the misleading information within 01 (one) working day for websites or the next issue of newspaper and must bear cost for correcting.

4. In decisions on sanction of administrative violations, decision on forcible relocation, operation ban, they must clearly state measures of publicly disclosure on means of mass media on sanction for the infringing individuals and organizations, content of information, name of newspaper or website for publishing publicly information.

5. Newspapers, agencies in charge of website, when receiving written request for information disclosure shall publish fully contents of information required disclosure at issue of newspaper or nest time of publishing on website.

6. In case where the publicly disclosure of sanction fail to be implemented on the prescribed time due to force majeure causes, persons competent to publicly disclosure of sanction must report to direct superior heads and must conduct publicly disclosure of sanction after the force majeure events have been remedied.

7. Funding for publicly disclosing information of environmental protection shall be covered by environmental non-business expenditures, regular expenditures of agencies, units where persons issued decision on publicly disclosing work.

Chapter 4.

ENFORCING THE IMPLEMENTATION OF DECISIONS ON SANCTIONING ADMINISTRATIVE VIOLATIONS, DECISIONS ON FORCIBLE RELOCATION, OPERATION BAN APPLIABLE TO ESTABLISHMENTS CAUSING SERIOUS ENVIRONMENT POLLUTION

SECTION 1. ENFORCING THE IMPLEMENTATION OF DECISIONS ON SANCTIONING ADMINISTRATIVE VIOLATIONS IN DOMAIN OF ENVIRONMENTAL PROTECTION

Article 62. Coercive measures to execute decisions on sanction

Coercive measures for decisions on sanctioning administrative violations in domain of environmental protection shall be performed according to Clause 2 Article 86 of Law on handling administrative violations. In case of coercing decisions on operation suspension with

a definite time, other coercive measures prescribed at Clause 1 Article 64 of this Decree are also applied.

Article 63. Enforcing decisions on sanction

Competence, content, order of, procedures for, and organization of enforcing the implementation of decisions on sanctioning administrative violations in domain of environmental protection shall be performed as prescribed by law on handling administrative violations.

SECTION 2. COERCING IMPLEMENTATION OF DECISIONS ON FORCIBLE RELOCATION, OPERATION BAN FOR THE PRODUCTION, BUSINESS OR SERVICE ESTABLISHMENTS

Article 64. Coercive measures, cases of coercion and competence to decide on coercion for forcible relocation, operation ban applicable to establishments (hereinafter collectively referred to as coercion for forcible relocation, operation ban)

1. Coercive measures for forcible relocation and operation ban:

- a) Ceasing the provision of electricity, water and concerned services;
- b) Coercive dismantlement of works, machinery, equipment;
- c) Blocking deposit accounts;
- d) Revoking tax identification numbers or stopping the use of invoices;
- e) Revoking business registration certificates, establishment and operation licenses or practice licenses.

2. Establishments which fail to observe forcible relocation or operation ban decisions shall be coerced as follows:

- a) Being applied any or several of the measures specified at Points a and b Clause 1 of this Article to coerce the enforcement of forcible relocation decisions;
- b) Being applied any or several of the measures specified at Clause 1 of this Article to coerce the enforcement of operation ban decisions.

3. Competence to decide on coercion for forcible relocation and operation ban:

Chairpersons of the provincial People's Committees shall issue decision on enforcing the implementation of the forcible relocation, operation ban decisions for establishments under their competence and competence of the Prime Minister.

Article 65. Decision on coercion for forcible relocation and operation ban

1. Coercion for the implementation of forcible relocation, operation ban decisions may be conducted only after obtaining forcible relocation or operation ban coercion decisions.

2. A forcible relocation or operation ban coercion decision contains the following principal details: Date of issuing decision; grounds for issuing coercion decision; full name, position and unit of the issuer; name of the establishment and address of the head office of the entity subject to coercion; reasons for coercion; coercion measures; time and place of coercion; responsible and coordinating agencies in the implementation of the coercion decision; organizations and individuals involved in the implementation of the coercion decision; signature of the issuer; and seal of the agency issuing coercion decision. Decision on enforcing the implementation of decisions on applying form of forcible relocation, operation ban made according to form 05 in Annex part promulgated together with this Decree.

3. A forcible relocation or operation ban coercion decision must be sent to the entity subject to coercion and relevant organizations and individuals within 05 (five) working days before coercion; and to the Ministry of Natural Resources and Environment.

Article 66. Procedures for issuing decision on forcible relocation and/or operation ban coercion

1. Coercing implementation of decisions on applying form of forcible relocation:

a) Past the time of finishing relocation, if the establishment has not yet finished relocation, the provincial-level Natural Resources and Environment Department shall request the provincial-level People's Committee chairperson to issue a forcible relocation coercion decision;

b) Within 15 (fifteen) working days after receiving the provincial-level Natural Resources and Environment Department's request dossier, the provincial-level People's Committee chairperson shall issue a forcible relocation coercion decision.

