

THE GOVERNMENT**THE SOCIALIST REPUBLIC OF VIETNAM**
Independence - Freedom - Happiness

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*Hanoi, May 6, 2015***DECREE****On topographic and cartographic activities^(*)***Pursuant to the December 25, 2001 Law on Organization of the Government;**Pursuant to the November 29, 2013 Land Law;**At the proposal of the Minister of Natural Resources and Environment,**The Government promulgates the Decree on topographic and cartographic activities.*

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Decree prescribes topographic and cartographic activities in the mainland, on islands, archipelagoes and sea areas, under the ground and in the space of the Socialist Republic of Vietnam.

Article 2. Subjects of application

This Decree applies to state management agencies and organizations and individuals involved in topographic and cartographic activities, exploitation and use of topographic and cartographic information, data and products within the territory of the Socialist Republic of Vietnam.

Article 3. Interpretation of terms

In this Decree, the terms and phrases below are construed as follows:

1. Topography and cartography means a field of scientific and technical activities which use equipment and methods to receive and process information in order to determine geometrical characteristics and attribute information of geographical subjects on the earth surface, under the ground, on the water surface, in the water, at the water bottom and in the space in the static state or the changing state from time to time and display the earth surface in a miniature model through a system of signs under certain mathematic rules.

2. Reference system means a system of mathematical coordinates in space and on the plane on which topographic and cartographic results are displayed. The national reference system means the reference system which is selected for uniform use nationwide.

3. National system of original topographic data means a system of the original geodesic coordinates, original astronomic coordinates, original satellite coordinates, original value of absolute gravity, original elevation value and original depth value. This system is prescribed uniformly for the whole country. Each national original topographic datum is associated to a point with a fixed and permanent marker on the field called national original topographic point.

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4. System of fundamental topographic points consists of all points with fixed markers on the field used to determine the quantitative values of coordinate, elevation, depth, gravity, astronomy and satellite at those points as the topographic base for each region. The national system of fundamental topographic points means a system of fundamental topographic points established according to the uniform national standards to meet the common use demand of all sectors and localities, consisting of the national coordinate net, national elevation net, national system of satellite positioning stations and national gravity system. The national system of specialized fundamental topographic points means the system of fundamental topographic points established to meet the demand of each sector or locality.

5. Aero photo system means a data collection of photos and laser scanning of the earth surface taken from equipment fixed on airplanes (airplane photos) and on satellites or spacecraft (satellite photos), including the system of fundamental aero photos and the system of special-use aero photos.

6. National topographic map system means a system of topographic maps made according to the uniform national standards, covering the whole country or territorial region in the mainland, on islands and seabed on the scale of 1:2,000, 1:5,000, 1:10,000, 1:25,000; 1:50,000; 1:100,000, 1:250,000, 1:500,000, and 1:1,000,000.

7. Geographical space data means an organized collection of information on spatial positions and properties of geographical subjects.

8. Geographical database means a structured collection of geographical data. National geographical database means a geographical database built according to uniform national standards on the scale of 1:2,000, 1:5,000, 1:10,000, 1:25,000; 1:50,000; 1:100,000, 1:250,000, 1:500,000, and 1:1,000,000.

9. Geographical database updating means accordingly adding and adjusting current changes in geographical data by subject.

10. National geographical space data infrastructure means a system of geographical space data, policies, standards, human resources and necessary tools for effective and flexible connection, sharing and use of geographical space data.

11. Map adjustment means renewing contents of maps to suit the present time.

12. Topographic construction projects include:

a/ Fixed stations for astronomical, geodesic, satellite, gravity, geodynamic, elevation and depth observation, collectively referred to as fixed observatories;

b/ National original topographic points;

c/ Establishments for inspection of parameters of topographic equipment, referred to as topographic equipment inspection establishments;

d/ Markers of points in the fundamental topographic point system, referred to as topographic markers.

13. Topographic and cartographic products mean the outcomes of topographic and cartographic activities.

Article 4. Principles for topographic and cartographic activities

1. Topographic and cartographic activities must ensure supply of geographical data to meet requirements for socio-economic development, national defense, security, raising of people's intellectual level and promotion of social progress.

