

GOVERNMENT

No. 128/NQ-CP

SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom – Happiness

Hanoi, October 11, 2021

RESOLUTION

PROVISION REGULATIONS ON “SAFETY, FLEXIBILITY, AND EFFECTIVE CONTROL OF COVID-19 EPIDEMIC”

THE GOVERNMENT

Pursuant to Law on Governmental Organization dated June 19, 2015; Law on amendments to Law on Government Organization and Law on Local Governmental Organization dated November 22, 2019;

Pursuant to Law on Prevention of Infectious Diseases dated November 21, 2007;

Pursuant to Resolution No. 30/2021/QH15 dated July 28, 2021 in the 1st Meeting of the 15th National Assembly;

At request of Minister of Health and remarks of Government members,

HEREBY RESOLVES:

Article 1. The provisional regulations on “Safety, flexibility, and effective control of COVID-19 epidemic” are attached hereto.

Article 2. This Resolution comes into effect from the day of signing.

Article 3. Ministers, heads of ministerial agencies, heads of Governmental agencies, Chairpersons of People’s Committees of provinces and central-affiliated cities, Directors of Provincial Steering Committees for COVID-19 Epidemic Management, and relevant agencies, organizations, individuals are responsible for implementation of this Resolution./.

**PP. GOVERNMENT
ACTING PRIME MINISTER
DEPUTY PRIME MINISTER**

Vu Duc Dam

PROVISIONAL REGULATIONS

“SAFETY, FLEXIBILITY, AND EFFECTIVE CONTROL OF COVID-19 EPIDEMIC”
(Attached to Resolution No. 128/NQ-CP dated October 11, 2021 of the Government)

World Health Organization, scientists, and countries acknowledge the fact that COVID-19 cannot be fully controlled before 2023 and newer and more dangerous strains of viruses may appear and cause the epidemic to worsen. However, vaccine coverage and drugs help reduce complicated cases, death rates, and infection rates. Thus, multiple countries have altered their epidemic management strategies from eliminating the epidemic to living safely with the epidemic.

For Vietnam, epidemic management affairs have provided with first-hand experience; capacity of medical system in responding to the epidemic has since improved; vaccine coverage, especially for individuals with high risk and urban areas, has helped everyone to be more active in epidemic management.

Based on practical situations, analysis of scientists and experts, remarks of local governments and National Steering Committee for COVID-19 epidemic management, the Government identifies epidemic management to be the priority to protect the general public, restore, develop economy and society, and guarantee social security, safety, and order; while moving epidemic management strategy towards **“safety, flexibility, and effective control of COVID-19 epidemic”**.

The Government promulgates Provisional regulations on “Safety, flexibility, and effective control of COVID-19 epidemic” (hereinafter referred to as “Provisional regulations”).

I. OBJECTIVES

Protect health and lives of the general public; minimize infected cases, worsened cases, and deaths of COVID-19; restore and develop economy and society, guarantee social security, safety, and order; perform dual objectives, introduce the country to the new normal as soon as possible, possibly within 2021.

While vaccine coverage is being boosted and COVID-19 drugs are being developed, vaccine coverage has not reached 100% of the general public and specific COVID-19 drugs have not been developed; in order to guarantee consistent implementation according to regulations and guidelines of ministries while utilizing active state and creativity of local governments in controlling the epidemic, allowing restoration of business, production, socio-economic development, and bringing people’s lives to the new normal; prevent cases of bureaucracy in issuance and implementation of solutions in a manner that negatively impact manufacturing, business, and social lives.

II. PRINCIPLES

1. Guarantee dual objectives while prioritizing human lives; epidemic management must rely on scientific basis, meet practical situations and conditions of the country; guarantee the best protection for the general public against the epidemic and early, immediate, and omnipresent access to medical services; do not cause congestion to circulation and manufacturing.
2. Enhance direction of the Communist Party; mobilize the entire political system; highlight responsibilities of Communist Party committee levels and governments, responsibilities of heads in epidemic management and implementation of dual objectives; direct consistently within the country while utilizing active status and creativity of governments of all levels.
3. Prioritizing epidemic prevention in epidemic management for the long-term; medical forces shall serve as core forces to cooperate with military, police, etc. and other forces, classes of people in society. Utilize the role of the general public and enterprises as center and agents in epidemic management, manufacturing, business, and daily activities.
4. Solutions for safety, flexibility, and effective control of COVID-19 must be implemented aggressively and promptly; guarantee harmony between medical solutions and socio-economic, administrative solutions. Medical solutions must maintain the balance between quarantine and testing, treatment, and vaccine while complying with the principle of “quarantine and testing as the key, vaccine and treatment drug as the prerequisites”.

