**DECREE**

AMENDING AND SUPPLEMENTING A NUMBER OF ARTICLES OF DECREES PROVIDING FOR SANCTIONING ADMINISTRATIVE VIOLATIONS IN THE MARITIME DOMAIN; ROAD AND RAILWAY TRAFFIC; CIVIL AVIATION

*Pursuant to the Law on Organization of the Government dated June 19, 2015; Law amending and supplementing a number of articles of the Law on Organization of the Government and the Law on Organization of Local Governments dated November 22, 2019;*

*Pursuant to the Law on Handling of Administrative Violations dated June 20, 2012 and the Law amending and supplementing a number of articles of the Law on Handling of Administrative Violations dated November 13, 2020;*

*Pursuant to the Maritime Code of Vietnam dated November 25, 2015;*

*Pursuant to the Law on Civil Aviation of Vietnam dated June 29, 2006 and the Law amending and supplementing a number of articles of the Law on Civil Aviation of Vietnam dated November 21, 2014;*

*Pursuant to the Law on Road Traffic dated November 13, 2008;*

*Pursuant to the Law on Railways dated June 16, 2017;*

*At the request of the Minister of Transport;*

*The Government promulgates a Decree amending and supplementing a number of articles of Decrees providing for sanctioning administrative violations in the maritime domain; road and railway traffic; civil aviation.*

**Article 1. Amending, supplementing and annulling a number of articles of the Government's Decree No. 142/2017/ND-CP dated December 11, 2017 on sanctioning administrative violations in the maritime sector**

1. Clauses 2 and 3 of Article 1 are amended as follows:

"2. Acts of administrative violation in the maritime domain specified in this Decree include:

a) Violating regulations on construction, management and operation of maritime infrastructure;

b) Violating regulations on construction, management and operation of inland clearance depots;

c) Violating regulations on operation of ships;

d) Violating regulations on registration and deregistration of ships and arrangement of crew members; use of professional certificates and crew books;

dd) Violating regulations on maritime pilotage;

e) Violating regulations on business activities of sea transport, multi-modal transport, sea transport support services and provision of maritime safety assurance services;

g) Violations against regulations on operation conditions of establishments building, converting and repairing ships and dismantling of ships;

h) Violating regulations on container safety;

i) Violating regulations on maritime search and rescue activities; salvage of sunken property and maritime signaling;

k) Violating regulations on training and training of seafarers;

l) Violating regulations on prevention of marine environmental pollution;

m) Violating regulations on maritime labor; declaration of maritime occupational accidents;

n) Violating regulations on natural disaster prevention and control in the maritime domain;

o) Violations against regulations on prevention and control of infectious diseases in the maritime domain.

3. Acts of violation specified in Clause 2 of this Article, if they occur outside the seaport waters but have not yet been prescribed in the Decree on sanctioning of administrative violations on the seas, islands and continental shelves of the Socialist Republic of Vietnam, shall also be sanctioned according to the provisions of this Decree.".

2. Clauses 2a and 2b are added after Clause 2, Article 2 as follows:

"2a. Organizations specified in Clause 1 of this Article include:

a) Economic organizations established in accordance with law;

b) Social organizations, socio-political organizations, socio-professional organizations, socio-political and professional organizations;

c) Non-business units and other organizations as prescribed by law.

2b. Business households must register their business in accordance with the provisions of law and households that commit acts of administrative violation specified in this Decree shall be sanctioned the same violations as individuals.".

3. Article 3 is amended as follows:

**"Article 3. Statute of limitations for sanctioning administrative violations**

The statute of limitations for sanctioning administrative violations in the maritime domain is 01 year; Particularly for acts of administrative violation on construction of seaports, inland clearance depots, maritime works, environmental protection, price management, management of overseas labor, the statute of limitations for sanctioning is 02 years.".

4. Article 3a is added after Article 3 as follows:

**"Article 3a. The administrative violation has ended, the administrative violation is being carried out**

1. Completed acts of administrative violation include the following acts of administrative violation:

a) Acts of violating the regulations on goods classification at Point a, Clause 1, Clause 2, Clause 3, Article 16 of this Decree. The time of termination of the violation is calculated from the time of detecting the act of carrying goods in excess of the tonnage (volume of goods carried) allowed to participate in traffic of the vehicle;

b) Acts detected through professional technical means and equipment. The time of termination of the violation shall be counted from the time the professional technical means and equipment record the violation;

c) Acts of administrative violation specified in this Decree that do not fall into the cases specified at Points a and b of this Clause but have been committed before the time the competent person detects the violation. In case there are no documents and evidences to determine the exact time of termination of the violation, these violations are still determined to be within the statute of limitations for sanctioning administrative violations.

2. Acts of administrative violation specified in this Decree other than those specified in Clause 1 of this Article are acts of administrative violation being committed.".

5. To amend and supplement a number of clauses of Article 4 as follows:

a) Clause 2 of Article 4 is amended as follows:

"2. Based on the nature and seriousness of their violations, organizations and individuals that commit acts of violation may also be subject to one or more of the following additional sanctioning forms:

a) Deprivation of the right to use licenses or practice certificates for a definite term;

b) Suspension of operation for a definite time;

c) Confiscation of material evidences and means of administrative violations, including: certificates, certificates, permits, permits, certificates and papers that are erased, modified to falsify the contents or not issued by competent agencies and means used for administrative violations.".

b) Clause 3 of Article 4 is amended as follows:

"3. In addition to the remedial measures specified at Points a, b and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations, this Decree prescribes the following remedial measures:

a) Forcible arrangement of sufficient seaport security officers as prescribed; to arrange a sufficient number of pilots or the minimum number of vehicles as prescribed; arrange maritime pilots to guide ships in accordance with the certificates of professional competence of maritime pilots or certificates of operation areas of maritime pilots; to use or arrange sufficient means of transporting and picking up pilots as prescribed or to use means of transporting and picking up pilots to ensure safe conditions; arrange rest time for seafarers as prescribed; arrange for seafarers to return home according to the prescribed time;

b) Forcible preparation of an approved seaport security plan as prescribed;

c) Forcible inspection of the quality of port infrastructure within the prescribed time limit or after a collision or collision incident affecting the structure of maritime works;

d) Forcible removal or lowering of goods that are overloaded or oversized or under the guidance of functional forces at the place where the violation is detected;

dd) Forcible installation of life-saving equipment or appropriate life-saving equipment as prescribed;

e) Forcible establishment of adequate and appropriate navigational signals as prescribed;

g) Forcible relocation of bottoms, raft cages or means of fishing, aquaculture or exploitation of natural resources in seaport waters or navigational channels in contravention of prescribed positions;

h) Forcible remediation of the dredging supervision system on vehicles participating in the transportation and dumping of dredged materials during construction must ensure ready and continuous operation;

i) Forcible installation of the dredging supervision system on the vessels participating in the transportation and dumping of dredged materials during construction;

k) Forcible preparation or proper implementation of maritime safety assurance plans and traffic safety assurance plans approved by competent agencies;

l) Forcible formulation of a plan on protection of marine works or organization of implementation of the approved plan on protection of marine works; develop natural disaster response plans according to regulations;

m) Forcible change or modification of the name of the inland clearance depot in accordance with the name announced by the competent agency;

n) Forcible declaration of additional information and correction;

o) Forcible payment of maritime charges and fees and other relevant sums as prescribed; reimbursement of expenses for salvage of sunken property as prescribed;

p) Forcible removal of obstacles on the wharf surface at the prescribed places; relocating from the operation area inconsistent with the operating ship class;

q) Forcible departure of ships and boats with a number of people in excess of the prescribed number; seafarers must leave the ship, for violations of arranging foreign seafarers to work on Vietnamese ships;

r) Forcible implementation of safety measures for acts of transporting oversized and overweight cargoes;

s) Forcible declaration of full and accurate information on disembarkation and disembarkation of ships and assignment of titles for seafarers by electronic means to the seafarer management database of the Vietnam Maritime Administration as prescribed;

t) Forcible carrying out procedures for registration of flying the Vietnamese flag as prescribed; carry out procedures for deregistration of ships as prescribed;

u) Forcible provision of full and timely pilotage services in compulsory maritime pilotage zones or on assigned ship navigation routes; provide necessities, food and food for seafarers working on ships; providing funds for repatriated seafarers;

u) Forcible fulfillment of responsibilities of ship owners for seafarers suffering from occupational accidents or occupational diseases; purchase compulsory insurance for seafarers working on the ship;

v) Forcible re-conclusion of seafarer labor contracts in accordance with work permits;

x) Forcible correction of information on the location and status of vessels in operation in case of natural disasters;

y) Forcible payment of funds for solicitation of expertise, inspection, measurement and analysis of environmental samples in case of violations to cause oil spills or environmental pollution according to current norms and unit prices.".

c) Clause 5 is added after Clause 4, Article 4 as follows:

"5. For acts of administrative violation related to ships that do not have information to calculate the conversion of the total tonnage of ships specified in Clause 4 of this Article, the methods of determining the gross tonnage and capacity of ships to apply sanctions are as follows:

a) The gross tonnage of the vessel is T (ton) and is calculated according to the formula T = A x K, in which:

- A is the value of the measurement of the length of the main deck, measured from the bow to the steering of the vessel multiplied by the measurement of the width of the deck edge in the middle of the ship multiplied by the measurement of the horizontal height, measured from the bottom to the deck in the middle of the ship, calculated according to the formula A = L x B x D, in which:

L (m): The length of the main deck measured from the bow to the end of the steering of the boat;

B (m): The width of the edge of the deck measured in the middle of the boat;

D (m): The height of the side from the bottom to the deck in the middle of the boat;

- K is the coefficient corresponding to the value A and applies as follows:

The value of A is from 4.55 m3 to 18.76 m3, then the coefficient K = 0.26;

If the value of A is from over 18.76 m3 to 49.80 m3, the coefficient K = 0.29;

If the value of A is from over 49.80 m3 to 387.20 m3, the coefficient K = 0.35;

If the value of A is from over 387.20 m3 to 1,119.80 m3, the coefficient K = 0.51;

The value of A is over 1,119.80 m3, the coefficient K = 0.57.

b) If the ship is not a ship transporting goods or passengers, the sanctioning form and level shall be applied based on the total capacity of the main engine installed on the ship. In case there is no basis for determining the power of the main engine installed on the ship and without a label, the sanctioning level according to the engine capacity of 50 horsepower shall be applied;

c) In case the gross tonnage cannot be determined as prescribed at Point a, Clause 5 of this Article, the competent person shall request the Registry to determine the gross tonnage of the ship as a basis for issuing a decision on sanctioning administrative violations;

d) For vessels such as floating wharves or other floating structures on which hoeing and suction construction equipment is placed for dredging channels, mineral exploitation, loading and unloading of cargoes, if there are insufficient grounds for determining the gross tonnage or capacity of the vessel, it shall be determined as follows:

A ship with a maximum length of up to 10 meters or a maximum width of up to 4 meters is defined as a ship with a gross tonnage of between 5 tons and 15 tons;

Vessels with the largest length of over 10 meters or the largest width of over 4 meters shall be determined as vessels with a gross tonnage of over 15 tons;

The length of the vessel shall be calculated from the outermost point of the nose of the vessel to the outermost point of the steer of the vessel or from the two outermost points of the vessel where there is the largest cross-section on the deck;

The width of the vessel is calculated from the edge of the deck on one side to the edge of the deck on the other, in the position with the largest size."

6. Article 7 is amended as follows:

**"Article 7. Violations against regulations on announcement of opening of seaports, offshore oil and gas ports, harbors and wharves**

1. A fine of between VND 5,000,000 and VND 10,000,000 shall be imposed for making false declarations of information in dossiers of request for announcement of opening of seaports, offshore oil and gas ports, harbors and wharves.

2. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for acts of using certificates, certificates, permits, permits, certificates or papers that are erased or modified to falsify their contents or are not issued by competent agencies in dossiers of request for announcement of seaport opening, offshore oil and gas ports, harbors, wharves.

3. Additional sanctions: Confiscation of certificates, certificates, permits, permits, certificates and papers that are erased, modified to falsify the contents or not issued by a competent agency, for the violations specified in Clause 2 of this Article.".

7. To amend and supplement a number of points and clauses of Article 10 as follows:

a) Point i and Point k are added after Point h, Clause 5, Article 10 as follows:

"i) Failing to keep sufficient dossiers in service of management, operation and maintenance of marine works;

k) Failing to inspect or control vehicles, loading and unloading equipment, vehicles and special-use machinery inside the port gate without being inspected as prescribed.";

b) Point d Clause 6 Article 10 is amended as follows:

"d) Failing to carry out the quality inspection of port infrastructure within the prescribed time limit or after a collision or collision incident affecting the structure of maritime works;";

c) Clause 7 of Article 10 is amended as follows:

"7. Additional sanctions:

a) Suspension of the reception of ships operating international routes into seaports from 01 month to 03 months, for violations specified at Points d and e, Clause 5 and c, Clause 6 of this Article;

b) Suspension of the reception of ships into seaports from 01 month to 03 months, for the violations specified at Point d, Clause 6 of this Article.";

d) Clause 8 is added after Clause 7, Article 10 as follows:

"8. Remedial measures:

a) Forcible arrangement of sufficient seaport security officers as prescribed, for violations specified at Point e, Clause 5 of this Article;

b) Forcible preparation of an approved seaport security plan as prescribed, for the violations specified at Point c, Clause 6 of this Article;

c) Forcible inspection of the quality of port infrastructure within the prescribed time limit or after a collision or collision incident affecting the structure of maritime works, for the violations specified at Point d, Clause 6 of this Article.".

8. Article 12 is amended as follows:

**"Article 12. Violations against regulations on assurance of maritime safety and environmental protection when building new or renovating or upgrading seaports or when constructing and installing other works and equipment affecting maritime safety**

1. A fine of between VND 5,000,000 and VND 10,000,000 shall be imposed for each of the following acts of violation:

a) Failing to have life-saving equipment or life-saving equipment that is not suitable as prescribed;

b) Failing to notify the port authority of the construction of other works in the seaport waters;

c) Setting up incomplete navigational signals or setting up navigational signals inappropriately as prescribed, or inactive navigational signals or false signals in the area under construction;

d) Vessels and vessels in service of construction of works moored outside the permitted limit area, obstructing maritime traffic on the navigable channel;

dd) Failing to record the results of supervision of the process of dredging and transportation of dredged materials or failing to keep construction logs as prescribed; failing to make periodic reports to the Port Authority and the Vietnam Maritime Administration on the situation and results of the implementation of the project on dredging of navigational channels, water areas and waters in seaport waters combined with full recovery of products as prescribed;

e) Placing raft cages or means of fishing, aquaculture or resource exploitation in seaport waters or navigational channels without the approval of the port authority or in the wrong location or at the approved time;

g) Posting the bottom in the waters of seaports and navigational channels.

2. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for each of the following acts of violation:

a) Performing the wrong construction at the licensed location;

b) Executing the construction beyond the prescribed time stated in the construction permit of the competent agency as prescribed;

c) Using specialized means and equipment for surveying, dredging channels, setting up navigational signals and conducting other activities in seaport waters without the approval of the port authority as prescribed;

d) Failing to clean up and clear obstacles arising in the course of construction after the work has been completed;

dd) Failing to fully implement the plan to ensure maritime safety and the plan to ensure traffic safety approved by a competent agency;

e) Creating obstacles in seaport waters and waters of Vietnam that affect maritime activities;

g) Installing a dredging monitoring system on vehicles participating in the transportation and dumping of dredged materials in dredging activities in contravention of regulations; the dredging monitoring system fails to meet minimum technical parameters or is not in a state of readiness for operation or operates continuously and stably as prescribed;

h) Failing to supervise the construction and dumping of dredged materials as prescribed.

3. A fine of between VND 20,000,000 and VND 30,000,000 shall be imposed for each of the following acts of violation:

a) Failing to set up navigational signals as prescribed;

b) Failing to install the dredging monitoring system on the vessels participating in the dredging and maintenance of navigational channels, water areas and water areas according to regulations;

c) Failing to implement or improperly implementing the plan to ensure maritime safety or the plan to ensure traffic safety approved by a competent agency.

4. A fine of between VND 30,000,000 and VND 40,000,000 shall be imposed for organizing the construction of works other than those specified at Point a, Clause 5 of this Article without a license or written approval of a competent authority as prescribed.

5. A fine of between VND 40,000,000 and VND 50,000,000 shall be imposed for each of the following acts of violation:

a) Organizing the construction of works that are required to make economic-technical reports on work construction or formulation of work construction investment projects without permits or written approvals of competent agencies as prescribed;

b) Constructing works not in accordance with the appraised and approved designs;

c) Failing to have a plan to ensure maritime safety or a plan to ensure traffic safety as prescribed.

6. A fine of between VND 50,000,000 and VND 60,000,000 shall be imposed for acts of constructing works inconsistent with the approved planning.

7. A fine of between VND 80,000,000 and VND 100,000,000 shall be imposed for each of the following acts of violation:

a) Constructing works without permission of competent agencies and causing accidents;

b) Performing the construction at the wrong permitted location and causing accidents;

c) Failing to have or improperly implementing the maritime safety assurance plan or traffic safety assurance plan approved by a competent authority, resulting in an accident.

8. Remedial measures:

a) Forcible equipping of life-saving equipment or equipping with life-saving equipment as prescribed, for the violations specified at Point a, Clause 1 of this Article;

b) Forcible establishment of adequate and appropriate navigational signals as prescribed, for violations specified at Point c, Clause 1 of this Article;

c) Forcible relocation of bottoms, raft cages or means of fishing, aquaculture or exploitation of natural resources in seaport waters and navigational channels in contravention of the positions specified at Points e and g, Clause 1 of this Article;

d) Forcible restoration of the original state that has been changed due to the violations specified at Point d, Clause 1 and Point e, Clause 2 of this Article;

dd) Forcible dismantling of illegal construction works or parts, for violations specified at Point a, Clause 2, Clause 4, Clause 5, Clause 6 and Points a and b, Clause 7 of this Article;

e) Forcible remediation of the dredging supervision system on the vessels participating in the transportation of dredged material during construction must ensure the ready and continuous operation, for the violations specified at Point g, Clause 2 of this Article;

g) Forcible installation of a dredging monitoring system on vehicles participating in the transportation of dredged materials during construction, for the violations specified at Point b, Clause 3 of this Article;

h) Forcible issuance of a plan to ensure maritime safety or a plan to ensure traffic safety approved by a competent authority, for the violations specified at Point c, Clause 5 and Point c, Clause 7; implement or strictly implement the plan to ensure maritime safety and the plan to ensure traffic safety approved by the competent authority, for the violations specified at Point c, Clause 3 and Point c, Clause 7 of this Article.".

9. Article 15 is amended as follows:

**"Article 15. Violations against regulations on weighing and confirming the total volume of each shipping container**

A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for each of the following acts of violation:

1. Failing to weigh and certify the volume of the entire container as prescribed.

2. Failing to provide a certification of the entire volume of the container as prescribed.".

10. Article 16 is amended as follows:

**"Article 16. Violations against regulations on loading goods on cars in port land**

1. A fine of between VND 500,000 and VND 1,000,000 shall be imposed for each of the following acts of violation:

a) Loading goods on each automobile (including trailers and semi-trailers) in excess of the tonnage (volume of cargoes) allowed to participate in traffic by more than 10% to 50% stated in the certificate of technical safety and environmental protection inspection of the vehicle; particularly for tank trucks carrying liquids, over 20% to 50%;

b) Loading goods onto cars without signing for certification of loading goods into transport papers as prescribed.

2. A fine of between VND 2,000,000 and VND 3,000,000 shall be imposed for loading goods on each car (including trailers and semi-trailers) in excess of the permissible tonnage (volume of cargo) allowed to participate in traffic by more than 50% to 100% of the vehicle's technical safety and environmental protection inspection certificate.

3. A fine of between VND 4,000,000 and VND 5,000,000 shall be imposed for acts of loading goods on each car (including trailers and semi-trailers) in excess of the tonnage (volume of cargo) allowed to participate in traffic by more than 100%.

4; A fine of between VND 5,000,000 and VND 7,000,000 shall be imposed for acts of violating the loading of oversized and overweight goods on vehicles without circulation licenses, expired circulation permits or not issued by competent agencies.

5. Remedial measures: Forcible lowering of the loaded cargo in excess of the permissible tonnage of the car in case the loaded car has not left the loading area, for the violations specified at Point a, Clause 1, Clause 2 and Clause 3 of this Article.".

11. Article 17 is amended as follows:

**"Article 17. Violations against regulations on drivers of automobiles and vehicles similar to automobiles in port land**

1. A fine of between VND 800,000 and VND 1,000,000 shall be imposed on drivers of automobiles and vehicles similar to automobiles that exceed the prescribed speed of between 05 km/h and less than 10 km/h.

2. A fine of between VND 3,000,000 and VND 5,000,000 shall be imposed on drivers of automobiles and vehicles similar to automobiles, driving automobiles and vehicles similar to automobiles exceeding the prescribed speed of between 10 km/h and 20 km/hour.

3. A fine of between VND 6,000,000 and VND 8,000,000 shall be imposed on drivers of automobiles and vehicles similar to automobiles who commit one of the following acts of violation:

a) Driving automobiles and vehicles similar to automobiles exceeding the speed limit of over 20 km/h to 35 km/h;

b) Driving automobiles and automobile-like vehicles with an alcohol concentration in the blood or breath that does not exceed 50 milligrams/100 milliliters of blood or does not exceed 0.25 milligrams/01 liter of breath.

4. A fine of between VND 10,000,000 and VND 12,000,000 shall be imposed on drivers of automobiles and vehicles similar to automobiles exceeding the prescribed speed of over 35 km/hour.

5. A fine of between VND 16,000,000 and VND 18,000,000 shall be imposed on drivers of automobiles and automobile-like vehicles whose blood or breath has an alcohol concentration exceeding 50 milligrams to 80 milligrams/100 milliliters of blood or exceeding 0.25 milligrams to 0.4 milligrams/01 liter of breath.

6. A fine of between VND 30,000,000 and VND 40,000,000 shall be imposed on drivers of automobiles and vehicles similar to automobiles whose blood or breath has an alcohol concentration exceeding 80 milligrams/100 milliliters of blood or exceeding 0.4 milligrams/1 liter of breath.

