

**THE GOVERNMENT**

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**SOCIALIST REPUBLIC OF VIETNAM**

**Independence – Freedom – Happiness**

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No.: 155/2016/ND-CP

*Hanoi, November 18, 2016*

## **DECREE**

### **PENALTIES FOR ADMINISTRATIVE VIOLATIONS AGAINST REGULATIONS ON ENVIRONMENTAL PROTECTION**

*Pursuant to the Law on the Organization of the Government dated June 19, 2015;*

*Pursuant to the Law on Actions against administrative violations dated June 20, 2012;*

*Pursuant to the Law on environmental protection dated June 23, 2014;*

*Pursuant to the Law on biodiversity dated November 13, 2008;*

*Pursuant to the Law on environmental police forces dated December 23, 2014;*

*At the request of Minister of Natural Resources and Environment;*

*The Government promulgates a Decree to provide for penalties for administrative violations against regulations on environmental protection.*

## **Chapter I**

### **GENERAL PROVISIONS**

#### **Article 1. Scope**

1. This Decree deals with violations, penalties, fines, remedial measures against administrative violations, the power to make administrative violation notices and the power to impose penalties against administrative violations; responsibilities and mechanism for cooperation in inspecting and imposing penalties against administrative violations against regulations on environmental protection.

2. The administrative violations against regulations on environmental protection prescribed in this Decree consist of:

a) Violations against regulations on environmental protection plans, environmental impact assessment (hereinafter referred to as “EIA”) and environmental protection schemes;

- b) Acts of violation causing environmental pollution;
- c) Violations against regulations on waste management;
- d) Violations against regulations on environmental protection committed by production, business and service establishments (hereinafter referred to as business establishments) and industrial parks, export processing zones, high-tech parks, industrial complexes and concentrations of businesses and service providers (hereinafter referred to as concentrations of producers, businesses and service providers);
- dd) Violations against regulations on environmental protection in the fields of import of machinery, equipment, means of transport, materials, fuels, scraps, bio-preparations; import of used seagoing ships for dismantlement; festival and tourism activities, and mining of minerals;
- e) Violations against regulations on prevention and control of environmental pollution and degradation, and environmental emergencies;
- g) Administrative violations related to biodiversity, including: Conservation and sustainable development of natural ecosystems; conservation and sustainable development of living resources; conservation and sustainable development of genetic resources;
- h) Acts causing obstruction of state management, inspection and imposition of penalties for administrative violations and other acts of violation against regulations on environmental protection as provided for in Chapter II herein.

3. Other administrative violations against regulations on environmental protection which are not prescribed in this Decree shall be governed by other relevant Government's decrees on penalties for administrative violations against regulations on state management.

## **Article 2. Regulated entities**

1. Any domestic and foreign organizational and individual entities (hereinafter referred to as organizational/individual entities) committing administrative violations against regulations on environmental protection in the territory, the contiguous zones, the exclusive economic zone and the continental shelf of the Socialist Republic of Vietnam shall incur penalties as regulated in this Decree or relevant decrees.
2. Penalties incurred by family/household businesses committing violations against regulations herein shall be the same with those incurred by individual entities.

## **Article 3. Interpretation of terms**

In this document, these terms are construed as follows:

1. Discharge of wastewater into the environment refers to the discharge of wastewater of all kinds, by organizational/individual entities, into soil, underground water and surface water, inside and outside business establishments, concentrations of producers, businesses and service providers. In case of discharge of wastewater into soil, underground water or surface water (ponds, lakes, holes, etc. inside a business establishment), upon the calculation of the volume of discharged wastewater in excess of the permissible limits prescribed in the technical regulation on waste, the  $K_q$  value (the coefficient of receiving water) shall be equal to 0.6 as regulated in that technical regulation.
2. Discharge of dust and emission into the environment refers to the generation of dust and emission into the air environment by organizational/individual entities.
3. Hazardous environmental parameters in wastewater refer to the environmental parameters specified in the national technical regulation on hazardous waste thresholds with details stated in Section I of the Annex I enclosed herein.
4. Hazardous environmental parameters in emission and air environment refer to the environmental parameters specified in the national technical regulation on hazardous substances in ambient air thresholds with details stated in Section II of the Annex I enclosed herein.
5. Non-hazardous environmental parameters refer to the environmental parameters specified in the national technical regulation on waste and surrounding environment, except for the environmental parameters specified in Clause 3 and Clause 4 of this Article.
6. Illegal exploitation of living resources refers to the acts of hunting, fishing, trapping, picking, gathering and keeping aiming to take living resources (including animals, plants, fungi and microorganisms), parts or derivatives of animals and/or plants without the permission of competent state agencies or in excess of the permitted quantity in the exploitation license issued by competent state agencies.
7. Environmental protection plan includes the declaration on production activities that cause impacts on the environment, the registration of satisfaction of environmental standards, the environmental protection commitment and the environmental protection plan;
8. EIA report includes the preliminary EIA report, the detailed EIA report, the EIA report made by the operating business establishment, the additional EIA report and the EIA report.
9. Environmental improvement and restoration plans include the scheme for deposit for environmental improvement and restoration, the environmental improvement and restoration project, the additional environmental improvement and restoration plan and the environmental improvement and restoration plan.

10. Certification of completion of environmental protection works includes certificate of compliance with contents of the EIA report and contents of decision on giving approval for the EIA report before the project is put into official operation, certificate of implementation of environmental protection works/measures to serve the project's operation, certificate of execution of one of work items of the investment project in case of investment phasing before the project is put into official operation and certificate of completion of environmental protection works.

11. Certificate of compliance with regulations on environmental protection refers to the certificate of completion of environmental protection works granted to daily-life solid waste and/or nonhazardous industrial solid waste treatment plant.

12. Licenses for treatment of hazardous waste include License for transport of hazardous waste, License for treatment and destruction of hazardous waste, License for management of hazardous waste and License for treatment of hazardous waste.

13. Certificate of eligibility for environmental protection in import of scrap for use as production materials includes certificate of eligibility for import of scrap and certificate of eligibility for environmental protection in import of scrap for use as production materials.

#### **Article 4. Penalties, fines and remedial measures against administrative violations against regulations on environmental protection**

##### 1. Penalties and fines:

Any organizational/individual entities that commit administrative violations against regulations on environmental protection shall be liable to any of the following principal penalties:

a) A warning;

b) The maximum fine for a violation against regulations on environmental protection incurred by an individual is VND 1,000,000,000; that incurred by an organization is VND 2,000,000,000.

##### 2. Additional penalties:

a) Impose fixed-term suspension of License for treatment of hazardous waste, License for discharge of industrial emissions, Certificate of eligibility for environmental protection in import of scrap for use as production materials, License to transport dangerous goods being toxic or infectious substances, Certificate of marketing authorization of biological products for waste treatment in Vietnam, Certificate of eligibility for provision of environmental monitoring service, License for extraction of endangered, precious and rare species prioritized protection, Certificate of biodiversity conservation institution, License for rearing and development of alien species, License for access to genetic

resources, License for genetically modified organism testing, License to import genetically modified organism, Biosafety certificate, License for exchange, purchase, sale, donation or hiring of specimen of wild species in the list of endangered, precious and rare species prioritized protection, Certificate of genetically modified organisms qualified for use as foods, Certificate of genetically modified organisms qualified for use as animal feed (hereinafter referred to as environmental licenses) or suspend environmental activities as regulated in Clause 2 Article 25 of the Law on penalties for administrative violations for 01 - 24 months as of the entry into force of the decision on imposition of penalty for administrative violation;

b) Confiscate exhibits and/or instrumentalities of administrative violations against regulations on environmental protection (hereinafter referred to as exhibits and/or instrumentalities of administrative violations).

3. Apart from penalties prescribed in Clause 1 and Clause 2 of this Article, organizational/ individual entities that commit administrative violations against regulations on environmental protection may be liable to one or some remedial measures mentioned below:

a) Enforce the restoration or remediation of environment which is polluted by administrative violations; enforce the planting, caring and protection of injured or destroyed sanctuary area, restoration of initial biotope for animals and plants, and confiscation of genetic resources illegally accessed;

b) Enforce the dismantlement or relocation of plants, works, or work item in violation of regulations on environmental protection; enforce the dismantlement of works, breeding farms, aquaculture zones, houses or tents which are illegally built in the sanctuary;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof as regulated;

d) Enforce the transport to outside the territory of the Socialist Republic of Vietnam or re-export of goods, machinery, materials, fuels, scraps, articles, biopreparations and means imported or transported into Vietnam inconsistently with regulations on environmental protection or causing environmental pollution; enforce the transport to outside the territory of the Socialist Republic of Vietnam or re-export of goods, articles or means containing invasive alien species, genetically modified organisms or their genetic specimens;

dd) Enforce the destruction of goods, machinery, materials, fuels, raw materials, scraps, articles, biopreparations and means imported or transported into Vietnam inconsistently with regulations on environmental protection or causing harm to the human health, domestic animals and the environment; enforce the destruction of invasive alien species, genetically modified organisms or their genetic specimens for which the License for genetically modified organism testing or biosafety certificate is not granted; enforce the

recall and destruction of biopreparations manufactured, sold and used illegally.  
Confiscate and handle valuable products upon the destruction in accordance with the law;

e) Enforce the correction of information which is untrue or causes misleading on the environment status of business establishments and concentrations of producers, businesses and service providers;

g) Enforce the recall and treatment of discarded products or products whose useful life has expired as regulated; enforce the seizure of results of illegal access to genetic resources;

h) Enforce the transfer of illegal benefits obtained from the administrative violations or enforce the transfer of the amounts equivalent to the value of the exhibits and/or instrumentalities of administrative violations which have been sold, liquidated, hidden or destroyed inconsistently with the law;

i) Enforce the implementation of measures for reducing noise and vibration, heat and light radiation, managing solid waste and hazardous waste, and treating waste in conformity with technical regulations on environment; enforce the preparation of reports on finished environmental protection works which must be submitted to competent authorities for examination and certification; enforce the formulation and implementation of environmental improvement and restoration plans; enforce the making of deposits for environmental restoration, purchase of insurance against compensation for environmental damage or setting aside of reserve fund for environmental risks in accordance with regulations;

k) Enforce the construction of environmental protection works as regulated; enforce the proper operation of the environmental protection works as regulated;

l) Enforce the moving out of banned zones; strict compliance with regulations on safe distance to protect the environment for residential areas;

m) Collect the arrears of environmental protection charges as regulated; enforce the payment of costs of conducting inspection, assessment, measurement and analysis of environmental samples (for all environmental parameters of environmental samples in excess of the permissible limits prescribed in technical regulations) in case the volume of waste discharged exceeds the permissible limits prescribed in technical regulations or causes the environmental pollution according to current norms and prices; enforce the compensation for damage by acts causing environmental pollution in accordance with law regulations;

n) Enforce the relocation of the business establishment causing serious environmental pollution to a location in conformity with the planning and the environment's carrying capacity.

## **Article 5. Fines and power to impose penalties**

1. Fines for administrative violations prescribed in Chapter II herein are imposed on individuals; the fine incurred by an organization is twice as much as that incurred by an individual for the same administrative violation.

2. The penalties imposed by the persons who have the power to impose penalties for administrative violations as prescribed in Article 48-51 herein are incurred by individuals; a person who has the power to impose penalties may give a fine twice that given to an individual to an organization for the same violation.

If the aggravating penalties are imposed for environmental parameters in excess of the permissible limits prescribed in the technical regulations for the same waste sample, the violation of the highest fine of that waste sample shall be selected for imposing penalties.

**Article 6. Application of technical regulations on environment and use of environmental parameters for determination of administrative violations against regulations on environmental protection and severity thereof**

1. When organizational/ individual entities produce waste into the environment, the national technical regulations shall be applied to determine administrative violations against regulations on environmental protection and severity thereof; in case both national technical regulation and local technical regulation are available, the local technical regulation shall apply (hereinafter referred to as technical regulation).

2. If a parameter exceeds the permissible limit prescribed in the environmental technical regulation, the exceeding times shall be the highest value calculated by dividing the value collected by professional means and equipment, and from results of inspection, assessment, monitoring, measurement and analysis of certain environmental parameters of waste samples and/or surrounding environmental samples by the maximum permissible value of that parameter prescribed in the environmental technical regulation.

3. When imposing fines for the discharge of wastewater (as prescribed in Article 13 and Article 14 herein) or the discharge of dust and emission (as prescribed in Article 15 and Article 16 herein) in excess of the permissible limits prescribed in the environmental technical regulations, if the discharged wastewater or discharged dust and emission contain both hazardous and non-hazardous environmental parameters, and germs of various kinds in excess of the permissible limits prescribed in technical regulations or the pH value exceeds the permissible limits prescribed in the technical regulations, the penalty shall be imposed for the environmental parameter respectively with the violation upon which the highest fine is imposed of the wastewater or dust/ gas sample.

The fine for each of remaining environmental parameters in excess of the permissible limits prescribed in the technical regulations of the same waste sample shall be increased by 10 – 50% provided that the sum of fines for each violation shall not exceed the prescribed maximum fine.

In case a business establishment or a concentration of producers, businesses and service providers has many points of discharging wastewater or dust/emission in excess of the permissible limits prescribed in technical regulations, appropriate penalty shall be imposed on each point.

**Article 7. Application of technical means and equipment to the discovery and imposition of penalties for administrative violations against regulations on environmental protection**

1. The application of technical means and equipment to the discovery of administrative violations against regulations on environmental protection is provided for as follows:

a) The agencies and/or persons that have the power to impose penalties for administrative violations have the right to employ technical means and equipment in accordance with regulations in the Government's Decree No. 165/2013/ND-CP dated November 12, 2013 providing for the management, use and list of technical means and equipment used to discover administrative violations against regulations on public order, traffic safety and environmental protection.

b) Results obtained by employing technical means and equipment shall be compared with the maximum permissible values of environmental parameters prescribed in technical regulations for determining administrative violations.

2. The agencies and/or persons that have the power to impose penalties for administrative violations may use results of inspection, assessment, measurement and analysis of environmental samples as the basis for imposing penalties for administrative violations against regulations on environmental protection. To be specific:

a) Results provided by the organizations that are granted Certificate of eligibility for provision of environmental monitoring service in accordance with the laws;

b) Results provided by environmental inspection, assessment and/or monitoring organizations that are established by competent state agencies, qualified and designated by competent agencies in accordance with specialized sector regulations;

c) Results obtained from the continuous and automatic monitoring system of wastewater/emission of an organization or individual and verified or calibrated by a competent agency in accordance with laws in case the continuous and automatic monitoring system must be installed and data obtained from that system must be directly transmitted to the Department of Natural Resource and Environment for inspection; if that organization or individual has received warning from competent state agency but still repeats the violation, the said results must be compared with the maximum permissible values of environmental parameters prescribed in current technical regulations for determining administrative violations committed by that organization or individual.

3. In case where a competent agency detected administrative violations through use of technical means and equipment to record images, the infringing individual/ organization is liable to cooperate with the competent agency to define objects and violations against regulations on environmental protection.

## **Chapter II**

### **ADMINISTRATIVE VIOLATIONS AGAINST REGULATIONS ON ENVIRONMENTAL PROTECTION, PENALTIES, FINES AND REMEDIAL MEASURES**

#### **Article 8. Violations against regulations on implementation of environmental protection plan**

1. Penalties for violations against regulations on implementation of the environmental protection plan which are verified by the District-level People's Committee and in such cases, business registration certificates are issued by the District-level People's Committees or the District-level Business Registration Office:

- a) A warning shall be issued for improperly implementing any of contents of the environmental protection plan which has been certified by the competent state agency, except for environmental supervision, acts done to improve the environment upon the approval by competent agencies and violations prescribed in point c of this clause;
- b) A fine ranging from VND 500,000 to VND 1,000,000 shall be imposed for failing to implement any of contents of the environmental protection plan which has been certified by the competent state agency, except for the environmental supervision and violations prescribed in point d of this clause;
- c) A fine ranging from VND 1,000,000 to VND 1,500,000 shall be imposed for building or installing equipment or pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to schedule or improperly operating the environmental protection works as regulated;
- d) A fine ranging from VND 1,500,000 to VND 2,000,000 shall be imposed for failing to build the environmental protection works as regulated.

2. Penalties for violations against regulations on implementation of environmental protection plans which are verified by the District-level People's Committees and are not the cases mentioned in clause 1 of this Article:

- a) A fine ranging from VND 1,000,000 to VND 5,000,000 shall be imposed for improperly implementing any of contents of the environmental protection plan which has been certified by the competent state agency, except for the environmental supervision, acts done to improve the environment upon the approval by competent agencies and the violations prescribed in point c of this clause;

b) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to implement any of contents of the environmental protection plan which has been certified by the competent state agency, except for the environmental supervision and the violations prescribed in point d of this clause;

c) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for building or installing equipment or pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works as regulated;

d) A fine ranging from VND 20,000,000 to VND 25,000,000 shall be imposed for failing to build the environmental protection works as regulated.

3. Penalties for violations against regulations on implementation of environmental protection plans which are verified by the Departments of Natural Resources and Environment:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for improperly implementing any of contents of the environmental protection plan which has been certified by the competent state agency, except for the environmental supervision, acts done to improve the environment upon the approval by competent agencies and the violations prescribed in point c of this clause;

b) A fine ranging from VND 10,000,000 to VND 15,000,000 shall be imposed for failing to implement any of contents of the environmental protection plan which has been certified by the competent state agency, except for the environmental supervision and the violations prescribed in point d of this clause;

c) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for building or installing equipment or pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works as regulated;

d) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to build the environmental protection works as regulated.

4. Penalties for violations against regulations on implementation of the registration of satisfaction of environmental standards which are verified by ministries or ministerial-level agencies:

a) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for improperly implementing any of contents of the registration of satisfaction of environmental standards which has been certified by the competent state agency, except for the environmental supervision, acts done to improve the environment upon the approval by competent agencies and the violations prescribed in point c of this clause;

b) A fine ranging from VND 20,000,000 to VND 25,000,000 shall be imposed for failing to implement any of contents of the registration of satisfaction of environmental standards which has been certified by the competent state agency, except for the environmental supervision and the violations prescribed in point d of this clause;

c) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for building or installing equipment or pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works as regulated;

d) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to build the environmental protection works as regulated.

#### 5. Additional penalties:

a) Suspend the establishment's activities causing the environmental pollution for 01- 03 months if the violation prescribed in Point d Clause 2 of this Article is committed;

b) Suspend the establishment's activities causing the environmental pollution for 03- 06 months if the violation prescribed in Point d Clause 3 of this Article is committed;

c) Suspend the establishment's activities causing the environmental pollution for 06- 09 months if the violation prescribed in Point d Clause 4 of this Article is committed.

#### 6. Remedial measures:

a) Enforce the proper operation of the environmental protection works or enforce the dismantlement of the environmental protection work which has been built inconsistently with regulations resulting in the environmental pollution if any of the violations prescribed in Point c Clause 1, Point c Clause 2, Point c Clause 3 and Point c Clause 4 of this Article is committed;

b) Enforce the construction of the environmental protection works in conformity with technical regulations within the period regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in Point d Clause 1, Point d Clause 2, Point d Clause 3 and Point d Clause 4 of this Article is committed;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

### **Article 9. Violations against regulations on EIA report and provision of EIA report consulting service**

1. Penalties for violations against regulations on EIA reports which are approved by the Provincial-level People's Committees, ministries or ministerial-level agencies, except for the cases prescribed in Clause 2 of this Article:

a) A fine ranging from VND 2,000,000 to VND 5,000,000 shall be imposed for failing to send the environmental management plan to the Commune-level People's Committee where consultations have been held during the process of EIA for posting in the public prior to the commencement of the construction project;

b) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for improperly or insufficiently preparing any of the contents of the environmental management plan of the project as regulated; failing to update and send the updated environmental management plan to the Commune-level People's Committee in case there is change in the environmental management and supervision program in course of execution of the project;

c) A fine ranging from VND 10,000,000 to VND 15,000,000 shall be imposed for failing to set up the environmental management plan and send reports to the competent agency or the agency giving approval for the EIA report as regulated;

d) A fine ranging from VND 15,000,000 to VND 20,000,000 shall be imposed for failing to send written notice to the organizations where consultations have been held or the agency giving approval for the EIA report on the plan on trial operation of the waste treatment works to serve the operation of a part or entire project at least 10 days before the trial operation of the waste treatment works as of the receipt of the written notice thereof by the said organizations or agency;

dd) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to send timely report to the agency giving approval for the EIA report and the provincial-level environment agency for providing instructions to respond to the environmental pollution and/or environmental emergencies during the trial operation of the waste treatment works in accordance with regulations;

e) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for improperly implementing any of contents of the EIA report and decision on approval for the EIA report or Certificate of completion of the environmental protection works serving the project's operation (either a part of or the entire project) as regulated, except for the environmental supervision, acts done to improve the environment upon the approval by competent agencies and the cases prescribed in point b and point i of this clause;

g) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to implement any of contents of the EIA report and decision on approval for the EIA report or Certificate of completion of the environmental protection works serving the project's operation (either a part of or the entire project) as regulated, except for the environmental supervision and the cases prescribed in points a, c, d, dd and m of this clause;

h) A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed for failing to prepare, submit for approval and implement the reservoir clean-up plan or filling up a reservoir before obtaining approval from the agency giving approval for the EIA report in case where the project includes the construction of irrigation or hydropower reservoir;

i) A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works; failing to perform the trial operation of the waste treatment works at the same time with the trial operation of the project;

k) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for failing to stop the trial operation of the waste treatment works and timely report to the competent state agency for providing instructions to respond to the environmental pollution and/or environmental emergencies; failing to implement remedies of environmental pollution and compensate for damage in accordance with the law; having performed the trial operation of the waste treatment works for more than 06 months but failing to obtain approval from the agency giving approval for the EIA report;

l) A fine ranging from VND 100,000,000 to VND 120,000,000 shall be imposed for failing to prepare and send the report on the environmental protection works serving the project's operation (either a part of or the entire project) to the agency giving approval for the EIA report as regulated;

m) A fine ranging from VND 120,000,000 to VND 140,000,000 shall be imposed for failing to build the environmental protection works as regulated, except for the cases prescribed in Point 3 Clause 3 Article 12 and Point k Clause 4 Article 12 herein;

n) A fine ranging from VND 140,000,000 to VND 160,000,000 shall be imposed for failing to obtain the Certificate of completion of the environmental protection works serving the project's operation (either a part of or the entire project) as regulated;

o) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for failing to make the project's EIA reports as regulated.