III. CLASSIFICATION, ASSESSMENT, AND IDENTIFICATION OF EPIDEMIC LEVEL

1. Classification of epidemic level

- Level 1: Low risk (new normal) corresponding to the color green.
- Level 2: Moderate risk corresponding to the color yellow.
- Level 3: High risk corresponding to the color orange.
- Level 4: Very high risk corresponding to the color red.

2. Scope for assessing epidemic level

Conduct assessment from commune level. Encourage conducting assessment from the smallest administrative unit possible (lower than commune level) to guarantee flexibility and effectiveness.

3. Criteria for assessing epidemic level

- a) Percentage of new infection cases in community/population/time.

b) Vaccine coverage (noting group ages with high risk, percentage of recipients receiving only one vaccine dose, percentage of recipients receiving adequate vaccine doses).

c) Capacity for accepting and providing treatment of all administrative levels (clarifying current capacity for accepting and providing treatment and plans for further addition).

4. Identification of epidemic level

a) Ministry of Health shall provide guidelines on criteria and methods for assessing and identifying epidemic level;

b) Based on guidelines issued by Ministry of Health on assessing and identifying epidemic levels and local epidemic situations, People’s Committees of provinces and central-affiliated cities shall decide to change epidemic level. In case of raising epidemic level, inform the local general public, organizations, and enterprises at least 48 hours in advance for preparation.

IV. EPIDEMIC LEVEL-BASED SOLUTIONS

Medical solutions including medical quarantine, testing, accepting, treatment, and vaccination shall conform to guidelines of Ministry of Health for all levels.

1. For organizations, agencies, and enterprises

Solutions	Level 1	Level 2	Level 3	Level 4
<p>1. Organizing indoor and outdoor activities satisfactory to epidemic management</p> <p>- Specialized requirements namely vaccine and testing shall be guided by Ministry of Health</p> <p>- Local governments shall rely on practical situations to prescribe number of participants</p>	No restrictions	Allowed with restrictions, conditions	Prohibited/Allowed with restrictions, conditions	Prohibited/Allowed with restrictions, conditions
2. Public	Allowed	Allowed/Allowed	Prohibited/Allowed	Prohibited/Allowed

<p>passenger transport on road, inland waterway, and maritime satisfactory to COVID-19 management <i>(airway and railroad transport shall conform to specific documents).</i></p> <p>Ministry of Transport shall provide guidelines on public passenger transport satisfactory to epidemic management</p>		with conditions	with restrictions, conditions	with restrictions, conditions
<p>3. Provincial or interprovincial commodity transport</p> <p>Ministry of Transport shall provide guidelines for commodity transport satisfactory to epidemic management.</p> <p>* For <i>Delivery persons using motorbikes</i> and employing technology application with registration (including personnel of postal enterprises): If necessary, People's</p>	Allowed	Allowed	Allowed	Allowed*

Committees of provinces may regulate number of delivery persons working simultaneously at any time.				
4. Manufacturing, business, and services				
4.1. <i>Manufacturing facilities, entities constructing projects, traffic structures, and constructions</i> *Develop plans and assume responsibilities for implementing COVID-19 epidemic management solutions	Allowed*	Allowed*	Allowed*	Allowed*
4.2. <i>Service providers including commercial centers, supermarkets, convenience stores, and supply markets</i> except for facilities under Point 4.3 and 4.4 *Develop plans and assume responsibilities for implementing COVID-19 epidemic management	Allowed*	Allowed*	Allowed*	Allowed*/Allowed with restrictions**

