

## LAW ON DENUNCIATION

*Pursuant to the Constitution of Socialist Republic of Vietnam;*

*The National Assembly promulgates the Law on Denunciation.*

### Chapter I

#### GENERAL PROVISIONS

##### Article 1. Scope of adjustment

This Law provides for denunciation and settlement of denunciations of violations against the law during performance of duties and other violations against the law related to state management of fields; protection of denouncers and responsibilities of organizations for management of denunciation settlement.

##### Article 2. Definitions

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

1. “*denunciation*” means an individual, according to the procedures prescribed by this Law, notifying a competent organization or individual of a violation committed by any organization or individual which causes or threatens to cause damage to the State interests or legitimate rights and interests of organizations and individuals, including:

- a) Denunciation of violations against the law during performance of duties;
- b) Denunciation of violations against the law related to state management of fields;

2. “*denunciation of violations against the law during performance of duties*” means the denunciation of violations against the law during performance of duties by:

- a) An official, public official or public employee; other persons assigned to perform duties;
- b) A person who is no longer an official, public official or public employee but committed violations against the law during the period he/she was an official, public official or public employee; a person who is no longer assigned to perform any duty but committed violations against the law during the period he/she was assigned to perform duties;

c) An organization.

3. “*denunciation of violations against the law related to state management of fields*” means the denunciation of violations against the law related to state management of fields committed by any organization and individual with respect to the compliance with regulations of law, except for violations against the law during performance of duties.

4. “*denouncer*” means an individual that makes denunciations.

5. “*denounced party*” means an organization or individual whose acts are denounced.

6. “*denunciation handler*” means an organization or individual that has the power to handle denunciations.

7. “*settlement of a denunciation*” means a denunciation handler accepting, verifying, giving and handling conclusions about the denunciation.

### **Article 3. Application of the law on denunciation and denunciation settlement**

1. Denunciation and denunciation settlement are carried out in accordance with this Law and other relevant regulations of law. Unless otherwise prescribed by other regulations, such regulations shall prevail.

2. Crime reports shall be received and handled in accordance with regulations of the Criminal Procedure Code.

### **Article 4. Rules for settling denunciations**

1. Denunciations shall be settled in a timely, accurate and objective manner, within power and in accordance with procedures and time limit prescribed by law.

2. Denunciations shall be settled in a manner that ensures safety of the denouncer and protects legitimate rights and interests of the denounced party during the process of settling denunciations.

### **Article 5. Responsibilities of competent organizations and individuals for receipt and settlement of denunciations**

1. Within their jurisdiction, every competent organization and individual shall:

a) receive and settle denunciations as prescribed by law; adopt necessary measures to prevent potential damages; ensure safety of denouncers; take actions against violators and take legal responsibility for their decision;

b) protect legitimate rights and interests of the denounced party in case the denunciation handler is yet to give any conclusion about the denunciation.

2. Any organizations and individuals that have the power to receive and settle denunciations but fail to receive and settle denunciations as prescribed by law, negligently fail to receive and settle denunciations or settle denunciations as against the law shall incur strict penalties. If any damages are caused, compensation shall be provided as prescribed by law.

#### **Article 6. Responsibilities of relevant organizations and individuals for cooperation in denunciation settlement**

Relevant organizations and individuals shall, within their jurisdiction, cooperate with the denunciation handler; provide information and documents concerning the denunciation as prescribed by law; adopt measures to protect the denouncer within their power; take actions against violators according to the denunciation conclusion; take actions against organizations and individuals that commit violations against the law on denunciation.

#### **Article 7. Complying with decision to take actions against denounced violations against the law**

Relevant organizations and individuals must respect and comply with an organization's or individual's decision to take actions against denounced violations against the law. Any organizations and individuals that have the responsibility to comply with the decision to take actions against denounced violations against the law but fail to do so shall incur strict penalties as prescribed by law.

#### **Article 8. Prohibited acts**

1. Obstructing and harassing the denouncer.
2. Settling denunciations in a negligently and unfair manner.
3. Disclosing the denouncer's name, address and autograph or other information which may reveal his/her identity.
4. Losing or falsifying case files during the process of settling denunciations.
5. Failing to settle denunciations or deliberately settling denunciations against the law; abusing positions or power to settle denunciations to commit illegal acts or harass denouncing parties and denounced parties.
6. Failure to assume or fully assume the responsibility to protect the denouncer.
7. Illegally interfering with or obstructing denunciation settlement.
8. Threatening, bribing, taking revenge on, victimizing or insulting the denouncer.
9. Protecting the denounced party.

10. Deliberately making untruthful denunciations; forcing, persuading, inciting, counseling and bribing another to make untruthful denunciations; using another person's name to make denunciations.

11. Bribing, threatening, taking revenge on or insulting denunciation handlers.

12. Misusing the denunciation right to oppose or infringe upon the interests of the State; disturbing security and public order; distorting, slandering or harming another person's honor, reputation and dignity.

13. Providing false information on denunciation and settlement of denunciations.

## **Chapter II**

### **RIGHTS AND OBLIGATIONS OF DENOUNCERS, DENOUNCED PARTY AND DENUNCIATION HANDLERS**

#### **Article 9. Rights and obligations of denouncers**

1. A denouncer has the rights to:

a) exercise his/her denunciation right as prescribed by this Law;

b) have his/her name, address, autograph and other personal information kept confidential;

c) be informed of the acceptance of or failure to accept a denunciation, transfer of his/her denunciation to a competent authority or individual, extension of the time limit for settling the denunciation, termination or suspension of the process of settling the denunciation, continuation in settling the denunciation, and making of conclusions.

d) keep making further denunciation if there are grounds to believe that a competent organization or individual settles the denunciation against the law or a denunciation is yet to be settled within the prescribed limit;

dd) withdraw his/her denunciation;

e) request a competent organization or individual to adopt measures for protecting the denouncer;

g) be provided with rewards or compensation for any damage he/she incurs as prescribed by law.

2. A denouncer has the obligations to:

a) provide personal information prescribed in Article 23 of this Law;

- b) honestly present his/her denunciation; provide his/her information and documents concerning the denunciation.
- c) take legal responsibility for the denunciation;
- d) cooperate with the denunciation handler upon request;
- dd) pay compensation for his/her deliberate issuance of untruthful denunciation.

#### **Article 10. Rights and obligations of the denounced party**

1. A denounced party has the rights to:

- a) be informed of the denunciation, extension of the time limit for settling the denunciation, termination or suspension of the process of settling the denunciation, continuation in settling the denunciation;
- b) provide explanation and evidences for untruthful denunciation;
- c) receive denunciation conclusions;
- b) have its/his/her legitimate rights and interests protected in case the denunciation handler is yet to give any conclusion about the denunciation.
- dd) request a competent organization or individual to take actions against any person who deliberately makes an untruthful denunciation or who settles a denunciation against the law;
- e) have its/his/her honor, infringed legitimate rights and interests restored, receive public apologies and corrections and receive compensation for any damage caused by untruthful denunciations or improper settlement of denunciations in accordance with regulations of law.
- g) complain about the settlement decision issued by a competent organization or individual as prescribed by law.

