

**THE GOVERNMENT**

-----

No. 158/2013/ND-CP

**SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom – Happiness**

-----

*Hanoi, November 12, 2013*

**DECREE**

**ON PENALTIES FOR ADMINISTRATIVE VIOLATIONS PERTAINING TO CULTURE,  
SPORTS, TOURISM AND ADVERTISING**

*Pursuant to the Law on Government organization dated December 25, 2001;*

*Pursuant to the Law on Handling administrative violations dated June 20, 2012;*

*Pursuant to the Law on Advertising dated June 21, 2012;*

*Pursuant to the Law on Cultural heritage dated June 29, 2001 and the Law on amendments to the Law on Cultural heritage dated June 18, 2009;*

*Pursuant to the Law on Cinematography dated June 29, 2006 and the Law on amendments to the Law on Cinematography date June 18, 2009;*

*Pursuant to the Law on Tourism dated June 14, 2005;*

*Pursuant to the Law on Sports dated November 29, 2006;*

*Pursuant to the Law on Journalism dated December 28, 1989 and the Law on the amendments to the Law on Journalism dated June 12, 1999;*

*Pursuant to the Law on Intellectual property dated November 29, 2005 and the Law on the amendments to the Law on Intellectual property dated June 19, 2009;*

*Pursuant to the Law on Information technology dated June 29, 2006;*

*Pursuant to the Law on telecommunications dated November 23, 2009;*

*Pursuant to the Law on Publishing dated November 20, 2012;*

*Pursuant to the Law on Fishery dated November 26, 2003;*

*Pursuant to the Law on Pharmacy dated June 14, 2005;*

*Pursuant to the Law on Donation, removal and transplantation of human tissues and organs, and body donation dated November 29, 2006;*

*Pursuant to the Law on Prevention of infectious diseases dated November 21, 2007;*

*Pursuant to the Law on Medical examination and treatment dated November 23, 2009;*

*Pursuant to the Law on Prevention of harmful effects of tobacco dated June 18, 2012;*

*Pursuant to the Law on Commerce dated June 14, 2005;*

*Pursuant to the Law on Product and goods quality dated November 21,*

*2007; Pursuant to the Ordinance on Libraries dated December 28, 2000;*

*Pursuant to the Ordinance on Plant protection and quarantine dated July 25, 2001;*

*Pursuant to the Ordinance on Plant varieties dated March 24, 2004;*

*Pursuant to the Ordinance on Veterinary Medicine dated April 29, 2004;*

*Pursuant to the Ordinance on Livestock breeds dated March 24, 2004;*

*At the request of the Minister of Culture, Sports and Tourism;*

*The Government promulgates a Decree on penalties for administrative violations pertaining to culture, sports, tourism, and advertising;*

## **Chapter 1.**

### **GENERAL REGULATIONS**

#### **Article 1. Scope of regulation**

This Decree specifies the administrative violations, penalties, remedial measures, the power to impose penalties for administrative violations pertaining to culture, sports, tourism, and advertising.

Administrative violations pertaining to culture, sports, tourism, and advertising include:

Violations pertaining to culture;

Violations pertaining to sports;

Violations pertaining to tourism;

Violations pertaining to advertising;

Penalties for the administrative violations pertaining to culture, sports, tourism, and advertising that are not mentioned in this Decree shall apply other Decrees on penalties for administrative violations.

#### **Article 2. Remedial measures**

Apart from the remedial measures mentioned in Points a, b, dd, e, h and i Clause 1 Article 28 of the Law on Handling administrative violations, the administrative violations pertaining to culture, sports, tourism, and advertising may face one or some of the following remedial measures:

Compulsory cancellation of the selection of athletes, ranking of athletes, trainers, referees of high-performance sports;

Compulsory cancellation of sports achievements;

Compulsory dismantlement of displays, signboards;

Compulsory return of land appropriated or termination of illegal use of historic sites, natural monuments, cultural or artistic works;

Compulsory return of swapped or appropriated documents to the library;

Compulsory dismantlement of removal or advertisements;

Compulsory offer of formal apologies.

#### **Article 3. Fines and the power to impose fines**

An individual shall face a maximum fine of 50,000,000 VND for committing a violation pertaining to culture, sports, or tourism is 50,000,000 VND, and a maximum fine of 100,000,000 VND for committing a violation pertaining to advertising.

The fines specified in Chapter II and Chapter III of this Decree are imposed on individuals, except for the case mentioned in Article 4; Clause 5 Article 6; Article 8; Article 10; Point b Clause 1, Point a Clause 3, Points a, b and c Clause 5, Clauses 6, 7 and 8 Article 13; Clauses 1, 2, 3, 4, 6 and 7 Article 14; Point b Clause 2 Article 15; Point a Clause 1, Point b Clause 3 Article 17; Point c Clause 3 Article 23; Clause 1 and Points a, b and c Clause 2 Article 24; Clause 2 and Clause 4 Article 27; Point b Clause 1 Article 30; Clause 2 Article 32; Article 33; Clause 1, Clause 5 Article 40; Article 41; Points a, b and d Clause 1, Clauses 2, 3, 4, 5, 6, 7, 8, 9 and 10 Article 42; Point c Clause 1 Article 52; Clause 2 and Clause 3 Article 55; Clause 2 Article 56; Article 57, Article 58, Points a, b and c Clause 3 Article 59, Point a Clause 2 Article 68, Clause 2 Article 69 and Clause 1 Article 70 The fine for a violation committed by an organization is twice the fine for the same violation committed by an individual.

The maximum fines the persons mentioned in Chapter IV of this Decree may impose are applied to violations committed by individuals. The maximum fines such persons may impose on organizations are twice the maximum fines they may impose on individuals.

## **Chapter 2.**

### **PENALTIES FOR ADMINISTRATIVE VIOLATIONS PERTAINING TO CULTURE, SPORTS AND TOURISM**

#### **PENALTIES FOR ADMINISTRATIVE VIOLATIONS PERTAINING TO CULTURE, SPORTS AND TOURISM**

##### **Article 4. Violations against regulations on film production**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for committing one of the violations below:

Falsifying the license to cooperate in film production;

Producing a film about a personal life of a person that is subject to his permission by law without his permission.

A fine of from 10,000,000 VND to 20,000,000 VND shall be imposed for producing films intended to slander or damage the reputation of other organizations or dignity of other individuals.

A fine of from 20,000,000 VND to 30,000,000 VND shall be imposed for committing one of the violations below:

Providing film production services or cooperating in film production against the license to cooperation in film production;

Adding sounds and images of the goods banned from advertising to the approved films;

Adding pornographic or violent contents to the approved films;

Extending or cutting the approved films.

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for committing one of the violations below:

Producing films that have pornographic contents, incite violence, debauchery, destruction of the environment, or that are not appropriate for Vietnam's fine traditions;

Provide film production services or cooperating in film productions without a license;

Provide film production services or cooperating in film productions without a license;

Failing to establish a council to appraise the script, a council to appraise the film, a council to give advices on selection of film production project; failing to invite bids for production of the films funded by government budget.

A fine of from 40,000,000 VND to 50,000,000 VND shall be imposed for producing pornographic films.

The license to cooperate in film production shall be revoked for 12 to 24 months if the license is found being transferred.

Remedial measures:

Compulsory destruction of the illegal items mentioned in Point b Clause 1, Clause 2, Point b, c and d Clause 3, Point a Clause 4 and Clause 5 of this Article.

#### **Article 5. Violations against regulations on film distribution**

A fine of from 1,000,000 VND to 2,000,000 VND shall be imposed for committing one of the violations below:

Selling, renting video tapes or discs without rating stamps; putting rating stamps on other films than those licensed (< 20 copies)

Selling or renting films intended for internal use;

Falsifying the rating stamp on the video tape or disc.

A fine of from 2,000,000 VND to 5,000,000 VND shall be imposed for committing one of the violations below:

Selling, renting, or distributing unapproved films in the form of celluloid films, video tapes or discs (< 20 copies);

Selling, renting video tapes or discs without rating stamps; putting rating stamps on other films than those licensed (20 - 100 copies)

Swapping the contents of the video tapes of discs that bear the rating stamp for trading.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for committing one of the violations below:

Selling, renting video tapes or discs without rating stamps; putting rating stamps on other films than those licensed (100 - 500 copies);

Selling, renting, or distributing unapproved films in the form of celluloid films, video tapes or discs (20 - 100 copies).

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for committing one of the violations below:

Distributing celluloid films, video tapes or discs without the license for distribution issued by a competent authority or a decision on broadcasting of the head of the television station;

Distributing celluloid films, video tapes or discs beyond the scope in the license for distribution;

Selling, renting video tapes or discs without rating stamps; putting rating stamps on other films than those licensed (500 - 1,000 copies);

Selling, renting, or distributing unapproved films in the form of celluloid films, video tapes or discs ( $\geq 100$  copies).

Selling, renting, or distributing unapproved films in the form of celluloid films, video tapes or discs that have pornographic contents, incite violence or pervasion.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for selling, renting video tapes or discs without rating stamps; putting rating stamps on other films than those licensed (1,000 - 5,000 copies);

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for committing one of the violations below:

Selling, renting, or distributing unapproved films when decision on their withdrawal, confiscation, ban, or destruction have been already issued (hereinafter referred to as banned films);

Selling, renting video tapes or discs without rating stamps; putting rating stamps on other films than those licensed ( $\geq 5,000$  copies)

#### 7. Remedial measures:

Compulsory destruction of the illegal items mentioned in Clauses 1, 2, and 3; Points a, c, d and dd Clause 4, Clause 5 and Clause 6 of this Article;

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Point a and Point b Clause 1, Clauses 2, 3, 4, 5, and 6 of this Article.

#### **Article 6. Violations against regulations on publicizing films**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for projecting films in public places from after 12 a.m. to 8 a.m.

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for showing films without rating stamps in public places

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for showing unapproved films in public places.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for showing banned films, or showing films that have pornographic contents, incite violence or perversion.

A fine of from 20,000,000 VND to 30,000,000 VND shall be imposed for broadcasting banned films, or broadcasting films that have pornographic contents, incite violence or perversion.

Additional penalties:

Confiscating the illegal items and instruments, applicable to the violations in Clause 4 of this Article.

7. Remedial measures:

Compulsory destruction of the illegal items mentioned in Clauses 2, 3, 4, and 5 of this Article.

**Article 7. Violations against regulations on reproducing and storing films**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for committing one of the violations below:

Reproducing fewer than 20 copies of unapproved films;

Illegally storing fewer than 10 copies of films having banned contents.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for committing one of the violations below:

Reproducing 20 - 100 copies of unapproved films;

Illegally storing 10 - 50 copies of films having banned contents.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for committing one of the violations below:

Reproducing more than 100 copies of unapproved films;

Illegally storing 50 - 100 copies of films having banned contents.

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for committing one of the violations below:

Reproducing banned films;

Reproducing films that have pornographic contents, incite violence, debauchery;

Illegally storing 100 copies of films having banned contents or more;

Illegally storing banned films.