2. Penalties for violations against regulations on implementation of EIA reports which are approved by the Ministry of Natural Resources and Environment:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to send the environmental management plan to the Commune-level People's Committee where consultations have been held during the process of EIA for posting in the public prior to the commencement of the construction project;

b) A fine ranging from VND 10,000,000 to VND 15,000,000 shall be imposed for improperly or insufficiently preparing any of the contents of the environmental

management plan of the project as regulated; failing to update and send the updated environmental management plan to the Commune-level People's Committee in case there is change in the environmental management and supervision program in course of execution of the project;

c) A fine ranging from VND 15,000,000 to VND 20,000,000 shall be imposed for failing to set up the environmental management plan and send reports to the competent agency or the agency giving approval for the EIA report as regulated;

d) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to send written notice to the organizations where consultations have been held or the agency giving approval for the EIA report on the plan on trial operation of the waste treatment works to serve the project's operation (either a part of or the entire project) at least 10 days before the trial operation of the waste treatment works as of the receipt of the written notice thereof by the said organizations or agency;

dd) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to send timely report to the agency giving approval for the EIA report and the provincial-level environment agency for providing instructions to respond to the environmental pollution and/or environmental emergencies during the trial operation of the waste treatment works as regulated;

e) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for improperly implementing any of contents of the approved EIA report and requirements in the decision on approval for the EIA report or Certificate of completion of the environmental protection works serving the project's operation (either a part of or the entire project) as regulated, except for the environmental supervision, acts done to improve the environment upon the approval by competent agencies and the cases prescribed in point b and point i of this clause;

g) A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed for failing to implement any of contents of the EIA report and requirements in the decision on approval for the EIA report or Certificate of completion of the environmental protection works serving the project's operation (either a part of or the entire project) as regulated, except for the environmental supervision and the cases prescribed in points a, c, d, dd, m and n of this clause;

h) A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for failing to cooperate with competent environment agencies in inspecting the implementation of the environmental management plan and works/measures for protecting the environment, preventing and responding to the environmental emergencies;

i) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works; failing to perform the trial

operation of the waste treatment works at the same time with the trial operation of the project; failing to prepare, submit for approval and implement the reservoir clean-up plan or filling up a reservoir before obtaining approval from the agency giving approval for the EIA report in case where the project includes the construction of irrigation or hydropower reservoir;

k) A fine ranging from VND 100,000,000 to VND 120,000,000 shall be imposed for failing to stop the trial operation of the waste treatment works and timely report to the competent state agency for providing instructions to respond to the environmental pollution and/or environmental emergencies; failing to implement remedies of environmental pollution and compensate for damage in accordance with the law; having performed the trial operation of the waste treatment works for more than 06 months but failing to obtain approval from the agency giving approval for the EIA report;

l) A fine ranging from VND 120,000,000 to VND 140,000,000 shall be imposed for failing to prepare and send the report on the environmental protection works serving the project's operation (either a part of or the entire project) to the agency giving approval for the EIA report as regulated;

m) A fine ranging from VND 140,000,000 to VND 160,000,000 shall be imposed for failing to build the environmental protection works as regulated, except for the cases prescribed in Point e Clause 3 Article 12 and Point k Clause 4 Article 12 herein;

n) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for failing to obtain the Certificate of completion of the environmental protection works serving the project's operation (either a part of or the entire project) as regulated;

o) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for failing to make the project's EIA reports as regulated.

3. Violations against regulations on provision of EIA report consulting service to the project's main investor:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to have officers possessing bachelor's degree or higher in specialties related to the project as regulated; failing to have officers possessing bachelor's degree or higher and Certificate of EIA consultancy as regulated;

b) A fine ranging from VND 10,000,000 to VND 30,000,000 shall be imposed for failing to equip material – technical facilities and specialized devices for measuring, sampling, processing and analyzing environmental samples in conformity with technical requirements as regulated;

c) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for providing the project-related untrue information and data in the EIA report; reporting untrue information about the environmental status at the project location and vicinities;

d) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for failing to satisfy all of conditions for provision of EIA report consulting service but still prepare the EIA report;

dd) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for providing EIA report consulting service in violation of regulations in this clause resulting in environmental pollution consequences.

#### 4. Additional penalties:

a) Suspend the establishment's activities for 03- 06 months for completing the remediation if any of the violations prescribed in Points i, l, m, n and o Clause 1 and Points i, l, m, n and o Clause 2 of this Article is committed;

b) Suspend the provision of the EIA report consulting service for 03- 06 months if any of the violations prescribed in Clause 3 of this Article is committed.

#### 5. Remedial measures:

a) Enforce the proper operation of the environmental protection works, enforce the dismantlement of the environmental protection work which has been built inconsistently with regulations on environmental protection resulting in the environmental pollution if any of the violations prescribed in Point i Clause 1, Point i Clause 2 of this Article is committed;

b) Enforce the construction and operation of the environmental protection works, and submission of report thereof to the agency giving approval for the environmental impact assessment report for inspecting and granting Certificate of completion of the environmental protection works within the period regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in Points l, m, n and o Clause 1, Points l, m, n and o Clause 2 of this Article is committed;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

### **Article 10. Violations against regulations on implementation of environmental protection schemes**

1. Penalties for violations against regulations on implementation of environmental protection schemes which are certified by the Offices of Natural Resources & Environment, the District-level People's Committees or the Departments of Natural Resources & Environment, and in such cases, business registration certificates are issued

by the District-level People's Committees or the District-level Business Registration Offices:

a) A fine ranging from VND 500,000 to VND 1,000,000 shall be imposed for improperly implementing any of contents of the certified environmental protection scheme, except for the environmental supervision, acts done to improve the environment upon the approval by competent agencies and the cases prescribed in point c of this clause;

b) A fine ranging from VND 1,000,000 to VND 2,000,000 shall be imposed for failing to implement any of contents of the certified environmental protection scheme, except for the environmental supervision and the cases prescribed in point d of this clause;

c) A fine ranging from VND 2,000,000 to VND 3,000,000 shall be imposed for building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works;

d) A fine ranging from VND 3,000,000 to VND 4,000,000 shall be imposed for failing to build the environmental protection works as regulated.

2. Penalties for violations against regulations on implementation of environmental protection schemes which are certified by the Offices of Natural Resources & Environment, the District-level People's Committees or the Departments of Natural Resources & Environment and are not the cases prescribed in Clause 1 of this Article:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for improperly implementing any of contents of the certified environmental protection scheme, except for the environmental supervision, acts done to improve the environment upon the approval by competent agencies and the cases prescribed in point c of this clause;

b) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for failing to implement any of contents of the certified environmental protection scheme, except for the environmental supervision and the violation prescribed in point d of this clause;

c) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works;

d) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to build the environmental protection works as regulated.

3. Penalties for violations against regulations on implementation of environmental protection schemes which are approved by the Departments of Natural Resources &

Environment, the Provincial-level People's Committees, ministries or ministerial-level agencies, except for the cases prescribed in Clause 4 of this Article:

- a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to send written reports to the agency giving approval for the environmental protection scheme of the implementation progress and the completion of the environmental protection works according to the approved environmental protection scheme;
- b) A fine ranging from VND 10,000,000 to VND 30,000,000 shall be imposed for improperly implementing any of contents of the approved environmental protection scheme, except for the environmental supervision, acts done to improve the environment upon the approval by competent agencies and the violation prescribed in point dd of this clause;
- c) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to implement any of contents of the approved environmental protection scheme, except for the environmental supervision and the violations prescribed in points a, c and e of this clause;
- d) A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works;
- dd) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for failing to build the environmental protection works as regulated, except for the cases prescribed in Point e Clause 3 Article 12 and Point k Clause 4 Article 12 herein.

4. Penalties for violations against regulations on implementation of environmental protection schemes which are approved by the Ministry of Natural Resources and Environment:

- a) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for failing to send written reports to the agency giving approval for the environmental protection scheme of the implementation progress and the completion of the environmental protection works according to the approved environmental protection scheme;
- b) A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed for improperly implementing any of contents of the approved environmental protection scheme, except for the environmental supervision, acts done to improve the environment upon the approval by competent agencies and the violation prescribed in point c of this clause;
- c) A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for failing to implement any of contents of the approved environmental protection scheme, except

for the environmental supervision and the violations prescribed in points a and dd of this clause;

d) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works;

dd) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for failing to build the environmental protection works as regulated, except for the cases prescribed in Point e Clause 3 Article 12 and Point k Clause 4 Article 12 herein.

#### 5. Additional penalties:

a) Suspend the establishment's activities causing the environmental pollution for 01- 03 months if any of the violations prescribed in Point d Clause 2 of this Article is committed;

b) Suspend the establishment's activities causing the environmental pollution for 03- 06 months if any of the violations prescribed in Point dd Clause 3 and Point dd Clause 4 of this Article is committed.

#### 6. Remedial measures:

a) Enforce the proper operation of the environmental protection works if any of the violations prescribed in Point c Clause 2, Point d Clause 3, and Point d Clause 4 of this Article is committed;

b) Enforce the construction of the environmental protection works within the period regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in Point d Clause 2, Point dd Clause 3 and Point dd Clause 4 of this Article is committed;

c) Enforce the dismantlement of the environmental protection work which has been built inconsistently with the contents of the certified or approved environmental protection scheme and in violation of regulations on environmental protection or resulting in the environmental pollution if any of the violations prescribed in Point c Clause 2, Point d Clause 3 and Point d Clause 4 of this Article is committed;

d) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

**Article 11. Violations against regulations on environmental protection in production, business and service activities without the environmental protection plan or the EIA report**

1. Penalties for violations in production, business and service activities of a scale and capacity requiring the formulation of the environmental protection plan which must be certified by the District-level People's Committee, and the business registration certificate for such activities is granted by the District-level People's Committee or the District-level Business Registration Office:

a) A fine ranging from VND 500,000 to VND 1,000,000 shall be imposed for failing to implement remedies for the environmental pollution caused by such production, business and service activities;

b) A fine ranging from VND 1,000,000 to VND 1,500,000 shall be imposed for failing to build the wastewater collection system separately from the rainwater collection system; failing to equip sufficient means and equipment for collecting, storing and classifying solid waste at source; discharging noxious gases to the environment; failing to implement measures for reducing noise and vibration, heat and light radiation that cause adverse impacts on the environment and employees; building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works;

c) A fine ranging from VND 1,500,000 to VND 2,000,000 shall be imposed for failing to build wastewater, dust and emission treatment systems in conformity with technical regulations;

d) A fine ranging from VND 2,000,000 to VND 3,000,000 shall be imposed for failing to have the environmental protection plan certified as regulated.

2. Penalties for violations in production, business and service activities of a scale and capacity requiring the formulation of the environmental protection plan which must be certified by the District-level People's Committee, and are not the violations prescribed in Clause 1 of this Article:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to implement remedies for the environmental pollution caused by such production, business and service activities;

b) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for failing to build the wastewater collection system separately from the rainwater collection system; failing to equip sufficient means and equipment for collecting, storing and classifying solid waste at source; discharging noxious gases to the environment; failing to implement measures for reducing noise and vibration, heat and light radiation that cause adverse impacts on the environment and employees; building or installing equipment,

pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works;

c) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to build wastewater, dust and emission treatment systems in conformity with technical regulations;

d) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to have the environmental protection plan certified as regulated.

3. Penalties for violations in production, business and service activities of a scale and capacity requiring the formulation of the environmental protection plan which must be certified by the Department of Natural Resources & Environment:

a) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for failing to implement remedies for the environmental pollution caused by such production, business and service activities;

b) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to build the wastewater collection system separately from the rainwater collection system; failing to equip sufficient means and equipment for collecting, storing and classifying solid waste at source; discharging noxious gases to the environment; failing to implement measures for reducing noise and vibration, heat and light radiation that cause adverse impacts on the environment and employees; building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works;

c) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to build wastewater, dust and emission treatment systems in conformity with technical regulations;

d) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to have the environmental protection plan certified as regulated.

4. Penalties for violations in production, business and service activities of a scale and capacity requiring the formulation of the EIA report which must be approved by the Provincial-level People's Committee, ministry or ministerial-level agency, except for the violations prescribed in Clause 5 of this Article:

a) A fine ranging from VND 20,000,000 to VND 50,000,000 shall be imposed for failing to implement remedies for the environmental pollution caused by such production, business and service activities;

b) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for failing to build the wastewater collection system separately from the rainwater collection system; failing to equip sufficient means and equipment for collecting, storing and classifying solid waste at source; discharging noxious gases to the environment; failing to implement measures for reducing noise and vibration, heat and light radiation that cause adverse impacts on the environment and employees; building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works;

c) A fine ranging from VND 120,000,000 to VND 150,000,000 shall be imposed for failing to build wastewater, dust and emission treatment systems in conformity with technical regulations;

d) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for failing to have the EIA reports approved as regulated.

5. Penalties for violations in production, business and service activities of a scale and capacity requiring the formulation of the EIA report which must be approved by the Ministry of Natural Resources & Environment:

a) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for failing to implement remedies for the environmental pollution caused by such production, business and service activities;

b) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for failing to build the wastewater collection system separately from the rainwater collection system; failing to equip sufficient means and equipment for collecting, storing and classifying solid waste at source; discharging noxious gases to the environment; failing to implement measures for reducing noise and vibration, heat and light radiation that cause adverse impacts on the environment and employees; building or installing equipment, pipes or other discharging systems to discharge untreated waste to the environment; failing to operate according to the schedule or improperly operating the environmental protection works;

c) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for failing to build wastewater, dust and emission treatment systems in conformity with technical regulations;

d) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for failing to have the EIA reports approved as regulated.

6. Additional penalties:

a) Suspend production, business and service activities for 03- 06 months if any of the violations prescribed in Point c Clause 2, Point c Clause 3, Point c Clause 4 and Point c Clause 5 of this Article is committed;

b) Suspend the activities of the business establishment or those of the concentration of producers, businesses and service providers which cause the environmental pollution for 06 – 12 months if any of the violations prescribed in Point d Clause 2, Point d Clause 3, Point d Clause 4 and Point d Clause 5 of this Article is committed.

#### 7. Remedial measures:

a) Enforce the implementation of measures for managing solid waste and hazardous waste, reducing the noise and vibration, heat and light radiation, and treating wastewater and emission in conformity with technical regulations on waste within the period regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed;

b) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the period regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

### **Article 12. Violations against regulations on environmental protection at business establishments, industrial parks, export processing zones, high-tech parks, industrial complexes, concentrations of businesses and service providers, traditional villages and aquaculture zones**

1. Penalties for administrative violations against regulations on environmental protection imposed on organizational/individual entities whose production, business and service activities are conducted inside traditional villages shall be the same with those imposed on organizational/individual entities whose production, business and service activities are conducted outside traditional villages as regulated herein.

2. Penalties for violations against regulations on environmental protection in commercial operations of infrastructure of concentrations of businesses and service providers:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to arrange employees to take charge of the environmental protection works;

b) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for failing to formulate the environmental protection plan as regulated;

c) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to build solid waste collection and storage systems as regulated;

d) A fine ranging from VND 120,000,000 to VND 140,000,000 shall be imposed for failing to build wastewater collection and treatment systems in conformity with regulations on environmental protection as regulated.

3. Penalties for violations against regulations on environmental protection in commercial operations of infrastructure of industrial complexes:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to arrange employees to take charge of the environmental protection works as regulated;

b) A fine ranging from VND 10,000,000 to VND 50,000,000 shall be imposed for failing to formulate the environmental protection plan as regulated;

c) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for failing to set up a thorough connection between the wastewater discharging points of producers, businesses and service providers, and the centralized wastewater treatment system of the industrial complex (except for cases where the wastewater connection is exempted and the treated wastewater may be discharged into the environment outside the scope of the industrial complex); failing to control the discharge of wastewater by producers, businesses and service providers into the rainwater drainage system of the industrial complex;

d) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for failing to build rainwater collection systems separately from wastewater systems as regulated;

dd) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for building the centralized wastewater treatment system inconsistently with the regulations or building the centralized wastewater treatment system consistently with regulations but failing to satisfy requirements on environmental protection as regulated;

e) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for failing to build the centralized wastewater treatment system as regulated.

4. Penalties for violations against regulations on environmental protection in commercial operations of infrastructure of industrial parks, export processing zones, high-tech parks:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to submit reports on environmental protection works as regulated;

b) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for failing to establish a qualified division specializing in environmental protection as regulated; failing to arrange employee in charge of managing the centralized wastewater treatment plant as regulated;

c) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to ensure minimum area of green trees within an industrial park, export processing zone, or high-tech park; failing to comply with the planning for functional areas in the industrial park, export processing zone, or high-tech park as regulated;

d) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to record any of the following contents in the operational logbook: the volume of wastewater discharged, the volume of electricity consumed, the amount of chemicals used, and waste sludge produced;

dd) A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed for failing to set up the operational logbook of the centralized wastewater treatment plant; failing to formulate plans for preventing environmental emergencies as regulated;

e) A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for failing to have instruments for measuring the influent flow at the centralized wastewater treatment plant as regulated; failing to install a separate electricity meter for the centralized wastewater treatment plant of the industrial park, export processing zone or high-tech park;

g) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for failing to set up a thorough connection between the wastewater discharging points of producers, businesses and service providers, and the centralized wastewater treatment system of the industrial park, the export processing zone or the high-tech park as regulated; failing to control the discharge of wastewater by producers, businesses and service providers into the rainwater treatment system of the industrial park, the export processing zone or the high-tech park;

h) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for failing to build the rainwater collection system separately from the wastewater treatment system as regulated;

i) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for building the centralized wastewater treatment system inconsistently with the regulations or building the centralized wastewater treatment system consistently with regulations but failing to satisfy requirements on environmental protection as regulated;

k) A fine ranging from VND 400,000,000 to VND 500,000,000 shall be imposed for failing to build the centralized wastewater treatment system as regulated.

#### 5. Penalties for violations against regulations on environmental protection in aquaculture:

a) A fine ranging from VND 3,000,000 to VND 5,000,000 shall be imposed for failing to dredge and treat mud and residual feed when cleaning aquaculture ponds as regulated; discharging aquaculture water in excess of the permissible limits of water used for

aquaculture purposes prescribed in relevant technical regulations inconsistently with local regulations;

b) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to implement environmental restoration measures after stopping aquaculture activities as regulated;

c) A fine ranging from VND 10,000,000 to VND 30,000,000 shall be imposed for using toxic chemicals or substances in aquaculture establishments;

d) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for building aquaculture establishments in the alluvial plains where coastal estuaries are being formed;

dd) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for destroying mangrove forests for aquaculture purpose.

6. Penalties for violations against regulations on environmental protection in industrial parks, export processing zones, high-tech parks and industrial complexes:

a) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for failing to implement or improperly implementing regulations on environmental protection by the investor in construction and commercial operation of infrastructure of the industrial park, the export processing zone, the high-tech park or the industrial complex, except for the cases prescribed in Point b of this Clause;

b) A fine ranging from VND 20,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater containing any of the environmental parameter in excess of from 10% to 20% of the permissible limit of received wastewater prescribed in relevant technical regulations by the investor in construction and commercial operation of infrastructure of the industrial park, the export processing zone, the high-tech park or the industrial complex; this fine shall be increased by 10%, 20%, 30%, 40%, 50%, 60%, 70%, and 80% for discharging the wastewater in excess of 20%-30%, 30%-40%, 40%-50%, 50%-60%, 60%-70%, 70%-80%, 80%-90%, and 90%-100% respectively of the regulated limit of discharged wastewater; this fine shall be increased by 100% for discharging the wastewater in excess of 100% or above of the regulated limit of discharged wastewater;

c) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for illegally discharging untreated wastewater into the rainwater drainage system of the industrial park, the export processing zone, the high-tech park or the industrial complex.