2. A denounced party has the obligations to:

- a) be present at the request of the denunciation handler;
- b) provide explanation for the denounced violation; provide relevant information and documents at the request of a competent organization or individual;
- c) strictly comply with the settlement decision according to the conclusion given by the competent organization or individual;
- d) pay compensation for any damages it/he/she inflicts and its/his/her violations against the law.

## **Article 11. Rights and obligations of denunciation handlers**

1. A denunciation handler has the rights to:

- a) request the denouncer to be present and provide his/her information and documents concerning the denunciation;
- b) request the denounced party to be present and provide explanation for the denounced violation; provide information and documents concerning the denunciation;
- c) request other organizations and individuals to provide their information and documents concerning the denunciation;
- d) adopt necessary measures to verify and collect information and documents that will be used as the basis for settling denunciations in accordance with regulations of this Law and relevant regulations of law; adopt or request competent organizations and individuals to adopt measures as prescribed by law to prevent or stop the denounced violation;
- dd) give a conclusion about the denunciation;
- e) handle the denunciation conclusion within its/his/her power as prescribed by law or request a competent organization or individual to do so.

2. A denunciation handler has the following obligations:

- a) Ensure objectiveness, truthfulness and lawfulness upon denunciation settlement;
- b) Adopt necessary measures to protect the denouncer within its/his/her power or request a competent authority to do so;
- c) Do not disclose information about denunciation settlement; protect legitimate rights and interests of the denounced party in case no conclusion is given.
- d) Notify the denouncer of the acceptance of or failure to accept the denunciation, transfer of the denunciation to a competent authority or individual, extension of the time limit for settling the denunciation, termination or suspension of the process of settling the denunciation, continuation in settling denunciations, and making of conclusions.
- dd) Notify the denounced party of the denunciation, extension of the time limit for settling the denunciation, termination or suspension of the process of settling the denunciation, continuation in settling the denunciation; send the denunciation conclusion to the denounce party;
- e) take legal responsibility for its/his/her denunciation settlement;
- g) pay compensation for any damages and its/his/her unlawful denunciation settlement.

## **Chapter III**

### **SETTLEMENT OF DENUNCIATIONS OF VIOLATIONS AGAINST LAW DURING PERFORMANCE OF DUTIES**

#### **Section 1. POWER TO SETTLE DENUNCIATIONS**

##### **Article 12. Rules for determining power**

1. A denunciation of violations against law committed by an official, public official or public employee during performance of his/her duties shall be settled by the head of the organization that has the power to manage such official, public official or public employee.

A denunciation of violations against law committed by the head or deputy head of an organization during performance of his/her duties shall be settled by the head of its supervisory organization.

2. A denunciation of violations against law committed by an official, public official or public employee under the management of multiple organizations during performance of his/her duties shall be settled by the head of the organization that manages the denounced official, public official or public employee in cooperation with the heads of relevant organizations.

3. In case a denunciation of violations against law committed by an official, public official or public employee during performance of his/her duties is made when he/she was previously an official, public official or public employee and he/she has been reassigned to another organization or is no longer an official, public official or public employee, such denunciation shall be settled as follows:

a) In case the denounced party that is the head or deputy head has been reassigned to another organization but still holds a similar position, the denunciation shall be settled by the head of the previous supervisory organization in cooperation with the head of the current supervisory organization;

b) In case the denounced party has been reassigned to another organization and hold a higher position, the denunciation shall be settled by the head of the current supervisory organization in cooperation with the previous supervisory organization.

In case the denounced party has been reassigned to another organization and is the head or deputy head of such organization, the denunciation shall be settled by the head of the current supervisory organization in cooperation with the previous supervisory organization;

c) In case the denounced party has been reassigned to another organization and is not the case specified in Points a and b of this Clause, the denunciation shall be settled by the head of the previous supervisory organization in cooperation with the head of the current supervisory organization;

d) In case the denounced party is no longer an official, public official or public employee, the denunciation shall be settled by the head of the previous supervisory organization in cooperation with the heads of relevant organizations.

4. A denunciation of the official, public official or public employee of the organization that has been consolidated, merged, fully divided or partially divided shall be settled by the head of such organization in cooperation with the heads of relevant organizations.

5. A denunciation of the official, public official or public employee of the organization that has been dissolved shall be settled by the head of the organization before the dissolution.

6. A denunciation of violations against law committed by an organization during its performance of duties shall be settled by the head of its supervisory organization.

**Article 13. Power to settle denunciations of violations against law committed by state administrative agencies during performance of their duties**

1. The President of People's Committee of the commune has the power to settle denunciations of violations against the law committed by public officials under his/her management during performance of their duties.

2. The President of People's Committee of the district has the power to:

a) settle denunciations of violations against the law committed by the President or Deputy President of the People's Committee of the commune, and other officials, public officials and public employees appointed by President of the People's Committee of the district or under his/her management during performance of their duties.

b) settle denunciations of violations against the law committed by organizations under the management of the People's Committee of the district during performance of their duties.

3. The head of the specialized agency affiliated to the People's Committee of the province has the power to:

a) settle denunciations of violations against the law committed by the head or deputy head of the affiliate, and other public officials and public employees appointed by the head of the specialized agency affiliated to the People's Committee of the province or under his/her management during performance of their duties.

b) settle denunciations of violations against the law committed by organizations under his/her management during performance of their duties.

4. The President of People's Committee of the province has the power to:

a) settle denunciations of violations against the law committed by the President or Deputy President of People's Committee of the district, head or deputy head of the specialized agency



affiliated to the People's Committee of the province, and other public officials and public employees appointed by the President of People's Committee of the province or under his/her management during performance of their duties.

b) settle denunciations of violations against the law committed by organizations under his/her management during performance of their duties.

5. The Director General, Director or equivalent position of a Ministry and ministerial agency that is assigned to manage officials, public officials and public officials has the power to:

a) settle denunciations of violations against the law committed by the head or deputy head of the affiliate of the General Department, Department or equivalent agency, and other public officials and public employees appointed by the Director General, Director or equivalent position of a Ministry and ministerial agency or under his/her management during performance of their duties.

b) settle denunciations of violations against the law committed by organizations under his/her management during performance of their duties.

6. The head of a Governmental agency has the power to:

a) settle denunciations of violations against the law committed by the head or deputy head of the affiliate of Governmental agency, and other public officials and public employees appointed by the head of the Governmental agency or under his/her management during performance of their duties.

b) settle denunciations of violations against the law committed by organizations under his/her management during performance of their duties.

7. The Minister or the head of a ministerial agency has the power to:

a) settle denunciations of violations against the law committed by the head or deputy head of the Governmental agency, affiliate of Ministry and ministerial agency, and other public officials and public employees appointed by the Minister or head of ministerial agency or under his/her management during performance of their duties;

b) settle denunciations of violations against the law committed by organizations under his/her management during performance of their duties.

