

**LAW
On Referendum**

*Pursuant to the Constitution of the Socialist Republic of Vietnam;
The National Assembly promulgates the Law on Referendum.*

**Chapter I
GENERAL PROVISIONS**

Article 1. Scope of regulation

This Law prescribes referendum; principles of referendum; tasks and powers of agencies and organizations in referendum; the order and procedures for deciding on and holding referendum; and referendum result and validity of referendum result.

Article 2. Subjects of application

This Law applies to citizens of the Socialist Republic of Vietnam and related agencies, organizations and units.

Article 3. Interpretation of terms

In this Law, the terms below are construed as follows:

1. *Referendum* means a vote held by the State for voters nationwide to directly vote on issues of national importance in accordance with this Law.

2. *Referendum proposal* means that a competent agency or person as prescribed by this Law proposes the National Assembly to consider and decide on an issue to be put to referendum.

3. *Referendum ballot paper* means a ballot form provided by the Standing Committee of the National Assembly for use in a referendum in which contents to be put to referendum are clearly written.

4. *Voter* means a person who has the right to vote in a referendum in accordance with this Law.

Article 4. Principles of referendum

1. To guarantee the people's direct expression of their will in deciding on important issues of the country; to increase the national great unity and social consensus.

2. To adhere to the principles of universal, equal and direct suffrage and secret ballot when holding a referendum.

3. A referendum shall be held according to the order and procedures prescribed by this Law.

Article 5. Persons having the right to vote in a referendum

Citizens of the Socialist Republic of Vietnam who, by the date of a referendum, reach the age of 18 have the right to cast votes when the State holds a referendum, except in the cases prescribed in Clauses 1 and 2, Article 25 of this Law.

Article 6. Issues put to referendum

The National Assembly shall consider and decide to hold a referendum on:

1. The whole or some important contents of the Constitution;
2. Extremely important issues on national sovereignty and territory, national defense, security and external relations which directly affect national interests;
3. Extremely important socio-economic issues which largely impact national development;
4. Other extremely important issues of the country.

Article 7. Scope of referendum

A referendum shall be held nationwide.

Article 8. Date of referendum

The date of a referendum must be a Sunday which shall be decided by the Standing Committee of the National Assembly and announced at least 60 days in advance.

Article 9. Cases of non-organization of referendum

1. No referendum shall be held again within 24 months after the referendum result is announced on the same issue which has been put to referendum.
2. No referendum shall be held in the period when a state of war or state of emergency nationwide is declared or within 6 months after such a state is cancelled.

Article 10. Oversight of organization of referendums

1. Within the ambit of their tasks and powers, the National Assembly, agencies of the National Assembly, National Assembly deputies' delegations, National Assembly deputies, People's Councils and their standing bodies and

boards, groups of People's Council deputies and People's Council deputies shall oversee the organization of referendums.

2. The Vietnam Fatherland Front and its member organizations and the People shall oversee the organization of referendums in accordance with law.

Article 11. Validity of referendum result

1. The result of a referendum is decisive to the issue put to referendum and shall become effective on the date of its announcement.

2. All state agencies, organizations and individuals shall respect the referendum result.

3. State agencies, organizations and individuals shall, within the ambit of their tasks and powers, organize and ensure the strict implementation of the referendum result.

Article 12. Funds for referendums

Funds for referendums shall be ensured by the state budget.

Article 13. Prohibited acts

1. Disseminating and communicating false information on the content and significance of a referendum.

2. Using tricks to cheat, buying off, forcing or obstructing voters so that they cannot cast votes or cast votes against their will in a referendum.

3. Forging documents or committing fraud or using other tricks to distort the referendum result.

4. Taking advantage of referendum to infringe upon national security, social order and safety, interests of the State or lawful rights or interests of state agencies, organizations or individuals.

5. Violating provisions on casting and counting of votes in a referendum and other provisions of this Law.

Chapter II

PROPOSAL FOR AND DECISION ON REFERENDUM

Article 14. Referendum proposal

1. The Standing Committee of the National Assembly, the President, the Government, or at least one-third of the total number of National Assembly deputies have the right to propose the National Assembly to consider and decide on a referendum.

2. When one-third or more of the total number of National Assembly deputies propose the National Assembly to decide on a referendum on the same

issue, the Standing Committee of the National Assembly shall summarize proposals of National Assembly deputies, prepare a dossier in accordance with Clause 3 of this Article and submit it to the National Assembly for consideration and decision.