2. Topographic construction works are state property which shall be used and protected in accordance with law.

3. Fundamental topographic and cartographic products shall be updated regularly and promptly to meet requirements for socio-economic development and maintenance of national defense and security.

4. The formation of special-use map products and specialized geographical database must use background information layers of national topographic maps and national geographical database.

5. Organizations and individuals may use topographic and cartographic products and carry out topographic and cartographic activities in accordance with law.

Chapter II

TOPOGRAPHIC AND CARTOGRAPHIC ACTIVITIES

Article 5. Fundamental topographic and cartographic activities

Fundamental topographic and cartographic activities means the building of technical infrastructure facilities and development of topographic and cartographic products to meet the common use demand of sectors and localities, covering:

1. Establishing the national reference system and the national original topographic data system.
2. Establishing and maintaining the national fundamental topographic point system.
3. Establishing and adjusting the national topographic map system, the system of national and provincial-level administrative maps and national atlases;
4. Establishing the fundamental aero photo system.
5. Establishing and updating the national geographical database.
6. Building, updating, managing and exploiting geographical space data infrastructure.
7. Surveying and mapping national boundaries.
8. Surveying and mapping administrative boundaries.
9. Developing the system of geographical names used in topography and cartography.
10. Conducting scientific research into the earth by topographic and cartographic methods.

Article 6. Specialized topographic and cartographic activities

1. Specialized topographic and cartographic activities to meet management requirements of each sector or each locality cover:

- a/ Establishing the system of specialized fundamental topographic points;
- b/ Developing the special-use aero photo system;
- c/ Establishing the cadastral map system, developing the cadastral map database; establishing district-level administrative maps;
- d/ Making special-use topographic maps and thematic maps;
- dd/ Developing the specialized geographical database;
- e/ Conducting topographic survey and measurement for designing and building civil, industrial, transport and irrigation works.

2. Specialized topographic and cartographic activities prescribed at Points a, b, d, dd and e, Clause 1 of this Article exclusively cater to the production and business demand of organizations and individuals.

Article 7. Topographic and cartographic activities for national defense

Topographic and cartographic activities for national defense cover:

1. Establishing the systems of military reference and coordinates.
2. Establishing the positioning system for military use.
3. Establishing the systems of military coordinates and elevation points.
4. Establishing the aero photo system for military use.
5. Establishing the systems of military topographic maps, nautical charts and thematic maps for military use.
6. Establishing the military geographical database and systems of thematic geographical information for military use.
7. Other activities as stipulated by the Minister of National Defense.

Article 8. Funds for topographic and cartographic activities

1. The State shall provide funds for fundamental topographic and cartographic activities, topographic and cartographic activities for defense and specialized topographic and cartographic activities to meet management requirements of each sector or locality.

2. Specialized topographic and cartographic activities to meet the production and business demand of organizations and individuals shall be funded by those organizations and individuals.

Article 9. Topography and cartography licenses

1. An organization that provides topographic and cartographic services prescribed in Article 10 of this Decree must possess a license granted by a competent state agency.

2. A topography and cartography license must have the following contents:

- a/ Vital information on the licensed organization, including name, address of head office, telephone number and establishment decision or business registration certificate;
- b/ Licensed topographic and cartographic activities;
- c/ Validity duration of the license.

3. A topography and cartography license is valid nationwide.

4. The validity duration of a topography and cartography license is 60 months. When its topography and cartography license expires, a topographic and cartographic service organization may request a competent state agency to extend the license according to Article 14 of this Decree. Each topography and cartography license may be extended once for 36 months at most.

5. When its topography and cartography license expires as prescribed in Clause 4 of this Article, an organization wishing to continue its topographic and cartographic activities shall file an application dossier for a new license according to Article 12 of this Decree at least thirty (30) days before its license expires.

6. When operating in topography and cartography, an organization wishing to expand its activities and eligible for such expansion may be granted a topography and cartography license with additional contents.

7. The Department of Survey and Mapping of Vietnam under the Ministry of Natural Resources and Environment (below referred to as the Department of Survey and Mapping

of Vietnam) is competent to grant, supplement, extend, re-grant and revoke topography and cartography licenses.

