

ANTI-CORRUPTION LAW

Pursuant to the Constitution of Socialist Republic of Vietnam;

The National Assembly promulgates the Anti-corruption Law.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Law provides for prevention and discovery of corruption; actions against corruption and other violations against anti-corruption laws.

Article 2. Acts of corruption

1. Acts of corruption committed by office holders in state organizations include:

- a) Embezzlement;
- b) Taking bribes;
- c) Abuse of one's position or power for illegal appropriation of assets;
- d) Abuse of official capacity during performance of tasks or official duties (hereinafter referred to as "duties") for personal gain;
- dd) Acting beyond authority in performance of one's duties for personal gain;
- e) Abuse of official capacity to influence another person for personal gain
- g) Impersonation for personal gain;
- h) Bribing or brokering bribery for taking advantage of one's influence over a state organization or for personal gain;
- i) Illegal use of public assets for personal gain by abuse of official capacity;

- k) Harassment for personal gain;
- l) Failure to perform or correctly perform one's duties for personal gain;
- m) Abuse of official capacity to screen violations of law for person gain; illegally intervening or obstructing supervision, inspection, audit, investigation, prosecution, adjudication or judgment enforcement for personal gain.

2. Acts of corruption committed by office holders in non-state organizations include:

- a) Embezzlement;
- b) Taking bribes;
- c) Bribing or brokering bribery for taking advantage of one's influence over the operation of the enterprise or organization, or for personal gain.

Article 3. Definitions

For the purposes of this Law, the terms below are construed as follows:

1. "corruption" means an office holder's abuse of his/her official capacity for personal gain.
2. "office holder" means a person that is designated, elected or employed under a contract or another form of employment, receiving or not receiving salaries, assigned certain duties and authority to perform such duties. Office holders include:
 - a) Officials and public employees;
 - b) Commissioned officers, career military personnel, national defense workers and public employees of the People's Army units; commissioned officers, non-commissioned officers and workers of the People's Police units;
 - c) Representatives of state investment in enterprises;
 - d) Holders of managerial positions in organizations;
 - dd) Other persons assigned certain duties and authority to perform such duties.
3. "corruptly-acquired asset" means an asset that is obtained through corrupt activities.
4. "information disclosure and transparency" means disclosing of information and provision of explanation for the organization structure, performance of duties, entitlements and responsibilities of an organization during its operation.

5. “accountability” means then responsibility of a competent organization, unit or individual (hereinafter referred to as “competent authority”) to clarify information or providing timely and adequately explanation about his/her decision or actions during performance of his/her duties.
6. “harassment” means an authoritative or magisterial act or request of an office holder that is meant to cause difficulties during performance of his/her duties.
7. “personal gain” means a benefit or advantage that an office holder wishes to obtain by abusing his/her official capacity.
8. “conflict of interest” means a situation where the interests of an office holder or his/her relative have or are likely to have an influence on performance of the office holder’s duties.
9. “state organizations” include a regulatory authorities, political organizations, socio-political organizations, military units, public service agencies, state-owned enterprises, other organizations and units established, invested in, partially or wholly funded by the State, partially or wholly administrated by the State for the purposes of development of the State and society.
10. “non-state organization” means any enterprise or organization other than those defined in Clause 9 of this Article.

Article 4. Responsibility of state and non-state organizations for anti-corruption

1. Every state organization has the responsibility to:

- a) Implement measures for prevention of corruption; discover, take appropriate actions against and inform competent authorities about any act of corruption that occurs within their organization; implement other anti-corruption laws;
- b) Protect the lawful rights and interests of the individuals who report, provide information or file complaints against corrupt activities (hereinafter referred to as “informers”);
- b) Promptly receive and process information about acts of corruption;
- d) Provide information and comply with requests of competent authorities during the process of discovery and taking actions against corruption.

2. Every non-state organization has the responsibility to:

- a) Implement measures for prevention of corruption; discover and report any act of corruption that occurs within their organization to competent authorities, and cooperate with competent authorities in taking actions in accordance with its rules and regulations;
- b) Promptly provide information about acts of corruption committed by office holders and cooperate with competent authorities in prevention and taking actions against such acts of corruption.

Article 5. Rights and obligations of citizens regarding anti-corruption

1. Every citizen, by law, has the right to discover and report acts of corruption, the right to protection and rewards; the right to propose amendments to anti-corruption laws and supervise implementation of thereof.
2. Citizens shall cooperate and assist competent authorities and competent persons in anti-corruption.

Article 6. Anti-corruption education and awareness improvement

1. Communications authorities, other organizations and units, within the scope of their duties and entitlements, have the responsibility to raise awareness and provide education about anti-corruption for citizens and office holders.
2. Education and training institutions shall include ethics, lifestyle and dignity education in their programs for school students, college students, other students and office holders as prescribed by law.

Article 7. Supervision of anti-corruption works

1. The National Assembly and Standing Committee of the National Assembly shall supervise anti-corruption works nationwide.
2. Ethnicity Councils, committees of the National Assembly, within the scope of their duties and entitlements, shall supervise anti-corruption works under their management.
3. Judicial Committee of the National Assembly, within the scope of their duties and entitlements, shall supervise discovery and taking of actions against anti-corruption acts.
4. Delegates of the National Assembly, within the scope of their duties and entitlements, shall supervise anti-corruption works.
5. The People's Councils, Standing Committees and boards of the People's Councils, delegates of the People's Councils, within the scope of their duties and entitlements, shall supervise anti-corruption works in their areas.

Article 8. Prohibited acts

1. The acts of corruption defined in Article 2 of this Law.
2. Threatening, taking vengeance on, victimizing or revealing information about informers.
3. Slandering another organization or individual in the name of anti-corruption.

4. Screening acts of corruption; illegal intervention or obstruction of the process of discovery and anti-corruption actions, other violations against anti-corruption laws specified in Section 2 Chapter IX of this Law.

Chapter II

PREVENTION OF CORRUPTION

Section 1. INFORMATION DISCLOSURE AND TRANSPARENCY IN STATE ORGANIZATIONS

Article 9. Principles

1. Every state organization shall disclose information about its organization structure and operation, except for state secrets, business secrets and other information prescribed by law.
2. The information disclosed shall be accurate, clear, adequate and timely, comply with law procedures established by competent authorities.

Article 10. Information to be disclosed

1. Every state organization shall disclose the following information:
 - a) Implementation of policies and laws relevant to the lawful rights and interests of officials, public employees, other employees, servicemen and citizens;
 - b) Distribution, management and use of public funds, public assets or funds from other lawful sources;
 - c) Human resources management; code of conduct for office holders;
 - d) Implementation of policies and laws other than those mentioned in Point a through b of this Clause but have to be disclosed by law.
2. Besides the information mentioned in Clause 1 of this Article, state organizations that have influence over other state organizations and individuals shall disclose information about administrative procedures.

Article 11. methods of information publishing

1. Information can be published in one of the following manners:
 - a) Making announcements at meetings of the organization;
 - b) Posting information at the premises of the organization;

- c) Sending written notices to relevant organizations;
- d) Publishing printed matters;
- dd) Making announcements through mass media;
- e) Posting information on websites;
- g) Holding press conferences;
- h) Providing information on demand.

2. In the cases where the form of information publishing is not specified by the law, the head of the state organization shall apply one or some of the methods specified in Points b, c, d, dd, e and g Clause 1 of this Article. The head may decide on an additional method mentioned in Point a and Point h Clause 1 of this Article.

Article 12. Responsibility for information disclosure and transparency

1. The head of a state organization is responsible for disclosing information about the organization in accordance with this Law and relevant laws.
2. The head of a state organization is responsible for instructing and inspecting organizations and individuals under his/her management disclosing information and take or propose actions against violations as prescribed by law.

Article 13. Press conferences, public announcements and provision of information for the press

1. State organizations shall hold press conferences, make public announcements and provide information for the press on a periodic or ad hoc basis regarding their organizational structure and operation, anti-corruption works and actions against corruption cases in accordance with journalism laws.
2. State organizations shall hold press conferences, make public announcements and provide information for the press on an ad hoc basis regarding pressing issues relevant to their organization and operation, unless otherwise prescribed by journalism laws.