Proposals and summarization of proposals of National Assembly deputies must comply with Article 33 of the Law on Organization of the National Assembly.

3. A referendum proposal dossier must comprise:

a/ A document explaining the proposal for a referendum, which clearly states the necessity of the referendum, contents to be put to referendum, tentative time of the referendum and options and solutions for implementation of the referendum result;

b/ The National Assembly's draft resolution on referendum;

c/ Other relevant documents (if any).

Article 15. Verification of referendum proposals

1. Before being submitted to the National Assembly, a referendum proposal shall be verified by the Ethnic Council and the concerned Committee of the National Assembly.

2. Verification of a referendum proposal must focus on the following:

a/ Necessity of the referendum;

b/ Affected subjects and scope of impact of the issue put to referendum;

c/ Contents to be put to referendum;

d/ Time of referendum;

dd/ Options and solutions for implementation of the referendum result.

3. A referendum proposal shall be verified at a plenary meeting of the Ethnic Council and the concerned Committee of the National Assembly. The verification agency shall invite representatives of the standing bodies of the Ethnic Council and other Committees of the National Assembly and related agencies and organizations to the verification meeting to give their opinions on the contents to be put to referendum.

The verification agency may request the agency or person that has proposed the referendum to report and provide information and documents on issues related to the contents to be put to referendum. Such agency or person shall respond to requests of the verification agency.

4. A verification report must clearly present the viewpoints of the verification agency on the contents prescribed in Clause 2 of this Article; fully

reflect opinions of members of the verification agency and opinions of agencies participating in the verification; and state the eligibility or ineligibility for submission to the National Assembly for consideration and decision on the referendum.

Article 16. The Standing Committee of the National Assembly's consideration and opinions on referendum proposals

The Standing Committee of the National Assembly shall consider and give opinions on a referendum proposal prescribed in Article 14 of this Law. When seeing that the referendum proposal of a competent agency or person fully meets the requirements prescribed in this Law, the Standing Committee of the National Assembly shall include the issue of referendum in the working agenda of the next session of the National Assembly for submission to the National Assembly for consideration and decision.

Article 17. The National Assembly's consideration and decision on referendum

1. The National Assembly shall consider and decide on a referendum in the following order:

a/ The representative of an agency competent to propose a referendum, or a representative of the Standing Committee of the National Assembly, for a referendum proposed by National Assembly deputies, presents the document explaining the referendum proposal;

b/ The representative of the verification agency presents the verification report;

c/ The National Assembly holds discussion at a plenary meeting on the referendum proposal. Before such discussion, the referendum proposal shall be discussed in groups of National Assembly deputies;

d/ In the course of discussion, the representative of the agency having proposed the referendum may give explanations about related issues raised by National Assembly deputies;

dd/ After National Assembly deputies discuss and give opinions on the referendum proposal, the Standing Committee of the National Assembly directs and organizes the study, explanation and acceptance of these opinions and revision of the National Assembly's draft resolution on a referendum and reports on such explanation, acceptance and revision to the National Assembly;

e/ The National Assembly votes to adopt the resolution on a referendum.

2. The National Assembly's resolution on a referendum shall be voted for by more than half of the total number of National Assembly deputies.

3. The National Assembly's resolution on a referendum shall be announced in accordance with law.

Chapter III

TASKS AND POWERS OF AGENCIES AND ORGANIZATIONS IN ORGANIZATION OF REFERENDUMS

Article 18. Tasks and powers of the Standing Committee of the National Assembly

1. To decide on the date of referendum, early voting, postponement of the date of referendum, and revoting.

2. To direct and guide the organization of referendums nationwide.

3. To direct public information on referendums.

4. To provide the referendum ballot paper, form of voter card in a referendum, rules of the polling station and forms of other documents used in a referendum.

5. To request competent agencies to handle violations of law in the organization of a referendum.

6. To receive and examine reports on the referendum result sent by provincial-level People's Committees.

7. To make a summary report on the referendum result nationwide.

8. To examine and supervise the organization of a referendum.

9. To settle complaints about and denunciations on the referendum result. The Standing Committee of the National Assembly's decision on the settlement of complaints and denunciations is final.

