

**Order No. 04/2010/L-CTN of June 28,
2010, on the promulgation of law**

THE PRESIDENT OF THE SOCIALIST
REPUBLIC OF VIETNAM

*Pursuant to Articles 103 and 106 of the 1992
Constitution of the Socialist Republic of Vietnam,
which was amended and supplemented under
Resolution No. 51/2001/QH10 of December 25,
2001, of the Xth National Assembly, the 10th
session;*

*Pursuant to Article 91 of the Law on
Organization of the National Assembly;*

*Pursuant to Article 57 of the Law on
Promulgation of Legal Documents,*

PROMULGATES:

**the Law on Economical and Efficient Use
of Energy,**

which was passed on June 17, 2010, by the
XIIth National Assembly of the Socialist Republic
of Vietnam at its 7th session.

*President of
the Socialist Republic of Vietnam*
NGUYEN MINH TRIET

**Law on Economical and Efficient Use of
Energy**

(No. 50/2010/QH12)

*Pursuant to the 1992 Constitution of the
Socialist Republic of Vietnam, which was
amended and supplemented under Resolution No.
51/2001/QH10;*

The National Assembly promulgates the Law on Economical and Efficient Use of Energy.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Law provides economical and efficient use of energy; policies and measures to promote economical and efficient use of energy; and the rights, obligations and responsibilities of organizations, households and individuals in economical and efficient use of energy.

Article 2. Subjects of application

This Law applies to organizations, households and individuals using energy in Vietnam.

Article 3. Interpretation of terms

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

1. *Energy includes* fuel, electric and thermal energy directly attained or attained through the processing of unrenovable and renewable energy resources.

2. *Unrenovable energy resources include* coal, coal gas, petroleum oil, natural gas, uranium ores and other unrenovable energy resources.

3. *Renovable energy resources include* water power, wind power, sunlight, geothermy, biofuel and other renewable energy resources.

4. *Fuel* means forms of substances directly used or processed for use as fuel.

5. *Economical and efficient use of energy* means the application of managerial and technical measures to reduce energy loss and consumption of devices and equipment while meeting demands and requirements of production

and life.

6. *Energy audit* means the measurement, analysis, calculation and assessment to determine energy consumption level and energy saving potential and proposal of solutions for economical and efficient use of energy to energy users.

7. *Energy label* means a label providing information on used energy, energy consumption level and energy yield and other information helping consumers know and select energy-saving devices and equipment.

8. *Energy labeling* means sticking, attaching, printing or carving an energy label to a product or packaging.

9. *Energy yield* means the indicator showing the device's or equipment's capacity to convert used energy into useful energy.

10. *Minimum energy yield* means the lowest energy yield level set by a competent state agency for an energy-consuming device or equipment below which such device or equipment is subject to special control.

11. *Energy-saving product* means a device or equipment with high energy yield and well-insulated materials conformable with technical standards and regulations provided by competent state agencies.

Article 4. Principles of economical and efficient use of energy

1. To conform with energy strategies and master plans and policies on energy security and environmental protection.

2. To be implemented regularly and uniformly from energy resource management and exploitation to final use.

3. To be the responsibilities of state

management agencies and rights and obligations of organizations, households, individuals and the entire society.

Article 5. State policies on economical and efficient use of energy

1. Application of measures to use energy economically and efficiently for socio-economic development is a top priority.

2. To provide financial support and energy price subsidy and other necessary incentives to promote economical and efficient use of energy.

3. To increase investment in, diversify resource-raising forms to promote, scientific research, development and application of advanced technologies using energy economically and efficiently; to develop renewable energy suitable to Vietnam's potential and conditions, contributing to ensuring energy security and environmental protection.

4. To encourage the use of energy-saving devices and equipment; to implement an energy labeling roadmap; to step by step eliminate devices and equipment of backdated technologies and low energy yield.

5. To encourage the development of counseling services; and rationally invest in information dissemination, education and support for organizations, households and individuals to use energy economically and efficiently.