Article 14. Right to request information

1. State authorities, political organizations, socio-political organizations and press agencies, within the scope of their duties and entitlements, are entitled to request state organizations to provide information about their organizational structure and operation as prescribed by law.

Within 10 days from the day on which the request is received, the requested organization shall provide the information, unless it has been published through mass media, published as printed

matters or publicly posted. Otherwise, a written explanation has to be sent to the requesting organization.

2. Citizens are entitled to request state authorities to provide information in accordance with regulations of law on accessibility of information.

3. Provision of information by state organizations for officials and public employees, workers, officers and servicemen in the armed forces working in the same organizations shall comply with regulations of law on grassroots democracy and relevant laws.

Article 15. Accountability

1. An organization or individual shall provide explanation for their decisions or actions during performance of their duties at the request of the organization or individual that is directly affected by such decisions or actions. The explaining person shall be the head of the organization or a person lawfully authorized to provide explanation.

2. In the cases where a press agency that publishes information about violations of law requests explanation for the performance of duties, the requested authority shall provide explanation for the press as prescribed by law.

3. Provision of explanation on request of supervising authorities or other competent authorities shall comply with relevant laws.

4. The Government shall elaborate Clause 1 of this Article.

Article 16. Reporting and publishing of reports on anti-corruption works

1. The Government shall submit annual reports on nationwide anti-corruption works for the National Assembly; The People's Committees shall submit reports on local anti-corruption works to the People's Councils of the same administrative area.

2. The People's Supreme Court, the People's Supreme Procuracy and State Audit Office of Vietnam shall cooperate with the Government in preparing reports on nationwide anti-corruption works.

3. The people's courts of provinces and districts, the people's Procuracies of provinces and districts shall cooperate with the People's Committees at the same level in preparing reports on local anti-corruption works.

4. A report on anti-corruption works shall contain:

a) The current state of corruption;

b) Results of implemented measures for prevention and discovery of corruption; actions against corruption, recovery of corruptly-acquired assets and other contents relevant to state management of anti-corruption works.

c) Assessment of anti-corruption works, orientations, solutions and proposals.

5. Every anti-corruption report shall be published on websites of regulatory authorities or mass media.

Article 17. Criteria for assessment of anti-corruption works

1. Criteria for assessment of anti-corruption works:

a) Quantity, nature and seriousness of the corruption case;

b) Development and completion of anti-corruption laws and policies;

c) Implementation of measures for prevention of corruption;

d) Discovery of and actions against corruption;

dd) Recovery of corruptly-acquired asset.

2. The Government shall elaborate this Article.

Section 2. ESTABLISHMENT AND APPLICATION OF NORMS, STANDARDS AND BENEFITS OF STATE ORGANIZATIONS

Article 18. Establishment, promulgation and application of norms, standards and benefits

1. Every state agency, within the scope of their duties and entitlements, has the responsibility to:

a) Establish, promulgate and apply its own norms, standards and benefits;

b) Publish its established norms, standards and benefits;

c) Apply and publish the result of application of its norms, standards and benefits.

2. Political organizations, socio-political organizations, public service agencies, other organizations and units using state funds, pursuant to Clause 1 of this Article, shall provide instructions on application or cooperate with competent authorities in establishing, promulgating and publishing their norms, standards and benefits, apply them and publish the application result.

3. No state organization may establish norms, standards and benefits against the law.

Article 19. Inspection and actions against regulations of law on norms, standards and benefits

1. State organizations, within the scope of their duties and entitlements, shall inspect the application of established norms, standards and benefits and promptly take actions against violators.

2. Violators of established norms, standards and benefits shall be dealt with in accordance with Article 94 of this Law and pay compensation as follows:

a) The person that permits excessive spending shall pay compensation for the value of the excessive amount and any damage caused; the person that exceeds the spending limit with the permission of the aforementioned person shall have the joint responsibility to pay compensation;

a) The person that exceeds the spending limit without permission shall pay compensation for the value of the excessive amount and any damage caused.

Section 3. IMPLEMENTATION OF CODE OF CONDUCT FOR OFFICE HOLDERS IN STATE ORGANIZATIONS

Article 20. Code of conduct for office holders

1. During performance of duties and in social relationships, office holders in state organizations shall implement the code of conduct, which includes social norms, permissible and prohibited actions that are meant to maintain integrity, responsibility and ethics of office holders.

2. Office holders in state organizations are prohibited from:

a) Harassment during task performance;

b) Establishing, participating in administration of sole proprietorships, limited liability companies, joint-stock companies, partnerships and cooperatives, unless otherwise prescribed by law;

c) Providing information about state secrets, business secrets or other secrets about their tasks or any task in which they participate for other domestic and foreign organizations and individuals;

d) Establishing, holding managerial or executive positions in sole proprietorships, limited liability companies, joint-stock companies, partnerships and cooperatives in the field that was under their management according to regulations of the Government;

dd) Illegally using information of their organizations;

e) Other actions that office holders must not do according to the Law on officials and public employees, the Law on Enterprises and relevant laws.

3. The heads and deputies of state organizations must not allow their spouses, parents, children or siblings to hold positions of personnel management, accounting, treasurer or warehouse-keeper in their organizations or participate in transactions, trade of goods or services or conclusion of contracts with their organizations.

4. The heads and deputies of state organizations must not contribute capital to enterprises operating in the same field as that of their organizations, and must not allow their spouses, parents or children to do business in the same field as that of their organizations.

5. Members of Board of Directors or the Board of members, the presidents, general directors, deputy general directors, directors, deputy directors, chief accountants and holders of other managerial positions of state-owned enterprises must not sign contracts with enterprises owned by their spouses, parents, children or siblings; must not allow enterprises owned by their spouses, parents, children or siblings to bid for contracts of their enterprises; must not allow their spouses, parents, children or siblings to hold positions of personnel management, accounting, treasurer or warehouse-keeper in their enterprises or participate in transactions, trade of goods or services or conclusion of contracts with their enterprises.

Article 21. Power to issue code of conduct for office holders in state organizations

1. Ministers, heads of ministerial agencies, heads of governmental agencies, chairperson of the Office of the President, chairperson of the Office of the National Assembly shall issue code of conduct for officer holders in their fields.

2. Executive judge of the People's Supreme Court, director of the Supreme People's Procuracy, State Auditor General shall issue code of conduct for office holders in their fields.

3. The Minister of Internal Affairs shall issue code of conduct for office holders in local governments.

4. Central authorities of political organizations and socio-political organizations shall issue the code of conduct for office holders in their organizations.

Article 22. Giving and receiving gifts

1. State organizations and office holders must not use public funds or public assets as gifts, unless they are given for charitable purposes, diplomatic purposes and other cases in which it is necessary as prescribed by law.

2. State organizations and office holders directly or indirectly receive gifts in any shape or form from another organization or individual that is relevant to the tasks they are performing or under their management.

3. The Government shall elaborate this Article.

Article 23. Managing conflict of interest

1. In the cases where a person, during performance of his/her duties, knows or has to know about conflict of interest, he/she shall report to a competent person for consideration.
2. Any state organization and individual that discovers conflict of interest of an office holder shall inform the office holder's manager or employer for consideration.
3. If the office holder's manager or employer finds that the integrity, objectivity or truthfulness of the office holder can be affected by the conflict of interest, he/she shall:
 - a) supervise the performance of duties by the office holder affected by the conflict of interest;
 - a) suspend the office holder from performance of his/her duties; or
 - c) temporarily reassign the office holder.
4. The Government shall elaborate this Article.