5. Additional penalties:

Confiscating the instruments used for committing the violations mentioned in Point a Clause 1, Point a Clause 2, Point a Clause 3, Point a and Point b Clause 4 of this Article.

6. Remedial measures:

Compulsory destruction of the illegal items mentioned in Clauses 1, 2, 3, and 4 of this Article.

**Article 8. Violations against regulations on film depository and retention**

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for committing one of the violations below:

Failing to ensure the safety or original films and their materials; failing to follow the technical standards about film retention.

Failing to provide the film copy or film documents to the film producer as prescribed.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for failing to deposit or retain a sufficient amount of films.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for failing to or retain films as prescribed.

#### **Article 9. Violations against the regulations on reproduction of audio and video recordings of art performances**

A fine of from 500,000 VND to 1,000,000 VND shall be imposed for reproducing fewer than copies of unapproved audio and video recordings of art performances without.

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for reproducing 10 - 100 copies of unapproved audio and video recordings of art performances.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for reproducing 100 - 300 copies of unapproved audio and video recordings of art performances.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for reproducing 300 - copies of unapproved audio and video recordings of art performances.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for committing one of the violations below:

Reproducing 500 - 1,000 copies of unapproved audio and video recordings of art performances.

Reproducing audio and video recordings of art performances that have pornographic contents, incite violence or debauchery;

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for committing one of the violations below:

Reproducing 1,000 - 5,000 copies of unapproved audio and video recordings of art performances.

Reproducing audio or video recording of banned art performances;

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for reproducing  $\geq$  5,000 copies of unapproved audio and video recordings of art performances.

Additional penalties:

Confiscating the instruments used for the illegal reproduction of audio and video recordings as prescribed in Clauses 1, 2, 3, 4, 5, 6 and 7 of this Article.

9. Remedial measures:

Compulsory destruction of the audio and video recordings illegally reproduced mentioned in Clauses 1, 2, 3, 4, 5, 6 and 7 of this Article.

#### **Article 10. Violations against the regulations on production, rating stamps, and deposits of audio and video recordings of art performances**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for committing one of the violations below:

a) Falsifying the Certificate of approval for audio and video recordings of art performances;

Putting rating stamps on 50 - 500 copies in contravention of the certificate of approved contents;

Failing to submit facsimiles of audio and video recordings of art performances for retention;

Changing the contents of audio and video recordings of approved art performances.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for committing one of the violations below:

Adding illegal contents to the audio and video recordings of approved art performances.

Putting rating stamps on 500 - 1,000 copies of unapproved shows.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for putting rating stamps on  $\geq 1,000$  copies of unapproved shows

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for producing audio and video recordings of art performances that have pornographic contents, incite violence, debauchery, destruction of the environment, or that are not appropriate for Vietnam's fine traditions;

A fine of from 40,000,000 VND to 50,000,000 VND shall be imposed for producing audio or video recordings of pornographic art performances.

Remedial measures:

Compulsory destruction of the audio and video recordings mentioned in Point d Clause 1, Point a Clause 2, Clause 4 and Clause 5 of this Article.

#### **Article 11. Violations against the regulations on selling, renting, or circulating audio and video recordings of art performances**

A fine of from 2,000,000 VND to 5,000,000 VND shall be imposed for selling, renting, or circulating fewer than 50 copies of unapproved audio and video recordings of art performances.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for selling, renting, or circulating 50 - 100 copies of unapproved audio and video recordings of art performances.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

Selling, renting, or circulating audio and video recordings of art performances that have pornographic contents, incite violence or debauchery;

Selling, renting, or circulating 100 - 300 copies of unapproved audio and video recordings of art performances.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the violations below:

b) Selling, renting, or circulating audio and video recordings of banned art performances;

Selling, renting, or circulating 300 - 500 copies of unapproved audio and video recordings of art performances.

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for selling, renting, or distributing 500 - 1,000 copies of unapproved audio and video recordings of art performances.



A fine of from 25,000,000 VND to 30,000,000 VND shall be imposed for selling, renting, or circulating  $\geq 1000$  copies of unapproved audio and video recordings of art performances.

Remedial measures:

Compulsory destruction of illegal items mentioned in Clauses 1, 2, 3, 4, 5, and 6 of this Article;

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Clauses 1, 2, 3, 4, 5, and 6 of this Article.

### **Article 12. Violations against the regulations on storing and distributing of audio and video recordings of art performances**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for distributing unapproved audio or video recordings of art performances.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for distributing audio and video recordings of art performances intended to encourage debauchery, or that are not appropriate for Vietnam's fine traditions in public places.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the violations below:

Illegally storing, distributing fewer than 20 copies of audio and video recordings of art performances that are banned;

Distributing audio and video recordings of art performances that have pornographic contents or incite violence in public places;

Circulating fewer than 300 copies of audio and video recordings of art performances without rating stamps.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

Illegally storing, distributing 20 - 100 copies of audio and video recordings of art performances that are banned;

Circulating  $\geq 300$  copies of audio and video recordings of art performances without rating stamps;

Illegally storing 50 - 300 copies of audio and video recordings of art performances that are unapproved or without rating stamps.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the violations below:

Illegally storing, distributing more than 100 copies of audio and video recordings of art performances that are banned;

Illegally storing more than 300 copies of audio and video recordings of art performances that are unapproved or without rating stamps.

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for illegally storing, distributing audio or video recordings of pornographic art performances.

7. Remedial measures:

Compulsory destruction of illegal items mentioned in Clauses 1, 2, 3, 4, 5, and 6 of this Article.

**Article 13. Violations against regulations on art shows and fashion shows**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the violations below:

Failing to notify the contents of the art or fashion show to the competent authority of the locality where the show takes place.

Failing to notify the contents of the art or fashion show held by a foreign organization operating within Vietnam's law to the competent authority of the locality where its head office is situated.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for changing the lyrics, dialogues, adding other moves than those approved.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the violations below:

Holding the art or fashion show in contravention of the license;

Replace the performer's voice or solo instrument with audio recordings;

Using costumes or make-up that are not suitable for the purpose of the show or Vietnam's fine traditions.

Holding the art or fashion show from after 12 a.m. to 8 a.m. without permission of a competent authority;

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

Holding the art or fashion show without a license;

Perform inappropriate acts during the performance that are not suitable for Vietnam's fine tradition or negatively affect diplomatic relations.

Allowing the performance of or performing unapproved works of art.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the violations below:

Allowing foreign organizations, foreigners, or Vietnamese citizens residing abroad to perform in the art performance of fashion show in contravention of the license;

Allowing the persons banned or suspended from art performances by competent authorities to perform in the show;

Selling, buying, transferring, falsifying, lending, renting the license to hold the art show or fashion show;

Attending art show, fashion show, or competition overseas without a license (if a license is compulsory by law).

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for one of the violations below:

Allowing foreign organizations, foreigners, or Vietnamese citizens residing abroad to perform in the art of fashion show without a license;

Allowing performers to attend an art or fashion show overseas without a license.

A fine of from 25,000,000 VND to 30,000,000 VND shall be imposed for allowing the performances that encourage debauchery, are inappropriate for Vietnam's fine traditions, or intended to damage the reputation of other organizations or insult other individuals.

A fine of from 30,000,000 VND to 35,000,000 VND shall be imposed for allowing the performances that have pornographic contents, incite violence, or that are banned.

The performer that commits one of the following acts shall be banned from performance for 3 - 6 months:

Perform in the art or fashion show that is intended to encourage debauchery, not appropriate for Vietnam's fine traditions, or intended to damage the reputation of other organizations or insult other individuals.

Performing works of art that have pornographic contents, incite violence, or that are banned.

#### 10. Additional penalties:

The performer that commits the acts mentioned in Point b and Point c Clause 3, Point b Clause 4 of this Article shall be banned from performance for 1 - 3 months;

The organization that that commits the acts mentioned in Clause 7 and Clause 8 of this Article shall be banned from holding shows for 1 - 3 months.

#### **Article 14. Violations against regulations on beauty contents and model contests**

A fine of from 2,000,000 VND to 6,000,000 VND shall be imposed for one of the violations below:

Failing to notify the contents of the beauty contest or model contest to the local competent authority of the locality where the contest is held;

Allowing unqualified contestants to enter the beauty or model contest.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for damaging the reputation of other organizations or insulting the contestants.

Fines for holding the beauty or model contest in contravention of the license:

From 10,000,000 VND to 20,000,000 VND, applicable to the contests that involve a province or a field;

20,000,000 VND to 30,000,000 VND, applicable to regional contests;

From 30,000,000 VND to 40,000,000 VND, applicable to national contests or international contests in Vietnam.

4. Fines for holding the beauty or model contest without a license:

From 20,000,000 VND to 30,000,000 VND, applicable to the contests that involve a province or a field;

30,000,000 VND to 40,000,000 VND, applicable to regional contests;

From 40,000,000 VND to 50,000,000 VND, applicable to national contests or international contests in Vietnam.

A fine of from 15,000,000 VND to 30,000,000 VND shall be imposed for sending contestants to attend international beauty or model contests overseas without a license (if a license is compulsory).

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for sending contestants to attend beauty or model contests overseas without a license.

Fines for failing to award prizes, awarding inadequate prizes, or failing to issue certificates to the winners according to the rules and plan:

10,000,000 VND to 20,000,000 VND, applicable to the contests that involve a province or a field;

20,000,000 VND to 30,000,000 VND, applicable to regional contests;

From 30,000,000 VND to 40,000,000 VND, applicable to national contests or international contests in Vietnam.

#### 8. Remedial measures:

Compulsory offer of formal apologies, applicable to the violations in Clause 2 of this Article.

### **Article 15. Violations against regulations on culture and lifestyles**

A fine of from 200,000 VND to 500,000 VND shall be imposed for burning joss paper in inappropriate places at festivals, or historic sites.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the violations below:

Taking advantage of superstitious activities such as séance, fortune telling, etc. to earn illegal profits.

Hanging the national flag at the festival area lower or at less formal places than festival flags.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for restoring the traditions that negatively affect the health, dignity of people and Vietnam's cultural traditions.

Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Point a Clause 2 of this Article.

### **Article 16. Violations against regulations on conditions for holding cultural activities or providing public cultural services**

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the violations below:

a) Opening a gaming center within 200 m from an elementary, middle or high school;

Opening a karaoke box or a dance club within 200 m from a school, hospital, religious buildings, or State administrative agencies;

Opening a gaming center from 10 p.m. to 8 a.m.;

Failing to provide adequate lighting in the dance club or karaoke box.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for selling more tickets than the number of seats or capacity of the place where the art performance, fashion show, beauty contest or model contest is held.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

Failing to provide adequate area of the dance club or karaoke box;

Failing to adhere to regulations on the design of dance clubs or karaoke boxes;

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for using improper alarm equipment.

Additional penalties:

Confiscating the illegal items mentioned in Clause 4 of this Article.

6. Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Clause 2 of this Article.