10. To ascertain and announce the referendum result nationwide and report it to the National Assembly at its next session.

Article 19. Tasks and powers of the Government

1. To direct ministries, ministerial-level agencies, government-attached agencies and People's Committees at all levels in performing tasks to hold a referendum in accordance with law.

2. To direct the maintenance of security and social order and safety in the organization of a referendum.

3. To ensure funds and other necessary conditions for the organization of a referendum; to guide the management and use of these funds.

4. To coordinate with the Standing Committee of the National Assembly in directing public information on a referendum.

5. To coordinate with the Standing Committee of the National Assembly and the Presidium of the Vietnam Fatherland Front Central Committee in examining and overseeing the organization of a referendum.

Article 20. Tasks and powers of People's Committees at all levels

1. The provincial-level People's Committee has the following tasks and powers:

a/ To direct, examine and press for the organization of a referendum in its locality in accordance with law;

b/ To direct public information on a referendum in its locality;

c/ To direct the maintenance of security, social order and safety in the organization of a referendum in its locality;

d/ To organize the printing of voter cards, referendum ballot papers, other forms and documents for the organization of a referendum in its locality; to allocate funds and ensure other necessary conditions for the organization of a referendum in its locality;

dd/ To settle complaints and denunciations and handle violations of law in the organization of a referendums according to its competence;

e/ To report on the organization of a referendum to the Standing Committee of the National Assembly and the Government;

g/ To receive and examine reports on results of referendum vote counting sent by commune-level People's Committees; to make and send a report on the referendum result in its locality to the Standing Committee of the National Assembly.

2. The district-level People's Committee has the following tasks and powers:

a/ To direct, examine and press for the organization of a referendums in its locality in accordance with law;

b/ To approve the determination of referendum constituencies by commune-level People's Committees;

c/ To direct public information on a referendum in its locality and maintenance of security and social order and safety in the organization of a referendum in its locality;

d/ To settle complaints and denunciations and handle violations of law in the organization of a referendum according to its competence;

dd/ To report on the organization of a referendum to the provincial-level People's Committee;

e/ To perform the tasks and exercise the powers prescribed in Clause 3 of this Article, for a district that has no commune or township.

3. The commune-level People's Committee has the following tasks and powers:

a/ To determine referendum constituencies; to form a referendum group in each constituency;

b/ To perform public information work for a referendum in its locality and maintain security and social order and safety in the organization of a referendum in its locality;

c/ To organize voting in its locality;

d/ To settle complaints and denunciations, respond to inquiries of voters and handle violations of law in the organization of a referendum according to its competence;

dd/ To report on the organization of a referendum to the district-level People's Committee;

e/ To receive and examine reports on results of referendum vote counting sent by referendum groups; to make a report on the referendum result in the locality and send it to the district- and provincial-level People's Committees.

Article 21. Formation of referendum groups and tasks and powers of these groups

1. A referendum group shall be formed in every referendum constituency at least 40 days before the date of a referendum. A referendum group shall be composed of between 9 and 11 members, including the head, the secretary and members being representatives of state agencies, political organizations, socio-political organizations and social organizations and representatives of local voters.

A people's armed forces unit which is determined as a separate constituency may form a referendum group which shall be composed of between 7 and 9 members, including the head, the secretary and members being representatives of the commanders and soldiers of that people's armed forces unit.

In case a people's armed forces unit and the locality share the same constituency, after reaching agreement with the commander of the people's armed forces unit, the commune-level People's Committee shall form a referendum group of composed between 9 and 11 members, including the head, the secretary and members being representatives of state agencies, political organizations, socio-political organizations and social organizations,

representatives of local voters and representatives of the commanders and soldiers of that people's armed forces unit.

2. A referendum group has the following tasks and powers:

a/ To take charge of referendum tasks in the referendum constituency;

b/ To arrange the polling station and prepare the ballot box;

c/ To receive documents and referendum ballot papers from the commune-level People's Committee; to distribute voter cards and ballot papers bearing the mark of the referendum group to voters;

d/ To notify voters of the time and venue of the referendum;

dd/ To ensure the strict implementation of the law on referendum and rules of the polling station;

e/ To count votes and make a vote counting record for sending to the commune-level People's Committee;

g/ To settle complaints and denunciations of voters; to report on voters' complaints and denunciations that fall beyond its settlement competence to the commune-level People's Committee;

h/ To send the vote counting record and all ballot papers to the commune-level People's Committee;

i/ To report on the organization of the referendum under the guidance of the commune-level People's Committee;

k/ To hold revoting at the referendum constituency (if any).