Article 10. List of topographic and cartographic services subject to licensing

1. Surveying, making plans, projects on, or technical designs and cost estimates for, topographic and cartographic works.

2. Inspecting and testing before acceptance topographic and cartographic works and products.

3. Establishing gravity, astronomy, coordinate and elevation networks.

4. Topographic photography and scanning from airplanes.

5. Surveying and establishing topographic maps.

6. Surveying and establishing topographic maps of seabed.

7. Surveying and establishing cadastral maps.

8. Establishing administrative maps.

9. Surveying and establishing administrative boundary maps.

10. Developing a topographic and cartographic database.

11. Developing a geographical database.

12. Establishing thematic maps and geographical atlases.

13. Surveying and measuring works.

14. Inspecting topographic equipment.

Article 11. Conditions for grant of topography and cartography licenses

A domestic organization may be granted a topography and cartography license when fully satisfying the following conditions:

1. Having a business registration certificate of topography and cartography, for business organizations; or an establishment decision issued by a competent state agency, which defines the function and task of topography and cartography, for non-business units.

2. Having topographic and cartographic technicians at least as follows:

a/ One (1) chief technician who possesses a tertiary or higher degree in topography and cartography, has at least three (3) years of work experience in topography and cartography, has an insurance-covered labor contract of at least one (1) year and is not concurrently the chief technician of another topography and cartography organization;

b/ Four (4) technicians, each possessing an intermediate or higher degree in topography and cartography.

3. Having topographic and cartographic equipment and technologies conformable with equipment norms prescribed in techno-economic norms of topography and cartography to make one (1) topographic and cartographic product in the field to be licensed.

Article 12. Procedures for licensing topographic and cartographic activities

1. A topography and cartography organization shall make an application dossier for a topography and cartography license which must comprise:

a/ An application for a topography and cartography license;

b/ A copy enclosed with the original for comparison or a certified copy of the establishment decision or business registration certificate;

c/ Copies enclosed with the original for comparison or certified copies of the professional diploma, labor contract or recruitment decision, document evidencing insurance payment, work experience declaration and appointment decision of the chief technician;

d/ Copies enclosed with the original for comparison or certified copies of professional diplomas and labor contracts or recruitment decisions of topographic and cartographic technicians;

dd/ Copies enclosed with the original for comparison of title documents of topographic and cartographic equipment and technologies, including documents on purchase, sale, lease or transfer of equipment and technologies.

2. Dossier submission and licensing order

a/ An organization applying for a topography and cartography license which is under a ministry, ministerial-level agency, government-attached agency, the central agency of a political organization, socio-political organization or socio-politico-professional organization, or a corporation established by the Prime Minister shall submit one (1) dossier to the Department of Survey and Mapping of Vietnam.

The Department of Survey and Mapping of Vietnam shall check the dossier. If the dossier is not complete as required, it shall guide the organization in completing the dossier only once.

Within five (5) working days after receiving a complete and valid dossier, the Department of Survey and Mapping of Vietnam shall appraise the dossier and make an appraisal record. Within three (3) working days after appraising the dossier, the Department of Survey and Mapping of Vietnam shall grant a topography and cartography license to the organization;

b/ An organization applying for a topography and cartography license other than that prescribed at Point a, Clause 2 of this Article shall submit one (1) dossier to the provincial-level Natural Resources and Environment Department of the locality where it is headquartered.

The provincial-level Natural Resources and Environment Department shall check the dossier. If the dossier is not complete as required, it shall guide the organization in completing the dossier only once.

Within five (5) working days after receiving a complete and valid dossier, the provincial-level Natural Resources and Environment Department shall appraise the dossier and make and send an appraisal record to the Department of Survey and Mapping of Vietnam. Within three (3) working days after receiving a complete and valid dossier, the Department of Survey and Mapping of Vietnam shall grant a topography and cartography license to the organization. If the organization is ineligible for licensing, it shall issue a written reply stating the reason to the organization and concurrently notify such to the provincial-level Natural Resources and Environment Department;

c/ The Department of Survey and Mapping of Vietnam shall give the topography and cartography license to the organization together with the license application dossier. The licensed organization shall keep its dossier.