7. Penalties for violations against regulations on environmental supervision (including continuous and automatic monitoring systems of wastewater/ emission; supervision of surrounding environment and periodical waste supervision) and other violations against

regulations on environmental protection in production and business activities and service provision:

- a) A warning or a fine ranging from VND 500,000 to VND 1,000,000 shall be imposed for failing to conduct the environmental supervision in case where the environmental supervision is compulsory in the environmental protection plans/ schemes which are certified by District-level People's Committees; improperly or insufficiently conducting (in terms of parameters, location or frequency of supervision) or failing to conduct the supervision of surrounding environment as regulated or at the request of competent agencies in cases where the registration of satisfaction of environmental standards, the environmental protection plans/ schemes and similar environmental documents are certified by Departments of Natural Resources & Environment or the Management Boards of industrial parks, export processing zones or economic zones;
- b) A fine ranging from VND 10,000,000 to VND 15,000,000 shall be imposed for improperly or insufficiently conducting periodical or irregular waste supervision (in terms of parameters, location, frequency of supervision as once for every 03 months) in cases where the registration of satisfaction of environmental standards, the environmental protection plans/ schemes and similar environmental documents are certified by Departments of Natural Resources & Environment or the Management Boards of industrial parks, export processing zones or economic zones; improperly or insufficiently conducting (in terms of parameters, location or frequency of supervision) or failing to conduct the supervision of surrounding environment as regulated or at the request of competent agencies in cases where the EIA reports, the environmental protection schemes and similar environmental documents are certified by Provincial-level People's Committees or agencies authorized by Provincial-level People's Committees;
- c) A fine ranging from VND 15,000,000 to VND 20,000,000 shall be imposed for improperly or insufficiently conducting periodical or irregular waste supervision (in terms of parameters, location, frequency of supervision as once for every 03 months) in cases where the EIA reports, the environmental protection schemes and similar environmental documents are certified by the Provincial-level People's Committees or agencies authorized by Provincial-level People's Committees; failing to submit reports on the periodical waste supervision (before January 31 of every year) or on the irregular waste supervision to Departments of Natural Resources & Environment or the Management Boards of industrial parks, export processing zones or economic zones that have granted certification of the registration of satisfaction of environmental standards, the environmental protection plans/ schemes and similar environmental documents; improperly or insufficiently conducting (in terms of parameters, location or frequency of supervision) or failing to conduct the supervision of surrounding environment as regulated or at the request of competent agencies in cases where the registration of satisfaction of environmental standards and similar environmental documents are certified by the Ministry of Natural Resources and Environment, ministries or ministerial-level agencies;

d) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for improperly or insufficiently conducting periodical waste supervision (in terms of parameters, location, frequency of supervision as once for every 03 months) or failing to conduct the irregular waste supervision in cases where the registration of satisfaction of environmental standards and similar environmental documents are certified by the Ministry of Natural Resources and Environment, ministries or ministerial-level agencies; failing to submit reports on the periodical waste supervision (before January 31 of every year) or on the irregular waste supervision to the Provincial-level People's Committees or agencies authorized by Provincial-level People's Committees that have given approval for the EIA reports, the environmental protection schemes and similar environmental documents; improperly or insufficiently conducting (in terms of parameters, location or frequency of supervision) or failing to conduct the supervision of surrounding environment as regulated or at the request of competent agencies in cases where the EIA reports, the environmental protection schemes and similar environmental documents are approved by the Ministry of Natural Resources and Environment, ministries or ministerial-level agencies;

dd) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for improperly or insufficiently conducting periodical waste supervision (in terms of parameters, location, frequency of supervision as once for every 03 months) or failing to conduct the irregular waste supervision in cases where the EIA reports, the environmental protection schemes and similar environmental documents are approved by the Ministry of Natural Resources and Environment, ministries or ministerial-level agencies; failing to submit reports on the periodical waste supervision (before January 31 of every year) or on the irregular waste supervision to the Ministry of Natural Resources and Environment, ministries or ministerial-level agencies that have given certification of the registration of satisfaction of environmental standards and similar environmental documents;

e) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to submit reports on the periodical waste supervision (before January 01 of every year) or on the irregular waste supervision to the Ministry of Natural Resources and Environment, ministries or ministerial-level agencies that have given approval for the EIA reports, the environmental protection schemes and similar environmental documents; coordinating with entities that fail to obtain Certificate of eligibility for provision of environmental monitoring services (according to the sector and scope of certification) in conducting environmental monitoring or supervision, except for the cases where a public service provider is established and designated by the Provincial-level People's Committee or Ministry of National Defence or Ministry of Public Security to conduct the environmental monitoring or supervision operations in that province or in national defense and security fields;

g) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for failing to operate or improperly operating the continuous and automatic wastewater or emission monitoring system; failing to retain wastewater or emission monitoring data or failing to transmit monitoring data at the request of a competent agency;

h) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for failing to install any of the parameters of the continuous and automatic wastewater or emission monitoring system as regulated or as requested by a competent agency;

i) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for failing to set up the continuous and automatic wastewater or emission monitoring system as regulated or as requested by a competent agency;

k) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for building or installing the pipes or the outlet of the wastewater discharging system at locations inconvenient for the inspection without the approval given by competent agency; or diluting the treated wastewater or emission for the purpose of meeting requirements thereof in technical regulations on waste.

#### 8. Additional penalties:

a) Suspend the activities of the industrial complex or the concentration of businesses and service providers which cause the environmental pollution for 03 – 06 months if any of the violations prescribed in Point d Clause 2 and Point e Clause 3 of this Article is committed;

b) Suspend the activities of the industrial park, the export processing zone or the high-tech park which cause the environmental pollution for 06 – 09 months if any of the violations prescribed in Point k Clause 4 and Point c Clause 6 of this Article is committed.

#### 9. Remedial measures:

a) Enforce the implementation of measures for managing solid waste and hazardous waste, reducing the noise and vibration, and treating wastewater and emission in conformity with technical regulations on waste within the period regulated by the person who has the power to impose penalties for administrative violations and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed;

b) Enforce the dismantlement of aquaculture facilities; enforce the implementation of environmental restoration measures if any of the violations prescribed in Point d and Point dd Clause 5 of this Article is committed; enforce the installation of continuous and automatic wastewater or emission monitoring system within the period regulated by the person who has the power to impose penalties for administrative violations and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in Point h and Point I Clause 7 of this Article is committed; enforce the construction/ installation of pipes or the outlet of the wastewater discharging system at locations convenient for inspection; or enforce the dismantlement of works/ facilities for diluting wastewater or emission and treatment of waste in accordance with technical regulations on waste within the period regulated by the person who has the power to

impose penalties for administrative violations and specified in the decision on imposition of penalties for administrative violations if the violation prescribed in Point k Clause 7 of this Article is committed;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

### **Article 13. Violations against regulations on discharge of wastewater containing non-hazardous environmental parameters into the environment**

1. A warning shall be imposed for discharging the wastewater in excess of the permissible limit prescribed in technical regulation on waste less than 1.1 times (or the volume of discharged wastewater exceeding the permissible limit prescribed in technical regulation is 10%).

2. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 1.1 times to less than 1.5 times or having the discharge of the wastewater in excess of the permissible limit prescribed in the technical regulation on waste less than 1.1 times repeated:

a) A fine ranging from VND 300,000 to VND 500,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

b) A fine ranging from VND 500,000 to VND 2,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);

c) A fine ranging from VND 2,000,000 to VND 5,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);

d) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);

dd) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);

e) A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);

- g) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);
- h) A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);
- i) A fine ranging from VND 60,000,000 to VND 70,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);
- k) A fine ranging from VND 70,000,000 to VND 80,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);
- l) A fine ranging from VND 80,000,000 to VND 90,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);
- m) A fine ranging from VND 90,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);
- n) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);
- o) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);
- p) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);
- q) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);
- r) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);

s) A fine ranging from VND 150,000,000 to VND 170,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);

t) A fine ranging from VND 170,000,000 to VND 190,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);

u) A fine ranging from VND 190,000,000 to VND 210,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);

uu) A fine ranging from VND 210,000,000 to VND 230,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);

v) A fine ranging from VND 230,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 250,000,000 to VND 270,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 270,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

3. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 1.5 times to less than 03 times:

a) A fine ranging from VND 1,000,000 to VND 5,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

b) A fine ranging from VND 5,000,000 to VND 20,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);

c) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);

d) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);

dd) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);

e) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);

g) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);

h) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);

i) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);

k) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);

l) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);

m) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);

n) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);

o) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);

p) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);

q) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);

r) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);

s) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);

t) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);

u) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);

uu) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);

v) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

4. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 03 times to less than 05 times:

a) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

b) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);

c) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);

d) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);

dd) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);

e) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);

g) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);

h) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);

i) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);

k) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);

l) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);

m) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);

n) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);

o) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);

p) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);

q) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);

r) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);

s) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);

t) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);

u) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);

uu) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);

v) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

5. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 05 times to less than 10 times:

- a) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);
- b) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);
- c) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);
- d) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);
- dd) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);
- e) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);
- g) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);
- h) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);
- i) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);
- k) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);
- l) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);
- m) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);

- n) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);
- o) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);
- p) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);
- q) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);
- r) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);
- s) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);
- t) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);
- u) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);
- uu) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);
- v) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);
- x) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);
- y) A fine ranging from VND 750,000,000 to VND 850,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

6. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 10 times or more:

- a) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);
- b) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);
- c) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);
- d) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);
- dd) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);
- e) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);
- g) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);
- h) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);
- i) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);
- k) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);
- l) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);

- m) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);
- n) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);
- o) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);
- p) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);
- q) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);
- r) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);
- s) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);
- t) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);
- u) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);
- uu) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);
- v) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 750,000,000 to VND 850,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 850,000,000 to VND 950,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

7. The highest fine imposed on any of the violations prescribed in this Article shall be increased by 10% or 20% if each environmental parameter contained in the discharged wastewater exceeds the permissible limit prescribed in the technical regulation 1.1 to less than 1.5 times or 1.5 to less than 02 times respectively; it shall be increased by 30% if each environmental parameter contained in the discharged wastewater exceeds the permissible limit prescribed in the technical regulation 02 times to less than 05 times, or the pH value is from 04 to the permissible lower limit prescribed in the technical regulation or from the permissible upper limit prescribed in the technical regulation to 10.5, or the discharged wastewater contains any of 03 following bacteria (Salmonella, Shigella, Vibrio cholerae); it shall be increased by 40% if each environmental parameter contained in the discharged wastewater exceeds the permissible limit prescribed in the technical regulation 05 times to less than 10 times; and it shall be increased by 50% if each environmental parameter contained in the discharged wastewater exceeds the permissible limit prescribed in the technical regulation 10 times or more. Total fine imposed for each violation must not exceed VND 1,000,000,000.

#### 8. Additional penalties:

a) Suspend the activities of the business establishment or the concentration of producers, businesses and service providers which cause the environmental pollution for 03 – 06 months if any of the violations prescribed in Points i, k, l, m, n, o, p, q, r, s, t and u Clause 4, Points h, i, k, l, m, n, o, p, q, r, s and t Clause 5 and Points g, h, i, k, l, m, n, o, p, q, r and s Clause 6 of this Article is committed;

b) Suspend the activities of the business establishment or the concentration of producers, businesses and service providers which cause the environmental pollution for 06 – 12 months if any of the violations prescribed in Points uu, v, x and y Clause 4, Points u, uu, v, x and y Clause 5 and Points t, u, uu, v, x and y Clause 6 of this Article is committed.

#### 9. Remedial measures:

a) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed;

b) Enforce the transfer of illegal benefits obtained from any of the administrative violations prescribed in this Article;

c) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in technical regulations or causing environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed.

**Article 14. Violations against regulations on discharge of wastewater containing hazardous environmental parameters into the environment**

1. A warning shall be imposed for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste less than 1.1 times (or the volume of discharged wastewater exceeding the permissible limit prescribed in the technical regulation is 10%).

2. Penalties for discharging the wastewater in excess of the permissible limits prescribed in the technical regulation on waste 1.1 times to less than 1.5 times or having the discharge of the wastewater in excess of the permissible limit prescribed in the technical regulation on waste less than 1.1 times repeated:

a) A fine ranging from VND 1,000,000 to VND 5,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

b) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);

c) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);

d) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);

dd) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);

e) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);

g) A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);

- h) A fine ranging from VND 60,000,000 to VND 70,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);
- i) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);
- k) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);
- l) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);
- m) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);
- n) A fine ranging from VND 150,000,000 to VND 170,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);
- o) A fine ranging from VND 170,000,000 to VND 190,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);
- p) A fine ranging from VND 190,000,000 to VND 210,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);
- q) A fine ranging from VND 210,000,000 to VND 230,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);
- r) A fine ranging from VND 230,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);
- s) A fine ranging from VND 250,000,000 to VND 270,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);

t) A fine ranging from VND 270,000,000 to VND 290,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);

u) A fine ranging from VND 290,000,000 to VND 310,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);

uu) A fine ranging from VND 310,000,000 to VND 330,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);

v) A fine ranging from VND 330,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 350,000,000 to VND 370,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 370,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

3. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 1.5 times to less than 02 times:

a) A fine ranging from VND 3,000,000 to VND 5,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

b) A fine ranging from VND 5,000,000 to VND 30,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);

c) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);

d) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);

dd) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);

e) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);

g) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);

h) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);

i) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);

k) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);

l) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);

m) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);

n) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);

o) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);

p) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);

q) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);

r) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);

s) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);

t) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);

u) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);

uu) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);

v) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

4. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 02 times to less than 03 times:

a) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

b) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);

c) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);

d) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);

dd) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);

e) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);

g) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);

h) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);

i) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);

k) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);

l) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);

m) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);

n) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);

o) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);

p) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);

q) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);

r) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);

s) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);

t) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);

u) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);

uu) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);

v) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 750,000,000 to VND 850,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

5. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 03 times to less than 05 times:

a) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

- b) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);
- c) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);
- d) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);
- dd) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);
- e) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);
- g) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);
- h) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);
- i) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);
- k) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);
- l) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);
- m) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);

- n) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);
- o) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);
- p) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);
- q) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);
- r) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);
- s) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);
- t) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);
- u) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);
- uu) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);
- v) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);
- x) A fine ranging from VND 750,000,000 to VND 850,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);
- y) A fine ranging from VND 850,000,000 to VND 950,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

6. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 05 times or more, except for environmental crimes:

- a) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);
- b) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);
- c) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);
- d) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);
- dd) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);
- e) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);
- g) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);
- h) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);
- i) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);
- k) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);
- l) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);

- m) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);
- n) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);
- o) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);
- p) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);
- q) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);
- r) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);
- s) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);
- t) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);
- u) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);
- uu) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);
- v) A fine ranging from VND 750,000,000 to VND 850,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 850,000,000 to VND 950,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 950,000,000 to VND 1,000,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

7. Penalties for discharging the wastewater containing any of 03 following bacteria (Salmonella, Shigella, Vibrio cholerae) as regulated in the national technical regulation on health care wastewater or discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste with the pH value of from 4 to under the permissible lower limit prescribed in the technical regulation or from the permissible upper limit prescribed in the technical regulation to under 10.5:

a) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

b) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);

c) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);

d) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);

dd) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);

e) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);

g) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);

h) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);

- i) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);
- k) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);
- l) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);
- m) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);
- n) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);
- o) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);
- p) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);
- q) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);
- r) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);
- s) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);
- t) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);

u) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);

uu) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);

v) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 750,000,000 to VND 850,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

8. Penalties for discharging the wastewater containing two or all of three following bacteria (Salmonella, Shigella, Vibrio cholerae) as regulated in the national technical regulation on health care wastewater or discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste with the pH value of from 02 to under 04 or of from 10.5 to under 12.5:

a) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

b) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);

c) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);

d) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);

dd) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);

e) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);

g) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);

h) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);

i) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);

k) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);

l) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);

m) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);

n) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);

o) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);

p) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);

q) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);

r) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);

s) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);

t) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);

u) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);

uu) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);

v) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 750,000,000 to VND 850,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 850,000,000 to VND 950,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above.

9. Penalties for discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste with the pH value of from 0 to under 2 or of from 12.5 to under 14, except for environmental crimes:

a) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for discharging the wastewater with the volume of less than 05 m<sup>3</sup>/day (24 hours);

b) A fine ranging from VND 100,000,000 to VND 110,000,000 shall be imposed for discharging the wastewater with the volume of from 05 m<sup>3</sup>/day (24 hours) to less than 10 m<sup>3</sup>/day (24 hours);

c) A fine ranging from VND 110,000,000 to VND 120,000,000 shall be imposed for discharging the wastewater with the volume of from 10 m<sup>3</sup>/day (24 hours) to less than 20 m<sup>3</sup>/day (24 hours);

d) A fine ranging from VND 120,000,000 to VND 130,000,000 shall be imposed for discharging the wastewater with the volume of from 20 m<sup>3</sup>/day (24 hours) to less than 40 m<sup>3</sup>/day (24 hours);

dd) A fine ranging from VND 130,000,000 to VND 140,000,000 shall be imposed for discharging the wastewater with the volume of from 40 m<sup>3</sup>/day (24 hours) to less than 60 m<sup>3</sup>/day (24 hours);

e) A fine ranging from VND 140,000,000 to VND 150,000,000 shall be imposed for discharging the wastewater with the volume of from 60 m<sup>3</sup>/day (24 hours) to less than 80 m<sup>3</sup>/day (24 hours);

g) A fine ranging from VND 150,000,000 to VND 160,000,000 shall be imposed for discharging the wastewater with the volume of from 80 m<sup>3</sup>/day (24 hours) to less than 100 m<sup>3</sup>/day (24 hours);

h) A fine ranging from VND 160,000,000 to VND 180,000,000 shall be imposed for discharging the wastewater with the volume of from 100 m<sup>3</sup>/day (24 hours) to less than 200 m<sup>3</sup>/day (24 hours);

i) A fine ranging from VND 180,000,000 to VND 200,000,000 shall be imposed for discharging the wastewater with the volume of from 200 m<sup>3</sup>/day (24 hours) to less than 400 m<sup>3</sup>/day (24 hours);

k) A fine ranging from VND 200,000,000 to VND 220,000,000 shall be imposed for discharging the wastewater with the volume of from 400 m<sup>3</sup>/day (24 hours) to less than 600 m<sup>3</sup>/day (24 hours);

l) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for discharging the wastewater with the volume of from 600 m<sup>3</sup>/day (24 hours) to less than 800 m<sup>3</sup>/day (24 hours);

m) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for discharging the wastewater with the volume of from 800 m<sup>3</sup>/day (24 hours) to less than 1,000 m<sup>3</sup>/day (24 hours);

n) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for discharging the wastewater with the volume of from 1,000 m<sup>3</sup>/day (24 hours) to less than 1,200 m<sup>3</sup>/day (24 hours);

o) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for discharging the wastewater with the volume of from 1,200 m<sup>3</sup>/day (24 hours) to less than 1,400 m<sup>3</sup>/day (24 hours);

p) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for discharging the wastewater with the volume of from 1,400 m<sup>3</sup>/day (24 hours) to less than 1,600 m<sup>3</sup>/day (24 hours);

q) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for discharging the wastewater with the volume of from 1,600 m<sup>3</sup>/day (24 hours) to less than 1,800 m<sup>3</sup>/day (24 hours);

r) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed for discharging the wastewater with the volume of from 1,800 m<sup>3</sup>/day (24 hours) to less than 2,000 m<sup>3</sup>/day (24 hours);

s) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed for discharging the wastewater with the volume of from 2,000 m<sup>3</sup>/day (24 hours) to less than 2,500 m<sup>3</sup>/day (24 hours);

t) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed for discharging the wastewater with the volume of from 2,500 m<sup>3</sup>/day (24 hours) to less than 3,000 m<sup>3</sup>/day (24 hours);

u) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed for discharging the wastewater with the volume of from 3,000 m<sup>3</sup>/day (24 hours) to less than 3,500 m<sup>3</sup>/day (24 hours);

uu) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed for discharging the wastewater with the volume of from 3,500 m<sup>3</sup>/day (24 hours) to less than 4,000 m<sup>3</sup>/day (24 hours);

v) A fine ranging from VND 750,000,000 to VND 850,000,000 shall be imposed for discharging the wastewater with the volume of from 4,000 m<sup>3</sup>/day (24 hours) to less than 4,500 m<sup>3</sup>/day (24 hours);

x) A fine ranging from VND 850,000,000 to VND 950,000,000 shall be imposed for discharging the wastewater with the volume of from 4,500 m<sup>3</sup>/day (24 hours) to less than 5,000 m<sup>3</sup>/day (24 hours);

y) A fine ranging from VND 950,000,000 to VND 1,000,000,000 shall be imposed for discharging the wastewater with the volume of 5,000 m<sup>3</sup>/day (24 hours) or above, except for environmental crimes.

10. A fine ranging from VND 950,000,000 to VND 1,000,000,000 shall be imposed for discharging the wastewater containing radioactive substances causing the environmental radioactive contamination in excess of the permissible limit prescribed in the technical regulation, except for environmental crimes.

11. The highest fine imposed for the violation prescribed in this Article shall be increased by 10% or 20% if each environmental parameter contained in the discharged wastewater exceeds the permissible limit prescribed in the technical regulation 1.1 times to less than 1.5 times or 1.5 times to less than 02 times respectively; it shall be increased by 30% if each environmental parameter contained in the discharged wastewater exceeds the permissible limit prescribed in the technical regulation 02 times to less than 03 times, or the pH value is from 04 to the permissible lower limit prescribed in the technical regulation or from the permissible upper limit prescribed in the technical regulation to 10.5, or the discharged wastewater contains any of 03 following bacteria (Salmonella, Shigella, Vibrio cholerae); it shall be increased by 40% if each environmental parameter contained in the discharged wastewater exceeds the permissible limit prescribed in the technical regulation 03 times to less than 05 times, or the pH value is from 02 to under 04 or from 10.5 to under 12.5, or the discharged wastewater contains two or all of 03 following bacteria (Salmonella, Shigella, Vibrio cholerae); and it shall be increased by 50% if each environmental parameter contained in the discharged wastewater exceeds the permissible limit prescribed in the technical regulation 05 times or more, or the pH value is under 02 or from 12.5 to 14. Total fine imposed for each violation shall not exceed VND 1,000,000,000.

12. Additional penalties:

a) Suspend the activities of the business establishment or the concentration of producers, businesses and service providers which cause the environmental pollution for 03 – 06 months if any of the violations prescribed in Points h, i, k, l, m, n, o, p, q, r, s and t Clause 4, Points g, h, i, k, l, m, n, o, p, q, r and s Clause 5, Points e, g, h, i, k, l, m, n, o, p, q and r Clause 6, Points h, i, k, l, m, n, o, p, q, r, s and t Clause 7, Points g, h, i, k, l, m, n, o, p, q, r and s Clause 8 and Points e, g, h, i, k, l, m, n, o, p, q and r Clause 9 of this Article is committed;

b) Suspend the activities of the business establishment or the concentration of producers, businesses and service providers which cause the environmental pollution for 06 – 12 months if any of the violations prescribed in Points u, uu, v, x and y Clause 4, Points t, u, uu, v, x and y Clause 5, Points s, t, u, uu, v, x and y Clause 6, Points u, uu, v, x and y Clause 7, Points t, u, uu, v, x and y Clause 8 and Points s, t, u, uu, v and x Clause 9 and Clause 10 of this Article is committed.