3. A referendum group shall terminate its operation 30 days after the referendum result is announced.

Article 22. Assisting agencies and requisition of cadres, civil servants and public employees for referendums

The Standing Committee of the National Assembly and People's Committees at all levels may form an agency, or assign an attached specialized agency, to assist the organization of a referendum; and requisition cadres, civil servants and public employees of state agencies, political organizations, socio-political organizations, social organizations and public non-business units to assist the performance of tasks related to the organization of a referendum.

Article 23. Responsibilities of state agencies, organizations, people's armed forces units and citizens in the organization of referendums

State agencies, organizations, people's armed forces units and citizens shall strictly comply with the law on referendum and create conditions for agencies or

organizations in charge of referendum to perform their tasks and exercise their powers in accordance with law.

Chapter IV

VOTER LISTS AND REFERENDUM CONSTITUENCIES

Article 24. Principles of making voter lists

1. All citizens who have the right to vote in a referendum shall be named in a voter list and given a voter card.

2. Every citizen may be named only in the voter list of the place of his/her permanent or temporary residence.

3. A voter who is held in temporary detention or custody or is currently confined to a compulsory reformatory or detoxification establishment shall be entitled to be named in the voter list of his/her detention, custody or confinement place.

4. A voter who is a Vietnamese citizen returning to Vietnam from abroad during the period from after the voter list is posted up to the time earlier than 24 hours before the vote starts shall produce his/her passport stating his/her Vietnamese citizenship to the commune-level People's Committee of the locality of his/her permanent or temporary residence registration in order to be named in the voter list and get a voter card.

Article 25. Persons who may not be named in or whose names shall be removed from or added to voter lists

1. Persons sentenced to death penalty who are awaiting execution, persons who are serving an imprisonment sentence and are not entitled to suspended sentence, and persons who lose their civil act capacity as declared by a court may not be named in a voter list.

2. The commune-level People's Committee shall remove the names and recall the voter cards of persons who have been named in a voter list but by the time of voting are sentenced to death penalty, have to serve an imprisonment sentence and are not entitled to suspended sentence, or lose their civil act capacity as declared by a court.

3. A person prescribed in Clause 1 of this Article who, 24 hours before the time of voting, is released or has the decision on his/her loss of civil act capacity cancelled by a court shall be entitled to have his/her name added to the voter list and receive a voter card to vote in a referendum.

4. A voter prescribed in Clause 3, Article 24 of this Law who, 24 hours before the time of voting, is released or whose compulsory education or

detoxification period ends shall be entitled to have his/her name removed from the voter list of the locality where the detention camp, custody house or compulsory reformatory or compulsory detoxification establishment is based and have his/her name added to the voter list of the locality where he/she registers permanent or temporary residence and receive a voter card to vote in a referendum.

Article 26. Competence to make voter lists

1. Commune-level People's Committees shall make voter lists by constituency.

People's Committees of districts which have no commune or township shall make voter lists by constituency.

2. Commanders of people's armed forces units shall make lists of voters by people's armed forces unit for inclusion in the voter lists of the constituencies of localities where the units are based. An army man who registers permanent residence in a locality close to the place where he is stationed may obtain a certificate from his commander to be named in the voter list and vote in his place of permanent residence. When granting such certificate, the commander shall immediately write "voting in the place of residence" next to the name of this person in the voter list of the people's armed forces unit.

Article 27. Posting of voter lists

At least 30 days before the date of referendum, agencies making voter lists shall post these lists at the offices of commune-level People's Committees and public places of constituencies and concurrently notify voter lists and their posting for the people's examination.

Article 28. Complaints and settlement of complaints about voter lists

A citizen who detects an error made in a voter list when examining it may lodge a complaint with the agency making this list within 10 days after the list is posted. The list-making agency shall record such complaint in a book, settle it and notify the settlement result to the complainant within 3 days after receiving the complaint.

In case the complainant disagrees with the complaint settlement result or the complaint is not settled past the time limit for settlement, he/she may initiate a lawsuit at a People's Court in accordance with the law on administrative procedures.