7. Additional sanctions:

a) Deprivation of the right to use the driver's license from 01 month to 03 months, for the violations specified in Clause 2 of this Article;

b) Deprivation of the right to use the driver's license from 02 months to 04 months, for the violations specified at Point a, Clause 3, Clause 4 of this Article;

c) Deprivation of the right to use the driver's license for between 10 and 12 months, for the violations specified at Point b, Clause 3 of this Article;

d) Deprivation of the right to use the driving license for between 16 and 18 months, for the violations specified in Clause 5 of this Article;

dd) Deprivation of the right to use the driver's license for between 22 and 24 months, for the violations specified in Clause 6 of this Article.".

12. Article 20 is amended as follows:

**"Article 20. Violations against regulations on use of certificates of eligibility for seaport operation business and conditions for seaport operation business**

1. A fine of between VND 3,000,000 and VND 5,000,000 shall be imposed for acts of operating seaports in contravention of the certificate of eligibility for seaport operation issued by a competent agency as prescribed.

2. A fine of between VND 5,000,000 and VND 10,000,000 shall be imposed for each of the following acts of violation:

a) Failing to have a plan to ensure occupational safety and hygiene as prescribed;

b) Failing to meet fire prevention and fighting safety conditions or failing to have a fire fighting plan as prescribed;

c) Failing to have sufficient environmental protection dossiers approved by competent agencies as prescribed;

d) Failing to have sufficient material foundations, warehouses, yards and necessary equipment suitable to national technical regulations for seaports or failing to have warehouse and yard lease contracts in case the seaport does not have sufficient warehouses and yards as prescribed;

dd) Failing to have sufficient means of receiving and recovering wastes from ships for treatment as prescribed;

e) Failing to have sufficient human resources or systems, works or equipment for management and treatment of waste generated at the seaport area as prescribed.

3. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for each of the following acts of violation:

a) Operating a seaport without a certificate of eligibility for seaport operation business issued by a competent agency as prescribed;

b) Modifying, erasing or falsifying the contents stated in the certificate of eligibility for seaport operation business;

c) Using one of the certificates, certificates, permits, permits, certificates or papers that have been erased or modified to falsify the contents or not issued by a competent authority in the dossier of application for the certificate of eligibility for seaport operation;

d) Buying, selling, leasing, leasing, borrowing or lending certificates of eligibility for seaport operation business.

4. Additional sanctions:

a) Deprivation of the right to use the certificate of eligibility for seaport operation business for a period of between 01 and 03 months, for the violations specified in Clause 2 of this Article;

b) Confiscate certificates, certificates, permits, permits, certificates and papers that have been erased or modified to falsify the contents or not issued by a competent agency or erased or modified or not granted by a competent agency in the dossier of application for a certificate of eligibility for seaport operation business and a certificate of adequacy conditions for seaport operation business for violations specified at Points b and c, Clause 3 of this Article.".

13. Article 21 is amended as follows:

**"Article 21. Violations against regulations on posting information on prices, surcharges other than prices for container cargo transportation services by sea, service prices at seaports**

1. A fine of between VND 500,000 and VND 1,000,000 shall be imposed for each of the following acts of violation:

a) Failing to post up sea freight prices, surcharges and service prices at seaports at places subject to posting as prescribed;

b) Improperly posting prices and surcharges in addition to the prices of container cargo transportation services by sea and service prices at seaports;

c) Failing to notify in writing to the Vietnam Maritime Administration of the address of the website where it is posted as prescribed; failing to provide timely, accurate and complete relevant data and documents at the written request of a competent state agency upon request.

2. A fine of between VND 1,000,000 and VND 3,000,000 shall be imposed for acts of failing to post for at least 15 consecutive days before the price increase and surcharges in addition to the price of container cargo transportation services by sea.".

14. To amend and supplement the title of Section 3, Chapter II as follows:

**"Section 3. VIOLATIONS OF REGULATIONS ON OPERATION OF SHIPS".**

15. Article 32 is amended as follows:

**"Article 32. Violations against regulations on procedures for entering and leaving seaports or transit**

1. A fine of between VND 3,000,000 and VND 5,000,000 shall be imposed for insufficiently declaring or incorrectly declaring one of the information in the notice or confirmation of ship arrival or departure from the port or the general declaration or the list of crew members and passengers as prescribed.

2. A fine of between VND 5,000,000 and VND 10,000,000 shall be imposed for each of the following acts of violation:

a) Carrying out procedures for ships entering or leaving seaports or transiting later than the prescribed time;

b) Failing to carry out procedures for re-issuance of the port departure permit for the expired ship as prescribed.

3. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for each of the following acts of violation:

a) Failing to supply one of the certificates, documents or papers within the prescribed time limit or providing inappropriate certificates, documents or papers when carrying out procedures for entry, departure or transit;

b) Failing to supply or insufficiently provide papers on dangerous goods transported on board the ship as prescribed;

c) Failing to supply or insufficiently supplying documents and certificates on environmental pollution prevention; documents and certificates of ballast water management; anti-flooding system as prescribed;

d) Failing to have the original or certified copy of the bank guarantee of the credit institution or foreign bank's branch for the ship to pay the repatriation expenses for seafarers as prescribed;

dd) Failing to provide or insufficiently providing information about weapons, explosives and persons hiding on board as prescribed;

e) Arbitrarily loading and unloading cargo or allowing crew members, passengers or persons who are not on duty to board the ship before the ship completes entry procedures or leaves the ship after completing exit procedures as prescribed.

4. For acts of failing to have valid insurance certificates or financial guarantees as prescribed for passenger ships, petroleum carriers, petroleum preparations or other dangerous goods, the following penalties shall be imposed:

a) A fine ranging from VND 15,000,000 to VND 30,000,000 shall be imposed on a ship carrying less than 50 passengers; vessels carrying petroleum, petroleum products or other dangerous goods with a total capacity of less than 200 GT;

b) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed on a ship carrying between 50 and less than 100 passengers; vessels carrying petroleum, petroleum products or other dangerous goods with a total capacity of between 200 GT and less than 500 GT;

c) A fine ranging from VND 50,000,000 to VND 80,000,000 shall be imposed on a ship carrying between 100 and less than 300 passengers; vessels carrying petroleum, petroleum products or other dangerous goods with a total capacity of between 500 GT and less than 3,000 GT;

d) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed on a ship carrying 300 passengers or more; vessels carrying petroleum, petroleum products or other dangerous goods with a total capacity of 3,000 GT or more.

5. Acts of failing to obtain a permit to leave the final port as prescribed or leaving the port without permission of a competent authority shall be sanctioned as follows:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed on vessels with a gross tonnage of less than 200 GT;

b) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed on vessels with a gross tonnage of between 200 GT and less than 500 GT;

c) A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed on vessels with a gross tonnage of between 500 GT and less than 3,000 GT;

d) A fine ranging from VND 40,000,000 to VND 80,000,000 shall be imposed on vessels with a gross tonnage of 3,000 GT or more.

6. A fine of between VND 80,000,000 and VND 100,000,000 shall be imposed for acts of foreign vessels participating in inland transportation or performing specific activities without the permission of competent agencies as prescribed.

7. Additional sanctions: Deprivation of the captain's right to use the certificate of professional competence for a period of between 03 and 06 months, for the violations specified in Clause 5 of this Article.

8. Remedial measures:

a) Forcible declaration, supplementation and correction of information, for violations specified in Clause 1 of this Article;

b) Forcible payment of maritime charges and fees and other relevant amounts as prescribed, for the violations specified in Clause 5 of this Article.".

16. To amend the title of Section 4, Chapter II as follows:

**"Section 4. VIOLATIONS AGAINST REGULATIONS ON REGISTRATION AND DEREGISTRATION OF SHIPS, OFFICIAL-DUTY SHIPS, SUBMARINES, SUBMERSIBLES, FLOATING WAREHOUSES, MOBILE DRILLING RIGS AND ARRANGEMENT OF SEAFARERS ON SHIPS; USE PROFESSIONAL CERTIFICATES, CREW BOOKS".**

17. Article 40 is amended as follows:

**"Article 40. Violations against regulations on registration and deregistration; use certificates of ships, official-duty ships, submarines, submersibles, floating warehouses, mobile drilling rigs**

1. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for each of the following acts of violation:

a) Failing to register changes as prescribed;

b) Failing to register the change of owner after the purchase, sale or transfer of ownership rights;

c) Failing to change the certificate of minimum safety margin when changing the managing and exploiting enterprise;

d) Declaring false information; using papers erased, corrected or not issued by competent agencies in the dossier of application for the certificate;

dd) The Vietnamese ship owner fails to send a copy of the registration certificate to the Vietnam National Ship Registry for management when the ship is registered to fly the foreign flag;

e) Failing to register to fly the Vietnamese flag as prescribed for ships purchased or newly built by state-owned enterprises or enterprises with state-contributed capital;

g) Failing to deregister as prescribed.

2. A fine of between VND 20,000,000 and VND 30,000,000 shall be imposed for each of the following acts of violation:

a) Operating seagoing ships, official-duty ships, submarines, submersibles, floating warehouses and mobile drilling rigs without being granted registration certificates;

b) Using one of the certificates of a seagoing ship, official-duty ship, submarine, submersible, floating warehouse, other mobile drilling rig or a certificate of erasing or correction of false contents or a certificate not issued by a competent agency.

3. Additional sanctions: Confiscation of material evidences of administrative violations for the violations specified at Point d, Clause 1 and Point b, Clause 2 of this Article.

4. Remedial measures:

a) Forcible carrying out procedures for registration of flying the Vietnamese flag as prescribed, for acts of violation at Point e, Clause 1 of this Article;

b) Forcible carrying out procedures for deregistration of ships as prescribed, for the violations specified at Point g, Clause 1 of this Article.".

18. Article 42 is amended as follows:

**"Article 42. Violations against regulations on crew arrangement, use of professional certificates, practice certificates, crew books on seagoing ships**

1. A fine of between VND 1,000,000 and VND 5,000,000 shall be imposed for each of the following acts:

a) Failing to record or recording incomplete and inaccurate information in the seafarer's book as prescribed;

b) Failing to carry full practice certificates, professional certificates and crew books when working on ships as prescribed.

2. A fine of between VND 5,000,000 and VND 10,000,000 shall be imposed for each of the following acts of violation:

a) Arranging seafarers to work on ships without sufficient professional certificates, practice certificates, seafarers' books or having professional certificates or practice certificates but they have expired or arranging seafarers' titles inconsistent with their professional certificates and practice certificates;

b) Assigning tasks to seafarers working on ships inconsistent with their titles in the seafarers' books in contravention of regulations;

c) Failing to declare or inaccurately declare information on disembarkation and disembarkation of ships and the arrangement of titles for seafarers electronically in the seafarer management database of the Vietnam Maritime Administration as prescribed.

3. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for each act of buying, selling, leasing, leasing, borrowing or lending professional certificates, practice certificates or crew books.

4. A fine of between VND 20,000,000 and VND 30,000,000 shall be imposed for each of the following acts of violation:

a) Using professional certificates, practice certificates, crew books not issued by competent agencies or have been modified or erased;

b) Using other people's professional certificates, practice certificates, crew books to work on ships;

c) Falsely declaring information or using corrected papers, or not issued by a competent agency in the dossier of application for issuance or re-issuance of practice certificates, professional certificates or crew books.

5. Additional sanctions:

a) Deprivation of the right to use practice certificates or professional certificates for a term of between 06 and 12 months, for the violations specified in Clause 3 of this Article;

b) Confiscate practice certificates, professional certificates and crew books, for violations specified in Clause 4 of this Article.

6. Remedial measures: Forcible declaration of full and accurate information on disembarkation and disembarkation of ships and assignment of titles to seafarers electronically into the seafarer management database of the Vietnam Maritime Administration in accordance with regulations for violations at Point c, Clause 2 of this Article.".

19. Article 44 is amended as follows:

**"Article 44. Violations against regulations on maneuvering and arrangement of maritime pilots**

1. A fine of between VND 2,000,000 and VND 5,000,000 shall be imposed for each of the following acts of violation:

a) Sending the daily pilotage plan later than the prescribed time or failing to notify the sudden change in the pilotage plan to the port authority;

b) Arranging pilots in contravention of the port authority's dispatch plan without notifying the port authority in advance.

2. A fine of between VND 6,000,000 and VND 10,000,000 shall be imposed for each of the following acts of violation:

a) Arranging maritime pilots to lead ships with certificates of professional competence of maritime pilots or certificates of operation zones of inappropriate maritime pilots;

b) Failing to fully and promptly provide pilotage services in the compulsory maritime pilotage zone or on the assigned ship navigation route without plausible reasons.

3. A fine of between VND 20,000,000 and VND 40,000,000 shall be imposed for failing to use or arrange sufficient means of transporting and picking up pilots as prescribed or using means of transporting and picking up pilots without ensuring safe conditions.

4. A fine of between VND 30,000,000 and VND 50,000,000 shall be imposed for failing to have a sufficient number of pilots or the minimum number of vehicles as prescribed.

5. Remedial measures:

a) Forcible arrangement of maritime pilots to guide ships in accordance with the certificate of professional competence of maritime pilots or certificates of operation areas of maritime pilots, for violations specified at Point a, Clause 2 of this Article;

b) Forcible provision of full and timely pilotage services in the compulsory maritime pilotage zone or on the assigned ship pilotage route, for the violations specified at Point b, Clause 2 of this Article;

c) Forcible use or arrangement of sufficient means of transporting and picking up pilots as prescribed or using means of transporting and picking up pilots to ensure safe conditions for violations specified in Clause 3 of this Article;

d) Forcible arrangement of a sufficient number of pilots or the minimum number of vehicles as prescribed, for acts of violation in Clause 4 of this Article.".

20. Article 45 is amended as follows:

**"Article 45. Violations against regulations while piloting a ship by a maritime pilot**

1. A fine of between VND 4,000,000 and VND 6,000,000 shall be imposed for each of the following acts of violation committed by pilots:

a) Failing to promptly notify the port authority when detecting accidents, incidents or changes in the navigational channel and signaling during the pilotage period;

b) Failing to notify or confirm to the port authority of the time and place of embarkation, disembarkation or the situation of ship navigation as prescribed;

c) Failing to promptly notify the port authority of the ship exceeding the permitted speed in areas with speed limits and running in the opposite direction at one-way fairways or avoiding overtaking in areas where overtaking is prohibited;

d) Embarking later than the prescribed time or embarking or disembarking at the wrong place without plausible reasons;

dd) Leading the ship into or out of the port or moving in contravention of the ship dispatch plan of the port authority or in contravention of the ship assigned to lead without plausible reasons;

e) Leaving the ship without the consent of the captain;

g) Failing to use pilot's uniforms as prescribed when leading ships.

2. A fine of between VND 6,000,000 and VND 8,000,000 shall be imposed for acts of violation: Pilots whose blood or breath alcohol concentration does not exceed 50 milligrams/100 milliliters of blood or does not exceed 0.25 milligrams/01 liter of gas or uses other stimulants prohibited by law when piloting ships.

3. A fine of between VND 10,000,000 and VND 16,000,000 shall be imposed for each of the following acts of violation:

a) Maritime pilots lead ships into anchorage, docking or moving in port waters without a dispatch order or at the wrong position designated by the port authority;

b) Refusing to lead the ship without plausible reasons or failing to promptly notify the port authority or the maritime pilotage organization of the refusal to lead the ship;

c) Arbitrarily guiding the ship in contravention of the announced fairway;

d) The pilot of the ship is at fault leading to a less serious maritime accident.

4. A fine of between VND 16,000,000 and VND 18,000,000 shall be imposed for piloting the act of having an alcohol concentration in the blood or breath exceeding 50 milligrams to 80 milligrams/100 milliliters of blood or exceeding 0.25 milligrams to 0.4 milligrams/01 liter of breath while piloting the ship.

5. A fine of between VND 20,000,000 and VND 30,000,000 shall be imposed for each of the following acts of violation:

a) The pilot of the ship is at fault leading to a serious maritime accident;

b) The pilot instructs the captain to steer the ship to exceed the permitted speed from 01 k/h to 02 k/h.

6. A fine of between VND 30,000,000 and VND 40,000,000 shall be imposed for each of the following acts of violation:

a) The pilot of the ship is at fault leading to a particularly serious maritime accident;

b) The pilot instructs the captain to steer the vessel to exceed the permitted speed of more than 02 knots/hour or run in the opposite direction or avoid overtaking at the prohibited area;

c) The pilot has an alcohol concentration in his blood or breath exceeding 80 milligrams/100 milliliters of blood or exceeding 0.4 milligrams/01 liter of breath when leading the ship.

7. Additional sanctions:

a) Deprivation of the right to use the certificate of professional competence of maritime pilots for a period of between 03 and 06 months, for the violations specified in Clause 2 and Point a, Clause 5 of this Article;

b) Deprivation of the right to use the certificate of professional competence of maritime pilots for a period of between 06 and 09 months, for the violations specified in Clause 4 and Point a, Clause 6 of this Article;

c) Deprivation of the right to use the certificate of professional competence of maritime pilots for a period of between 09 months and 12 months, for the violations specified at Point c, Clause 6 of this Article.".

21. Article 46 is amended as follows:

**"Article 46. Violations against regulations on conditions for business in sea transport, multi-modal transport and sea transport support services**

1. A fine of between VND 3,000,000 and VND 5,000,000 shall be imposed for acts of multi-modal transport business in contravention of the contents stated in the license issued by a competent agency as prescribed.

2. A fine of between VND 5,000,000 and VND 10,000,000 shall be imposed for each of the following acts of violation:

a) Conducting multi-modal transport business without a license issued by a competent agency as prescribed;

b) Providing shipping services, ship agency services, and ship towing services but failing to meet the prescribed conditions.

3. A fine of between VND 10,000,000 and VND 15,000,000 shall be imposed for acts of continuing business activities after being suspended from business activities by competent state management agencies, deprived of the right to use licenses or certificates of eligibility for business.

4. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for each of the following acts of violation:

a) Modifying, erasing or falsifying the contents stated in the license or certificate of eligibility for business conditions for conditional business services;

b) Using one of the papers that have been erased, modified or not issued by a competent agency in the dossier of application for a business license or certificate of eligibility for business for conditional business services;

c) Buying, selling, leasing, leasing, borrowing or lending licenses or certificates of eligibility for conditional business services.

5. Additional sanctions:

a) Deprivation of the right to use the business license for a period of between 01 and 03 months, for the violations specified in Clause 2 of this Article in case of repeated violations or recidivism;

b) Confiscate licenses and certificates of eligibility for business, for the violations specified at Points a and b, Clause 4 of this Article.".

22. Clause 4 and Point b, Clause 5, Article 47 are amended as follows:

a) Clause 4 of Article 47 is amended as follows:

"4. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for each of the following acts of violation:

a) Modifying, erasing or falsifying the contents stated in the license to import marine flares;

b) Using one of the papers that has been erased, modified or not issued by a competent agency in the dossier of request for assignment of the ship navigation route or the dossier of application for a license to import marine flares;

c) Buying, selling, leasing, leasing, borrowing or lending licenses for import of marine flares.".

b) Point b, Clause 5, Article 47 is amended as follows:

"b) Confiscate the license to import maritime legal symbols, for the violations specified at Points a and b, Clause 4 of this Article.".

23. Point e after Point dd, Clause 2 and Point e after Point dd, Clause 5, Article 48 are added as follows:

a) Point e is added after Point dd, Clause 2, Article 48 as follows:

"e) Failing to arrange for seafarers to return home within the prescribed time.";

b) Point e is added after Point dd, Clause 5, Article 48 as follows:

"e) Forcible arrangement to repatriate seafarers according to the time specified at Point e, Clause 2 of this Article.".

24. Clause 1 of Article 51 is amended as follows:

"1. A fine of between VND 30,000,000 and VND 60,000,000 shall be imposed for each of the following acts:

a) Failing to dismantle ships within the prescribed time limit;

b) Dismantling each ship without obtaining approval of the ship dismantling plan as prescribed.".

25. To amend the title of Section 11, Chapter II as follows:

**"Section 11. VIOLATIONS OF REGULATIONS ON PREVENTION OF MARINE ENVIRONMENTAL POLLUTION".**

26. Article 57 is amended as follows:

**"Article 57. Violations against regulations on oil spill response activities**

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

a) Causing an oil spill or detecting an oil spill incident without promptly reporting it to the competent agency receiving information about the oil spill incident as prescribed;

b) Failing to update and supplement the oil spill response plan as prescribed;

c) Failing to notify the oil spill response plan approved by the competent authority to relevant agencies, units and localities for coordination in implementation.

2. A fine of between VND 10,000,000 and VND 30,000,000 shall be imposed for one of the following acts of violation:

a) Failing to organize training or sending officials and employees directly participating in the response to oil spills to improve their skills in responding to oil spills;

b) Failing to conduct training on oil spill response as prescribed.

3. A fine of between VND 30,000,000 and VND 50,000,000 shall be imposed for failing to promptly report to the competent agency for assistance in case the oil spill exceeds the capacity and on-site resources of the facility as prescribed.

4. Acts of violation related to petrol and oil production, trading and service activities that are at risk of small-scale oil spills on land shall be sanctioned as follows:

a) A fine of between VND 5,000,000 and VND 10,000,000 shall be imposed for failing to submit an approved oil spill response plan to the district-level People's Committee for coordination in implementation;

b) A fine of between VND 10,000,000 and VND 15,000,000 shall be imposed for failing to invest in or sign a contract to be ready to respond to oil spills with establishments with means and equipment to respond to oil spills or with regional oil spill response centers at a level corresponding to the possibility of oil spills that may occur in the area under their responsibility promptly mobilize vehicles, equipment and supplies to carry out response activities when oil spills occur as prescribed;

c) A fine of between VND 15,000,000 and VND 20,000,000 shall be imposed for failing to mobilize means, equipment and supplies to participate in coordinating response and remediation of oil spills at the request of competent agencies;

d) A fine of between VND 20,000,000 and VND 25,000,000 shall be imposed for failing to have an oil spill response plan approved by the district-level People's Committee or the managing agency as prescribed;

dd) A fine ranging from VND 25,000,000 to VND 30,000,000 shall be imposed for failing to formulate an emergency plan for response to oil spills and organize forces to ensure timely and effective prevention and response to oil spills at a level corresponding to the possibility of oil spills caused by their activities as prescribed.