#### **Article 17. Violations against regulations on licenses to hold cultural activities or provide public cultural services**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the violations below:

Failing to notify competent authorities of the organization of a festival, or holding a festival without approval of competent authorities;

Falsifying the License to open the dance club or karaoke box.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

b) Opening the dance club or karaoke box in contravention of the license;

Allowing another organization or individual to use the license, or using the license of another organization or individual to open the dance club or karaoke box.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the violations below:

Opening the karaoke box without a license or registration with a competent authority;

Holding a festival without a license where a license is compulsory.

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for opening a dance club or karaoke box without a license or registration with a competent authority;

5. Additional penalties:

Confiscating the license for 12 - 24 months, applicable to the violations in Point b Clause 2 of this Article.

**Article 18. Violations against regulations on production and circulation of video games**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for providing video games that have pornographic contents or incite violence.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

a) Providing pornographic video games;

Selling, renting video games that have pornographic contents, provoke violence or perversion.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for providing video games that have pornographic contents or incite violence.

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for producing video games that display perversion.

Remedial measures:

Compulsory destruction of the illegal items mentioned in Clauses 1, 2, 3, and 4 of this Article;

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Point b Clause 2 of this Article.

**Article 19. Violations against regulations on prohibitions when holding cultural activities or providing public cultural services**

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the violations below:

Employ more workers to serve a karaoke room than the permissible number;

Putting up pornographic, violent pictures or items in the dance club, dance floor, karaoke restaurant, tourism accommodation, restaurant, or other places where public cultural services are provided.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the violations below:

b) Selling pictures that have pornographic contents, provoke violence or perversion;

b) Opening the karaoke box, bar, or other forms of entertainment past the permissible hour.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

Employ pornographic service methods in the dance club, dance floor, karaoke restaurant, tourism accommodation, restaurant, or other places where public cultural services are provided.

Opening the dance club pass the permissible hour.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for opening a dance club in improper places.

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for concealing the activities that are pornographic, provoke violence or perversion, striptease in the dance club, public places, karaoke restaurants, and other places where public cultural services are provided.

A fine of from 25,000,000 VND to 30,000,000 VND shall be imposed for perform striptease or do other pornographic activities in the dance club, restaurant, karaoke restaurant, and other places where public cultural services are provided.

Additional penalties:

Confiscating the license to open the dance club or karaoke box for 12 - 24 months, applicable to the violations in Clause 5 and Clause 6 of this Article.

8. Remedial measures:

Compulsory destruction of the illegal items mentioned in Point b Clause 1 and Point a Clause 2 of this Article.

#### **Article 20. Violations against regulations on provision of training music and dancing by non-public music and dancing schools**

A fine of from 3,000,000 VND to 7,000,000 VND shall be imposed for teaching music or dancing without registration with the competent authority (if the registration is compulsory by law).

A fine of from 4,000,000 VND to 8,000,000 VND shall be imposed for teaching music or dancing without sufficient conditions, or employing unqualified persons to teach music or dancing.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for teaching dancing that has pornographic contents, incite violence or perversion.

#### **Article 21. Violations against regulations on licenses to work in fine art, art exhibition, and photography**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the violations below:

Failing to notify competent authorities of the fine art competition as prescribed;

Failing to send the fine art competition result to competent authorities as prescribed;

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for holding a photography contest, photography festival, or art exhibition in contravention of the registered contents.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

Holding a photography contest, photography festival, or art exhibition without registration with competent authorities (if the registration is compulsory by law);

Holding an art, photographic exhibition, sculpture camp in contravention of the license.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for holding an art exhibition, photography exhibition or sculpture camp without a license.

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for building a fine art construction in contravention of the license.

A fine of from 40,000,000 VND to 50,000,000 VND shall be imposed for constructing a fine art construction without a license.

Remedial measures:

Compulsory closing of the exhibition, applicable to the violations in Clauses 2, 3, and 4 of this Article;

Compulsory dismantlement of the fine art construction, applicable to the violations in Clause 5 and Clause 6 of this Article.

## **Article 22. Violations against regulations on licenses to work in fine art, art exhibition, and photography**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the violations below:

Reproducing a statue of Ho Chi Minh that is not approved by competent authorities;

Placing the statue of Ho Chi Minh improperly.

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for exhibiting the publications, works of fine art, photography, and other artistic works that are banned from distribution.

A fine of from 40,000,000 VND to 50,000,000 VND shall be imposed for building works of fine art that have pornographic contents, incite violence or perversion, or in contravention of the approved design.

Remedial measures:

Compulsory destruction of the illegal items mentioned in Point a Clause 1 and Clause 2 of this Article;

Compulsory dismantlement of the fine art construction, applicable to the violations in Clause 3 of this Article.

## **Article 23. Violations against regulations on protection of art works, cultural heritage**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for writing, drawing, sullyng, or defiling historic sites, natural monuments, or artistic works.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the violations below:

Spreading or providing incorrect information about the intangible cultural heritage in the List of National intangible cultural heritage or acknowledged as World's intangible cultural heritage;

Spreading or providing information about the value of rated historic sites and natural monuments.



A fine of from 5,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

Damaging exhibits in museums or at historic sites and natural monuments that are valued at below 50,000,000 VND;

Failing to apply for registration of national treasure with competent authorities, or replacing the owner of the national treasure without notifying competent authorities;

Falsifying the rating certificate of the historic site or natural monument.

A fine of from 15,000,000 VND to 30,000,000 VND shall be imposed for damaging cultural or artistic works.

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for one of the violations below:

Damaging exhibits in museums, historic sites or natural monuments that are valued at 50,000,000 VND or more; seriously damaging historic sites, natural monuments, or cultural works;

Appropriating land or illegally using historic sites, natural monuments, or cultural works;

Illegally taking relics, antiques or national treasures abroad.

A fine of from 40,000,000 VND to 50,000,000 VND shall be imposed for damaging or changing the origins of defiling historic sites or natural monuments.

The illegal items shall be confiscated in the following cases:

Making replica of relics, antiques, or national treasures for sale without a license;

Illegally trading or trafficking relics, antiques and national treasures of historic sites or natural monuments, relics, antiques and national treasures of illegal origins.

#### 8. Additional penalties:

Confiscating the illegal instruments, applicable to the violations in Point a Clause 7 of this Article.

#### 9. Remedial measures:

b) Compulsory restoration, applicable to the violations in Clause 1 of this Article;

Compulsory return of land appropriated or termination of illegal use of historic sites, natural monuments, or cultural works, applicable to the violations in Point b Clause 5 of this Article;

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Clause 7 of this Article.

### **Article 24. Violations against regulations on archeological excavation, conservation, restoration of historic sites and natural monuments**

A fine of from 5,000,000 VND to 15,000,000 VND shall be imposed for one of the violations below:

a) Carrying out archeological exploration and excavation in contravention of the license;

Conserving, restoring historic sites and natural monuments in contravention of the planning, project, or technical design approved.

A fine of from 15,000,000 VND to 25,000,000 VND shall be imposed for one of the violations below:

Carrying out archeological exploration and excavation without a license; illegally digging or salvaging at archeological sites;

Conserving, restoring historic sites and natural monuments without approval by competent authorities;

Making planning or project, organizing or supervising the execution of the conservation or restoration without sufficient conditions as prescribed;

Collecting or studying intangible cultural heritage without following the permission of Vietnam's competent authorities.

A fine of from 25,000,000 VND to 35,000,000 VND shall be imposed for collecting or studying intangible cultural heritage without approval by Vietnam's competent authorities.

Additional penalties:

Confiscating the illegal items collected when committing the violations in Point a Clause 1 and Point a Clause 2 of this Article.

5. Remedial measures:

Confiscating restoration, application to illegal archaeological excavation mentioned in Point a Clause 1 and Point a Clause 2 of this Article.

#### **Article 25. Violations against regulations on reporting, submitting relics, antiques, and national treasures discovered**

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for failing to voluntarily reporting the discovery, or deliberately appropriating the relics, antiques, or national treasures discovered.

Additional penalties:

Confiscating the illegal items mentioned in Clause 1 of this Article.

#### **Article 26. Violations against regulations on libraries**

A fine of from 200,000 VND to 500,000 VND shall be imposed for damaging library documents.

A fine of from 500,000 VND to 1,000,000 VND shall be imposed for one of the violations below:

Making illegal copies of library documents;

Failing to register the opening of the library with a competent authority.

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the violations below:

a) Swapping library documents;

b) Appropriating library documents;

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for deliberately damaging library documents.

Remedial measures:

Compulsory return of swapped or appropriated library documents, applicable to the violations in Clause 3 of this Article.

**Article 27. Violations against regulations announcing and distributing works of art overseas**

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for announcing and distributing works of photography, fine art, theatre, or music overseas without a license;

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for announcing and distributing works of photography, fine art, theatre, or music overseas without a license (if the license is compulsory by law).

A fine of from 25,000,000 VND to 30,000,000 VND shall be imposed for announcing and distributing works of photography, fine art, theatre, or music, which are banned, overseas;

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for announcing or distributing banned works of art overseas.

**SECTION 2. ADMINISTRATIVE VIOLATIONS PERTAINING TO SPORTS, PENALTIES, AND REMEDIAL MEASURES**

**Article 28. Violations against regulations on using stimulants during training or competition**

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for using the stimulants in the List of stimulants banned from sports competition and training.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for allowing athletes to use the stimulants in the List of stimulants banned from sports competition and training.

**Article 29. Violations against regulations on banned methods of training and competition**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for employing exercises, sports, or methods that display pornography, incite violence or perversion, or are not suitable for Vietnam's fine traditions.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for exercises, sports, or methods that threaten the life or health of the player or competitors, except for those permitted by law.

Additional penalties:

Confiscating the documents and equipment for training or competition, applicable to the violations in Clause 1 and Clause 2 of this Article.

**Article 30. Violations against regulations on rights and obligations of high-performance athletes**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the violations below:

Failing to give first aid to athletes as prescribed;

Failing to provide or providing insufficient equipment for athletes during sports competition or training.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for failing to provide athletes with appropriate diets, salaries, bonus, and other benefits to which they are entitled.

Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Clause 2 of this Article.

**Article 31. Violations against regulations on rights and obligations of high-performance trainers during sports competition and training**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for failing to provide athletes with safety equipment as prescribed.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for failing to provide trainers with bonus, and other benefits to which they are entitled.

Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Clause 2 of this Article.

**Article 32. Violations against regulations on rights and obligations of high-performance referee**

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for failing to act honestly and objectively during sports competitions.

A fine of from 20,000,000 VND to 30,000,000 VND shall be imposed for failing to provide the referees with salaries to which they are entitled.

Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Clause 2 of this Article.

**Article 33. Violations against regulations on ranking high-performance athletes, trainers, and referees**

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for using ranking athletes improperly.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for ranking trainers and referees improperly.

Remedial measures:

Compulsory cancellation of the ranking.

**Article 34. Violations against regulations on the certificate of eligibility to provide sport services**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for providing sports services without a certificate of eligibility to provide sports services.