8. The Prime Minister has the power to:

a) settle denunciations of violations against the law committed by Ministers, Deputy Ministers, heads or deputy heads of ministerial agencies, Governmental agencies, Presidents or Deputy Presidents of People's Committees of provinces, and other officials, public officials and public employees appointed by the PM or under the management of the PM during performance of their duties;

b) settle denunciations of violations against the law committed by organizations under the Prime Minister's management during performance of their duties.

**Article 14. Power to settle denunciations of violations against law committed by People's Courts during performance of their duties**

1. The Chief Justice of People's Court of the district has the power to settle denunciations of violations against the law committed by public officials under his/her management during performance of their duties.

2. The Chief Justice of People's Court of the province has the power to:

a) settle denunciations of violations against the law committed by the Chief Justice or Deputy Chief Justice of People's Court of the district, and other public employees under his/her management during performance of their duties;

b) settle denunciations of violations against the law committed by the People's Court of the district during performance of their duties.

3. The Chief Justice of the Superior People's Court has the power to settle denunciations of violations against the law committed by public officials under his/her management during performance of their duties.

4. The Chief Justice of the Supreme People's Court has the power to:

a) settle denunciations of violations against the law committed by Chief Justices or Deputy Chief Justices of Superior People's Courts; Chief Justices or Deputy Chief Justices of People's Courts of provinces during performance of their duties, and other public officials and public employees under his/her management during performance of their duties;

b) settle denunciations of violations against the law committed by organizations under his/her management, Superior People's Courts and People's Courts of provinces.

**Article 15. Power to settle denunciations of violations against law committed by People's Procuracies during performance of their duties**

1. The Chief Procurator of People's Procuracy of the district has the power to settle denunciations of violations against the law committed by public officials under his/her management during performance of their duties.

2. The Chief Procurator of People's Procuracy of the province has the power to:

a) settle denunciations of violations against the law committed by the Chief Procurator or Deputy Chief Procurator of People's Procuracy of the district, and other public officials under his/her management during performance of their duties;

b) settle denunciations of violations against the law committed by the People's Procuracy of the district during performance of their duties.

3. The Chief Procurator of the Superior People's Procuracy has the power to settle denunciations of violations against the law committed by public officials under his/her management during performance of their duties.

4. The Chief Procurator of the Supreme People's Procuracy has the power to:

a) settle denunciations of violations against the law committed by Chief Procurators or Deputy Chief Procurators of Superior People's Procuracies; Chief Procurators or Deputy Chief Procurators of People's Procuracies of provinces, and other public officials and public employees under his/her management during performance of their duties;

b) settle denunciations of violations against the law committed by organizations under his/her management, Superior People's Procuracies and People's Procuracies of provinces during performance of their duties.

**Article 16. Power to settle denunciations of violations against law committed by the State Audit Office of Vietnam during performance of its duties**

The State Auditor General has the power to settle denunciations of violations against law committed by public officials, public employees and units of the State Audit Office of Vietnam during performance of their duties.

**Article 17. Power to settle denunciations of violations against law committed by other regulatory agencies during performance of their duties**

1. The Standing Committee of National Assembly has the power to settle denunciations of violations against the law committed by full-time National Assembly deputies during performance of their duties; settle denunciations violations against the law committed by other National Assembly deputies during performance of tasks of a National Assembly deputy; settle denunciations of violations against the law committed by the head or deputy head of the National Assembly Office or the affiliate of the Standing Committee of National Assembly during performance of his/her duties

2. The Standing Committee of People's Council has the power to settle denunciations of violations against the law committed by full-time People's Council deputies during performance of their duties; settle denunciations violations against the law committed by other People's Council deputies during performance of tasks of a People's Council deputy, except for the violations against the law committed by the President or Deputy President of the People's Council of the same level.

The authority that has the power to approve the appointment of Presidents and Deputy Presidents of People's Councils has the power to settle denunciations of violations against committed by Presidents and Deputy Presidents of People's Councils during performance of their duties.

3. The head of another regulatory agency has the power to denunciations of violations against the law committed by officials, public officials and public employees appointed by the head of another regulatory agency or under his/her management during performance of their duties.

Denunciations of violations against the law committed by the head or deputy head of another regulatory agency shall be settled by the person that has the power to appoint such head or deputy head.

**Article 18. Power to settle denunciations of violations against law committed by public service providers during performance of their duties**

1. The head of a public service provider has the power to:

a) settle denunciations of violations against the law committed by the head or deputy head of the affiliate of the public service provider, and public officials and public employees appointed by the head of the public service provider or under his/her management during performance of their duties;

b) settle denunciations of violations against the law committed by organizations under his/her management during performance of their duties.

2. The head of a regulatory agency that manages the public service provider has the power to:

a) settle denunciations of violations against the law committed by the head or deputy head of the public service provider, and public officials and public employees appointed by the head of the regulatory agency that manages the public service provider or under his/her management during performance of their duties;

b) settle denunciations of violations against the law committed by the public service provider under his/her management during performance of its duties.

**Article 19. Power to settle denunciations of violations against law committed by persons who hold positions in state-owned enterprises during performance of their duties**

1. The head of a state-owned enterprise has the power to:

a) settle denunciations of violations against the law committed by the head or deputy head of the affiliate of the state-owned enterprise or other persons appointed by the head of the state-owned enterprise during performance of their duties;

b) settle denunciations of violations against the law committed by the affiliate under his/her management during performance of its duties.

2. The head of a regulatory agency that is assigned to manage a state-owned enterprise has the power to settle denunciations of violations against the law committed by the President of the Member Council, members of the Member Council, president of the enterprise and controllers

appointed by head of the regulatory agency or under his/her management during performance of their duties.

**Article 20. Power to settle denunciations of violations against law committed by political institutions and socio-political organizations during performance of their duties**

The central government agency of a political institution or socio-political organization shall, according to the rules for determining power specified in Article 12 of this Law, provide guidelines for the power to settle denunciations of violations against the law during performance of its duties, and violations against the law committed by organizations under its management during performance of their duties.

**Article 21. Power to settle denunciations of violations against law committed by persons assigned to perform duties but are not officials, public officials and public employees**

The head of an organization or unit that manages the person assigned to perform duties but is not an official, public official or public employee has the power to settle denunciations of violations against the law committed by such person during performance of his/her duties.

**Section 2. METHODS OF DENUNCIATION, RECEIPT AND INITIAL SETTLEMENT OF DENUNCIATIONS**

**Article 22. Methods of denunciation**

Denunciation shall be made using a form and directly at a competent authority.

**Article 23. Receipt of denunciations**

1. In the cases where a denunciation is made using a form, the denunciation form shall specify date of denunciation; full name and address of the denouncer, methods of contacting the denouncer; denounced violations against the law; denounced party and other relevant authority. In the cases where multiple denouncers make a denunciation, the denunciation form shall specify denouncers' full name, address and method of contacting each denouncer; full name of the representative of each denouncer.

The denouncer shall sign or press his/her fingerprint on the denunciation form.