5. Acts of violation related to the operation of petrol and oil depots, petrol and oil depots with a total reserve volume of 50,000 m3 or more, petrol and oil ports capable of receiving ships with a tonnage greater than or equal to 50,000 DWT shall be sanctioned as follows:

a) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to invest in or sign a contract of readiness to respond to oil spills with facilities and equipment or with regional oil spill response centers at a level corresponding to the possibility of oil spills that may occur in the area under their responsibility to cancel promptly mobilize vehicles, equipment and supplies to carry out response activities when oil spills occur as prescribed;

b) A fine of between VND 40,000,000 and VND 50,000,000 shall be imposed for failing to organize and command their forces, means and equipment or forces, means and equipment in the oil spill response contract to implement timely response; are not ready to mobilize means, equipment and supplies to participate in coordinating response and remediation of oil spills at the request of competent agencies;

c) A fine of between VND 50,000,000 and VND 60,000,000 shall be imposed for failing to have an oil spill response plan approved by the National Committee for Response to Incidents, Natural Disasters and Search and Rescue as prescribed;

d) A fine of between VND 60,000,000 and VND 70,000,000 shall be imposed for failing to formulate an emergency plan for response to oil spills and organize forces to ensure timely and effective prevention and response to oil spills at a level corresponding to the possibility of oil spills caused by their activities as prescribed.

6. Acts of violation related to the operation of local ports, general petrol and oil depots, petrol and oil depots with a total reserve volume of less than 50,000 m3, petrol and oil ports capable of receiving ships with a tonnage of less than 50,000 DWT shall be sanctioned as follows:

a) A fine of between VND 20,000,000 and VND 30,000,000 shall be imposed for failing to invest in or sign a contract of readiness to respond to oil spills with establishments with means and equipment or with regional oil spill response centers at a level corresponding to the possibility of oil spills that may occur in the area under their responsibility for cancellation promptly mobilize vehicles, equipment and supplies to carry out response activities when oil spills occur as prescribed;

b) A fine of between VND 30,000,000 and VND 40,000,000 shall be imposed for failing to organize and command their forces, means and equipment or forces, means and equipment in the oil spill response contract to implement timely response; are not ready to mobilize means, equipment and supplies to participate in coordinating response and remediation of oil spills at the request of competent agencies;

c) A fine of between VND 40,000,000 and VND 50,000,000 shall be imposed for failing to have an oil spill response plan approved by the provincial-level People's Committee as prescribed;

d) A fine of between VND 50,000,000 and VND 60,000,000 shall be imposed for failing to formulate an emergency plan for response to oil spills and organize forces to ensure timely and effective prevention and response to oil spills at a level corresponding to the possibility of oil spills caused by their activities as prescribed.

7. Acts of violation related to the operation of port investors, facility owners and project owners at risk of oil spills shall be sanctioned as follows:

a) A fine of between VND 20,000,000 and VND 30,000,000 shall be imposed for failing to invest in or contract readiness to respond to oil spill incidents with establishments with response facilities and equipment or with regional oil spill incident response centers at a level corresponding to the possibility of oil spills that may occur in the area under their responsibility for mobilization promptly deploy vehicles, equipment and supplies to respond to oil spills as prescribed;

b) A fine of between VND 30,000,000 and VND 40,000,000 shall be imposed for failing to organize and command their forces, means and equipment or forces, means and equipment in the oil spill response contract to implement timely response; are not ready to mobilize means, equipment and supplies to participate in coordinating response and remediation of oil spills at the request of competent agencies; failing to supervise activities at high risk of oil spill in their areas of operation in order to promptly implement appropriate response measures; failing to fully comply with the requirements and guidelines of competent state agencies in order to prevent or minimize damage caused by oil pollution when an oil spill occurs;

c) A fine of between VND 40,000,000 and VND 50,000,000 shall be imposed for failing to have an oil spill response plan approved by the provincial-level People's Committee as prescribed; failing to reformulate the oil spill response plan and submit it to the competent authority for approval as prescribed;

d) A fine of between VND 50,000,000 and VND 60,000,000 shall be imposed for failing to formulate an emergency plan for response to oil spills and organize forces to ensure timely and effective prevention and response to oil spills at a level corresponding to the possibility of oil spills caused by their activities as prescribed.

8. Acts of violation related to offshore oil and gas activities at risk of oil spills shall be sanctioned as follows:

a) A fine of between VND 20,000,000 and VND 30,000,000 shall be imposed for failing to notify the approved oil spill response plan to the People's Committees of provinces at risk of being affected when an incident occurs at the facility or project;

b) A fine of between VND 30,000,000 and VND 40,000,000 shall be imposed for failing to invest in or not having a contract to be ready to respond to oil spills with facilities and equipment or with regional oil spill response centers at a level corresponding to the possibility of oil spills that may occur in the area under their responsibility for mobilization promptly deploy vehicles, equipment and supplies to respond to oil spills as prescribed;

c) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to mobilize vehicles, equipment and supplies to participate in coordinating response to and remedy oil spills at the request of competent agencies;

d) A fine of between VND 50,000,000 and VND 60,000,000 shall be imposed for failing to have an oil spill response plan approved by the National Committee for Response to Incidents, Natural Disasters and Search and Rescue as prescribed;

dd) A fine of between VND 60,000,000 and VND 70,000,000 shall be imposed for failing to formulate an emergency plan for responding to oil spills and organize forces to ensure timely and effective prevention and response to oil spills at a level corresponding to the possibility of oil spills caused by their activities as prescribed.

9. Acts of violation related to the operation of oil tankers at risk of oil spills shall be sanctioned as follows:

a) A fine ranging from VND 15,000,000 to VND 25,000,000 shall be imposed for failing to notify ship-to-ship oil transshipment plans for competent state agencies to supervise and take timely response measures when oil spills occur as prescribed;

b) A fine of between VND 25,000,000 and VND 35,000,000 shall be imposed for failing to have an oil pollution response plan of the ship approved by a competent agency of the Ministry of Transport for oil tankers flying the Vietnamese flag with a total tonnage of 150 GT or more; other ships other than oil tankers with a total capacity of 400 GT or more as prescribed;

c) A fine ranging from VND 35,000,000 to VND 45,000,000 shall be imposed for failing to have a ship's oil pollution response plan approved by a competent agency of the Ministry of Transport for Vietnamese-flagged oil tankers with a gross tonnage of 150 GT or more engaged in ship-to-ship oil transshipment;

d) A fine ranging from VND 45,000,000 to VND 55,000,000 shall be imposed for transshipment of oil between ships at sea without the consent of the national contact point or port authority as prescribed;

dd) A fine ranging from VND 55,000,000 to VND 65,000,000 shall be imposed for failing to purchase insurance or other financial guarantees at the level of civil liability prescribed by law to compensate for damage to oil pollution as prescribed.

10. Remedial measures:

a) Forcible payment of funds for solicitation of expertise, inspection, measurement and analysis of environmental samples in case of violations to cause oil spills or environmental pollution according to current norms and unit prices, for violations specified in this Article;

b) Forcible application of measures to remedy environmental pollution and report on the results of remediation of consequences of violations, compulsory compensation for damage caused by oil pollution as prescribed within the time limit set by the person with sanctioning competence in the decision on sanctioning of administrative violations, for violations specified in Clauses 8 and 9 of this Article.".

27. Article 58a is added after Article 58 as follows:

**"Article 58a. Violations against regulations on management, collection and treatment of waste from ships in seaport waters**

1. A fine of between VND 500,000 and VND 1,000,000 shall be imposed for each of the following acts of violation:

a) Failing to post or improperly posting the list of organizations and individuals that have signed contracts for the provision of waste collection and treatment services from ships at seaports and the prices of waste collection and treatment services as prescribed;

b) Failing to report on the management of waste collection and treatment from ships at seaports as prescribed.

2. A fine of between VND 5,000,000 and VND 8,000,000 shall be imposed for each of the following acts of violation:

a) Ships wishing to treat waste fail to declare or make improper declarations to the port authority on waste as prescribed;

b) Spilling, scattering or leaking waste in the process of collecting waste from ships and boats.

3. A fine of between VND 20,000,000 and VND 30,000,000 shall be imposed for failing to arrange means to receive or sign contracts with organizations and individuals providing waste collection and treatment services from ships in seaport waters as prescribed.

4. Remedial measures:

a) Forcible posting or posting of the correct list of organizations and individuals that have signed contracts for the provision of waste collection and treatment services from ships at seaports and the prices of waste collection and treatment services as prescribed, for violations specified at Point a, Clause 1 of this Article;

b) Forcible reporting on management of waste collection and treatment from ships at seaports as prescribed, for violations specified at Point b, Clause 1 of this Article;

c) Forcible declaration or declaration to the port authority on waste as prescribed, for the violations at Point a, Clause 2 of this Article;

d) Forcible implementation of measures to remedy environmental pollution from spilled waste, causing dispersion or leakage in the process of collecting waste from ships, for the violations at Point b, Clause 2 of this Article.".

28. Article 58b is added after Article 58a as follows:

**"Article 58b. Violations against regulations on prevention of pollution caused by ships**

1. A fine of between VND 3,000,000 and VND 5,000,000 shall be imposed for each of the following acts of violation:

a) Failing to equip equipment for storing and sorting garbage as prescribed or failing to store garbage in the prescribed place;

b) Rusting or painting ships without the permission of the port authority;

c) Failing to arrange permanent personnel on the deck and at the place of receiving fuel when the ship receives fuel;

d) Dumping garbage or throwing other objects from the ship into the water or wharf.

2. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for each of the following acts of violation:

a) Pumping and transferring or receiving fuel between ships and other vessels without the permission of the port authority as prescribed;

b) Failing to have water oil separation equipment or oil refining equipment or having equipment but failing to use it;

c) Failing to comply with one of the technical safety processes and rules when receiving fuel;

d) Allowing other vessels to dock while in the process of receiving fuel between two ships;

dd) Using garbage incinerators or waste incinerators in seaport areas or using fuel oil to run main engines or lamps with sulfur content exceeding the permitted level;

e) Failing to keep logs of pumping and discharging oil or other dangerous substances as prescribed.

3. A fine of between VND 90,000,000 and VND 100,000,000 shall be imposed for pumping or discharging all kinds of wastes from ships into wharves or seaport waters in contravention of regulations.

4. Remedial measures: Forcible implementation of remedial measures to prevent pollution caused by ships for violations specified in Clauses 1, 2 and 3 of this Article.".

29. Article 58c is added after Article 58b as follows:

**"Article 58c. Violations against regulations on control of toxic anti-fouling systems of ships**

1. A fine of between VND 90,000,000 and VND 100,000,000 shall be imposed for each of the following acts of violation:

a) Use of anti-toxic systems at ports and ship building and repair establishments;

b) Dumping all kinds of waste from the use or removal of anti-spill systems in contravention of regulations into the environment.

2. Additional sanctions: Suspension of operation of port enterprises and ship building and repairing establishments for a period of between 03 and 06 months, for violations specified in Clause 1 of this Article.

3. Remedial measures: Forcible implementation of measures to remedy environmental pollution specified in Clause 1 of this Article.".

30. Article 58d is added after Article 58c as follows:

**"Article 58d. Violations against regulations on management and control of ballast water and ballast water residue of ships**

1. A fine of between VND 90,000,000 and VND 100,000,000 shall be imposed for each of the following acts of violation:

a) Failing to implement the regime of pumping and discharging ballast water as prescribed and instructed by the port authority;

b) Discharging ship ballast water and ship ballast water sludge containing harmful aquatic organisms and pathogens or toxic substances in seaport waters and Vietnamese waters.

2. Remedial measures: Forcible implementation of measures to remedy environmental pollution and violations of regulations on management and control of ballast water and ballast water residues of ships Clause 1 of this Article.".

31. Article 58dd is added after Article 58d as follows:

**"Article 58dd. Violations against regulations on sinking**

1. A fine of between VND 90,000,000 and VND 100,000,000 shall be imposed for each of the following acts of violation:

a) Dumping dredged materials at improper positions;

b) Loading and unloading the sunken material in contravention of the contents of the license for submersion at sea.

2. Additional sanctions: Deprivation of the submersion permit from 01 month to 03 months for the violations at Point b, Clause 1 of this Article.

3. Remedial measures: Forcible implementation of environmental pollution remedial measures as prescribed, for violations specified in Clause 1 of this Article.".

32. To add Section 12 after Section 11 of Chapter II and to add Articles 58e, 58g and 58h as follows:

**"Section 12. VIOLATIONS AGAINST REGULATIONS ON MARITIME LABOR; DECLARATION OF MARITIME OCCUPATIONAL ACCIDENTS**

**Article 58e. Violations against regulations on conclusion of labor contracts, seafarer labor contracts**

A fine shall be imposed on the employer for failing to conclude a written labor contract or seafarer labor contract for a job with a term of full 03 months or more; conclusion of labor contracts, seafarer labor contracts that do not fully contain the main contents of the contract at one of the following levels:

1. A fine of between VND 2,000,000 and VND 5,000,000 shall be imposed for violations involving from 01 seafarer to 10 seafarers.

2. A fine of between VND 5,000,000 and VND 10,000,000 shall be imposed for violations involving between 11 seafarers and 50 seafarers.

3. A fine of between VND 10,000,000 and VND 15,000,000 shall be imposed for violations involving between 51 seafarers and 100 seafarers.

4. A fine of between VND 15,000,000 and VND 20,000,000 shall be imposed for violations involving between 101 seafarers and 300 seafarers.

5. A fine of between VND 20,000,000 and VND 25,000,000 shall be imposed for violations involving 301 seafarers or more.

**Article 58g. Violations against regulations on conditions for foreign seafarers to work on Vietnamese ships**

1. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for entering into labor contracts for seafarers in contravention of work permits issued by competent State agencies of Vietnam.

2. A fine of between VND 30,000,000 and VND 45,000,000 shall be imposed for acts of arranging foreign seafarers without work permits issued by competent State agencies of Vietnam or expired work permits.

3. Remedial measures:

a) Forcible re-conclusion of labor contracts for seafarers in accordance with work permits, for violations specified in Clause 1 of this Article;

b) Forcing seafarers to leave the ship, for the violations specified in Clause 2 of this Article.

**Article 58h. Violations against regulations on declaration when a maritime occupational accident occurs on board**

A fine of between VND 5,000,000 and VND 10,000,000 shall be imposed for acts of failing to declare maritime occupational accidents as prescribed.".

33. Section 13 is added to Chapter II and Articles 58i and 58k are added as follows:

**"Section 13. VIOLATIONS AGAINST REGULATIONS ON NATURAL DISASTER PREVENTION AND CONTROL IN THE MARITIME SECTOR**

**Article 58i. Violations against regulations on formulation of natural disaster response plans and reports on natural disaster prevention and control in the maritime sector**

1. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed on enterprises for committing one of the following acts:

a) Failing to formulate natural disaster response plans as prescribed;

b) Failing to comply with the regime of reporting before, during and after natural disasters occur to port authorities as prescribed.

2. Remedial measures: Forcible formulation of natural disaster response plans as prescribed, for violations specified at Point a, Clause 1 of this Article.

**Article 58k. Violations against regulations on natural disaster prevention and response**

1. A fine of between VND 15,000,000 and VND 25,000,000 shall be imposed on enterprises when committing one of the following acts:

a) Providing false information about the location and condition of vessels in operation in the event of a natural disaster;

b) Failing to comply with regulations on natural disaster prevention and control for ships and vessels;

c) Failing to prepare or inadequately preparing manpower, supplies, means, equipment and necessities for natural disaster response according to the approved natural disaster response plan.

2. A fine of between VND 25,000,000 and VND 35,000,000 shall be imposed on enterprises that are unwilling to comply with requests of port authorities on the dispatch of vessels to participate in overcoming the consequences of natural disasters.

3. Remedial measures: Forcible correction of information on the location and condition of vessels in operation in case of natural disasters, for violations specified at Point a, Clause 1 of this Article.".

34. Section 14 is added to Chapter II and Article 58l is added as follows:

**"Section 14. VIOLATIONS AGAINST REGULATIONS ON PREVENTION AND CONTROL OF INFECTIOUS DISEASES IN THE MARITIME SECTOR**

**Article 58l. Violations against regulations on prevention and control of infectious diseases in the maritime sector**

1. A fine of between VND 1,000,000 and VND 3,000,000 shall be imposed for each of the following acts of violation:

a) Failing to notify them; inaccurate or untimely notification of information on prevention and control of infectious diseases to employees, crew members and passengers at the request of competent agencies;

b) Failing to take measures to ensure hygiene and personal protection to prevent infectious diseases on board ships and boats at the request of competent agencies;

c) Failing to carry out testing at the request of competent agencies in the course of conducting surveillance of infectious diseases.

2. A fine of between VND 3,000,000 and VND 5,000,000 shall be imposed for each of the following acts of violation:

a) Failing to immediately contact the medical quarantine organization in case passengers or crew members on board the ship show symptoms or signs of infectious diseases before the ship docks;

b) Arbitrarily embarking or disembarking ships, loading and unloading or receiving goods while the ship is waiting for medical quarantine or undergoing medical quarantine, except for cases where the ship is in distress.

3. A fine of between VND 5,000,000 and VND 7,000,000 shall be imposed for each of the following acts of violation:

a) Failing to comply with the medical examination and medical handling of the medical quarantine organization as prescribed by law, except for the case specified at Point b, Clause 5 of this Article;

b) Failing to comply with regulations on medical quarantine signals for ships upon entry;

c) Failing to make medical declarations or untruthfully declaring border medical quarantine as prescribed by law.

4. A fine of between VND 10,000,000 and VND 20,000,000 shall be imposed for acts of concealing, failing to report or declare or failing to timely report or declare the current status of infectious diseases of oneself or others suffering from infectious diseases on ships.

5. A fine of between VND 15,000,000 and VND 20,000,000 shall be imposed for each of the following acts of violation:

a) Leaving the ship without carrying out medical quarantine procedures or without the permission of a competent agency;

b) Failing to comply with medical isolation, enforced medical isolation or medical treatment of people, ships, goods and other quarantine-subject carrying infectious disease pathogens as prescribed or at the request of competent agencies.

6. Remedial measures:

a) Forcible medical examination and handling, for the acts specified at Point a, Clause 3 of this Article;

b) Forcible return to the ship or the medical isolation area, for the acts specified at Point a, Clause 5 of this Article;

c) Forcible medical isolation, compulsory medical isolation and medical treatment of people, ships and cargoes carrying infectious disease pathogens specified at Point b, Clause 5 of this Article.".

35. Article 59 is amended as follows:

**"Article 59. Competence to make records of administrative violations**

Persons competent to sanction administrative violations and civil servants, public employees, persons of the People's Army or People's Police who are performing official duties or tasks under the management of persons competent to sanction administrative violations specified in Articles 60 and 61, Articles 62, 63, 64, 65 and 66 of this Decree who are performing their official duties or tasks within the scope of their responsibilities and detecting acts of administrative violation in the maritime domain must promptly prevent and make records of administrative violations according to regulations. For acts of administrative violation occurring on a seagoing ship or inland waterway vessel, the captain or driver of an inland waterway vessel shall have to make a record and immediately forward it to the person competent to sanction the administrative violation when the ship arrives at the port.".

36. To amend and supplement a number of points and clauses of Article 60 as follows:

a) Points c and d, Clause 1, Article 60 are amended as follows:

"c) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 1,000,000;

d) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations.";

b) Points d and dd, Clause 2, Article 60 are amended as follows:

"d) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 100,000,000;

dd) Apply the remedial measures specified at Points a, b and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations and other remedial measures specified in Clause 3, Article 4 of this Decree.";

c) Points d and dd, Clause 3, Article 60 are amended as follows:

"d) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 140,000,000;

dd) Apply the remedial measures specified at Points a, b and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations and other remedial measures specified in Clause 3, Article 4 of this Decree.";

d) Point dd, Clause 4, Article 60 is amended as follows:

"dd) Apply the remedial measures specified at Points a, b and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations and other remedial measures specified in Clause 3, Article 4 of this Decree.".

37. To amend and supplement a number of points and clauses of Article 61 as follows:

a) Point c, Clause 1, Article 61 is amended as follows:

"c) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 20,000,000.";

b) Clause 2 of Article 61 is amended as follows:

"2. Directors of port authorities and heads of specialized inspection teams of the Vietnam Maritime Administration have the right to:

a) Impose a warning;

b) Impose fines of up to VND 50,000,000;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used in administrative violations;

dd) Apply the remedial measures specified at Points a, b and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations and other remedial measures specified in Clause 3, Article 4 of this Decree.".

38. Clause 5 of Article 62 is amended as follows:

"5. Apply the remedial measures specified at Points a, b and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations and other remedial measures specified in Clause 3, Article 4 of this Decree.".

39. Clause 5 of Article 63 is amended as follows:

"5. Apply the remedial measures specified at Points a, b and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations and other remedial measures specified in Clause 3, Article 4 of this Decree.".

40. Article 64 is amended as follows:

**"Article 64. Competence to sanction administrative violations of the People's Police**

1. People's Police soldiers on duty have the right to:

a) Impose a warning;

b) A fine of up to VND 500,000.

2. Captains of police soldiers on duty have the right to:

a) Impose a warning;

b) A fine of up to VND 1,500,000.

3. Commune-level police chiefs, police station chiefs and marine captains have the right to:

a) Impose a warning;

b) Impose fines of up to VND 2,500,000;

c) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 5,000,000;

d) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations.

4. The chief of the district-level police; Head of the Professional Division of the Police Department for Administrative Management of Social Order; The Head of the Professional Division of the Traffic Police Department, the Head of the Professional Division of the Fire Prevention and Fighting and Rescue Police Department; Heads of provincial-level Public Security Divisions, including: Heads of Waterway Police Divisions, Heads of Environmental Crime Prevention and Combat Police Divisions, Heads of Fire Prevention and Fighting and Rescue Police Divisions, Heads of Economic Security Divisions, and Crew Commanders have the right to:

a) Impose a warning;

b) A fine of up to VND 20,000,000;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscate material evidences and means used in administrative violations valued at not more than VND 40,000,000;

dd) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations; Clause 3, Article 4 of this Decree.

5. Directors of provincial-level Police have the right to:

a) Impose a warning;

b) Impose fines of up to VND 50,000,000;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used in administrative violations;

dd) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations; Clause 3, Article 4 of this Decree.

