

LAW
ON PREVENTION AND SUPPRESSION OF CORRUPTION

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, as amended by Resolution 51/2001/QH10 dated December 25, 2001 by the National Assembly of Xth Legislature at its 10th session;

This Law sets forth provisions on the prevention and suppression of corruption.

CHAPTER I
GENERAL PROVISIONS

Article 1. Scope of Regulation

1. This Law shall provide for the prevention, detection and dealing with the persons who have committed corrupt acts and responsibilities of agencies, organizations, units and individuals in the prevention and suppression of corruption.

2. Corruption is an act committed by a person holding a position and having power who has abused his or her position and/or power for undue benefits.

3. Persons holding position and having power shall include:

a) Cadres, public officials and servants;

b) Military officers, professional military personnel, military workers in agencies and/or units under the People's Army; operational commissioned and non-commissioned officers, technical-professional commissioned and non-commissioned officers in agencies and units under the People's Public Security;

c) Leaders and managers in state-owned enterprises; leaders and managers who represent the contributed capital of the State in enterprises; and

d) Persons who are assigned to perform a task or an official duty and have power in performing that task or official duty.

Article 2. Definitions

For the purpose of this Law:

1. *Proceeds of corruption* means an asset obtained or originated from the corrupt act;

2. *Disclosure* means the publicity of the official information about a certain document, activity or matter by an agency, organization and/or unit;

3. *Making transparent assets and incomes* means the declaration of these assets and incomes of the persons who have an obligation to declare, and may be verified and concluded, where necessary;

4. *Harassment* means authoritarian or authoritative behaviors making troubles in performing a task or an official duty;
5. *Undue benefits* means material and/or mental benefits that the person holding position and having power obtains or may obtain through a corrupt act.
6. *Agencies, organizations, or units* include state agencies, political organization, socio-political organizations, people's armed units, professional administrative bodies, state-owned enterprises and other agencies, organizations, or units using state budget or assets.

Article 3. Corrupt acts

1. Embezzle;
2. Take bribe;
3. Abuse of position and power to misappropriate property;
4. Abuse of position and power in performing a task or an official duty for undue benefits;
5. Take advantage of power in performing a task or an official duty for undue benefits;
6. Abuse of position and power to exert influence on others for undue benefits;
7. Fraud in public service for undue benefits;
8. Give bribes or act as bribery intermediary by a person holding a position and having power in order to complete an affair of his or her own agency, organization, unit or locality for undue benefits;
9. Abuse of position and power to divert state property for undue benefits.
10. Harass for undue benefits;
11. Refrain from performing a task or an official duty for undue benefits; and
12. Abuse of position and power for undue benefits to harbor the person who has violated the law; illegally interfere in or cause obstacles to an examination, inspection, audit, investigation, prosecution, adjudication or judgement execution for undue benefits.

Article 4. Principles of Dealing with Corruption

1. All corrupt acts shall be detected, deterred and dealt with timely and strictly.
2. People at any position who have committed corrupt acts, shall be dealt with in accordance with the provisions of law.
3. Proceeds of corruption shall be recovered and confiscated; people, who, by their corrupt acts, have caused losses, shall be liable for compensation and reimbursement in accordance with the provisions of law.
4. People who have committed corrupt acts but have voluntarily declared, and actively minimized the losses caused by the corrupt acts and voluntarily handed over the proceeds of corruption, may be entitled to consideration for mitigating disciplinary action, reducing criminal penalty or exempting from criminal prosecution in accordance with the provisions of law.
5. Corruption shall be dealt with publicly in accordance with the provisions of law.
6. People who have committed corrupt acts after have retired, resigned from office or moved to work in other places, shall still be liable for that corrupt acts.

Article 5. Responsibilities of Agencies, Organizations, Units and Persons Holding Position and Having Power

1. Agencies, organizations and units, shall, within the scope of their duties and powers, be responsible for:

- a) Organizing the implementation of the legal normative documents on prevention and suppression of corruption;
- b) Receiving and dealing timely with reports, denounces and other information about corruption;
- c) Protecting legal rights and interests of the person who has discovered and reported or denounced a corrupt act; and
- d) Proactively preventing and detecting corrupt acts; providing timely information, documents and complying with requests by the competent agencies, organizations, and individuals made in the process of detecting and dealing with the person who has committed a corrupt act.

2. The heads of agencies, organizations and units shall, within the scope of their duties and powers, be responsible for:

- a) Directing the implementation of the provisions in paragraph 1 of this Article;
- b) Becoming models of exemplary behavior and integrity; periodically reviewing the performance of their functions, duties and responsibilities in prevention and detection of corrupt acts and dealing with persons who have committed those corrupt acts; and
- c) Bearing liability for letting the occurrence of corrupt acts in the agencies, organizations or units under their management.

3. The person holding position and having power shall be responsible for:

- a) Performing his or her tasks and/or official duties properly in accordance with the provisions of law;
- b) Becoming models of exemplary behavior and integrity; complying strictly with the provisions of the laws on prevention and suppression of corruption and the code of conduct and professional ethics; and
- c) Declaring assets in accordance with the provisions of this Law and responsible for the correctness and truth of that declaration.

Article 6. Rights and Duties of Citizens in Prevention and Suppression of Corruption

Citizens have the right to detect and denounce corrupt acts; and have the obligation to cooperate with and assist the competent agencies, organizations, units and individuals in detecting and dealing with the persons who have committed corrupt acts.

Article 7. Responsibility to Coordinate of Inspectorates, Investigating bodies, State Auditing bodies, Procuracies and Courts and of other Concerned Agencies, Organizations and Units

The inspectorates, investigating bodies, state auditing bodies, procuracies and courts shall, within the scope of their duties and powers, have the responsibility to coordinate with each others and the concerned agencies, organizations and units in detecting corrupt acts and dealing with the persons who have committed those corrupt acts, and shall responsible before

law for their conclusions and decisions made during the process of inspection, investigation, auditing, prosecution, and adjudication of corrupt acts.

The concerned agencies, organizations and units have the obligation to cooperate with and assist the inspectorates, investigating bodies, state auditing bodies, procuracies and courts in detecting corrupt acts and dealing with the persons who have committed those corrupt acts.

Article 8. Responsibility of the Vietnam Fatherland Front and its Member Organizations

The Vietnam Fatherland Front and its member organizations shall be responsible for encouraging the people to actively participate in preventing and suppressing corruption; detecting, proposing competent agencies, organizations and individuals to deal with persons who have committed corrupt acts; and supervising the implementation of the laws on prevention and suppression of corruption.

Article 9. Responsibility of the Press Agencies

Press agencies shall have the responsibility to participate in preventing and suppressing corruption; cooperate with competent agencies, organizations and individuals in detecting and dealing with corruption; ensure the accuracy, honesty and impartiality of the information provided, and shall be liable for contents of the information so provided.