2. In the cases where the denouncer submits a denunciation directly to a competent organization, the recipient shall instruct him/her to fill in the denunciation form or record the denunciation and request him/her to sign or press his/her fingerprint on the record, specifying the information specified in Clause 1 of this Article. In the cases where multiple denouncers makes a denunciation, the recipient shall instruct them to fill in the denunciation form or record the denunciation and request them to sign or press their fingerprint on the record.

3. Any organization or individual that has the power to settle denunciations shall receive denunciations. Every denouncer shall make their denunciation at the address announced by the competent authority.

#### **Article 24. Initial settlement of denunciations**

1. Within 07 working days from the date on which the denunciation is received, the organization/individual shall enter, classify and initially settle the denunciation, check and verify information about the denouncer and conditions for acceptance of the denunciation. In case it is required to check and verify information in multiple locations or authorize another competent authority to do so, the time limit for checking and verifying information may be extended for a period not exceeding 10 working days.

In case it is eligible for acceptance, a decision on denunciation acceptance shall be issued as prescribed in Article 29 of this Law. In case it is ineligible for acceptance, the denunciation shall not be accepted and explanation therefore shall be immediately provided for the denouncer.

2. In case the denunciation falls outside the organization/individual's jurisdiction, the organization/individual shall, within 05 working days from the receipt of the denunciation form, transfer it to another competent organization/individual and notify the denouncer. In case the denouncer directly submits a denunciation, the recipient shall instruct him/her to submit the denunciation to a competent organization/individual.

3. In case the denunciation falls outside the organization/individual's jurisdiction and is sent to multiple organizations and individuals, including competent organizations and individuals or in spite of receiving instructions the denouncer sends the denunciation to an organization/individual that does not have the power to settle it, the recipient must not settle the denunciation.

#### **Article 25. Receipt and settlement of denunciations**

1. Upon receipt of a denunciation, if it is impossible to identify full name and address of the denouncer or identify the denouncer despite verification, or the denouncer uses another person's full name to make the denunciation or the denunciation is not made using the methods prescribed in Article 22 of this Law, the competent organization/individual must not settle the denunciation as prescribed by this Law.

2. In case the denunciation specified in Clause 1 of this Article clearly specifies information about the violator and specific documentary evidences for the violations and grounds for carrying out investigation and verification are available, the recipient shall carry out an inspection within its/his/her power or request another competent organization/individual to do so.

#### **Article 26. Receipt and settlement of denunciations sent by press agencies, competent organizations and individuals**

1. Upon receipt of an individual's denunciation sent by a press agency, competent organization or individual, the recipient shall classify and settle it as follows:

a) In case the denunciation falls within the organization/individual's jurisdiction and is eligible for acceptance, it shall be accepted. In case it falls outside the organization/individual's jurisdiction, the denunciation shall be settled by another competent organization/individual;

b) In case it is ineligible for acceptance as prescribed in Article 29 of this Law, the denunciation must not be accepted. In case it is ineligible for acceptance but it clearly specifies information about the violator and specific documentary evidences for the violations and grounds for carrying out investigation and verification are available, the recipient shall carry out an inspection within its/his/her power.

2. A written notice of result of denunciation settlement carried out as specified in Clause 1 of this Article shall be sent to the press agency, competent organization or individual that sent the denunciation within 20 days from the receipt of the denunciation.

### **Article 27. Settlement of denunciations of suspected criminal violation, adoption of violation prevention measures**

1. During receipt and settlement of a denunciation, if the denounced violation is suspected of a crime, immediately transfer the case file to a competent investigating authority or competent People's Procuracy.

2. In the cases where the denounced violation causes or threatens to cause damage to the State interests or legitimate rights and interests of an organization, life, health, property, honor, dignity or other legitimate rights and interests of an individual, the recipient shall adopt necessary measures within its/his/her power or immediately notify a police authority or another competent organization/individual to promptly prevent such violation.

## **Section 3. PROCEDURES FOR SETTLING DENUNCIATIONS**

### **Article 28. Procedures for settling denunciations**

1. Accept a denunciation.
2. Verify the denunciation.
3. Give a conclusion about the denunciation.
4. Handle the denunciation conclusion issued by the denunciation handler.

### **Article 29. Accepting denunciations**

1. A denunciation handler may issue a denunciation decision if the following conditions are satisfied:

- a) The denunciation is made as prescribed in Article 23 of this Law;

- b) The denouncer has full legal capacity. In the case of limited legal capacity, a representative is required as prescribed by law;
- c) The case falls within the recipient's jurisdiction;
- d) There are grounds for determining a violator and violation against the law.

In case a denunciation is derived from the complaint that has been settled within power and in accordance with prescribed procedures, but the complainant expresses his/her dissent and denounces the complaint handler, the denunciation will be only accepted if the denouncer provides information and documentary evidences to confirm that the complaint handler commits a violation.

2. A decision on denunciation acceptance contains at least:

- a) Issuance date of the decision;
- b) Grounds for issuing the decision;
- c) Accepted denunciation;
- d) Time limit for settling the denunciation.

3. Within 05 working days from the issuance date of the decision on denunciation acceptance, the denunciation handler shall notify the denouncer and the denounced party.

### **Article 30. Time limit for settling denunciations**

- 1. A denunciation shall be settled within 30 days from the date on which it is accepted.
- 2. Regarding a complicated case, the time limit may be extended once for a period not exceeding 30 days.
- 3. Regarding a particularly complicated case, the time limit may be extended twice for up to 30 days in each period of extension.
- 4. The denunciation handler shall issue an extension decision to the denouncer, denounced party and relevant organizations and individuals.
- 5. The Government shall elaborate this Article.

### **Article 31. Verifying denunciations**

1. The denunciation handler shall verify or assign an inspecting authority at the same level or another organization/individual to verify the denunciation (below collectively referred to as "the denunciation verifier") The denunciation verification shall be assigned in writing.



2. The written assignment on denunciation verification shall contain at least:

a) Date of assigning verification;

b) The assignee;

c) Full name and address of the denounce party; name and office building of the denounced party;

d) The denunciation to be verified;

dd) Time for carrying out verification;

e) Rights and responsibilities of the assignee.

3. The denunciation verifier shall adopt necessary measures to collect information and documents to clarify the denunciation. The collected information and documents shall be recorded. Where necessary, a record shall be made and included in the case file.

4. During the verification, the denunciation verifier shall enable the denounced party to provide its/his/her explanation and evidences for the denunciation to be verified.

5. The denunciation verifier may exercise the rights and fulfill the obligations specified in Points a, b, c and d Clause 1 and Points a, b and c Clause 2 Article 11 of this Law as assigned by the denunciation handler.

6. After the verification, the assignee shall send a written notice of verification result and proposed remedial measures to the denunciation handler.

### **Article 32. Responsibilities of Chief Inspectors at all levels and Inspector-General**

1. Chief Inspectors of Ministries, ministerial agencies, Chief Inspectors of provinces, Chief Inspectors of Departments and Chief Inspectors of districts have the responsibilities to:

a) Verify denunciations, notify verification result and propose denunciation settlement measures that fall within the jurisdiction of the head of a state administrative agency at the same level when so assigned.

b) Consider the denunciation settlement that has been carried out by the head of the inferior organization of the state administrative agency at the same level but is suspected of violating the law. In case there are grounds to believe that denunciation is settled against the law, request the head of the state administrative agency at the same level to consider re-settling it.