Article 6. Energy use strategies, master plans and programs

1. Energy use strategies, master plans and programs must meet the following requirements:

a/ To supply energy stably and safely; to rationally and economically use energy resources;

b/ To estimate energy supply and demand in conformity with socio-economic development strategies, master plans and plans; to harmoniously and proportionally combine coal, oil and gas, and electricity planning with other energy planning;

c/ To promote economical and efficient use of energy, prioritize reasonable development of clean energy technologies and raise renewable energy use rates;

d/ To devise and implement a roadmap to manufacture energy-saving devices, equipment and construction materials.

2. The Prime Minister shall direct the elaboration and implementation of energy use strategies, master plans and programs.

Article 7. Energy use statistics

The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with the state management agency in charge of statistical work in, submitting to the Government for promulgation statistical indicators on energy use within the national statistical indicator system under this Law and the law on statistical work.

Article 8. Prohibited acts

1. Destroying national energy resources.

2. Making forgeries or committing frauds to enjoy state incentives for economical and efficient use of energy.

3. Taking advantage of positions and powers in the management of economical and efficient use of energy for self-seeking purposes.

4. Intentionally providing untruthful information on the energy yield of devices and equipment in energy labeling, inspection,

advertising and other activities which harm the interests of the State and lawful rights and interests of organizations, households and individuals.

5. Manufacturing, importing or circulating energy-consuming devices and equipment on the list of those subject to elimination promulgated by a competent state management agency.

Chapter II

ECONOMICAL AND EFFICIENT USE OF ENERGY IN INDUSTRIAL PRODUCTION

Article 9. Industrial producers' responsibilities for economical and efficient use of energy

1. Industrial producers include manufacturers, processors and subcontract processors of products and goods; manufacturers and repairers of devices and equipment; mining establishments; and energy producers and suppliers.

2. Industrial producers shall:

a/ Elaborate and implement annual plans on economical and efficient use of energy; incorporate energy management programs with their programs on quality control, cleaner production and environmental protection;

b/ Apply standards, technical regulations and norms on energy use provided by competent state agencies; select and apply advanced production management processes and models, appropriate technological measures and equipment and technologies with high energy yield; use substitute energies with higher efficiency in production lines;

c/ Apply technical measures and workshop architecture to make the optimal use of lighting, ventilation and cooling systems; to make the best

use of natural light and ventilation;

d/ To operate, upgrade and maintain devices and equipment of production lines to prevent energy loss;

e/ To gradually eliminate devices and equipment with outdated and energy-intensive technologies under the Prime Minister's regulations.

3. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned ministries and ministerial-level agencies in, promulgating technical regulations and norms on energy use applicable to each industry.

Article 10. Measures for economical and efficient use of energy applicable to producers, processors and subcontract producers of products and goods

Producers, processors and subcontract producers of products and goods shall, based on standards, technical regulations and norms on energy use, select and apply the following technological and managerial measures:

1. Modernizing lines for production, processing and subcontract production of products and goods; replacing equipment with outdated technologies and low energy yield to save energy and protect the environment;

2. Improving and streamlining the processes of:

a/ Burning fuels in steam boilers and smelting, baking and drying furnaces;

b/ Heat exchange in heat and cold intensifiers;

c/ Converting thermal into electric energy, electric into thermal and mechanical energy and other forms of energy conversion;

3. Making use of redundant heat emitted from

steam boilers and smelting and baking furnaces and emitted hot steam for production and life;

4. Taking technical measures to reduce energy loss in electricity and heat supply systems;

5. Using electric motors, steam boilers and pumps with high yield, inverters and motor speed controllers for installation, construction, replacement and repair of works;

6. Applying cogeneration technologies to processors, subcontract producers and producers of products and goods with potential to develop additional electric and thermal charges.

Article 11. Measures for economical and efficient use of energy applicable to manufacturers and repairers of devices and equipment.

Manufacturers and repairers of devices and equipment shall, based on standards, technical regulations and norms on energy use, select and apply the following technological and managerial measures:

1. Elaborating and implementing plans to replace outdated technologies; installing new-generation tool machines of modern and highly automated technologies;

2. Applying baking, smelting, forming, forging, molding, milling, lathing and processing technologies which have been proved in reality to be energy-economical and -efficient;

3. Installing inverters and electric motor speed controllers for bridge cranes, lifting equipment and vehicles in workshops based on their capacity; rationally arranging production lines to save energy.