Article 10. Strictly Prohibited Acts

The following acts shall be strictly prohibited:

1. The acts listed in Article 3 of this Law;
2. Threat, revenge against, or persecution of persons who have detected and denounced corrupt acts; and
3. Abuse of corruption denunciations to make false denunciation against other agencies, organizations, units or individuals.

CHAPTER II PREVENTION OF CORRUPTION

Section 1

PUBLICITY AND TRANSPARENCY IN OPERATIONS OF AGENCIES, ORGANIZATIONS AND UNITS

Article 11. Principles and Contents of Publicity and Transparency in Operations of Agencies, Organizations and Units

1. Policies and laws and the implementation of policies and laws must be of publicity and transparency, and of assurance of fairness and democracy.
2. Agencies, organizations and units shall disclose their operations and activities, except for contents classified state secrets and other [contents] stipulated by the Government.

Article 12. Methods of Publicity

1. Methods of publicity include:
 - a) Announcement at meetings of agencies, organizations, and units;

- b) Posting at the head offices of agencies, organizations, and units;
- c) Circulation of written notices to concerned agencies, organizations, units, and individuals;
- d) Issuance of publication items;
- e) Notices or announcements in the mass media. f) Provision of information on Websites; and
- g) Provision of information at requests of agencies, organizations, and individuals.

2. Besides the cases where the law provides for methods of publicity, the head of an agency, organization, or unit shall have the responsibility to choose one or more of the methods stipulated in paragraph 1 of this Article.

Article 13. Publicity, Transparency in Public Procurement and Capital Construction

1. All public procurements and capital construction must be publicized in accordance with the provisions of law.
2. For procurements and capital construction that are subject to bidding as required by law, the contents of publicity shall include:
 - a) Bidding plans, invitations for pre-qualification and results of pre-qualification and bidding invitation;
 - b) Lists of bidders participating in restricted bidding, a short list of bidders participating in restricted bidding, and bidding outcomes;
 - c) Information of individuals or organizations as project owners, party offering bidding, contractors, management agencies or other [subjects] which or who have violated the laws on bidding; information of contractors who are prohibited to participate in bidding activities; and information of settlement of violations of the laws on bidding;
 - d) Legal normative acts on bidding, and bidding information and data;
 - e) Final reports on bidding activities in the entire country by the Ministry of Planning and Investment; final reports by ministries, agencies, local and grass-roots level agencies; and
 - f) Competence and procedures for receiving and solving complaints and denunciations concerning bidding.

Article 14. Publicity, Transparency in Construction Investment Management

1. Construction investment zoning projects must be published for comments and inputs by the people living in the projected zone.
2. Construction investment projects funded by local budget must be discussed and decided by the people's council.
3. Construction investment projects, after being decided and approved, must be disclosed for supervision by the people.

Article 15. Publicity, Transparency in Finance and State Budget

1. All levels of the state budget and budget preparation units shall publicize in detail budget estimated figures and final accounting figures, including additional budget, decided or approved by the competent authorities.
2. Budget preparation units who have incomes and expenditures are from contributions by

organizations and individuals in accordance with the provisions of law shall make public the purposes of mobilization, the mobilized amounts and the efficiency of the use of resources mobilized.

3. Organizations supported by the state budget shall publicize the following contents:

- a) Estimated and final accounting figures;
- b) Contributions by organizations and individuals (if any); and
- c) The basis for the determination of the amount of support and the amounts supported by the state budget.

4. Projects of capital construction investment utilizing the state budget shall disclose the following contents:

- a) The allocation of investment capital in annual state budget estimates for projects;
- b) Budget estimates for investment projects under the approved investment plans, amounts of investment on assigned projects in the annual budget estimates;
- c) Final annual accounting for project investments; and
- d) Final accounting for project investments approved by the competent authorities.

5. Funds formulated from the state budget must disclose the following contents:

- a) Operational regulations and financial mechanism of the funds;
- b) Annual financial plan, including details of incomes and expenditures in connection to the state budget as stipulated by the competent authorities;
- c) Operational results of the funds; and
- d) The final annual financial statement approved by the competent authorities.

6. The allocation and utilization of the state budget, state capital and assets allocated to targeted programs and projects approved by the competent state authorities shall be disclosed to related agencies, organizations and local people as direct beneficiaries.

Article 16. Publicity, Transparency of Mobilization and Use of Contributions of the People

1. The mobilization of contributions from the people to invest in construction projects and the establishment of funds within a locality must be subject to people's consultation and decision by the people's council in that locality.

2. The mobilization and use of contributions from the people as stipulated in paragraph 1 of this Article must be disclosed for supervision by the people, and shall be subject to inspection, control and supervision in accordance with the provisions of law.

3. Contents that must be disclosed shall include objectives of mobilization, contribution amount, utilization and results thereof, and final financial statement.

4. For contributions of the people which are used to build infrastructure projects in communes, wards, townships, the following contents must be disclosed:

- a) The contents subject to disclosure listed in paragraph 3 of this Article;
- b) Estimates of the budget for each project according to its approved investment plan;
- c) Investment capital for each project;

- d) Results of mobilization from each specific person or entity, duration of mobilization;
 - e) The results of tenders selection approved by the competent authorities; and
 - f) The progress of construction and result of quantitative and qualitative appraisal and final accounting.
5. The mobilization and use of funds contributed by the people for charitable or humanitarian purposes shall be implemented in accordance with the provisions in paragraphs 2 and 3 of this Article.

Article 17. Publicity, Transparency of Management and Use of Aids

The management, distribution and use of official development assistance (ODA) shall be implemented in accordance with the provisions in Article 15 of this Law. Non- governmental aids must be disclosed to the beneficiaries.

Article 18. Publicity, Transparency in Managing State-owned Enterprises

State-owned enterprises shall have the responsibility to publicize capital and assets invested by the State in these enterprises, preferential loans, their financial statement and auditing results, establishment and use of funds of enterprises; recruitment of employees and appointment of leaders and managers in enterprises and other issues, as stipulated by law.

Article 19. Publicity, Transparency in Equitization of State-owned Enterprises

1. The equitization of state-owned enterprises shall be made public and transparent; closed equitization of enterprises shall be prohibited. Equitized enterprises shall have the responsibility to disclose their real financial state when assessing the value of the enterprises.
2. The state competent authorities shall have the responsibility to disclosure the value of equitized enterprises and adjustment of that value (if any).
3. The first sale of shares of equitized enterprises must be done through public auction.

Article 20. Auditing the Use of the State Budget and Assets

1. Agencies, organizations, and units shall have the responsibility to carry out the auditing and be subjected to auditing of the use of state budget and assets in accordance with the laws on auditing.
2. Auditing reports shall be publicized in accordance with Article 12 of this Law

Article 21. Publicity, Transparency in Management and Use of Land

1. Land use zoning and planning must be made in the manner of democracy and publicity.
2. In formulating and adjusting a detailed land use zoning and planning, the formulating and adjusting agency or organization must publicly notify thereof to the people living in the zoning and planning zone.
3. After having been decided, approved or adjusted by the competent state authorities, detailed land use zoning and planning, site clearance and prices of compensation for land withdrawn must be made known to the public.
4. The competence to, process and procedures for and issuance of a land use rights certificate; detailed zoning of residential land and allocation of lots of residential land and categories of persons entitled to the allocation must be made known to the public.