6. The Director of the Department of Economic Security, the Director of the Police Department for Administrative Management of Social Order, the Director of the Police Department for Investigation of Corruption, Economic and Smuggling Crimes, the Director of the Traffic Police Department, the Director of the Fire Prevention and Fighting and Rescue Police Department, The Director of the Environmental Crime Prevention and Combat Police Department has the right to:

a) Impose a warning;

b) Impose a fine of up to VND 100,000,000;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used in administrative violations;

dd) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations; Clause 3, Article 4 of this Decree.

7. Delimitation of competence of the People's Police to commit administrative violations

a) People's Police soldiers on duty shall be sanctioned for acts of administrative violation of inland waterway vessels operating in seaport waters or outside the seaport waters where inland waterway vessels are permitted to operate directly related to the domains under their management according to their competence to handle administrative violations and violations of administrative violations specified in Clause 1, Article 33 of this Decree;

b) The captain of the People's Police soldier on duty shall impose penalties for acts of administrative violation of inland waterway vessels operating in seaport waters or outside the seaport waters where inland waterway vessels are permitted to operate directly related to the domains under their management according to their competence to handle administrative violations and administrative violations specified in Clause 1, Article 13; Clause 1, Article 30; Clauses 1 and 2, Article 33 of this Decree;

c) Commune-level police chiefs, police station chiefs and captains shall impose penalties for acts of administrative violation of inland waterway vessels operating in seaport waters or outside the seaport waters where inland waterway vessels are permitted to operate directly related to the sectors under their management according to their competence to handle administrative violations and acts of administrative violation specified in Clause 1, Article 13; Clause 1, Article 30; Clauses 1 and 2, Article 33 of this Decree;

d) District-level police chiefs; Head of the Professional Division of the Police Department for Administrative Management of Social Order; The Head of the Professional Division of the Traffic Police Department, the Head of the Professional Division of the Fire Prevention and Fighting and Rescue Police Department; Heads of provincial-level Public Security Divisions include: Heads of Waterway Police Divisions, Heads of Environmental Crime Prevention and Combat Police Divisions, Heads of Fire Prevention and Fighting and Rescue Police Divisions, Heads of Economic Security Divisions, and Captains of Crews shall impose penalties for administrative violations committed by inland waterway vessels operating in seaport waters or outside port waters inland waterway vessels permitted to operate directly related to the sectors under their management according to their competence to handle administrative violations and acts of administrative violation specified at Points d, e, g, Clause 2, Article 12; Clause 1, Clause 2 and Clause 3 Article 13; Clauses 1 and 2 of Article 28; Clause 1, Clause 2, Clause 3 Article 30; Clause 1, Clause 2, Point a, Clause 3, Points a, b, Clause 10, Article 33 of this Decree;

dd) Directors of provincial-level police departments shall impose penalties for acts of administrative violations committed by inland watercraft operating in seaport waters or outside seaport waters where inland waterway vessels are permitted to operate directly related to the domains under their management according to their competence to handle administrative violations and acts of administrative violations prescribed at Points d, e and g, Clause 2, Article 12; Clause 1, Clause 2 and Clause 3 Article 13; Article 28; Article 30; Clause 1, Clause 2, Point a, Clause 3, Clause 10, Article 33 of this Decree;

e) The Director of the Economic Security Department, the Director of the Police Department for Administrative Management of Social Order, the Director of the Police Department for Investigation of Corruption, Economic and Smuggling Crimes, the Director of the Traffic Police Department, the Director of the Fire Prevention and Fighting and Rescue Police Department, rescue, the Director of the Environmental Crime Prevention and Combat Police Department shall impose penalties for acts of administrative violations committed by inland watercraft operating in seaport waters or outside seaport waters where inland waterway vessels are permitted to operate directly related to the sectors under their management according to their competence to handle administrative violations and acts of administrative violation specified at Points d, e and g, Clause 2, Article 12; Article 13; Article 28; Article 30; Clause 1 and Clause 2, Point a, Clause 3, Clause 10, Article 33; Point a, Clause 1, Article 58dd of this Decree.".

41. Article 65 is amended as follows:

**"Article 65. Competence of the Border Guard**

1. Border Guard soldiers on duty have the right to:

a) Impose a warning;

b) A fine of up to VND 500,000.

2. Station chiefs and team leaders of the persons specified in Clause 1 of this Article have the right to:

a) Impose a warning;

b) A fine of up to VND 2,500,000.

3. Commanders of border guard stations, border guard squadron commanders and commanders of port border-gate border guard commands have the right to:

a) Impose a warning;

b) A fine of up to VND 20,000,000;

c) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 40,000,000;

d) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations; Clause 3, Article 4 of this Decree.

4. Commanders of provincial-level border guards and commanders of border guard flotations affiliated to the Border Guard Command have the right to:

a) Impose a warning;

b) Impose fines of up to the maximum level for acts directly related to the domains under their management;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used in administrative violations;

dd) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations; Clause 3, Article 4 of this Decree.

5. Delineation of competence to sanction administrative violations of the Border Guard

a) Border Guard soldiers shall impose penalties for acts of administrative violation specified in Clause 1, Article 33; Clause 1, Article 34; Point a, Clause 5, Point a, Clause 6, Point a, Clause 7, Point a, Clause 8, Article 36 of this Decree;

b) The station chief or team leader of the person specified at Point a, Clause 5 of this Article shall impose penalties for acts of administrative violation specified in Clause 1, Article 33; Clause 1, Article 34; Point a, Clause 5, Point a, Clause 6, Point a, Clause 7, Point a, Clause 8, Article 36; Clause 1, Article 58l of this Decree;

c) The commander of the border guard station, the commander of the border guard flotilla, the commander of the border guard command board of the port border gate shall impose penalties for acts of administrative violation specified in Clauses 1 and 2, Article 12; Clause 1, Clause 2, Point a, Point b, Point dd, Point e Clause 3; Points a, b, Clause 5, Clause 7, Clause 8, Article 32; Clause 1, Clause 3, Point e Clause 5, Point a Clause 10 Article 33; Clause 1, Clause 2, Clause 3 Article 34; Clause 1, Clause 2, Clause 3, Point a, Point b Clause 4, Clause 5, Clause 6, Point a, Point b Clause 7, Point a Clause 8, Clause 9, Clause 10, Point a, Point b Clause 11 Article 36; Clause 1, Clause 2, Point a, Point b Clause 3, Clause 8 Article 37; Clause 1, Clause 3, Clause 4 Article 40; Clause 1, Clause 3 Article 42; Points a, b, Clause 1, Points a, b, c, d, dd, Clause 2, Article 58b; Clause 1, Point a, Clause 3, Article 58g; Article 58l of this Decree;

d) Commanders of provincial-level border guards, commanders of border guard fleets affiliated to the Border Guard Command shall impose penalties for administrative violations specified in Article 12; Clauses 3 and 4 of Article 19; Clause 1, Clause 2, Point a, Point dd, Point e Clause 3, Clause 5, Clause 6, Clause 7, Clause 8 Article 32; Clause 1, Clause 3, Point e, Clause 5 and Clause 10, Article 33; Article 34; Article 36; Article 37; Article 40; Clause 1, Clause 3, Points a, b, c, Clause 4, Article 42; Points a, b, Clause 1, Points a, b, c, d, dd, Clause 2, Article 58b; Point a, Clause 1, Article 58dd; Article 58g; Article 58l of this Decree.".

42. Article 66 is amended as follows:

**"Article 66. Competence of the Coast Guard**

1. Coast Guard officers on duty have the right to:

a) Impose a warning;

b) A fine of up to VND 1,500,000.

2. The head of the Coast Guard professional team has the right to:

a) Impose a warning;

b) A fine of up to VND 5,000,000.

3. Captains of Coast Guard professional teams and chiefs of Coast Guard stations have the right to:

a) Impose a warning;

b) Impose a fine of up to VND 10,000,000;

c) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations.

4. The commander of the Coast Guard flotilla has the right to:

a) Impose a warning;

b) A fine of up to VND 20,000,000;

c) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 40,000,000;

d) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations; Clause 3, Article 4 of this Decree.

5. Commander of the Coast Guard Fleet; The head of the reconnaissance delegation and the head of the drug crime prevention and combat task force of the Vietnam Coast Guard Command have the right to:

a) Impose a warning;

b) Impose fines of up to VND 30,000,000;

c) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 60,000,000;

d) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations; Clause 3, Article 4 of this Decree.

6. The Commander of the Coast Guard Region and the Director of the Department of Operations and Law of the Vietnam Coast Guard Command have the right to:

a) Impose a warning;

b) Impose fines of up to VND 50,000,000;

c) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 100,000,000;

d) Apply the remedial measures specified at Points a and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations; Clause 3, Article 4 of this Decree.

7. The Commander of the Vietnam Coast Guard has the right to:

a) Impose a warning;

b) Impose a fine of up to VND 100,000,000;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used in administrative violations;

dd) Apply the remedial measures specified at Points a, b and c, Clause 1, Article 28 of the Law on Handling of Administrative Violations; Clause 3, Article 4 of this Decree.

8. Delimitation of the Coast Guard's competence to sanction administrative violations

a) Coast Guard officers shall impose penalties for acts of administrative violation detected outside the seaport waters directly related to the domains under their management specified in Clause 1, Article 34; Point a, Clause 5, Point a, Clause 6, Point a, Clause 7, Point a, Clause 8, Article 36 of this Decree;

b) The head of the Coast Guard professional team shall impose penalties for acts of administrative violation detected outside the seaport waters directly related to the domains under their management specified in Clauses 3 and 4, Article 33; Clause 1, Clause 2 Article 34; Clause 1, Point a, Point b Clause 5, Point a, Point b Clause 6, Point a Clause 7, Point a Clause 8, Point a Clause 9 Article 36; Clause 1, Article 37; Clause 1, Article 42 of this Decree;

c) The head of the Coast Guard professional team and the head of the Coast Guard station shall impose penalties for acts of administrative violation detected outside the seaport waters directly related to the domains under their management specified in Clause 3, Clause 4, Point e, Clause 5, Article 33; Clause 1, Clause 2 and Clause 3 of Article 34; Clause 1, Clause 2, Point a Clause 4, Clause 5, Point a, Point b, Point c Clause 6, Point a Clause 7, Point a Clause 8, Point a, Point b Clause 9, Point a Clause 10 Article 36; Clause 1, Clause 2, Point a, Clause 3, Clause 8, Article 37; Clauses 1, 2 and 3, Article 42 of this Decree;

d) Coast Guard squadron commanders shall impose penalties for administrative violations detected outside the seaport waters directly related to the domains under their management specified in Clauses 3, 4, Point e, Clause 5, Clause 6, Article 33; Clause 1, Clause 2, Clause 3 Article 34; Clause 1, Clause 2, Clause 3, Point a, Point b Clause 4, Clause 5, Clause 6, Point a, Point b Clause 7, Point a Clause 8, Clause 9, Clause 10, Point a, Point b Clause 11 Article 36; Clause 1, Clause 2, Point a, Point b Clause 3, Clause 8 Article 37; Clause 1, Clause 3, Point a, Clause 4, Article 40; Clause 1, Clause 2, Clause 3 Article 42; Points a, b, c, d, dd, Clause 2, Article 58b; Clause 1, Point a, Clause 3, Article 58g of this Decree;

dd) Fleet Commander of the Coast Guard Fleet; The head of the reconnaissance delegation and the head of the task force for drug crime prevention and combat under the Vietnam Coast Guard Command shall sanction acts of administrative violation detected outside the seaport waters directly related to the domains under their management specified in Clause 3. Clause 4, Point e, Clause 5, Clause 6, Article 33; Article 34; Clause 1, Clause 2, Clause 3, Point a, Point b, Point c Clause 4, Clause 5, Clause 6, Point a, Point b, Point c Clause 7, Point a Clause 8, Clause 9, Clause 10, Clause 11 Article 36; Clause 1, Clause 2, Point a, Point b Clause 3, Clause 8 Article 37; Article 40; Article 42; Points a, b, c, d, dd, Clause 2, Article 58b; Clause 1, Point a, Clause 3, Article 58g of this Decree;

e) The Commander of the Coast Guard Region, the Director of the Department of Operations and Law under the Vietnam Coast Guard Command shall impose penalties for acts of administrative violation detected outside the seaport waters directly related to the domains under their management specified in Clause 3. Clause 4, Point e, Clause 5, Clause 6, Article 33; Article 34; Clause 1, Clause 2, Clause 3, Clause 4, Clause 5, Clause 6, Clause 7, Point a, Point b Clause 8, Clause 9, Clause 10, Clause 11, Point a, Clause 12, Article 36; Clause 1, Clause 2, Point a, Point b, Point c, Clause 3, Clause 4, Clause 5, Clause 6, Clause 8 Article 37; Article 40; Article 42; Points a, b, c, d, dd, Clause 2, Article 58b; Article 58g of this Decree;

g) The Vietnam Coast Guard Commander shall impose penalties for acts of administrative violation detected outside the seaport waters directly related to the domains under their management specified at Point a, Clause 3, Clause 4, Point e, Clause 5 and Clause 6, Article 33; Article 34; Article 36; Article 37; Article 40, Article 42; Points a, b, c, d, dd, Clause 2, Article 58b; Point a, Clause 1, Article 58dd, Article 58g of this Decree.".

43. To annul Articles 6, 9, 18, 22, 23, 27, 35, 41, Clause 1, Article 43, Clause 1, Article 47, Article 58.

44. Replace the phrase "dismantle" with the phrase "dismantle" in Clause 5, Article 24.

**Article 2. Amending, supplementing and annulling a number of articles of the Government's Decree No. 100/2019/ND-CP dated December 30, 2019 stipulating penalties for administrative violations in the field of road traffic and railways**

1. Point h, Clause 2, Article 2 is amended as follows:

"h) Cooperative groups;".

2. Article 4a is added after Article 4 as follows:

**"Article 4a. The administrative violation has ended, the administrative violation is being carried out**

1. Completed acts of administrative violation include the following acts of violation:

a) Acts of violating regulations on goods classification at Point a, Clause 1, Point a, Clause 3, Clause 5, Article 28 of this Decree. The time of termination of the violation is counted from the time of detection of the act of carrying goods in excess of the tonnage (volume of goods carried) allowed to participate in traffic of the vehicle;

b) Violations detected through professional technical means and equipment. The time of termination of the violation shall be counted from the time the professional technical means and equipment record the violation;

c) Acts of administrative violation specified in this Decree that do not fall into the cases specified at Points a and b of this Clause but have been committed before the time the competent person detects the violation. In case there are no documents and evidences to determine the exact time of termination of the violation, these violations shall still be determined to be within the statute of limitations for sanctioning administrative violations.

2. Acts of administrative violation specified in this Decree other than those specified in Clause 1 of this Article are acts of administrative violation being committed.".

3. To amend and supplement a number of points and clauses of Article 5 as follows:

a) Point k, Clause 3, Article 5 is amended as follows:

"k) Turning the vehicle at the place where the road intersects at the same level as the railway; U-turn at narrow roads, steep roads, curved roads where visibility is obscured, where there are signs prohibiting U-turn for the type of vehicle being driven; driving a vehicle to turn left at a place where there is a sign with the content of prohibition of turning left for the type of vehicle being driven; driving a vehicle to turn right at a place where there is a sign prohibiting a right turn for the type of vehicle being driven;";

b) Point c, Clause 4, Article 5 is amended as follows:

"c) Driving a vehicle that is not eligible for automatic non-stop electronic toll collection (vehicles without terminal tags or terminal tags but the amount in the toll collection account is not enough to pay when passing through the automatic electronic toll lane without stopping) entering the lane reserved for automatic electronic toll collection without stopping at stations collect fees;";

c) Point b, Clause 6, Article 5 is amended as follows:

"b) Failing to give way or obstructing the priority vehicle that is giving priority signals to go on duty;";

d) Point d is added after Point c, Clause 7, Article 5 as follows:

"d) Stopping or parking vehicles on expressways in improper places; there is no signal for other drivers to know when forced to stop or park on the highway in the wrong place; U-turn on the highway;".

4. To amend and supplement a number of points and clauses of Article 6 as follows:

a) Point a, Clause 3, Article 6 is amended as follows:

"a) Changing direction without slowing down or without a signal indicating the direction of turning (except for driving a vehicle in the curved direction of the road section where the roads do not intersect at the same level); driving a vehicle to turn left at a place where there is a sign with the content of prohibition of turning left for the type of vehicle being driven; driving a vehicle to turn right at a place where there is a sign prohibiting a right turn for the type of vehicle being driven;";

b) Point n and Point o are added after Point m, Clause 3, Article 6 as follows:

"n) Failing to wear a "helmet for motorcyclists" or a "helmet for motorcyclists" without proper straps when driving a vehicle on roads;

o) Carrying passengers in vehicles without wearing "helmets for motorcycle riders" or "helmets for motorcycle riders" without proper straps, except for cases of transporting sick people to emergency rooms, children under 06 years old, escorting people who commit acts of law violation.";

c) Clause 5, Article 6 is amended as follows:

"5. A fine of between VND 1,000,000 and VND 2,000,000 shall be imposed on the driver of the vehicle who commits one of the following acts of violation:

a) Going in the opposite direction of a one-way road, going in the opposite direction on a road with a sign "No going in the opposite direction", except for the violations specified at Point b, Clause 6 of this Article and cases where priority vehicles are on emergency duty as prescribed;

b) Failing to give way or obstructing vehicles with the right of way that are giving priority signals to go on duty.";

d) Point c, Clause 10, Article 6 is amended as follows:

"c) Committing the acts specified at Point a, Clause 6; Points a and b, Clause 7; Points a, b, c, d, Clause 8 of this Article shall be deprived of the right to use the driving license from 02 months to 04 months; repeat offenses or repeated violations of the acts specified at Points a, b, c, d, Clause 8 of this Article shall have their vehicles confiscated. Committing the acts specified at one of the following points and clauses of this Article and causing traffic accidents, the driver shall be deprived of the right to use the driver's license from 02 months to 04 months: Point a, Point g, Point h, Point k, Point l, Point m, Point n, Point q Clause 1; Points b, d, e, g, l, m Clause 2; Points a, b, c, k, m Clause 3; Points e, g, h, Clause 4; Point b, Clause 5 of this Article;".

5. Point g, Clause 4, Article 7 is amended as follows:

"g) U-turn at the place where the road intersects at the same level as the railway; U-turn at narrow roads, steep roads, curved roads where visibility is obscured, where there are signs prohibiting U-turn for the type of vehicle being driven; driving a vehicle to turn left at a place where there is a sign with the content of prohibition of turning left for the type of vehicle being driven; driving a vehicle to turn right at a place where there is a sign prohibiting a right turn for the type of vehicle being driven;".

6. Points dd and e are added after Point d, Clause 4, Article 8 as follows:

"dd) Operators of motorcycles (including electric bicycles) do not wear "helmets for motorcycle riders" or "helmets for motorcycle riders" without proper straps when participating in traffic on roads;

e) Carrying passengers on motorcycles (including electric bicycles) without wearing "helmets for motorcycle riders" or "helmets for motorcycle riders" without proper straps, except for cases of transporting sick people to emergency rooms, children under 6 years old, escorting persons who commit acts of violating the law.".

7. Clause 6 of Article 11 is amended as follows:

"6. A fine of between VND 400,000 and VND 600,000 shall be imposed on a person who is carried on a motorcycle, moped (including electric motorcycles), vehicles similar to motorcycles, vehicles similar to motorcycles or motorcycles (including electric bicycles) committing one of the following acts of violation:

a) Grasping, pulling or pushing other carts or objects, leading animals, carrying bulky objects, standing on saddles, cargo racks or sitting on the steering wheel;

b) Failing to wear "helmets for motorcyclists" or "helmets for motorcyclists" without proper straps when participating in traffic on roads.".

8. Clause 4a is added after Clause 4 of Article 15 as follows:

"4a. A fine of between VND 4,000,000 and VND 6,000,000 shall be imposed on vehicle operators and vehicle owners who evade or fail to pay for road use services when vehicles participate in traffic through toll booths.".

9. Article 16 is amended as follows:

**"Article 16. Penalties for drivers of automobiles (including trailers or semi-trailers towed) and vehicles similar to automobiles that violate regulations on conditions of vehicles when participating in traffic**

1. A fine of between VND 100,000 and VND 200,000 shall be imposed for driving a vehicle without a windshield or with a broken windshield or with a but ineffective effect (for a vehicle designed with a windshield).

2. A fine of between VND 300,000 and VND 400,000 shall be imposed for one of the following acts of violation:

a) Driving a vehicle without sufficient lights, license plate lights, brake lights, signal lights, wipers, rearview mirrors, seat belts, emergency exit devices, fire extinguishing equipment, steam pressure gauges, speed gauges of the vehicle or having such devices but having no effect; not in accordance with the design standards (for vehicles that are required to have such equipment), except for the violations specified at Point m, Clause 3, Article 23, Point q, Clause 4, Article 28 of this Decree;

b) Driving a vehicle without a horn or having a horn but the horn has no effect;

c) Driving a vehicle without a silencer or smoke reducer or with but no effect, failing to comply with environmental regulations on emissions and noise.

3. A fine of between VND 1,000,000 and VND 2,000,000 shall be imposed for one of the following acts of violation:

a) Driving the vehicle to install additional lights in the front, rear, roof, undercarriage, one or both sides of the vehicle;

b) Operating a vehicle with a vehicle diversion system not in accordance with technical safety standards;

c) Driving a vehicle without installing enough tires or installing tires of the wrong size or failing to meet technical standards (including trailers and semi-trailers);

d) Operating passenger transport business cars with additional or removing seats or sleepers or having the size of the luggage compartment (car hold) not in accordance with the technical parameters stated in the certificate of technical safety and environmental protection inspection of the vehicle.

4. A fine of between VND 2,000,000 and VND 3,000,000 shall be imposed for one of the following acts of violation:

a) Driving a vehicle without a vehicle registration certificate as prescribed or using an expired vehicle registration certificate (including trailers and semi-trailers);

b) Driving vehicles (including trailers and semi-trailers) without number plates (for vehicles that are required to have number plates);

c) Driving a truck (including trailers and semi-trailers) with a trunk size inconsistent with the technical parameters stated in the vehicle's certificate of technical safety and environmental protection inspection;

d) Controlling the vehicle to install and use the horn in excess of the prescribed volume.

5. A fine of between VND 3,000,000 and VND 4,000,000 shall be imposed for one of the following acts of violation:

a) Driving a vehicle with a certificate or stamp of technical safety and environmental protection inspection but the expiration date has expired for less than 01 month (including trailers and semi-trailers);

b) Driving a vehicle with insufficient braking system or having sufficient braking system but not working or not complying with technical safety standards (including trailers and semi-trailers).