Article 29. Voting in other places

From the time of posting the voter list to the date of referendum, a voter who goes to another place and cannot vote in the place where he/she has been

named in the voter list may request the commune-level People's Committee of the locality where he/she has been named in the voter list to grant a certificate in order to have his/her name added to the voter list of the locality where he can vote. When granting such certificate, the commune-level People's Committee shall immediately write "voting in another place" next to the name of that person in the voter list of the referendum constituency of its locality.

Article 30. Referendum constituencies

1. The determination of referendum constituencies shall be decided by commune-level People's Committees and approved by district-level People's Committees. For districts which have no commune or township, district-level People's Committees shall decide on determination of referendum constituencies.

2. Each referendum constituency must have between 300 and 4,000 voters. In mountainous and highland areas, on islands and in areas with a scattered population, a referendum constituency with fewer than 300 voters may still be formed.

3. Separate constituencies may be formed in the following cases:

a/ People's armed forces units;

b/ Hospitals, sanatoriums, maternity homes and establishments caring for people with disabilities or elderly people which have 50 voters or more each;

c/ Compulsory reformatories, compulsory detoxification establishments and detention camps.

Chapter V

PUBLIC INFORMATION ON REFERENDUMS

Article 31. Purposes and principles of public information on referendums

1. Public information on a referendum aims to provide full and correct information on the issue put to referendum so that voters can clearly understand the significance and contents of the referendum, and information on their rights, obligations and responsibilities in the referendum; and encourage voters to actively participate in the referendum.

2. Public information on a referendum shall be provided in an open, democratic, objective, scientific, lawful and voter-convenient manner while ensuring social order and safety.

Article 32. Contents of public information on a referendum

1. Necessity of the referendum; referendum purposes and viewpoints.

2. Contents put to referendum; options and solutions for implementation of the referendum result.

3. Subjects affected by and scope of impact of the issue put to referendum.

4. Time of the referendum.

5. Rights, obligations and responsibilities of voters in the referendum.

Article 33. Forms of public information on a referendum

1. Distributing official publications and documents of the Standing Committee of the National Assembly on the issue put to referendum.

2. Providing public information on the referendum in the mass media in accordance with law.

3. Through voter meetings held by commune-level People's Committees.

4. Other forms determined by the Standing Committee of the National Assembly.

Article 34. Responsibilities of agencies and organizations for public information on referendums

1. The Standing Committee of the National Assembly shall assume the prime responsibility for, and coordinate with the Government in, directing public information on referendums nationwide; People's Committees at all levels shall direct public information on referendums in their localities.

2. Central and local press agencies shall disseminate information on referendums and the organization of referendums in accordance with law and direction of the Standing Committee of the National Assembly, the Government and People's Committees at all levels.

3. State agencies, socio-political organizations, social organizations, people's armed forces units and local administrations shall, within the ambit of their tasks and powers, participate in and facilitate the dissemination of public information on referendums in their agencies, organizations, units and localities.

Chapter VI

ORDER AND PROCEDURES FOR VOTING; RIGHTS AND OBLIGATIONS OF VOTERS IN REFERENDUMS

Article 35. Referendum ballot papers

1. Referendum ballot papers shall be used uniformly nationwide.

2. Contents of the referendum ballot paper must be complete, legible, comprehensible, impartial, accurate and clear.

3. The Standing Committee of the National Assembly shall specify the content and form of the referendum ballot paper and the printing, issuance and management of referendum ballot papers.

Article 36. Notification of time and venue of referendum

Within 10 days before the date of a referendum, referendum groups shall frequently notify local voters of the date, venue and time of the referendum through posting, radio broadcast and other local mass media.

Article 37. Time of referendum

1. The time of a referendum must last from 7 am to 7 pm of a day. Depending on the local situation, referendum groups may decide to start the referendum earlier but not earlier than 5 am, and close the referendum later but not later than 9 pm, of the same day.

In a constituency where all voters on the list have cast votes, the referendum in that constituency may be closed earlier, but not earlier than 3 pm of the same day.

2. Before the vote, referendum groups shall check ballot boxes in the witness of voters.

3. A vote shall be held uninterruptedly. In case the vote is interrupted by an unexpected event, a referendum group shall immediately seal up the ballot box and documents directly related to the referendum and promptly report it to the commune-level People's Committee and concurrently take necessary measures to resume the vote.