**Article 35. Violations against regulations on the equipment and activity area**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the violations below:

No board of rules, instructions, signal flags, mooring buoys, or marking buoys;

No dressing rooms, locker rooms, bathrooms, or parking lots;

The designs, colors, flatness, or slipperiness of the sports equipment is not conformable;

Audio and lighting system is not satisfactory for the sports.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for failing to act honestly and objectively during sports competitions.

Failing to provide sufficient area as prescribed;

The space, the floor, dimensions, depth, slope, turn degree, height, or canopy is not conformable for certain sports.

The quality of pool water is not satisfactory;

The density of sports player is not kept at an appropriate level;

dd) The distances between pieces of sports equipment are not sufficient.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

The compulsory activity area of certain sports (if any) is not sufficient;

Water sports equipments are not anchored in accordance with the planning approved by competent authorities;

No system is provided to collect the oil discharged from water sports equipment;

The entrance/exit of the terminal where the aforesaid equipment is anchored is not conformable;

No system for communication between the operating unit and the activity area is provided.

**Article 36. Violations against regulations on sport equipment when providing sport services**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the following violations:

Using sports equipment with unsatisfactory sizes, designs, power, or features as prescribed.

Using sports equipment without certificates of registration, certificates of technical safety, or certificates of quality.

No logbook for monitoring players is made.

### **Article 37. Violations against regulations on trainers and experts when providing sport services**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for employing experts without satisfactory health.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for failing to employ or employing an insufficient number of trainers or experts.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for employing trainers or experts without qualifications.

### **Article 38. Violations against regulations on health care when providing sport services**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the following violations:

Failing to provide the medicines according to the first aid procedure;

Failing to provide or providing insufficient first aid equipment;

No health clinic is established;

Failing to cooperate with a medical facility in giving first aid as prescribed.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

c) No health worker is employed;

b) No health worker is on duty when people are playing sports.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for employing health workers without qualifications in sports medicine issued by competent authorities.

### **Article 39. Violations against regulations on safety assurance when providing sport services**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the following violations:

The signs, signal lights, danger signs, block signs, or warning signs are not available or not adequate;

Life buoys or life jackets for water sports are not available or not adequate;

Providing paragliding and gliding services (with or without engines) without parachutes, spare parachutes, seat belts, altimeter, GPS, walkie-talkie, helmets, safety belt system, or communication system;

Other infrastructures, equipment, and instruments serving safety assurance are not sufficient.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for failing to assign watchmen while people are playing sports.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

a) Employing rescuers without practising certificates;

b) Employing rescuers without satisfactory health.

#### **Article 40. Violations against other regulations on sports**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for holding a non-professional sports competition:

without establishing a Board of Organizers;

without competition rules;

without an organization plan;

without notifying the organization and result of the competition to a competent authority.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Making fraudulent documents to participate in sports competitions;

Deliberately preventing other organizations and individuals from playing sports.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for enticing or forcing other people to make fraudulent documents to play sports.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

Falsifying the result of sports competition;

Swearing, insulting, threatening the referee, or having other inappropriate reactions to the referee that are not conformable with Vietnam's fine traditions.

A fine of from 20,000,000 VND to 30,000,000 VND shall be imposed for selecting athletes for the team, sport centers or sports schools using false names, ages, or achievements.

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for playing violently in a way that threatens the health of other athletes during training or competition, and in contravention of the rules of such sport.

A fine of from 40,000,000 VND to 50,000,000 VND shall be imposed for taking advantages of sports activities to infringe the lawful rights and interests of other organizations and individuals.

Remedial measures:

Compulsory cancellation of the competition results, applicable to the violations in Point a Clause 2 and Point a Clause 4 of this Article;

Compulsory cancellation of the selection result, applicable to the violations in Clause 5 of this Article.

### **SECTION 3. ADMINISTRATIVE VIOLATIONS PERTAINING TO TOURISM, PENALTIES AND REMEDIAL MEASURES**

#### **Article 41. Violations against regulations on registration of travel services**

A fine of from 2,000,000 VND to 6,000,000 VND shall be imposed for one of the following violations:

Failing to notify the local competent authority in writing of the commencement of travel service provision within 15 days from the commencement date.

Failing to notify the local competent authority in writing of the replacement of the legal representative of the company, the change of the company form, company's name, or location within 15 days from the day on which such change is made.

Failing to notify the local competent authority in writing of replacement of the international travel operator within 30 days from the replacement date.

Failing to notify the inauguration of the company's branch, representative office or affiliate to the competent authority where the company's head office is situated and the competent authority where the branch, representative office, or affiliate is situated within 45 days from the inauguration date of the latter.

Failing to notify the change of the head or name of the branch, representative office or affiliate to the competent authority where the company's head office is situated and the competent authority where the branch, representative office, or affiliate is situated within 10 days from the day on which such change is made.

Failing to notify a competent authority within 7 days of the loss of the License to provide international travel services within 7 days from the day on which the loss is discovered.

Failing to notify competent authorities of accidents or problems that happen to tourists.

#### **Article 42. Violations against regulations on travel services**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the following violations:

Assigning a person having less than 03 years' experience of travel services to operate domestic travel services;

Assigning a person having less than 04 years' experience of travel services to operate international travel services;

The travel service operator uses false certification of his work experience to apply for the job as a travel service operator;

d) Compulsory information is omitted in the travel service contract.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

Failing to provide the tourists or their representative with the written tour schedule;

Failing to conclude a written travel service with the tourists or their representative;

Failing to comply with legitimate requests of the tourists;

Failing to provide instructions or information about the tour schedule at the request of the travel agent;

Failing to provide tourists with evident and truthful information about the quantity and prices of tourism services;

e) Failing to comply with the regulations on making and retaining documents.



A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Employing tour guides using expired tour guide's cards to lead tours, or using domestic tour guide's cards to lead foreign tourists;

Failing to submit reports to competent authorities as prescribed;

Assigning a tour guide to lead a tour without a written contract or under an insufficient contract;

Falsifying the License to provide international travel services;

Providing false information about the documents in the application for the issuance or replacement of the license to provide international travel services.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

Using vehicles and equipment that are not safe for the health, life, and belongings of tourists, except for the cases mentioned in Clauses 2, 3, 4, and 5 of this Decree;

Failing to assign a tour guide to lead the tour;

Assigning a person without a tour guide's card to lead the tour;

Assigning foreigners as tour guides in Vietnam;

Failing to maintain a sufficient amount of deposit when providing international travel services as prescribed.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

Providing international travel services without at least 03 international tour guides;

Failing to insure for outbound Vietnamese tourists during the tour;

Changing the tour schedule, the promised standards and services without the consent of the tourists or their representative;

Failing to take necessary measures or cooperating with relevant agencies in rescuing or giving first aid to tourists.

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for one of the following violations:

Collecting non-contractual fees from tourist;

Failing to manage the operation of the representative offices, branches and affiliates as prescribed;

Failing to manage tourists under the concluded contract and the tour schedule;

Using fraudulent documents the application for the issuance or replacement of the license to provide international travel services;

dd) Failing to apply for a replacement of the License to provide international travel services;

Using other names than the company's name, business name, or abbreviated name registered with the competent authority.

A fine of from 25,000,000 VND to 30,000,000 VND shall be imposed for one of the following violations:

Providing travel services after notifying the suspension or shutdown, or having the license revoked by a competent authority, or being requested to suspend or terminate the provision of travel services;

Advertising or selling travel services in the form of multi-level marketing;

Collecting deposits or requesting other people to pay deposits to participate in the multi-level marketing network;

Requesting other people to buy some services to participate in the multi-level marketing network;

Providing commission, bonus, or other benefits to the brokers or participants in the multi-level marketing network;

Providing false information about the benefits of participation in travel service provision to entice other people into joining the multi-level marketing network;

Requesting other people to pay money for training courses, seminars, social activities, or other activities to participate in the multi-level marketing network.

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for providing other travel services than those written in the license to provide international travel services.

A fine of from 40,000,000 VND to 50,000,000 VND shall be imposed for providing international travel services the license to provide international travel services or using the legal status, name, or license to provide international travel services of another company.

The entity that allow another organization or individual to use their legal status, name, or license to provide international travel services shall have the license revoked for 12 - 24 months.

Additional penalties:

Revoking the license to provide international travel services for 6 - 12 months, applicable to the violations in Point d Clause 1, Point dd Clause 3, Point d and Point dd Clause 4, Point a and Point c Clause 5, Point c and Point d Clause 6 of this Article;

Revoking the license to provide international travel services for 12 - 18 months, applicable to the violations in Clause 8 of this Article.

12. Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Point a Clause 6, Points a, b, d, ,d dd, and g Clause 7, Clauses 8, 9, 10 of this Article.

### **Article 43. Violations against regulations on travel agents**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the following violations:

Failing to notify the competent authority in writing of the inauguration of the travel agent within 15 days from the inauguration date;

Failing to notify the competent authority in writing of replacement of the legal representative, name or address of the travel agent within 15 days from the day on which such change is made;

Failing to provide tourists with evident and truthful information about the quantity and prices of tourism services;

Operating at other location than that registered with the competent authority.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

Changing the tour schedule of the travel service provider;

Selling tours at higher prices than those charged by the travel service provider;

Running a travel agent without applying for a registration;

Running a travel agent without a written contract with a travel service provider.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Selling tours for international tourists and outbound Vietnamese tourists without the license to provide international travel services;

Keeping on running the travel agent after having the Certificate of registration revoked by a competent authority.

#### 4. Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations Points b, c, d Clause 2, and Clause 3 of this Article.

#### **Article 44. Violations against regulations on tour guides**

The tour guide or speaker that leads the tour without a tour guide's card or certificate shall incur a fine of from 200,000 VND to 500,000.

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the following violations:

Providing incorrect information about the tourist attraction;

Failing to bring the tour schedule or assignment note made by the travel service provider;

Failing to instruct tourists to comply with Vietnam's law, rules of the tourist attractions, local traditions and customs;

Failing to provide tourists or their representative with sufficient information about the tour schedule.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

a) Failing to conclude a written contract with the travel service provider;

Failing to provide tourists with information about measures for ensuring the safety of their health and belongings during the tour;

Lending the tour guide's card or speaker's certificate to another person;

Using the tour guide's card or speaker's certificate of another person;

dd) Using an expired tour guide's card;

Providing false information about the documents in the application for the issuance or replacement of the tour guide's card or speaker's certificate;

g) Failing to promptly inform tourists of the emergency, epidemic, or other threats to the tourists.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Falsifying the tour guide's card or speaker's certificate;

Using a domestic tour guide's card when guiding foreign tourists;

Giving speech to tourists at tourist attractions without the speaker's certificate;

Guiding the tour without a tour guide's card;

dd) Using a fake tour guide's card or fake speaker's certificate;

Changing the tour schedule without permission, cutting the standards or services to which the tourists are entitled.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

Failing to manage tourists under the concluded contract and the tour schedule that are registered;

Collecting non-contractual fees from tourists;

Providing false information about the culture, history, and people of Vietnam, giving the tourist a bad impression about Vietnam's fine traditions and customs.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

Leading tourists to restricted areas;

Assigning foreigners as tour guides in Vietnam;

7. Additional penalties:

Revoking the tour guide's card for 3 - 6 months, applicable to the violations in Point b and Point c Clause 5 of this Article;

Revoking the tour guide's card for 6 - 12 months, applicable to the violations in Point c Clause 3, Point a and Point b Clause 4 of this Article;

Revoking the license to provide international travel services for 6 - 12 months, applicable to the violations in Point c and Point d Clause 3, Point a Clause 4 of this Article;

Confiscating the illegal items mentioned in Point d and Point dd Clause 3 of this Article.