Article 22. Publicity, Transparency in Management and Use of Residential Houses

1. The competence to, process and procedures for and issuance of a residential house building permit and a residential house ownership certificate must be publicized.
2. Sale of a residential house belonging to the state ownership, categories of persons entitled to purchase such a house and all sums to be paid must be publicized.
3. Sale of a residential house to a re-settler, a person of low income and another person enjoying preferential treatment must be publicized.

Article 23. Publicity, Transparency in Education

1. The enrollment, examination, test, and issuance of diplomas and certificates must be publicized.
2. Educational management bodies and educational institutions using state budget and assets must disclose the management and use of such state budget and collection of tuition fees, students enrollment fees, revenues from consultant services, technology transfer, investments in and aids to educational activities and other funds collected in accordance with the provisions of law.

Article 24. Publicity, Transparency in Health Care

1. The competence to, process and procedures for issuing and withdrawing a private medical practicing certificate and certificate of eligibility for medical practicing to a medical practicing or medicines production institution must be publicized.
2. Health management bodies and medical examination and treatment institutions using state budget and assets must disclose the receipt, management and use of state budget, prices of medicines and medical examination and treatment and other charges in accordance with the provisions of law .

Article 25. Publicity, Transparency in Science and Technology

1. The consideration, selection, direct assignment and funding of performance of scientific and technological exercises and evaluation for accepting of the performance of scientific and technological exercises must be carried out publicly.
2. Science management bodies and scientific research units must disclose the receipt, management and use of state budget, supports and aids to, investments in, and revenues from scientific and technological activities of the science and technology management bodies and scientific and technological research organizations.

Article 26. Publicity, Transparency in Sports

Sports management bodies, sports establishments, the Vietnam Olympic Committee and sports federations have the responsibility to disclose the management and use of state budget, revenues from sports activities and services; funds contributed or supported by domestic and international organizations and individuals to sports activities.

Article 27. Publicity, Transparency in State Inspection, Complains and Denunciations Settlement, and Auditing Activities

1. State inspection, complains and denunciations settlement, and auditing activities must be carried out publicly in accordance with the provisions of law.
2. The following documents and decisions must be publicized, except the law provides otherwise:
 - a) Inspection conclusions;
 - b) Decisions on the settlement of complaints or denunciations; and
 - c) Auditing statements.

Article 28. Publicity, Transparency in Dealing with Matters of Agencies, Organizations, Units and Individuals

1. Agencies, organizations and individuals which and who have the competence of management in the area of land, house, construction, business registration, project approval, state budget allocation, credits, banking, export, import, exit, entry, family registration books management, taxation, customs, insurance and other agencies, organizations and individuals which and who directly settle matters of agencies, organizations, units and individuals, must disclose administrative procedures and settle matters of agencies, organizations, and individuals timely, lawfully and at their legitimate request.
2. Agencies, organizations, units and individuals have the right to request the agencies, organizations and individuals having the competence to settle their matters to give explanation on related issues. Upon receipt of such request, the responsible agency, organization or individual must promptly give a public explanation.
3. If the competent agency, organization or individual has failed to give a clear explanation or has wantonly caused troubles during the resolution of a matter, then the agency, organization, unit or individual concerned has the right to report the fact to the immediate superior agency or organization of that competent agency, organization, unit or individual.

Article 29. Publicity, Transparency in the Judicial Activities

The entertainment, institution, investigation, prosecution and adjudication of a case and execution of a judgment must be conducted publicly in accordance with the provisions of the procedural law and other relevant laws.

Article 30. Publicity, Transparency in Personnel Management

1. Recruitment of cadres, public officials, servants and other employees to agencies, organizations and units must be disclosed in number, qualifications and recruitment manner and results.
2. Planning, training, appointment, change in ranking, rotation, movement, awards, discharge, dismissal, approval of request for withdrawing from the office or a position, discipline, and retirement applied to cadres, public officials, servants and other employees must be disclosed at the agencies, organizations, or units where they work.

Article 31. Rights of Agencies and Organizations to Request for Information

1. State agencies, political organization, socio-political and press agencies shall, within the scope of their respective duties and powers, have the right to request relevant agencies, organizations and units to provide information about their operations and activities, as stipulated by law.

2. Within 10 days of receipt of the request, the requested agencies, organizations or units must provide the relevant information, except where such information has been made known to the public on the mass media or it has been published or publicly posted; in case of refusal or inability to provide the information, they must inform in writing the requesting agencies or organizations of the refusal or inability and the reasons thereof.

Article 32. Right of Individuals to Request for Information

1. Cadres, public officials, servants and other employees have the right to request the heads of the agencies, organizations or units where they work to provide information about the operations or activities of that agencies, organizations or units.

2. Citizens shall have the right to request the Chairmen of People's Committees of communes, wards, or townships where they reside to provide information of the operations of the Committees.

3. Within 10 days of receipt of the request, the requested person has the responsibility to provide the requested information, except where such information has been made known to the public in the mass media or it has been published or publicly posted; in case of refusal or inability to provide the information, he or she must inform in writing the requesting person of the refusal or inability and the reasons thereof.

Article 33. Publicity of Annual Reports on Prevention and Suppression of Corruption

1. Annually, the Government has the responsibility to report the National Assembly on the work of prevention and suppression of corruption in the entire country; People's Committees have the responsibility to the People's Councils at the same level on the work of prevention and suppression of corruption in the localities.

2. Reports on the work of prevention and suppression of corruption must be made known to the public.

Section 2

FORMULATION AND IMPLEMENTATION OF REGIMES, NORMS, AND STANDARDS

Article 34. Formulation, Issuance, and Implementation of Regimes, Norms and Standards

1. State agencies shall, within the scope of their respective duties and powers, have the responsibility to:

- a) Formulate, issue, and make public regimes, norms and standards;
- b) Make public regulations on regimes, norms, and standards concerning benefits applicable to people of each title in their agencies; and
- c) Comply strictly with regulations on regimes, norms and standards.

2. Political organization and socio-political organizations, state professional units and other agencies, organizations and units using state budget, shall, subject to the provisions in paragraph 1 of this Article, instruct the implementation of or coordinate with the competent state authorities to formulate, issue and make public regimes, norms and standards to be applied in their organizations.

3. Agencies, organizations, and units shall be prohibited to issue any regime, norm or standard that is contrary to law.

Article 35. Examination and Dealing with Violations of Provisions on Regimes, Norms and Standards

1. Agencies, organizations and units must regularly check upon the implementation and timely deal with acts of violating the provisions on the established regimes, norms, and standards.

2. A person who has violated the provisions on the established regimes, norms or standards shall be dealt with in accordance with the provisions of law.