Article 13. Addition of contents to topography and cartography licenses

1. An organization applying for addition of contents to its topography and cartography license shall make a dossier which must comprise:

a/ An application for addition of contents to a topography and cartography license;

b/ The documents prescribed at Point c, Clause 1, Article 12 of this Decree, in case of change of the chief technician as compared with the licensing time;

c/ Copies enclosed with the original for comparison or certified copies of professional

diplomas and labor contracts or recruitment decisions of new topographic and cartographic technicians as compared with the licensing time;

d/ Copies enclosed with the original for comparison of title documents of additional topographic and cartographic equipment and technologies as compared with the licensing time, including documents on purchase, sale, lease or transfer of equipment and technologies;

dd/ The granted topography and cartography license.

2. The order of dossier submission and licensing of additional contents of topography and cartography licenses must comply with Clause 2, Article 12 of this Decree.

Article 14. Extension of topography and cartography licenses

1. An organization applying for extension of its topography and cartography license shall make one (1) dossier which must comprise:

a/ An application for extension of a topography and cartography license;

b/ The granted topography and cartography license.

2. An application dossier for extension of a topography and cartography license shall be submitted to the Department of Survey and Mapping of Vietnam at least thirty (30) days before the license expires.

The Department of Survey and Mapping of Vietnam shall check the dossier. If the dossier is not complete as required, it shall guide the organization or individual in completing the dossier only once.

When receiving a complete and valid dossier, the Department of Survey and Mapping of Vietnam shall complete the extension of the topography and cartography license within three (3) working days for an eligible organization. In case of ineligibility for extension of the topography and cartography license, it shall issue a written reply stating the reason to the organization.

Article 15. Re-grant of topography and cartography licenses

1. A topography and cartography license is re-granted when:

a/ It is lost;

b/ It is torn, rumbled or damaged and can no longer be used.

2. An organization shall submit to the Department of Survey and Mapping of Vietnam an application dossier for re-grant of a topography and cartography license which must comprise:

a/ An application for re-grant of a topography and cartography license;

b/ The granted topography and cartography license, in the case prescribed at Point b, Clause 1 of this Article.

3. When receiving a complete and valid dossier, the Department of Survey and Mapping of Vietnam shall complete the re-grant of the topography and cartography license within three (3) working days. The contents and validity duration of the re-granted license are the same as the granted one.

Article 16. Forms of dossiers for licensing of topographic and cartographic activities

1. Form No. 1: Application for grant, supplementation, extension or re-grant of a topography and cartography license.

2. Form No. 2: Record of appraisal of an application dossier for a topography and cartography license.

3. Form No. 3: Topography and cartography license.

Article 17. Revocation of topography and cartography licenses

1. A topography and cartography license is revoked when:
 - a/ It is modified or erased to distort its contents;
 - b/ The application dossier for the topography and cartography license contains false or fraudulent information;
 - c/ Topographic and cartographic activities do not conform with the granted license;
 - d/ The topography and cartography organization fails to satisfy the conditions on technicians and topographic and cartographic equipment and technologies prescribed in Clauses 2 and 3, Article 11 of this Decree.
2. Procedures for revocation of topography and cartography licenses are as follows:
 - a/ After receiving an inspection or examination agency's written request for handling one of the violations prescribed in Clause 1 of this Article, the Department of Survey and Mapping of Vietnam shall consider and issue a decision to revoke a topography and cartography license;
 - b/ Within five (5) working days after receiving a decision revoking its topography and cartography license, an organization shall return the license to the Department of Survey and Mapping of Vietnam;
 - c/ Information on revocation of topography and cartography licenses shall be published on the website of the Department of Survey and Mapping of Vietnam.

Article 18. Responsibilities of an organization licensed for topographic and cartographic activities

1. To take responsibility for the truthfulness of its application dossier for a topography and cartography license.
2. To pay the fee for licensing topographic and cartographic activities in accordance with law.
3. To neither lend nor lease its license.
4. To report in writing to the Department of Survey and Mapping of Vietnam when changing its chief technician or head office address, for the organizations prescribed at Point b, Clause 2, Article 12 of this Decree, and concurrently report to the provincial-level Natural Resources and Environment Department of the locality where it is headquartered.