2. Coercing implementation of decisions on applying form of banning operation:

a) Past the time for completing the operation ban, if the establishment has not yet ceased operation, the provincial-level Natural Resources and Environment Department shall request the provincial-level People's Committee chairperson to issue an operation ban coercion decision.

b) Within 15 (fifteen) working days after receiving the provincial-level Natural Resources and Environment Department's request dossier, the provincial-level People's Committee chairperson shall issue a operation ban coercion decision.

Article 67. Responsibility to organize the enforcement of coercion decisions on operation suspension, forcible relocation, operation ban

1. Chairpersons of the provincial People's Committees shall direct the enforcement of coercion decisions on operation suspension, forcible relocation, operation ban.

The provincial Departments of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with the provincial Police agencies, the district-level People's Committees where establishments locate and relevant agencies in organizing implementation of coercion decisions on operation suspension, forcible relocation, or operation ban.

2. The district-level People's Committees where establishments enforced operation suspension, forcible relocation or operation ban locate shall direct relevant agencies to coordinate in coercing operation suspension, forcible relocation, or operation ban.

3. People's police forces shall maintain order and safety during coercion and arrange forces to promptly prevent acts that cause disorder or resist persons on duty in the course of enforcement of coercion decisions on operation suspension, forcible relocation or operation ban.

Article 68. Responsibilities of concerned organizations and individuals in implementing coercion decisions on operation suspension, forcible relocation or operation ban

1. Organizations and individuals related to entities subject to coerced enforcement of operation suspension, forced relocation or operation ban decisions shall coordinate with one another in coercing operation suspension, forced relocation or operation ban upon request.

2. Persons competent to sign contracts to provide electricity, water and relevant services shall cease providing services to establishments subject to coercion from the time of coercion indicated in coercion decisions on operation suspension, forcible relocation or operation ban.

3. State treasuries, commercial banks and other credit institutions shall take measures to block deposit accounts from the time of coercion indicated in coercion decisions on operation suspension, forcible relocation or operation ban.

4. Heads of tax agencies shall revoke tax identification numbers or stop the use of invoices from the time of coercion indicated in coercion decisions on operation suspension, forcible relocation or operation ban.

5. Competent state agencies shall revoke business registration certificates, establishment and operation licenses or practice licenses under law from the time of coercion indicated in coercion decisions on operation suspension, forcible relocation or operation ban.

Article 69. Statute of limitations for enforcing coercion decisions on forcible relocation or operation ban

1. Competent persons shall decide on the statute of limitations for enforcing decisions coercing the enforcement of forcible relocation decisions, which shall be indicated in forcible relocation coercion decisions.

2. A decision coercing the enforcement of an operation ban decision ceases to be effective from the time an establishment completes the procedures for its dissolution.

Article 70. Responsibilities of relevant Ministries and sectors in applying form of forcible relocation and operation ban to the establishments

The Minister of Natural Resources and Environment, Ministers, Heads of ministerial-level agencies, within scope of their duties and powers shall coordinate with chairpersons of the provincial People's Committees in applying form of forcible relocation and operation ban to the establishments.

Article 71. Minutes and decisions on coercion for forcible relocation and operation ban

To promulgate together with this Decree the Annex of several forms of minutes and forms of decision used in inspection, confirmation of remedy of consequences due to violations and forcible relocation, operation ban for establishments causing serious environment pollution.

Chapter 5.

IMPLEMENTATION PROVISIONS

Article 72. Transitional provisions

1. Acts of administrative violations which have been made minutes of administrative violations in domain of environmental protection before the effective day of this Decree shall be sanctioned according to the Government's Decree No. 117/2009/ND-CP dated December 31, 2009, on handling violations in domain of environmental protection.

2. Acts of administrative violations which have been committed or detected before the effective day of this Decree but minutes of administrative violations in domain of environmental protection have not yet been made; sanction shall comply with this Decree.

Article 73. Effect

1. This Decree takes effect on December 30, 2013.

2. The Government's Decree No. 117/2009/ND-CP dated December 31, 2009, on handling violations in domain of environmental protection shall cease to be effective on the effective date of this Decree.

Article 74. Responsibilities for guide and execution

1. The Minister of Natural Resources and Environment shall, within scope of its function, tasks and powers, guide and detail several articles and organize implementation of this Decree.
2. The Minister of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with the Minister of Public Security in stipulating on coordination between state management agencies in domain of environmental protection and Police forces for prevention and combat against environmental crimes in inspection, examination, prevention and combat against crimes and handling of administrative violations in domain of environmental protection.
3. Ministers, Heads of ministerial-level agencies, Heads of Governmental agencies, Chairpersons of the provincial/municipal People's Committees shall implement this Decree.

**ON BEHALF OF THE GOVERNMENT
THE PRIME MINISTER**

Nguyen Tan Dung