Section 4. REASSIGNMENT OF OFFICE HOLDERS IN STATE ORGANIZATIONS

Article 24. Reassignment rules

1. State organizations shall periodically reassign their non-managerial officials and public employees in their organizations in order to prevent corruption. Reassignment of managerial officials shall comply with regulations on official reassignment.
2. The reassignment shall be objective, reasonable and suitable for the reassigned persons' capacity without affecting normal operation of the organizations.
3. Reassignment shall be carried out under plans and disclosed within the organizations.
4. It is prohibited to abuse reassignment for personal gain or for the purpose of victimizing officials and public employees.
5. Regulations of Clauses 1 through 4 of this Article may also be applied to the following non-managerial persons:
 - a) Commissioned officers, career military personnel, national defense workers and public employees of units of the People's Army;
 - b) Commissioned officers, non-commissioned officers and workers of units of the People's Police.

Article 25. Positions subject to periodical reassignment and reassignment periods

1. Office holders whose positions are relevant to personnel management, management of public funds, public assets, public investment; office holders who are directly involved and have influence over the operation of the organization shall be periodically reassigned.
2. The aforementioned office holders shall be reassigned every 2 – 5 years depending on their fields.
3. In the cases where the only position subject to periodical reassignment requires special professional skills or knowledge, the reassignment shall be decided by the head of the organization.
4. The Government shall specify the positions subject to periodical reassignment and reassignment periods in Ministries, ministerial agencies, Governmental agencies and local governments.

Executive judge of the People's Supreme Court, director of the Supreme People's Procuracy, State Auditor General, the chairperson of Office of the President, the chairperson of Office of the National Assembly, central authorities of political organizations and socio-political organizations shall specify the positions subject to periodical reassignment and reassignment periods in their organizations.

Article 26. Reassignment plan

1. The head of a state organization shall issue and publish annual reassignment plans.
2. The reassignment plan shall specify the purposes, requirements and the positions subject to reassignment, time of reassignment, rights and obligations of reassigned personnel and implementation methods.

Section 5. ADMINISTRATIVE REFORM, APPLICATION OF SCIENCE AND TECHNOLOGY TO MANAGEMENT AND NON-CASH PAYMENT

Article 27. Administrative reform

Every state organization, within the scope of their duties and entitlements, has the responsibility to:

1. Publish and provide instructions on following administrative procedures; simplify and reduce procedures for working in person with other organizations and individuals;
2. Intensify inspection and supervision of task performance, management and use of public funds and public assets;
3. Develop and improve quality of officials and public employees; provide detailed description of every position in the organization;

4. Perform other administrative reform tasks.

Article 28. Application of science and technology to management

1. Every state organization shall increase investment in equipment, improving capacity, creativity and application of science and technology to their organization and operation.
2. Ministries shall enhance application of IT system and national database to management of their fields as prescribed by law.

Article 29. Non-cash payment

1. State organizations shall ensure that the following transactions are non-cash payment:
 - a) High-value revenues and expenditures where non-cash payment is possible according to regulations of the Government;
 - b) Payment of salaries, bonuses and other regular expenditures.
2. The Government shall apply financial and technological measures to reduce use of cash in transactions.

Section 6. ASSET AND INCOME SURVEILLANCES OF OFFICE HOLDERS IN STATE ORGANIZATIONS

Sub-section 1. AUTHORITY AND RESPONSIBILITY OF STATE ORGANIZATIONS AND INDIVIDUALS FOR ASSET AND INCOME SURVEILLANCE

Article 30. Asset surveillance authorities

1. Government Inspectorate shall keep surveillance of assets and income of holders of positions of directors of provincial departments and above who are working in Ministries, ministerial agencies, Governmental agencies, local governments, public service agencies, organizations established by the Prime Minister, state-owned enterprises, individuals required to declare assets and income under its management.
2. Provincial inspectorates shall keep surveillance of assets and incomes of individuals required to declare assets and income working in state organizations and state-owned enterprises under management of local government, except for the cases specified in Clause 1 of this Article.
3. Ministries, ministerial agencies, Governmental agencies shall keep surveillance of assets and incomes of individuals required to declare assets and income working in state organizations and state-owned enterprises under their management, except for the cases specified in Clause 1 of this Article.

4. The agencies that assist Standing Committee of the National Assembly in personnel management shall keep surveillance of assets and incomes of full-time delegates of the National Assembly and other individuals required to declare assets and income under management of Standing Committee of the National Assembly.
5. The National Assembly Office shall keep surveillance of assets and incomes of individuals required to declare assets and income working in Standing Committee of the National Assembly and the National Assembly, except for the cases specified in Clause 4 of this Article.
6. Office of the President shall keep surveillance of assets and income of the individuals required to declare assets and income working therein.
7. The People's Supreme Court, the People's Supreme Procuracy, State Audit Office of Vietnam shall keep surveillance of assets and income of the individuals required to declare assets and income working therein.
8. Competent authorities of Communist Party of Vietnam, central authorities of socio-political organizations shall keep surveillance of assets and income of the individuals required to declare assets and income working therein.

Article 31. Duties and entitlements of asset surveillance authorities

1. Asset surveillance authorities shall:

- a) Manage and update declarations of assets and income (hereinafter referred to as "declaration") and information about monitoring of assets and income;
- b) Protect confidentiality of information obtained during their performance;
- c) Apply or propose application of measures for providers of information relevant to monitoring of assets and income to competent authorities. The protection of such information providers is the same as protection of informers specified in Clause 1 Article 67 of this Law;
- d) Provide declarations, information and data about monitoring of assets and income at the request of competent authorities specified in Article 42 of this Law;
- dd) Transfer the cases of violations of law discovered during asset and income surveillance to competent authorities.

2. Asset surveillance authorities have the right to:

- a) Request the individuals required to declare assets and income to provide information and explanation for increases of at least VND 300.000.000 in their assets or income compared to the previous declaration, or on other occasions to facilitate assets and income inspection;

b) Request relevant organizations and individuals to provide information about assets and income of individuals required to declare assets and income;

c) Inspect their assets and income and propose actions against violations in accordance with regulations of law on monitoring assets and income;

d) Request competent authorities or those managing assets and income to implement necessary measures for preventing concealment, destruction or movement of assets and income or other acts that obstruct inspection of assets and income;

dd) Request competent organizations and individuals to value or appraise assets and income.

3. The requests mentioned in Point b, d and dd Clause 2 of this Article must be made in writing and signed by the leader of the inspection team, the head or deputy of the asset surveillance authority. Procedures for requesting and providing information mentioned in Point b Clause 2 of this Article shall be specified by the Government.

Article 32. Responsibility of relevant organizations and individuals for monitoring assets and income

State Treasury, credit institutions, foreign branch banks, police authorities, tax authorities, customs authorities, land authorities, property registration authorities, relevant organizations and individuals shall:

1. Provide information about assets and income at the request of asset surveillance authorities and take responsibility for accuracy, adequacy and timeliness of the information provided; otherwise, an written response and explanation must be provided;

2. Implement necessary and lawful measures for clarifying information about assets and income or for preventing concealment, destruction or movement of assets and income or other acts that obstruct inspection of assets and income;

3. Carry out valuation or appraisal of assets and income as prescribed by law.

Sub-section 2. DECLARATION OF ASSETS AND INCOME

Article 33. Obligation to declare assets and income

1. Individuals required to declare assets and income shall declare their assets and income, changes to assets and income of themselves, their spouses and minor children in accordance with this Law.

2. Individuals required to declare assets and income shall truthfully declare their assets and income, origins of additional assets and income following the procedures in this Law, and take responsibility for such declaration.

Article 34. Individuals required to declare assets and income

1. Officials.
2. Commissioned officers of police and military forces, career military personnel.
3. Holders of positions of deputy managers and above in public service agencies, state-owned enterprises, appointed representatives of state capital in enterprises.
4. Nominees for the National Assembly delegates and the People's Councils delegates.

Article 35. Assets and income subject to declaration

1. The following assets and income shall be declared:
 - a) Land use rights, houses, construction works and other property attached thereto;
 - b) Precious metals, gemstones, cash, financial instruments and other real property each of which is assessed at VND 50.000.000 or above;
 - c) Overseas property and accounts;
 - d) Total income between 02 declarations.
2. The Government shall provide declaration forms and implement the provisions of this Article.