Article 12. Measures for economical and efficient use of energy applicable to mining establishments

Mining establishments shall, based on standards, technical regulations and norms on energy use, select and apply the following technological and managerial measures:

1. Applying reasonable mining processes to reduce consumption of fuels, electricity and water supplied to mining devices and equipment;

2. Selecting devices and equipment meeting mining conditions of mines to raise mining capacity while saving energy;

3. Applying energy-saving technologies to mineral screening, sorting, processing and transportation;

4. Reasonably designing and installing ventilation systems in pits to ensure economical and efficient use of energy.

Article 13. Measures for economical and efficient use of energy applicable to energy producers and suppliers

1. Energy producers and suppliers shall, based on standards, technical regulations and norms on energy use, apply the following technological and managerial measures:

a/ Selecting technologies with high energy yield; fully installing measuring devices and examining their operation parameters; regularly adjusting and maintaining furnaces, machines and accessories in electric power plants to ensure that the plants' general yield reach their designed yield;

b/ Making use of emitted heat and steam of high temperature for the burning and drying of fuels and heating of water supplied to furnaces in order to raise electric generation yield of turbine units;

c/ Power generating establishments are subject to national power system regulating units'

mobilization and shall elaborate and implement plans to reduce self-consumed power;

d/ Hydro-power plants shall observe processes to operate reservoirs or reservoir systems, meet requirements on safe power generation and join efforts to supply water for production and life;

e/ Electricity transmission and distribution units shall elaborate programs, plans and norms on and specify roadmaps for power loss reduction in the electricity transmission and distribution system;

f/ Fuel exploiters and suppliers shall use safe and appropriate depots and vehicles to reduce fuel loss and prevent environmental pollution and energy waste;

g/ Coal, oil and gas exploiters shall adopt plans to salvage associated gas and other energy resources.

2. Construction of coal-, oil-, or gas-fired turbine units of outdated technologies and low yield is disallowed under the Prime Minister's regulations.

Article 14. Cottage industrial producers' responsibilities for economical and efficient use of energy

Cottage industrial producers shall select and apply technological and managerial measures for economical and efficient use of energy defined in Articles 9, 10 and 11 of this Law relevant to their sizes and production lines.

Chapter III

ECONOMICAL AND EFFICIENT USE OF ENERGY IN CONSTRUCTION AND PUBLIC LIGHTING

Article 15. Measures for economical and

efficient use of energy applicable to construction

1. Applying planning and architectural designing solutions suitable to natural conditions in order to reduce energy consumption for lighting, ventilation, cooling and heating.

2. Using heat-insulated materials conformable with applicable national or foreign standards on energy yield announced or recognized by competent state agencies in order to reduce thermal transmission through walls, roofs, doors and windows.

3. Using and installing devices and equipment with high energy yield which are designed and manufactured in conformity with applicable national or foreign standards on energy yield announced or recognized by competent state agencies.

4. Using automatic management and control systems to operate energy-consuming devices and equipment suitable to the sizes of works.

5. Installing electric and thermal measuring devices, temperature controllers and controllers of electric and thermal supply systems in different positions of buildings suitable to weather conditions and use purposes.

6. Using energy-saving building materials and non-baked materials, installing devices using solar energy and biogas in construction works.

7. Applying standards, technical regulations and norms on economical and efficient use of energy to construction works.

Article 16. State management responsibilities for economical and efficient use of energy in construction

1. The Ministry of Construction shall assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade and concerned

ministries and ministerial-level agencies in, promulgating energy use norms and technical regulations on designing, construction and building materials for economical and efficient use of energy.

2. People's Committees of provinces and centrally run cities (below referred to as provincial-level People's Committees) shall uniformly apply measures to closely manage and control the observance of regulations on economical and efficient use of energy in construction activities in their localities.

3. State management agencies in charge of construction shall examine and promptly handle violations of regulations on economical and efficient use of energy for works under construction or upgrading; and will not license construction works that fail to comply with energy use norms and technical regulations for economical and efficient use of energy.