2. The Inspector-General has the responsibilities to:

- a) receive, classify and propose the settlement of denunciations within the Prime Minister's power;
- b) Verify denunciations, notify verification result and propose denunciation settlement measures that fall within the Prime Minister's jurisdiction when so assigned;
- c) Consider the denunciation settlement that has been carried out by Ministers, heads of ministerial agencies or Governmental agencies and Presidents of People's Committees of provinces but is suspected of violating the law. In case there are grounds to believe that denunciation is settled against the law, request the Prime Minister to consider re-settling it.

### **Article 33. Withdrawal of denunciations**

1. The denouncer may totally or partially withdraw a denunciation before the denunciation handler gives a conclusion on the denunciation. The denunciation shall be withdrawn in writing.
2. In case the denouncer partially withdraws the denunciation, the remaining shall be settled as prescribed by this Law. In case the denouncer totally withdraws the denunciation, Point a Clause 3 Article 34 of this Law shall be complied with. In case multiple denouncers make a denunciation while one or several denouncers withdraw the denunciation, it continues to be settled as prescribed by this Law. The person who has withdrawn the denunciation cannot enjoy the rights and does not have to fulfill the obligations specified in Article 9 of this Law, except in the case specified in Clause 4 of this Article.
3. In case the denouncer withdraws the denunciation and the denunciation handler deems that the denounced act is suspected of violating the law or there are grounds to confirm that the denouncer is threatened or bribed to withdraw the denunciation or the denouncer makes use of the denunciation to slander, insult or cause damage to the denounced party, the denunciation must be still settled.
4. The denouncer withdraws the denunciation but there are grounds to confirm that the denouncer makes use of the denunciation to slander, insult or cause damage to the denounced party, he/she shall still take responsibility for his/her denunciation and provide compensation for any damage as prescribed by law.
5. The Government shall annul this Article.

### **Article 34. Suspension and termination of denunciation settlement**

1. A denunciation handler may issue a decision on suspension of denunciation settlement on one of the following grounds:
  - a) The result of settlement by other organizations/individuals or settlement of other relevant cases needs to be waited for;
  - b) The result of additional expertise or re-expertise needs to be waited for.

2. When the grounds for suspension of denunciation settlement are no longer reasonable, the denunciation handler shall immediately issue a decision to keep settling the denunciation. The time limit for suspension of denunciation settlement shall not be included in the time limit for denunciation settlement.

3. A denunciation handler may issue a decision on termination of denunciation settlement on one of the following grounds:

a) The denouncer totally withdraws the denunciation, except in the case specified in Clause 3 Article 33 of this Law;

b) The denounced party is an individual who is dead and the denunciation is only related to the denounce party's responsibilities.

c) The case has been settled under an effective judgment or an effective judicial decision or an effective decision issued by a competent organization/individual.

4. The decision on suspension/termination of denunciation settlement shall specify reasons and responsibilities of relevant organizations and individuals and be sent to the denouncer and denounced party within 05 working days from the issuance date.

### **Article 35. Giving conclusions about denunciations**

1. According to the denunciation and explanation provided by the denounced party, result of denunciation verification and relevant documents and evidences, the denunciation handler shall issue a denunciation conclusion.

2. A denunciation conclusion shall contain at least:

a) Result of denunciation verification;

b) Legal grounds for determining whether there is a violation against the law.

c) Conclusion that the denunciation is correct, partially correct or untruthful; responsibilities of each organization/individual for the denunciation;

d) Remedial measures to be taken; request for application of measures for taking actions against violators by other organizations and individuals;

dd) Request for amendments to policies and laws and implementation of necessary measures for protecting the State interests and legitimate rights and interests of organizations and individuals by a competent authority.

3. Within 05 working days from the issuance date of the denunciation conclusion, the denunciation handler shall send it to the denounced party, organization that manages the denounced party and relevant organizations and individuals, and the denouncer.

### **Article 36. Handling denunciation conclusions issued by denunciation handlers**

1. Within 07 working days from the issuance date of the denunciation conclusion, the denunciation handler shall, according to the denunciation conclusion, handle it as follows:

a) In case it is concluded that the denounced party does not commit any violation against the law during performance of the denounced party's duties, the denunciation handler shall restore the denounced party's legitimate rights and interests that are infringed by the untruthful denunciation and take actions against the person who deliberately makes untruthful denunciation within its/his/her power or request a competent organization/individual to do so;

b) In case it is concluded that the denounced party commits a violation against the law during its/his/her performance of duties, the denunciation handler shall take actions against such denounced party within its/his/her power or request a competent organization/individual to do so;

2. In case the denounced party's violation is suspected of a crime, the denunciation handler shall immediately transfer the case file to a competent investigating authority or competent People's Procuracy.

3. Within 05 working days from the date on which the result of handling of the denunciation conclusion is available, the organization/individual specified in Clauses 1 and 2 of this Article shall send a written notice of result of handling of the denunciation conclusion to the denunciation handler.

### **Article 37. Taking denunciations further and denunciation resettlement**

1. In case there are grounds to believe that the denunciation was settled against the law, the denouncer has the right to submit the denunciation to the head of the supervisory organization of the denunciation handler.

2. Within 20 days from the receipt of the denunciation, the head of the supervisory organization of the denunciation handler shall consider the previous case file. Where necessary, he/she shall work with the denouncer on the denunciation and collect relevant information, documents and evidences to decide to settle the denunciation. The denunciation shall be settled as follows:

a) In case the denunciation was previously settled as prescribed by law, the head of the supervisory organization shall not resettlement the denunciation and shall provide written explanation for the denouncer;

b) In case the denunciation was previously settled ultra vires, the head of the supervisory organization shall settle the denunciation within his/her power or transfer it to a competent organization/individual;

c) In case the denunciation was previously settled on one of the grounds specified in Clause 3 of this Article, the head of the supervisory organization shall directly settle the denunciation within the time limit and in accordance with the denunciation procedures prescribed in this Chapter.

3. A denunciation shall be resettled on one of the following grounds:

- a) The result of denunciation verification or conclusion is inaccurate or subjective;
- b) Important information, documents and evidences are omitted while verifying or concluding the denunciation;
- c) Laws are incorrectly implemented while verifying or concluding the denunciation.

4. A conclusion on resettlement of a denunciation shall contain at least:

- a) The contents set forth in Clause 2 Article 35 of this Law;
- b) Violations committed by the head of the inferior organization during denunciation settlement;
- c) Responsibilities of relevant organizations and individuals for previously settling the denunciation;
- d) Measures or proposed measures to be taken against violations committed by the organization/individual during its/his/her denunciation settlement.