Article 36. Method and time for declaration of assets and income

1. First declaration shall be made by:
 - a) Holders of the positions mentioned in Clause 1, 2, 3 Article 34 of this Law while this Law is affective. Declaration must be done by December 31, 2019;
 - b) Persons holding the positions mentioned in Clause 1, 2, 3 Article 34 of this Law for the first time. Declaration shall be done within 10 days from the date of designation or employment.
2. Additional declaration shall be done when there is a change of at least VND 300.000.000 to his/her assets and income in the year. Declaration shall be done by December 31 of the year in which the change occurs, unless such change has been declared in accordance with Clause 3 of this Article.
3. Annual declaration shall be made by:
 - a) Holders of positions of directors of provincial departments and above. Declaration must be done annually by December 31;

b) Persons other than those mentioned in Point a of this Clause in charge of official management, management of public funds, public property or public investment, or have influence over the operation of other entities as prescribed by the Government. Declaration must be done annually by December 31;

4. Declaration serving official management Firs declaration shall be made by:

a) The individuals required to declare assets and income specified in Clause 1, 2, 3 Article 34 of this Law before they are elected, designated, re-designated or re-assigned. Declaration shall be done at least 10 days before the intended date of election, designation, re-designation or reassignment;

b) The individuals required to declare assets and income mentioned in Clause 4 Article 34 of this Law. Time of declaration shall comply with regulations of law on voting.

Article 37. Organization of declaration of assets and income

1. Employers or managers of individuals required to declare assets and income shall:

a) Compile and send the list of individuals required to declare assets and income to a competent asset surveillance authority;

b) Provide instructions on declaration of assets and income for the individuals required to declare assets and income;

c) Keep a log of submission and transfer of declarations.

2. Individuals required to declare assets and income shall submit declaration forms to their employers or managers.

Article 38. Receipt, management and transfer of assets and income declarations

1. Employers and managers of individuals required to declare assets and income shall receive declaration forms.

2. Invalid or inadequate declaration forms shall be rejected. Another declaration must be submitted within 07 days from the rejection date, unless an acceptable explanation is provided.

3. Within 20 days from the day on which a declaration is submitted, the employer or manager shall verify it and send 01 copy to the asset management authority.

Article 39. Disclosure of assets and income declarations

1. Assets and income declarations shall be disclosed at the declarants' workplace.

2. The declaration of a person who is expected to hold a managerial or executive position in a state organization shall be disclosed during the confidence voting.
3. Declarations of nominees for the National Assembly delegates and the People's Councils delegates shall be made publicly available in accordance with voting laws.
4. Declarations of persons to be voted for at the National Assembly and the People's Councils shall be made available to delegates of the National Assembly and the People's Councils before voting. Time and method of publishing of declarations shall be specified by Standing Committee of the National Assembly.
5. The declaration of a person who is expected to hold a managerial or executive position in a state organization shall be disclosed during the confidence voting or meeting of the Board of members.
6. The Government shall specify the time and method for disclosure of declarations in the cases mentioned in Clause 1, 2 and 5 of this Article.

Article 40. Monitoring changes in assets and income

Asset surveillance authorities shall monitor changes in assets and income of individuals required to declare assets and income by analysis of the declarations or other sources.

In the cases where there is a change of at least VND 300.000.000 that is not declared, the asset surveillance authority shall request provision of additional information; origins of any additional assets and income must be explained.

Sub-section 3. INSPECTION OF ASSETS AND INCOME

Article 41. Basis for verification of assets and income

1. A person's assets and income shall be inspected in any of the following situations:
 - a) There is a clear sign of untruthful declaration of assets and income;
 - b) There is an increase of at least VND 300.000.000 in the property or income compared to the previous declaration and the declarant fails to provide a reasonable explanation for such increase;
 - c) There is information about untruthful declaration of assets and income as prescribed by the Law on Denunciation;
 - d) Inspection of assets and income of a randomly selected individual under the annual inspection plan;
 - dd) The inspection is requested or proposed by a competent authority specified in Article 42 of this Law.

2. The Government shall specify the criteria for selection of individuals whose assets and income are inspected; development and approval of the annual assets and income inspection plan specified in Point d Clause 1 of this Article.

Article 42. Authority to request or propose inspection of assets and income

1. In any of the situations mentioned in Point a, b and c Clause 1 Article 41 of this Law, or additional information is necessary for personnel management, the following organizations and persons are entitled to request the asset surveillance authority to issue a decision on assets and income inspection:

a) Standing Committee of the National Assembly is entitled to request inspection of assets and income of the persons who are expected to be elected, approved or designated by the National Assembly or Standing Committee of the National Assembly as Deputy State Auditor General;

b) The President is entitled to request inspection of assets and income of the persons who are expected to be designated as Deputy Prime Minister, Head of a ministerial agency, Deputy Executive Judge of the People's Supreme Court, Judge of the People's Supreme Court, Deputy Director of the People's Supreme Procuracy or Procurator of the People's Supreme Procuracy;

c) The Prime Minister is entitled to request inspection of assets and income of the persons who are expected to be designated as Deputy Ministers or holders of equivalent positions of Ministries, ministerial agencies, the head and deputies of the heads of Governmental agencies; the persons who are expected to be elected or designated as President or Deputy President of the People's Committees of provinces;

d) The Executive Judge of the People's Supreme Court is entitled to request inspection of assets and income of the persons who are expected to be designated as executive judge or deputy executive judge of People's Courts; The Director of the People's Supreme Procuracy is entitled to request inspection of assets and income of the persons who are expected to be designated as directors and deputy directors of the People's Procuracies, except for the cases mentioned in Point b of this Clause;

dd) Standing Committee of the People's Council is entitled to request inspection of assets and income of the persons who are expected to be elected or approved by the People's Council or Standing Committee of the People's Council;

e) President of the People's Committees of provinces and Presidents of the People's Committees of districts are entitled to request inspection of assets and income of the persons who are expected to be elected or designated as Presidents and Vice-Presidents of the People's Committees of inferior levels;

g) National Election Council, election committees or committees of Vietnamese Fatherland Front are entitled to request inspection of assets and income of candidates for delegates of the National Assembly or the People's Council;

h) Standing agencies of political organizations and socio-political organizations are entitled to request inspection of assets and income of the persons who are expected to be elected during their general assemblies;

i) The head of the organization or supervisor of the individuals required to declare assets and income is entitled to request inspection of their assets and income, except for the cases specified in Points a, b, c, d, đ, e, g and h of this Clause.

2. Inspection agencies, state audit agencies, investigation agencies, the People's Procuracies, People's Courts, other competent organizations are entitled to request asset surveillance authority to carry out assets and income if such an inspection is deemed necessary for during the process of inspection, audit, investigation, prosecution, trial or judgment execution.

Article 43. Inspection contents

1. Truthfulness, adequacy and straightforwardness of the declaration.
2. Truthfulness of the declared origins of additional assets and income.

Article 44. Inspection procedures

1. Issue the decision on inspection of assets and income and establish an inspectorate.
2. Request the declarant to provide explanation for his/her assets and income.
3. Carry out the inspection.
4. Prepare and submit an inspection report.
5. Give a conclusion.
6. Send and publish the conclusion.

Article 45. Decision on inspection of assets and income

1. The head of the asset surveillance authority shall issue the decision on inspection of assets and income within 05 working days from the occurrence of any of the situations specified in Point d Clause 1 Article 41 of this Law or 15 days from the occurrence of the situations specified in Point a, b, c and d Clause 1 Article 41 of this Law.

2. A decision on inspection of assets and income shall contain the following information:

- a) The basis for issuance of the decision;
- b) Full name, position and workplace of the person undergoing inspection of assets and income (the declarant);

- c) Full names, positions and workplaces of the chief and members of the inspectorate;
- d) Inspection content;
- dd) Inspection duration;
- e) Duties and entitlements of the chief and members of the inspectorate;
- g) Cooperating entities (if any).