Article 17. Responsibilities for economical and efficient use of energy in public lighting

Investors and heads of public lighting management units must meet the following requirements:

1. Ensuring that public lighting systems are designed by standards and technical regulations for each work and area; prioritizing the use of high-yield lighting equipment that uses renewable energy and makes use of natural light;

2. Using lighting equipment recognized as energy-saving products when repairing, replacing or installing public lighting equipment;

3. Operating public lighting systems appropriately by day time, season, region and area.

Article 18. State management responsibilities

for economical and efficient use of energy in public lighting

1. The Ministry of Construction shall promulgate technical standards and regulations on public lighting, guaranteeing economical and efficient use of energy.

2. The Ministry of Science and Technology shall announce national standards on energy yield in public lighting.

3. Provincial-level People's Committees shall uniformly apply measures to closely manage and control the observance of regulations on power saving in public lighting. People's Committees of districts, towns, provincial cities, communes, wards and townships shall manage public lighting according to their decentralized competence.

Chapter IV

ECONOMICAL AND EFFICIENT USE OF ENERGY IN TRANSPORT

Article 19. Measures for economical and efficient use of energy applicable to transport

1. Organizations and individuals are encouraged to provide consultancy on and design and invest in the development of mass transit networks; manufacture and use energy-saving vehicles; exploit and expand the application of liquefied gas, natural gas, electricity, mixed fuels and biofuels in replacement of petrol and oil.

2. Transport service providers shall select and take the following measures:

a/ Optimizing transport routes and vehicles in order to raise energy use efficiency;

b/ Elaborating and applying regulations on maintenance and repair of vehicles under their management to reduce fuel consumption;

c/ Applying technological, managerial and organizational solutions to transport for economical and efficient use of energy.

3. When building or upgrading transport works, investors and contractors shall:

a/ Apply solutions for economical and efficient use of energy under approved projects;

b/ Apply measures for economical and efficient use of energy to work construction.

Article 20. Responsibilities of manufacturers and importers of transport equipment and vehicles

1. Manufacturers of transport equipment and vehicles shall:

a/ Observe technical regulations and norms on energy consumption promulgated by competent state agencies in the manufacture of transport equipment and vehicles;

b/ Apply advanced technologies; enhance research and manufacture of transport equipment and vehicles which save energy, use clean fuels, renewable energy and other substitute fuels.

2. Importers of transport equipment and vehicles shall observe regulations on energy use norms promulgated by competent state agencies.

Article 21. State management responsibilities for economical and efficient use of energy in transport

1. The Ministry of Transport shall:

a/ Apply measures for economical and efficient use of energy to the planning of road, railway, waterway and airway transport systems;

b/ Assume the prime responsibility for, and coordinate with concerned ministries and ministerial-level agencies in, elaborating and promulgating according to its competence

technical regulations and norms on energy consumption applicable to vehicles;

c/ Direct and guide the elimination of expired vehicles or those failing to reach the minimum energy yield;

d/ Guide transport enterprises in streamlining transport activities in order to raise energy use efficiency of vehicles;

e/ Plan the investment in and exploitation of mass transit systems, increasingly use railway and waterway networks in combination with multimodal transport;

f/ Inspect the observance of energy consumption norms applicable to vehicles.

2. The Ministry of Industry and Trade shall guide vehicle manufacturers in observing technical regulations and norms on energy consumption applicable to vehicles.

3. The Ministry of Science and Technology shall assume the prime responsibility for, and coordinate with concerned ministries and ministerial-level agencies in, announcing national standards on energy yield for vehicles and environmentally friendly fuels used in transport.

4. Within the scope of their tasks and powers, People's Committees at different levels shall:

a/ Apply energy-saving measures to the planning and development of local transport systems;

b/ Rationally divide traffic lanes and flows; provide operation hours for a number of kinds of vehicles, reducing traffic congestion to save energy and protect the environment;

c/ Perform other decentralized tasks of economical and efficient use of energy in transport.