6. A fine of between VND 4,000,000 and VND 6,000,000 shall be imposed for one of the following acts of violation:

a) Driving a vehicle with a number plate not in accordance with the vehicle registration certificate or with a number plate not issued by a competent agency (including trailers and semi-trailers);

b) Using vehicle registration certificates, certificates, stamps of technical safety and environmental protection inspection not issued by competent agencies or erased; using the vehicle registration certificate incorrectly with the chassis number and engine number of the vehicle (including trailers and semi-trailers);

c) Driving a vehicle without a certificate or stamp of technical safety and environmental protection inspection (for vehicles subject to inspection, except for vehicles temporarily registered) or having but having expired for 01 month or more (including trailers and semi-trailers);

d) Driving a vehicle without sufficient number plates or in the wrong position; attaching number plates with unknown letters and numbers; attaching bent, concealed or damaged number plates; additional paint or stickers to change letters, numbers or change the color of letters, numbers, sea floors (including trailers and semi-trailers).

7. A fine of between VND 10,000,000 and VND 12,000,000 shall be imposed for one of the following acts of violation:

a) Driving temporarily registered vehicles or vehicles with restricted scope of operation beyond the permitted scope and duration;

b) Driving vehicles (including trailers and semi-trailers) beyond their useful life in traffic (for vehicles with regulations on useful life);

c) Driving vehicles manufactured and assembled in contravention of regulations to participate in traffic (including agricultural and industrial vehicles suspended from participating in traffic, trailers and semi-trailers towed).

8. In addition to being fined, drivers of vehicles that commit acts of violation shall also be subject to the following additional sanctioning forms:

a) Committing the acts specified at Points a and b, Clause 3; Clause 4; Clause 5; Point c, Clause 6; Point a, Clause 7 of this Article shall be deprived of the right to use the driver's license from 01 month to 03 months;

b) Committing the acts specified at Point a, Clause 3, Point d, Clause 4 of this Article, having additional lights or horns confiscated in excess of the volume;

c) Committing the acts specified at Points a and b, Clause 6 of this Article, having the certificates, stamps of technical safety and environmental protection inspection, vehicle registration certificates, number plates not in accordance with regulations or erased; deprived of the right to use the driver's license from 01 month to 03 months;

d) Committing the acts specified at Points b and c, Clause 7 of this Article, vehicles shall be confiscated (except for cars with 10 seats or more engaged in passenger transport business with a useful life exceeding the regulations on business conditions of the registered business form but not exceeding 20 years from the year of manufacture; cars with less than 10 seats in passenger transport business) and deprived of the right to use the driver's license from 01 month to 03 months;

dd) Committing the acts specified at Point a, Clause 4, Point b, Clause 6 of this Article in case of not having a vehicle registration certificate or using a vehicle registration certificate not issued by a competent agency, improper frame number, engine number of the vehicle or erased (including trailers and semi-trailers) without proving the origin of the vehicle ( without papers and documents on transfer of vehicle ownership or papers and documents of lawful vehicle origin) shall be confiscated.

9. In addition to being sanctioned, the driver of the vehicle committing the violation shall also be subject to the following remedial measures:

a) Committing the acts specified in Clause 1; Clause 2; Points b and c, Clause 3; Points c, d, Clause 4; Point b, Clause 5; Point d, Clause 6 of this Article shall be forced to fully install equipment or replace equipment that meets technical safety standards or restore technical features of equipment as prescribed;

b) Committing the acts specified at Points a and d, Clause 3 of this Article, forcible installation of equipment or restoration of technical features of equipment as prescribed, removal of additional equipment installed in contravention of regulations.".

10. Point d is added after Point c, Clause 2, Article 17 as follows:

"d) Driving vehicles with license plates in contravention of regulations; attaching number plates with unknown letters and numbers; attaching bent, concealed or damaged number plates; paint or paste to change letters, numbers or change the color of letters, numbers, sea background.".

11. Article 21 is amended as follows:

**"Article 21. Penalties for violations of regulations on conditions of motor vehicle drivers**

1. A caution shall be imposed on persons aged between full 14 and under 16 years old who drive motorcycles, mopeds (including electric motorcycles) and vehicles similar to motorcycles or drive cars, tractors and vehicles similar to automobiles.

2. A fine of between VND 100,000 and VND 200,000 shall be imposed for one of the following acts of violation:

a) Drivers of motorcycles, mopeds, vehicles similar to motorcycles and vehicles similar to motorcycles do not have or carry valid certificates of civil liability insurance of motor vehicle owners;

b) Drivers of motorcycles, mopeds, vehicles similar to motorcycles and vehicles similar to mopeds do not carry their vehicle registration certificates;

c) Drivers of motorcycles and vehicles similar to motorcycles do not carry driving licenses, except for the violations specified at Point b, Clause 5, Point c, Clause 7 of this Article.

3. A fine of between VND 200,000 and VND 400,000 shall be imposed for one of the following acts of violation:

a) Drivers of automobiles, tractors and vehicles similar to automobiles do not carry driving licenses, except for the violations specified at Point c, Clause 8 of this Article;

b) Drivers of automobiles, tractors and vehicles similar to automobiles do not carry vehicle registration certificates (including trailers and semi-trailers);

c) Drivers of automobiles, tractors and vehicles similar to automobiles do not carry certificates of technical safety and environmental protection inspection (for vehicles subject to inspection, including trailers and semi-trailers).

4. A fine of between VND 400,000 and VND 600,000 shall be imposed for one of the following acts of violation:

a) Persons aged from full 16 years to under 18 years old driving motorcycles with a cylinder capacity of 50 cm3 or more;

b) Drivers of automobiles, tractors and vehicles similar to automobiles do not have or carry valid civil liability insurance certificates of motor vehicle owners.

5. A fine of between VND 1,000,000 and VND 2,000,000 shall be imposed on drivers of two-wheeled motorcycles with a cylinder capacity of less than 175 cm3 and vehicles similar to motorcycles that commit one of the following acts of violation:

a) Failing to have a driver's license or using a driver's license not issued by a competent agency, or the driver's license is erased;

b) Having an international driving license issued by countries participating in the 1968 Convention on Road Traffic (except for an international driving license issued by Vietnam) but not carrying a national driving license;

c) Using an invalid driver's license (the driver's license has a workpiece number written on the back that is not the same as the latest issued workpiece number in the driver's license management information system).

6. A fine of between VND 2,000,000 and VND 4,000,000 shall be imposed on persons aged between full 16 and under 18 years old who drive cars, tractors and vehicles similar to cars.

7. A fine of between VND 4,000,000 and VND 5,000,000 shall be imposed on drivers of two-wheeled motorcycles with a cylinder capacity of 175 cm3 or more, three-wheeled motorcycles that commit one of the following acts of violation:

a) Having a driver's license but not suitable to the type of vehicle being driven;

b) Failing to have a driver's license or using a driver's license not issued by a competent agency, or the driver's license is erased;

c) Having an international driving license issued by a country participating in the 1968 Convention on Road Traffic (except for an international driving license issued by Vietnam) but not carrying a national driving license;

d) Using an invalid driver's license (the driver's license has a workpiece number written on the back that is not the same as the latest issued workpiece number in the driver's license management information system).

8. A fine of between VND 5,000,000 and VND 7,000,000 shall be imposed on drivers of cars, tractors and vehicles similar to cars that commit one of the following acts:

a) Having a driver's license but having expired for less than 03 months;

b) Having an international driving license issued by countries participating in the 1968 Convention on Road Traffic (except for an international driving license issued by Vietnam) but not carrying a national driving license;

c) Using an invalid driver's license (the driver's license has a workpiece number written on the back that is not the same as the latest issued workpiece number in the driver's license management information system).

9. A fine of between VND 10,000,000 and VND 12,000,000 shall be imposed on drivers of automobiles, tractors and vehicles similar to automobiles that commit one of the following acts:

a) Having a driver's license but not suitable for the type of vehicle being driven or having a driver's license but having expired for 03 months or more;

b) Failing to have a driver's license or using a driver's license not issued by a competent agency or using an erased driver's license.

10. In addition to being fined, the driver of the vehicle committing the violation shall also be subject to the following additional sanctioning forms:

a) Committing the acts specified at Points a and c, Clause 5; Points b and d, Clause 7; Point c, Clause 8; Point b, Clause 9 of this Article shall also be subject to additional sanctions: confiscation of driving licenses not issued by competent agencies, erased driving licenses, invalid driving licenses;

b) Committing the acts specified at Point c, Clause 5, Point d, Clause 7, Point c, Clause 8, being deprived of the right to use the latest driver's license issued in the driver's license management information system from 01 month to 03 months.".

12. To amend and supplement a number of points and clauses of Article 23 as follows:

a) Point p, Clause 5, Article 23 is amended as follows:

"p) Operating a passenger transport business car without installing a camera as prescribed (for vehicles that are required to be equipped with a camera) or having a camera installed but failing to record or store images on the vehicle (including the driver and the door of the vehicle) during the vehicle participating in traffic as prescribed or using technical measures, peripheral equipment and other measures that falsify the data of cameras installed on cars;";

b) Point dd, Clause 6, Article 23 is amended as follows:

"dd) Driving a vehicle engaged in passenger transport business without the vehicle's journey monitoring device as prescribed or with the vehicle's journey monitoring device but the equipment does not operate as prescribed or using technical measures or peripheral equipment, other measures that falsify the data of the car's journey monitoring device;";

c) Clause 7a is added after Clause 7 of Article 23 as follows:

"7a. A fine of between VND 10,000,000 and VND 12,000,0000 shall be imposed on the driver of the vehicle who performs the act of picking up and dropping off passengers on the expressway.";

d) Point b, Clause 8, Article 23 is amended as follows:

"b) Committing the acts specified in Clause 7a of this Article shall be deprived of the right to use the driving license for between 02 and 04 months;".

13. To amend and supplement a number of points and clauses of Article 24 as follows:

a) Point c, Clause 3, Article 24 is amended as follows:

"c) Driving a car engaged in cargo transport business without cameras as prescribed (for vehicles that are required to be equipped with cameras) or having cameras installed but failing to record or store images of drivers in the process of driving vehicles in traffic as prescribed or using technical measures, peripheral equipment and other measures that falsify the data of cameras installed on cars;";

b) Point c, Clause 5, Article 24 is amended as follows:

"c) Driving a vehicle engaged in the cargo transport business without the vehicle's journey monitoring device as prescribed or with the vehicle's journey monitoring device but the equipment does not operate as prescribed or using technical measures and peripheral equipment, other measures that falsify the data of the car's journey monitoring device;";

c) Clause 8a is added after Clause 8 of Article 24 as follows:

"8a. A fine of between VND 10,000,000 and VND 12,000,0000 shall be imposed on the driver of the vehicle who commits the act of receiving and returning goods on the expressway.";

d) Point b, Clause 9, Article 24 is amended as follows:

"b) Committing the acts specified in Clause 7, Point c, Clause 8, Clause 8a of this Article shall be deprived of the right to use the driving license for between 02 and 04 months;".

14. Article 25 is amended as follows:

**"Article 25. Penalties for car drivers who violate regulations on transportation of oversized and overweight goods**

1. A fine of between VND 2,000,000 and VND 3,000,000 shall be imposed for one of the following acts of violation:

a) Carrying oversized or overweight goods without indication of the size of the cargo as prescribed;

b) Failing to comply with the provisions of the circulation license, except for the violations specified in Clause 2; Points b, c, d, Clause 3 of this Article.

2. A fine of between VND 8,000,000 and VND 10,000,000 shall be imposed for carrying oversized or overweight goods with a valid circulation license but the size of the outer bag of the vehicle (after loading the goods into the vehicle) exceeds the provisions of the circulation license.

3. A fine of between VND 13,000,000 and VND 15,000,000 shall be imposed for one of the following acts of violation:

a) Carrying oversized or overweight goods without a circulation license or having a circulation license but having expired or using a circulation license not issued by a competent agency;

b) Carrying oversized or overweight goods with valid circulation licenses but the total weight (after loading the goods into vehicles) exceeds the provisions in the circulation licenses;

c) Carrying oversized or overweight goods with valid circulation permits but traveling on the wrong routes specified in the circulation licenses;

d) Carrying oversized or overweight goods with valid circulation licenses but carrying goods of different types specified in the circulation licenses.

4. In addition to being fined, violators shall also be subject to the following additional sanctioning forms:

a) Committing the acts specified in Clause 1 of this Article, being deprived of the right to use the driver's license for between 01 and 03 months;

b) Committing the acts specified in Clauses 2 and 3 of this Article, being deprived of the right to use the driving license from 02 months to 04 months;

c) Committing the acts specified at Point a, Clause 3 of this Article, having the circulation license confiscated expired or not issued by a competent agency.

5. In addition to being sanctioned, the violators specified in Clauses 1, 2 and 3 of this Article, if causing damage to bridges and roads, shall also be subject to remedial measures: Forcible restoration of the original state which has been changed due to administrative violations.".

15. To amend and supplement a number of points and clauses of Article 28 as follows:

a) Point e, Clause 2, Article 28 is amended as follows:

"e) Failing to number the order of seats and sleepers on passenger cars as prescribed;";

b) Point i is added after Point h, Clause 2, Article 28 as follows:

"i) Failing to pay fares to passengers as prescribed for fixed routes with a distance of 300 km or less.";

c) Clause 3 of Article 28 is amended as follows:

"3. A fine of between VND 2,000,000 and VND 3,000,000 shall be imposed on individuals, and between VND 4,000,000 and VND 6,000,000 shall be imposed on organizations that commit one of the following acts of violation:

a) Loading goods on each automobile (including trailers and semi-trailers) in excess of the tonnage (volume of cargo) allowed to participate in traffic by more than 50% to 100% stated in the certificate of technical safety and environmental protection inspection of the vehicle;

b) Failing to pay fares to passengers as prescribed for fixed routes with a distance of over 300 km;

c) Failing to return the badge to the Department of Transport as prescribed.";

d) Point d, Clause 4, Article 28 is amended as follows:

"d) Using passenger taxis without a light box with the word "TAXI" on the roof of the vehicle or without posting the phrase "TAXI VEHICLE" on the front and rear windows of the vehicle as prescribed or with a light box or the phrase "TAXI VEHICLE" but not fixed or of the right size, not made of reflective materials as prescribed; does not have or has a transaction phone number written on the vehicle that is not in accordance with the registration of the enterprise (cooperative);";

dd) Point o, Clause 6, Article 28 is amended as follows:

"o) Using a car for transport business that is not equipped with a camera as prescribed (for vehicles that are required to be equipped with a camera) or with a camera but failing to record or store images on the vehicle (including, both the driver and the door of the vehicle) during the vehicle's traffic participation as prescribed or using technical measures, peripheral equipment and other measures that falsify the data of cameras installed on cars;";

e) Point p, Clause 6, Article 28 is amended as follows:

"p) Failing to provide, update, transmit, store and manage image data from cameras installed on automobiles as prescribed, failing to provide access accounts to the unit's servers to competent state agencies as prescribed;";

g) Clause 8 of Article 28 is amended as follows:

"8. A fine of between VND 20,000,000 and VND 40,000,000 shall be imposed on a unit that manufactures, assembles or imports cruise monitoring equipment of automobiles, a unit that provides application software to support transport connection that commits one of the following acts:

a) Units producing, assembling and importing automobile journey monitoring equipment do not have personnel for each job position as prescribed;

b) The manufacturer, assembler or importer of the car's journey monitoring equipment fails to report on the update or change of the device's firmware as prescribed;

c) The unit providing application software to support transport connection fails to comply with regulations on provision of application software to support transport connection; failing to publicize the process of settling customer complaints, not having a system to store customer complaints as prescribed;

d) The unit providing the application software supporting transport connection fails to provide the management agency with the list of transport business units, cars and drivers of the transport units in cooperation with the unit providing the application software supporting transport connection or fails to provide an account to access the application software support for transport connection to management agencies upon request or failure to archive as prescribed.";

h) Clause 9 of Article 28 is amended as follows:

"9. A fine of between VND 40,000,000 and VND 60,000,000 shall be imposed on the unit that manufactures, assembles and imports cameras installed on cars and cruise monitoring equipment of cars; units providing car journey monitoring services; Units providing hardware and data processing and data transmission services of cameras installed on automobiles commit one of the following acts of violation:

a) Manufacturing, assembling or importing automobile journey monitoring equipment or providing automobile journey monitoring services falsify information and data of automobile journey monitoring equipment;

b) Units that manufacture, assemble and import cameras installed on cars, units providing hardware and software services for data processing and data transmission of cameras installed on cars falsify information and data of cameras installed on cars.".

16. Article 29 is amended as follows:

**"Article 29. Sanctioning acts of illegally manufacturing and assembling road motor vehicles; illegally producing and selling number plates of road motor vehicles**

1. A fine of between VND 10,000,000 and VND 12,000,000 shall be imposed on individuals, and between VND 20,000,000 and VND 24,000,000 shall be imposed on organizations that sell number plates of road motor vehicles other than those produced by competent state agencies or not permitted by competent state agencies.

2. A fine of between VND 30,000,000 and VND 35,000,000 shall be imposed on individuals, and between VND 60,000,000 and VND 70,000,000 shall be imposed on organizations that illegally produce number plates or illegally manufacture and assemble road motor vehicles.

3. In addition to being fined, individuals and organizations that commit acts of violation specified in Clauses 1 and 2 of this Article shall also be subject to additional sanctioning forms of confiscation of license plates, means of illegal production and assembly.

4. In addition to being sanctioned, individuals and organizations that commit the acts specified in Clauses 1 and 2 of this Article shall also be subject to remedial measures: Forcible return of illegal profits obtained from the commission of administrative violations.".

17. To amend and supplement a number of points and clauses of Article 30 as follows:

a) Clause 3 of Article 30 is amended as follows:

"3. A fine of between VND 400,000 and VND 600,000 per person in excess of the regulations permitted to be carried of the vehicle but the total maximum fine must not exceed VND 75,000,000 for the owner of the vehicle being an individual, between VND 800,000 and VND 1,200,000 per person in excess of the regulations on the permitted carriage of the vehicle but the total maximum fine must not exceed VND 150,000,000 for the vehicle owner is the organization that delivers the vehicle or allows the worker or representative to control the vehicle to commit the violation specified in Clause 2, Article 23 of this Decree or directly controls the vehicle to commit the violation specified in Clause 2, Article 23 of this Decree.";

b) Point b, Clause 4, Article 30 is amended as follows:

"b) Failing to carry out procedures for renewing the vehicle registration certificate as prescribed when changing the address of the vehicle owner or other cases as prescribed;";

c) Clause 4a is added after Clause 4 of Article 30 as follows:

"4a. A fine of between VND 800,000 and VND 1,000,000 shall be imposed on individuals, and between VND 1,600,000 and VND 2,000,000 shall be imposed on organizations that are owners of motorcycles, mopeds and vehicles similar to motorcycles that fail to comply with regulations on number plates, except for the violations specified at Point i, Point k, Clause 5 of this Article.";

d) Point g, Clause 5, Article 30 is amended as follows:

"g) Bringing the vehicle without a vehicle registration certificate to participate in traffic or with but expired; bringing vehicles with temporary vehicle registration certificates, vehicles with restricted scope of operation to participate in traffic beyond the permitted duration, route and scope;";

dd) Clause 6 of Article 30 is amended as follows:

"6. A fine of between VND 1,000,000 and VND 2,000,000 per person in excess of the regulations permitted to be carried by the vehicle but the total fine must not exceed VND 75,000,000 for the owner of the vehicle being an individual, from VND 2,000,000 to VND 4,000,000 per person in excess of the regulations on the permitted carriage of the vehicle but the total maximum fine must not exceed VND 150,000,000 for the vehicle owner is the organization that delivers the vehicle or allows the worker or representative to control the vehicle to commit the violations specified in Clause 4, Article 23 of this Decree or directly controls the vehicle to commit the violations specified in Clause 4, Article 23 of this Decree.";

e) Point d, Clause 7, Article 30 is amended as follows:

"d) Failing to carry out procedures for renewing the vehicle registration certificate as prescribed when the vehicle has been renovated or when changing the address of the vehicle owner or other cases as prescribed;";

g) Point m, Clause 7, Article 30 is amended as follows:

"m) Arbitrarily changing the paint color of the vehicle not in accordance with the paint color stated in the vehicle registration certificate.";

h) Point g, Clause 8, Article 30 is amended as follows:

"g) Failing to comply with regulations on number plates and regulations on lettering on vehicle walls and doors (including trailers and semi-trailers), except for the violations specified at Point i, Clause 9 of this Article and the violations specified at Point a, Points b, c, d, dd, Clause 2, Article 28; Point b, Clause 3, Article 37 of this Decree;";

i) Point a, Clause 9, Article 30 is amended as follows:

"a) Arbitrarily changing the frame assembly, engine assembly (engine), brake system, transmission system (power transmission), movement system or arbitrarily modifying the structure, shape and size of the vehicle not in accordance with the manufacturer's design or the design in the dossier submitted to the vehicle registration agency or the renovation design approved by the competent agency; arbitrarily changing the use features of the vehicle or arbitrarily installing additional mechanisms for lifting and lowering the vehicle body, lifting and lowering containers on the vehicle (including trailers and semi-trailers);";

k) Point dd, Clause 9, Article 30 is amended as follows:

"dd) Assign the means or allow the workers or representatives to control the vehicles to commit the violations specified in Clause 2, Article 33 of this Decree or directly control the vehicles to commit the violations specified in Clause 2, Article 33 of this Decree;";

l) Points e and g, Clause 9, Article 30 are amended as follows:

"e) Bringing trucks (including trailers and semi-trailers) with trunk sizes inconsistent with the technical parameters stated in the certificate of inspection of technical safety and environmental protection of vehicles participating in traffic;

g) Bringing passenger transport cars with additional or less seats, sleepers or luggage compartments (car holds) that are not in accordance with the technical parameters stated in the certificate of inspection of technical safety and environmental protection of vehicles participating in traffic;";

m) Point i is added after Point h, Clause 9, Article 30 as follows:

"i) Bringing vehicles without number plates (for vehicles with license plates) into traffic; bringing vehicles with license plates not in accordance with vehicle registration certificates or number plates not issued by competent agencies (including trailers and semi-trailers) to participate in traffic;";

n) Clause 10 of Article 30 is amended as follows:

"10. A fine of between VND 14,000,000 and VND 16,000,000 shall be imposed on individuals, and between VND 28,000,000 and VND 32,000,000 shall be imposed on organizations that are owners of automobiles, tractors, special-use vehicles and vehicles similar to automobiles that commit one of the following acts of violation:

a) Assign the vehicle or allow the worker or representative to operate the vehicle to commit the violations specified at Points a and b, Clause 6, Article 24 of this Decree or directly control the vehicles to commit the violations specified at Points a and b, Clause 6, Article 24 of this Decree;

b) Bringing the vehicle without a vehicle registration certificate to participate in traffic or having but having expired; bringing vehicles with temporary vehicle registration certificates, vehicles with limited scope of operation to participate in traffic beyond the permitted duration, route and scope.";

o) Clause 12 of Article 30 is amended as follows:

"12. A fine of between VND 18,000,000 and VND 20,000,000 shall be imposed on individuals, and between VND 36,000,000 and VND 40,000,000 shall be imposed on organizations that are owners of automobiles, tractors, special-use vehicles and vehicles similar to automobiles that commit one of the following acts of violation:

a) Assign the vehicle or allow the worker or representative to control the vehicle to commit the violations specified at Points a and b, Clause 8, Article 24 of this Decree or directly control the vehicles to commit the violations specified at Points a and b, Clause 8, Article 24 of this Decree;

b) Assign the vehicle or allow the worker or representative to control the vehicle to commit the violation specified in Clause 2, Article 25 of this Decree or directly control the vehicle to commit the violation specified in Clause 2, Article 25 of this Decree;

c) Assign the vehicle or allow the worker or representative to control the vehicle to commit the violation specified in Clause 3, Article 33 of this Decree or directly control the vehicle to commit the violation specified in Clause 3, Article 33 of this Decree.";

р) Clause 13 of Article 30 is amended as follows:

"13. A fine of between VND 28,000,000 and VND 32,000,000 shall be imposed on individuals, and between VND 56,000,000 and VND 64,000,000 shall be imposed on organizations that are owners of automobiles, tractors, special-use vehicles and vehicles similar to automobiles that commit one of the following acts of violation:

a) Assign the vehicle or allow the worker or representative to operate the vehicle to commit the violation specified at Point a, Clause 3, Article 25 of this Decree or directly control the vehicle to commit the violation specified at Point a, Clause 3, Article 25 of this Decree;

b) Assign the vehicle or allow the worker or representative to control the vehicle to commit the violation specified at Point b, Clause 3, Article 25 of this Decree or directly control the vehicle to commit the violation specified at Point b, Clause 3, Article 25 of this Decree;

c) Assign the vehicle or allow the worker or representative to control the vehicle to commit the violation specified at Point c, Clause 3, Article 25 of this Decree or directly control the vehicle to commit the violation specified at Point c, Clause 3, Article 25 of this Decree;

d) Assign the vehicle or allow the worker or representative to control the vehicle to commit the violation specified at Point d, Clause 3, Article 25 of this Decree or directly control the vehicle to commit the violation specified at Point d, Clause 3, Article 25 of this Decree;

dd) Assign the vehicle or allow the worker or representative to control the vehicle to commit the violation specified at Point a, Clause 4, Article 33 of this Decree or directly control the vehicle to commit the violation specified at Point a, Clause 4, Article 33 of this Decree;

e) Assign the vehicle or allow the worker or representative to operate the vehicle to commit the violation specified at Point b, Clause 4, Article 33 of this Decree or directly control the vehicle to commit the violation specified at Point b, Clause 4, Article 33 of this Decree;

g) Assign the vehicle or allow the worker or representative to control the vehicle to commit the violation specified at Point c, Clause 4, Article 33 of this Decree or directly control the vehicle to commit the violation specified at Point c, Clause 4, Article 33 of this Decree.";

q) Clause 14 of Article 30 is amended as follows:

"14. A fine of between VND 70,000,000 and VND 75,000,000 shall be imposed on individuals, and between VND 140,000,000 and VND 150,000,000 shall be imposed on organizations that are owners of automobiles, tractors, special-use vehicles and vehicles similar to automobiles, the representative who controls the vehicle commits the violation specified at Point a, Clause 5, Article 33 of this Decree or directly controls the vehicle commits the violation specified at Point a, Clause 5, Article 33 of this Decree.";

r) Clause 15 of Article 30 is amended as follows:

"15. In addition to being fined, individuals and organizations committing acts of violation shall also be subject to the following additional sanctioning forms:

a) Committing the acts specified at Points b, d, h, i, k, Clause 5; Points b and e, Clause 7; Points e, i, Clause 8; Point i, Clause 9 of this Article shall have their number plates and vehicle registration certificates confiscated (in case they have been re-granted); confiscation of dossiers, forged papers and documents; confiscation of number plates, equipment for changing number plates, vehicle registration certificates, certificates, stamps of technical safety and environmental protection inspection of vehicles, temporary vehicle registration certificates in contravention of regulations or erased;

b) Committing the acts specified at Point a, Clause 5, Point a, Clause 7, Point dd, Clause 8, Point b, Clause 9 of this Article, the vehicle shall be confiscated;

c) Committing the acts specified at Points g and h, Clause 5; Point e, Clause 8, Point b, Clause 10 of this Article in case of not having a vehicle registration certificate or having a vehicle registration certificate but not issued by a competent agency, incorrectly with the frame number, engine number of the vehicle or erased (including trailers and semi-trailers) without proving the origin of the vehicle (without papers, vouchers of transfer of vehicle ownership or papers and documents of lawful origin of vehicles) shall be confiscated vehicles;

d) Committing the acts specified at Points g, h, i, k, Clause 5; Points g, i, Clause 7; Points b, c, d, dd, e, i, Clause 8; Points c, d, h, i, Clause 9; Clause 10; Point c, Clause 12; Point dd, Clause 13 of this Article, in case the vehicle owner is the person who directly controls the vehicle, he or she shall also be deprived of the right to use the driver's license (when driving a motor vehicle), the certificate of fostering legal knowledge of road traffic (when driving a special-use vehicle) from 01 month to 03 months;

dd) Committing the acts specified in Clause 11; Point b, Clause 12; Points a, b, c, d, e, g, Clause 13 of this Article in case the vehicle owner is the person who directly controls the vehicle shall also be deprived of the right to use the driver's license (when driving a motor vehicle), the certificate of fostering legal knowledge on road traffic (when driving a special-use vehicle) from 02 months to 04 months;

e) Committing the acts specified at Point a, Clause 12, Clause 14 of this Article in case the vehicle owner who is the person directly operating the vehicle is also deprived of the right to use the driver's license (when driving a motor vehicle), the certificate of fostering legal knowledge of road traffic (when driving a special-use vehicle) from 03 months to 05 months;

g) Committing the acts specified in Clauses 3 and 6 of this Article in case the vehicle owner is the person who directly controls the vehicle in excess of 50% to 100% of the number of persons permitted to carry the vehicle, and is also deprived of the right to use the driving license for 01 to 03 months;

h) Committing the acts specified in Clauses 3 and 6 of this Article in case the vehicle owner is the person who directly controls the vehicle carrying more than 100% of the prescribed number of people permitted to carry the vehicle, and is also deprived of the right to use the driving license from 03 months to 05 months;

i) Committing the acts specified at Point h, Clause 7, Point d, Clause 9, Point a, Clause 10, Clause 11, Point a, Clause 12 of this Article and such vehicle has a trunk and the volume of goods permitted for transport in contravention of current regulations, they shall also be deprived of the right to use the Certificate of technical safety and environmental protection inspection and the inspection stamp of vehicles from 01 month to 03 months;

k) Committing the acts specified at Points a, e, g, Clause 9 of this Article, being deprived of the right to use the certificate of technical safety and environmental protection inspection and inspection stamp of the vehicle from 01 month to 03 months;

l) Committing the acts specified in Clauses 3 and 6 of this Article in case of carrying more than 50% of the prescribed number of persons permitted to carry the vehicle and being deprived of the right to use badges (signboards) from 01 month to 03 months (if any). Committing the acts specified at Points h, i, Clause 7; Points c and d, Clause 9; Point a, Clause 10; Clause 11; Clause 12; Clause 13; Clause 14 of this Article shall also be deprived of the right to use insignia (signboard) from 01 month to 03 months (if any).";

s) Clause 16 is added after Clause 15 of Article 30 as follows:

"16. In addition to being sanctioned, individuals and organizations committing acts of violation shall also be subject to the following remedial measures:

a) Committing the acts specified in Clause 1; Point m, Clause 7 of this Article shall be forced to restore the trademark and paint color stated in the vehicle registration certificate as prescribed;

b) Committing the acts specified at Point a, Clause 2 of this Article, forcibly replacing equipment that meets technical safety standards as prescribed (installing the right type of safety glasses);

c) Committing the acts specified in Clause 4a, Point g, Clause 8 of this Article, it is compulsory to strictly comply with regulations on number plates and regulations on lettering on vehicle walls and doors;

d) Committing the acts specified at Points a, e, g, Clause 9 of this Article, forcible restoration of the original shape, size and technical safety condition of the vehicle and re-registration and inspection before taking the vehicle out for traffic;

dd) Committing the acts specified at Point h, Clause 7, Point d, Clause 9, Point a, Clause 10, Clause 11, Point a, Clause 12 of this Article, if such vehicle has a vehicle trunk and the volume of goods permitted for transport is not in accordance with current regulations, it shall also be forced to adjust the vehicle body in accordance with current regulations; re-register and re-adjust the volume of goods permitted for transport stated in the Certificate of technical safety and environmental protection inspection according to current regulations before sending the vehicle out to participate in traffic;

e) Committing the violations specified at Points g, h, i, Clause 7; Point c, Clause 8; Points d, dd, Clause 9; Point a, Clause 10; Clause 11; Clause 12; Clause 13; Clause 14 of this Article, if causing damage to bridges and roads, must restore their original state which has been changed due to administrative violations;

g) Committing the violations specified at Point b, Clause 4; Points e, g, Clause 5; Points c, d, l Clause 7; Point b, Clause 10 of this Article shall be forced to carry out procedures for vehicle registration, registration of name transfer, re-exchange or revocation of vehicle registration certificates, number plates, certificates of technical safety and environmental protection inspection as prescribed (except for cases where vehicles are confiscated).".

18. Article 33 is amended as follows:

**"Article 33. Sanctioning drivers of crawler vehicles; overloaded vehicles, oversized of bridges and roads (including passenger cars)**

1. A fine of between VND 2,000,000 and VND 3,000,000 shall be imposed for failing to comply with the provisions of the circulation license, except for the violations specified at Points a and b, Clause 3; Points b and c, Clause 4 of this Article.

2. A fine of between VND 4,000,000 and VND 6,000,000 shall be imposed for driving a vehicle whose gross weight (total weight) of the vehicle exceeds the permissible load of bridges or roads by more than 10% to 20%, unless there is a valid circulation license.

3. A fine of between VND 8,000,000 and VND 10,000,000 shall be imposed for one of the following acts of violation:

a) Carrying goods in excess of the limit size of bridges and roads stated in the circulation permits;

b) Driving a tracked vehicle in traffic without a circulation license or having a circulation license but no longer valid as prescribed or circulating directly on the road without taking road protection measures as prescribed;

c) Driving a vehicle in excess of the limit size of a bridge or road or carrying goods in excess of the limit size of a bridge or road to participate in traffic, unless there is a valid circulation license.

4. A fine of between VND 13,000,000 and VND 15,000,000 shall be imposed for one of the following acts of violation:

a) Operating a vehicle with the total weight (total weight) of the vehicle or axle load (including goods loaded on the vehicle and people carried on the vehicle) exceeding the permissible load of bridges and roads by more than 20% to 50%, unless there is a valid circulation license;

b) Operating a vehicle with a valid license but the total weight (total weight) of the vehicle or axle load (including goods loaded on the vehicle, if any) exceeds the provisions of the license for use;

c) Driving a vehicle with a valid license but traveling on the wrong route specified in the license.

5. A fine of between VND 40,000,000 and VND 50,000,000 shall be imposed for one of the following acts of violation:

a) Operating a vehicle whose total weight (total weight) of the vehicle or axle load (including goods loaded on the vehicle and persons carried on the vehicle) exceeds the permissible load of bridges and roads by more than 50%, unless there is a valid circulation license;

b) Failing to comply with the inspection of vehicle loads and gauge limits when there is a signal or signal requesting the inspection of vehicle loads and gauge limits; transfer or use other tricks to evade the detection of overloaded and oversized vehicles.

6. In addition to being fined, vehicle operators who commit acts of violation shall also be subject to the following additional sanctioning forms:

a) Committing the acts specified in Clause 1, Clause 3, Point a, Clause 4 of this Article, they shall also be deprived of the right to use their driving licenses (when driving cars, tractors and vehicles similar to cars), certificates of fostering knowledge of law on road traffic (when driving special-use vehicles) from 01 month to 03 months;

b) Committing the acts specified at Points b and c, Clause 4 of this Article, they shall also be deprived of the right to use their driving licenses (when driving cars, tractors and vehicles similar to cars), certificates of fostering knowledge of law on road traffic (when driving special-use vehicles) from 02 months to 04 months;

c) Committing the acts specified in Clause 5 of this Article, they shall also be deprived of the right to use their driving licenses (when driving cars, tractors and vehicles similar to cars), certificates of fostering knowledge of law on road traffic (when driving special-use vehicles) from 03 months to 05 months.

7. In addition to being sanctioned, the driver of a vehicle that commits the violations specified in Clause 1, Clause 2, Clause 3, Clause 4 and Clause 5 of this Article, if causing damage to bridges and roads, shall also be subject to remedial measures: Forcible restoration of the original state which has been changed due to administrative violations.".

19. To amend and supplement a number of points and clauses of Article 34 as follows:

a) Clause 2 of Article 34 is amended as follows:

"2. A fine of between VND 10,000,000 and VND 15,000,000 shall be imposed on illegal racers of motorcycles, mopeds and electric motorcycles.";

b) Clause 3 of Article 34 is amended as follows:

"3. A fine of between VND 20,000,000 and VND 25,000,000 shall be imposed on illegal car racers.".

20. Article 35 is amended as follows:

**"Article 35. Penalties for drivers of road motor vehicles with foreign number plates**

1. A fine of between VND 1,000,000 and VND 2,000,000 shall be imposed on drivers of road motor vehicles with foreign number plates who commit one of the following acts of violation:

a) Papers of the vehicle that do not have translations into English or Vietnamese as prescribed;

b) The passenger vehicle does not have a passenger list as prescribed.

2. A fine of between VND 3,000,000 and VND 5,000,000 shall be imposed for one of the following acts of violation:

a) Driving a vehicle without a national identification symbol as prescribed;

b) Operating a vehicle without an international transport license or intermodal international transport insignia as prescribed, or having but expired;

c) Transporting passengers or goods in contravention of the provisions of the signed road transport agreements and protocols, except for the violations specified in Clause 1, Clause 3, Clause 4 and Clause 5 of this Article.

3. A fine of between VND 8,000,000 and VND 10,000,000 shall be imposed for one of the following acts of violation:

a) Driving a vehicle without a temporary number plate or a temporary number plate not issued by a competent agency (if there is a provision to attach a temporary number plate);

b) Driving a right-hand drive car, a car or a motorcycle of a foreigner into Vietnam to participate in traffic without a guide as prescribed;

c) Driving a right-hand drive car or a car with a foreign number plate to participate in traffic with the driver not being of the right nationality as prescribed.

4. A fine of between VND 10,000,000 and VND 12,000,000 shall be imposed for one of the following acts of violation:

a) Operating beyond the permitted scope of operation;

b) Circulating vehicles in the territory of Vietnam for less than 30 days beyond the prescribed time limit.

5. A fine of between VND 30,000,000 and VND 35,000,000 shall be imposed for acts of circulating vehicles in the territory of Vietnam for 30 days or more beyond the prescribed time limit.

6. In addition to being sanctioned, the driver of the vehicle commits the violations specified at Points b and c, Clause 2; Point a, Clause 3; Point b, Clause 4; Clause 5 of this Article is also subject to the remedial measure: Forcible re-export of vehicles from Vietnam.".

21. Point d is added after Point c, Clause 2, Article 37 as follows:

"d) Organizing training for trainees who do not have sufficient dossiers of driving learners as prescribed.";

22. Point c is added after Point b, Clause 1, Article 38 as follows:

"c) Failing to perform the assigned tasks.".

23. To amend the opening paragraph and Point a, Clause 3 of Article 44 as follows:

a) To amend the opening paragraph of Clause 3, Article 44 as follows:

"3. A fine of between VND 2,000,000 and VND 3,000,000 shall be imposed on train drivers, train masters and deputy heads of passenger ships in charge of safety who commit one of the following acts of violation: ";

b) Point a, Clause 3, Article 44 is amended as follows:

"a) The train driver, train captain or deputy conductor in charge of the safety of the train without receiving the safety signal from the station operator or the transmitter;".

24. To amend the name of Article and a number of points and clauses of Article 66 as follows:

a) To amend the title of Article 66 as follows:

**"Article 66. Penalties shall be imposed on train drivers, train drivers, and persons directly controlling railway vehicles serving the technological lines of enterprises";**

b) To amend the opening paragraph of Clause 3 of Article 66 as follows:

"3. A fine of between VND 1,000,000 and VND 2,000,000 shall be imposed on train drivers, persons directly controlling railway vehicles serving the enterprise's technological lines who commit one of the following acts of violation:";

c) Point c, Clause 3, Article 66 is amended as follows:

"c) Controlling trains and means of transport in service of technological lines of enterprises exceeding the speed prescribed in the Decree on speed up to 10 km/h.";

d) Clause 4 of Article 66 is amended as follows:

"4. A fine of between VND 4,000,000 and VND 6,000,000 shall be imposed on train drivers, persons directly controlling railway means of transport in service of technological lines of enterprises operating trains, railway means of transport in service of technological lines of enterprises exceeding the speed prescribed in the Speed Order of over 10 km/h to 20 km/h.";

dd) To amend the opening paragraph of Clause 5, Article 66 as follows:

"5. A fine of between VND 6,000,000 and VND 8,000,000 shall be imposed on train drivers or persons directly controlling railway vehicles serving the enterprise's technological lines who commit one of the following acts of violation:";

e) Point a, Clause 5, Article 66 is amended as follows:

"a) Controlling trains and means of transport in service of the enterprise's technological lines exceeding the speed prescribed in the Official Order at a speed of over 20 km/h;".

25. Point a, Clause 1, Article 67 is amended as follows:

"a) Failing to organize health checks for railway employees directly serving train operation within the scope of management of the enterprise as prescribed by law;".

26. To amend and supplement a number of points and clauses of Article 74 as follows:

a) Points e and g, Clause 2, Article 74 are amended as follows:

"e) Clause 1; Clause 2; Point a, Clause 3; Points a, b, c, d, dd, e, p, q Clause 4; Clause 5; Point d, Point dd, Point e, Point i, Point m, Point n, Point o, Point p, Point q Clause 6; Points a, b, c, h, i, Clause 7, Article 28;

g) Article 29, Article 30, Article 31, Article 32, Article 33, Article 34, Article 35 (except for Points b and c, Clause 2; Point a, Clause 3; Point b, Clause 4; Clause 5, Article 35), Article 36;";

b) Points a and b, Clause 3, Article 74 are amended as follows:

"a) Points dd and g, Clause 1; Points g, h, Clause 2; Points b, d, dd, e, k, r, s Clause 3; Points b, d, dd, g, i, Clause 4; Points b, c, Clause 5; Points b and c, Clause 6; Point b, Clause 7; Point c, Clause 8; Clause 9; Clause 10, Article 5;

b) Points g, n, Clause 1; Points a, dd, h, l Clause 2; Points b, c, d, dd, e, i, k, m, n, o Clause 3; Points b, d, e, g, h Clause 4; Clause 5; Points a and c, Clause 6; Point c, Clause 7; Clause 8; Clause 9, Article 6;";

c) Point h, Clause 3, Article 74 is amended as follows:

"h) Point b, Clause 3; Points a, b, c, dd, e, k, Clause 5; Points a, b, c, Clause 6; Clause 7a, Article 23;";

d) Clause 3a is added after Clause 3 of Article 74 as follows:

"3a. The Fire Prevention and Fighting and Rescue Police shall, within the scope of their assigned functions and tasks related to road and railway traffic order and safety, have the competence to sanction the violations specified at Point a, Clause 2, Article 16; Point a, Clause 6, Article 23; Point a, Clause 2, Article 32; Point b, Clause 3, Article 40; Point c, Clause 2, Article 51; Point d, Clause 2, Article 73.";

dd) To amend the name of Clause 4, Article 74 as follows:

"4. Commune-level police chiefs, police station chiefs, heads of border-gate police stations and export processing zones shall, within the scope of their assigned functions and tasks related to road and railway traffic order and safety, have the competence to sanction acts of violation specified at the The terms and articles of this Decree are as follows:";

e) Point b, Clause 4, Article 74 is amended as follows:

"b) Points g, n, Clause 1; Points a, dd, h, l Clause 2; Point c, Point d, Point dd, Point k, Point m, Point n, Point o, Clause 3; Points b and d, Clause 4, Article 6, except for cases of causing traffic accidents;";

g) Point e, Clause 4, Article 74 is amended as follows:

"e) Clause 1, Clause 2, Clause 6, Clause 7 of Article 11;";

h) Point g, Clause 5, Article 74 is amended as follows:

"g) Clause 1; Clause 2; Clause 3; Clause 4; Clause 5; Clause 6; Point b, Clause 7, Article 16;";

i) Point i, Clause 5, Article 74 is amended as follows:

"i) Clause 3; Point b, Clause 4; Clause 6; Clause 8; Clause 9, Article 21;";

k) Clause 5 of Article 74 is amended as follows:

"l) Points a and b, Clause 1; Points a, b, d, dd, Clause 2; Clause 3; Clause 4; Clause 5; Clause 6; Clause 7; Points a, b, Clause 8; Clause 8a, Article 24;";

l) Point n, Clause 5, Article 74 is amended as follows:

"n) Point a, Clause 2; Clause 3; Clause 6; Points a, g, h, i, m Clause 7; Clause 8; Clause 9; Clause 10; Clause 11; Clause 12; Clause 13; Clause 14, Article 30;";

m) Point p, Clause 5, Article 74 is amended as follows:

"p) Clause 1; Points b and c, Clause 2; Point c, Clause 3; Clause 4; Clause 5, Article 35;".