Article 19. Protection of topographic construction works

1. People's Committees at all levels shall manage and protect topographic construction works in accordance with law.
2. When using topographic construction works, organizations or individuals must obtain approval of a central or provincial-level state management agency in charge of topography and cartography according to the management decentralization and shall preserve and protect them without causing damage and restore their original state after use.
3. After completing a topographic project, a unit shall make and send a record of delivery of markers enclosed with the plan of positions and state of markers in the field to the commune-level People's Committee in the presence of land owners for management and preservation.
4. Owners of land and works in areas where topographic markers are placed shall report to the commune-level People's Committee when building or upgrading works affecting these markers.

5. All acts of illegally moving, infringing upon or damaging topographic construction works shall, depending on their severity, be handled in accordance with law.

6. The Ministry of Natural Resources and Environment shall specifically stipulate the management, use and protection of topographic construction works.

Article 20. Quality inspection and appraisal of topographic and cartographic works or products

1. Organizations or individuals directly implementing topographic and cartographic works or products shall take responsibility for the quality of these works or products.

2. Investors shall inspect, appraise and test before acceptance topographic and cartographic works or products and take full responsibility for the quality of these works or products.

Investors shall use professional agencies or hire licensed topographic and cartographic consultancy organizations or specialists to inspect and appraise the quality of works or products.

3. Organizations licensed for topographic and cartographic activities which include quality inspection of topographic and cartographic works and products may conduct quality inspection of topographic and cartographic works or products at the request of investors and shall take responsibility before law and investors for their inspection results.

Persons inspecting the quality of topographic and cartographic works and products must satisfy investors' requirements on professional qualifications and experience and shall take responsibility before law and investors for their inspection results.

4. The Ministry of Natural Resources and Environment shall specifically stipulate the quality inspection, appraisal and take-over test of topographic and cartographic works or products.

Chapter III

TOPOGRAPHIC AND CARTOGRAPHIC INFORMATION AND DATA

Article 21. System of topographic and cartographic information and data

The system of topographic and cartographic information and data includes:

1. Information and data on the national reference system;
2. Information and data on the national original topographic system; the national system of fundamental topographic points; data from standing national satellite positioning stations.
3. Information and data on the aero photo system; topographic laser scanning data.
4. Information and data on the national topographic map system, background maps, fundamental cadastral maps, administrative maps, national geographical atlases; topographic and cartographic information and data on national boundaries and administrative boundaries at all levels.
5. National geographical database; data on digital elevation model.
6. Data on geographical names used in topographic and cartographic activities.
7. Specialized topographic and cartographic information and data include:
 - a/ Information and data on the specialized fundamental topographic point system;
 - b/ Information and data on the special-use aero photo system;
 - c/ Information and data on the cadastral map system, database on cadastral maps and district-level administrative maps, other topographic and cartographic information and data for land management;

d/ Specialized geographical database;

dd/ Thematic maps, other specialized topographic and cartographic information and data.

8. Outcomes of scientific and technological projects, programs and researches in the field of topography and cartography; other topographic and cartographic information and data.

Article 22. Requirements of management, exploitation and use of topographic and cartographic information and data

1. The management, storage, provision, exploitation and use of topographic and cartographic information and data must comply with the laws on state secret protection, intellectual property and archives and other relevant laws.

2. Topographic and cartographic information and data shall only be provided, exploited and used in the form of copy or reproduction. Agencies responsible for providing topographic and cartographic information and data shall guarantee the lawful origin of copies or reproductions.

3. Topographic and cartographic information and data provided by competent state agencies shall only be used for the purpose stated upon request for such information and data and may neither be copied nor transferred to other organizations or individuals.

The use of provided topographic and cartographic information and data for establishing sub-data sets for commercial purposes must obtain approval of the providing agency.

4. Organizations and individuals shall pay the fee for use of topographic and cartographic information and data in accordance with the law on charges and fees.