*Chapter V*ECONOMICAL AND EFFICIENT USE OF
ENERGY IN AGRICULTURAL
PRODUCTION

Article 22. Measures for economical and efficient use of energy applicable to agricultural production

1. Planning on and organization of agricultural production must meet requirements on economical and efficient use of energy.

2. Organizations, households and individuals conducting agricultural production shall select the following measures for economical and efficient use of energy:

a/ Applying scientific research and technological improvements to reach high energy yield for equipment for production, subcontract production, processing, preservation and transportation of agricultural products;

b/ Using clean and renewable energy equipment and technologies in the production, subcontract production, processing, preservation and transportation of agricultural products and trade development;

c/ Eliminate under roadmaps agricultural and fishing means, equipment and machinery with outdated technologies and low energy yield under regulations of competent state agencies;

d/ Propagate and disseminate knowledge and give counseling on economical and efficient use of energy.

Article 23. Measures for economical and efficient use of energy applicable to irrigation

1. Rationally planning irrigation systems, optimizing reservoirs and canals and making use of natural flows.

2. Rationally operating and exploiting capacity of pumps in pump stations for water supply and drainage of irrigation systems.

Article 24. Power loss reduction and use of renewable energy in agricultural production and rural areas

1. Investing in and upgrading rural electric grids up to standards and technical regulations for power safety and power loss reduction.

2. Encouraging production using local resources of water and wind power, sunlight, biogas, agricultural by-products and other renewable energy resources.

3. Rationally developing under planning material plantation areas for biofuel production.

Article 25. State management responsibilities for economical and efficient use of energy in agricultural production

1. The Ministry of Agriculture and Rural Development shall:

a/ Guide the implementation of Articles 22 and 23, and Clauses 2 and 3, Article 24 of this Law;

b/ Assume the prime responsibility for, and coordinate with concerned ministries, ministerial-level agencies and provincial-level People's Committees in, elaborating a master plan on material plantation for biofuel production and submitting it to the Prime Minister for approval.

2. Provincial-level People's Committees shall:

a/ Direct the elaboration and implementation of local irrigation master plans;

b/ Direct the implementation of the master plan on material plantation approved by the

Prime Minister;

c/ Enhance management and examination of the observance of regulations on economical and efficient use of energy in agricultural production.

Chapter VI

ECONOMICAL AND EFFICIENT USE OF ENERGY IN SERVICE PROVISION AND HOUSEHOLDS

Article 26. Responsibilities for economical and efficient use of energy in service provision

Owners of hotels, supermarkets, restaurants, shops, and entertainment, physical training and sports establishments and other service providers shall:

1. Economically and efficiently use energy in construction, lighting and management of devices and equipment;
2. Limit the use of high-capacity and power-intensive equipment during peak hours for lighting, decoration and advertising;
3. Control, repair and maintain energy-consuming devices and equipment to reduce energy loss in service provision.

Article 27. Measures for economical and efficient use of energy applicable to households

The State encourages households to apply the following measures for economical and efficient use of energy:

1. Designing and building houses capable of utilizing natural light and ventilation;
2. Using heat-insulated materials and home appliances being energy-saving products; increasingly using devices and equipment using renewable energy;
3. Limiting the use of high-capacity and

power-intensive equipment during peak hours;

4. Building an energy-saving lifestyle and habit in using lighting equipment and home appliances.

Article 28. State management responsibilities for economical and efficient use of energy in service provision and households

1. Ministries and ministerial-level agencies shall, within the scope of their tasks and powers, guide the implementation of this Law's provisions on economical and efficient use of energy in service provision and households.

2. Within the scope of their tasks and powers, People's Committees at different levels shall:

- a/ Propagate and mobilize service providers and households to apply measures for economical and efficient use of energy;
- b/ Manage local service providers' observance of regulations on economical and efficient use of energy;
- c/ Mobilize households to apply the model of economical and efficient use of energy; and join activities in economical use of energy.

Chapter VII

ECONOMICAL AND EFFICIENT USE OF ENERGY IN STATE-FUNDED INVESTMENT PROJECTS AND AGENCIES AND UNITS

Article 29. Economical and efficient use of energy in state-funded investment projects

Investors of state-funded projects to build or upgrade infrastructure and construction works shall comply with this Law suitable to each operation domain and other relevant laws on economical and efficient use of energy in all

project stages.