13. Remedial measures:

a) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed;

b) Enforce the transfer of illegal benefits obtained from any of the administrative violations prescribed in this Article;

c) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in technical regulations or causing environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed.

**Article 15. Violations against regulations on discharge of dust and emission containing non-hazardous environmental parameters into the environment**

1. A warning shall be imposed for emitting unpleasant odors into the environment; discharging dust and emission in excess of the permissible limit prescribed in the technical regulation on waste less than 1.1 times (or the volume of discharged dust and emission exceeding the permissible limit prescribed in the technical regulation is 10%).

2. Penalties for discharging dust and emission in excess of the permissible limits prescribed in the technical regulation on waste 1.1 times to less than 1.5 times or having the discharge of the dust and emissions in excess of the permissible limit prescribed in the technical regulation on waste less than 1.1 times repeated:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed if the waste gas flow is less than 500 m<sup>3</sup>/hour;

b) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed if the waste gas flow is from 500 m<sup>3</sup>/hour to less than 5,000 m<sup>3</sup>/hour;

c) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed if the waste gas flow is from 5,000 m<sup>3</sup>/hour to less than 10,000 m<sup>3</sup>/hour;

d) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed if the waste gas flow is from 10,000 m<sup>3</sup>/hour to less than 15,000 m<sup>3</sup>/hour;

dd) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed if the waste gas flow is from 15,000 m<sup>3</sup>/hour to less than 20,000 m<sup>3</sup>/hour;

e) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed if the waste gas flow is from 20,000 m<sup>3</sup>/hour to less than 25,000 m<sup>3</sup>/hour;

g) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed if the waste gas flow is from 25,000 m<sup>3</sup>/hour to less than 30,000 m<sup>3</sup>/hour;

h) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed if the waste gas flow is from 30,000 m<sup>3</sup>/hour to less than 35,000 m<sup>3</sup>/hour;

i) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed if the waste gas flow is from 35,000 m<sup>3</sup>/hour to less than 40,000 m<sup>3</sup>/hour;

- k) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed if the waste gas flow is from 40,000 m<sup>3</sup>/hour to less than 45,000 m<sup>3</sup>/hour;
- l) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if the waste gas flow is from 45,000 m<sup>3</sup>/hour to less than 50,000 m<sup>3</sup>/hour;
- m) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed if the waste gas flow is from 50,000 m<sup>3</sup>/hour to less than 55,000 m<sup>3</sup>/hour;
- n) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed if the waste gas flow is from 55,000 m<sup>3</sup>/hour to less than 60,000 m<sup>3</sup>/hour;
- o) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed if the waste gas flow is from 60,000 m<sup>3</sup>/hour to less than 65,000 m<sup>3</sup>/hour;
- p) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed if the waste gas flow is from 65,000 m<sup>3</sup>/hour to less than 70,000 m<sup>3</sup>/hour;
- q) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed if the waste gas flow is from 70,000 m<sup>3</sup>/hour to less than 75,000 m<sup>3</sup>/hour;
- r) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed if the waste gas flow is from 75,000 m<sup>3</sup>/hour to less than 80,000 m<sup>3</sup>/hour;
- s) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed if the waste gas flow is from 80,000 m<sup>3</sup>/hour to less than 85,000 m<sup>3</sup>/hour;
- t) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed if the waste gas flow is from 85,000 m<sup>3</sup>/hour to less than 90,000 m<sup>3</sup>/hour;
- u) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed if the waste gas flow is from 90,000 m<sup>3</sup>/hour to less than 95,000 m<sup>3</sup>/hour;
- uu) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed if the waste gas flow is from 95,000 m<sup>3</sup>/hour to less than 100,000 m<sup>3</sup>/hour;
- v) A fine ranging from VND 750,000,000 to VND 800,000,000 shall be imposed if the waste gas flow is 100,000 m<sup>3</sup>/hour or above.

3. Penalties for discharging dust and emission in excess of the permissible limits prescribed in the technical regulation on waste 1.5 times to less than 02 times:

- a) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed if the waste gas flow is less than 500 m<sup>3</sup>/hour;

- b) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed if the waste gas flow is from 500 m<sup>3</sup>/hour to less than 5,000 m<sup>3</sup>/hour;
- c) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed if the waste gas flow is from 5,000 m<sup>3</sup>/hour to less than 10,000 m<sup>3</sup>/hour;
- d) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed if the waste gas flow is from 10,000 m<sup>3</sup>/hour to less than 15,000 m<sup>3</sup>/hour;
- dd) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed if the waste gas flow is from 15,000 m<sup>3</sup>/hour to less than 20,000 m<sup>3</sup>/hour;
- e) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed if the waste gas flow is from 20,000 m<sup>3</sup>/hour to less than 25,000 m<sup>3</sup>/hour;
- g) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed if the waste gas flow is from 25,000 m<sup>3</sup>/hour to less than 30,000 m<sup>3</sup>/hour;
- h) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed if the waste gas flow is from 30,000 m<sup>3</sup>/hour to less than 35,000 m<sup>3</sup>/hour;
- i) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed if the waste gas flow is from 35,000 m<sup>3</sup>/hour to less than 40,000 m<sup>3</sup>/hour;
- k) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if the waste gas flow is from 40,000 m<sup>3</sup>/hour to less than 45,000 m<sup>3</sup>/hour;
- l) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed if the waste gas flow is from 45,000 m<sup>3</sup>/hour to less than 50,000 m<sup>3</sup>/hour;
- m) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed if the waste gas flow is from 50,000 m<sup>3</sup>/hour to less than 55,000 m<sup>3</sup>/hour;
- n) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed if the waste gas flow is from 55,000 m<sup>3</sup>/hour to less than 60,000 m<sup>3</sup>/hour;
- o) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed if the waste gas flow is from 60,000 m<sup>3</sup>/hour to less than 65,000 m<sup>3</sup>/hour;
- p) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed if the waste gas flow is from 65,000 m<sup>3</sup>/hour to less than 70,000 m<sup>3</sup>/hour;
- q) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed if the waste gas flow is from 70,000 m<sup>3</sup>/hour to less than 75,000 m<sup>3</sup>/hour;

- r) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed if the waste gas flow is from 75,000 m<sup>3</sup>/hour to less than 80,000 m<sup>3</sup>/hour;
- s) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed if the waste gas flow is from 80,000 m<sup>3</sup>/hour to less than 85,000 m<sup>3</sup>/hour;
- t) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed if the waste gas flow is from 85,000 m<sup>3</sup>/hour to less than 90,000 m<sup>3</sup>/hour;
- u) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed if the waste gas flow is from 90,000 m<sup>3</sup>/hour to less than 95,000 m<sup>3</sup>/hour;
- uu) A fine ranging from VND 750,000,000 to VND 800,000,000 shall be imposed if the waste gas flow is from 95,000 m<sup>3</sup>/hour to less than 100,000 m<sup>3</sup>/hour;
- v) A fine ranging from VND 800,000,000 to VND 850,000,000 shall be imposed if the waste gas flow is 100,000 m<sup>3</sup>/hour or above.

4. Penalties for discharging dust and emission in excess of the permissible limits prescribed in the technical regulation on waste 02 times to less than 03 times:

- a) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed if the waste gas flow is less than 500 m<sup>3</sup>/hour;
- b) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed if the waste gas flow is from 500 m<sup>3</sup>/hour to less than 5,000 m<sup>3</sup>/hour;
- c) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed if the waste gas flow is from 5,000 m<sup>3</sup>/hour to less than 10,000 m<sup>3</sup>/hour;
- d) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed if the waste gas flow is from 10,000 m<sup>3</sup>/hour to less than 15,000 m<sup>3</sup>/hour;
- dd) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed if the waste gas flow is from 15,000 m<sup>3</sup>/hour to less than 20,000 m<sup>3</sup>/hour;
- e) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed if the waste gas flow is from 20,000 m<sup>3</sup>/hour to less than 25,000 m<sup>3</sup>/hour;
- g) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed if the waste gas flow is from 25,000 m<sup>3</sup>/hour to less than 30,000 m<sup>3</sup>/hour;
- h) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed if the waste gas flow is from 30,000 m<sup>3</sup>/hour to less than 35,000 m<sup>3</sup>/hour;

- i) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if the waste gas flow is from 35,000 m<sup>3</sup>/hour to less than 40,000 m<sup>3</sup>/hour;
- k) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed if the waste gas flow is from 40,000 m<sup>3</sup>/hour to less than 45,000 m<sup>3</sup>/hour;
- l) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed if the waste gas flow is from 45,000 m<sup>3</sup>/hour to less than 50,000 m<sup>3</sup>/hour;
- m) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed if the waste gas flow is from 50,000 m<sup>3</sup>/hour to less than 55,000 m<sup>3</sup>/hour;
- n) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed if the waste gas flow is from 55,000 m<sup>3</sup>/hour to less than 60,000 m<sup>3</sup>/hour;
- o) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed if the waste gas flow is from 60,000 m<sup>3</sup>/hour to less than 65,000 m<sup>3</sup>/hour;
- p) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed if the waste gas flow is from 65,000 m<sup>3</sup>/hour to less than 70,000 m<sup>3</sup>/hour;
- q) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed if the waste gas flow is from 70,000 m<sup>3</sup>/hour to less than 75,000 m<sup>3</sup>/hour;
- r) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed if the waste gas flow is from 75,000 m<sup>3</sup>/hour to less than 80,000 m<sup>3</sup>/hour;
- s) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed if the waste gas flow is from 80,000 m<sup>3</sup>/hour to less than 85,000 m<sup>3</sup>/hour;
- t) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed if the waste gas flow is from 85,000 m<sup>3</sup>/hour to less than 90,000 m<sup>3</sup>/hour;
- u) A fine ranging from VND 750,000,000 to VND 800,000,000 shall be imposed if the waste gas flow is from 90,000 m<sup>3</sup>/hour to less than 95,000 m<sup>3</sup>/hour;
- uu) A fine ranging from VND 800,000,000 to VND 850,000,000 shall be imposed if the waste gas flow is from 95,000 m<sup>3</sup>/hour to less than 100,000 m<sup>3</sup>/hour;
- v) A fine ranging from VND 850,000,000 to VND 900,000,000 shall be imposed if the waste gas flow is 100,000 m<sup>3</sup>/hour or above.

5. Penalties for discharging dust and emission in excess of the permissible limits prescribed in the technical regulation on waste 03 times or more, except for environmental crimes:

- a) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed if the waste gas flow is less than 500 m<sup>3</sup>/hour;
- b) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed if the waste gas flow is from 500 m<sup>3</sup>/hour to less than 5,000 m<sup>3</sup>/hour;
- c) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed if the waste gas flow is from 5,000 m<sup>3</sup>/hour to less than 10,000 m<sup>3</sup>/hour;
- d) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed if the waste gas flow is from 10,000 m<sup>3</sup>/hour to less than 15,000 m<sup>3</sup>/hour;
- dd) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed if the waste gas flow is from 15,000 m<sup>3</sup>/hour to less than 20,000 m<sup>3</sup>/hour;
- e) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed if the waste gas flow is from 20,000 m<sup>3</sup>/hour to less than 25,000 m<sup>3</sup>/hour;
- g) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed if the waste gas flow is from 25,000 m<sup>3</sup>/hour to less than 30,000 m<sup>3</sup>/hour;
- h) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if the waste gas flow is from 30,000 m<sup>3</sup>/hour to less than 35,000 m<sup>3</sup>/hour;
- i) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed if the waste gas flow is from 35,000 m<sup>3</sup>/hour to less than 40,000 m<sup>3</sup>/hour;
- k) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed if the waste gas flow is from 40,000 m<sup>3</sup>/hour to less than 45,000 m<sup>3</sup>/hour;
- l) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed if the waste gas flow is from 45,000 m<sup>3</sup>/hour to less than 50,000 m<sup>3</sup>/hour;
- m) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed if the waste gas flow is from 50,000 m<sup>3</sup>/hour to less than 55,000 m<sup>3</sup>/hour;
- n) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed if the waste gas flow is from 55,000 m<sup>3</sup>/hour to less than 60,000 m<sup>3</sup>/hour;
- o) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed if the waste gas flow is from 60,000 m<sup>3</sup>/hour to less than 65,000 m<sup>3</sup>/hour;
- p) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed if the waste gas flow is from 65,000 m<sup>3</sup>/hour to less than 70,000 m<sup>3</sup>/hour;

q) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed if the waste gas flow is from 70,000 m<sup>3</sup>/hour to less than 75,000 m<sup>3</sup>/hour;

r) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed if the waste gas flow is from 75,000 m<sup>3</sup>/hour to less than 80,000 m<sup>3</sup>/hour;

s) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed if the waste gas flow is from 80,000 m<sup>3</sup>/hour to less than 85,000 m<sup>3</sup>/hour;

t) A fine ranging from VND 750,000,000 to VND 800,000,000 shall be imposed if the waste gas flow is from 85,000 m<sup>3</sup>/hour to less than 90,000 m<sup>3</sup>/hour;

u) A fine ranging from VND 800,000,000 to VND 850,000,000 shall be imposed if the waste gas flow is from 90,000 m<sup>3</sup>/hour to less than 95,000 m<sup>3</sup>/hour;

uu) A fine ranging from VND 850,000,000 to VND 900,000,000 shall be imposed if the waste gas flow is from 95,000 m<sup>3</sup>/hour to less than 100,000 m<sup>3</sup>/hour;

v) A fine ranging from VND 900,000,000 to VND 950,000,000 shall be imposed if the waste gas flow is 100,000 m<sup>3</sup>/hour or above.

6. The highest fine imposed for the violation prescribed in this Article shall be increased by 10%, 20%, 30%, or 40% if each environmental parameter contained in the discharged dust/emissions exceeds the permissible limit prescribed in the technical regulation 1.1 to less than 1.5 times, 1.5 to less than 02 times, 02 to less than 03 times, or 03 times or more respectively. Total fine imposed for each violation must not exceed VND 1,000,000,000.

#### 7. Additional penalties:

a) Suspend the activities of the business establishment which cause the environmental pollution for 03 – 06 months if any of the violations prescribed in Points i, k, l, m, n, o, p, q, r and s Clause 2, Points h, i, k, l, m, n, o, p, q and r Clause 3, Points g, h, i, k, l, m, n, o, p and q Clause 4 and Points e, g, h, i, k, l, m, n, o and p Clause 5 of this Article is committed;

b) Suspend the activities of the business establishment which cause the environmental pollution for 06 – 12 months if any of the violations prescribed in Points t, u, uu and v Clause 2, Points s, t, u, uu and v Clause 3, Points r, s, t, u, uu and v Clause 4 and Points q, r, s, t, u, uu and v Clause 5 of this Article is committed.

#### 8. Remedial measures:

a) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition

of penalties for administrative violations if any of the violations prescribed in this Article is committed;

b) Enforce the transfer of illegal benefits obtained from any of the administrative violations prescribed in this Article;

c) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in technical regulations or causing environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed.

**Article 16. Violations against regulations on discharge of dust and emission containing hazardous environmental parameters into the environment**

1. A warning shall be imposed for discharging chemicals or organic solvent vapors in the production zone or residential zone causing a typical smell of such chemicals or organic solvent vapors; discharging dust and emission in excess of the permissible limit prescribed in the technical regulation on waste less than 1.1 times (or the volume of discharged dust and emission exceeding the permissible limit prescribed in the technical regulation is 10%).

2. Penalties for discharging the dust and emission in excess of the permissible limits prescribed in the technical regulation on waste 1.1 times to less than 1.5 times or having the discharge of dust and emission in excess of the permissible limit prescribed in the technical regulation on waste less than 1.1 times repeated:

a) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed if the waste gas flow is less than 500 m<sup>3</sup>/hour;

b) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed if the waste gas flow is from 500 m<sup>3</sup>/hour to less than 5,000 m<sup>3</sup>/hour;

c) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed if the waste gas flow is from 5,000 m<sup>3</sup>/hour to less than 10,000 m<sup>3</sup>/hour;

d) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed if the waste gas flow is from 10,000 m<sup>3</sup>/hour to less than 15,000 m<sup>3</sup>/hour;

dd) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed if the waste gas flow is from 15,000 m<sup>3</sup>/hour to less than 20,000 m<sup>3</sup>/hour;

e) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed if the waste gas flow is from 20,000 m<sup>3</sup>/hour to less than 25,000 m<sup>3</sup>/hour;

g) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed if the waste gas flow is from 25,000 m<sup>3</sup>/hour to less than 30,000 m<sup>3</sup>/hour;

- h) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed if the waste gas flow is from 30,000 m<sup>3</sup>/hour to less than 35,000 m<sup>3</sup>/hour;
- i) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed if the waste gas flow is from 35,000 m<sup>3</sup>/hour to less than 40,000 m<sup>3</sup>/hour;
- k) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if the waste gas flow is from 40,000 m<sup>3</sup>/hour to less than 45,000 m<sup>3</sup>/hour;
- l) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed if the waste gas flow is from 45,000 m<sup>3</sup>/hour to less than 50,000 m<sup>3</sup>/hour;
- m) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed if the waste gas flow is from 50,000 m<sup>3</sup>/hour to less than 55,000 m<sup>3</sup>/hour;
- n) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed if the waste gas flow is from 55,000 m<sup>3</sup>/hour to less than 60,000 m<sup>3</sup>/hour;
- o) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed if the waste gas flow is from 60,000 m<sup>3</sup>/hour to less than 65,000 m<sup>3</sup>/hour;
- p) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed if the waste gas flow is from 65,000 m<sup>3</sup>/hour to less than 70,000 m<sup>3</sup>/hour;
- q) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed if the waste gas flow is from 70,000 m<sup>3</sup>/hour to less than 75,000 m<sup>3</sup>/hour;
- r) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed if the waste gas flow is from 75,000 m<sup>3</sup>/hour to less than 80,000 m<sup>3</sup>/hour;
- s) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed if the waste gas flow is from 80,000 m<sup>3</sup>/hour to less than 85,000 m<sup>3</sup>/hour;
- t) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed if the waste gas flow is from 85,000 m<sup>3</sup>/hour to less than 90,000 m<sup>3</sup>/hour;
- u) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed if the waste gas flow is from 90,000 m<sup>3</sup>/hour to less than 95,000 m<sup>3</sup>/hour;
- uu) A fine ranging from VND 750,000,000 to VND 800,000,000 shall be imposed if the waste gas flow is from 95,000 m<sup>3</sup>/hour to less than 100,000 m<sup>3</sup>/hour;
- v) A fine ranging from VND 800,000,000 to VND 850,000,000 shall be imposed if the waste gas flow is 100,000 m<sup>3</sup>/hour or above.

3. Penalties for discharging dust and emission in excess of the permissible limits prescribed in the technical regulation on waste 1.5 times to less than 02 times:

- a) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed if the waste gas flow is less than 500 m<sup>3</sup>/hour;
- b) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed if the waste gas flow is from 500 m<sup>3</sup>/hour to less than 5,000 m<sup>3</sup>/hour;
- c) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed if the waste gas flow is from 5,000 m<sup>3</sup>/hour to less than 10,000 m<sup>3</sup>/hour;
- d) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed if the waste gas flow is from 10,000 m<sup>3</sup>/hour to less than 15,000 m<sup>3</sup>/hour;
- dd) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed if the waste gas flow is from 15,000 m<sup>3</sup>/hour to less than 20,000 m<sup>3</sup>/hour;
- e) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed if the waste gas flow is from 20,000 m<sup>3</sup>/hour to less than 25,000 m<sup>3</sup>/hour;
- g) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed if the waste gas flow is from 25,000 m<sup>3</sup>/hour to less than 30,000 m<sup>3</sup>/hour;
- h) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed if the waste gas flow is from 30,000 m<sup>3</sup>/hour to less than 35,000 m<sup>3</sup>/hour;
- i) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if the waste gas flow is from 35,000 m<sup>3</sup>/hour to less than 40,000 m<sup>3</sup>/hour;
- k) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed if the waste gas flow is from 40,000 m<sup>3</sup>/hour to less than 45,000 m<sup>3</sup>/hour;
- l) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed if the waste gas flow is from 45,000 m<sup>3</sup>/hour to less than 50,000 m<sup>3</sup>/hour;
- m) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed if the waste gas flow is from 50,000 m<sup>3</sup>/hour to less than 55,000 m<sup>3</sup>/hour;
- n) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed if the waste gas flow is from 55,000 m<sup>3</sup>/hour to less than 60,000 m<sup>3</sup>/hour;
- o) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed if the waste gas flow is from 60,000 m<sup>3</sup>/hour to less than 65,000 m<sup>3</sup>/hour;

- p) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed if the waste gas flow is from 65,000 m<sup>3</sup>/hour to less than 70,000 m<sup>3</sup>/hour;
- q) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed if the waste gas flow is from 70,000 m<sup>3</sup>/hour to less than 75,000 m<sup>3</sup>/hour;
- r) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed if the waste gas flow is from 75,000 m<sup>3</sup>/hour to less than 80,000 m<sup>3</sup>/hour;
- s) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed if the waste gas flow is from 80,000 m<sup>3</sup>/hour to less than 85,000 m<sup>3</sup>/hour;
- t) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed if the waste gas flow is from 85,000 m<sup>3</sup>/hour to less than 90,000 m<sup>3</sup>/hour;
- u) A fine ranging from VND 750,000,000 to VND 800,000,000 shall be imposed if the waste gas flow is from 90,000 m<sup>3</sup>/hour to less than 95,000 m<sup>3</sup>/hour;
- uu) A fine ranging from VND 800,000,000 to VND 850,000,000 shall be imposed if the waste gas flow is from 95,000 m<sup>3</sup>/hour to less than 100,000 m<sup>3</sup>/hour;
- v) A fine ranging from VND 850,000,000 to VND 900,000,000 shall be imposed if the waste gas flow is 100,000 m<sup>3</sup>/hour or above.