Article 23. Submission of topographic and cartographic information and data

1. Topographic and cartographic information and data being products of completed state-funded works or projects shall be submitted by owners of such works or projects according to the following regulations:

a/ Topographic and cartographic information and data prescribed in Clauses 1, 2, 3, 4, 5, 6 and 8, Article 21 of this Decree shall be submitted to the Department of Survey and Mapping of Vietnam;

b/ Specialized topographic and cartographic information and data implemented with central state budget funds by ministries shall be submitted according to regulations of line ministries and concurrently one (1) copy shall be submitted to the Department of Survey and Mapping of Vietnam, except topographic and cartographic information and data implemented by the Ministry of National Defense for national defense and security purposes;

c/ Specialized topographic and cartographic information and data prescribed at Point c, Clause 7, Article 21 of this Decree, other specialized topographic and cartographic information and data implemented with local budget funds shall be submitted to provincial-level Natural Resources and Environment Departments.

2. A copy of specialized topographic and cartographic information and data implemented with funds of organizations or individuals shall be submitted to the state management agency in charge of topography and cartography according to the management decentralization.

3. Topographic and cartographic information and data shall be submitted within three (3) months after a work or project is completed together with a product submission record and a product receipt note.

Article 24. Topographic and cartographic information and data security

1. Topographic and cartographic information and data classified as secret or top secret of

the State shall be decided by the Prime Minister at the proposal of the Minister of Public Security and the Minister of Natural Resources and Environment; the level of confidentiality shall be decided by the Minister of Public Security at the proposal of the Minister of Natural Resources and Environment. Topographic and cartographic information and data for national defense purpose classified as secret or top secret of the State shall be decided by the Prime Minister at the proposal of the Minister of National Defense.

2. The head of a state management agency in charge of topography and cartography shall:
 - a/ Specifically set the level of confidentiality of each type of topographic and cartographic information and data for civil use being state secrets based on the list of state secrets and top secrets in the field of topography and cartography already decided by competent state agencies;
 - b/ Issue and organize the implementation of regulations on state secret protection for topographic and cartographic information and data for civil use.
 - c/ Make the list of state secrets which are declassified or of changed confidentiality level for topographic and cartographic information and data for civil use, and submit it to the competent state agency for decision.

3. The Minister of National Defense shall:
 - a/ Decide on the level of confidentiality for topographic and cartographic information and data for national defense use being state secrets based on the list of state secrets and top secrets in the field of topography and cartography already decided by the Prime Minister;
 - b/ Promulgate and organize the implementation of regulations on state secret protection for topographic and cartographic information and data related to military and defense tasks;
 - c/ Stipulate the list of state secrets which are declassified or of changed confidentiality level for topographic and cartographic information and data for the national defense purpose.

Article 25. Provision, exploitation and use of topographic and cartographic information and data

1. Topographic and cartographic information and data not classified as state secrets shall be provided to agencies, organizations and individuals according to their use demand.
2. The provision of topographic and cartographic information and data of state secrets classified as confidential to Vietnamese agencies, organizations and individuals shall be approved by directors of departments or the equivalent, for central agencies and organizations, or directors of provincial-level departments, for localities.
3. Topographic and cartographic information and data of state secrets classified as secret may only be provided at the written request of ministers, heads of ministerial-level agencies or government-attached agencies, chairpersons of provincial-level People's Committees, the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy, Chairperson of the President Office, heads of agencies of the National Assembly, heads of agencies of the Party Central Committee and heads of socio-political organizations.
4. The provision of topographic and cartographic information and data of state secrets to foreign organizations and individuals shall be approved by competent authorities according to the following regulations:
 - a/ A written request for provision of topographic and cartographic information and data of state secrets classified as secret shall be sent to the Security Agency of the Ministry of Public Security for submission to the Ministry of Public Security for approval (except the field of national defense);

b/ A written request for provision of topographic and cartographic information and data of state secrets classified as confidential shall be sent to the head or an authorized person of a central agency or organization or the chairperson of the provincial-level People's Committee for approval.

5. The Ministry of Natural Resources and Environment shall specifically stipulate the management, provision, exploitation and use of topographic and cartographic information and data.

Article 26. Establishment, publication and distribution of map products

State agencies, political organizations, socio-political organizations, social organizations, socio-professional organizations, people's armed forces units, economic organizations and individuals may establish types of map products conformable with their topography and cartography licenses; may disseminate their products on the media in accordance with law; map products classified as confidential shall only be published and distributed at the state management agency in charge of topography and cartography for civil purpose and at the Ministry of National Defense or the Ministry of Public Security for the national defense or security purpose.