27. Article 75 is amended as follows:

**"Article 75. Sanctioning competence of Presidents of People's Committees at all levels**

1. Presidents of commune-level People's Committees have the right to:

a) Impose a warning;

b) Impose a fine of up to VND 5,000,000 for violations in the field of road and railway traffic;

c) Confiscate material evidences and means used for administrative violations with a value not exceeding VND 10,000,000;

d) Apply the remedial measures specified at Points a, b and c, Clause 1, Article 4 of this Decree.

2. Presidents of district-level People's Committees have the right to:

a) Impose a warning;

b) A fine of up to VND 37,500,000 shall be imposed for violations in the field of road and railway traffic;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used for administrative violations;

dd) Apply the remedial measures specified at Points a, b, c, dd and e, Clause 1, Article 4 of this Decree.

3. Presidents of provincial-level People's Committees have the right to:

a) Impose a warning;

b) A fine of up to VND 75,000,000 shall be imposed for acts of violation in the field of road and railway traffic;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used for administrative violations;

dd) Apply the remedial measures specified in Clause 1, Article 4 of this Decree.".

28. Article 76 is amended as follows:

**"Article 76. Sanctioning competence of the People's Police**

1. People's Public Security soldiers on duty have the right to:

a) Impose a warning;

b) A fine of up to VND 500,000 shall be imposed for acts of violation in the field of road and railway traffic.

2. Heads of company-level mobile police units, station chiefs and team leaders of persons specified in Clause 1 of this Article have the right to:

a) Impose a warning;

b) A fine of up to VND 1,500,000 shall be imposed for violations in the field of road and railway traffic.

3. Commune-level police chiefs, police station chiefs, heads of police stations at border gates and export processing zones, and battalion commanders of mobile police battalions have the right to:

a) Impose a warning;

b) A fine of up to VND 2,500,000 shall be imposed for violations in the field of road and railway traffic;

c) Confiscate material evidences and means used for administrative violations with a value not exceeding VND 5,000,000;

d) Apply the remedial measures specified at Points a and c, Clause 1, Article 4 of this Decree.

4. The chief of the district-level police; Head of the Operations Department of the Traffic Police Department; Heads of professional divisions of the Police Department for administrative management of social order, heads and professional divisions of the Police Department of Fire Prevention and Fighting and Rescue and Rescue; Heads of provincial-level Public Security Divisions include Heads of Police Divisions for Administrative Management of Social Order, Heads of Traffic Police Divisions, Heads of Road-Railway Traffic Police Divisions, Heads of Road Traffic Police Divisions, Heads of Mobile Police Divisions, Heads of Fire Prevention Police Divisions, etc Fire fighting and rescue and rescue regimental commanders of mobile police regiments have the right to:

a) Impose a warning;

b) A fine of up to VND 15,000,000 shall be imposed for violations in the field of road and railway traffic;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscate material evidences and means used for administrative violations with a value not exceeding VND 30,000,000;

dd) Apply the remedial measures specified at Points a, c and e, Clause 1, Article 4 of this Decree.

5. Directors of provincial-level Police have the right to:

a) Impose a warning;

b) A fine of up to VND 37,500,000 shall be imposed for violations in the field of road and railway traffic;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used for administrative violations;

dd) Apply the remedial measures specified at Points a, c, dd and e, Clause 1, Article 4 of this Decree.

6. The Director of the Traffic Police Department, the Director of the Police Department for Administrative Management of Social Order, the Director of the Fire Prevention and Fighting and Rescue Police Department, and the Mobile Police Commander have the right to:

a) Impose a warning;

b) A fine of up to VND 75,000,000 shall be imposed for acts of violation in the field of road and railway traffic;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used for administrative violations;

dd) Apply the remedial measures specified at Points a, c, dd and e, Clause 1, Article 4 of this Decree.".

29. Article 77 is amended as follows:

**"Article 77. Sanctioning competence of specialized inspectorates, port authorities, airport authorities, inland waterway port authorities**

1. Inspectors and persons assigned to perform specialized inspection tasks who are performing official duties have the right to:

a) Impose a warning;

b) Impose a fine of up to VND 500,000 for violations in the field of road and railway traffic;

c) Confiscate material evidences and means used for administrative violations with a value not exceeding VND 1,000,000;

d) Apply the remedial measures specified at Points a and c, Clause 1, Article 4 of this Decree.

2. The Chief Inspector of the Department of Transport, the Chief Inspector of the Department of Natural Resources and Environment, the Chief Inspector of the Civil Aviation Authority of Vietnam, the Chief Inspector of the Vietnam Maritime Administration, the Head of the road management agency in the region under the Directorate for Roads of Vietnam, the Head of the specialized inspection team of the Department of Transport, Heads of specialized inspection teams of provincial-level Natural Resources and Environment Departments, heads of specialized inspection teams of the General Department of Environment, heads of specialized inspection teams of the Directorate for Roads of Vietnam, heads of specialized inspection teams of the Vietnam Railway Administration, heads of specialized inspection teams of road management agencies in areas under the Directorate for Roads of Vietnam have the right to:

a) Impose a warning;

b) A fine of up to VND 37,500,000 shall be imposed for violations in the field of road and railway traffic;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscate material evidences and means used for administrative violations with a value not exceeding VND 75,000,000;

dd) Apply the remedial measures specified in Clause 1, Article 4 of this Decree.

3. Heads of specialized inspection teams of the Ministry of Transport and heads of specialized inspection teams of the Ministry of Natural Resources and Environment have the right to:

a) Impose a warning;

b) A fine of up to VND 52,500,000 shall be imposed for acts of violation in the field of road and railway traffic;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscate material evidences and means used for administrative violations with a value not exceeding VND 105,000,000;

dd) Apply the remedial measures specified in Clause 1, Article 4 of this Decree.

4. The Chief Inspector of the Ministry of Transport, the Chief Inspector of the Ministry of Natural Resources and Environment, the Director of the General Department of Environment, the Director of the Directorate for Roads of Vietnam, the Director of the Vietnam Railway Administration, the Director of the Vietnam Maritime Administration, the Director of the Civil Aviation Authority of Vietnam and the Director of the Vietnam Inland Waterways Administration have the right to:

a) Impose a warning;

b) A fine of up to VND 75,000,000 shall be imposed for acts of violation in the field of road and railway traffic;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used for administrative violations;

dd) Apply the remedial measures specified in Clause 1, Article 4 of this Decree.

5. The chief representative of the port authority, the chief representative of the airport authority and the chief representative of the inland waterway port authority have the right to:

a) Impose a warning;

b) A fine of up to VND 10,000,000 shall be imposed for violations in the field of road traffic.

6. Directors of port authorities, directors of airport authorities and directors of inland waterway port authorities have the right to:

a) Impose a warning;

b) Impose fines of up to VND 50,000,000 for violations in the field of road traffic;

c) Deprivation of the right to use licenses or practice certificates for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used for administrative violations;

dd) Apply the remedial measures specified at Points a, b, c, dd and e, Clause 1, Article 4 of this Decree.".

30. To amend and supplement a number of points and clauses of Article 80 as follows:

a) Clause 1 of Article 80 is amended as follows:

"1. In case the owner of the violating vehicle is present at the place where the violation occurs, the competent person shall, based on the violation, make a record of the administrative violation and issue a decision on sanctioning the administrative violation according to the corresponding points and clauses of Article 30 of this Decree.";

b) Clause 2 of Article 80 is amended as follows:

"2. In case the owner of the violating vehicle is not present at the place where the violation occurs, the competent person shall, based on the violation, make a record of administrative violation against the owner of the vehicle and impose sanctions in accordance with law, and the driver of the vehicle must sign the record of administrative violation as a witness.";

c) Point a, Clause 3, Article 80 is amended as follows:

"a) Acts of violating regulations on number plates, vehicle registration certificates, temporary vehicle registration certificates specified in Article 16 (Points a, b, Clause 4; Points a, b, d Clause 6; Point a, Clause 7), Article 17 (Clause 2; Point a, Clause 3), Article 19 (Point a, Clause 1; Points a, d, dd, e, Clause 2) and corresponding violations specified in Article 30 (Clause 4a; Points g, h, k Clause 5; Points e, Point g Clause 8; Point i, Clause 9; Point b, Clause 10), in case the vehicle owner is the person who directly controls the vehicle, he/she shall be sanctioned according to the provisions of the corresponding points and clauses of Article 30 of this Decree;";

d) Point b, Clause 3, Article 80 is amended as follows:

"b) Acts of violating regulations on certificates and stamps of technical safety and environmental protection inspection of vehicles specified in Article 16 (Point a, Clause 5; Points b, c, Clause 6), Article 19 (Point dd, Clause 1; Points c, e, Clause 2) and corresponding acts of violation specified in Article 30 (Points b, e, Clause 8; Point c, Clause 9), in case the vehicle owner is the person who directly controls the vehicle, shall be sanctioned according to the provisions of Point, corresponding clauses of Article 30 of this Decree;";

dd) Points d, dd and e, Clause 3, Article 80 are amended as follows:

"d) Acts of violating regulations on the useful life of vehicles specified in Article 16 (Point b, Clause 7) and corresponding acts of violation specified in Article 28 (Point i, Clause 6), Article 30 (Point dd, Clause 8), in case the vehicle owner or individual engaged in transport business is the person directly operating the vehicle, shall be sanctioned according to the regulations specified at Point i, Clause 6, Article 28 or Point dd, Clause 8, Article 30 of this Decree;

dd) Acts of violating regulations on the size of vehicle trunks, luggage compartments (car holds), installing or removing additional seats or sleepers on automobiles specified in Article 16 (Point d, Clause 3, Point c, Clause 4) and corresponding acts of violation specified in Article 30 (Points e, Point g, Clause 9), in case the vehicle owner is the person who directly controls the vehicle, he/she shall be sanctioned according to the provisions of the corresponding Points and Clauses of Article 30 of this Decree;

e) Acts of violating regulations on installation and use of cruise monitoring devices and cameras on automobiles specified in Article 23 (Point p, Clause 5; Point dd, Clause 6), Article 24 (Point c, Clause 3; Point c, Clause 5) and corresponding violations specified in Article 28 (Point dd, Point o, Clause 6), in case the transport business individual is the person who directly controls the vehicle, he or she shall be sanctioned according to the provisions of the corresponding Points and Clauses of Article 28 of this Decree;";

e) Point k, Clause 3, Article 80 is amended as follows:

"k) Acts of violating regulations on pick-up and drop-off; receiving and returning goods specified in Article 23 (Clause 7a), Article 24 (Clause 8a) and corresponding acts of violation specified in Article 28 (Point i, Clause 7), in case the transport business individual is the person who directly controls the vehicle, shall be sanctioned according to the provisions of Point i, Clause 7, Article 28 of this Decree;";

g) Clause 4 of Article 80 is amended as follows:

"4. For acts of violating regulations on load and gauge limits of vehicles, bridges and roads specified in Articles 24 and 33 of this Decree, in cases where vehicle owners and operators have committed acts of violation specified in Article 24, and committing the violations specified in Article 33 of this Decree, they shall be sanctioned for each act of violation; For the violations specified at Point a, Clause 4, Point a, Clause 5, Article 33 of this Decree, in case the vehicle owner or operator commits both the violation of the regulations on the gross weight (total weight) of the vehicle and the act of violating the regulations on axle load, they shall be sanctioned according to the the provisions of the violation shall be subject to a larger fine.";

h) Point c, Clause 5, Article 80 is amended as follows:

"c) Committing the violations specified at Points g, h, i, Clause 7; Point c, Clause 8; Points d, dd, Clause 9; Point a, Clause 10; Clause 11; Clause 12; Clause 13; Clause 14, Article 30 shall be forced to lower the overloaded cargo, unload the oversized cargo according to the guidance of the functional forces at the place where the violation is detected;";

i) Point e is added after Point dd, Clause 5, Article 80 as follows:

"e) Committing the violations specified in Clauses 2 and 4, Article 23; Clauses 3 and 6 of Article 30 (in case of carrying passengers) are forced to arrange other vehicles to carry the number of passengers in excess of the permitted carrying regulations of the vehicle.";

k) Clause 7 of Article 80 is amended as follows:

"7. When sanctioning a vehicle owner specified in Clause 6 of this Article, the time limit for issuing a sanctioning decision may be extended to verify the sanctioned subjects as prescribed in Clause 1, Article 66 of the Law on Handling of Administrative Violations (amended and supplemented in 2020) but not exceeding 02 months.".

31. Clause 2 of Article 81 is amended as follows:

"2. In case an individual or organization commits an administrative violation many times and is sanctioned at the same time, it shall be sanctioned with a fine for each act of violation, if such act of violation contains provisions for deprivation of the right to use licenses or practice certificates, it shall only be deprived of the right to use licenses. the practice certificate 01 time with the deprivation term is the maximum level of the period of deprivation of the right to use for the act with the longest deprivation period.".

32. To amend and supplement a number of points and clauses of Article 82 as follows:

a) Clause 1 of Article 82 is amended as follows:

"1. In order to immediately prevent administrative violations, competent persons are allowed to temporarily seize vehicles before issuing sanctioning decisions as prescribed in Clauses 2 and 8, Article 125 of the Law on Handling of Administrative Violations (amended and supplemented in 2020) for violations specified in Articles the following clauses and points of this Decree:

a) Point c, Clause 6; Points a, c, Clause 8; Clause 10, Article 5;

b) Points b and c, Clause 6; Point c, Clause 7; Points a, b, c, d, e, g, h, i, Clause 8; Clause 9, Article 6;

c) Point c, Clause 6; Point b, Clause 7; Points a, b, Clause 8; Clause 9, Article 7;

d) Point q, Clause 1; Point e, Clause 3; Points a, c, d, dd (in case the violator is under 16 years old and drives the vehicle), Point g (in case the violator is under 16 years old and drives the vehicle) Clause 4, Article 8;

dd) Clause 9, Article 11;

e) Points a and b, Clause 4; Clause 5; Points a, b, c, Clause 6, Article 16;

g) Points a, b, c, Clause 2, Article 17;

h) Points b and dd, Clause 1; Points c, d, dd, e, Clause 2, Article 19;

i) Clause 1; Point a, Clause 4; Clause 5; Clause 6; Clause 7; Clause 8; Clause 9, Article 21;

k) Points dd, g, h, k, Clause 5; Points b, e, h Clause 8; Points c, i, Clause 9; Point b, Clause 10, Article 30;

l) Point b, Clause 5, Article 33.";

b) Clause 2 of Article 82 is amended as follows:

"2. In order to ensure the implementation of decisions on sanctioning administrative violations or to verify circumstances serving as a basis for issuing sanctioning decisions, persons with sanctioning competence may also decide to temporarily seize vehicles and papers related to the operators and vehicles violating one of the acts specified in this Decree under the provisions of Clause 6. Clause 8, Article 125 of the Law on Handling of Administrative Violations (amended and supplemented in 2020). When papers are temporarily seized under the provisions of Clause 6, Article 125 of the Law on Handling of Administrative Violations, if the time limit for settling the violation case stated in the record of administrative violation has expired, the violator has not yet come to the head office of the person with sanctioning competence to settle the violation case but continues to drive the vehicle or take the vehicle to participate in traffic, will be sanctioned as an act of not having papers.".

33. To add a number of words and phrases in the following Articles, Clauses and Points:

a) To add the phrase "Clause 4a," before the phrase "Clause 5" at Point d, Clause 2, Point e, Clause 3, Article 74;

b) To add the phrase "Point d, Clause 7;" after the phrase "Clause 6" at Point a, Clause 5, Article 74;

c) Add the phrase "Point a" before the phrase "Clause 3" in Clause 6, Article 74; Point dd, Clause 1, Article 79; Point b, Clause 5, Article 80.

34. To replace a number of words and phrases in the following articles, clauses and points:

a) Replace the phrase "Points a, b, Clause 6; Points a, c, Clause 7" with the phrase "Point a, Clause 6; Points a, c, d, Clause 7" at Point a, Clause 1, Article 5;

b) Replace the phrase "Point b, Clause 6" with the phrase "Point d, Clause 7" at Point h, Clause 2, Point e, Clause 3, Point d, Clause 4, Article 5;

c) Replace the phrase "Point h, Point i, Clause 5" with the phrase "Point i, Clause 5" at Point b, Clause 11, Article 5;

d) Replace the phrase "VND 1,000,000 to VND 2,000,000" with the phrase "VND 2,000,000 to VND 3,000,000" in the name of Clause 4, Article 5, Clause 5, Article 7, Clause 7, Article 47;

dd) Replace the phrase "VND 3,000,000 to VND 5,000,000" with the phrase "VND 4,000,000 to VND 6,000,000" in the name of Clause 5, Article 5, Clause 8, Article 47;

e) Replace the phrase "Point d, Point g, Point i, Point m Clause 3" with the phrase "Point a, Point d, Point g, Point i, Point m Clause 3" at Point a, Clause 1, Article 6;

g) Replace the phrase "VND 600,000 to VND 1,000,000" with the phrase "VND 800,000 to VND 1,000,000" in Clause 4, Article 6, Clause 5, Article 47;

h) Replace the phrase "Point b, Clause 6, Article 33" with the phrase "Point b, Clause 5, Article 33" in Clause 9, Article 11;

i) Replace the phrase "200,000 VND to 400,000 VND" with the phrase "300,000 VND to 400,000 VND" in the name of Clause 1, Article 5, Clause 2, Article 7, Clause 1, Article 42, Clause 1, Article 43, Clause 1, Article 46;

k) Replace the phrase "VND 200,000 to VND 300,000" with the phrase "VND 300,000 to VND 400,000" in the name of Clause 2, Article 6, Clause 3, Article 8, Clause 2, Article 18, Clause 4, Article 47;

l) Replace the phrase "from VND 200,000 to VND 300,000 for individuals, from VND 400,000 to VND 600,000 for organizations" with the phrase "from VND 300,000 to VND 400,000 for individuals, from VND 600,000 to VND 800,000 for organizations" in the name of Clause 2, Article 15;

m) Replace the phrase "VND 300,000 to VND 400,000" with the phrase "VND 800,000 to VND 1,000,000" in the name of Clause 2, Article 17, Clause 1, Article 19;

n) Replace the phrase "VND 800,000 to VND 1,000,000" with the phrase "VND 2,000,000 to VND 3,000,000" in the name of Clause 3, Article 17;

o) Replace the phrase "the total maximum fine not exceeding VND 40,000,000" with the phrase "the total maximum fine not exceeding VND 75,000,000" in Clauses 2 and 4, Article 23;

p) Replace the phrase "Point a, Clause 7" with the phrase "Clause 7a" at Points dd, e, k, Clause 5, Article 23;

q) Replace the phrase "with a design of 09 seats" with the phrase "with a design of 09 seats" at Point c, Clause 4, Article 28;

r) Replace the phrase "from VND 7,000,000 to VND 10,000,000 for individuals, from VND 14,000,000 to VND 20,000,000 for organizations" with the phrase "from VND 10,000,000 to VND 12,000,000 for individuals, from VND 20,000,000 to VND 24,000,000 for organizations" in the name of Clause 7, Article 28;

s) Replace the phrase "dismantle" with the phrase "dismantle" at Point b, Clause 1, Point a, Clause 2, Point l, Clause 3, Article 4; Point a, Clause 12, Article 11; Point dd, Clause 10, Article 12; Point a, Clause 2, Article 14; Point g, Clause 6, Article 51; Point b, Clause 4, Article 52; Points d, dd, e, g, Clause 5, Article 53; Point dd, Clause 2, Point c, Clause 5, Article 54;

t) Replace the phrase "For acts of violating regulations on load and gauge limits of vehicles, bridges and roads specified in Articles 24, 28, 30, 33 and 65 of this Decree" with the phrase "For acts of violating regulations on carrying people in excess of the regulations permitted for carriage of vehicles, violating regulations on loads and limits of vehicles, bridges and roads specified in Articles 23, 24, 28, 30, 33 and 65 of this Decree" in Clause 5, Article 80.

35. To omit a number of words and phrases in a number of the following articles, clauses and points:

a) To delete the phrase "public" at Point c, Clause 2, Article 2; to annul the phrase "cooperative group" in Clause 3, Article 2;

b) To delete the phrase "or recidivism the acts specified at Point b, Clause 7 of this Article," at Point d, Clause 11, Article 5;

c) To delete the phrase "point dd," at Point b, Clause 10, Article 6;

d) To delete the phrase "transport business and transport support services" in the name of Clause 1, Article 28.

36. The following points, clauses and articles are annulled:

a) Point h, Clause 5, Article 5 is annulled;

b) Point i and Point k, Clause 2 are annulled; Point dd, Clause 4, Article 6;

c) Points d and dd, Clause 3, Article 8 are annulled;

d) Clause 3 of Article 11 is annulled;

dd) Point b, Clause 1, Article 17 is annulled;

e) Point g, Clause 5, Point a, Clause 7, Article 23 are annulled;

g) Point a, Clause 3, Point c, Clause 6, Article 24 are annulled;

h) Point b, Clause 2 is annulled; Point c, Clause 4; Points dd, k, Clause 7, Article 30;

i) Clause 11 of Article 80 is annulled;

k) Article 83 is annulled.

**Article 3. Amending, supplementing and annulling a number of articles of the Government's Decree No. 162/2018/ND-CP dated November 30, 2018 on sanctioning administrative violations in the field of civil aviation**

1. Article 4a is added after Article 4 as follows:

**"Article 4a. Statute of limitations for sanctioning administrative violations**

1. The statute of limitations for sanctioning administrative violations in the field of aviation is 01 year, except for acts of administrative violations related to charges and fees; price management; construction of aviation works; environmental protection in the field of aviation; land for airports and airfields; trading goods at airports; trading in prohibited goods and counterfeit goods, the statute of limitations for sanctioning administrative violations is 02 years.

2. Acts of administrative violation that have ended

a) Acts of violation specified at Point k, Clause 1, Article 7 of this Decree. The time of termination of the violation is at the time of completion of maintenance of the aircraft, engines, propellers, equipment and equipment of the aircraft at the maintenance facility that has not been approved for appropriate performance;

b) Acts of violation specified at Point b, Clause 2, Article 7 of this Decree. The time of termination of the violation is from the time of completion of the inspection and calibration of aircraft maintenance and repair equipment at the unauthorized establishment;

c) Acts of violation specified at Point a, Clause 3, Article 10; Point d, Clause 1, Article 14; Point d, Clause 1, Article 20; Points a, b, Clause 1, Article 23 and Point c, Clause 1, Article 29 of this Decree. The time of termination of the violation is the time when the reporting time limit expires without reporting as prescribed;

d) Acts of administrative violation that do not fall into the cases specified at Points a, b and c of this Clause but have been completed before the time the competent person detects the act of violation shall be determined as the act of violation has ended. The time when the act ends is counted from the time the act has been completed.