Article 30. Measures for economical and efficient use of energy applicable to state budget-funded agencies and units

1. Annually, ministers, heads of ministerial-level agencies and chairpersons of provincial-level People's Committees shall direct their state budget-funded agencies and units in elaborating and implementing plans on economical and efficient use of energy, covering objectives, measures and norms for energy use in office buildings and construction works under their management, and reporting on their energy consumption; elaborating and implementing internal regulations on energy saving, ensuring the operation of energy-consuming devices and equipment conformable with standards and technical regulations.

2. Agencies and units with major energy users are subject to energy audit.

3. The Prime Minister shall promulgate a list of energy-saving devices and equipment permitted for furnishing and procurement; and notify lists of state budget-funded agencies and units which are rewarded for, or sanctioned for violations of regulations on, economical and efficient use of energy.

Article 31. Responsibilities of heads of state budget-funded agencies and units for implementation of plans on economical and efficient use of energy

1. Annually, to elaborate energy-saving plans and measures; issue energy use regulations of their agencies or units.

2. To register energy use plans with local state management agencies in charge of energy;

publicize energy use plans and measures and regulations on implementation of these plans to their cadres, civil servants and employees.

3. To examine, evaluate and reward or discipline cadres, civil servants and employees of their agencies or units in implementing energy use plans.

Chapter VIII

MANAGEMENT OF ENERGY USE BY MAJOR USERS

Article 32. Major energy users

Major energy users are establishments annually using energy in large volume under the Government's regulations.

The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with ministries, ministerial-level agencies and provincial-level People's Committees in, proposing the Prime Minister to annually promulgate a list of major energy users.

Article 33. Responsibilities of major energy users

1. In addition to complying with this Law applicable to relevant operation domains, major energy users shall:

a/ Elaborate and implement annual and five-year plans on economical and efficient use of energy in line with their production and business plans; report to competent local state agencies on the implementation of these plans;

b/ Work out regimes on responsibilities of collectives and individuals involved in the implementation of plans on economical and efficient use of energy;

c/ Appoint energy managers under Article 35

of this Law;

d/ Once every three years, conduct compulsory energy audit;

e/ Apply energy management models under competent state agencies' guidance;

f/ Observe regulations on economical and efficient use of energy in the construction, upgrading and expansion of establishments.

2. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with ministries, ministerial-level agencies and provincial-level People's Committees in, guiding major energy users in formulating and implementing annual and five-year plans on economical and efficient use of energy; and provide forms of annual and five-year reports.

Article 34. Energy audit for major energy users

1. Major energy users shall observe energy audit regulations by conducting audit themselves or hiring an energy audit institution.

2. An energy audit institution must meet the following conditions:

a/ Being a legal entity established under law;

b/ Having energy auditors possessing energy auditor certificates;

c/ Having technical devices and equipment for energy audit.

3. A major energy user may conduct energy audit itself when fully meeting the conditions specified at Points b and c, Clause 2 of this Article.

4. The Ministry of Industry and Trade shall specify the order and procedures for energy audit; and training contents and programs and

competence to grant, recognize and revoke energy auditor certificates.

Article 35. Conditions on and tasks of energy managers of major energy users

1. The energy manager of a major energy user must fully meet the following conditions:

a/ Holding a collegial or higher degree in energy or a relevant technical discipline, for major energy users in industrial production, construction works and service provision; holding a relevant technical secondary or higher degree, for major energy users in agricultural production and transport;

b/ Possessing an energy management certificate granted by a competent agency.

2. An energy manager shall assist the head of a major energy user in performing the following tasks:

a/ Elaborating annual and five-year plans on economical and efficient use of energy;

b/ Organizing energy use management networks; applying energy management models;

c/ Taking measures for economical and efficient use of energy under approved objectives and plans;

d/ Examining and evaluating the application of measures for economical and efficient use of energy;

e/ Monitoring energy consumption of equipment and the entire production line; changes in energy consumption demands related to the installation, upgrading and repair of energy-consuming equipment; making regular reports under regulations;

f/ Organizing information work and training in energy use.