4. Penalties for discharging dust and emission in excess of the permissible limits prescribed in the technical regulation on waste 02 times to less than 03 times:

- a) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed if the waste gas flow is less than 500 m<sup>3</sup>/hour;
- b) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed if the waste gas flow is from 500 m<sup>3</sup>/hour to less than 5,000 m<sup>3</sup>/hour;
- c) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed if the waste gas flow is from 5,000 m<sup>3</sup>/hour to less than 10,000 m<sup>3</sup>/hour;
- d) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed if the waste gas flow is from 10,000 m<sup>3</sup>/hour to less than 15,000 m<sup>3</sup>/hour;
- dd) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed if the waste gas flow is from 15,000 m<sup>3</sup>/hour to less than 20,000 m<sup>3</sup>/hour;
- e) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed if the waste gas flow is from 20,000 m<sup>3</sup>/hour to less than 25,000 m<sup>3</sup>/hour;

- g) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed if the waste gas flow is from 25,000 m<sup>3</sup>/hour to less than 30,000 m<sup>3</sup>/hour;
- h) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if the waste gas flow is from 30,000 m<sup>3</sup>/hour to less than 35,000 m<sup>3</sup>/hour;
- i) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed if the waste gas flow is from 35,000 m<sup>3</sup>/hour to less than 40,000 m<sup>3</sup>/hour;
- k) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed if the waste gas flow is from 40,000 m<sup>3</sup>/hour to less than 45,000 m<sup>3</sup>/hour;
- l) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed if the waste gas flow is from 45,000 m<sup>3</sup>/hour to less than 50,000 m<sup>3</sup>/hour;
- m) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed if the waste gas flow is from 50,000 m<sup>3</sup>/hour to less than 55,000 m<sup>3</sup>/hour;
- n) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed if the waste gas flow is from 55,000 m<sup>3</sup>/hour to less than 60,000 m<sup>3</sup>/hour;
- o) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed if the waste gas flow is from 60,000 m<sup>3</sup>/hour to less than 65,000 m<sup>3</sup>/hour;
- p) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed if the waste gas flow is from 65,000 m<sup>3</sup>/hour to less than 70,000 m<sup>3</sup>/hour;
- q) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed if the waste gas flow is from 70,000 m<sup>3</sup>/hour to less than 75,000 m<sup>3</sup>/hour;
- r) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed if the waste gas flow is from 75,000 m<sup>3</sup>/hour to less than 80,000 m<sup>3</sup>/hour;
- s) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed if the waste gas flow is from 80,000 m<sup>3</sup>/hour to less than 85,000 m<sup>3</sup>/hour;
- t) A fine ranging from VND 750,000,000 to VND 800,000,000 shall be imposed if the waste gas flow is from 85,000 m<sup>3</sup>/hour to less than 90,000 m<sup>3</sup>/hour;
- u) A fine ranging from VND 800,000,000 to VND 850,000,000 shall be imposed if the waste gas flow is from 90,000 m<sup>3</sup>/hour to less than 95,000 m<sup>3</sup>/hour;
- uu) A fine ranging from VND 850,000,000 to VND 900,000,000 shall be imposed if the waste gas flow is from 95,000 m<sup>3</sup>/hour to less than 100,000 m<sup>3</sup>/hour;

v) A fine ranging from VND 900,000,000 to VND 950,000,000 shall be imposed if the waste gas flow is 100,000 m<sup>3</sup>/hour or above.

5. Penalties for discharging dust and emission in excess of the permissible limits prescribed in the technical regulation on waste 03 times or more, except for environmental crimes:

a) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed if the waste gas flow is less than 500 m<sup>3</sup>/hour;

b) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed if the waste gas flow is from 500 m<sup>3</sup>/hour to less than 5,000 m<sup>3</sup>/hour;

c) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed if the waste gas flow is from 5,000 m<sup>3</sup>/hour to less than 10,000 m<sup>3</sup>/hour;

d) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed if the waste gas flow is from 10,000 m<sup>3</sup>/hour to less than 15,000 m<sup>3</sup>/hour;

dd) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed if the waste gas flow is from 15,000 m<sup>3</sup>/hour to less than 20,000 m<sup>3</sup>/hour;

e) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed if the waste gas flow is from 20,000 m<sup>3</sup>/hour to less than 25,000 m<sup>3</sup>/hour;

g) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if the waste gas flow is from 25,000 m<sup>3</sup>/hour to less than 30,000 m<sup>3</sup>/hour;

h) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed if the waste gas flow is from 30,000 m<sup>3</sup>/hour to less than 35,000 m<sup>3</sup>/hour;

i) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed if the waste gas flow is from 35,000 m<sup>3</sup>/hour to less than 40,000 m<sup>3</sup>/hour;

k) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed if the waste gas flow is from 40,000 m<sup>3</sup>/hour to less than 45,000 m<sup>3</sup>/hour;

l) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed if the waste gas flow is from 45,000 m<sup>3</sup>/hour to less than 50,000 m<sup>3</sup>/hour;

m) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed if the waste gas flow is from 50,000 m<sup>3</sup>/hour to less than 55,000 m<sup>3</sup>/hour;

n) A fine ranging from VND 500,000,000 to VND 550,000,000 shall be imposed if the waste gas flow is from 55,000 m<sup>3</sup>/hour to less than 60,000 m<sup>3</sup>/hour;

- o) A fine ranging from VND 550,000,000 to VND 600,000,000 shall be imposed if the waste gas flow is from 60,000 m<sup>3</sup>/hour to less than 65,000 m<sup>3</sup>/hour;
- p) A fine ranging from VND 600,000,000 to VND 650,000,000 shall be imposed if the waste gas flow is from 65,000 m<sup>3</sup>/hour to less than 70,000 m<sup>3</sup>/hour;
- q) A fine ranging from VND 650,000,000 to VND 700,000,000 shall be imposed if the waste gas flow is from 70,000 m<sup>3</sup>/hour to less than 75,000 m<sup>3</sup>/hour;
- r) A fine ranging from VND 700,000,000 to VND 750,000,000 shall be imposed if the waste gas flow is from 75,000 m<sup>3</sup>/hour to less than 80,000 m<sup>3</sup>/hour;
- s) A fine ranging from VND 750,000,000 to VND 800,000,000 shall be imposed if the waste gas flow is from 80,000 m<sup>3</sup>/hour to less than 85,000 m<sup>3</sup>/hour;
- t) A fine ranging from VND 800,000,000 to VND 850,000,000 shall be imposed if the waste gas flow is from 85,000 m<sup>3</sup>/hour to less than 90,000 m<sup>3</sup>/hour;
- u) A fine ranging from VND 850,000,000 to VND 900,000,000 shall be imposed if the waste gas flow is from 90,000 m<sup>3</sup>/hour to less than 95,000 m<sup>3</sup>/hour;
- uu) A fine ranging from VND 900,000,000 to VND 950,000,000 shall be imposed if the waste gas flow is from 95,000 m<sup>3</sup>/hour to less than 100,000 m<sup>3</sup>/hour;
- v) A fine ranging from VND 950,000,000 to VND 1,000,000,000 shall be imposed if the waste gas flow is 100,000 m<sup>3</sup>/hour or above.

6. A fine ranging from VND 950,000,000 to VND 1,000,000,000 shall be imposed for discharging dust and emissions containing radioactive substances causing the environmental radioactive contamination in excess of the permissible limit prescribed in the technical regulation, except for environmental crimes.

7. The highest fine imposed for the violation prescribed in this Article shall be increased by 10%, 20%, 30%, or 40% if each environmental parameter contained in the discharged dust/emissions exceeds the permissible limit prescribed in the technical regulation 1.1 to less than 1.5 times, 1.5 to less than 02 times, 02 to less than 03 times, or 03 times or more respectively. Total fine imposed for each violation must not exceed VND 1,000,000,000.

8. Additional penalties:

a) Suspend the activities of the business establishment which cause the environmental pollution for 03 – 06 months if any of the violations prescribed in Points h, i, k, l, m, n, o, p, q and r Clause 2, Points g, h, i, k, l, m, n, o, p and q Clause 3, Points e, g, h, i, k, l, m, n, o and p Clause 4 and Points dd, e, g, h, i, k, l, m, n and o Clause 5 of this Article is committed;

b) Suspend the activities of the business establishment which cause the environmental pollution for 06 – 12 months if any of the violations prescribed in Points s, t, u, uu and v Clause 2, Points r, s, t, u, uu and v Clause 3, Points q, r, s, t, u, uu and v Clause 4 and Points p, q, r, s, t, u, uu and v Clause 5 and Clause 6 of this Article is committed.

9. Remedial measures:

a) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed;

b) Enforce the transfer of illegal benefits obtained from any of the administrative violations prescribed in this Article;

c) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in technical regulations or causing environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed.

**Article 17. Violations against regulations on noise**

1. A warning shall be issued for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of less than 02 dBA.

2. A fine ranging from VND 1,000,000 to VND 5,000,000 shall be imposed for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of from 02 dBA to less than 05 dBA.

3. A fine ranging from VND 5,000,000 to VND 20,000,000 shall be imposed for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of from 05 dBA to less than 10 dBA.

4. A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of from 10 dBA to less than 15 dBA.

5. A fine ranging from VND 40,000,000 to VND 60,000,000 shall be imposed for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of from 15 dBA to less than 20 dBA.

6. A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of from 20 dBA to less than 25 dBA.

7. A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of from 25 dBA to less than 30 dBA.

8. A fine ranging from VND 100,000,000 to VND 120,000,000 shall be imposed for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of from 30 dBA to less than 35 dBA.

9. A fine ranging from VND 120,000,000 to VND 140,000,000 shall be imposed for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of from 35 dBA to less than 40 dBA.

10. A fine ranging from VND 140,000,000 to VND 160,000,000 shall be imposed for generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of more than 40 dBA.

11. Additional penalties:

a) Suspend the establishment's activities causing the noise pollution for 03 - 06 months if any of the violations prescribed in Clauses 4, 5, 6 and 7 of this Article is committed;

b) Suspend the establishment's activities for 06 - 12 months if any of the violations prescribed in Clauses 8, 9 and 10 of this Article is committed.

12. Remedial measures:

a) Enforce the implementation of measures for reducing the noise to the permissible exposure levels of noise prescribed in the technical regulation on noise within the period regulated by the person who has the power to impose penalties for administrative violations and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed;

b) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for activities generating noise in excess of the permissible limits prescribed in environmental technical regulations or resulting in the noise pollution according to current norms and prices if any of the violations prescribed in this Article is committed.

## **Article 18. Violations against regulations on vibration**

1. Penalties for violations against regulations on vibration in the construction industry:

a) A warning shall be issued for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of less than 02 dB;

- b) A fine ranging from VND 1,000,000 to VND 5,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 02 dB to less than 05 dB;
- c) A fine ranging from VND 5,000,000 to VND 20,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 05 dB to less than 10 dB;
- d) A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 10 dB to less than 15 dB;
- dd) A fine ranging from VND 40,000,000 to VND 60,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 15 dB to less than 20 dB;
- e) A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 20 dB to less than 25 dB;
- g) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 25 dB to less than 30 dB;
- h) A fine ranging from VND 100,000,000 to VND 120,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 30 dB to less than 35 dB;
- i) A fine ranging from VND 120,000,000 to VND 140,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 35 dB to less than 40 dB;
- k) A fine ranging from VND 140,000,000 to VND 160,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of 40 dB or above.

## 2. Penalties for violations against regulations on vibration in production and commercial activities, and service provision:

- a) A warning shall be issued for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of less than 02 dB;
- b) A fine ranging from VND 3,000,000 to VND 5,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 02 dB to less than 05 dB;

c) A fine ranging from VND 5,000,000 to VND 30,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 05 dB to less than 10 dB;

d) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 10 dB to less than 15 dB;

dd) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 15 dB to less than 20 dB;

e) A fine ranging from VND 70,000,000 to VND 90,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 20 dB to less than 25 dB;

g) A fine ranging from VND 90,000,000 to VND 110,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 25 dB to less than 30 dB;

h) A fine ranging from VND 110,000,000 to VND 130,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 30 dB to less than 35 dB;

i) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of from 35 dB to less than 40 dB;

k) A fine ranging from VND 150,000,000 to VND 170,000,000 shall be imposed for causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of 40 dB or above.

### 3. Additional penalties:

a) Suspend the business establishment's vibration-causing activities for 03- 06 months if any of the violations prescribed in Points d, dd, e and g Clause 1 and Points d, dd, e and g Clause 2 of this Article is committed;

b) Suspend the establishment's activities for 06 - 12 months if any of the violations prescribed in Points h, i and k Clause 1 and Points h, i and k Clause 2 of this Article is committed.

### 4. Remedial measures:

a) Enforce the implementation of measures for reducing the vibration exposure to the permissible limits prescribed in the technical regulation on vibration within the period

regulated by the person who has the power to impose penalties for administrative violations and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed;

b) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for activities causing the vibration exposure in excess of the permissible limits prescribed in environmental technical regulations according to current norms and prices if any of the violations prescribed in this Article is committed.

**Article 19. Acts of violation causing soil, water and/or air pollution, or causing long-lasting or serious environmental pollution**

1. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for discharging cesspit waste, toxic chemicals or pathogenic sources into the environment in contravention of the regulations on environmental protection.

2. Penalties for acts of violation causing the soil or water pollution (including either groundwater or surface water inside or outside the business establishment) or the air pollution at a level in excess of the permissible limits prescribed in technical regulations on soil, water and ambient air:

a) A fine ranging from VND 50,000,000 to VND 80,000,000 shall be imposed if the content of soil, water or air pollutant (environmental parameter) exceeds the permissible limit prescribed in relevant technical regulation less than 03 times (if it is a hazardous environmental parameter) or less than 05 times (if it is a non-hazardous environmental parameter);

b) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed if the content of soil, water or air pollutant (environmental parameter) exceeds the permissible limit prescribed in relevant technical regulation 03 to less than 05 times (if it is a hazardous environmental parameter) or 05 to less than 10 times (if it is a non-hazardous environmental parameter);

c) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed if the content of soil, water or air pollutant (environmental parameter) exceeds the permissible limit prescribed in relevant technical regulation 05 times or more (if it is a hazardous environmental parameter) or 10 times or more (if it is a non-hazardous environmental parameter).

3. The said fines shall be increased by 20% - 30% for committing the violations prescribed in Articles 13, 14, 15 and 16; Clause 3, Point d Clause 6 and Clause 9 Article 20; Point a Clause 8, Clause 9 and Clause 10 Article 21; Clause 8 and Clause 9 Article 22; Clause 7 and Clause 8 Article 23; Clauses 4, 5 and 6 Article 27; Clause 4 Article 32; or committing the violations in the ecological restoration regions or strictly protected zones of sanctuaries in which the content of soil, water or air pollutant exceeds the permissible limit prescribed in technical regulations soil, water and ambient air less than

03 times (if it is a hazardous environmental parameter) or less than 05 times (if it is a non-hazardous environmental parameter). Total fine imposed for each violation must not exceed VND 1,000,000,000.

4. The said fines shall be increased by 30% - 40% for committing the violations prescribed in Articles 13, 14, 15 and 16; Clause 3, Point d Clause 6 and Clause 9 Article 20; Point a Clause 8, Clause 9 and Clause 10 Article 21; Clause 8 and Clause 9 Article 22; Clause 7 and Clause 8 Article 23; Clauses 4, 5 and 6 Article 27; Clause 4 Article 32; or committing the violations in the ecological restoration regions or strictly protected zones of sanctuaries in which the content of soil, water or air pollutant exceeds the permissible limit prescribed in technical regulations soil, water and ambient air 03 to less than 05 times (if it is a hazardous environmental parameter) or 05 to less than 10 times (if it is a non-hazardous environmental parameter). Total fine imposed for each violation must not exceed VND 1,000,000,000.

5. The said fines shall be increased by 40% - 50% for committing the violations prescribed in Articles 13, 14, 15 and 16; Clause 3, Point d Clause 6 and Clause 9 Article 20; Point a Clause 8, Clause 9 and Clause 10 Article 21; Clause 8 and Clause 9 Article 22; Clause 7 and Clause 8 Article 23; Clauses 4, 5 and 6 Article 27; Clause 4 Article 32; or committing the violations in the ecological restoration regions or strictly protected zones of sanctuaries in which the content of soil, water or air pollutant exceeds the permissible limit prescribed in technical regulations soil, water and ambient air 05 times or more (if it is a hazardous environmental parameter) or 10 times or more (if it is a non-hazardous environmental parameter). Total fine imposed for each violation must not exceed VND 1,000,000,000.

6. A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed for keeping or repeating the commitment of any of the following violations for which administrative penalties have been imposed resulting in the long-lasting environmental pollution:

a) Discharging the wastewater in excess of the permissible limit prescribed in the technical regulation on waste 03 times or more (if it is a non-hazardous environmental parameter) or 02 times or more (if it is a hazardous environmental parameter);

b) Discharging emissions in excess of the permissible limit prescribed in the technical regulation on waste 02 times or more (if it is a non-hazardous environmental parameter) or 1.5 times or more (if it is a hazardous environmental parameter);

c) Generating noise at a level in excess of the permissible exposure levels of noise prescribed in the technical regulation on noise of 10 dBA or above, or causing the vibration at the amount of exposure in excess of the permissible limits prescribed in the technical regulation on vibration of 20 dB or above.

7. Penalties for violations against regulations on environmental protection committed by any of the business establishments in the list of business establishments causing serious environmental pollution:

a) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for failing to post the summary of the action plan on thoroughly tackling environmental pollution at the operating location, or failing to send it to the Commune-level People's Committee for posting in the public, or failing to send the action plan on thoroughly tackling environmental pollution or periodical reports on the implementation progress thereof to the responsible agency;

b) A fine ranging from VND 20,000,000 to VND 50,000,000 shall be imposed for failing to formulate the action plan on thoroughly tackling environmental pollution;

c) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for failing to apply measures to reduce the pollution during the implementation of the action plan on thoroughly tackling environmental pollution;

d) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for failing to apply measures to prevent and reduce causes of environmental pollution, and prevent the spread of pollution or the influence of pollution on surroundings during the implementation of the action plan on thoroughly tackling environmental pollution;

dd) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for failing to strictly comply with contents, requirements and progress of thoroughly tackling environmental pollution;

e) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for failing to implement measures to thoroughly tackle environmental pollution.

8. Additional penalties:

a) Suspend the establishment's activities causing the environmental pollution for 01- 03 months if any of the violations prescribed in Point c and Point d Clause 7 of this Article is committed;

b) Suspend the establishment's activities for 03 - 06 months if any of the violations prescribed in Point a Clause 2 and Clause 3 of this Article is committed;

c) Suspend the establishment's activities for 06 - 09 months if any of the violations prescribed in Point b and Point c Clause 2, Clause 4, Clause 6 and Point dd Clause 7 of this Article is committed;

d) Suspend the establishment's activities for 09 - 12 months if any of the violations prescribed in Clause 5 and Point e Clause 7 of this Article is committed;

dd) Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clause 1 of this Article is committed.

9. Remedial measures:

a) Enforce the restoration of initial environmental state or the environmental restoration as regulated, and enforce the application of remedial measures for environmental pollution within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed;

b) Enforce the relocation of the business establishment causing serious environmental pollution to a location in conformity with the planning and the environment's carrying capacity if the violation prescribed in Point e Clause 7 of this Article is committed and the infringing business establishment is in the list of business establishments causing serious environmental pollution to such an extent that they must be relocated;

c) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed.

**Article 20. Violations against regulations on public hygiene; collection, transport, treatment and discharge of domestic waste and non-hazardous industrial solid waste; transport of raw materials, materials or goods causing environmental pollution**

1. Penalties for collecting or discharging domestic waste in contravention of regulations on environmental protection:

a) A fine ranging from VND 500,000 to VND 1,000,000 shall be imposed for throwing or discarding cigarette butts and ashes not at prescribed places in residential areas, commercial areas, service providing areas or public places;

b) A fine ranging from VND 1,000,000 to VND 3,000,000 shall be imposed for solving personal hygiene demands (urination, defecation) not at prescribed places in residential areas, commercial areas, service providing areas or public places;

c) A fine ranging from VND 3,000,000 to VND 5,000,000 shall be imposed for throwing or discarding domestic waste not at prescribed places in residential areas, commercial areas, service providing areas or public places, except for the violation prescribed in Point d of this Clause;

d) A fine ranging from VND 5,000,000 to VND 7,000,000 shall be imposed for discharging domestic waste on pavements, roads, alleys or urban wastewater drainage systems or surface water drainage systems in urban areas.

2. A fine ranging from VND 7,000,000 to VND 10,000,000 shall be imposed for operating vehicles transporting raw materials, materials or goods but failing to cover them or letting them drop on roads.