**Article 38. Settling denunciations in case they are yet to be settled after the prescribed time limit**

1. In case a denunciation is yet to be settled after the time limit specified in Article 30 of this Law, the denouncer has the right to submit it to the head of the supervisory organization of the denunciation handler.

2. Within 05 working days from the receipt of the denunciation, the head of the supervisory organization shall request the denunciation handler in writing to submit a report on process of settling the denunciation, reasons for late settlement of denunciation and responsibilities for settling the denunciation.

3. Within 05 working days from the receipt of the written request, the denunciation handler shall submit the report specified in Clause 2 of this Article, keep settling the denunciation at the request of the supervisory organization and report settlement result, except in the case specified in Clause 5 of this Article.

4. The head of the supervisory organization shall supervise and expedite the denunciation settlement, notify the denouncer of his/her consideration and settlement of the denunciation, adopt remedial measures to take actions against the competent person that fails to settle the denunciation within the prescribed time limit within his/her power or request a competent organization/individual to do so.

5. In case there are grounds to believe that the denunciation is settled in a manner that seriously violates the law and is suspected of subjectivity, the head of the supervisory organization shall directly settle the denunciation.

The Government shall elaborate this Clause.

### **Article 39. Case files**

1. The denunciation settlement shall be documented. According to the specific case, a case file includes:

a) A denunciation form or denunciation record; a report or record on checking of the denounced party's personal information, minute of the meeting with the denouncer on denunciation verification;

b) A denunciation acceptance decision; written assignment on denunciation verification;

c) Verification record; expertise result, information, documents and evidences collected during verification;

d) A written explanation of the denounced party; minutes of the meeting with the denounced party on the explanation;

dd) A report on the denunciation verification in case the denunciation handler assigns another person to verify the denunciation;

e) A decision on suspension of denunciation settlement; decision to keep settling the denunciation;

g) A denunciation conclusion or decision on termination of denunciation settlement;

h) A settlement decision issued by the denunciation handler, written request for adoption of settlement measures by a competent organization or individual;

i) Other relevant documents.

2. In the case of denunciation resettlement, a case file includes the documents specified in Clause 1 of this Article and the following documents:

a) A form used to take a denunciation further or a record on the denunciation that is taken further; written request for denunciation resettlement;

b) A denunciation resettlement conclusion;

c) A settlement decision issued by the person who resettles the denunciation;

d) Other relevant documents.

3. Case files shall be numbered. Case files shall be retained and used as prescribed by law and in a manner that protects denouncers' personal information.

**Article 40. Publishing denunciation conclusions and decisions to take actions against denounced violations**

1. Within 07 working days from the issuance date of the denunciation conclusion and decision to take actions against the denounced violation, the denunciation handler shall publish the denunciation conclusion, and the person that has the power to impose disciplinary or administrative penalties shall issue the decision to take actions against the denounced violation.

2. A denunciation conclusion or decision to take actions against denounced violations shall be published using one or some of the following methods:

a) Publishing it at a meeting organized at the organization where the denounced party works;

b) Posting it at the premise or citizen reception office of the organization or the organization of the individual that has settled the denunciation and issued the decision to take actions against the denounced violation;

c) Posting it on the web portal or internal network of the premise or citizen reception office of the organization or the organization of the individual that has settled the denunciation and issued the decision to take actions against the denounced violation;

d) Posting it on mass media.

3. Denunciation conclusions and decisions to take actions against denounced violations shall be published in a manner that does not reveal information about denounced parties and information that is classified as state secrets.

4. The Government shall elaborate this Article.

**Chapter IV**

**SETTLEMENT OF DENUNCIATIONS OF VIOLATIONS AGAINST LAW RELATED TO STATE MANAGEMENT OF FIELDS**

**Article 41. Rules for determining power**

1. A denunciation of a violation committed by an organization or individual which is related to the state management by an agency shall be settled by such agency.

2. Regarding a denunciation related to the state management by multiple authorities, these authorities shall, within their jurisdiction, cooperate with each other to determine an authority

that will have the power to take charge of denunciation settlement or request a superior authority to assign a competent authority to do so.

3. A denunciation of a violation against the law that falls within the jurisdiction of multiple authorities, the first authority that accepts the denunciation shall settle it.

#### **Article 42. Procedures for settling denunciations**

1. Procedures for receiving, classifying, verifying and concluding a denunciation of a violation against the law related to state management of fields are prescribed in Articles 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39 and 40 of this Law, except in the case specified in Article 43 of this Law.

In case it is concluded that the denounced party commits a violation against the law related to state management of fields, actions against such violation shall be taken as prescribed by the law on penalties for administrative violations.

2. In case the law on penalties for administrative violations provides for the time limit for denunciation settlement that is different from that specified in Article 30 of this Law, the time limit for denunciation settlement must not exceed the time limit for imposing penalties for administrative as prescribed by the law on penalties for administrative violations.

#### **Article 43. Procedures for settling denunciations that are adequately specific and include evidences and grounds for immediate settlement**

1. In case a denunciation of a violation against the law related to state management of fields is adequately specific and includes evidences and grounds for immediate settlement, it shall be settled in accordance with the following procedures:

a) The competent person receives and settles the denunciation;

b) In the case of denunciation of a violation against the law related to the field under its/his/her management, the denunciation handler immediately verifies the denunciation, adopts necessary measures to prevent and stop the violation, and promptly makes a record on the violation. Where necessary, the verification and checking of information about the denouncer shall be carried out;

c) The denunciation handler issues a decision to take actions against the violation within its/his/her power or request a competent authority to do so.

2. The case file shall be prepared together with the administrative penalty documentation as prescribed by the law on penalties for administrative violations.

### **Chapter V**

#### **RESPONSIBILITIES OF ORGANIZATIONS IN CHARGE OF CONCLUDING DENUNCIATIONS**



#### **Article 44. Responsibilities of denunciation handlers**

1. According to the denunciation conclusion, degree and nature of the violation, the denunciation handler shall take actions as follows:

a) Regarding the violation against the law committed during performance of duties, the denunciation handler shall take actions against the violation, enforce the performance of remedial actions against it and perform other remedial actions as prescribed by law within its/his/her power or request a competent organization/individual to do so;

b) Regarding the violation against the law related to state management of fields, the denunciation handler shall impose administrative penalties and perform other remedial actions as prescribed by law within its/his/her power or request a competent organization/individual to do so;

c) The denunciation handler shall take actions against the denouncer that deliberately makes an untruthful denunciation within its/his/her power or request a competent organization/individual to do so;

d) Regarding the violation against the law that is suspected of a crime, it is required to immediately transfer the case file to a competent investigating authority or competent People's Procuracy.

2. Power of and procedures for imposing disciplinary or administrative penalties and performing other remedial actions are compliant with regulations of the law on officials, public officials and public employees, law on penalties for administrative violations and other relevant regulations of law.

3. The denunciation handler shall supervise and expedite the implementation of the denunciation conclusion or assign an inspecting authority at the same level to do so.

#### **Article 45. Responsibilities of denounced parties**

1. Fulfill all obligations defined in the denunciation conclusion in a timely manner.

2. In the case of a denunciation of a violation against the law during performance of duties, the denounce party shall submit a report on and be responsible to the denunciation handler and law for the implementation of the denunciation conclusion.