<p>solutions</p> <p>** If necessary, People's Committees of provinces shall issue regulations restricting number of individuals selling and buying simultaneously at any time.</p>				
<p>4.3. Restaurants/diners, traditional markets</p> <p>* Satisfy regulations on COVID-19 epidemic management of Ministry of Health</p> <p>** People's Committees of provinces shall regulate requirements for guaranteeing COVID-19 epidemic management including limiting number of individuals buying and selling simultaneously at any time.</p>	Allowed*	Allowed*	Allowed*	Allowed with restrictions**
<p>4.4. Service providers providing services with high risk of infection namely dance clubs,</p>	Allowed/Allowed with restrictions*	Suspended/Allowed with restrictions*	Suspended/Allowed with restrictions*	Suspended

<p>karaoke venues, massage facilities, bar, internet access points, barber shops, makeup stores, and other facilities shall be decided by local administrative divisions.</p> <p>* People's Committees of provinces shall regulate requirements for guaranteeing COVID-19 management.</p>				
<p>4.5. <i>Street vendors, street lottery ticket sellers, etc.</i></p> <p>* People's Committees of provinces shall regulate requirements for guaranteeing COVID-19 management.</p>	Allowed	Allowed/Allowed with conditions*	Suspended/Allowed with conditions*	Suspended
<p>5. Face-to-face education and training</p> <p>* Satisfy COVID-19 epidemic management according to guidelines of Ministry of Education and Training and Ministry of Health.</p>	Allowed*	Allowed*/Allowed with restrictions**	Allowed with restrictions**	Suspended/Allowed with restrictions**

<p>** Time, number of students, and activities to be suspended shall conform to guidelines of Ministry of Education and Training and local regulations. Combine teaching, studying online and via television.</p>				
<p>6. Operation of agencies and workplaces</p> <p>Develop plans and assume responsibilities for implementing COVID-19 epidemic management solutions.</p> <p>* Reduce number of working personnel, promote working online.</p>	Allowed	Allowed	Allowed with restrictions*	Allowed with restrictions*
<p>7. Religious and worshipping facilities</p> <p>* Develop plans and assume responsibilities for implementing COVID-19 epidemic management solutions according to guidelines of Ministry of Home</p>	Allowed*	Allowed*/Allowed with restrictions**	Allowed with restrictions**	Suspended

Affairs. ** People's Committees of provinces shall regulate number of participants.				
8. Vacation facilities, hotels, motels, tourist attractions; facilities for cultural performance, art performance, and sports				
8.1. <i>Vacation facilities, hotels, motels, and tourist attractions</i> Develop plans and assume responsibilities for implementing COVID-19 epidemic management according to guidelines of Ministry of Culture, Sports, and Tourism. * Reduce working capacity and number of individuals involved.	Allowed	Allowed	Allowed with restrictions*	Suspended/Allowed with restrictions*
8.2. Museums, exhibits, libraries, cinemas, locations for cultural performance, art performance,	Allowed*	Allowed with restrictions**	Allowed with restrictions**	Suspended

<p>sports, etc.</p> <p>Ministry of Culture, Sports, and Tourism shall provide guidelines on operation of facilities and locations satisfactory to COVID-19 management.</p> <p>* Facilities shall develop plans and assume responsibilities for implementing COVID-19 management solutions (including organizing testing for personnel, workers, requirements for visitors and audiences, and solutions in case of new infected cases).</p> <p>** Reduce working capacity and number of individuals involved.</p>				
<p>9. Application of information technology</p>				
<p>9.1. Update information on vaccination, COVID-19 test results, and</p>	<p>Applied</p>	<p>Applied</p>	<p>Applied</p>	<p>Applied</p>

COVID-19 treatment results				
9.2. Manage information of individuals entering, exiting public places, public transport, manufacturing facilities, business facilities, and crowded events via QR code	Applied	Applied	Applied	Applied

2. For individuals

Solutions	Level 1	Level 2	Level 3	Level 4
1. Comply with 5K principles	Applied	Applied	Applied	Applied
2. Application of information technology Utilize information technology applications as per the law to perform medical declaration, register for vaccination, and receive medical examination and treatment (if equipped with smart phones). Use QR code as per regulations of the governments and medical authority	Applied	Applied	Applied	Applied
3. Movement of people from areas with different epidemic levels * Comply with vaccination and testing requirements as per guidelines of Ministry of Health. ** Comply with vaccination, testing, and quarantine requirements as per guidelines of Ministry of Health. In case Ministry of Health provides guidelines on quarantine at home while local governments provides concentrated quarantine locations and individuals to be quarantined also agree, may quarantine in concentrated quarantine locations instead of at home.	No restrictions	No restrictions	No restrictions, with conditions	With restrictions **
4. Treatment at home for COVID-19	Applied*	Applied*	Applied*	Applied*