Article 27. International exchange on topographic and cartographic information and data

1. All types of topographic and cartographic information and data and topographic and cartographic products of state secrets may not be exchanged with foreign parties, in case of necessity, such must be licensed by agencies competent to decide on the confidentiality level of state secrets prescribed in the Ordinance on State Secret Protection.

2. Organizations or individuals may exchange with foreign parties published map publications and geographical information.

3. Organizations or individuals that publish and disseminate overseas unpublished topographic and cartographic information and data or products shall obtain permission of the state management agency in charge of topography and cartography.

Article 28. Export and import of topographic and cartographic products

1. Topographic and cartographic products which have been published and circulated lawfully in Vietnam and are not of state secrets may be exported abroad.

2. Import and circulation of topographic and cartographic products with unlawful contents in Vietnam in any form is strictly prohibited.

Article 29. Right to own topographic and cartographic information, data and products

1. Fundamental topographic and cartographic information, data and products and state-funded topographic and cartographic information, data and products are under the ownership of the State.

2. The copyright to topographic and cartographic information, data and products must comply with the law on intellectual property.

3. Organizations and individuals of all economic sectors have the right to use topographic and cartographic information, data and products under state ownership in accordance with law.

Chapter IV

RESPONSIBILITIES FOR TOPOGRAPHIC AND CARTOGRAPHIC ACTIVITIES

Article 30. Responsibilities of the Ministry of Natural Resources and Environment

1. To take responsibility before the Government for the uniform state management of topographic and cartographic activities.
2. To formulate and submit to the Prime Minister for promulgation regulations on the national reference system.
3. To formulate and submit to the Prime Minister for approval development strategies and plans, target programs and key projects on fundamental and specialized topography and cartography under its management and organize their implementation after they are approved.
4. To promulgate according to its competence or propose competent authorities to promulgate legal documents on topography and cartography, national technical regulations and techno-economic norms on topography and cartography; to disseminate and educate the law on topography and cartography.
5. To appraise the necessity, scope and technical and technological solutions of topographic and cartographic contents under programs, plans, projects and tasks funded by the central budget, except tasks in the field of national defense and security.
6. To organize the performance of fundamental topographic and cartographic tasks prescribed in Article 5 of this Decree (except those prescribed in Clause 8 of Article 5) and specialized topographic and cartographic tasks under its management.
7. To coordinate with the Ministry of Home Affairs in appraising administrative boundary maps and dossiers of all levels. To assume the prime responsibility for appraising the presentation of administrative boundary lines on all types of maps before their publication.
8. To assume the prime responsibility for appraising the presentation of national border lines on all types of maps.
9. To manage the quality of fundamental and specialized topographic and cartographic works and products under its management.
10. To build, organize and guide activities of topographic equipment inspecting establishments, ensuring invocation of national standards and conformity with the topographic equipment inspection and calibration system.
11. To develop and organize the implementation of training and retraining programs and plans in the topographic and cartographic field.
12. To inspect and examine the observance, and handle violations, of the law on topography and cartography, in accordance with law.
13. To assume the prime responsibility for international cooperation activities in topography and cartography.

Article 31. Responsibilities of the Ministry of National Defense

1. To promulgate legal documents on topography and cartography related to military and defense tasks; to develop national standards and promulgate national technical regulations and techno-economic norms on topography and cartography in the field of national defense.
2. To make topographic and cartographic plans for defense purpose.
3. To organize the performance of topographic and cartographic tasks for the national defense purpose prescribed in Article 7 of this Decree.
4. To manage and provide topographic and cartographic information, data and products for the national defense purpose in accordance with law.

5. To license and supervise activities of photography flights, receipt of terrestrial information and data on aircraft for the topographic and cartographic purpose; to inspect and supervise topographic and cartographic activities in the areas under its management; to organize the removal of military targets on aero photos before they are used for civil purposes.