3. The Ministry of Industry and Trade shall provide training contents and programs and competence to grant and recognize energy management certificates.

Article 36. State management responsibilities for major energy users

1. Competent state management agencies in charge of energy shall:

a/ Regularly examine major energy users in energy use; receive and keep their annual and five-year reports on economical and efficient use of energy under regulations;

b/ Based on regular reports on energy use of major energy users provided in Article 33 of this Law, request and guide them to adjust their annual and five-year plans on economical and efficient use of energy and energy use norms in conformity with their production and business plans.

2. Major energy users that fail to comply with Articles 33, 34 and 35 of this Law and other relevant laws on economical and efficient use of energy shall be handled under law.

Chapter IX

MANAGEMENT OF ENERGY- CONSUMING DEVICES AND EQUIPMENT

Article 37. Measures for economical and efficient use of energy applicable to devices and equipment

The State shall apply the following measures for economical and efficient use of energy for devices and equipment:

1. Elaborating and announcing standards on energy yield, minimum energy yield for energy-

consuming devices and equipment;

2. Labeling energy-consuming devices and equipment;

3. Publicizing necessary information on energy use of devices and equipment;

4. Eliminating devices and equipment with energy yield below the minimum level;

5. Handling violations of this Article.

Article 38. Elaboration and announcement of energy yield standards and minimum energy yield

1. The elaboration of energy yield standards and minimum energy yield for energy-consuming devices and equipment must meet the following requirements:

a/ Achieving energy saving and environmental protection objectives;

b/ Meeting national requirements for socio-economic development, scientific and technological levels and regional and international integration;

c/ Encouraging investment in, research, production and supply of energy-saving products with high energy yield for the market.

2. Once every 5 years, the Ministry of Science and Technology shall announce energy yield standards and minimum energy yield.

Article 39. Energy labeling

1. Devices and equipment on the list of those subject to energy labeling shall be labeled prior to market sale.

2. Manufacturers and importers of devices and equipment shall label devices and equipment after obtaining energy label certificates from competent agencies.

3. Energy label certificates shall be granted after devices and equipment have been tested for conformity with energy yield standards in laboratories.

4. The Ministry of Industry and Trade shall:

a/ Elaborate and propose the Prime Minister to promulgate a list of devices and equipment subject to energy labeling and implementation roadmap;

b/ Provide energy labeling contents and specifications;

c/ Provide laboratories eligible for obtaining certificates of testing in conformity with energy yield standards;

d/ Provide the order and procedures for granting energy label certificates for devices and equipment;

e/ Provide the recognition of energy labels of imported devices and equipment.

Article 40. Management of devices and equipment with energy yield below the minimum level

1. Energy-consuming devices and equipment with energy yield below the minimum level shall be eliminated according to the list and roadmap promulgated by the Prime Minister.

2. Devices and equipment with energy yield below the minimum level on the list of those subject to elimination may not be manufactured or imported.

3. The Ministry of Science and Technology shall assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade and concerned ministries and ministerial-level agencies in, making and proposing the Prime Minister to promulgate a list of devices

and equipment subject to elimination and implementation roadmap suitable to national socio-economic development conditions and scientific and technological levels in each period.

Chapter X

MEASURES TO PROMOTE ECONOMICAL AND EFFICIENT USE OF ENERGY

Article 41. Incentives for economical and efficient use of energy

1. Projects promoting economical and efficient use of energy shall be considered for financial support from the national program on economical and efficient use of energy.

2. Organizations and individuals that manufacture energy-saving products and invest in production lines or expand production with energy-saving technologies are entitled to the following incentives and supports:

a/ Incentives on import and export duties and enterprise income tax under the tax law;

b/ Incentives under the land law;

c/ Concessional loans from the development bank, the fund for science and technology development support, the national fund for technological renovation and the environment facility and supports from the national programs on hi-tech development and economical and efficient use of energy;

d/ Other incentives under this Law and relevant laws.

3. Devices, equipment, components and supplies for research to develop energy-saving technologies and products, fuel-saving vehicles and those using liquefied gas, natural gas, electricity and mixed fuels and biofuels which are domestically unavailable and on the list

provided by the Government are entitled to import duty exemption or reduction under the tax law.