3. A person who has permitted another person to utilize more than the regulated level of the established regimes, norms or standards must repay the value of the differences thereof. A person who has utilized such exceeding level of the established regimes, norms or standards shall be jointly liable for repaying that value.

4. A person who has permitted another person to implement the established professional and technical regimes, norms, or standards lower than regulated ones must pay for the losses as caused by such implementation; the person who has gained benefits from such lower implementation shall be jointly liable for repaying the value of benefits so gained.

Section 3

CODE OF CONDUCT, PROFESSIONAL ETHICAL RULES FOR, ROTATION OF CADRES, PUBLIC OFFICIALS AND SERVANTS

Article 36. Code of Conduct for Cadres, Public Officials and Servants

1. Code of conduct is standards of behaviors for cadres, public officials and servants in performing their tasks and official duties and in their social relations, including things that they must do and things that they must not do, depending on the special works of each particular group of cadres, public officials and servants and each particular fields of the public service, which aim at guaranteeing the integrity of and accountability of cadres, public officials and servants.

2. Code of conduct for cadres, public officials and servants must be publicized for supervision by the people of its observance.

Article 37. Prohibited Conducts and Acts

1. Cadres, public officials and servants shall not be allowed to have or do the following conducts and acts:

a) Conduct of red tape, arrogance and trouble making to agencies, organizations, units and individuals while handling their matters;

b) Establish, take part in the establishment or management, or operation of private

enterprise, limited liability companies, joint stock companies, partnerships, co-operatives, private hospitals, private schools, and private scientific research institutes, except where the law provides otherwise;

c) Acting as consultants for enterprises, or other domestic or foreign organizations or individuals on matters relating to state or official secrets and on other matters within their respective authority to settle or to participate in their settlement;

d) Doing business in the area under their management after leaving the office for a certain period of time as stipulated by the Government; and

e) Illicitly using information, documents of agencies, organizations and units for undue benefits.

2. The heads and deputy heads of agencies and their spouses shall be prohibited from contributing capital to enterprises operating in those areas and industries that are under their direct state management.

3. The heads and deputy heads of agencies, organizations or units shall not appoint their spouses, biological parents, children, brothers and sisters to a position of human resources management, accounting – finance; cashier, warehouse keeper of the agencies, organizations or units, or purchasing materials, goods, or conducting transactions, buying, selling raw materials or goods, or signing contracts for such agencies and organizations.

4. The heads and deputy heads of agencies shall not allow their spouses, parents or children to do business in the areas that are under their direct management.

5. Cadres, public officials and servants who are members of the Board of Directors, General Directors, Deputy General Directors, Directors, Deputy Directors, Chief Accountants and other managing officers in state-owned enterprises shall not be allowed to sign economic contracts with enterprises belonging to their spouses, biological parents, children, brothers and sisters; shall not allow enterprises belonging to their spouses, biological parents, children, brothers and sisters to take part in bidding held by those state-owned enterprises; and shall not appoint their spouses, parents, children, biological brothers and sisters to a position of human resources management, accounting – finance; cashier, warehouse keeper of the enterprise or purchasing materials, goods, and conducting transactions, or signing contracts for such enterprises.

6. The provisions in paragraphs 1 to 4 of this Article shall apply *mutatis mutandis* to the following people:

a) Military officers, professional soldiers, military workers working in agencies and units of the People's Army; and

b) Operational commissioned officers and non-commissioned officers, technical-professional officers and non-commissioned officers working in agencies and units of the People's Public Security.

Article 38. Obligation to Report and Handle Report on Signs of Corruption

1. Once detecting a sign of corruption in their agencies, organizations, or units, cadres, public officials or servants must report promptly to the heads of these agencies, organizations, or units; if the heads are involved in the sign of corruption, the cadres, public officials or servants shall report the sign to the heads of the immediate superior agencies, organizations, or units.

2. Within 10 days from receipt of the report about the sign of corruption, the person who has

received the report must handle it within his or her authority or transmit it to competent agencies, organizations, or units to process and inform the reporter of this fact. For complicated cases, the said time limit may be extended, but not exceeding 30 days of receipt of the report; in case of necessity, the person who has received the report shall decide himself or herself or request a competent person to take measures to deter the corrupt act and overcome consequences caused by the corrupt act and protect the reporter.

Article 39. Liability of Persons who Failed to Report or to Handle Report on Sign of Corruption

A cadre, public official or servant who is aware of a corrupt act but failed to report and the receiver of a report on a corrupt act but failed to handle it shall be liable for such failure in accordance with the provisions of law.

Article 40. Gifts Offering and Receiving by Cadres, Public Officials and Servants

1. Agencies, organizations, and units shall be forbidden from using state budget and assets as gifts, unless otherwise stipulated by law.
2. Cadres, public officials and servants shall not be allowed to receive monies, property and other material benefits from agencies, organizations, units and individuals relating matters settled by them or within their management.
3. Abuse of gifts offering and receiving to commit bribery or commit other acts for undue benefits shall be strictly prohibited.
4. The Government shall stipulate in detail gifts offering and receiving, and handing over of received gifts by cadres, public officials and servants.

Article 41. Competence to Issue a Code of Conduct for Cadres, Public Officials and Servants

1. Ministers, heads of ministerial agencies, heads of Government agencies, the Chairman of the Office of the National Assembly and the Chairman of the Office of the State President shall issue a code of conduct for cadres, public officials and servants working in the agencies, areas and industries under their management.
2. The Chief Judge of the People's Supreme Court and the Procurator General of the People's Supreme Procuracy shall issue a code of conduct for judges, people's assessors, court secretaries, procurators and other cadres, public officials and servants working in the courts and procuracies.
3. The Minister of Home Affairs shall issue a code of conduct for cadres, public officials and servants working local government agencies; coordinate with central bodies of socio-political organizations to issue a code of conduct for cadres, public officials and servants working in these organizations.

Article 42. Professional Ethical Rules

1. Professional ethical rules are standards of behaviors, designated to each particular profession, and aim at ensuring the integrity, honesty and accountability in practicing of each profession.
2. Socio-professional organizations shall coordinate with the competent state authorities to issue professional ethical rules for their members in accordance with the provisions of law.

Article 43. Rotation of Positions of Cadres, Public Officials and Servants

1. Agencies, organizations and units shall, within the scope of personnel management assigned to them, on a periodical basis, expedite rotation of cadres, public officials and servants working at certain positions of managing state budget or assets, and of directly dealing with problems of agencies, organizations, units and individuals, in order to proactively prevent corruption.
2. Rotation of working positions must be carried out as planned and disclosed within agencies, organizations, and units.
3. Rotation of working positions stipulated in paragraphs 1 and 2 of this Article shall only apply to cadres, public officials and servants who do not hold managing position. Rotation of cadres, public officials and servants who hold managing position shall be carried out in accordance with the provisions concerning rotation of cadres.
4. The Government shall issue a list of working positions and periodical rotation duration stipulated in paragraph 1 of this Article.