## 8. Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Point b Clause 5 of this Article.

### **Article 45. Violations against regulations on tourist accommodation establishments**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the following violations:

Failing to notify the local competent authority in writing of the inauguration of the tourist accommodation establishment within 15 days from the inauguration date.

Failing to notify the competent authority in writing of replacement of the head or name of the tourist accommodation establishment within 15 days from the day on which such change is made;

Failing to notify a competent authority of telecommunication service charges in the rated tourist accommodation establishment within 15 days from the day on which such charges are introduced;

b) Failing to submit reports to competent authorities as prescribed;

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

Failing to adhere to the regulations on signboards and ratings of tourist accommodation establishments;

Failing to put up a signboard showing the rating of the tourist accommodation establishment after they are rated;

Failing to issue or put up the regulations of the tourist accommodation establishment;

Failing to provide tourists with evident information about the quantity, quality, and prices of goods and services;

Failing to put up the Decision on recognition of rating of tourist accommodation establishment at a noticeable position at the reception counter;

Failing to adhere to the regulations on making and retaining documents about the operation of the tourist accommodation establishment as prescribed.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

The quantity or area of the bedrooms is not conformable with the class or rating of the tourist accommodation establishment;

The parking lot, internal road, or entrance hall is below standard;

The quantity or quality of restaurants and bars is below standard;

The kitchen is below standard;

The quantity or quality of conference rooms is below standard;

The quality of other amenities is below standard;

The service quality is below standard;

Professional skills and foreign language skills of the managers and attendants are below standards;

Failing to promptly inform tourists of the emergency, epidemic, or other possible threats to the tourists.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

Failing to apply for a rating of the tourist accommodation establishment after 03 months from its inauguration date.

Failing to apply for recognition of the rating of the tourist accommodation establishment 03 months before the deadline for rating recognition;

The equipment, infrastructure, services, professional skills and foreign language skills of the managers and attendants are not conformable with the rating criteria required by competent authorities.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

Using the equipment that is not safe for the health, life, or belongings of tourists;

Using starts in the establishment or on prints, advertising boards, signboards, items, and equipment in the establishment while the establishment is not rated or in contravention of the recognized rating of the establishment;

Failing to take necessary measures or cooperate with relevant agencies in rescuing or giving first aid to tourists at the establishment.

A fine of from 20,000,000 VND to 25,000,000 VND shall be imposed for one of the following violations:

Using other name, business name, or abbreviated name than that registered with the competent authority;

Collecting non-contractual fees from tourists;

Charging improper service fees.

A fine of from 25,000,000 VND to 30,000,000 VND shall be imposed for keeping on running the tourist accommodation establishment after its suspension or shutdown is notified to a competent authority, or after it is suspended from operation by a competent authority.

Clauses from 1 to 7 of this Article are also applicable to state-owned guesthouses that provide tourist accommodation services.

Additional penalties:

Revoking the Decision on recognition of rating of the tourist accommodation establishment for 6 12 months, applicable to the violations in Points a, b, c, d, dd, r, g and h Clause 3 of this Article.

10. Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Point b and Point c Clause 6 of this Article.

**Article 46. Violations against regulations on selling conditional goods and services in tourist accommodation establishments**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for selling conditional goods and services in a rated tourist accommodation establishment without registration with a competent authority.

**Article 47. Violations against regulations on tourism promotion**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Advertising tourism using materials that are not conformable with the announced national tourism database;

Advertising tourism without the title or symbol introduced by competent authorities;

Using advertisements that provide incorrect information about Vietnam and Vietnamese people.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for taking advantage of tourism promotion to infringe national interest or the lawful rights and interests of other organizations and individuals.

Remedial measures:

Compulsory destruction of the illegal items mentioned in Clause 1 of this Article.

**Article 48. Violations against other regulations on tourism business**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the following violations:

Harassing, compelling tourists to buy goods or services;

Failing to submit reports on the transport of tourists and tourism environment protection to competent authorities as prescribed.

A fine of from 1,000,000 VND to 2,000,000 VND shall be imposed for transporting tourists using buses having fewer than 9 seats without adequate amenities and conveniences that are necessary for tourist transport.

A fine of from 2,000,000 VND to 3,000,000 VND shall be imposed for transporting tourists using buses having 9 - 24 seats without adequate amenities and conveniences that are necessary for tourist transport.

A fine of from 3,000,000 VND to 4,000,000 VND shall be imposed for transporting tourists using buses having more than 24 seats without adequate amenities and conveniences that are necessary for tourist transport.

A fine of from 4,000,000 VND to 5,000,000 VND shall be imposed for transporting tourists using caravans or double deckers without adequate amenities and conveniences that are necessary for tourist transport.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

Failing to classify garbage in the tourist accommodation establishment or tourist attractions;

Failing to assign a person to supervise the tourism environment protection corresponding to the class or rating of the tourist accommodation establishment;

Failing to put up the plate of standard tourist vehicle as prescribed;

Employing vehicle operators, crewmembers, and attendants without the certificate of training in tourism industry.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

A) Using fake license plates on tourist buses;

b) The infrastructure, amenities and services in the bedrooms on the ship are below standard.

#### **SECTION 4. ADMINISTRATIVE VIOLATIONS PERTAINING TO CULTURAL ACTIVITIES, SPORTS AND TOURISM FOR THE DISABLED AND THE ELDERLY**

##### **Article 49. Violations against regulations on cultural activities, sports, and tourisms for the disabled and the elderly**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for refusing to provide services or equipment that enabled the disabled and the elderly to participate in cultural activities, sports, or tourism.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for refusing exempting or reducing service fees for the disabled and the elderly to participate in cultural activities, sports, or tourism.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for refusing to allow the disabled and the elderly to participate in cultural activities, sports, or tourism where possible.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for providing services or equipment that does not ensure the safety of the disabled or the elderly when participating in cultural activities, sports, or tourism.

#### **Chapter 3.**

#### **PENALTIES FOR ADMINISTRATIVE VIOLATIONS PERTAINING TO ADVERTISING**

##### **SECTION 1. ADMINISTRATIVE VIOLATIONS PERTAINING TO ADVERTISING, PENALTIES AND REMEDIAL MEASURES**

##### **Article 50. Violations against regulations on advertising goods and services banned from advertising**

A fine of from 40,000,000 VND to 50,000,000 VND shall be imposed for one of the following violations:

Advertising tobacco;

Advertising wine with 15% alcohol content and above;



Advertising milk for babies under 24 months of age as a substitute for breast milk; dietary supplements for children under 6 months of age, baby bottles and artificial nipples;

Advertising prescription drugs; advertising OTC drugs that are recommended by competent authorities to be used limitedly or under the supervision of a physician;

dd) Advertising other goods and services banned from advertising.

A fine of from 70,000,000 VND to 100,000,000 VND shall be imposed for one of the following violations:

Advertising other goods and services banned from advertising;

Advertising pornographic products;

Advertising hunting guns and their ammunition, sports guns, or the products that incite violence.

3. Remedial measures:

Compulsory removal or dismantlement of the advertisements mentioned in Clause 1 and Clause 2 of this Article.

#### **Article 51. Violations against regulations on prohibitions in the advertising industry**

A fine of from 1,000,000 VND to 2,000,000 VND shall be imposed for hanging, placing, fixing, or painting advertisements on electric posts, traffic light posts, and trees in public places.

A fine of from 10,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

Using the words “best”, “only”, “number one” or any work with similar meanings without legitimate evidence in writing;

Using advertisements that affect the landscape, traffic safety, or social order, except for the case mentioned in Clause 1 of this Article, Point a Clause 2 Article 63 and Clause 3 Article 66 of this Decree;

Using advertisements that are racist or xenophobic, infringing the freedom of religion, sexist, or discrimination against the disabled;

Forcing another organization or individual to make or take advertisements against their will.

A fine of from 20,000,000 VND to 30,000,000 VND shall be imposed for one of the following violations:

Advertising goods and services that infringe intellectual property rights;

Using pictures or words of a person in an advertisement without his consent, except for the cases in which this is allowed by law.

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for one of the following violations:

Using advertisements to damage the reputation of another organization or insult another person;

Using advertisements that contain direct comparison between the price, quality, and effect of a product or service provided by an entity to the price, quality, and effect of the product or service provided by another entity;

Using advertisements that cause children to think, say, or act against the ethical values or fine traditions, negatively affect the health, safety, or the normal development of children;

Using advertisements that false information about the history, culture, ethical values, and fine traditions of Vietnam.

A fine of from 50,000,000 VND to 70,000,000 VND shall be imposed for one of the following violations:

Using advertisements that contain false information about the quality, effects, brand names, designs, categories, packages, origins, geographical indications, method of service, shelf life, expiration date, warranty period of the product, except for the case mentioned in Point d Clause 3 Article 68, Point c Clause 3 Article 69, Point a Clause 2 Article 72, Point b Clause 1 Article 75, and Clause 1 Article 78 of this Decree;

Using advertisements that cause confusion to the public, consumers, or customers about the advertised organization, individual, or product and the another organization, individual, or product, or confusion about the features or effects of the advertised product, except for the cases mentioned in Clause 4 Article 68, Point a Clause 3 Article 69, and Clause 4 Article 70 of this Decree;

Using advertisements that cause damage for manufacturers, sellers, or advertisement viewers;

Using the map of Vietnam that fails to show the entire territory in the advertisement;

dd) Using the map of Vietnam that fails to show the entire territory in the advertisement.

A fine of from 70,000,000 VND to 90,000,000 VND shall be imposed for one of the following violations:

Using advertisements that reveal state secrets;

Using advertisements that that trivialize the respectability of the National flag, the National symbol, the National anthem, or the Socialist Party's anthem, except for the case tax exemption Point b Clause 2 Article 63 of this Decree;

Using advertisements that that trivialize the respectability of national heroes, cultural celebrities, leaders of the nation or the Communist Party, except for the case mentioned in Point b Clause 2 Article 63 of this Decree.

#### 7. Remedial measures:

Compulsory removal or dismantlement of the advertisements mentioned in Clauses 1, 2, 3, 4, 5, and 6 of this Article;

Compulsory offer of formal apologies, applicable to the violations in Point a Clause 4 of this Article;

Compulsory rectification of the information mentioned in Point a and Point b Clause 5 of this Article.