3. The decision on inspection of assets and income shall be sent to the chief and members of the inspectorate, the declarant, relevant organizations and individuals within 03 working days from the day on which it is issued.

Article 46. Inspectorate

1. An inspectorate has a chief and members. In a case is complicated or involves more than one organization or unit, the head of the asset surveillance authority may request relevant organizations or units to send participants in the inspectorate.

The spouse, parent, sibling of the declarant, or a person that is subject to impartiality must not participate in the inspectorate.

2. Duties and entitlements of the chief of the inspectorate:

- a) Request the declarant to provide description of the truthfulness and adequacy of the declaration, origins of the increase in assets and income;
- b) Request relevant organizations and individuals to provide information and documents relevant to the assets and income undergoing inspection in accordance with Clause 3 Article 31 of this Law;
- c) Request competent organizations or those managing assets and income to implement necessary measures for preventing concealment, destruction or movement of assets and income or other acts that obstruct the inspection;
- d) Request competent organizations and persons to value or appraise the assets and income, which is the basis for inspection;
- dd) Submit a report on the inspection result to the issuer of the decision on inspection; take responsibility before the law and the issuer for the content of the report;
- e) Protect confidentiality of information and documents obtained during the inspection process.

3. Duties and entitlements of members of the inspectorate:

- a) Collect information and documents; verify the assets and income, and perform other tasks given by the chief;
- b) Propose the measures mentioned in Clause 2 of this Article to facilitate performance of their duties;
- c) Submit a report on performance of their tasks to the chief; take responsibility before the law and the chief for the content of the report;
- d) Protect confidentiality of information and documents obtained during the inspection process.

Article 47. Rights and obligations of the declarant

- 1. Explain the truthfulness and adequacy of the declaration, and origins of the increase in assets and income.
- 2. Provide information about assets and income at the request of the inspectorate and take responsibility for the accuracy of the information provided.
- 3. Comply with requests of the inspectorate and competent organizations during the inspection process.
- 4. Comply with decisions of the inspecting entities.
- 5. Appeal against decisions or actions of the inspecting entities if there are reasonable ground for considering that such decisions or actions are illegal or infringing upon the declarant's lawful rights and interests.
- 6. Denounce illegal actions committed by the inspecting entities during the inspection.
- 7. Have honor, lawful rights and interests restored; receive compensation for illegal actions committed by the inspector.

Article 48. Reporting

- 1. Within 45 days from the issuance date of the decision on inspection, the chief of the inspectorate shall submit a report on inspection of assets and income to the issuer; for complicated cases, the report shall be submitted within 90 days.
- 2. A report on assets and income inspection shall contain the following information:
 - a) The inspection contents and results;
 - d) Evaluation of the truthfulness and adequacy of the declaration; truthfulness of the explanation for origins of the increase in assets and income;

c) Proposed penalties for violations against regulations of law on asset and income surveillance.

Article 49. Conclusion

1. Within 10 days from the issuance date of the report on inspection of assets and income, the issuer of the decision on inspection shall issue a conclusion; for complicated cases, the conclusion shall be issued within 20 days.

2. A conclusion shall contain the following information:

a) The truthfulness and adequacy of the declaration;

b) Truthfulness of the origins explanation for origins of the increase in assets and income;

c) Proposed penalties for violations against regulations of law on asset and income surveillance.

3. The issuer of the conclusion is responsible for the objectivity and truthfulness of the conclusion.

4. The conclusion shall be sent to the declarant, the organization or individual that requested the inspection mentioned in Article 42 of this Law.

5. The declarant is entitled to appeal against the conclusion in accordance with regulations of law on.

Article 50. Publishing of the conclusion

1. Within 05 working days from the issuance date of the conclusion, the issuer of the decision on inspection of assets and income shall publish the conclusion.

2. The conclusion shall be published in the same manner as the declaration as prescribed in Article 39 of this Law.

Article 51. Actions against untruthful declaration of assets and income, untruthful explanation for origins of increase in assets and income

1. Any candidate for the position of delegate of the National Assembly or the People's Council that fails to make a truthful declaration of his/her assets and income or fails to provide truthful explanation for the increase in his/her assets and income shall be removed from the list of candidates.

2. Any person who is expected to be designated, re-designated or nominated for a position but fails to make a truthful declaration of his/her assets and income or fails to provide truthful explanation for the increase in his/her assets and income shall no longer be designated, re-designated or nominated.

3. An individual required to declare assets and income other than those mentioned in Clause 1 and Clause 2 of this Article who fails to make a truthful declaration of his/her assets and income or fails to provide truthful explanation for the increase in his/her assets and income shall face one of the disciplinary actions including warning, demotion, dismissal; such a person who is expected to hold a managerial position will be rejected; disciplinary actions may be exempted if the violator voluntarily resigns from the position.

4. The decision on disciplinary action shall be published at the violator's workplace.

Sub-section 4. NATIONAL ASSETS AND INCOME DATABASE

Article 52. National assets and income database

1. The national assets and income database include information about declarations and conclusions of inspection of assets and income, and other data relevant to assets and income monitoring according to this Law.

2. The national assets and income database shall be developed and managed by Government Inspectorate.

Article 53. Responsibility for development and management of national assets and income database

1. Government Inspectorate has the responsibility to:

- a) Develop, manage, use and protect the national assets and income database nationwide;
- b) Provide instructions on development, management, use and protection of the national assets and income database;
- c) Receive, update and process information about assets and income provided by declarants' workplace and asset surveillance authority;
- d) Provide information about the national assets and income database;
- dd) Prepare statistics and reports on management of the national assets and income database nationwide.

2. Other asset surveillance authorities have the responsibility to:

- a) Develop, manage, use and protect the national assets and income database under their management;
- b) Receive, update and process information about assets and income provided by declarants' workplaces under their management;

- c) Provide information and data about asset and income surveillance under their management;
- d) Prepare statistics and reports on management of the database of asset and income surveillance.

Article 54. Protection, storage, use and provision of information from the national assets and income database

1. The national assets and income database shall ensure security, safety, long-term storage and effective use.
2. Asset surveillance authorities are entitled to use the database for inspection of assets and income within the scope of their duties and entitlements.
3. Information from the database shall only be provided at the request of competent authorities specified in Article 42 of this Law.

Requests for information from the database shall be made in writing. The written request shall specify its reasons and purposes, and the information to be provided.

Asset surveillance authorities shall provide declarations, information and data about assets and income for the requesting entity within 10 days from the day on which the request is received.

4. The Government shall elaborate this Article.

Chapter III

DISCOVERY OF CORRUPTION IN STATE ORGANIZATIONS

Section 1. INSPECTION AND SELF-INSPECTION BY STATE ORGANIZATIONS

Article 55. Inspection by regulatory authorities

1. The head of a regulatory authority shall organize inspection of conformity with law of the state organizations under its management in order to discover and take actions against corruption.
2. Upon discovery of corruption, the head of the regulatory authority shall promptly take appropriate actions within the scope of his/her power or inform a competent authority as prescribed by law.

Article 56. Self-inspection by state organizations

1. The head of a state organization shall organize inspection of the performance of duties of the office holders under its management and those who have influence over external organizations or individuals in order to discover and take actions against corruption.

2. The head of the state organization shall supervise its affiliates inspecting the performance of duties of their office holders.
3. Upon discovery of corruption, the head of the state organization shall promptly take appropriate actions within the scope of his/her power or inform a competent authority as prescribed by law.

Article 57. Inspection of anti-corruption activities in inspection agencies, state audit agencies, investigation agencies, the People's Procuracies, People's Courts

1. The heads of inspection agencies, state audit agencies, investigation agencies, the People's Procuracies, People's Courts shall enhance personnel management, provide instructions on internal inspection in order to prevent abuse of power, harassment and other violations of law during anti-corruption activities.
2. Any officials, public employees and other office holders of inspection agencies, state audit agencies, investigation agencies, the People's Procuracies, People's Courts that have committed violations of law during the performance of their anti-corruption tasks shall face disciplinary actions or criminal prosecution depending on the nature and severity of their violations, and shall pay compensation for any damage caused.