Section 4

PUBLICITY AND TRANSPARENCY OF ASSETS AND INCOMES

Article 44. Assets Declaration Obligation

1. The following persons must declare their assets:
 - a) Cadres who are Deputies of sections in People's Committees of rural districts, urban districts, provincial capitals and cities under provincial authority or higher ranking and persons holding equivalent positions in agencies, organizations, and units.
 - b) A number of cadres and public officials working in communes, wards and townships; persons involving in the management of state budget and/or assets or directly dealing with matters of agencies, organizations, units and individuals
 - c) Candidates to the National Assembly or People's Councils.

The Government shall provide in detail a list of persons who must declare assets under this paragraph.

2. The persons who are subject to assets declaration must declare their assets and all changes in their assets and assets belonging to their spouses and juvenile children.
3. Declarers shall declare in an honest manner, and take responsibility for the declaration.

Article 45. Assets Subject to Declaration

Assets subject to declaration include:

1. Houses and land use rights;
2. Rare metals, gemstones, money, negotiable instruments and other assets valued fifty million dong up;
3. Properties and accounts in foreign countries; and
4. Taxable incomes in accordance with the provisions of law.

Article 46. Procedures of Assets Declaration

1. Assets declaration is made annually at the agency, organization, or unit where the person subject to declaration works and shall be completed as of 31 December as the latest;

2. The persons who are subject to assets declaration shall state clearly changes in their assets in comparison with the previous declaration and reasons for such changes.

3. Assets declaration statements shall be submitted to the agencies, organizations, or units in charge of the declarers.

Article 47. Verification of Assets

1. Verification of assets may be conducted only under a decision of the agencies or organizations have competence to manage the declarers.

2. Verification of assets shall be conducted in the following cases:

a) It is necessary for the purposes of election, appointment, discharge or dismissal of or imposition of disciplinary measures upon the declarers, if it deems necessary;

b) At the request of Election Boards, competent agencies or organizations; or c) There is a corrupt act.

Article 48. Procedures for Verification of Assets

1. Before deciding to conduct verification of the assets, the competent agencies or organizations shall request the declarers to clearly explain the declaration. The explanation shall be made within five days as from the date of receipt of the request.

2. The competent agencies or organizations shall issue decision on verification within five days from the date when grounds for verification arise as stipulated in paragraph 2, Article 47 of this Law.

3. The concerned agencies, organizations, units and individuals shall have the responsibility to provide information and documents necessary to conduct verification upon request of the competent agencies or organizations.

4. Within twenty days as from the date when the decision on verification has been issued, the agency, organization, or unit which directly manage the declarer shall conduct examination and verification and must make its conclusion on the transparency in the declaration of the assets.

5. The procedures for verifying the assets of candidates for deputies of the National Assembly and People's Councils shall be in accordance with the provisions in paragraphs 1 to 4 of this Article. Time limit for verification must meet the requirements of time limit for election of deputies of the National Assembly and People's Councils.

Article 49. Conclusion on Transparency in Declaration of Assets

1. Conclusion on the transparency in declaration of assets is conclusion on the truthfulness of that declaration.

2. Conclusion on declaration of assets must be sent to the agency or organization requesting the verification and the person whose assets have been verified.

3. The agencies, organizations and units referred to in paragraph 4, Article 48 of this Law must be responsible for the objectiveness and correctness and contents of their conclusions.

Article 50. Disclosure of Conclusion on the Transparency in Declaration of Assets

1. Upon requests and under decision of competent agencies or organizations, conclusion reports on the transparency in declaration of assets shall be disclosed:

a) In agencies, organizations, or units where the declarers work upon their appointment, election, or approval.

b) At voters meetings held at their workplaces or residence places for candidates for the National Assembly or People's Committees.

c) In agencies, organizations or units where the persons are nominated for election or approval by the National Assembly, People's Committees or Congresses of political organization or socio-political organizations.

2. Conclusion on the transparency in declaration of assets of persons who have been instituted for corrupt acts must be disclosed at the agencies, organizations, or units where they work.

Article 51. Responsibility of Agencies, Organizations, or Units which directly manage the Assets Declarers

Agencies, organizations, or units shall have the responsibility to manage and keep assets declaration statements of the persons under their direct management; organize for verification under decisions of competent agencies or organizations; make conclusions on the transparency in assets declarations and disclose such conclusions under decisions of competent agencies or organizations in the circumstances stipulated in Article 50 of this Law.

Article 52. Dealing with Dishonest Declarers

1. A person who has made a dishonest assets declaration shall be subject to a disciplinary action in accordance with the provisions of law. The decision on that disciplinary action must be disclosed at the agency, organization, or unit where the person works.

2. A person who is a candidate for member of the National Assembly or People's Council but has made dishonest assets declaration shall be removed from the candidate list; a person who is intended to be appointed to an office or to have his her appointment approved has made a dishonest assets declaration shall not be appointed or approved of his or her appointment to the intended office.

Article 53. Control of Incomes

The Government shall submit draft legal normative documents on control of incomes of persons holding position and having power to the National Assembly for promulgation.

Section 5

LIABILITY OF HEADS OF AGENCIES, ORGANIZATIONS, AND UNITS IN CASE OF CORRUPTION

Article 54. Liability of the Heads of Agencies, Organizations, and Units for Occurrence of Corruption Inside the Entities under their Management or Authority

1. The heads of agencies, organizations, and units shall be liable for the occurrence of corruption inside the agencies, organizations, or units under their management and authority.

The heads of agencies, organizations, or units shall be personally liable for corrupt acts committed by persons under their direct management or persons who have been assigned duties by them

2. Deputy heads of agencies, organizations, and units shall be personally liable for the occurrence of corruption in the areas or units under their direct authority.

The heads of agencies, organizations, or units shall be jointly liable for the occurrence of corrupt acts in the areas and units under the direct authority of their deputies.

3. The heads of units belonging to agencies or organizations shall be personally liable for the occurrence of corrupt acts in the units under their management.

4. The dealing with liability of the heads and other responsible individuals in political organization, socio-political organizations, socio-professional organizations and other organizations using state budget for occurrence of corrupt acts shall be carried out in accordance with the provisions of this Law and Rules or Regulations of those organizations.

5. Liability of the heads and their deputies of agencies, organizations, or units referred to in paragraphs 1, 2 and 3 of this Article shall be excluded if heads or their deputies could not know the acts or have taken measures necessary to prevent and deter them.

Article 55. Dealing with Liability of the Heads of Agencies, Organizations, or Units for Occurrence of Corrupt acts in Agencies, Organizations, or Units under their Management or Authority

1. The head of an agency, organization or unit who is personally liable for the occurrence of corrupt acts in the agency, organization or unit under his or her management or authority, shall be subject to a disciplinary action or criminal liability.

2. The head of an agency, organization or unit who is jointly liable for the occurrence of corrupt acts in the agency, organization or unit under his or her management or authority, shall be subject to a disciplinary action.