3. Acts of administrative violation other than those specified in Clause 2 of this Article are acts of administrative violation currently committed: ".

2. To amend and supplement Point a, Clause 2, Article 8 as follows:

"a) Smoking, including e-cigarettes or causing smoke or fire on the aircraft;".

3. Points and clauses of Article 9 are amended as follows:

a) Point e, Clause 2, Article 9 is amended as follows:

"e) Failing to update, amend and supplement airport operation documents and work operation documents when there is a change in technical parameters of works and equipment in the airport, aircraft operation and operation plans, procedures for operation and provision of services in the airport or at the request of competent state agencies; failing to submit to competent agencies for approval when there are changes in technical parameters of works and equipment in airports, aircraft operation and operation plans, procedures for operation and provision of services in airports.";

b) Points a and b, Clause 3, Article 9 are amended as follows:

"a) Failing to notify according to regulations on aviation information notification when building, renovating, upgrading, maintaining and repairing works, installing, maintaining and repairing equipment at airports and airfields affecting flight operations or repairing and remedying damage in case of runways, taxiways, aircraft aprons, and equipment to ensure flight operations are unexpectedly damaged, directly threatening aviation safety and security;

b) Failing to comply with measures or plans to organize construction as prescribed when building, renovating, upgrading and repairing works at airports and airfields;";

c) Points k and l are added to Clause 3, Article 9 as follows:

"k) Changing the time for construction, renovation, upgrading, maintenance and repair of works, installation, maintenance and repair of equipment in the airport or airfield area that affects flight activities that have been notified according to regulations on aviation information notification without reaching agreement with other agencies and relevant organizations, before implementing the process of notifying the change;

l) Failing to comply with plans to ensure security, safety and environmental sanitation in the process of construction, renovation, upgrading, maintenance and repair of works, installation, maintenance and repair of equipment in airports and airfields as prescribed.".

d) Point d, Clause 4, Article 9 is amended as follows:

"d) Failing to implement measures or plans to organize construction as prescribed when building, renovating, upgrading and repairing works at airports and airfields;";

dd) Points dd and e are added to Clause 4, Article 9 as follows:

"dd) Failing to check the condition of the runway, taxiway and apron as prescribed in order to remove foreign objects;

e) Failing to implement the plan to ensure security, safety and environmental sanitation in the process of construction, renovation, upgrading, maintenance and repair of works, installation, maintenance and repair of equipment in airports and airfields as prescribed.";

e) Point k, Clause 5, Article 9 is amended as follows:

"k) Installing beacons and billboards using rotating lights, laser lights and lighting devices in airports or airfields or in the vicinity of airports or airfields, affecting flight activities in airports and airfields;";

g) Point m, Clause 5, Article 9 is amended as follows:

"m) Building, renovating, upgrading, maintaining and repairing works, installing, maintaining and repairing equipment in the area of airports and airfields without the approval of the competent authority for the plan to ensure aviation security and safety;";

h) Points n and o are added to Clause 5, Article 9 as follows:

"n) Constructing, renovating or upgrading works or installing equipment at airports or airfields in contravention of the use purposes, airport or airfield planning, general ground drawings approved by competent state agencies;

o) Construction, renovation, upgrade, maintenance, repair of works, installation, maintenance and repair of equipment in the area of airports and airfields without the approval of the construction plan by the competent authority.";

i) Point d is added to Clause 8, Article 9 as follows:

"d) Forcible adjustment to conform to the planning of airports and airfields, general ground drawings approved by competent state agencies, for the acts specified at Point n, Clause 5 of this Article.".

4. To amend and supplement a number of points and clauses of Article 10 as follows:

a) Points a, b and c, Clause 1, Article 10 are amended as follows:

"a) Providing non-aviation services at airports without ensuring the standards and quality of services and products sold; not publicly listed; failing to ensure that the product is on the right label; there is no certificate announcing product quality, origin and origin of goods;

b) Placing billboards, using leaflets and sounds to advertise at the airport area or at the emergency exit gates of works at airports and airfields;

c) Using sound to advertise at airport and airfield infrastructure works; at other works affecting the provision of aviation services;";

b) Points d and dd are added to Clause 1, Article 10 as follows:

"d) Placing billboards that affect aviation safety, aviation security, fire prevention and fighting, traffic safety, obstructing the movement of people and vehicles at airports and airfields;

dd) Building advertising works, installing advertising means that affect the aesthetics and architecture of the station and the system of signboards in the station.";

c) Point e is added to Clause 2, Article 10 as follows:

"e) Installing electronic devices and screens for advertising on ground vehicles operating in restricted areas of airports and airfields, equipment at aircraft aprons.";

d) Point dd, Clause 4, Article 10 is added as follows:

"dd) Providing non-aviation services at the airport in contravention of regulations.";

dd) Point g is added to Clause 5, Article 10 as follows:

"g) Failing to maintain sufficient conditions for exploitation of works, means and equipment of airports and airfields, provision of aviation services according to applicable standards and technical regulations.".

5. Clause 6 of Article 11 is amended as follows:

"6. Additional sanctions:

a) Deprivation of the right to use licenses from 01 month to 03 months for aviation employees who violate the provisions of Points a, b and c, Clause 1 of this Article;

b) Deprivation of the right to use licenses from 03 months to 05 months for aviation employees who violate the provisions of Clause 2 and Points a, b, c, d, dd, e, l Clause 3, Clause 4 and Point g, Clause 5 of this Article.".

6. Points dd, e and g are added to Clause 1, Article 14 as follows:

"dd) Failing to formulate a fuel supervision plan as prescribed;

e) Failing to send the fuel supervision plan as prescribed;

g) Failing to make emission reports for international flights; fuel for domestic flights as prescribed.".

7. To amend and supplement the title of Section 4, Chapter II as follows:

**"Section 4. VIOLATIONS AGAINST REGULATIONS ON PERFORMING WORK ACCORDING TO DOCUMENTS, PROCESSES AND WORK REQUIREMENTS OF AVIATION STAFF AND OTHER EMPLOYEES; TRAINING, PROFESSIONAL TRAINING AND AVIATION OPERATIONS, EMPLOYMENT OF AVIATION STAFF AND HEALTH ASSESSMENT OF AVIATION STAFF"**

8. To amend and supplement the name and a number of points and clauses of Article 16 as follows:

a) To amend and supplement the name of Article 16 as follows:

**"Article 16. Violating regulations on performing work according to documents, processes and work requirements";**

b) Point b, Clause 2, Article 16 is amended as follows:

"b) Performing tasks in contravention of documents, processes and work requirements, except for the cases specified at Point b, Clause 3, Point dd, Clause 4 and Point d, Clause 5 of this Article;";

c) Points a and b, Clause 3, Article 16 are amended as follows:

"a) Performing tasks in contravention of documents, processes and work requirements affecting civil aviation activities without threatening aviation security and safety, except for the cases specified at Point b, Clause 3, Point dd, Clause 4 and Point d, Clause 5 of this Article;

b) Performing the tasks of aircraft control, flight operation, maintenance and repair of aircraft and aircraft equipment, making aircraft maintenance plans, making aircraft maintenance data, ensuring aircraft techniques in contravention of documents, processes and work requirements;";

d) Point d, Clause 3, Article 16 is amended as follows:

"d) Failing to perform or improperly performing the duties of an aviation officer under a license or professional certificate already granted or recognized, except for the cases specified at Point b, Clause 4 and Point e, Clause 5 of this Article.";

dd) Point a, Clause 4, Article 16 is amended as follows:

"a) Performing tasks in contravention of documents, processes and work requirements, threatening aviation security and safety, in the cases specified at Point b, Clause 3, Point dd, Clause 4 and Point d, Clause 5 of this Article;";

e) Points c and dd, Clause 4, Article 16 are amended as follows:

"c) Failing to perform or improperly performing the duties of aviation personnel under licenses or professional certificates already granted or recognized, threatening aviation safety and security, except for the cases specified at Point b, Clause 4 and Point e, Clause 5 of this Article;

dd) Performing the tasks of aircraft control, flight administration, maintenance and repair of aircraft and aircraft equipment, making aircraft maintenance plans, making aircraft maintenance data, ensuring aircraft technical assurance in contravention of documents, processes and requirements of the work, the process of coordination of activities affecting civil aviation activities without threatening aviation security and safety, except for the cases specified at Point b, Clause 3 and Point d, Clause 5 of this Article;";

g) Point a Clause 5 Article 16 is amended as follows:

"a) Using aviation staff licenses, competencies, professional certificates, certificates of eligibility for health, certificates of English proficiency not issued by competent agencies or organizations;";

h) Point d Clause 5 Article 16 is amended as follows:

"d) Performing the tasks of aircraft control, flight operation, maintenance and repair of aircraft and aircraft equipment, making aircraft maintenance plans, compiling aircraft maintenance data, ensuring aircraft technical assurance in contravention of documents, processes and work requirements that threaten aviation security; aviation safety;";

i) Points a and b, Clause 7, Article 16 are amended as follows:

"a) Deprivation of the right to use licenses from 01 month to 03 months for aviation employees who violate the provisions of Points a, c, h, Clause 4, b, d, dd, e, g, Clause 5 and c, Clause 6 of this Article;

b) Deprivation of the right to use licenses from 03 months to 05 months for aviation employees who violate the provisions of Point a, Clause 6 of this Article;".

9. To amend and supplement the name and a number of points and clauses of Article 18 as follows:

a) To amend and supplement the name of Article 18 as follows:

**"Article 18. Violations against regulations on training, retraining and professional training in aviation";**

b) Clause 1 of Article 18 is amended as follows:

"1. A fine of between VND 5,000,000 (five million VND) and VND 10,000,000 (ten million VND) shall be imposed for acts of hiring, hiring others or doing papers on behalf of candidates or assisting candidates in taking professional tests or tests; assessment of English proficiency of airline staff.";

c) Points b, c, d Clause 2 Article 18 are amended as follows:

"b) Providing professional training, retraining and training in aviation operations in contravention of the contents; insufficient number of hours as prescribed;

c) Employing aviation professional training, retraining and training teachers who fail to meet the prescribed standards and conditions;

d) Failing to archive or insufficiently archive professional training and training dossiers as prescribed.";

d) Point b, Clause 3, Article 18 is amended as follows:

"b) Providing professional training and training in aviation operations outside the scope of the Certificate of eligibility granted by a competent agency.";

dd) Clause 5 of Article 18 is amended as follows:

"5. Remedial measures:

Forcible cancellation of results for violations specified in Clause 1 of this Article.".

10. Clause 4 of Article 19 is amended as follows:

"4. A fine of between VND 30,000,000 (thirty million VND) and VND 40,000,000 (forty million VND) shall be imposed for one of the following acts of violation:

a) Failing to maintain conditions on organizational apparatus; equipment and equipment; examination and assessment process; staff according to the Certificate of medical establishment for health examination and assessment for aviation staff issued by competent agencies;

b) There is no quality assurance system or equivalent form approved as prescribed.".

11. Clause 1 of Article 21 is amended as follows:

"1. A fine of between VND 3,000,000 (three million VND) and VND 5,000,000 (five million VND) shall be imposed for acts of dropping equipment, articles and other objects into the air affecting flight activities.".

12. To amend and supplement a number of points of Clause 1, Article 22 as follows:

a) Point b Clause 1 Article 22 is amended as follows:

"b) Failing to notify competent agencies as prescribed when there are changes subject to notification; contents of the notice;";

b) Point c is added to Clause 1, Article 22 as follows:

"c) Failing to post or publicly announce the hotline as prescribed.".

13. Points g, h and i are added to Clause 1, Article 23 as follows:

"g) Failing to notify the operation of representative offices and ticketing offices of foreign airlines to competent state agencies from the date of issuance of licenses as prescribed;

h) Failing to operate at the head office from the date of issuance of the license to open a representative office or ticketing office of a foreign airline; failing to publish news in a newspaper published in Vietnam as prescribed;

i) Failing to notify the competent authority in case of change of personnel who are foreigners.".

14. Points l and m are added to Clause 3, Article 24 as follows:

"l) Failing to provide information on the reasons for flight cancellation or prolonged flight delays as prescribed;

m) Failing to report or inadequately reporting on the non-refundable advance compensation as prescribed.".

15. To amend and supplement the name and a number of points and clauses of Article 25 as follows:

a) To amend the title of Article 25 as follows:

**"Article 25. Violations against regulations on management and use of aviation security control cards and licenses and identity papers";**

b) Points a, b and c, Clause 2, Article 25 are amended as follows:

"a) Using aviation security control cards, licenses or aviation security and safety supervisor cards or service quality supervisor cards of other persons in restricted areas of airports or airfields, boarding aircraft;

b) Using personal papers not issued by competent agencies or; tickets or boarding passes not issued by competent airlines or identity papers, tickets or boarding passes bearing the names of other persons entering the quarantine area, boarding the aircraft or allowing others to enter the quarantine area or board the aircraft;

c) Lending aviation security control cards, aviation security control licenses, aviation security and aviation safety supervisor cards or service quality supervisor cards to other persons to enter restricted areas at airports or airfields or board aircraft.";

c) Clause 3 of Article 25 is amended as follows:

"3. A fine of between VND 5,000,000 (five million VND) and VND 10,000,000 (ten million VND) shall be imposed for acts of using aviation security control cards, aviation security control licenses or aviation security and aviation safety supervisor cards or service quality supervisor cards not issued by agencies, competent organizations.".

16. To amend and supplement Point a, Clause 9, Article 26 as follows:

"a) Deprivation of the right to use licenses from 01 month to 03 months for aviation employees who violate the provisions of Point a, Clause 4, Points b, d, dd, i, l, Clause 5 and b, Clause 6 of this Article;".

17. To amend and supplement a number of points and clauses of Article 27 as follows:

a) Point i is added to Clause 2, Article 27 as follows:

"i) Failing to provide security declarations to operators of airports, transit and transit airports and airlines as prescribed.";

b) Point a, Clause 3, Article 27 is amended as follows:

"a) Failing to strictly implement the aviation security program and the aviation security regulations approved and approved by competent agencies;";

c) Point a, Clause 4, Article 27 is amended as follows:

"a) There is no aviation security program or aviation security regulation approved or approved by a competent agency;".

18. Clause 6 of Article 28 is amended as follows:

"6. Additional sanctions:

Deprivation of the right to use licenses from 01 month to 03 months for aviation employees who violate the provisions of Point a, Clause 4 of this Article.".

19. Clause 5 of Article 30 is amended as follows:

"5. Additional sanctions:

Deprivation of the right to use licenses from 01 month to 03 months for aviation employees who violate the provisions of Point b, Clause 2 and Clause 3 of this Article.".

20. To amend and supplement a number of points and clauses of Article 31 as follows:

a) Point c, Clause 1, Article 31 is amended as follows:

"c) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 1,000,000;";

b) Point d, Clause 2, Article 31 is amended as follows:

"d) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 100,000,000;";

c) Point d, Clause 3, Article 31 is amended as follows:

"d) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 140,000,000;".

21. To amend and supplement a number of points and clauses of Article 32 as follows:

a) Point c, Clause 1, Article 32 is amended as follows:

"c) Confiscate material evidences and means used in administrative violations with a value not exceeding VND 20,000,000.";

b) Point b, Clause 2, Article 32 is amended as follows:

"b) Impose fines of up to VND 50,000,000;";

c) Point d Clause 2 Article 32 is amended as follows:

"d) Confiscation of material evidences and means used in administrative violations;".

22. To amend and supplement a number of points and clauses of Article 33 as follows:

a) Point c, Clause 1, Article 33 is amended as follows:

"c) Confiscate material evidences and means used in administrative violations with a value not exceeding 1,000,000 VND;";

b) Point d Clause 2 Article 33 is amended as follows:

"d) Confiscation of material evidences and means used in administrative violations;".

23. Article 34 is amended as follows:

**"Article 34. Competence of the People's Police**

1. People's Public Security soldiers on duty have the right to:

a) Impose a warning;

b) A fine of up to VND 500,000.

2. Heads of company-level mobile police units, station chiefs and team leaders of persons specified in Clause 1 of this Article shall have the right to:

a) Impose a warning;

b) A fine of up to VND 1,500,000.

3. Commune-level police chiefs, police station chiefs, border-gate police station chiefs, international airport border-gate police chiefs, and mobile police battalion commanders have the right to:

a) Impose a warning;

b) Impose fines of up to VND 2,500,000;

c) Confiscate material evidences and means used in administrative violations with a value not exceeding 02 times the fine level specified at Point b of this Clause;

d) Apply the remedial measures specified at Point c, Clause 3, Article 4 of this Decree.

4. The chief of the district-level police; Head of the Professional Division of the Police Department for Administrative Management of Social Order; Head of the Operations Department of the Traffic Police Department; Head of the Professional Department of the Fire Prevention and Fighting and Rescue Police Department; Head of the Professional Department of the Immigration Department; Heads of provincial-level Police Divisions include: Heads of Police Divisions for Administrative Management of Social Order, Heads of Police Divisions for Investigation of Crimes Against Social Order, Heads of Traffic Police Divisions, Heads of Road-Railway Traffic Police Divisions, Heads of Road Traffic Police Divisions, Heads of Mobile Police Divisions, Heads of Environmental Crime Prevention and Combat Police Divisions, Heads of Fire Prevention and Fighting and Rescue Police Divisions, and Regimental Commanders of Mobile Police Regiments have the right to:

a) Impose a warning;

b) A fine of up to VND 20,000,000;

c) Deprivation of the right to use licenses for a definite period or suspension of operation for a definite time;

d) Confiscate material evidences and means used in administrative violations with a value not exceeding 02 times the fine level specified at Point b of this Clause;

dd) Apply the remedial measures specified at Points c, dd and e, Clause 3, Article 4 of this Decree.

5. Directors of provincial-level Police have the right to:

a) Impose a warning;

b) Impose fines of up to VND 50,000,000;

c) Deprivation of the right to use licenses for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used in administrative violations;

dd) The Director of the provincial-level Police shall decide on the application of the sanction of expulsion;

e) Apply the remedial measures specified at Points c, dd, e, n, Clause 3, Article 4 of this Decree.

6. The Director of the Police Department for Administrative Management of Social Order, the Director of the Police Department for Investigation of Crimes Against Social Order, the Director of the Traffic Police Department, the Director of the Fire Prevention and Fighting and Rescue Police Department, the Director of the Police Department of to combat environmental crimes, the Director of the Department of Internal Security, the Commander of the Mobile Police has the right to:

a) Impose a warning;

b) Impose a fine of up to VND 100,000,000;

c) Deprivation of the right to use licenses for a definite period or suspension of operation for a definite time;

d) Confiscation of material evidences and means used in administrative violations;

dd) Apply the remedial measures specified at Points c, dd, e, n, Clause 3, Article 4 of this Decree.

7. The Director of the Immigration Department is competent to impose penalties as prescribed in Clause 6 of this Article and has the right to decide on the application of expulsion sanctions.

8. The People's Public Security Force has the right to sanction administrative violations in the field of civil aviation in the following cases:

a) Acts of administrative violation detected during the implementation of the emergency plan;

b) Acts of administrative violations in the field of civil aviation in terms of security, social order and safety in public areas at airports and airfields or transferred by agencies in the civil aviation sector.".

24. To amend and supplement the first paragraph and a number of points and clauses of Article 36 as follows:

a) The first paragraph of Article 36 is amended as follows:

"The specialized aviation inspection force and the airport authority have the authority to make records of administrative violations; apply the main sanctioning forms and additional sanctions; apply remedial measures for acts of administrative violation specified in this Decree and acts of administrative violation occurring in the field of civil aviation specified in the following documents:";

b) Clause 5 of Article 36 is amended as follows:

"5. Clause 2, Article 6, Article 7, Article 11, Clauses 1, 2, Article 23 and Clause 1, Point c, Clause 3, Article 30 of the Government's Decree No. 98/2020/ND-CP dated August 26, 2020 stipulating penalties for administrative violations in trading, production and trading of counterfeit goods, prohibited goods and protect consumer rights."

c) Clause 7 of Article 36 is amended as follows:

"7. Point dd, Clause 1, Article 9, Point a, Clause 3, Article 10, Article 20, Article 21 and Point a, Clause 1, Point b, Clause 4, 5, 6, 7, 8, Article 22 of the Government's Decree No. 155/2016/ND-CP dated November 18, 2016 on sanctioning administrative violations in the field of environmental protection.";

d) Clause 9 is added to Article 36 as follows:

"9. Clauses 1, 2, 4 Article 6, Point b Clause 2 Article 11, Point a Clause 1, Clause 4 Article 12, Clause 2 Article 14, Article 18, Clauses 2, 3 Article 25, Article 26, Clause 2, Point a, Point b Clause 4 Article 29, Article 30, Article 31 of the Government's Decree No. 117/2020/ND-CP dated September 28, 2020 stipulating penalties for administrative violations in the field of health sector.".

25. To delete the phrase "practicing certificate" at Point a, Clause 2, Article 4, Point c, Clause 2, Point c, Clause 3, Point c, Clause 4, Article 31, Point c, Clause 2, Article 32, Point c, Clause 2, Article 33, and Point c, Clause 2, Clause 3, Article 33.

26. Replace the phrase "dismantle" with the phrase "dismantle" at Point d, Clause 3, Article 4, Point b, Clause 8, Article 9, Point b, Clause 7, Article 10 and Clause 7, Article 21.

27. To annul Point l, Clause 3, Article 4; Point e, Clause 3, Article 9; Point a, Clause 3, Article 15; Point h, Clause 5, Article 26, Article 39.

**Article 4. Enforcement effect**

This Decree takes effect from January 1, 2022.

**Article 5. Transitional Clauses**

For acts of administrative violations in the maritime domain; road and railway traffic; civil aviation that occurs before the effective date of this Decree but is subsequently detected or is being considered for settlement, regulations beneficial to the violating organizations and individuals shall apply.

**Article 6. Implementation organization**

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, presidents of provincial-level People's Committees, relevant organizations and individuals shall be responsible for the implementation of this Decree.