### **Article 52. Violations against regulations on the use of words in advertisements**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Advertising goods and services without using the Vietnamese language, except for the brand names, mottos, and proper names in foreign languages; the international words that cannot be replaced with any Vietnamese words; books, newspapers, websites, and other publications in Vietnam's ethnic languages; radio and TV shows in Vietnam's ethnic languages and foreign languages;

The text in the foreign language exceeds 3/4 the size of the Vietnamese text and is not placed below the Vietnamese text in the same advertisement that uses both Vietnamese language and a foreign language, except for the cases mentioned in Points a, b, c, and d Clause 2 Article 66 of this Decree;

The Vietnamese text is not spoken before the foreign language text in the same commercial on radio or TV or other audio-visual, , except for the cases mentioned in Point a Clause 2 Article 68, Clause 2 Article 69, and Clause 1 Article 70 of this Decree.

2. Remedial measures:

Compulsory removal of the advertisements mentioned in Clause 1 of this Article.

#### **Article 53. Violations against regulations on advertising conditions**

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

Failing to provide documents proving the conformity of advertised goods or services, except for the cases mentioned in Point d Clause 3 Article 68, Point b Clause 3 Article 69, and Point a Clause 2 Article 70 of this Decree;

Advertising property without a Certificate of ownership or rights to use.

2. Remedial measures:

Compulsory removal of the advertisements mentioned in Clause 1 of this Article.

#### **Article 54. Violations against regulations on hiring advertising service providers**

A fine of from 30,000,000 VND to 50,000,000 VND shall be imposed for failing to hire a Vietnamese advertiser to advertise products, services, or operation of a foreign entity.

### **SECTION 2. ADMINISTRATIVE VIOLATIONS PERTAINING TO ADVERTISEMENTS ON NEWSPAPERS, PRINT PRODUCTS, ELECTRONIC DEVICES, TERMINAL DEVICES, AND OTHER TELECOMMUNICATION DEVICES**

#### **Article 55. Violations against regulations on advertisements on online newspapers and websites**

A fine of from 2,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

Failing to report the name and address of the Vietnamese advertiser that provides advertising services for the owner of the website of a foreign entity that provide cross-border advertising services;

Failing to report the provision of advertising services of a Vietnamese advertiser that provides advertising services for the owner of the website of a foreign entity that provide cross-border advertising services;

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for mixing advertisements with the news.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

Failing to enable readers to actively turn on and turn off floating advertisements;

The floating advertisement fails to be turned off or turned on within 1.5 seconds.

4. Remedial measures:

Compulsory removal of the advertisements mentioned in Clause 2 of this Article.

#### **Article 56. Violations against regulations on advertisements on electronic devices, terminal devices, and other telecommunication devices**

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

Sending emails or messages that contain information about some product or service without the consent of the recipient;

Sending advertising messages or emails without prior consent of the recipient;

Sending advertising messages or emails that do provide the recipient with sufficient instructions on how to refuse them;

Sending advertising messages or emails without sufficient information about the sender or the transmission service provider;

Failing to stop sending advertising messages or emails when the recipient to refuses them;

Charging the recipient for sending the notification of refusal.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations committed by the provider of telecommunications services:

Sending advertising messages from 10 p.m. to before 7 a.m.;

Sending more than 03 advertising messages to a phone number or more than 03 emails to an email address within 24 hours, unless otherwise agreed by the recipient.

3. Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Point e Clause 1 of this Article.

#### **Article 57. Violations against regulations on newspaper advertisements**

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

a) Issuing advertising supplements without notifying the competent authority in writing;

The advertising supplement is not separately numbered, does not have the same size with the newspaper, or is not issued together with the newspaper;

Advertising in the news section.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for advertising on the first cover page or first page of the magazine or newspaper.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

The advertisements exceed the permissible area on an issue of magazine or newspaper, except for advertising magazines and advertising newspapers;

The advertisements are not distinguishable from other contents;

The first page of the advertising supplement does not bear the name of the newspaper, the name and address of the press agency, and the text “This advertising supplement is enclosed free of charge”.

#### **Article 58. Violations against regulations on advertisements in audio and video news**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for advertising in the audio or video news without a sign to distinguish the advertisement from other contents.

A fine of from 30,000,000 VND to 50,000,000 VND shall be imposed for one of the following violations:

Using advertisements in the form of running text or a sequence of picture that is not placed at the bottom of the screen or exceeds 10% of the screen height, hence affect the primary contents of the program;

Advertising tampons, condoms, medications for skin conditions, anthelmintics, feminine hygiene solutions, and similar products on radio or Vietnamese during the period from 6 p.m. to 8 p.m.

A fine of from 50,000,000 VND to 100,000,000 VND shall be imposed for one of the following violations:

Advertising more than 10% of the daily duration of a channel that is not an advertising channel;

Advertising during the news program;

Advertising during the live broadcast of special political events or national anniversaries.

Advertising more than twice during a movie show on TV;

dd) Advertising more than 04 times during an entertainment show on radio or TV;

Advertising more than 5 consecutive minutes a time during a movie show or entertainment show on radio or TV;

Advertising more than 5% of the daily duration of a channel that is not an advertising channel on pay television;

A fine of from 150,000,000 VND to 200,000,000 VND shall be imposed for producing a new advertising channel without a license issued by a competent authority.

## 5. Remedial measures:

Compulsory transfer of the profits earned from illegal activities to government budget, applicable to the violations in Clauses 1, 2, 3, of this Article.

### **Article 59. Violations against regulations on print products**

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for using advertising pictures, posters, catalogues, fliers and other print products without the name and address of the advertising service provider or advertiser, the print quantity, and the printing facility, except for the cases mentioned in Clause 2 and Clause 4 of this Article.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Placing the symbol, logo, or brand name of the advertiser improperly;

The advertisement exceeds the permissible area on the picture, poster, catalogue, or flier that contains political, economic, cultural, social, scientific, or artistic propagation;

The advertisement on the daily block calendar exceeds the permissible area;

Advertising on the sheet of the daily block calendar showing the national anniversary.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

Mixing advertisements with the contents, or interrupting the contents of the electronic publication;

Placing advertisements on the second, third, or fourth cover page of the book or document in the form of a book, except the advertisements for the authors, works, publishers. This provision is not applied to advertising books;

Placing advertising in the first cover page of the book or document in the form of a book, except for advertising books;

Placing advertisements for authors, works, publishers, symbols, logos, products, services, or activities on a non-business document that do not belong to its publisher.

A fine of from 15,000,000 VND to 30,000,000 VND shall be imposed for advertising on valuable papers, certificates, and state management documents.

Remedial measures:

Compulsory destruction of the illegal items mentioned in Clause 4 of this Article.

## **SECTION 3. ADMINISTRATIVE VIOLATIONS PERTAINING TO ADVERTISING ON MEANS OF ADVERTISING, PENALTIES AND REMEDIAL MEASURES**

### **Article 60. Violations against regulations on advertising boards, banners, and advertising screens**

A fine of from 1,000,000 VND to 2,000,000 VND shall be imposed for one of the following violations:

Hanging, installing an advertising board or banner at another location than that approved by a competent authority;

Failing to specify the name or address of the advertising service provider on the advertising board or banner, except for the case mentioned in Point b Clause 2 Article 68 of this Decree;

Failing to notify the local competent authority of the advertisement contents on the board or banner, or providing incorrect information.

A fine of from 2,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

Using an advertising board or banner that exceeds the permissible area at the location approved by a competent authority;

Failing to remove the advertising board or banner after the period written in the notification.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Placing the symbol, logo, or brand name of the advertiser at improper positions on the advertising board or banner that contains political or social propagation;

Placing the symbol, logo, or brand name of the advertiser at improper positions on the advertising board or banner that contains political or social propagation;

Placing advertising boards or banners against the regulations on protection of historic sites, traffic safety corridor, dykes, national grid; blocking the traffic lights, public roads or road signs;

Changing the advertisement contents notified that have been notified to the competent authority;

dd) Using fake documents in the notification of advertisements on advertising boards or banners.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for using sounds in advertisements on outdoor advertising screens.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for installing advertising screens, the area of one side of which is  $\geq 20 \text{ m}^2$ , without a license to construct advertising works.

A fine of from 20,000,000 VND to 30,000,000 VND shall be imposed for fastening signboards or advertising boards with metal frames or similar materials, the area of one side of which is  $\geq 20 \text{ m}^2$ , to an existing construction without a license to construct advertising works.

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for installing independent advertising boards, the area of one side of which is  $\geq 40 \text{ m}^2$  without a license to construct advertising works.

Remedial measures:

Compulsory removal of the advertisements mentioned in Clauses 1, 2, 3, and 4 of this Article;

Compulsory restoration, applicable to the violations in Clause 6 of this Article;

Compulsory dismantlement of the construction works in mentioned in Clause 5 and Clause 7 of this Article.

## **Article 61. Violations against regulations on advertisements on vehicles**

A fine of from 2,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

Placing advertisements in the front, back, or top of the vehicle;

The advertisement exceeds the permissible area for advertisement on a side of the vehicle.

2. Remedial measures:

Compulsory removal of the advertisements mentioned in Clause 1 of this Article.

**Article 62. Violations against regulations on advertising by speakers and similar methods**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for one of the following violations:

Making excessive noise when advertising with speakers or similar methods;

Using speakers or similar methods to advertise at offices, the armed forces, schools, or hospitals

Using speakers or radio systems serving political objectives of the local government to advertise.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for using speakers and similar devices fixed on vehicles to advertise in urban areas.

**Article 63. Violations against regulations on advertisements during culture, sports and tourism events**

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed for one of the following violations:

Placing the advertisement at the same level or higher than the logo or name of the event;

The size of advertisement text exceeds 1/2 of that of the event name.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

The advertisements on stage are unpleasant and block the audience's view;

The advertisements in the stadium or another place where the event takes place block the national flag, national emblem, leader's picture, or instructions board;

The advertisements in the stadium obstruct the sports training, competition, or demonstration of athletes, the instructions of trainers, and the performance of organizers, referees, instructors, medical workers, and attendants.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

Advertising false presence of artists or art groups; advertising in contravention of the license for performance;

Using pictures of the athletes liable to criminal prosecution to advertise;

Advertising banned sports;



d) Advertising banned training methods;

Using advertisements that contravene the rules of sports.

4. Remedial measures:

Compulsory removal of the advertisements mentioned in Clause 1, Clause 2 and Clause 3 of this Article.

**Article 64. Violations against regulations on advertising performer groups**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for failing to notify a competent authority of the contents and format of the advertisement, the number of participants in the performer group, time and itinerary of the performer group.

A fine of from 3,000,000 VND to 5,000,000 VND shall be imposed if the performance of the performer group contravenes the notification sent to the competent authority.

**Article 65. Violations against regulations on advertising in video tapes, video discs, audio and video recordings**

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for showing advertisements, the duration of which exceeds the program duration, in the video tape, video disc, audio or video recording that substitutes or illustrates a book.