Article 32. Responsibilities of related ministries and sectors

1. Related ministries and sectors shall:

a/ Develop standards and promulgate national technical regulations and techno-economic norms on specialized topography and cartography under their management;

b/ Approve their topographic and cartographic plans and projects, ensuring that they are not overlapped with plans and projects of other ministries and sectors and localities;

c/ Organize the performance of assigned topographic and cartographic tasks according to the competence prescribed in Clauses 8 and 10, Article 5; and Clause 1, Article 6, of this Decree;

d/ Manage the quality of topographic and cartographic works and products, organize the storage and provision of topographic and cartographic information and data under their management;

dd/ Annually report to the Ministry of Natural Resources and Environment on specialized topographic and cartographic activities under their management.

2. The Ministry of Home Affairs shall assume the prime responsibility for, and coordinate with related ministries and sectors in, appraising administrative boundary maps and dossiers of all levels.

3. The Ministry of Foreign Affairs shall assume the prime responsibility for, and coordinate with related ministries and sectors in, organizing the demarcation and placement of boundary markers in the mainland and demarcation of border and boundaries at sea.

4. The Ministry of Information and Communications shall assume the prime responsibility for, and coordinate with the Ministry of Natural Resources and Environment in, managing the publication and distribution of map-related publications.

Article 33. Tasks of provincial-level People's Committees

1. To perform the uniform management of topographic and cartographic activities in their provinces.

2. To organize the establishment of the cadastral map system and the performance of topographic and cartographic tasks according to their assigned competence prescribed in Clause 8, Article 5, and Clause 1, Article 6, of this Decree.

3. To manage the quality of cadastral and specialized topographic and cartographic works and products for special use of their localities; to manage topographic works and topographic and cartographic information and data according to the decentralization; to manage map publication activities in their localities.

4. To inspect and examine observance, and handle violations, of the law on topography and cartography in their localities in accordance with law.

5. To annually report to the Ministry of Natural Resources and Environment on topographic and cartographic activities under their management.

6. Provincial-level Natural Resources and Environment Departments shall:

a/ Assist provincial-level People's Committees in managing topographic and cartographic activities in their localities;

b/ Appraise the necessity, scope, technical and technological solutions of topographic and cartographic contents of state-funded programs, plans, projects and tasks implemented by provincial-level departments and sectors in their localities.

Article 34. Responsibilities of organizations and individuals

1. When participating in topographic and cartographic activities, to comply with the law on topography and cartography and other relevant laws.

2. To preserve and protect topographic construction works in accordance with law.

3. To neither obstruct nor cause difficulties to responsible persons in performing topographic and cartographic tasks.

4. To propose and recommend publication state management agencies to terminate the distribution of, and recall, maps products containing errors regarding the presentation of national sovereignty, administrative boundaries and geographical names; map products with serious technical errors; and map products with prohibited contents as prescribed by the Publication Law.

Chapter V

IMPLEMENTATION PROVISIONS

Article 35. Transitional provisions

1. The validity duration of topography and cartography licenses granted before the effective date of this Decree is as stated in these licenses.

2. An organization possessing a topography and cartography license granted before the effective date of this Decree and wishing to add operational contents to, or extend, its license shall make an application dossier for a new license in accordance with this Decree.

3. Application dossiers for topography and cartography licenses submitted before the effective date of this Decree must comply with the Government's Decree No. 12/2002/ND-CP of January 22, 2002, on topographic and cartographic activities and its guiding documents.

Article 36. Effect

1. This Decree takes effect on July 1, 2015.

2. This Decree replaces the Government's Decree No. 12/2002/ND-CP of January 22, 2002, on topographic and cartographic activities.

3. To annul Clause 6, Article 3 of the Government's Decree No. 102/2008/ND-CP of September 15, 2008, on collection, management, exploitation and use of natural resources and environment data.

Article 37. Organization of and responsibilities for implementation

1. The Minister of Natural Resources and Environment, the Minister of National Defense, ministers and sectors shall guide the implementation of articles and clauses as assigned in this Decree.

2. Ministers, heads of ministerial-level agencies, heads of government-attached agencies and chairpersons of provincial-level People's Committees shall implement this Decree.-

On behalf of the Government

Prime Minister
NGUYEN TAN DUNG