#### **Article 46. Responsibilities of relevant organizations and individuals**

1. Fulfill all relevant obligations defined in the denunciation conclusion in a timely manner.

2. Within their jurisdiction, cooperate with the denunciation handler in taking actions against denounced violations as prescribed by law.

3. Be responsible to law for implementation of denunciation conclusions within their jurisdiction.

## Chapter VI

### PROTECTION OF DENOUNCERS

#### Section 1. GENERAL PROVISIONS

##### Article 47. Protected persons and scope of protection

1. Protection of a denouncer means the protection of his/her information; protection of his/her position, job, life, health, property, honor and dignity and his/her spouse, natural parent, adoptive parent, stepfather, stepmother, natural child, adopted child (below collectively referred to as “the protected person”)
2. Every denouncer has his/her personal information protected, except the case in which he/she reveals it on his/her own.
3. If there are grounds to believe that position, job, life, health, property, honor and dignity of the persons specified in Clause 1 of this Article are being infringed or threatened to be immediately infringed or such persons are victimized due to the denunciation, the denunciation handler or another competent authority shall decide to adopt necessary protection measures on its/his/her own or at the request of the denouncer.

##### Article 48. Rights and obligations of protected persons

1. A protected person has the rights to:
  - a) be aware of protection measures;
  - b) be provided with explanation for his/her rights and obligations when protection measures are adopted;
  - c) request revisions to or termination of adoption of protection measures;
  - d) refuse to be protected;
  - dd) be compensated as prescribed by the law on State compensation liability in case the denouncer has requested the denunciation handler or another competent authority to adopt protection measures but they fail to adopt protection measures or fail to adopt them in a timely manner or adopt them against the law, causing damage to his/her life, health, property or spiritual life.
2. A protected person has the obligations to:
  - a) strictly comply with request of the authority that has the power to adopt protection measures;
  - b) keep information concerning the protection secret;

c) promptly notify the authority in charge of adopting protection measures of the issues that arise during the protection period.

#### **Article 49. Authorities that have the power to adopt protection measures**

1. Denunciation handlers shall protect information, position and job of protected persons under their management and other contents that fall within their jurisdiction. In case it is beyond their jurisdiction, they shall request competent organizations/individuals to adopt protection measures.

2. Authorities that receive and verify denunciations shall protect denouncers' information.

3. Police authorities shall take charge and cooperate with relevant organizations and individuals in protecting life, health, property, honor and dignity of protected persons.

4. Authorities in charge of management of officials, public officials, public employees and workers shall, within their jurisdiction, take charge and cooperate with relevant authorities in protecting position and job of protected persons.

5. People's Committees at all levels, trade unions at all levels and other organizations and individuals shall, within their jurisdiction, cooperate with competent authorities in adopting measures to protect information, position, job, life, health, property, honor and dignity of protected persons.

### **Section 2. PROCEDURES FOR PROTECTION**

#### **Article 50. Request for adoption of protection measures**

1. When the grounds specified in Clause 3 Article 47 of this Law, the denouncer shall submit a written request for adoption of protection measures to the denunciation handler.

2. A written request for adoption of protection measures shall contain at least:

a) Date of request;

b) Full name and address of the denouncer; full name and address of the person that is to be protected;

c) Reasons and contents of the request;

d) Signature or fingerprint of the denouncer.

3. In the event of an emergency, the denouncer may immediately request the denunciation handler directly or over the telephone to adopt protection measures and such request shall be then made in writing.

#### **Article 51. Considering deciding to protect denouncers**

1. Upon receipt of the request for adoption of protection measures, if the denunciation handler considers that the request is reasonable or finds that there are grounds specified in Clause 3 Article 47 of this Law during the process of settling the denunciation, it/he/she shall promptly decide to adopt protection measures within its/his/her jurisdiction or request a competent authority to do so.
2. Upon receipt of the written request submitted by the denunciation handler, the competent authority shall consider deciding to adopt protection measures.
3. In case the denouncer's written request is unreasonable or protection measures do not have to be adopted, the competent authority shall provide written explanation to the denouncer or request the denunciation handler to do so.

#### **Article 52. Decision to adopt protection measures**

1. Competent authorities shall issue a decision on adoption of protection measures.
2. A decision on adoption of protection measures shall contain at least:
  - a) Issuance date of the decision;
  - b) Grounds for issuing the decision;
  - c) Full name and address of the protected person;
  - d) Protection measures; responsibilities of organizations and individuals that adopt protection measures.
  - dd) The date of adoption of protection measures.
3. The decision on adoption of protection measures shall be sent to the protected person, denunciation handler and other relevant organizations and individuals.
4. After obtaining the decision on adoption of protection measures, competent organizations and individuals shall immediately adopt protection measures or cooperate with relevant organizations and individuals in doing so if necessary.
5. The period over which protection measures are adopted begins from the date of their adoption to the date of termination of their adoption prescribed in Clause 2 Article 54 of this Law.

#### **Article 53. Responsibilities of organizations and individuals**

1. An authority that issues the decision on adoption of protection measures has the responsibilities to:

- a) take charge and cooperate with relevant organizations and individuals in adopting protection measures and take responsibility for their decision;
- b) prepare, manage, retain and use documents about adoption of protection measures as prescribed by law;
- c) carry out supervisions and address the issues that arise and submit a report thereon to a competent authority upon request.

2. Organizations and individuals related to adoption of protection measures have the responsibilities to:

- a) strictly comply with request of the authority that issues the decision on adoption of protection measures. In the case of failure to comply with the request, immediately provide written explanation to the authority that issues the decision on adoption of protection measures.
- b) send a report on or a written notice of adoption of protection measures to the authority that issues the decision on adoption of protection measures.

#### **Article 54. Making revisions to and termination of adoption of protection measures**

1. The authority that issues the decision on adoption of protection measures may make revisions to the adoption of protection measures if necessary or according to the written request submitted by the protected person.
2. The adoption of protection measures shall be terminated in the following cases:
  - a) The denunciation handler has issued a denunciation conclusion or a decision on termination of denunciation settlement;
  - b) The authority that issues the decision on adoption of protection measures terminates the adoption of protection measures when considering that grounds for adoption of protection measures are no longer reasonable or at the request of the protected person.
3. The decision on revisions to and termination of adoption of protection measures shall be sent to the protect person, denunciation handler and other relevant organizations and individuals.

#### **Article 55. Documents about adoption of protection measures**

1. The protection of denouncers shall be documented.
2. According to each specific case, the documents about adoption of protection measures include:
  - a) A written request for adoption of protection measures made by the denouncer and the denunciation handler;

- b) Result of verification of the written request for adoption of protection measures;
- c) A decision on adoption of protection measures;
- d) A written request for revisions to or termination of adoption of protection measures;
- dd) A decision on revisions to protection measures;
- e) A written request for cooperation in adopting protection measures made by relevant organizations and individuals;
- g) A report on of adoption of protection measures;
- h) A decision on termination of adoption of protection measures;
- i) Other documents concerning the adoption of protection measures.