3. A fine ranging from VND 10,000,000 to VND 15,000,000 shall be imposed for failing to use specialized equipment or means of transport to ensure that raw materials, materials or goods cannot be leaked or released to the environment during the transportation.

4. A fine ranging from VND 15,000,000 to VND 20,000,000 shall be imposed for failing to classify or store domestic solid waste in accordance with regulations; failing to enter into contract or failing to transfer domestic solid waste to entities functioned to collect, transport and treat domestic solid waste as regulated.

5. A fine ranging from VND 20,000,000 to VND 25,000,000 shall be imposed for failing to classify or store non-hazardous industrial solid waste in accordance with regulations; failing to enter into contract or failing to transfer non-hazardous industrial solid waste to entities functioned to collect, transport and treat domestic solid waste as regulated; failing to submit periodical reports on the generation and management of non-hazardous industrial solid waste to competent agencies as regulated.

6. Penalties for violations against regulations on the collection and transport of domestic solid waste and non-hazardous industrial solid waste:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to submit annual reports on the collection and transport of domestic solid waste and non-hazardous industrial solid waste to competent agencies as regulated;

b) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for failing to transport domestic solid waste and non-hazardous industrial solid waste to dump grounds, transfer stations and waste treatment facilities as regulated;

c) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to equip suitable containers for collecting and transporting domestic solid waste and non-hazardous industrial solid waste as regulated;

d) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for using means or equipment that fails to meet regulated technical requirements to transport domestic solid waste; failing to comply with technical requirements and management process in arranging storage equipment, temporary storage place or transfer station, and means of transporting non-hazardous industrial solid waste; or releasing domestic solid waste and non-hazardous industrial solid waste into the environment in course of transportation.

7. Penalties for violations against regulations on the treatment of domestic solid waste:

a) A fine ranging from VND 10,000,000 to VND 30,000,000 shall be imposed for failing to prepare reports, records, documents, or logbooks of the management and treatment of domestic solid waste as regulated;

b) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed if the treatment equipment and system (including those for preliminary treatment, recycling, co-incineration and energy recovery) or the area where the domestic solid waste is temporarily stored fails to satisfy technical requirements or management process as regulated;

c) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed for improperly implementing any of contents of the Certificate of compliance with regulations on environmental protection or the plan for treatment of domestic solid waste approved by a competent agency, except for the supervision of surrounding environment, acts done to improve the environment upon the approval by competent agencies;

d) A fine ranging from VND 70,000,000 to VND 100,000,000 shall be imposed for failing to implement any of the contents of the Certificate of compliance with regulations on environmental protection or the plan for treatment of domestic solid waste approved by a competent agency, except for the supervision of surrounding environment;

dd) A fine ranging from VND 140,000,000 to VND 160,000,000 shall be imposed for failing to obtain the Certificate of compliance with regulations on environmental protection or have the plan for treatment of domestic solid waste approved by a competent agency as regulated.

8. Penalties for violations against regulations on the treatment of non-hazardous industrial solid waste:

a) A fine ranging from VND 10,000,000 to VND 30,000,000 shall be imposed for failing to prepare reports, records, documents, or logbooks of the management of non-hazardous industrial solid waste as regulated;

b) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed if the equipment and system for treatment of non-hazardous industrial solid waste (including those for preliminary treatment, recycling, co-incineration and energy recovery) do not meet the technical requirements or management process as regulated, or for failing to comply with the operating procedure thereof;

c) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed for improperly implementing any of the contents of the Certificate of compliance with regulations on environmental protection or the plan for treatment of non-hazardous industrial solid waste approved by a competent agency, except for the supervision of

surrounding environment, acts done to improve the environment upon the approval by competent agencies and the case prescribed in Point dd of this Clause;

d) A fine ranging from VND 70,000,000 to VND 100,000,000 shall be imposed for failing to implement any of the contents of the Certificate of compliance with regulations on environmental protection or the plan for treatment of non-hazardous industrial solid waste approved by a competent agency, except for the supervision of surrounding environment and the case prescribed in Point e of this Clause;

dd) A fine ranging from VND 100,000,000 to VND 120,000,000 shall be imposed for carrying out the treatment of non-hazardous industrial solid waste which is not appropriate to the operating region, capacity, waste types, or the invested or installed waste treatment system and equipment;

e) A fine ranging from VND 120,000,000 to VND 140,000,000 shall be imposed for failing to implement the plan for pollution control and environmental restoration upon the termination of operations as regulated;

g) A fine ranging from VND 140,000,000 to VND 160,000,000 shall be imposed for failing to obtain the Certificate of compliance with regulations on environmental protection or have the plan for treatment of non-hazardous industrial solid waste approved by a competent agency as regulated.

9. Penalties for transferring, giving or selling domestic solid waste and/or non-hazardous industrial solid waste to an entity which has no function or capability of waste treatment as regulated; burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste in contravention of regulations on environmental protection, except for environmental crimes; receiving domestic solid waste and/or non-hazardous industrial solid waste but failing to implement treatment methods or failing to transfer to entities functioned to conduct treatment as regulated:

a) A fine ranging from VND 2,000,000 to VND 5,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of less than 1,000 kg;

b) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 1,000 kg to less than 2,000 kg;

c) A fine ranging from VND 10,000,000 to VND 15,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 2,000 kg to less than 3,000 kg;

d) A fine ranging from VND 15,000,000 to VND 20,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 3,000 kg to less than 4,000 kg;

dd) A fine ranging from VND 20,000,000 to VND 25,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 4,000 kg to less than 5,000 kg;

e) A fine ranging from VND 25,000,000 to VND 30,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 5,000 kg to less than 10,000 kg;

g) A fine ranging from VND 30,000,000 to VND 35,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 10,000 kg to less than 20,000 kg;

h) A fine ranging from VND 35,000,000 to VND 40,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 20,000 kg to less than 30,000 kg;

i) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 30,000 kg to less than 40,000 kg;

k) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 40,000 kg to less than 60,000 kg;

l) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 60,000 kg to less than 80,000 kg;

m) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of from 80,000 kg to less than 100,000 kg;

n) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for transferring, giving, selling, receiving, burying, dumping or disposing of domestic solid waste and/or non-hazardous industrial solid waste with an amount of 100,000 kg or above.

10. The fines for violations prescribed in Clause 9 of this Clause shall be increased by 40% - 50% if such violations result in the environmental pollution or the waste containing hazardous environmental parameters in excess of the permissible limits prescribed technical regulations on surrounding environment. Total fine imposed for each violation must not exceed VND 1,000,000,000.

11. A fine ranging from VND 900,000,000 to VND 1,000,000,000 shall be imposed for the violations prescribed in Clause 9 of this Clause if the waste contains radioactive substances causing the environmental radioactive contamination, except for environmental crimes.

12. Additional penalties:

a) Suspend activities of the domestic solid waste and/or non-hazardous industrial solid waste treatment facility for 03 - 06 months if any of the violations prescribed in Point dd Clause 7, Point g Clause 8, Clauses 9, 10 and 11 of this Article is committed;

b) Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clauses 9, 10 and 11 of this Article is committed.

13. Remedial measures:

a) Enforce the restoration of initial environmental state if any of the violations prescribed in Clauses 9, 10 and 11 of this Article is committed;

b) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing the environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

**Article 21. Violations against regulations on environmental protection committed by hazardous waste generator**

1. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for any of the following violations:

- a) Failing to prepare periodical reports on the management of hazardous waste or failing to prepare other irregular reports thereof at the request of competent state agencies;
- b) Providing inaccurate or insufficient information about hazardous waste transferred in hazardous waste documents as regulated;
- c) Failing to make statutory reports to competent state agencies of storage of hazardous waste for over 06 months as of the generation of hazardous waste in case of failure to seek for qualified owners/ operators of hazardous waste transport and treatment facilities;
- d) Failing to submit hazardous waste documents to competent agencies as regulated.

2. A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for any of the following violations:

- a) Failing to retain used hazardous waste documents; failing to retain reports on hazardous waste management and other related documents as regulated;
- b) Failing to collect hazardous waste as regulated; storing hazardous waste outdoor causing the pollution to surrounding environment.

3. A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for any of the following violations:

- a) Failing to prepare hazardous waste documents as regulated; failing to make online declaration of hazardous waste on the information system of Vietnam Environment Administration or via email upon the written request by competent agency;
- b) Failing to send written notice to governing agency of the hazardous waste generator within 06 months as of the termination of activities generating hazardous waste.

4. A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to apply for registration of hazardous waste generator or failing to apply for re-issuance of register of hazardous waste generator as regulated.

5. A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for any of the following violations:

- a) Failing to enter in to contract with a licensed hazardous waste treatment facility before transferring hazardous waste to it for treatment as regulated;
- b) Failing to transfer hazardous waste to the licensed hazardous waste treatment facility for collection and treatment as regulated in case where Department of Natural Resources

& Environment of province/ city refuses to give permission to the hazardous waste generator to keep the storage of hazardous waste at the place of generation although that hazardous waste generator has submitted periodical reports thereof that Department of Natural Resources & Environment;

c) Failing to accurately classify and determine the quantity and weight of hazardous waste for management in accordance with regulations; submitting reports with false information about the generation and management of hazardous waste to competent agencies;

d) Failing to pack and preserve hazardous wastes in packing and storage equipment suitable to their types which meet the prescribed technical requirements;

dd) Failing to allocate or allocating areas for temporary storage of hazardous waste which fail to meet the prescribed technical requirements.

6. Penalties for mixing different types of hazardous waste with each other in case they have different characteristics and/or must be treated by different treatment methods, or mixing hazardous waste with non-hazardous waste:

a) Penalties for mixing hazardous waste in the form of single discarded product or equipment with domestic waste of non-hazardous industrial waste: A warning shall be issued for committing this violation for the first time; a fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed if this violation is repeated or committed for many times;

b) A fine ranging from VND 10,000,000 to VND 40,000,000 shall be imposed for storing two to five types of hazardous waste in the form of single discarded product or equipment, or less than 10% by volume of different types of hazardous waste in packing or equipment storing other types or groups of hazardous waste with the same characteristics and treatment methods, or mixing them with domestic waste and/or non-hazardous industrial waste;

c) A fine ranging from VND 40,000,000 to VND 70,000,000 shall be imposed for storing five to ten types of hazardous waste in the form of single discarded product or equipment, or 10% to 50% by volume of different types of hazardous waste in packing or equipment storing other types or groups of hazardous waste with the same characteristics and treatment methods, or mixing them with domestic waste and/or non-hazardous industrial waste;

d) A fine ranging from VND 70,000,000 to VND 100,000,000 shall be imposed for storing ten types of hazardous waste in the form of single discarded product or equipment, or more, or 50% by volume of different types of hazardous waste, or more, in packing or equipment storing other types or groups of hazardous waste with the same characteristics and treatment methods, or mixing them with domestic waste and/or non-hazardous industrial waste.

7. Penalties for transferring, giving, or selling hazardous waste to an organizational or individual entity that is not licensed to treat hazardous waste, except for environmental crimes:

- a) A fine ranging from VND 10,000,000 to VND 40,000,000 shall be imposed for transferring, giving, or selling less than 100 kg of hazardous waste;
- b) A fine ranging from VND 40,000,000 to VND 70,000,000 shall be imposed for transferring, giving, or selling from 100 kg to less than 600 kg of hazardous waste;
- c) A fine ranging from VND 70,000,000 to VND 100,000,000 shall be imposed for transferring, giving, or selling from 600 kg to less than 1,000 kg of hazardous waste;
- d) A fine ranging from VND 100,000,000 to VND 130,000,000 shall be imposed for transferring, giving, or selling from 1,000 kg to less than 2,000 kg of hazardous waste;
- dd) A fine ranging from VND 130,000,000 to VND 160,000,000 shall be imposed for transferring, giving, or selling from 2,000 kg to less than 3,000 kg of hazardous waste;
- e) A fine ranging from VND 160,000,000 to VND 190,000,000 shall be imposed for transferring, giving, or selling from 3,000 kg to less than 4,000 kg of hazardous waste;
- g) A fine ranging from VND 190,000,000 to VND 220,000,000 shall be imposed for transferring, giving, or selling from 4,000 kg to less than 5,000 kg of hazardous waste;
- h) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for transferring, giving, or selling 5,000 kg, or above, of hazardous waste.

8. A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for any of the following violations, except for environmental crimes:

- a) Spilling hazardous waste or causing the spill of hazardous waste into the soil, groundwater, or surface water resulting in the environmental pollution;
- b) Re-using, preliminarily treating, recycling, treating, co-incinerating, or recovering energy from hazardous waste without the approval by a competent agency or inconsistently with contents of the register of hazardous waste generator;
- c) Exporting hazardous waste without the written approval given by a competent agency or inconsistently with contents specified in the written approval given by a competent agency.

9. Penalties for burying, dumping or discharging hazardous waste in contravention of regulations on environmental protection, except for environmental crimes:

- a) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for burying, dumping or discharging less than 100 kg of hazardous waste;
- b) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for burying, dumping or discharging from 100 kg to less than 250 kg of hazardous waste;
- c) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for burying, dumping or discharging from 250 kg to less than 500 kg of hazardous waste;
- d) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for burying, dumping or discharging from 500 kg to less than 1,000 kg of hazardous waste;
- dd) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for burying, dumping or discharging from 1,000 kg to less than 1,500 kg of hazardous waste;
- e) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for burying, dumping or discharging from 1,500 kg to less than 2,000 kg of hazardous waste;
- g) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for burying, dumping or discharging from 2,000 kg to less than 2,500 kg of hazardous waste;
- h) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for burying, dumping or discharging from 2,500 kg to less than 3,000 kg of hazardous waste.

10. A fine ranging from VND 500,000,000 to VND 1,000,000,000 shall be imposed for any of the following violations, except for environmental crimes:

- a) Transferring, giving or selling persistent organic substances which must be eliminated as prescribed in Annex A of Stockholm Convention on Persistent Organic Pollutants in contravention of prevailing laws;
- b) Burying, dumping or discharging persistent organic substances which must be eliminated as prescribed in Annex A of Stockholm Convention on Persistent Organic Pollutants into the environment in contravention of prevailing laws with an amount of less than 3,000 kg.

11. Additional penalties:

- a) Suspend the establishment's activities for 06 - 12 months if any of the violations prescribed in Clause 9 and Clause 10 of this Article is committed;
- b) Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clause 9 and Clause 10 of this Article is committed.

12. Remedial measures:

- a) Enforce the dismantlement of the work or work item which has been built inconsistently with regulations on environmental protection if the violation prescribed in Point b Clause 8 of this Article is committed;
- b) Enforce the restoration of initial environmental state if any of the violations prescribed in Point a Clause 8, Clause 9 and Clause 10 of this Article is committed;
- c) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;
- d) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

**Article 22. Violations against regulations on environmental protection with respect to the transport of hazardous waste**

1. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for any of the following violations:

- a) Failing to strictly implement any of the following contents included in the set of registration documents enclosed with the license for treatment of hazardous waste: Procedures for safe operation of specialized equipment and means, the plan for pollution control and environmental protection, the occupational safety and health protection plan, the plan for preventing and coping with environmental events, and the annual training and drilling plan;
- b) Failing to report to licensing agency of changes in material and technical facilities, key personnel or programs/ plans included in the set of registration documents enclosed with the license for treatment of hazardous waste;
- c) Failing to send hazardous waste documents to competent agencies as regulated;
- d) Failing to prepare periodical reports on the management of hazardous waste or other irregular reports thereof at the request of competent state agencies; sending a report that does not reflect the actual management of hazardous waste to competent agencies.

2. A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for any of the following violations:

- a) Failing to retain used hazardous waste documents, reports on hazardous waste management and other related documents as regulated;
- b) Failing to prepare and send documents of cross-border transport of hazardous waste to the hazardous waste generator and competent agencies as regulated;
- c) Failing to make a delivery book and a log for monitoring hazardous waste as regulated; failing to make online documents to monitor the travel of vehicles by GPS and grant access to the licensing authority as regulated;
- d) Failing to report to the licensing agency before implementing the Plan for collection, transport and treatment of hazardous medical waste which is given approval by the Provincial-level People's Committee when the waste collection region is not prescribed in the License for treatment of hazardous waste;
- dd) Failing to send a written notice to the hazardous waste generator of the case where hazardous waste has been temporarily stored with reasonable reasons for over 03 months but not later than 06 months as of the date of transferring hazardous waste specified in relevant hazardous waste documents;
- e) Failing to strictly implement the plan for tackling of pollution and environmental protection upon the termination of transport operations;
- g) Failing to declare and use hazardous waste documents as regulated; failing to make online declaration of hazardous waste on the information system of Vietnam Environment Administration or via email upon the written request by a competent agency.

3. A fine ranging from VND 20,000,000 to VND 50,000,000 shall be imposed for any of the following violations:

- a) Failing to equip the Global Positioning System (GPS) tracking units for vehicles transporting hazardous waste as regulated;
- b) Failing to enter into a contract with the hazardous waste generator before carrying out the collection and transport of hazardous waste as regulated;
- c) Failing to enter into a tripartite contract for transfer of hazardous waste with the hazardous waste generator, the owner of hazardous waste management facility or the owner of licensed hazardous waste treatment facility, or entering in a contract with the hazardous waste generator without the witness and written certification by the owner of hazardous waste management facility or the owner of hazardous waste treatment facility as regulated;

d) Failing to submit a written request, enclosed with the signed contract, to the licensing agency for considering and giving a written approval before transferring hazardous waste to another hazardous waste treatment facility.

4. A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for any of the following violations:

a) Collecting and transporting hazardous waste in regions which are not prescribed in the License for treatment of hazardous waste;

b) Failing to properly implement any of the contents prescribed in the License for treatment of hazardous waste, except for the violations prescribed in Point a Clause 4, Clause 5 and Clause 6 of this Article;

c) Transporting hazardous waste but failing to follow the routes, road sections and time prescribed by competent agencies;

d) Failing to meet technical requirements for specialized means and equipment for collecting, transporting, packing, preserving and temporarily storing hazardous waste;

dd) Mixing different types of hazardous waste that can react or interact with each other during the transportation or the temporary storage; failing to thoroughly collect hazardous waste and storing hazardous waste outdoor causing the pollution or dispersion of hazardous waste in surrounding environment.

5. A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for any of the following violations:

a) Collecting and transporting types of hazardous waste other than those in the list of types of hazardous waste prescribed in the License for treatment of hazardous waste;

b) Collecting and transporting hazardous waste with in excess of the permissible volume prescribed in the License for treatment of hazardous waste;

c) Using means of transporting hazardous waste that are not prescribed in the License for treatment of hazardous waste.

6. Penalties for transferring, giving, or selling hazardous waste to an organizational or individual entity that fails to obtain a license for treatment of hazardous waste, except for environmental crimes:

a) A fine ranging from VND 10,000,000 to VND 40,000,000 shall be imposed for transferring, giving, or selling less than 100 kg of hazardous waste;

b) A fine ranging from VND 40,000,000 to VND 70,000,000 shall be imposed for transferring, giving, or selling from 100 kg to less than 600 kg of hazardous waste;

c) A fine ranging from VND 70,000,000 to VND 100,000,000 shall be imposed for transferring, giving, or selling from 600 kg to less than 1,000 kg of hazardous waste;

d) A fine ranging from VND 100,000,000 to VND 130,000,000 shall be imposed for transferring, giving, or selling from 1,000 kg to less than 2,000 kg of hazardous waste;

dd) A fine ranging from VND 130,000,000 to VND 160,000,000 shall be imposed for transferring, giving, or selling from 2,000 kg to less than 3,000 kg of hazardous waste;

e) A fine ranging from VND 160,000,000 to VND 190,000,000 shall be imposed for transferring, giving, or selling from 3,000 kg to less than 4,000 kg of hazardous waste;

g) A fine ranging from VND 190,000,000 to VND 220,000,000 shall be imposed for transferring, giving, or selling from 4,000 kg to less than 5,000 kg of hazardous waste;

h) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for transferring, giving, or selling 5,000 kg, or above, of hazardous waste.

7. A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for transporting hazardous waste but failing to obtain a License for treatment of hazardous waste, except for: the transport of hazardous waste which is generated from daily-life activities or activities of business and service establishments (excluding production activities) of a household/ individual size, and must be managed and treated in accordance with regulations on recall and treatment of discarded products, the transport of hazardous waste under the Plan for collection, transport, storage and transfer of hazardous waste which is given approval by the Provincial-level People's Committee, and the transport of hazardous waste from offshore petroleum works into the land.

8. Penalties for burying, dumping or discharging hazardous waste in contravention of regulations on environmental protection, except for environmental crimes:

a) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for burying, dumping or discharging less than 100 kg of hazardous waste;

b) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for burying, dumping or discharging from 100 kg to less than 250 kg of hazardous waste;

c) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for burying, dumping or discharging from 250 kg to less than 500 kg of hazardous waste;

d) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for burying, dumping or discharging from 500 kg to less than 1,000 kg of hazardous waste;

dd) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for burying, dumping or discharging from 1,000 kg to less than 1,500 kg of hazardous waste;

e) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for burying, dumping or discharging from 1,500 kg to less than 2,000 kg of hazardous waste;

g) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for burying, dumping or discharging from 2,000 kg to less than 2,500 kg of hazardous waste;

h) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for burying, dumping or discharging from 2,500 kg to less than 3,000 kg of hazardous waste.

9. A fine ranging from VND 500,000,000 to VND 1,000,000,000 shall be imposed for any of the following violations, except for environmental crimes:

a) Transferring, giving or selling persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants in contravention of prevailing laws;

b) Burying, dumping or discharging persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants into the environment in contravention of prevailing laws with an amount of less than 3,000 kg.