**Article 66. Violations against regulations on signboards**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

The signboard does not contain the names of the governing body, the name, address, and phone number of the establishment in accordance with the Certificate of Business registration;

Using signboards with improper sizes, except for the cases mentioned in Point g Clause 2 of this Article.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

The Vietnamese name on the signboard is incorrect or insufficient;

The signboard only contains foreign languages;

The name, abbreviated name or business name in the foreign language is placed above the Vietnamese text on the signboard;

The name, abbreviated name or business name in the foreign language is placed above the Vietnamese text on the signboard;

Running the business without a signboard;

Placing advertisements on the signboard;

The height of the vertical signboard exceeds the height of the storey to which the signboard is fastened.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

The signboard blocks the emergency exit or firefighting passage;

The signboard is placed on the sidewalk or road, or obstructs public traffic;

The signboard is placed in an unpleasant way.

4. Remedial measures:

Compulsory removal of the signboards mentioned in Clauses 1, 2, and 3 of this Article.

**SECTION 4. ADMINISTRATIVE VIOLATIONS PERTAINING TO ADVERTISEMENTS FOR SPECIAL GOODS AND SERVICES, PENALTIES AND REMEDIAL MEASURES**

**Article 67. Violations against regulations on certification of contents of advertisements of special goods and services**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for advertising special goods and services without having the advertisements contents certified by competent authorities before showing the advertisements.

Remedial measures:

Compulsory removal of the advertisements mentioned in Clause 1 of this

**Article 68. Violations against regulations on advertising medicines**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for failing to send the notification together with the note of receipt and the advertisement contents to a competent authority before showing the advertisements on local radio or TV.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

The names of medicine, active ingredients, and the text “Read the instructions carefully before use” in the advertisements on audio and video news are not clearly read aloud;

Full names of medicine, active ingredients, names and address of the entity in charge of launching the product, and the text “Read the instructions carefully before use” on the outdoor advertisement are not sufficiently shown.

A fine of from 10,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

Advertising medicines in contravention of the contents registered with the competent authority; advertising the medicines before the application is granted; advertising medicines according to expired documents; advertising medicines before submitting the application for medicine advertisements to the competent authority;

Advertising the medicines that are not issued with registration numbers or the registration numbers of which are expired;

Advertising medicines in contravention of the License for free sale in Vietnam, or the instructions sheet approved by competent authorities, or the treatise about such drugs in the National Pharmacopoeia or in other medicine documents recognized by competent authorities of the country of origin;

One of the following details is omitted from the medicine advertisement: the name of medicine or active ingredients; indications (except indications for tuberculosis, sexually transmitted diseases, cancers, tumors, diabetes, similar metabolic disorders, chronic insomnia, and sexual stimulation; contraindications or recommendations to pregnant women, breastfeeding women, the elderly, children, chronic disease sufferer; name and address of the entity in charge of launching the product; the text "Read the instructions carefully before use".

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for one of the following violations:

Advertising functional foods and products other than medicines in a way that people confuse them with medicines;

Taking advantage of physicians providing instructions on disease prevention, treatment, or medicine use on newspapers, radio or TV to advertise medicines;

Advertising medicine using pictures of patients, medicine effect diagram that is not assessed or confirmed, pictures or names of physicians.

#### 5. Remedial measures:

Compulsory rectification of the information mentioned in Point a, Point c, Point d Clause 3, and Clause 4 of this Article;

Compulsory removal of the advertisements mentioned in Point b Clause 2, Clause 3 and Clause 4 of this Article.

### **Article 69. Violations against regulations on advertising cosmetics**

A fine of from 1,000,000 VND to 3,000,000 VND shall be imposed for advertising the cosmetics that were notified to a competent authority at another locality without notifying the local competent authority.

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed if the names of cosmetics, the name and address of the entity in charge of launching the products, and the warnings are not clearly read aloud when advertising cosmetics on audio and video news.

A fine of from 10,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

Advertising cosmetics in a way that make people confuse them with medicines;

Advertising cosmetics in contravention of one of the compulsory documents;

One of the following details are omitted when advertising cosmetics: names and primary effects of cosmetics, except for the effects that are reflected in the name; name and address of the entity in charge of launching the products; the warnings.

#### 4. Remedial measures:

Compulsory rectification of the information mentioned in Clause 3 of this Article;

b) Compulsory removal of the advertisements mentioned in Clause 3 of this Article.

### **Article 70. Violations against regulations on advertising foods and food additives**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed if failing to clearly read aloud “This product is not medicines and is not a substitute for medicines” when advertising functional foods on audio and video news.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for one of the following violations:

Advertising foods and food additives in contravention of one of the compulsory documents;

One of the following details is omitted when advertising foods or food additives: names of foods or food additives, primary and secondary effects of functional foods cosmetics, the name and address of the entity in charge of launching the products;

Holding a fair, seminar, conference, or exhibition to dispense the audio and video recordings or data storage devices that contain information about foods or food additives in contravention of the application for declaration of conformity or application for confirmation of advertisement contents.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for holding a fair, seminar, conference, or exhibition to dispense the audio and video recordings or data storage devices that contain information about foods or food additives that is not certified by competent authorities.

A fine of from 20,000,000 VND to 30,000,000 VND shall be imposed for one of the following violations:

Advertising foods in the form of articles written by physicians, pharmacists, or health workers claiming the foods can cure diseases; using the image, reputation or documents of medical facilities or health workers, or gratitude letters of patients to advertise foods;

Advertising functional foods in a way that lead people to believe that they can cure disease.

#### 5. Remedial measures:

Compulsory rectification of the information mentioned in Point a, Point b Clause 2, and Clause 4 of this Article;

Compulsory removal the advertisements mentioned in Point a, Point b Clause 2, and Clause 4 of this Article;

Compulsory confiscation and destruction of the illegal items mentioned in Point c Clause 2 and Clause 3 of this Article.

### **Article 71. Violations against regulations on advertising chemicals, insecticides, and germicides for families and health care**

A fine of from 5,000,000 VND to 7,000,000 VND shall be imposed for advertising chemicals, insecticides, and germicides that are not conformable with the certificate or registration issued by a competent authority.

A fine of from 7,000,000 VND to 10,000,000 VND shall be imposed if one of the following details is omitted in the advertisement for chemicals, insecticides, or germicides:

The name of the chemical, insecticide of germicide for home users and health care

The name and address of the entity in charge of launching the product;

Features and effects;

The recommendation “Read the instructions carefully before use” or “Avoid applying to the items that contain the chemicals in the list”.

3. Remedial measures:

Compulsory removal or dismantlement of the advertisements mentioned in Clause 1 and Clause 2 of this Article.

### **Article 72. Violations against regulations on advertising medical equipment**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Advertising medical equipment in contravention of the Certificate of free sale or import license issued by a competent authority;

Failing to promptly inform competent authorities and customers of the accidents or unexpected effects of the medical equipment.

A fine of from 10,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

Advertising false features or effects of the medical equipment;

Concealing information about the accidents or unexpected effects of the medical equipment from competent authorities and customers;

The name, category, manufacturer, country of origin of the medical equipment, or the name and address of the entity in charge of launching the product, or the entity in charge of warranty are omitted from the advertisement.

3. Remedial measures:

Compulsory rectification of the information mentioned in Point a and Point c Clause 2 of this Article;

Compulsory removal of the advertisements mentioned in Clause 1 and Clause 2 of this Article.

### **Article 73. Violations against regulations on advertising dairy products and dietary products for children**

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for advertising milk and dietary products for children in contravention of the Certificate of the Declaration of conformity.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for omitting one of the following details when advertising milk and dietary products for children:

The product name;

The name and address of the entity in charge of launching the product.

3. Remedial measures:

Compulsory rectification of the information mentioned in Clause 1 and Clause 2 of this Article;

Compulsory removal of the advertisements mentioned in Clause 1 and Clause 2 of this Article.

**Article 74. Violations against regulations on advertising medical services**

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for advertising medical services in contravention of or beyond the scope in the License to provide medical services or the practising certificate.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for omitting information about the scope of operation in the License to provide medical services when advertising medical services.

A fine of from 20,000,000 VND to 30,000,000 VND shall be imposed for advertising or brokering human organs.

Remedial measures:

Compulsory removal of the advertisements mentioned in Clause 1, Clause 2 and Clause 3 of this Article.

**Article 75. Violations against regulations on advertising plant varieties and animal breeds**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Advertising the plant varieties and animal breeds that are not in the List of permissible or recognized plant varieties and animal breeds;

Using advertisements that cause confusion over the quantity, quality, prices, effects, packages, brand names, origins, categories, and warranty periods of the plant variety.

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed when the plant variety mentioned in Clause 1 of this Article is the primary variety.

Remedial measures:

Compulsory removal of the advertisements mentioned in Clause 1 and Clause 2 of this

Article. **Article 76. Violations against regulations on advertising pesticides**

A fine of from 5,000,000 VND to 10,000,000 VND shall be imposed for one of the following violations:

Advertising pesticides in contravention of the Certificate of pesticide registration.

Advertising useful organisms for plant protection in contravention of the plant quarantine license.

A fine of from 10,000,000 VND to 20,000,000 VND shall be imposed for one of the following violations:

Advertising the pesticides that are not enumerated in the List of permissible pesticides in Vietnam;

Advertising the pesticides in the List of restricted pesticides in Vietnam;

One of the following details is omitted when advertising pesticides and useful organisms for plant protection: names of products, name and address of the entity in charge of launching the products, effects and recommendations about the use and preservation.

A fine of from 25,000,000 VND to 40,000,000 VND shall be imposed for advertising the pesticides banned in Vietnam.

Remedial measures:

Compulsory rectification of the information mentioned in Clause 1 of this Article;

Compulsory removal of the advertisements mentioned in Clause 1, Clause 2 and Clause 3 of this Article.

**Article 77. Violations against regulations on advertising veterinary medicine, bioproducts, and microorganisms used for veterinary medicine, environmental remediation products serving breeding and fishery**

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for advertising veterinary medicines in contravention of the Certificate of free sale, or advertising environmental remediation products serving breeding and fishery in contravention of the License for free sale.

A fine of from 20,000,000 VND to 30,000,000 VND shall be imposed for advertising the veterinary medicines in the list of banned veterinary medicine, the list of banned veterinary bioproducts, microorganisms or chemicals, or the list of banned environmental remediation products serving breeding and fishery in Vietnam.

Remedial measures:

Compulsory rectification of the information mentioned in Clause 1 of this Article;

Compulsory removal of the advertisements mentioned in Clause 1 and Clause 2 of this Article.

**Article 78. Violations against regulations on advertising animal feeds**

A fine of from 10,000,000 VND to 15,000,000 VND shall be imposed for providing untruthful information about the nature, effects, quality, or origins of animal feeds in the advertisement.

A fine of from 15,000,000 VND to 20,000,000 VND shall be imposed for advertising animal feeds that are not enumerated in the List of permissible animal feeds in Vietnam, or advertising animal feeds without a certificate of quality as prescribed.

A fine of from 30,000,000 VND to 40,000,000 VND shall be imposed for advertising animal feeds that contain banned substances.