Article 58. Types of inspection

1. Regular inspections shall be carried out under programs or plans and focus of the fields and activities in which corruption is common.
2. Ad hoc inspections shall be carried out when signs of corruption are found.

Section 2. DISCOVERY OF CORRUPTION THROUGH SUPERVISION, INSPECTION OR AUDIT

Article 59. Discovery of corruption through supervision by elected agencies, elected delegates and processing of requests thereof.

1. The National Assembly, Standing Committee of the National Assembly, Ethnicity Council, Committees of the National Assembly and delegates of the National Assembly, the People's Councils, and Standing Committees, Boards and delegates thereof shall request an inspection agency, state audit agency, investigation agency or the People's Procuracy to take actions against corruption cases discovered through supervision as prescribed by law.
2. When receiving the request mentioned in Clause 1 of this Article, the receiving authority shall verify information, take appropriate actions and inform the result to the requesting entity.
3. After receiving the request mentioned in Clause 1 of this Article, State Audit Office of Vietnam shall carry out an audit in accordance with the Law on State Audit Office of Vietnam and inform the result to the requesting entity.

Article 60. Discovery of corruption through inspection or audit

1. Inspection authorities and state audit agencies shall take or propose actions against corruption acts that are discovered through their inspection and audit activities, and take legal responsibility for their decisions.
2. Government Inspectorate, ministerial inspectorates, provincial inspectorates and State Audit Office of Vietnam, within the scope of their power, shall issue decisions on inspection or audit of the corruption cases on the grounds prescribed by the Law on Inspection and the Law on State Audit Office of Vietnam.

Article 61. Power of inspection agencies and state audit agencies to inspect and audit corruption cases

1. Inspection agencies, during inspection of corruption cases, have the following entitlements:
 - a) Government Inspectorate shall inspect corruption cases that involve holders of positions of directors of provincial departments and above who are working at Ministries, ministerial agencies, Governmental agencies, local governments, public service agencies, organizations established by the Prime Minister, state-owned enterprises under the management of central agencies and personnel of the Government Inspectorate;
 - b) Ministerial inspectorates shall inspect corruption cases that involve personnel of the organizations and units under the management of the Ministry or ministerial agency, except for the cases specified in Point a of this Clause;
 - c) Provincial inspectorates shall inspect corruption cases that involve personnel of organizations, units and state-owned enterprises under the management of the local government, except for the cases specified in Point a of this Clause.
2. Affiliates of State Audit Office of Vietnam shall audit corruption cases at organizations using public funds or public property as assigned by State Auditor General.
3. Procedures for inspection and audit of corruption cases shall comply with regulations of law on official inspection and state audit.
4. Inspector-General of the Government and State Auditor General shall cooperate in eliminate repetition in inspection and audit of corruption cases.

Article 62. Responsibility for handling corruption cases discovered through inspection or audit

In the cases where a corruption case that is discovered through inspection or audit, the person who issued the decision on inspection or audit shall perform the following tasks:

1. If a criminal offence is suspected, the case files shall be transferred to an investigation agency, which will consider initiating criminal prosecution, and send a written notice to the People's Procuracy at the same level. In this case, the inspecting or auditing authority shall keep carrying out the inspection or audit of other contents under their approved inspection or audit plan, and issue an inspection conclusion or audit report in accordance with regulations of lawsoft on state audit and official inspection;
2. If there is not sign of a criminal offence, request a competent authority to take actions against the violators. The requested authority shall inform the requesting entity of the actions taken.

Article 63. Publishing of inspection conclusion and audit report in corruption cases

1. The issuer of the decision on inspection or audit shall publish the inspection conclusion and audit report in corruption cases.
2. The inspection conclusion and audit report shall be published in accordance with regulations of law on state audit and official inspection.

Article 64. Actions against violations committed during inspection and audit

1. In the cases where another authority, after the end of the inspection or audit, discovers a corruption case in the inspected or audited organization or unit, the chief of the inspectorate or audit group, its members and relevant individuals shall face disciplinary actions or criminal prosecution if they are at fault.
2. If the corruption case has been discovered and reported by the inspectorate or audit group but the issuer of the decision on inspection or audit does not take any actions, the chief of the inspectorate or audit group, its members and relevant individuals are not responsible. In this case, the issuer of the decision on inspection or audit shall be held responsible.

Section 3. REPORTING CORRUPTION

Article 65. Reporting corruption and processing complaints against corrupt activities

1. Every individual and organization is entitled to report corrupt activities; every individual is entitled to file complaint against corrupt activities as prescribed by law.
2. The receiving authority shall promptly process the information and implement measures for protecting the informers.
3. Complaints against corrupt activities shall be received and handled in accordance with regulations of law on denunciation.
4. Information about corrupt activities shall be received and handled in accordance with regulations of law on administrative procedures.

Article 66. Reporting corruption and processing of information about corruption

1. Officials, public employees, employees, officers and servicemen in the armed forces shall report corrupt activities in their organizations or units to the head of the organization or unit; if the head is also involved in the corrupt activities, report to the head of the superior organization.
2. Within 15 days from the receipt of the information about corrupt activities, the recipient shall handle the case or transfer it to a competent organization or person for handling and notify the informer. In complicated cases, the aforementioned time limit may be extended but not extending 30 days. The recipient may decide or request a competent person to implement necessary measures for stopping the corrupt activities and protect the informer.

Article 67. Protection of anti-corruption informers

1. Protection of anti-corruption informers shall comply with regulations of law on denunciation.
2. Anti-corruption informer shall be protected in the same manners as anti-corruption informers.

Article 68. Rewards for anti-corruption informers

Anti-corruption informers shall be rewarded as prescribed by law.

Article 69. Responsibilities of anti-corruption informers and complainants

1. Anti-corruption informers are legally responsible for the information they provided.
2. Individuals who file complaints against corrupt activities are responsible for such complaints in accordance with the Law on Denunciation.

Chapter IV

RESPONSIBILITY OF HEADS OF STATE ORGANIZATIONS FOR ANTI-CORRUPTION ACTIVITIES

Article 70. Responsibility of heads of state organizations for anti-corruption activities

1. Provide instruction for implementation of Clause 1 Article 4 of this Law.
2. Become a role model of integrity; comply with regulations of law on anti-corruption, code of conduct, professional ethics and business ethics.
3. Take responsibility for corrupt activities in their organizations in accordance with Article 72 and Article 73 of this Law.

Article 71. Responsibility of heads of state organizations for suspension and reassignment of personnel thereof

1. When there are sufficient grounds that an office holder is involved in corrupt activities and the fact that such office holder keeps holding his/her position is likely to obstruct investigation, the head of the state organization shall request a competent person to or on his/her own initiative suspend or reassign that office holder.
2. The head of a state organization or the person in charge of office holder management shall consider suspending or reassigning office holders that are suspected of corrupt activities at the request of the inspecting or auditing authority, investigation agency, the People's Procuracy or People's Court.
3. If the competent organization or person concludes that the office holder is not involved in corrupt activities, the head of a state organization or the person in charge of office holder management shall invalidate the decision on suspension or reassignment of such office holder, announce such invalidation, restore the position, the lawful rights and interests of the office holder.
4. The government shall elaborate procedures for and duration of suspension or reassignment; payment of wages, benefits, the lawful rights and interests, compensation and restoration of the lawful rights and interests of officer holders that are found not involved in corrupt activities.

Article 72. Responsibility of the heads and deputies of state organizations for corrupt activities that occur within their organizations

1. The head of a state organization shall bear the direct responsibility for corrupt activities of the persons under his/her management.
2. The deputies of a state organization shall bear the prime responsibility for corrupt activities in their fields and units; the head shall bear joint responsibility.