<p>patients</p> <p>* Comply with guidelines of Ministry of Health and decisions of local governments depending on accepting and treating conditions in local administrative divisions and demands of COVID-19 patients.</p>				
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V. IMPLEMENTATION

1. These Provisional regulations shall be applied across the country. Based on guidelines of Ministry of Health and ministries, People’s Committees of provinces and cities shall decide on appropriate administrative measures including specific regulations and guidelines on capacity and number of individuals involved in manufacturing activities, business activities, services, cultural activities, art activities, and events, etc. and may apply additional measures flexibly without contradicting regulations of central governments or causing congestion to commodity transport, manufacturing activities, and movement, daily activities of the general public. In case regulations and guidelines of central government are not appropriate or feasible, promptly report to agencies issuing regulations and guidelines. Agencies issuing regulations and guidelines must provide immediate order to deal with difficulties and conducting research to amend regulations and regulations.

2. Chairpersons of People’s Committees of provinces shall decide to quarantine infected areas as soon as possible and as narrow of a scale as possible, implement activities guaranteeing social security and access to medical services to allow the general public to comply with epidemic management regulations.

3. Temporarily cease to comply with Clause 1 Article 1 of Resolution No. 86/NQ-CP dated August 6, 2021 of the Government, Directive No. 15/CT-TTg dated March 27, 2020 of the Prime Minister, Directive No. 16/CT-TTg dated March 31, 2020 of the Prime Minister, Directive No. 19/CT-TTg dated April 24, 2020 of Prime Minister, and Decision No. 2686/QD-BCDQG dated May 31, 2021 of the National Steering Committee for COVID-19 epidemic management. For cases where epidemic management solutions to be adopted in an entire province or city are higher than solutions under these Provisional guidelines, Chairperson of People’s Committee of respective province or city must report to Ministry of Health and Prime Minister.

VI. ORGANIZATION FOR IMPLEMENTATION

1. Ministries, ministerial agencies, and governmental agencies

a) Issue new guidelines or update, amend existing regulations, and promote commanding to guarantee safety, flexibility, and effective control of COVID-19 within their management sector to allow local administrative divisions, agencies, organizations, and individuals to implement;

b) Promptly deal with difficulties and take actions against sudden issues relating to epidemic management affairs in local administrative divisions;

c) Perform procurement to serve COVID-19 epidemic management as per the law; maintain publicity and transparency; ensure efficiency, prevention and counter of waste and corruption;

d) Commend promptly; take actions against violations to regulations on COVID-19 epidemic management.

2. Ministry of Health

a) Issue guidelines on criteria for classifying and assessing epidemic levels and specialized medical solutions; prioritize the factor of receiving COVID-19 vaccination or having relieved of COVID-19 in regulations relating to movement, medical quarantine, manufacturing, business, and participation in crowded activities;

b) Continue to implement measures for improving capacity of medical system, especial preventive medicine and facility medicine; implement national COVID-19 vaccination campaign safely, scientifically, and effectively;

c) Update and publicize information on infected areas and epidemic levels in all administrative divisions on website of Ministry of Health to serve as the basis to allow local governments to adopt solutions for managing individuals arriving from infected areas and from other administrative divisions;

d) Take charge and cooperate with Ministry of National Defense and Ministry of Public Security in preparing mobile forces to promptly provide reinforcement for local administrative divisions in case the epidemic situations exceed control capacity of local administrative divisions.

3. Ministry of National Defense

a) Continue to improve security in borders, trails, and man-made routes;

b) Continue to mobilize military forces, especially the medic, chemical division, border guard, militia, and self-defense forces to cooperate with medical sector and local administrative divisions in epidemic management; participate in manufacturing, providing equipment, materials, and helping people in quarantined areas.