Article 38. Early voting, postponement of voting date

In a special case requiring a referendum to be held earlier than planned or postponement of the voting date in one or more than one constituency or one or more than one commune- or district-level administrative unit, the People's Committee of the locality where earlier voting or postponement of the voting date is required shall promptly report it to the provincial-level People's Committee for submission to the Standing Committee of the National Assembly for consideration and decision.

Article 39. Rights and obligations of voters and principles of voting

1. To cast vote in a referendum is the right and obligation of every voter; every voter shall participate in the voting.

2. Every voter has the right to cast one referendum ballot paper.

3. A voter shall cast vote in person and may not ask another person to cast vote for him/her, except the case prescribed in Clause 7 of this Article. When casting vote, a voter shall produce his/her voter card.

4. For a voter who is sick or old or has a disability and cannot come to the referendum polling station, the referendum group shall bring an auxiliary ballot box and the ballot paper to the place of residence or treatment of this voter for him/her to receive and cast his/her vote. For a voter who is temporarily held in a detention camp, or is confined to a compulsory reformatory or compulsory detoxification establishment which does not form a separate constituency, or a voter who is held in custody in a custody house, the referendum group shall bring an auxiliary ballot box and the ballot paper to the detention camp, custody house, compulsory reformatory or compulsory detoxification establishment for this voter to receive and cast his/her vote.

5. When voters write referendum ballot papers, no one, even members of referendum groups, may see the papers.

6. A voter who makes errors in the ballot paper may change for a new one.

7. A voter who cannot write the ballot paper himself/herself may ask another person to write for him/her but shall cast the vote himself/herself. The person writing for the voter shall guarantee confidentiality of the referendum ballot paper of the latter. A voter who cannot cast vote in person due to his/her disability may ask another person to cast the vote into the ballot box for him/her.

8. After a voter casts his/her vote, the referendum group shall affix the “having voted” mark on his/her voter card.

9. Every one shall observe rules of the referendum polling station.

Chapter VII

REFERENDUM RESULT

Section 1

VOTE COUNTING

Article 40. Vote counting

Votes shall be counted at polling stations right after the voting is completed.

Before opening ballot boxes, referendum groups shall count, make a record of, and seal up, unused referendum ballot papers and invite two voters to witness the vote counting.

Article 41. Invalid referendum ballot papers

1. A referendum ballot paper is invalid when:

- a/ It is not in the prescribed form as those distributed by the referendum group;
- b/ It does not bear the mark of the referendum group;
- c/ More than one option is marked;
- d/ No option is marked; or,
- dd/ Another content is added.

2. The head of a referendum group shall put up for the group's consideration and decision referendum ballot papers that are deemed invalid. The referendum group may not make any erasure or modification on referendum ballot papers.

Article 42. Complaints and denunciations about vote counting

Referendum groups shall receive and settle on-the-spot complaints and denunciations about acts showing signs of law violation in the vote counting and make records of the settlement.

If unable to settle a complaint or denunciation, a referendum group shall clearly write its opinion in the record of settlement of such complaint or denunciation and forward the complaint or denunciation to the commune-level People's Committee after completing the vote counting.

Article 43. Vote counting records of referendum groups

1. After completing the vote counting, a referendum group shall make a vote counting record which must contain the following contents:

- a/ Total number of voters of the constituency;
- b/ Number of voters having cast votes;
- c/ Number of distributed ballot papers;
- d/ Number of collected ballot papers;
- dd/ Number of valid ballot papers;
- e/ Number of invalid ballot papers;
- g/ Number of ballot papers voting for each option given;
- h/ Number of ballot papers voting against each option given;

i/ Received complaints and denunciations; settled complaints and denunciations and settlement results; complaints and denunciations forwarded to the commune-level People's Committee.

2. A referendum voting record shall be made in two copies and signed by the head and secretary of the referendum group and two voters invited to witness the vote counting. The record and all referendum ballot papers shall be sealed up and sent within 3 days after the voting date to the commune-level People's Committee for summarization and filing.

Section 2

REFERENDUM RESULT

Article 44. Referendum result

1. A referendum shall be considered valid only when at least three-fourths of the total number of voters nationwide who are named in the voter lists cast their votes.