3. The head of an agency, organization or unit shall be considered for exemption from, or reduction of the legal liability stipulated in paragraphs 1 and 2 of this Article if he or she has taken necessary measures to prevent and rectify consequences caused by the corrupt act; properly dealt with and timely report the corrupt act to a competent agency or organization.

4. The inspection, auditing or investigation conclusion on a corrupt incident or case must clearly specify the liability of the head of the agency, organization or unit where the corrupt act has occurred, in the following levels:

- a) [He/she] is weak at management ability;
- b) [He/she] was irresponsible in management;
- c) [He/she] has harbored the person who has committed the corrupt act.

This conclusion must be sent to the Central Committee on Prevention and Suppression of Corruption and competent agencies and organizations.

Section 6

ADMINISTRATIVE REFORM, RENOVATION OF MANAGEMENT TECHNOLOGY AND PAYMENT METHODS

Article 56. Administrative Reform for Preventing Corruption

The State shall implement administration reform to enhance the independence and self-accountability of agencies, organizations, and units; promote decentralization of the state management between the central and local governments, and among local governments; clearly define duties and powers among state agencies; publicize, simplify and improve administrative procedures; and concretely provide for responsibility of each title in agencies, organizations, and units.

Article 57. Enhancing Application of Science and Technology in Management

1. Agencies, organizations, and units shall regularly improve working performance, enhance the application of science and technology in operations, and create favorable conditions for citizens, agencies, organizations and units to exercise their lawful rights and interests.

2. Agencies, organizations, and units shall have the responsibility to provide guidance on processes and procedures of handling problems in order for citizens, agencies, organizations, units and individuals to proactively perform them without having face-to-face contacts with cadres, public officials and servants.

Article 58. Renovation of Payment Methods

1. The State shall adopt managing measures to ensure payments being made through accounts in banks or the State Treasury. Agencies, organizations and units shall have the responsibility to comply with the provisions on payments through accounts.

2. The Government shall adopt financial and technological solutions necessary to gradually exercise all expenditures by/for the persons holding position and having power referred to in sub-paragraphs a, b and c, paragraph 3, Article 1 of this Law and transactions where state budget is used, must be performed through accounts.

CHAPTER III

DETECTION OF CORRUPTION

Section 1

MONITORING BY AGENCIES, ORGANIZATIONS AND UNITS

Article 59. Monitoring by the State Management Agencies

1. Heads of state management agencies shall have the responsibility to regularly organize for monitoring the observance of laws by agencies, organizations units and individuals under their management in order to timely detect corrupt acts.

2. Upon detection of corrupt acts, the Heads of state management agencies must timely deal with the acts by their power or report to the competent inspectorate, investigating body or procuracy.

Article 60. Self-monitoring by Agencies, Organization, and Units

1. The heads of agencies, organizations, and units shall be responsible for proactively organizing monitoring of the performance of tasks and official duties by cadres, public officials and servants who regularly and personally deal with matters of agencies, organizations, units and individuals, and other cadres, public officials and servants under their management, in order to timely detect, deter and deal with corrupt acts.

2. The heads of agencies, organizations, and units shall be responsible for frequently urging the heads of affiliated units to monitor the performance tasks and official duties by cadres, public officials and servants under their management.

3. Upon detection of corrupt acts, the heads of agencies, organizations, or units must timely deal with the acts by their power or report to the competent inspectorate, investigating body or procuracy.

Article 61. Forms of Monitoring

1. Regular monitoring shall be conducted pursuant plans and programs, focusing on areas and activities vulnerable to corruption.
2. Extraordinary monitoring shall be proceeded when a sign of corruption has been discovered.

Section 2

DETECTION OF CORRUPTION BY INSPECTION, AUDITING, INVESTIGATION, SUPERVISION, ADJUDICATION, AND OVERSIGHT ACTIVITIES

Article 62. Detection of Corruption by Inspection, Auditing, Investigation, Supervision, and Adjudication Activities

The State Inspectorates, State auditing agencies, Investigating Bodies, Procuracies, and Courts shall have the responsibility to proactively detect corrupt acts, deal with them by their power or to propose the dealing with the acts according to law and shall be responsible before law for their decision.

Article 63. Detection of Corruption by Oversight Activities

The National Assembly, organs of the National Assembly, Deputy delegations of the National Assembly, Deputies of the National Assembly, and deputies of People's Councils shall, by their oversight activities, have the responsibility to detect corrupt acts and request or propose for dealing with those acts according to law.

Section 3

CORRUPTION DENUNCIATIONS AND SETTLEMENT OF CORRUPTION DENUNCIATIONS

Article 64. Denunciations of Corrupt acts and Responsibility of Denouncers

1. Citizens has the right to denounce corrupt acts to the competent agencies, organizations, units and individuals.
2. The denouncer must denounce honestly, clearly indicate the full names and address, provide information, documents in his or her possession and cooperate with competent agencies, organizations, and individuals.
3. A person who has intentionally made an untrue denunciation shall be strictly dealt with, and if he or she has caused damage or injury to the denounced person, he or she must compensate for the damage or injury according to law.

Article 65. Responsibility to Receive and Settle Denunciations

1. Agencies, organizations, units and individuals shall have the responsibility to create favorable conditions for citizens to make oral denunciations, written denunciations, denunciations by telephone, denunciations by internet and other means stipulated by law;
2. The heads of competent agencies and organizations shall, upon receipt of denunciations of corruption, consider and process the denunciations in their authority; keep secret the full names, addresses, writings left and other information at the request of the denouncers; take timely measures as may be necessary to protect the denouncers where there is risk of threat

and revenge against the denouncers or where the denouncers so request; and inform results or the settlement of the denunciations to the denouncers at request.

3. The State inspectorates shall have the responsibility to assist the heads of the state management agencies at the same levels in verifying and making conclusion on the contents of denunciations and recommending measures to deal with the matter. If a sign of criminal offences has been discovered, the state inspectorates shall transmit the case to competent investigative bodies, procuracies to deal with in accordance with the provisions of the laws on criminal procedure.

The investigating bodies, procuracies must, upon receipt of denunciations of corruption, deal with them by their power.

4. Time limit for settling denunciations and replying the denouncers shall be in accordance with the provisions of law.

Article 66. Responsibilities for Coordination of Concerned Agencies, Organizations, Units and Individuals

The concerned agencies, organizations, units and individuals must, within the scope of their duties and powers, create conditions to and coordinate with the agencies, organizations, and individuals which and who have the competence to settle denunciations in order to timely detect, deter and deal with corrupt acts, and to minimize the losses caused by the corrupt acts.

Article 67. Rewards for the Denouncers

Those who make truthful denunciations and actively cooperate with the competent agencies, organizations, units and individuals in detecting, deterring and dealing with corrupt acts shall be rewarded spiritually or materially according to law.