10. Additional penalties:

a) Suspend the License for treatment of hazardous waste for 03 - 06 months if any of the violations prescribed in Clauses 4, 5 and 6 of this Article is committed;

b) Suspend the collection and transport of hazardous waste by the owner of hazardous waste treatment facility or the hazardous waste transporter for 06 - 12 months if any of the violations prescribed in Clauses 4, 5 and 6 of this Article is committed;

c) Suspend the establishment's activities for 06 - 12 months if any of the violations prescribed in Clauses 7, 8 and 9 of this Article is committed;

d) Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clause 8 and Clause 9 of this Article is committed.

11. Remedial measures:

a) Enforce the restoration of initial environmental state if any of the violations prescribed in Clause 8 and Clause 9 of this Article is committed;

b) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing the environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

**Article 23. Violations against regulations on environmental protection with respect to the hazardous waste treatment**

1. A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for any of the following violations:

a) Failing to strictly implement any of the following contents included in the set of registration documents enclosed with the License for treatment of hazardous waste: Procedures for safe operation of specialized equipment and means, the plan for pollution control and environmental protection, the occupational safety and health protection plan, the plan for preventing and coping with environmental events, and the annual training and drilling plan;

b) Failing to implement the program for supervision and evaluation of hazardous waste treatment results included in the set of registration documents enclosed with the License for treatment of hazardous waste;

c) Failing to declare and use hazardous waste documents as regulated; failing to make online declaration of hazardous waste on the information system of Vietnam Environment Administration or via email upon the written request by a competent agency;

d) Failing to transmit hazardous waste documents to competent agencies as regulated;

dd) Failing to retain used hazardous waste documents, reports on hazardous waste management and other related documents as regulated;

e) Failing to report to the licensing agency of changes in material and technical facilities, key personnel or programs/ plans included in the set of registration documents enclosed with the license for treatment of hazardous waste;

g) Failing to employ at least 02 persons who hold qualifications in environment or chemistry and certificate of hazardous waste management to take charge of managing or instructing professional and technical skills;

h) Failing to employ at least 01 person who holds qualification in environment or chemistry to take charge of managing or instructing professional and technical skills at the hazardous waste transfer station.

2. A fine ranging from VND 20,000,000 to VND 50,000,000 shall be imposed for any of the following violations:

a) Failing to prepare periodical reports on the management of hazardous waste or other irregular reports thereof at the request of competent state agencies; sending a report that does not reflect the actual management of hazardous waste to competent agencies;

b) Failing to make a hazardous waste delivery book, a log of operation of systems, vehicles, and equipment serving hazardous waste treatment; failing to make a log of quantity, quality, outlets of products obtained from recycling or treatment of hazardous wastes as regulated;

c) Failing to obtain a written approval from the competent agency before implementing the Plan for collection, transport and treatment of hazardous medical waste which is given approval by the Provincial-level People's Committee in a region which is not prescribed in the License for treatment of hazardous waste;

d) Failing to submit a written report to the competent agency of the change in contents, renewal or termination of contracts signed with other transporters within the required period as of the date on which such change, renewal or termination is made;

dd) Failing to send a written notice to the hazardous waste generator of the case where hazardous waste has been temporarily stored with reasonable reasons for over 06 months as of the date of transferring hazardous waste specified in relevant hazardous waste documents;

e) Failing to strictly implement the plan for tackling of pollution and environmental protection upon the termination of operations; failing to return the License for treatment of hazardous waste when terminating operations as regulated.

3. A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for any of the following violations:

a) Failing to properly implement contents of the hazardous waste treatment contract;

b) Failing to install instruction chart of procedures for safe operation of systems, facilities and equipment for treatment of hazardous waste in accordance with regulations;

c) Failing to store untreated and treated hazardous waste in specialized equipment in harmony with types of hazardous waste; specialized equipment serving the storage of hazardous waste, places where hazardous waste is temporarily stored or equipment serving the hazardous waste treatment fail to meet technical requirements or technical regulations as regulated; failing to thoroughly collect hazardous waste and storing hazardous waste outdoor causing the pollution or dispersion of hazardous waste in surrounding environment;

d) Failing to formulate and send the Plan for test running the hazardous waste treatment system in the laboratory to the competent agency; failing to obtain a written approval for the Plan for test running the hazardous waste treatment system in the laboratory from the competent agency as regulated.

4. A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for any of the following violations:

a) Receiving and treating hazardous waste transported by an individual or organization that does not have the License for treatment of hazardous waste without the approval by a competent agency, except for the hazardous waste which is generated from daily-life activities or activities of business and service establishments (excluding production activities) of a household/ individual size, and must be managed and treated in accordance with regulations on recall and treatment of expired or discarded products;

b) Failing to obtain a written approval from the competent agency before receiving hazardous waste from other transporters;

c) Failing to strictly implement the contents prescribed in the License for treatment of hazardous waste, except for the cases prescribed in Points b, c, d and dd Clause 5 of this Article.

5. A fine ranging from VND 150,000,000 to VND 250,000,000 shall be imposed for any of the following violations:

a) Using specialized facilities and equipment serving the treatment of hazardous waste that are not prescribed in the License for treatment of hazardous waste;

b) Treating types of hazardous waste other than those in the list of types of hazardous waste prescribed in the License for treatment of hazardous waste;

c) Treating hazardous waste which is collected in regions which are not prescribed in the License for treatment of hazardous waste;

d) Treating hazardous waste in excess of the permissible volume prescribed in the License for treatment of hazardous waste;

dd) Treating hazardous waste but failing to obtain the License for treatment of hazardous waste as regulated.

6. Penalties for transferring, giving, or selling hazardous waste to an organizational or individual entity that fails to obtain a License for treatment of hazardous waste as regulated, except for environmental crimes:

a) A fine ranging from VND 10,000,000 to VND 40,000,000 shall be imposed for transferring, giving, or selling less than 100 kg of hazardous waste;

- b) A fine ranging from VND 40,000,000 to VND 70,000,000 shall be imposed for transferring, giving, or selling from 100 kg to less than 600 kg of hazardous waste;
- c) A fine ranging from VND 70,000,000 to VND 100,000,000 shall be imposed for transferring, giving, or selling from 600 kg to less than 1,000 kg of hazardous waste;
- d) A fine ranging from VND 100,000,000 to VND 130,000,000 shall be imposed for transferring, giving, or selling 1,000 kg to less than 2,000 kg of hazardous waste;
- dd) A fine ranging from VND 130,000,000 to VND 160,000,000 shall be imposed for transferring, giving, or selling from 2,000 kg to less than 3,000 kg of hazardous waste;
- e) A fine ranging from VND 160,000,000 to VND 190,000,000 shall be imposed for transferring, giving, or selling from 3,000 kg to less than 4,000 kg of hazardous waste;
- g) A fine ranging from VND 190,000,000 to VND 220,000,000 shall be imposed for transferring, giving, or selling from 4,000 kg to less than 5,000 kg of hazardous waste;
- h) A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for transferring, giving, or selling 5,000 kg, or above, of hazardous waste.

7. Penalties for burying, dumping or discharging hazardous waste in contravention of regulations on environmental protection, except for environmental crimes:

- a) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for burying, dumping or discharging less than 100 kg of hazardous waste;
- b) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for burying, dumping or discharging from 100 kg to less than 250 kg of hazardous waste;
- c) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for burying, dumping or discharging from 250 kg to less than 500 kg of hazardous waste;
- d) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed for burying, dumping or discharging from 500 kg to less than 1,000 kg of hazardous waste;
- dd) A fine ranging from VND 300,000,000 to VND 350,000,000 shall be imposed for burying, dumping or discharging from 1,000 kg to less than 1,500 kg of hazardous waste;
- e) A fine ranging from VND 350,000,000 to VND 400,000,000 shall be imposed for burying, dumping or discharging from 1,500 kg to less than 2,000 kg of hazardous waste;
- g) A fine ranging from VND 400,000,000 to VND 450,000,000 shall be imposed for burying, dumping or discharging from 2,000 kg to less than 2,500 kg of hazardous waste;

h) A fine ranging from VND 450,000,000 to VND 500,000,000 shall be imposed for burying, dumping or discharging from 2,500 kg to less than 3,000 kg of hazardous waste.

8. A fine ranging from VND 500,000,000 to VND 1,000,000,000 shall be imposed for any of the following violations, except for environmental crimes:

a) Transferring, giving or selling persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants in contravention of prevailing laws;

b) Burying, dumping or discharging persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants into the environment in contravention of prevailing laws with an amount of less than 3,000 kg.

9. Additional penalties:

a) Suspend the License for treatment of hazardous waste for 01 - 03 months if any of the violations prescribed in Clause 3 and Clause 4 of this Article is committed;

b) Suspend the License for treatment of hazardous waste for 03 - 06 months if any of the violations prescribed in Points a, b, c and d Clause 5 and Clause 6 of this Article is committed;

c) Suspend the establishment's activities for 06 - 12 months if any of the violations prescribed in Point dd Clause 5 and Clause 7 of this Article is committed;

d) Suspend the establishment's activities for 12 - 24 months if any of the violations prescribed in Clause 8 of this Article is committed;

dd) Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clause 7 and Clause 8 of this Article is committed.

10. Remedial measures:

a) Enforce the restoration of initial environmental state if any of the violations prescribed in Clause 7 and Clause 8 of this Article is committed;

b) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing the environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the

person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

**Article 24. Violations against regulations on environmental protection with respect to the import of used seagoing ships for dismantlement, or the import of machinery, equipment, means of transport, materials, or fuels**

1. A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for importing machinery, equipment, means of transport (except for used seagoing ships for dismantlement), materials or fuels but failing to comply with environmental technical regulations or in contravention of the law on environmental protection.

2. A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for transporting or transiting goods, equipment or means of transport (except for used seagoing ships for dismantlement) which may cause the pollution, deterioration or environmental emergencies through the territory of the Socialist Republic of Vietnam without the permission from the competent environment agency.

3. A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for importing any of the ozone-depleting substances as prescribed by the international treaties to which the Socialist Republic of Vietnam is a member.

4. Penalties for importing used seagoing ships for dismantlement or dismantling the used seagoing ships in contravention of regulations on environmental protection, except for environmental crimes:

a) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for failing to employ persons who possess certificate of training in environmental protection as regulated;

b) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for failing to obtain a written certification granted by a competent certification body to certify that imported ships satisfy environmental protection requirements;

c) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for failing to have a decision on approval for the environmental protection plan from a competent agency before dismantling each ship;

d) A fine ranging from VND 200,000,000 to VND 300,000,000 shall be imposed for performing the dismantlement of used seagoing ships but failing to meet requirements for material and technical facilities;

dd) A fine ranging from VND 500,000,000 to VND 600,000,000 shall be imposed for importing used seagoing ships for dismantlement although it fails to satisfy prescribed conditions thereof;

e) A fine ranging from VND 800,000,000 to VND 900,000,000 shall be imposed for importing types of used seagoing ships for dismantlement other than the licensed types;

g) A fine ranging from VND 900,000,000 to VND 1,000,000,000 shall be imposed for importing used seagoing ships which have been contaminated with radioactive substances, germs or other toxic substances but are not yet washed or may not be cleaned for dismantlement.

5. Additional penalties:

a) Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clauses 1, 2 and 3 of this Article is committed;

b) Suspend the import and/or dismantlement of used seagoing ships for 06 - 09 months if any of the violations prescribed in Points d, dd, e and g Clause 4 of this Article is committed.

6. Remedial measures:

a) Enforce the re-export or destruction of machinery, equipment, means of transport, used seagoing ships, materials, and fuels. Confiscate and handle valuable products upon the destruction in accordance with the law;

b) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing the environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

**Article 25. Violations against regulations on environmental protection in import of scrap**

1. A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to submit the annual report on the import and use of scrap to the competent agency as regulated by laws.

2. Penalties for violations in import of scrap for use as raw production materials:

- a) A fine ranging from VND 100,000,000 to VND 130,000,000 shall be imposed for having storage for imported scrap failed to meet requirements for environmental protection;
- b) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed for failing to have storage for imported scrap as regulated;
- c) A fine ranging from VND 150,000,000 to VND 170,000,000 shall be imposed if technologies and equipment for recycling and reuse of scrap, and treatment of impurities from scrap do not meet requirements thereof prescribed in the environmental technical regulations as per laws;
- d) A fine ranging from VND 170,000,000 to VND 200,000,000 shall be imposed for importing an amount of scrap in excess of the licensed amount specified in the Certificate of eligibility for environmental protection in import of scrap for use as raw production materials;
- dd) A fine ranging from VND 200,000,000 to VND 230,000,000 shall be imposed for transferring scrap imported for use as raw production materials to other organizational/ individual entities; using imported scrap inconsistently with the Certificate of eligibility for environmental protection in import of scrap for use as raw production materials;
- e) A fine ranging from VND 230,000,000 to VND 250,000,000 shall be imposed for importing types of scrap other than the licensed types specified in the Certificate of eligibility for environmental protection in import of scrap for use as raw production materials.

3. Penalties for violations in entrusted import of scrap for use as raw production materials:

- a) A fine ranging from VND 100,000,000 to VND 130,000,000 shall be imposed for storing imported scrap in storage that does not meet requirements for environmental protection as regulated;
- b) A fine ranging from VND 130,000,000 to VND 150,000,000 shall be imposed for importing an amount of scrap in excess of the licensed amount specified in the Certificate of eligibility for environmental protection in import of scrap for use as raw production materials;
- c) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for transferring imported scrap to entrusting organization/ individual inconsistently with the entrustment agreement; using the imported scrap inconsistently with the Certificate of eligibility for environmental protection in import of scrap for use as raw production materials;

d) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for importing types of scrap other than the licensed types specified in the Certificate of eligibility for environmental protection in import of scrap for use as raw production materials.

4. A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for failing to pay costs for handling imported scrap in case where the deposited amount is not enough to handle imported scrap in violation of regulations on environmental protection.

5. A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for any of the following violations against regulations on temporary import or transit of scrap:

a) Removing, opening, using and dispersing scrap during the transportation or storage within the territory of the Socialist Republic of Vietnam;

b) Causing change in the nature and volume of scrap;

c) Failing to re-export or transit the entire amount of scrap transported into the territory of the Socialist Republic of Vietnam.

6. Penalties for importing scrap containing a certain amount of impurities in excess of the licensed limit prescribed in the national technical regulation on environment with respect to imported scrap:

a) A fine ranging from VND 100,000,000 to VND 200,000,000 shall be imposed if total amount of impurities which are hazardous waste or persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants is less than 200 kg, or total amount of impurities which are other types of waste is less than 1,000 kg;

b) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if total amount of impurities which are hazardous waste or persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants is from 200 kg to less than 300 kg, or total amount of impurities which are other types of waste is from 1,000 kg to less than 5,000 kg;

c) A fine ranging from VND 250,000,000 to VND 300,000,000 shall be imposed if total amount of impurities which are hazardous waste or persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants is from 300 kg to less than 400 kg, or total amount of impurities which are other types of waste is from 5,000 kg to less than 10,000 kg;

d) A fine ranging from VND 300,000,000 to VND 400,000,000 shall be imposed if total amount of impurities which are hazardous waste or persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent

Organic Pollutants is from 400 kg to less than 500 kg, or total amount of impurities which are other types of waste is from 10,000 kg to less than 20,000 kg;

dd) A fine ranging from VND 400,000,000 to VND 500,000,000 shall be imposed if total amount of impurities which are hazardous waste or persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants is from 500 kg to less than 600 kg, or total amount of impurities which are other types of waste is from 20,000 kg to less than 30,000 kg;

e) A fine ranging from VND 500,000,000 to VND 600,000,000 shall be imposed if total amount of impurities which are hazardous waste or persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants is from 600 kg to less than 700 kg, or total amount of impurities which are other types of waste is from 30,000 kg to less than 40,000 kg;

g) A fine ranging from VND 600,000,000 to VND 700,000,000 shall be imposed if total amount of impurities which are hazardous waste or persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants is from 700 kg to less than 800 kg, or total amount of impurities which are other types of waste is from 40,000 kg to less than 50,000 kg;

h) A fine ranging from VND 700,000,000 to VND 800,000,000 shall be imposed if total amount of impurities which are hazardous waste or persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants is from 800 kg to less than 900 kg, or total amount of impurities which are other types of waste is from 50,000 kg to less than 60,000 kg;

i) A fine ranging from VND 800,000,000 to VND 900,000,000 shall be imposed if total amount of impurities which are hazardous waste or persistent organic substances which must be eliminated as prescribed in Annex A of the Stockholm Convention on Persistent Organic Pollutants is from 900 kg to less than 1,000 kg, or total amount of impurities which are other types of waste is from 60,000 kg to less than 70,000 kg.

7. A fine ranging from VND 900,000,000 to VND 1,000,000,000 shall be imposed for importing or transiting scrap containing radioactive substances or types of scrap which are not in the List of types of scrap permitted to be imported, except for environmental crimes.

8. Additional penalties:

a) Suspend the Certificate of eligibility for environmental protection in import of scrap for use as raw production materials for 03 - 06 months if any of the violations prescribed in Clause 2 and Clause 3 of this Article is committed;

b) Suspend the Certificate of eligibility for environmental protection in import of scrap for use as raw production materials for 06 - 09 months if the violation prescribed in Clause 4 of this Article is committed;

c) Suspend the Certificate of eligibility for environmental protection in import of scrap for use as raw production materials for 09 - 12 months if any of the violations prescribed in Clause 6 and Clause 7 of this Article is committed.

9. Remedial measures:

a) Enforce the re-export or destruction of imported scrap if any of the violations prescribed in Clauses 4, 5, 6 and 7 of this Article is committed. Confiscate and handle valuable products upon the destruction in accordance with the law;

b) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for importing scrap in violation of the environmental technical regulations or causing the environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the period regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

**Article 26. Violations against regulations on environmental protection in import and production of biological products for waste treatment**

1. Penalties for selling biological products inconsistently with the contents in the Certificate of marketing authorization of biological products for waste treatment in Vietnam:

a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for violations against regulations on forms, packaging contents and label of registered biological products;

b) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for violations against regulations on ingredients of biological products;

c) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for changing origin of microbial strain with respect to biological products;

d) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for violations against regulations on properties and efficacy of biological products;

dd) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for violations against regulations on industrial property rights over biological products.

2. A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed for selling biological products for waste treatment in Vietnam but failing to obtain the Certificate of marketing authorization of biological products for waste treatment in Vietnam or when the Certificate expires.

3. A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for importing biological products for waste treatment but failing to obtain the Certificate of marketing authorization of biological products for waste treatment in Vietnam.

4. A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for producing biological products for waste treatment for commercial purposes (except for research or testing purposes) but failing to have the Certificate of marketing authorization of biological products for waste treatment in Vietnam granted by a competent agency.

5. Additional penalties:

a) Suspend the Certificate of marketing authorization of biological products for waste treatment in Vietnam for 03 - 06 months if any of the violations prescribed in Clause 1 of this Article is committed;

b) Suspend the establishment's activities if any of the violations prescribed in Clauses 2, 3 and 4 of this Article is committed.

6. Remedial measures:

a) Enforce the re-export or destruction of goods and/or biological products imported or brought into Vietnam in contravention of regulations on environmental protection if the violation prescribed in Clause 3 of this Article is committed;

b) Enforce the recall and destruction of biological products illegally produced, sold or used if any of the violations prescribed in Clause 2 and Clause 4 of this Article is committed;

c) Enforce the transfer of illegal benefits obtained from any of the administrative violations prescribed in this Article.

## **Article 27. Violations against regulations on protection of marine environment**

1. A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed if the owner of ship/ vessel or facility storing goods at sea posing risk of causing environmental emergencies fails to report to the national rescue and salvage force, the coast guard force and/or other relevant organizational/ individual entities as regulated.

2. A fine ranging from VND 50,000,000 to VND 80,000,000 shall be imposed if the organization/ individual performing mining activities or the owner of vessel/ ship transporting petroleum, oil, chemicals, radioactive substances or other toxic substances at

sea fails to have plan, personnel and equipment for preventing and coping with environmental emergencies.

3. A fine ranging from VND 80,000,000 to VND 150,000,000 shall be imposed for any of the following violations:

a) Exploiting marine resources and performing other activities relating to the extraction and use of marine resources in contravention of the approved plan on use of natural resources;

b) Performing activities in wildlife sanctuaries, mangrove forests, or marine natural heritages in contravention of regulations of the management boards thereof, regulations of the law on environmental protection and other relevant laws;

c) Failing to treat waste and other polluting elements generated from the production, trading, service provision, construction, transport or exploitation at sea in conformity with the environmental technical regulations;

d) Keeping or storing means of transport, treasures or oil and gas extraction works at sea over the prescribed duration for handling;

dd) Failing to collect, store and treat hazardous waste generated from the exploration and extraction of marine resources, or the dismantlement of means of transport at sea as regulated.

4. A fine ranging from VND 150,000,000 to VND 250,000,000 shall be imposed for any of the following violations, except for environmental crimes:

a) Pouring non-hazardous waste which is generated from vessels/ ships or offshore drilling platforms and is not treated as regulated, or waste which is not treated in conformity with technical regulations on waste into the sea;

b) Discharging land-sourced solid waste into the sea without the written approval granted by a competent environment agency as regulated;

c) Discharging waste generated from dredging activities into the sea without the written approval granted by a competent environment agency as regulated.

5. A fine ranging from VND 250,000,000 to VND 500,000,000 shall be imposed for discharging toxic chemicals, solid waste or wastewater which is not yet treated in conformity with technical regulations into the sea areas in the wildlife sanctuaries, natural heritages, new natural ecosystems and regular or seasonal reproductive areas of aquatic species, except for environmental crimes.

6. A fine ranging from VND 500,000,000 to VND 1,000,000,000 shall be imposed for discharging hazardous waste or waste containing radioactive substances into the coastal zone of the Socialist Republic of Vietnam, except for environmental crimes.