2. An issue put to referendum is valid for implementation when it is voted for by more than half of the number of valid ballot papers. To be valid for implementation, a constitutional issue put to referendum prescribed in Clause 1, Article 6 of this Law must be voted for by at least two-thirds of the number of valid ballot papers.

Article 45. Reporting on referendum result by commune-level People's Committees

1. After receiving vote counting records of referendum groups, the commune-level People's Committee shall examine these records, and make a report on the referendum result in its locality which must contain the following contents:

a/ Total number of voters in the commune-level administrative unit;

b/ Number of voters having cast votes;

c/ Number of distributed ballot papers;

d/ Number of collected ballot papers;

dd/ Number of valid ballot papers;

e/ Number of invalid ballot papers;

g/ Number of votes for each option given;

h/ Number of votes against each option given;

i/ Received complaints and denunciations; settled complaints and denunciations and settlement results; complaints and denunciations forwarded to the higher-level People's Committee.

2. A report on the referendum result shall be made in three copies, one sent to the district-level People's Committee and one sent to the provincial-level

People's Committee together with vote counting records within 5 days after the voting date, and one for filing.

Article 46. Reporting on referendum result by provincial-level People's Committees

1. After receiving reports on the referendum result of commune-level People's Committees, the provincial-level People's Committee shall examine these reports, and make a summary report on the referendum result in its locality which must contain the following contents:

a/ Total number of voters in the provincial-level administrative unit;

b/ Number of voters having cast votes;

c/ Number of distributed ballot papers;

d/ Number of collected ballot papers;

dd/ Number of valid ballot papers;

e/ Number of invalid ballot papers;

g/ Number of votes for each option given;

h/ Number of votes against each option given;

i/ Received complaints and denunciations; settled complaints and denunciations and settlement results; complaints and denunciations forwarded to the Standing Committee of the National Assembly.

2. A report on the referendum result shall be made in two copies, one sent to the Standing Committee of the National Assembly together with vote counting records of referendum groups within 9 days after the voting date, and the other for filing.

Article 47. Revoting

The Standing Committee of the National Assembly shall cancel the referendum result in a constituency where serious violations of law are committed and decide on the date of revoting in that constituency.

Revoting shall be held with 15 days after the date of the first voting.

Article 48. Determination and announcement of referendum result

1. After receiving and examining reports on the referendum result of provincial-level People's Committees and settling complaints and denunciations (if any), the Standing Committee of the National Assembly shall adopt a resolution ascertaining the referendum result nationwide.

2. The Standing Committee of the National Assembly's resolution ascertaining the referendum result must contain the following contents:

a/ Date of the referendum;

b/ Total number of voters nationwide;

c/ Total number of voters having cast votes and its ratio to the total number of voters nationwide;

d/ Total number of valid ballot papers;

dd/ Total number of invalid ballot papers;

e/ Number of votes for each option given and their ratio to the total number of valid ballot papers;

g/ Number of votes against each option given and their ratio to the total number of valid ballot papers;

h/ The referendum result.

3. The Standing Committee of the National Assembly's resolution ascertaining the referendum result shall be announced within 15 days after the date of the referendum or the date of revoting, in case of revoting.

Article 49. Reporting on referendum result to the National Assembly

1. The Standing Committee of the National Assembly shall report on the referendum result to the National Assembly at the next session.

2. On the basis of the referendum result, the National Assembly shall decide on necessary measures to guarantee the implementation of the referendum result.

Chapter VIII

HANDLING OF VIOLATIONS OF THE LAW ON REFERENDUM AND IMPLEMENTATION PROVISIONS

Article 50. Handling of violations of the law on referendum

1. A person who violates this Law shall, depending on the nature and severity of his/her violation, be disciplined, administratively handled or examined for penal liability.

2. A person who obstructs or takes revenge on a person making a complaint or denunciation about referendum shall, depending on the nature and severity of his/her violation, be disciplined, administratively handled or examined for penal liability.

Article 51. Effect

This Law takes effect on July 1, 2016.

Article 52. Implementation detailing and guidance

The Standing Committee of the National Assembly and the Government shall detail the articles and clauses as assigned in this Law and guide the implementation of this Law.

This Law was passed on November 25, 2015, by the XIIIth National Assembly of the Socialist Republic of Vietnam at its 10th session.-

Chairman of the National Assembly
NGUYEN SINH HUNG