CHAPTER IV

DEALING WITH CORRUPT ACTS AND OTHER VIOLATIONS OF LAW

Section 1

DISCIPLINARY IMPOSITION, CRIMINAL IMPOSITION

Article 68. Persons Subjected to Disciplinary Imposition, Criminal Imposition

1. Those persons who have committed corrupt acts listed in paragraph 1.
2. Those persons who failed to report or denounce corrupt acts after they have knowledge of them.
3. Those persons who failed to process reports or denunciations about corrupt acts.
4. Those persons who have threatened, revenged or otherwise persecuted the persons who have detected, denounced or reported or provided information about the corrupt acts;

5. Those heads of agencies, organizations, or units, who have let the occurrence of corrupt acts in agencies, organizations, or units under their management or authority.
6. Those persons who have committed other acts of violating the provisions of this Law or of other relevant laws.

Article 69. Dealing with Persons Who Have Committed Corrupt Acts

A person who has committed a corrupt act shall, depending on the nature and gravity of the acts, be subjected to a disciplinary or criminal imposition; if he or she has been convicted for the corrupt act, and the judgment has acquired legal force, he or she shall be subjected to a dismissal or discharge; if he or she is a member of the National Assembly or of a people's council, his or her membership shall be automatically deprived.

Section 2

DEALING WITH PROCEEDS OF CORRUPTION

Article 70. Principles of Dealing with Proceeds of Corruption

1. The competent agencies and organizations must take measures necessary to recover and confiscate proceeds of corruption.
2. Proceeds of corruption must be returned to the lawful owners or managers or shall go to the state budget.
3. Those persons who have given bribes but have voluntarily reported the bribery before being detected shall be returned the assets used as the bribes.
4. The confiscation and recover of proceeds of corruption shall be carried out under decisions of the competent state authorities in accordance with the provisions of law.

Article 71. Recovery of Proceeds of Corruption Related to Foreigners

The Government of Vietnam shall, subjected to the international treaties to which Vietnam is a contracting party and in accordance with the fundamental principles of the Vietnamese law, cooperate with foreign governments in recovering property and assets of Vietnam or of foreign countries, which have been corrupted, and in returning those property and assets to the legitimate owners.

CHAPTER V

ORGANIZATION, RESPONSIBILITY AND COORDINATING ACTIVITIES OF THE INSPECTORATES, STATE AUDITING AGENCIES, INVESTIGATING BODIES, PROCURACIES, COURTS AND CONCERNED AGENCIES, ORGANIZATIONS, AND UNITS IN PREVENTING AND SUPPRESSING CORRUPTION

Section 1

ORGANIZATION, DIRECTION, COORDINATION AND RESPONSIBILITY IN THE PREVENTION AND SUPPRESSION OF CORRUPTION

Article 72. Responsibilities of Agencies, Organizations, and Units in Prevention and Suppression of Corruption

1. The heads of agencies, organizations, and units shall have the responsibility to apply the

provisions of this Law and of other relevant laws to organize for anti-corrupt activities within the agencies, organizations, and units under their management.

2. Heads of agencies, organizations, and units shall be responsible to the immediate superior agencies, organizations, and units for the prevention and suppression of corruption within the agencies, organizations, and units under their management.

Article 73. Steering Committee on Prevention and Suppression of Corruption

1. The Central Committee on Prevention and Suppression of Corruption, headed by the Prime Minister, shall have the responsibility to direct, coordinate, monitor and urge anti-corrupt activities throughout the country. The Central Committee on Prevention and Suppression of Corruption shall be assisted by a standing entity whose operation is specialized.

2. The organization, duties and powers and working regulations of the Central Committee on Prevention and Suppression of Corruption shall be stipulated by the Standing Committee of the National Assembly at the request of the Prime Minister.

Article 74. Supervision over Corruption Prevention and Suppression Activities

1. The National Assembly and the Standing Committee of the National Assembly shall supervise corruption prevention and suppression activities throughout the country.

2. The Ethnicity Council and Committees of the National Assembly shall, within the scope of their duties and powers, supervise corruption prevention activities within the areas under their authority.

The Law Committee of the National Assembly shall, within the scope of its duties and powers, supervise the detection of and dealing with corrupt acts.

3. People's councils at all levels shall, within the scope of their duties and powers, be responsible for supervising corruption prevention and suppression activities in their respective localities.

4. Deputy delegations of the National Assembly, deputies of the National Assembly and deputies of people's councils shall, within the scope of their duties and powers, supervise the implementation of the laws on prevention and suppression of corruption.

Article 75. Specialized Anti-corruption Units

1. In the Government Inspectorate, Ministry of Public Security and Supreme People's Procuracy shall be established the specialized anti-corruption units.

2. Organizational structures, tasks and powers of the specialized anti-corruption units referred to in paragraph 1 of this Article shall be stipulated by the Standing Committee of the National Assembly and/or the Government.

Article 76. Responsibilities of the Government Inspectorate

The Government Inspectorate shall, within the scope of its tasks and powers, have the responsibility to:

1. Organize, direct and guide the inspection of the implementation of the laws on prevention and suppression of corruption; and propose the competent agencies or organizations to deal with corrupt acts which it has detected; and

2. Develop a common anti-corruption database.

Article 77. Responsibilities of the State Audit

The State Auditing Agency shall, within the scope of its duties and powers, have the responsibility to organize for the implementation of auditing in order to prevent and detect corruption; and propose the competent agencies or organizations to deal with corrupt acts which it has detected.

Article 78. Responsibilities of the Ministry of Public Security and Ministry of National Defense

The Ministry of Public Security and Ministry of National Defense shall, within the scope of their respective duties and powers, have the responsibility to direct and organize for the conducting of investigation into corrupt offences.

Article 79. Responsibilities of the Supreme People's Procuracy and Supreme People's Court

1. The Supreme People's Procuracy shall have the responsibility to organize for and direct the prosecution of corrupt offences; and to supervise investigation, adjudication and judgement execution activities relating to corrupt offences.
2. The Supreme People's Court shall have the responsibility to adjudicate and provide guidelines on the adjudication of corrupt offences.

Article 80. Coordination among the Inspectorates, State Auditing Agencies, Investigating Bodies, Procuracies and Courts

The inspectorates, state auditing agencies, investigating bodies, procuracies and courts shall have the responsibility to coordinate in preventing and suppressing corruption by:

1. Regularly exchanging information, documents and experiences on prevention and suppression of corruption;
2. Transferring files of corruption incidents and cases to competent state authorities for dealing with; and
3. Making summary, assessment and prognoses of the development of corruption and recommend policies and solutions to prevent and suppress corruption.

Article 81. Coordination between the Inspectorates and State Auditing Agencies and the Investigating Bodies

1. In case where an inspectorate or a state auditing agency transmits a case file to an investigating body, the investigating body must receive and process it in accordance with the provisions of the procedural law.
2. In case the inspectorate or the state auditing agency disagreed with the resolution of the investigating body, the former shall have the right to inform thereof to the procuracy at the same level and the investigating body at higher level.