4. Ministry of Public Security

a) Take charge in organizing forces to guarantee security, safety, social order, and cybersecurity, especially in local administrative divisions and quarantine areas; promote prevention and fight against crime, especially against forces opposing COVID-19 management; take actions against entities exploiting epidemic management policies;

b) Continue to closely cooperate with Ministry of Health, provincial governments in organizing implementation, designating forces for COVID-19 management, and guaranteeing social security;

c) Connect population database with database on vaccination, testing, and management of COVID-19 patients to consistently implement application of QR code on Citizen Identity Card (or appropriate methods for individuals who do not have new Citizen Identity Cards) to manage movement of the general public and COVID-19 management.

5. Ministry of Information and Communications

a) Take charge in promoting information technology applications in epidemic management; technical standards for connecting, guaranteeing safety and security for private information and data of the general public;

b) Take charge and cooperate with Central Propaganda and Training Commission in directing press agencies and information system that actively and promptly provide, publicize COVID-19 management information;

c) Direct communication agencies to create social belief; promote active status and positivity of the general public in epidemic management; instruct safe, flexible, and effective control measures of COVID-19 epidemic to improve awareness of the general public in the new normal.

6. Ministry of Labor - War Invalids and Social Affairs

a) Take charge in organizing implementation of policies on financing COVID-19 victims;

b) Take charge and cooperate with relevant agencies in proposing solutions for guaranteeing social security, aiding children, workers, and employers; propose solutions for restoring employment market.

7. Ministry of Foreign Affairs

Promote foreign affairs in medical matters, especially vaccine diplomacy, monitor and consolidate experience of countries regarding safely adapting to COVID-19 to promptly inform domestic authority. Propose solutions for “vaccine passports” and “mutual recognition of vaccine passports”.

8. Ministry of Industry and Trade

a) Take charge in guaranteeing commodities, materials, and energy for manufacturing and business restoration, and socio-economic development;

b) Take charge and cooperate with agencies in request competent authority to deal with difficulties of important industrial projects; assist factories in maintaining and restoring manufacturing products to maintain orders and supply chains.

9. Ministry of Agriculture and Rural Development

a) Actively adjust agricultural production plans to avoid lack of supply in the time to come. Search for domestic material supply to produce feeds for husbandry and poultry and depend less on import sources;

b) Actively search for consumers of agricultural products at harvest stage, especially in primary agricultural production and husbandry areas, closely cooperate with Ministry of Transport, Ministry of Industry and Trade, and local governments in guaranteeing convenience and coherence in transportation and consumption of agricultural products.

10. Ministry of Transport

a) Provide guidelines on constructing projects and traffic structures satisfactory to safety, flexibility, and effective control of COVID-19;

b) Review guidelines and plans for interprovincial traffic, transport activities, traffic circulation, maintenance of production supply chain, etc. satisfying to safety, flexibility, and effective control of COVID-19.

11. Ministry of Construction

a) Provide guidelines on constructing projects and traffic structures satisfactory to safety, flexibility, and effective control of COVID-19;

b) Update COVID-19 epidemic and infectious epidemic management requirements in construction planning, especially planning for residential structures for workers in industrial parks and industrial complexes, etc.

12. Ministry of Natural Resources and Environment

a) Review guidelines on processing and transporting wastes produced by COVID-19 epidemic management.

b) Command improvement of waste processing capacity in epidemic management.

13. Ministry of Finance

Propose solutions and mechanisms for guaranteeing resources for epidemic management; finalize policies on promoting private sector involvement and public-private combination in epidemic management.

14. Ministry of Planning and Investment

a) Take charge in developing and finalizing strategies and plans for socio-economic restoration and development;

b) Take charge and cooperate with relevant agencies in promoting solutions for dealing with difficulties and assisting enterprises; incentive policies on attracting foreign investors.

15. Ministry of Education and Training

a) Cooperate with Ministry of Health in guiding COVID-19 management in education and training;

b) Continue to implement solutions for guaranteeing implementation of school year of 2021 - 2022 safely, effectively, and consistently with COVID-19 situations in each administrative division;

c) Cooperate with Ministry of Health in organizing vaccination for students in appropriate age groups.

16. Departments of Culture, Sports and Tourism

Review guidelines on safety, flexibility, and effective control of COVID-19 in cultural, sports, and tourism activities.

17. Ministry of Science and Technology

Mobilize scientists and experts to research and propose COVID-19 epidemic management solutions; promote research and implementation of research programs and science technology tasks regarding vaccine, biological, equipment, etc. serving COVID-19 management.