Article 73. Penalties incurred by the heads and deputies of state organizations in which corrupt activities occur

1. The head and deputies of a state organization that has direct responsibility for the corrupt activities specified in Article 72 of this Law shall face disciplinary actions or criminal prosecution.
2. The head and deputies of a state organization that has joint responsibility for the corrupt activities specified in Clause 2 Article 72 of this Law shall face disciplinary actions.
3. Absolution, alleviation and aggravation of legal responsibility of the head and deputies:
 - a) Absolution of responsibility will be granted if the corrupt activities cannot be discovered or necessary measures have been implemented for prevention of corrupt activities;

b) Absolution or alleviation of responsibility shall be granted if necessary measures have been implemented for prevention of corrupt activities or relief of consequences thereof, or the corrupt activities are discovered, reported and dealt with in a timely manner as prescribed by law;

c) Exemption or reduction of penalties shall be granted if the responsible person resigns from office before the corrupt activities are discovered by a competent authority, unless they are subject to criminal prosecution;

d) Responsibility shall be aggravated if necessary measures are not implemented for prevention of corrupt activities or relief of consequences thereof, or the corrupt activities are not discovered, reported and dealt as prescribed by law.

4. The heads and deputies of political organizations, socio-political organizations and social organizations that have corrupt activities, in addition to the disciplinary measures mentioned in this Article, shall face other penalties specified in the rules and regulations of such organizations.

Chapter V

RESPONSIBILITY OF SOCIETY FOR ANTI-CORRUPTION ACTIVITIES

Article 74. Responsibility of Vietnamese Fatherland Front and its member organizations

1. Vietnamese Fatherland Front and its member organizations have the responsibility to:

a) Disseminate and encourage implementation of anti-corruption laws; promote social criticism; propose amendments to anti-corruption laws, policies and measures;

b) Encourage the people to discover and report corrupt activities;

c) Provide information about discovery of and action against corruption for competent authorities;

d) Supervise implementation of anti-corruption laws.

2. Vietnamese Fatherland Front and its member organizations are entitled to request other competent authorities to implement anti-corruption measures, investigate corruption cases and take actions against corrupted individuals, recover corruptly-acquired assets, propose rewards for anti-corruption informers. The requested authority shall respond within 15 days from the receipt of the request (or 30 days for complicated cases).

Article 75. Responsibility of press agencies and journalists

1. Press agencies and journalists have the responsibility to fight corruption, spread news about corruption cases and anti-corruption activities.

2. Press agencies and journalists are entitled to request competent authorities to provide information about corrupt activities. The requested authorities shall provide information in accordance with journalism laws and relevant laws.

3. Press agencies and journalists shall be objective and truthful, comply with journalism laws and professional ethics when reporting news about corruption cases and anti-corruption activities.

Article 76. Responsibility of enterprises, associations of enterprises and industry associations

1. Enterprises, associations of enterprises and industry associations have the responsibility to disseminate and encourage their employees and members to implement anti-corruption laws; organize implementation of measures for prevention and discovery of corrupt activities; report corrupt activities to competent authorities.

2. Enterprises, associations of enterprises and industry associations have the responsibility to propose amendments to anti-corruption laws and policies.

3. Competent authorities shall cooperate with enterprises, associations of enterprises and industry associations in holding forums for discussion and provision of information serving anti-corruption activities.

Article 77. Responsibility of citizens, the people's inspectorates and public investment supervision boards

1. Citizens, on their own initiative or through the people's inspectorates, public investment supervision board or their organizations to which they are members, shall participate in anti-corruption activities.

2. The people's inspectorates and public investment supervision boards, within the scope of their duties and power, shall supervise implementation of anti-corruption laws.

Chapter VI

PREVENTION OF CORRUPTION IN ENTERPRISES AND

NON-STATE ORGANIZATIONS

Section 1. DEVELOPMENT OF HEALTHY AND INCORRUPTIBLE BUSINESS CULTURE

Article 78. Professional ethics and business ethics

1. Professional ethics and business ethics are standards of conduct of practitioners and businesspeople in order to maintain integrity in their industries.

2. Enterprises, associations of enterprises, industry associations, social organizations and socio-professional organizations are encouraged to issue regulations on business ethics and professional ethics applied to their employees and members.

Article 79. Development of code of conduct and internal control mechanism for inhibition of corruption.

1. Enterprises and business organizations shall issue and implement their own code of conduct and control mechanism for prevention of conflict of interest, inhibition of corrupt activities; develop a healthy and incorruptible business culture.

2. Enterprise associations and industry associations have the responsibility to encourage healthy and incorruptible business environment; supervise their members implementing anti-corruption laws; participate in completion of anti-corruption laws and policies.

Section 2. APPLICATION OF THE ANTI-CORRUPTION LAW TO ENTERPRISES AND NON-STATE ORGANIZATIONS

Article 80. Implementation of anti-corruption measures in enterprises and non-state organizations

1. The following regulations are applicable to public companies, credit institutions, social organizations whose establishment are decided by the Prime Minister, the Minister of Internal Affairs or Presidents of the People's Committees of provinces, and social organizations whose charter allow raising of charity funds from the people:

a) Rules of transparency and information disclosure; types of information that need disclosing, methods of disclosure, responsibility for transparency and information disclosure mentioned in Article 9, Point a, c and d Clause 1 Article 10, Article 11 and Article 12 of this Law;

b) Control of conflict of interest mentioned in Article 23 of this Law;

c) Responsibility of the head and deputies mentioned in Article 72, Point a, b and d Clause 3 Article 73 of this Law.

2. The Government shall elaborate this Article.

Article 81. Inspection of implementation of anti-corruption law by enterprises and non-state organizations

1. Government Inspectorate, ministerial inspectorates and provincial inspectorates, within the scope of their duties and entitlements, shall inspect implementation of anti-corruption laws by public companies, credit institutions, social organizations whose establishment are decided by the Prime Minister, the Minister of Internal Affairs or Presidents of the People's Committees of provinces, and social organizations whose charter allow raising of charity funds from the people when there are clear signs that they are violating provisions of Article 80 of this Law.

2. Procedures for inspection mentioned in Clause 1 of this Article shall comply with regulations of law on official inspection.
3. Inspector-General shall eliminate repetition in official inspection mentioned in Clause 1 of this Article.
4. The Government shall elaborate this Article.

Article 82. Discovery of corruption in enterprises and non-state organizations

1. Enterprises and non-state organizations shall carry out internal inspection to discover and report corrupt activities that occur therein to competent authorities.
2. The inspection agency that discovers corrupt activities in an enterprise or non-state organization shall handle the case on its own initiative or transfer the case to a competent authority.
3. Any organization or individual that discovers corrupt activities in an enterprise or non-state organization shall report them in accordance with provisions of Section 3 Chapter III of this Law.

Chapter VII

RESPONSIBILITY OF STATE AUTHORITIES FOR ANTI-CORRUPTION ACTIVITIES

Article 83. Dedicated anti-corruption units

1. There will be dedicated anti-corruption units in Government Inspectorate, the Ministry of Public Security and the People's Supreme Procuracy.
2. Director of the People's Supreme Procuracy shall propose to Standing Committee of the National Assembly the organization, duties and entitlements of dedicated anti-corruption units in the People's Supreme Procuracy. Inspector-General and the Minister of Public Security shall specify the organization, duties and entitlements of dedicated anti-corruption units in Government Inspectorate and the Ministry of Public Security, respectively.

Article 84. Responsibility of the Government and ministerial agencies

1. The Government shall unify state management of anti-corruption works nationwide.
2. Government Inspectorate shall assist the Government in state management of anti-corruption works and has the following responsibilities:

- a) Promulgate, or propose promulgation of, and organize implementation of anti-corruption laws and policies;
 - b) Manage the implementation of measures for prevention of corruption;
 - c) Carry out anti-corruption inspections *intra vires*; organize and direct inspections of implementation of anti-corruption laws;
 - d) Manage the national assets and income database;
 - dd) Cooperate with relevant organizations in provision of training for anti-corruption officers;
 - e) Prepare annual reports on anti-corruption works.
3. The Ministry of Public Security and the Ministry of National Defense, within the scope of their duties and entitlements, shall organize investigations into corruption-related crimes.
4. Ministries and ministerial agencies, within the scope of their duties and entitlements, shall cooperate with Government Inspectorate in state management of anti-corruption works.