Article 82. Coordination between the Inspectorates and State Auditing Agencies

and Procuracies

1. In case of the transmission of the case file by an inspectorate or a state auditing agency to an investigating body, the former shall have the responsibility to inform the procuracy at the same level thereof for supervision.
2. In case an inspectorate or a state auditing agency has transmitted a case file to a procuracy to prosecute, the procuracy must consider and process the file and inform in writing the inspectorate or state auditing agency of the results of such consideration and processing.

Section 2

CONTROL OVER ANTI-CORRUPT ACTIVITIES WITHIN THE INSPECTORATES, STATE AUDITING AGENCIES, INVESTIGATING BODIES, PROCURACIES AND COURTS

Article 83. Control over Anti-Corruption activities of Cadres, Public Officials and Servants of the Inspectorates, State Auditing Agencies, Investigating Bodies, Procuracies and Courts

1. The inspectorates, state auditing agencies, investigating bodies, procuracies and courts shall adopt control measures to prevent acts of abusing power, exceeding power and harassment committed by their cadres, public officials and servants in conducting anti-corruption activities.
2. The heads of inspectorates, state auditing agencies, investigating bodies, procuracies and courts shall reinforce the management of their cadres, public officials and servants; direct the internal inspection and control in order to prevent acts of violating law in conducting anti-corruption activities.
3. Cadres, public officials and servants of the inspectorates, state auditing agencies, investigating bodies, procuracies and courts, who have committed acts of violating law in anti-corruption activities, shall, depending on the nature and gravity of the acts, be subject to disciplinary actions or criminal imposition; and if the acts have caused damage, [they] must compensate or reimburse in accordance with provisions of law.

Article 84. Settlement of denunciations against cadres, public officials and servants of the inspectorates, state auditing agencies, investigating bodies, procuracies and courts

In case of denunciations against law violations committed by inspectors, investigators, procurators, judges, people's assessors, court secretaries and other cadres, public officials and servants of the inspectorates, state auditing agencies, investigating bodies, procuracies and courts in anti-corrupt activities, the heads of these bodies must settle the denunciations by their authority or request the competent agencies, organizations or individuals to settle.

The results of the settlement of the denunciations must be publicized.

CHAPTER VI

THE ROLE AND RESPONSIBILITIES OF THE SOCIETY IN PREVENTION AND SUPPRESSION OF CORRUPTION

Article 85. Roles and Responsibilities of the Vietnam Fatherland Front and its Member Organizations

1. The Vietnam Fatherland Front and its member organizations shall be responsible for:

- a) Coordinating with the state competent agencies to disseminate information and educate the people and the members of their organizations to comply with the provisions of the laws on prevention and suppression of corruption; and recommending measures as may be necessary to detect and prevent corruption;
- b) Encouraging people to actively participate in detecting and denouncing corrupt acts;
- c) Providing information and coordinating with competent agencies, organizations, and individuals in detecting, verifying and dealing with corruption incidents; and d) Supervising the implementation of the laws on corruption prevention and suppression.

2. The Vietnam Fatherland Front and its member organizations shall have the right to request competent agencies, organizations, and individuals to take measures to prevent corruption, verify corruption incidents and deal with people who have committed corrupt acts. The competent agencies, organizations, and individuals must consider the request and respond to the requested organization within 15 days of the receipt of such request; for complicated case, the said time limit may be extended, but not exceeding 30 days.

Article 86. Roles and Responsibilities of Press Agencies

1. The State encourages the press agencies and correspondents to report on corruption cases and anti-corruption activities.

2. The press agencies shall be responsible for praising anti-corruption spirit and active actions; condemning and fighting against persons who have committed corrupt acts; and participating in dissemination of the laws on corruption prevention and suppression.

3. The press agencies and correspondents shall have the right to request the competent agencies, organizations, and individuals to provide information and documents relating to corrupt acts. The requested agencies, organizations or individuals shall, upon receipt of the request, be responsible for providing such information and documents in accordance with the provisions of law. If the requested agencies, organizations or individuals refuse to provide the information and documents, they must reply in writing and specify reasons for such refusal.

4. The press agencies and correspondents must provide honest and objective information. The editor-in-chief and the correspondents shall bear responsibility for information reported and comply with the laws on press and professional ethical rules.

Article 87. Roles and Responsibilities of Enterprises and Professional Associations

1. Enterprises shall have the responsibility to report about corrupt acts and to coordinate with the competent agencies, organizations, and individuals in verifying and drawing conclusion on corrupt acts.

2. Associations of enterprises and professional associations shall be responsible for organizing and encouraging their members to establish sound and non – corruption business culture.

3. Associations of enterprises and professional associations and their members shall be

responsible for recommending to the State to improve the mechanism, policy and management for prevention and suppression of corruption.

4. The State encourages enterprises to compete fairly and to establish internal control mechanisms in order to prevent embezzlement and bribe giving.

5. The competent agencies, organizations, and individuals shall have the responsibility to coordinate with the Vietnam Chamber of Commerce and Industry, associations of enterprises, professional associations and other organizations to hold forums to exchange and provide information for the purpose of preventing and suppressing corruption.

Article 88. Responsibilities of Citizens and People's Inspection Committees

1. Citizens themselves or through their People's Inspection Committees, shall participate in preventing and suppressing corruption.

2. People's Inspection Committees in communes, wards and towns and in state agencies, administrative professional units and state-owned enterprises shall, within the scope of their duties and powers, supervise the implementation of the laws on prevention and suppression of corruption.

CHAPTER VII

INTERNATIONAL COOPERATION IN PREVENTION AND SUPPRESSION OF CORRUPTION Article

89. General Principles on International Cooperation

The State undertakes to implement the international treaties against corruption to which the Socialist Republic of Vietnam is a contracting party; to cooperate with other countries, international organizations, foreign organizations and individuals in anti-corruption efforts on the principles of respect for the independence, sovereignty, territorial integrity of each other and mutual benefits.

Article 90. Responsibility to Carry Out International Cooperation

1. The Government Inspectorate shall coordinate with the Ministry of Foreign Affairs, the Ministry of Public Security and other relevant agencies to carry out international cooperation in research, training, formulation of policies, exchange of information, financial support, technical assistance and exchange of experience in prevention and suppression of corruption.

2. The Supreme People's Procuracy, the Ministry of Justice and the Ministry of Public Security shall, within the scope of their duties and powers, carry out tasks of international cooperation on mutual legal assistance in prevention and suppression of corruption.

CHAPTER VIII FINAL PROVISIONS

Article 91. Entry into Force

1. This Law shall entry into force on June 1st , 2006.

2. The Ordinance Against Corruption of January 26, 1998 shall cease its effect on the date of entry into force of this Law.

Article 92. Guidelines for Implementation

The Government shall issue detailed provisions and guidelines for the implementation of this Law.

This Law was passed by the National Assembly of the Socialist Republic of Vietnam of XI Legislature at its 8th session on 29 November 2005.

**National Assembly
Chairman**

Nguyen Van An