18. Ministry of Justice

a) Take charge and cooperate with relevant agencies in dealing with issues in policies, amending regulations that are no longer appropriate, cause confusion, or obstruct manufacturing, business operations during the epidemic;

b) Take charge and cooperate with relevant agencies in proposing application of regulations on imposing penalties for administrative violations committed out of objective situations or by COVID-19 epidemic.

19. Ministry of Home Affairs

a) Review guidelines on operation of religious and worshipping facilities to guarantee COVID-19 management;

b) Advise the Government and Prime Minister to implement campaigns in COVID-19 management, socio-economic restoration and development. Cooperate with Ministry of Health, ministries, and local governments in requesting timely commendation for individuals and entities with merits in COVID-19 management and economic restoration.

20. The Committee for Ethnic Minorities

- a) Cooperate with Ministry of Health, Ministry of Information and Communication, and local governments shall mobilize ethnic minorities to participate in COVID-19 epidemic management;
- b) Cooperate with Ministry of Labor – War Invalids and Social Affairs in proposing policies guaranteeing social security for ethnic minorities affected by COVID-19.

21. The Government Inspectorate

Direct implementation of periodic and irregular inspection in COVID-19 management to prevent negativity, waste, and corruption.

22. State bank of Vietnam

Propose credit solutions to assist enterprises, organizations, and individuals to restore manufacturing, business, and socio-economic development. Strongly promote non-cash and touchless payment methods.

23. The Committee for managing State capital at enterprises

Propose solutions for assisting state enterprises to restore manufacturing, adapt safely, flexibly, and effectively control COVID-19.

24. Vietnam Academy for science and technology, Vietnam Academy for Social Sciences

Enhance scientific research regarding epidemic, epidemic management, and epidemic impact on aspects of social life; recommend scientific solutions for improving effectiveness of COVID-19 epidemic management to the Government, Prime Minister, and National Steering Committee for COVID-19 management in order to improve COVID-19 epidemic management and restore manufacturing, business, and socio-economic development.

25. Vietnam News Agency, Vietnam Television, and Voice of Vietnam

Increase communication to promote participation of society in performing COVID-19 epidemic management as per this Resolution. Reflect and analyze COVID-19 management results, socio-economic restoration, and utilization of tradition values in epidemic management. Promptly promote and praise individuals, entities, and models implementing dual objectives effectively.

Communicate about epidemic situations and epidemic forecast around the world; scientific and technical advances, and new solutions in epidemic management.

26. The Government requesting Vietnam Fatherland Front, organizations, and entities:

- a) Improve cooperation with governments of all levels to improve awareness and capacity regarding compliance with epidemic management; continue to mobilize organizations and

enterprises to implement epidemic management, remediate damages done by the epidemic, maintain, develop manufacturing activities, and utilize creativity of the general public in epidemic management and implementation of dual objectives;

b) Actively cooperate with governments of all levels to effectively deal with oppressing social issues, publicize, mobilize, and supervise implementation of epidemic management.

27. People's Committees of provinces or central-affiliated cities

a) Develop, organize implementation of plans for safety, flexibility, and effective control of COVID-19 with specific and feasible roadmap that guarantees COVID-19 management effectiveness. Organize implementation of epidemic management depending on epidemic situations in each area;

b) Implement guidelines of Ministry of Health for testing, quarantine, and medical monitor for individuals arriving from infected areas, other areas; individuals entering Vietnam (including children who do not receive adequate doses of vaccine); individuals finishing concentrated quarantine may travel on their own volition to their residence and work to serve manufacturing restoration and development;

c) Update information and data serving identification of epidemic level according to guidelines of Ministry of Health. Based on epidemic situations in the area, public epidemic level, and respective management solutions;

d) Direct implementation of COVID-19 management and economic restoration solutions while staying active, creative, compliant with practical situations, and cautious even when the epidemic has passed; guarantee "four on-the-spot" principle; procure to serve COVID-19 management as per the law, guarantee publicity, transparency, and prevention of negativity, waste, and corruption;

dd) Expedite, conduct inspection in local scale, and prepare requirements for immediate adaptation to epidemic situations.

28. The Government shall assign Ministry of Health to take charge and cooperate with the Government Office in monitoring implementation hereof and reporting to the Prime Minister in case of any difficulty.

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