### **Section 3. PROTECTION MEASURES**

#### **Article 56. Measures for protecting information**

When receiving and transferring denunciation forms and settling denunciations, competent organizations and individuals shall, according to the current situation, adopt the following measures:

1. Keep denouncers' full name, address, autograph and other personal information secret during the use of information and documents provided by denouncers;
2. Remove denouncers' full name, address, autograph and other personal information secret from the denunciation form and enclosed documents and evidences before transferring it to the denunciation verifier;
3. Arrange a time and place and use appropriate methods for protecting denouncers' information when working with denouncers and relevant organizations and individuals;
4. Adopt other measures prescribed by law;
5. Request relevant organizations and individuals to adopt necessary measures to protect denouncers' information.

#### **Article 57. Measures for protecting positions and jobs**

1. Measures for protecting positions of protected persons who are officials, public officials and public employees include:

- a) Suspend, partially or totally invalidate the decision to impose disciplinary penalties or other decisions that infringe upon legitimate rights and interests of protected persons;
  - b) Restore protected persons' position, job, incomes and other legitimate interests;
  - c) Consider reassigning protected persons to another authority with their consent in order to avoid victimization;
  - d) Within their jurisdiction, take actions against the persons who take revenge on or threaten protected persons, affecting their legitimate rights and interests or request a competent organization/individual to do so.
2. Measures for protecting job of protected persons who are working under an employment contract include:
- a) request employers to stop violations; restore protected persons' position, job, incomes and other legitimate interests;
  - b) take actions against violations against the law within their jurisdiction or request a competent organization/individual to do so.

#### **Article 58. Measures for protecting life, health, property, honor and dignity**

1. Take protected persons to a safe place.
2. Provide personnel, vehicles and instruments to directly protect life, health, property, honor and dignity of protected persons in important areas.
3. Adopt necessary measures to prevent and take actions against any infringement upon or threat to life, health, property, honor and dignity of protected persons as prescribed by law.
4. Request persons who infringe upon or threaten life, health, property, honor and dignity of protected persons to stop doing so.
5. Adopt other measures prescribed by law.

### **Chapter VII**

#### **RESPONSIBILITIES OF AUTHORITIES FOR MANAGEMENT OF DENUNCIATION SETTLEMENT**

#### **Article 59. Responsibilities of state agencies for management of denunciation settlement**

1. The Government shall perform uniform management of denunciation settlement nationwide; directly manage denunciation settlement by agencies in the state administration system.

2. The Government Inspectorate shall be in charge of assisting the Government in performing uniform management of denunciation settlement within the Government's jurisdiction.

3. Ministries, ministerial agencies and People's Committees at all levels shall perform uniform management of denunciation settlement within their jurisdiction.

**Article 60. Responsibilities of People's Courts, People's Procuracies, State Audit Office of Vietnam, other regulatory authorities, political institutions and socio-political organizations**

1. Supreme People's Court, Supreme People's Procuracy, State Audit Office of Vietnam, other state authorities, central government authorities of political institutions and socio-political organizations shall, within their jurisdiction, manage denunciation settlement and submit an annual report on their denunciation settlement to the Government, which will submit a consolidated report to the National Assembly.

2. People's Courts and People's Procuracies of provinces/districts, other state agencies, local government authorities of political institutions and socio-political organizations at local government level shall, within their jurisdiction, manage denunciation settlement and submit an annual report on their denunciation settlement to the People's Committee at the same level, which will submit a consolidated report to the People's Council.

3. Pursuant to this Law, Supreme People's Court, Supreme People's Procuracy, State Audit Office of Vietnam, other state agencies other than those in the state administration system, competent authorities affiliated to political institutions and socio-political organizations shall provide guidelines for the implementation of the law on denunciation and denunciation settlement in a manner that is appropriate to their organizational structure and operation.

**Article 61. Responsibilities for providing information and submitting reports on management of denunciation settlement**

1. The Government shall submit an annual report on management of denunciation settlement to the National Assembly, Standing Committee of National Assembly and the President, and notify the management of denunciation settlement to the Central Committee of the Vietnamese Fatherland Front.

2. Ministries, ministerial agencies, Governmental agencies and People's Committees of provinces shall submit reports on management of their denunciation settlement to the Government on a periodic basis or upon request.

3. People's Committees shall submit an annual report on management of denunciation settlement to People's Councils at the same level and supervisory authorities, and notify the management of denunciation settlement to the Central Committee of the Vietnamese Fatherland Front.

## **Chapter VIII**

### **PROVIDING REWARDS AND TAKING ACTIONS AGAINST VIOLATIONS**



### **Article 62. Providing rewards**

Denouncers that fully and truthfully cooperate with competent organizations and individuals in discovering, preventing and taking actions against violations against the law shall be provided rewards.

### **Article 63. Taking actions against violations committed by denunciation handlers**

Denunciation handlers that commit the acts specified in Article 8 of this Law or violations against other relevant regulations of law during their denunciation settlement shall, according to the nature and degree of their violations, incur disciplinary penalties or criminal prosecution, and provide compensation for any damage they inflict as prescribed by law.

### **Article 64. Taking actions against violations committed by persons that have responsibility to abide by the decision to take actions against denounced violations**

Persons that have responsibility to abide by the decision to take actions against denounced violations but fail to do so shall, according to the nature and degree of their violations, incur disciplinary or administrative penalties or criminal prosecution, and provide compensation for any damage they inflict as prescribed by law.

Heads of competent organizations and individuals that fail to adopt necessary measures to promptly take actions against the denunciation handlers that commit the violations specified in Article 63 of this Law shall, according to the nature and degree of their violations, incur disciplinary penalties or criminal prosecution as prescribed by law.

### **Article 65. Taking actions against violations committed by denouncers and other relevant persons**

Denouncers and other relevant persons that commit the acts specified in Article 8 of this Law or violations against other relevant regulations of the law on denunciation and denunciation settlement shall, according to the nature and degree of their violations, incur disciplinary penalties or criminal prosecution, and provide compensation for any damage they inflict as prescribed by law.

## **Chapter IX**

### **IMPLEMENTATION PROVISIONS**

#### **Article 66. Effect**

1. This Law takes effect on January 01, 2019.
2. To annul the Law on Denunciation No. 03/2011/QH13 from the effective date of this Law.

3. The denunciations that are being accepted and considered and are yet to be concluded before the effective date of this Law shall continue to be settled as prescribed by the Law on Denunciation No. 03/2011/QH13.

**Article 67. Detailed provisions**

The Government shall detail the implementation the Chapter VI, Articles and Clauses of this Law; regulations on denunciation and settle denunciations made by People’s Army and People’s Public Security Forces.

*This Law is adopted by the 14th National Assembly of Socialist Republic of Vietnam on this 12th of June 2018 during its 5th session.*

**PRESIDENT OF THE NATIONAL ASSEMBLY**

**Nguyen Thi Kim Ngan**