Article 42. Scientific and technological development for economical and efficient use of energy

1. The State encourages and creates favorable conditions for organizations and individuals conducting scientific research, application and development of technologies using energy economically and efficiently.

2. Ministries, ministerial-level agencies and provincial-level People's Committees shall allocate funds for and formulate programs on scientific and technological research into economical and efficient use of energy.

3. Prioritized scientific and technological research, application and development for economical and efficient use of energy include:

a/ Technological application and development to raise energy yield in industries, construction, agriculture and transport;

b/ Application of technological solutions to manufacturing devices and equipment with high energy yield; improvement, renovation and upgrading of energy-consuming equipment;

c/ Application of solutions to economical and efficient use of energy solutions to work designing and construction and building material production;

d/ Development of cogeneration technology, raising use coefficients of thermal turbine units; technological solutions to increasing coefficients of mixed thermal energy use;

e/ Development and use of clean coal, coal gasification and gas liquefaction technologies with high energy yield while mitigating

environmental pollution;

f/ Research and development of energies to substitute traditional fuels.

Article 43. Propagation, education and development of consultancy services for economical and efficient use of energy

The State encourages and creates favorable conditions for organizations and individuals to carry out the following activities:

1. Propagating and mobilizing to raise awareness about the observance of the law on *economical and efficient use of energy*;

2. Incorporating education about economical and efficient use of energy into school curricula in appropriate forms;

3. Providing energy consultancy services for:

a/ Energy audit;

b/ Transfer of energy-saving and environmentally friendly technologies;

c/ Training in and consultancy on the application of advanced energy management models;

d/ Consultancy on energy-saving measures for energy users;

e/ Provision and dissemination of information on economical and efficient use of energy;

f/ Other services for economical and efficient use of energy.

Chapter XI

STATE MANAGEMENT RESPONSIBILITIES FOR ECONOMICAL AND EFFICIENT USE OF ENERGY

Article 44. State management responsibilities for economical and efficient use of energy

1. The Government shall uniformly perform the state management of economical and efficient use of energy nationwide.

2. The Ministry of Industry and Trade shall take responsibility before the Government for the state management of economical and efficient use of energy.

3. Ministries and ministerial-level agencies shall, within the scope of their tasks and powers, perform the state management of economical and efficient use of energy as assigned by the Government.

4. People's Committees at different levels shall, within the scope of their tasks and powers, perform the state management of economical and efficient use of energy as decentralized by the Government.

Article 45. The Ministry of Industry and Trade's responsibilities for economical and efficient use of energy

1. To promulgate according to its competence or propose competent state agencies to promulgate legal documents, strategies, master plans, policies, programs and plans on economical and efficient use of energy and organize their implementation as assigned by the Government.

2. To assume the prime responsibility for, and coordinate with ministries, ministerial-level agencies and provincial level People's Committees in, performing the state management of economical and efficient use of energy.

3. To organize a national energy database system.

4. To participate in the propagation and education of the law on economical and efficient use of energy.

5. To conduct scientific research and technology application and transfer in economical and efficient use of energy.

6. To inspect, examine, settle complaints and denunciations and handle violations of the law on economical and efficient use of energy under law.

Article 46. Provincial-level People's Committees' responsibilities for economical and efficient use of energy

1. To elaborate plans on economical and efficient use of energy in line with local socio-economic development plans.

2. To implement mechanisms, policies and plans on economical and efficient use of energy.

3. To inspect, examine, settle complaints and denunciations and handle violations of the law on economical and efficient use of energy in their localities under law.

Chapter XII

IMPLEMENTATION PROVISIONS

Article 47. Effect

This Law takes effect on January 1, 2011.

Article 48. Implementation detailing and guidance

The Government shall detail and guide the Law's articles and clauses assigned to it; and guide other necessary contents of this Law to meet state management requirements.

This Law was passed on June 17, 2010, by the XIIth National Assembly of the Socialist Republic of Vietnam at its 7th session.

Chairman of the National Assembly
NGUYEN PHU TRONG