Article 85. Responsibility of the People's Committees

The People's Committees, within the scope of their duties and entitlements, has the responsibility to:

- 1. Promulgate or propose promulgation of legislative documents on anti-corruption works;
- 2. Organize dissemination of knowledge about anti-corruption laws;
- 3. Direct and organize anti-corruption works;
- 4. Organize official inspections and settlement of complaints and denunciations against corrupt activities;
- 5. Submit annual reports on anti-corruption works to the People's Council of the same level.

Article 86. Responsibility of the People's Supreme Procuracy and the People's Supreme Court

1. The People's Supreme Procuracy has the responsibility to organize and provide instructions to exercise the rights to supervise adherence to regulations of law on receiving and processing crime reports, petitions for prosecution, investigation, trial and sentence execution relevant to corruption-related crimes; investigate corruption-related crimes in judicial activities committed by officials of investigation agencies, the People's Procuracies, People's Courts, judgment execution agencies and other persons involved in judicial activities.

2. The People's Supreme Court shall decide cassation reviews and re-opening reviews of corruption cases involved in by other courts; ensure uniform application of law to trial of corruption cases.

Article 87. Responsibility of State Audit Office of Vietnam

State Audit Office of Vietnam shall carry out audits aiming to prevention and discovery of corruption; audit suspected corruption cases in accordance with law.

Article 88. Responsibility for cooperation of inspection agencies, state audit agencies, investigation agencies, the People's Procuracies, People's Courts Decree, and other state organizations

1. Inspection agencies, State Audit Office of Vietnam, investigation agencies, the People's Procuracies, People's Courts Decree, within the scope of their duties and entitlements, have the responsibility to:

a) Cooperate with one another and other state organizations in prevention, discovery and handling of corrupt activities;

b) Cooperate in reviewing and anticipating corruption; propose anti-corruption policies, laws and measures.

2. Other state organizations shall, within the scope of their duties and entitlements, cooperate with inspection agencies, State Audit Office of Vietnam, investigation agencies, the People's Procuracies, People's Courts in discovering and taking actions against corruption.

Chapter VIII

INTERNATIONAL IN ANTI-CORRUPTION ACTIVITIES

Article 89. General rules

The State is committed to implement anti-corruption treaties to which Socialist Republic of Vietnam is a signatory; cooperate with other countries, international organizations, foreign organizations and foreigners in anti-corruption activities on the principles of mutual respect for each other's territorial integrity and Sovereignty and mutual benefit.

Article 90. Responsibility for international cooperation

1. Government Inspectorate shall cooperate with the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Public Security and other agencies in international cooperation in research, training, policy making, exchange of information and experience of anti-corruption activities.

2. The People's Supreme Procuracy, the People's Supreme Court, the Ministry of Justice, the Ministry of Foreign Affairs and the Ministry of Public Security, within the scope of their duties and power, shall seek international cooperation in judicial assistance in anti-corruption activities.

Article 91. International cooperation in asset recovery

1. On the basis of international treaties to which Socialist Republic of Vietnam is a signatory and Vietnam's basic rules of law, Vietnamese authorities shall cooperate with foreign authorities in distraining assets, freezing accounts, confiscating or forfeiting illegal assets and returning them to their legitimate owners or managers.

2. The People's Supreme Procuracy shall be the central agency for international cooperation in asset recovery in criminal proceedings; receive and process requests for judicial assistance in recovery of corruptly-acquired assets; request foreign parties to provide judicial assistance for Vietnam in asset recovery.

3. Government Inspectorate, the Ministry of Justice, the Ministry of Foreign Affairs and relevant state agencies, within the scope of their duties and entitlements, shall cooperate with the People's Supreme Procuracy in seeking international cooperation in asset recovery.

Chapter IX

ACTIONS AGAINST CORRUPTION AND OTHER VIOLATIONS OF

ANTI-CORRUPTION LAWS

Section 1. ACTIONS AGAINST CORRUPTION

Article 92. Penalties against corrupt individuals

1. Corrupt individuals, regardless of their positions, shall face harsh penalties as prescribed by law, including those who have retired, resigned or reassigned.

2. A person who commit any of the acts of corruption specified in Article 2 of this Article shall face disciplinary actions, administrative penalties or criminal prosecution depending on the nature and severity of his/her violations.

3. A corrupt individual who is the head or deputy of a state organization shall incur harsher penalties.

4. An individual who confesses to his/her corruption before being discovered, shows cooperation, voluntarily gives up the corruptly-acquired assets and relieves the damage caused by his/her act of corruption may be granted leniency or absolution as prescribed by law.

5. An official or public employee who is convicted of corruption is obviously dismissed from the effective date of the court judgment or decision. In the same situation, a delegate of the National Assembly or the People's Council is obviously dismissed from such position.

Article 93. Handling corruptly-acquired assets

1. Corruptly-acquired assets shall be recovered and returned to their lawful owners or managers, or confiscated as the National Assembly by law.
2. The corrupt individuals shall pay compensation for the damage caused by their corrupt activities as prescribed by law.

Section 2. ACTIONS AGAINST OTHER VIOLATIONS AGAINST ANTI-CORRUPTION LAWS

Article 94. Actions against other violations against anti-corruption laws in state organizations

1. Other violations against anti-corruption laws that are not mentioned in Clause 2 of this Article include:

- a) Violations against regulations on information disclosure and transparency during operation of state organizations;
- b) Violations against regulations on norms, standards and benefits;
- c) Violations against code of conduct;
- d) Violations against regulations on conflict of interest;
- dd) Violations against regulations on reassignment of office holders;
- e) Violations against regulations on the responsibility to report corrupt activities and processing reports on corrupt activities;
- g) Violations against regulations on truthful declaration of assets and income and explanation for increase in assets and income;
- h) Violations against regulations on time limit for declaration of assets and income or violations against other regulations on assets and income monitoring.

2. A person who commit any of the violations mentioned in Point a, b, c, d, đ, e and h in Clause 1 of this Article shall face disciplinary actions, administrative penalties or criminal prosecution depending on the nature and severity of his/her violations, and pay compensation for any damaged caused by such violations.

The person commits the violations mentioned in Point g Clause 1 of this Article shall be dealt with in accordance with Article 51 of this Law.

3. The violator who is the head or deputy of a state organization shall incur harsher penalties.

The violator who is a member of a political organization, socio-political organization or social organization shall also incur penalties prescribed by such organization.

4. The Government shall elaborate the disciplinary actions and administrative penalties mentioned in this Article.

Article 95. Actions against other violations against anti-corruption laws in enterprises and non-state organizations

In the cases where a enterprise or non-state organization that is a public company, credit institution, social organization whose establishment is decided by the Prime Minister, the Minister of Internal Affairs or Presidents of the People's Committees of provinces, or social organization whose charter allows raising of charity funds from the people violates Article 80 of this Law:

1. The enterprise/organization will incur administrative penalties;
2. The holders of managerial positions in the enterprise/organization will be dealt with in accordance with its rules and regulations.

If the violating enterprise/organization does not take actions against the holders of managerial positions, its name, address and violations will be published by the inspecting authority.

Chapter X

IMPLEMENTATION CLAUSE

Article 96. Effect

1. This Law comes into force from July 01, 2019.
2. The Anti-corruption Law No. 55/2005/QH11, which is amended by Law No. 01/2007/QH12, and Law No. 27/2012/QH13 are annulled from the effective date of this Law.

This Law is ratified by the 14th National Assembly of Socialist Republic of Vietnam during its 6th meeting on November 20, 2018.

PRESIDENT OF THE NATIONAL ASSEMBLY

Nguyen Thi Kim Ngan