Remedial measures:

Compulsory rectification of the information mentioned in Clause 1 of this Article;

Compulsory removal of the advertisements mentioned in Clause 1, Clause 2 and Clause 3 of this Article.

**Chapter 4.**

**POWER TO IMPOSE PENALTIES FOR ADMINISTRATIVE  
VIOLATIONS PERTAINING TO CULTURE, SPORTS, TOURISM,  
AND ADVERTISING**

**Article 79. The power to impose penalties for administrative violations**

The persons mentioned in Article 80, Article 81, Article 82, and Article 83 of this Decree, the officials and civil servants that discover administrative violations pertaining to culture, sports, tourism, and advertising during the inspection are entitled to impose penalties as prescribed.

**Article 80. The power to impose administrative violations of Presidents of the People's Committees**

Presidents of the People's Committees of communes are entitled

to: a) Give warnings;

b) Impose fines of up to 5,000,000 VND;

Confiscate the illegal items and instruments, the value of which must not exceed the amount mentioned in Point b of this Clause;

Take the remedial measures mentioned in Point a, Point b and Point dd Clause 1 Article 28 of the Law on Handling administrative violations.

Presidents of the People's Committees of districts are entitled

to: a) Give warnings;

Impose fines of up to 25,000,000 VND for the administrative violations pertaining to culture, sports and tourism; impose fines of up to 50,000,000 VND for the administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items and instruments, the value of which must not exceed the amount mentioned in Point b of this Clause;

Take the remedial measures mentioned in Article 2 of this Decree.

3. Presidents of the People's Committees of provinces are entitled to:

Give warnings;

Impose fines of up to 50,000,000 VND for the administrative violations pertaining to culture, sports and tourism; impose fines of up to 100,000,000 VND for the administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items and instruments;

dd) Take the remedial measures mentioned in Article 2 of this Decree.

**Article 81. The power to impose administrative violations of specialized inspectors**

Inspectors of culture, sports and tourism are entitled to:

a) Give warnings;

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



Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point b of this Clause;

Take the remedial measures mentioned in Point a and Point dd Clause 1 Article 28 of the Law on Handling administrative violations.

Inspectors and the persons assigned as inspectors of health sector, communications, agriculture, within the area of their competence, are entitled to:

Give warnings;

Impose fines of up to 500,000 VND;

Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point b of this Clause;

Take the remedial measures mentioned in Point a and Point dd Clause 1 Article 28 of the Law on Handling administrative violations.

Chief inspectors of Services of Culture, Sports and Tourism Inspectors are entitled to: a) Give warnings;

Impose fines of up to 25,000,000 VND for the administrative violations pertaining to culture, sports and tourism; impose fines of up to 50,000,000 VND for the administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point b of this Clause;

dd) Take the remedial measures mentioned in Article 2 of this Decree.

Chief inspectors of Services of Health, Services of Information and Communications, Services of Agriculture and Rural development, Directors of Sub-departments of food safety and hygiene, Directors of Sub-departments of Plant Protections, Veterinary Medicine, Agriculture Quality Control, Forestry, Rural Development are entitled to:

Give warnings;

Impose fines of up to 50,000,000 for administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point b of this Clause;

dd) Take the remedial measures mentioned in Article 2 of this Decree.

The Chief inspector of the Ministry of Culture, Sports and Tourism is entitled to:

a) Give warnings;

Impose fines of up to 50,000,000 VND for the administrative violations pertaining to culture, sports and tourism; impose fines of up to 100,000,000 VND for the administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

d) Confiscate the illegal items;

dd) Take the remedial measures mentioned in Article 2 of this Decree.

Chief Inspectors of the Ministry of Health, the Ministry of Information and Communications, the Ministry of Agriculture and Rural Development, Directors of the Drug Administration of Vietnam, Medical Service Administration, Defensive Medicine Department, and Food Safety and Hygiene Department affiliated to the Ministry of Health, Directors of Veterinary Medicine Department, Plant Protection Department, Farming Department, Breeding Department, Agriculture Quality Control Department affiliated to the Ministry of Agriculture and Rural Development are entitled to:

Give warnings;

Impose fines of up to 100,000,000 for administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items;

dd) Take the remedial measures mentioned in Article 2 of this Decree.

The Chief inspector of the Ministry of Culture, Sports and Tourism is entitled to:

a) Give warnings;

Impose fines of up to 35,000,000 VND for the administrative violations pertaining to culture, sports and tourism; impose fines of up to 70,000,000 VND for the administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point b of this Clause;

dd) Take the remedial measures mentioned in Article 2 of this Decree.

Chiefs of Inspectorates of the Ministry of Health, the Ministry of Information and Communications, and the Ministry of Agriculture and Rural Development are entitled to:

Give warnings;

Impose fines of up to 70,000,000 for administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point b of this Clause;

dd) Take the remedial measures mentioned in Article 2 of this Decree.

Chiefs of inspectorates of the Services of Culture, Sports and Tourism have the power to impose penalties mentioned in Clause 3 of this Article.

Chiefs of Inspectorates of Services of Health, Services of Information and Communications, Services of Agriculture and Rural development, Department of Journalism, Radio, Television and Digital Information, Publishing Department, within the area of their competence, are entitled to impose penalties for the administrative violations in accordance with Clause 4 of this Article.

## **Article 82. The power to impose administrative violations of the police**

Police officers on duty are entitled

to: a) Give warnings;

b) Impose fines of up to 500,000 VND.

Senior officers of the persons mentioned in Clause 1 of this Article are entitled to:

a) Give warnings;

b) Impose fines of up to 1,500,000 VND.

Chiefs of police stations of communes, border checkpoints and export-processing zones are entitled to:

Give warnings;

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

Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point b of this Clause;

Take the remedial measures mentioned in Point a and Point dd Clause 1 Article 28 of the Law on Handling administrative violations.

Chiefs of police stations of districts, Chiefs of Traffic Police Department, Chiefs of Departments of provincial police stations, Chiefs of Fire Departments, Chiefs of River Rescue Department, Chiefs of Immigration Departments, Chiefs of Internal Affairs Departments, Chiefs of Economic Security Departments, Chiefs of Cultural Departments, Chiefs of Information Security Departments, Chiefs of Fire Departments of districts are entitled to:

Give warnings;

Impose fines of up to 10,000,000 VND for administrative violations pertaining to culture, sports and tourism; impose fines of up to 20,000,000 VND for administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point b of this Clause;

Take the remedial measures mentioned in Point a and Point dd Clause 1 Article 28 of the Law on Handling administrative violations, Clauses 1, 2, 3, 4, 5, 6, and 7 Article 2 of this Decree.

Directors of Provincial Police Departments, Directors of Fire Safety Services are entitled to:

a) Give warnings;

Impose fines of up to 25,000,000 VND for administrative violations pertaining to culture, sports and tourism; impose fines of up to 50,000,000 VND for administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items;

Take the remedial measures mentioned in Point a, Point dd and Point i Clause 1 Article 28 of the Law on Handling administrative violations, Clauses 1, 2, 3, 4, 5, 6, and 7 Article 2 of this Decree.

The Director of Internal Political Security Department, the Director of Economic Security Department, the Director of Information Security Department, the Director of Administrative Management Department, the Director of Investigation into Economic Management Department, the Director of Road Traffic and Railroad Order Department, the Director of Fire Safety and Rescue Department, the Director of Prevention of Environmental Crimes, and the Director of Prevention of High-tech Crimes are entitled to:

Give warnings;

Impose fines of up to 50,000,000 VND for administrative violations pertaining to culture, sports and tourism; impose fines of up to 100,000,000 VND for administrative violations pertaining to advertising;

Suspend the license, the practising certificate, or the operation;

Confiscate the illegal items;

Take the remedial measures mentioned in Point a, Point dd and Point i Clause 1 Article 28 of the Law on Handling administrative violations, Clauses 1, 2, 3, 4, 5, 6, and 7 Article 2 of this Decree.

### **Article 83. The power to impose administrative violations of the Border guard, the Coastguard, the customs, tax authorities, and market management authorities**

Competent persons of the Border guard are entitled to penalties for administrative violations and take the remedial measures in accordance with Article 40 of the Law on Handling administrative violations.

Competent persons of the Coastguard are entitled to penalties for administrative violations and take the remedial measures in accordance with Article 41 of the Law on Handling administrative violations.

Competent persons of customs authorities are entitled to penalties for administrative violations and take the remedial measures in accordance with Article 42 of the Law on Handling administrative violations.

Competent persons of tax authorities are entitled to penalties for administrative violations and take the remedial measures in accordance with Article 44 of the Law on Handling administrative violations.

Competent persons of the market management authorities are entitled to penalties for administrative violations and take the remedial measures in accordance with Article 45 of the Law on Handling administrative violations.

## **Chapter 5.**

### **IMPLEMENTATION**

#### **Article 84. Effect**

1. This Decree takes effect on January 01, 2014.

From the effective date of this Decree, the following documents and provisions are annulled: the Government's Decree No. 75/2010/ND-CP dated July 12, 2010 on penalties for administrative violations pertaining to cultural activities; the Government's Decree No. 16/2012/ND-CP dated March 12, 2012 on penalties for administrative violations pertaining to tourism; the Government's Decree No. 37/2012/ND-CP dated April 24, 2012 on penalties for administrative violations pertaining to sports; Article 26 and Article 27 of the Government's Decree No. 02/2011/ND-CP dated January 06, 2011 on penalties for administrative violations pertaining to journalism and publishing; Point b Clause 2, pt a and Point b Clause 3, Points, a, b, and d Clause 4 Article 13, Points a, c, and dd Clause 1 Article 22, Point a Clause 1, and Clause 2 Article 27 of the Government's Decree No. 93/2011/ND-CP dated October 18, 2011 on penalties for administrative violations pertaining to medicines, cosmetics, and medical equipment; Article of the Government's Decree No. 91/2012/ND-CP dated November 28, 2012 on penalties for administrative violations pertaining to food safety; Point d Clause 3 Article 16 of the Government's Decree No. 69/2011/ND-CP dated August 08, 2011 on penalties for administrative violations pertaining to defensive medicine, medical environment, and HIV/AIDS prevention; Point a Clause 2 Article 6, Point a Clause 1 Article 11, Point a Clause 4 Article 13 of the Government's Decree No. 96/2011/ND-CP dated October 21, 2011 on penalties for administrative violations pertaining to medical services.

#### **Article 85. Transition**

For the administrative violations pertaining to culture, sports, tourism, and advertising that are committed before June 01, 2013 and discovered afterwards, the provisions that are favorable to the violators shall apply.

#### **Article 86. Responsibility for implementation**

The Ministry of Culture, Sports and Tourism shall provide guidance on and organize the implementation of this Decree.

Ministers, Heads of ministerial agencies, Heads of Governmental agencies, Presidents of the People's Committees of central -affiliated cities and provinces are responsible for the implementation of this Decree.

**FOR THE GOVERNMENT  
PRIME MINISTER**

**Nguyen Tan Dung**