7. Additional penalties:

Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clauses 4, 5 and 6 of this Article is committed.

8. Remedial measures:

a) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

b) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the period regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

#### **Article 28. Violations against regulations on environmental protection in public areas, urban areas and residential areas**

1. A warning shall be issued for failing to post regulations on environmental hygiene at public areas.

2. A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for any of the following violations against regulations on management of parks, recreational and entertainment parks, festivals, tourist resorts, markets, train stations, coach stations, wharves, ports, ferries and other public areas:

a) Failing to have public toilets, facilities and equipment for collecting waste in order to meet demand on keeping environmental hygiene as regulated;

b) Failing to collect waste within management areas as regulated.

3. A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed if the investor hands over his newly built urban area, concentrated residential area, or apartment building for use but fails to properly and fully meet any of the following requirements for environmental protection:

a) Failing to build technical infrastructure for environmental protection in conformity with the plan for urban areas and residential areas given approval by competent agencies;

b) Failing to equip devices and equipment for collecting domestic solid waste which must be suitable for the volume and types of waste and capable of receiving waste which has been sorted at source from households in the residential area;

c) Failing to meet requirements for urban landscape and environmental hygiene;

d) Failing to build rainwater drainage system and wastewater system which must be built separately from each other in conformity with the plan on wastewater drainage and environmental protection of the residential area;

dd) Failing to set up a location for gathering domestic waste in order to ensure the environmental hygiene;

e) Failing to build the wastewater treatment system in conformity with environmental technical regulations.

#### 4. Additional penalties:

Suspend the establishment's activities for 06 - 12 months if any of the violations prescribed in Clause 2 of this Article is committed.

#### 5. Remedial measures:

a) Enforce the construction of the environmental protection works as regulated within the period determined by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in Point d Clause 1 and Clause 3 of this Article is committed;

b) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing the environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

c) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

### **Article 29. Violations against regulations on protection of soil environment**

1. A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed if any of the establishments prescribed in Clause 2 Article 12 of the Government's Decree No. 19/2015/ND-CP dated February 14, 2015 elaborating the implementation of a number of articles of the Law on environmental protection fails to conduct the periodical soil

environmental monitoring and submit the report on results thereof to the competent agency.

2. A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for failing to implement measures to control elements prone to cause the pollution of soil environment at the establishment of producer, business or service provider.

3. A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed if any of the establishments prescribed in Clause 2 Article 12 of the Government's Decree No. 19/2015/ND-CP does not conduct the soil environmental quality assessment or does not make the announcement of information between land users when they carry out the change of land use purpose to residential land or commercial land.

4. A fine ranging from VND 100,000,000 to VND 120,000,000 shall be imposed if any of the establishments prescribed in Clause 2 Article 12 of the Government's Decree No. 19/2015/ND-CP fails to obtain a written certification from competent agencies to certify that the land quality is suitable for using as commercial or residential land when they carry out the change of land use purpose.

5. A fine ranging from VND 120,000,000 to VND 150,000,000 shall be imposed for failing to disclose the soil quality at regions contaminated with toxic chemicals to relevant organizational/ individual entities.

6. Remedial measures:

Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

**Article 30. Violations against regulations on operation or residence in banned areas as announced by competent agencies due to environmental factors there posing serious danger to human health and life**

1. A warning shall be issued for illegally living in banned areas as announced by competent agencies due to environmental factors there posing serious danger to human health and life.

2. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for illegally performing activities in banned areas as announced by competent agencies due to environmental factors there posing serious danger to human health and life.

3. Remedial measures:

Enforce the moving out of banned areas within the period determined by the person who has the power to impose penalties and specified in the decision on imposition of penalties

for administrative violations if any of the violations prescribed in this Article is committed.

### **Article 31. Violations against regulations on recall and treatment of discarded products**

1. A warning shall be issued to the consumer who does not carry discarded products to the dedicated points of recall.
2. A fine ranging from VND 500,000 to VND 1,000,000 shall be imposed if a distributor refuses to coordinate with the manufacturer in establishing points of recall and receipt of discarded products as regulated, fails to store discarded products at points of recall, or fails to provide information to the manufacturer as regulated.
3. A fine ranging from VND 1,000,000 to VND 5,000,000 shall be imposed for collecting discarded products from consumers but failing to transfer them to points of recall as regulated.
4. Penalties for violations against regulations on recall and treatment of discarded products:
  - a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed failing to formulate plan for recall of discarded products which have been sold at the Vietnamese market, failing to submit regular reports to competent agencies as regulated or failing to disclose information about the list of points of recall as regulated;
  - b) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed if points of recall do not meet requirements in environmental technical regulations;
  - c) A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed for failing to establish points or the system of points of recall of discarded products as regulated;
  - d) A fine ranging from VND 40,000,000 to VND 80,000,000 shall be imposed on the manufacturer who fails to receive and treat its discarded products which have been sold on the market or recalled by other manufacturers upon request;
  - dd) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for failing to carry out treatment, re-using or failing to transfer discarded products which have been recalled to competent agencies for treatment as per regulations.
5. A fine ranging from VND 100,000,000 to VND 200,000,000 shall be imposed for any of the violations prescribed in Clause 3 and Clause 4 of this Article if it causes the environmental pollution.
6. Remedial measures:

a) Enforce the recall and treatment of discarded products in accordance with regulations if any of the violations prescribed in Clause 3 and Clause 4 of this Article is committed;

b) Enforce the application of remedial measures for environmental pollution if the violation prescribed in this Article is committed.

### **Article 32. Violations against regulations on environmental improvement and restoration in mining**

1. A fine ranging from VND 100,000,000 to VND 120,000,000 shall be imposed for improperly implementing or failing to implement any of the contents of the environmental improvement and restoration plan as regulated.

2. A fine ranging from VND 120,000,000 to VND 150,000,000 shall be imposed for failing to obtain the Certificate of completion of each part or the entire of the environmental improvement and restoration plan as regulated.

3. A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for failing to have the environmental improvement and restoration plan as regulated approved by a competent agency.

4. A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for failing to conduct the improvement or restoration of environment upon the completion of each mining phase or all mining activities according to the approved environmental improvement and restoration plan.

5. Additional penalties:

Suspend mining activities for 06 - 12 months if any of the violations prescribed in Clauses 2, 3 and 4 of this Article is committed.

6. Remedial measures:

a) Enforce the formulation of the environmental improvement and restoration plan if the violation prescribed in Clause 3 of this Article is committed;

b) Enforce the proper implementation of all contents about the environmental improvement and restoration within the period regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if the violation prescribed in Clause 4 of this Article is committed;

c) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing environmental

pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

d) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

### **Article 33. Violations against regulations on oil spill response**

1. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for causing the oil spill accidents or failing to timely report to the competent agency in charge of receiving oil spill-related information upon the detection of oil spill accidents as regulated.

2. A fine ranging from VND 10,000,000 to VND 30,000,000 shall be imposed for any of the following violations:

a) Failing to organize training courses or appoint employees taking charge of responding to oil spills to attend training courses for the purpose of improving their skills in oil spill response;

b) Failing to organize practice and training in oil spill response skills in accordance with regulations.

3. A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for failing to submit reports on oil spill response as regulated.

4. Penalties for violations involving in activities of producer or trader in petrol and oil that have risk of causing oil spills on land at a less severe level:

a) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed if the manager or employee directly involving in the production, trading, transport or storage of petrol, oil or liquefied petroleum gas does not have Certificate of training in environmental protection;

b) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to invest or failing to enter into contracts for oil spill response with the establishments having means and equipment for oil spill response or the regional oil spill response centers at a level in corresponding with the oil-spill occurrence rates in regions under their responsibility with the aim of timely mobilizing means, equipment and materials to respond to any oil spills as regulated.

c) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to maintain the preparedness to provide means, equipment and materials to respond to oil spills at the request of competent agencies;

d) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to have the oil spill response plan approved by the district-level people's committee as regulated;

dd) A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed for failing to formulate the plan for response to oil spills and arrange personnel to take charge of timely and effectively preventing and responding to oil spills at a level in corresponding with the oil-spill occurrence rate due to their own activities as regulated.

5. Penalties for violations involving activities of investors in ports, owners of establishments and project owners that have risk of causing oil spills:

a) A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failing to invest or failing to enter into contracts for oil spill response with the establishments having means and equipment for oil spill response or the regional oil spill response centers at a level in corresponding with the oil-spill occurrence rates in regions under their responsibility with the aim of mobilizing means, equipment and materials for responding to any oil spills as regulated;

b) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to maintain the preparedness to provide means, equipment and materials to respond to oil spills at the request of competent agencies;

c) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to have the oil spill response plan approved by the provincial-level people's committee as regulated;

d) A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed for failing to formulate the plan for response to oil spills and arrange personnel to take charge of timely and effectively preventing and responding to oil spills at a level in corresponding with the oil-spill occurrence rate due to their own activities as regulated.

6. Penalties for violations involving offshore petroleum activities that have risk of causing oil spills:

a) A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for failing to invest or failing to enter into contracts for oil spill response with the establishments having means and equipment for oil spill response or the regional oil spill response centers at a level in corresponding with the oil-spill occurrence rates in regions under their responsibility with the aim of mobilizing means, equipment and materials for responding to any oil spills as regulated;

b) A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for failing to maintain the preparedness to provide means, equipment and materials to respond to oil spills at the request of competent agencies;

c) A fine ranging from VND 50,000,000 to VND 60,000,000 shall be imposed for failing to have the oil spill response plan approved by the National Committee for Search and Rescue as regulated;

d) A fine ranging from VND 60,000,000 to VND 70,000,000 shall be imposed for failing to formulate the plan for response to oil spills and arrange personnel to take charge of timely and effectively preventing and responding to oil spills at a level in corresponding with the oil-spill occurrence rate due to their own activities as regulated.

7. Penalties for violations involving activities of oil tankers that have risk of causing oil spills:

a) A fine ranging from VND 25,000,000 to VND 35,000,000 shall be imposed for failing to have the Plan for tanker-sourced oil and chemical pollution response approved by a competent agency as regulated;

b) A fine ranging from VND 35,000,000 to VND 45,000,000 shall be imposed for failing to have the Plan for transfer of oil between oils tankers at sea approved by a competent agency as regulated;

c) A fine ranging from VND 45,000,000 to VND 55,000,000 shall be imposed for failing to formulate the Plan for response to oil spills and toxic chemical accidents in order to instruct and assist oil tankers occurring oil spills in responding to oil spills;

d) A fine ranging from VND 55,000,000 to VND 65,000,000 shall be imposed for failing to maintain insurance or other financial security in respect of civil liability as required by laws in order to compensate for damage caused by the oil pollution as regulated.

8. Penalties for causing oil conflagration or oil spills, except for environmental crimes:

a) A fine ranging from VND 40,000,000 to VND 80,000,000 shall be imposed if the amount of oil is less than 2,000 kg;

b) A fine ranging from VND 80,000,000 to VND 150,000,000 shall be imposed if the amount of oil is from 2,000 kg to less than 10,000 kg;

c) A fine ranging from VND 150,000,000 to VND 250,000,000 shall be imposed if the amount of oil is from 10,000 kg to less than 20,000 kg;

d) A fine ranging from VND 250,000,000 to VND 350,000,000 shall be imposed if the amount of oil is from 20,000 kg to less than 50,000 kg;

dd) A fine ranging from VND 350,000,000 to VND 450,000,000 shall be imposed if the amount of oil is from 50,000 kg to less than 100,000 kg;

e) A fine ranging from VND 450,000,000 to VND 550,000,000 shall be imposed if the amount of oil is from 100,000 kg to less than 200,000 kg;

g) A fine ranging from VND 550,000,000 to VND 650,000,000 shall be imposed if the amount of oil is from 200,000 kg to less than 300,000 kg;

h) A fine ranging from VND 650,000,000 to VND 750,000,000 shall be imposed if the amount of oil is from 300,000 kg to less than 400,000 kg;

i) A fine ranging from VND 750,000,000 to VND 850,000,000 shall be imposed if the amount of oil is from 400,000 kg to less than 500,000 kg;

k) A fine ranging from VND 850,000,000 to VND 950,000,000 shall be imposed if the amount of oil is 500,000 kg or above.

9. Penalties for failing to implement measures for remedying oil conflagration or oil spill, or failing to make compensation for damage caused by the oil pollution:

a) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed if the amount of oil is less than 2,000 kg;

b) A fine ranging from VND 100,000,000 to VND 200,000,000 shall be imposed if the amount of oil is from 2,000 kg to less than 10,000 kg;

c) A fine ranging from VND 200,000,000 to VND 300,000,000 shall be imposed if the amount of oil is from 10,000 kg to less than 20,000 kg;

d) A fine ranging from VND 300,000,000 to VND 400,000,000 shall be imposed if the amount of oil is from 20,000 kg to less than 50,000 kg;

dd) A fine ranging from VND 400,000,000 to VND 500,000,000 shall be imposed if the amount of oil is from 50,000 kg to less than 100,000 kg;

e) A fine ranging from VND 500,000,000 to VND 600,000,000 shall be imposed if the amount of oil is from 100,000 kg to less than 200,000 kg;

g) A fine ranging from VND 600,000,000 to VND 700,000,000 shall be imposed if the amount of oil is from 200,000 kg to less than 300,000 kg;

h) A fine ranging from VND 700,000,000 to VND 800,000,000 shall be imposed if the amount of oil is from 300,000 kg to less than 400,000 kg;

i) A fine ranging from VND 800,000,000 to VND 900,000,000 shall be imposed if the amount of oil is from 400,000 kg to less than 500,000 kg;

k) A fine ranging from VND 900,000,000 to VND 1,000,000,000 shall be imposed if the amount of oil is 500,000 kg or above.

10. Remedial measures:

a) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for causing oil spills or environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

b) Enforce the application of remedial measures for environmental pollution and submission of report on results thereof and/or enforce the compensation for damage caused by the oil pollution as regulated within the period regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in Clause 8 and Clause 9 of this Article is committed.

**Article 34. Violations against regulations on transport of dangerous goods, prevention and response to environmental emergencies, and environmental protection in respect of chemicals, pesticides and veterinary medicine**

1. A fine ranging from VND 3,000,000 to VND 5,000,000 shall be imposed for any of the following violations involving the transport of dangerous goods:

a) Failing to make reports on the transport of dangerous goods in accordance with regulations;

b) Committing violations against regulations on eligibility requirements for transport of dangerous goods; failing to use specialized equipment and vehicles transporting dangerous goods as regulated;

c) Failing to stick dangerous goods symbols or danger warning signs on vehicles used for transporting dangerous goods;

d) Failing to comply with procedures for cleaning vehicles transporting dangerous goods or failing to clean vehicles transporting dangerous goods at prescribed places;

dd) Transporting dangerous goods without the License to transport dangerous goods being toxic or infectious substances as regulated.

2. Penalties for violations against regulations on prevention and response to environmental emergencies in production, business and service provision sectors:

- a) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to report the discovered environmental emergency to the nearest environment agency or competent state agency;
- b) A fine ranging from VND 10,000,000 to VND 30,000,000 shall be imposed for failing to properly implement the Plan for prevention and response to environmental emergencies; failing to submit reports on response and handling of an occurred environmental emergency to competent environment agency;
- c) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for failing to formulate plans for prevention and response to environmental emergencies as regulated;
- d) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed for failing to maintain qualified personnel and equipment and failing to organize training and drilling courses in prevention and response to environmental emergencies as regulated;
- dd) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for failing to formulate plan and adopt measures for preventing and responding to environmental emergencies in exploration, mining and processing of minerals; failing to comply or improperly complying with orders for emergency mobilization of personnel, materials and equipment for responding to environmental emergencies;
- e) A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for failing to implement measures under their responsibility in order to timely respond and handle environmental emergencies;
- g) A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for causing environmental emergencies, except for environmental crimes;
- h) A fine ranging from VND 200,000,000 to VND 250,000,000 shall be imposed for committing the violation prescribed in Point g of this Clause but failing to respond and handle environmental emergencies or resulting the occurrence of the environmental pollution, or failing to make compensation for damage caused by such environmental emergencies as regulated by laws, except for environmental crimes.

### 3. Penalties for violations against regulations on environmental protection in respect of chemicals, pesticides and veterinary medicine:

- a) A fine ranging from VND 10,000,000 to VND 15,000,000 shall be imposed for failing to apply for registration of chemical emission, or failing to inventory, report and manage information about chemicals, pesticides and veterinary medicines as regulated; using chemicals, pesticides and/ or veterinary medicines in contravention to regulations resulting in the environmental pollution;

b) A fine ranging from VND 15,000,000 to VND 30,000,000 shall be imposed for failing to conduct the environmental monitoring with respect of hazardous chemicals as regulated or at the request of a competent agency;

c) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for failing to assess and control chemical emissions as regulated;

d) A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed for using chemicals, pesticides and/ or veterinary medicines which have been expired or are not in the list of chemicals, pesticides or veterinary medicines permitted to be used resulting in the environmental pollution;

dd) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for importing chemicals and/or containers of hazardous chemicals which fail to meet requirements for environmental protection.

#### 4. Additional penalties:

a) Suspend the License to transport dangerous goods being toxic or infectious substances for 01 - 03 months if any of the violations prescribed in Point b Clause 1 of this Article is committed;

b) Suspend the transport of dangerous goods for 03 - 06 months if any of the violation prescribed in Point dd Clause 1 of this Article is committed;

c) Suspend the establishment's activities causing the environmental pollution for 03- 06 months if the violation prescribed in Point g Clause 2 of this Article is committed;

d) Suspend the establishment's activities for 06 - 09 months if the violation prescribed in Point h Clause 2 of this Article is committed;

dd) Suspend the establishment's activities causing the environmental pollution for 09- 12 months if any of the violations prescribed in Points c, d and dd Clause 3 of this Article is committed.

#### 5. Remedial measures:

Enforce the application of remedial measures for environmental pollution and submission of report of results thereof, or enforce the handling of environmental emergencies within the required period as regulated by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in Point g and Point h Clause 2 of this Article is committed.

### **Article 35. Violations against regulations on payment of environmental protection fee, environmental improvement and restoration deposits in mining activities, and insurance against compensation for environmental damage**

1. Penalties for violations against regulations on environmental protection fee shall comply with regulations in the Government's Decree on penalties for administrative violations against regulations on management of prices, fees, charges and invoices. The fine imposed for each violation against regulations on environmental protection fee shall not exceed VND 1,000,000,000.

2. A fine of 0.05% of the environmental improvement and restoration deposit which is unpaid per day shall be imposed for making late payment of deposit as regulated.

3. A fine between two and three times the required deposit shall be imposed for failing to make payment of the prescribed environmental improvement and restoration deposit. Total fine imposed for each violation shall not exceed VND 1,000,000,000.

4. A fine ranging from VND 220,000,000 to VND 250,000,000 shall be imposed for failing to purchase insurance against compensation for environmental damage or failing to set up the provision fund for environmental risks as regulated by laws.

5. Remedial measures:

a) Collect the unpaid or evaded amount of environmental protection fee as of the time of owing or evasion of environmental protection fee (the collected amount shall be calculated according to the result of analysis of waste sample made by the competent agency in charge of inspecting and imposing penalties as regulated by laws) if the violation prescribed in Clause 1 of this Article is committed;

b) Enforce the payment of costs for conducting inspection, assessment, measurement and analysis of environmental samples for discharging waste in excess of the permissible limits prescribed in environmental technical regulations or causing the environmental pollution according to current norms and prices if any of the violations prescribed in this Article is committed;

c) Enforce the payment of environmental improvement and restoration deposits in mining activities; enforce the purchase of insurance against compensation for environmental damage and setting aside of the provision fund for environmental risks if any of the violations prescribed in Clause 3 and Clause 4 of this Article is committed.

### **Article 36. Violations against regulations on collection, management and use of environmental data and information**

1. A fine ranging from VND 1,000,000 to VND 5,000,000 shall be imposed for illegally obstructing the monitoring, collection, exchange and use of environmental data and information.

2. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for any of the following violations:

a) Providing environmental data/ information or environmental monitoring results in contravention of prescribed function and competence;

b) Failing to disclose, provide or announce environmental data and information in production, business and service provision sectors as regulated.

3. A fine ranging from VND 10,000,000 to VND 40,000,000 shall be imposed for illegally accessing to the environmental data and information systems.

4. A fine ranging from VND 40,000,000 to VND 60,000,000 shall be imposed for any of the following violations:

a) Failing to make statistics of or store data on impacts on environment, and waste generated from production and business activities, and service provision as regulated;

b) Failing to sufficiently submit data on environmental monitoring and inspection, and other relevant documents to competent agencies as regulated.

5. A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for deleting environmental data and information and/or environmental monitoring results.

6. A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for providing false environmental data/ information or false environmental monitoring results to competent agencies as regulated by laws.

7. Remedial measures:

Enforce the correction of false or misleading information about the environmental conditions if any of the violations prescribed in Clauses 2, 4, 5 and 6 of this Article is committed.

### **Article 37. Violations against regulations on protection and use of facilities, equipment and means serving environmental protection activities**

1. A fine ranging from VND 1,000,000 to VND 5,000,000 shall be imposed for any of the following violations:

a) Causing obstruction in operating or using environmental protection works;

b) Growing plants to cause adverse influence on the technical safety corridor of the environmental protection work.

2. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for illegally moving environmental monitoring machinery and equipment.

3. A fine ranging from VND 10,000,000 to VND 50,000,000 shall be imposed for building a work which causes adverse influence on the technical safety corridor of the environmental protection work.

4. A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for causing damage to machinery, equipment and environmental protection work.

5. Remedial measures:

a) Enforce the dismantlement or relocation of works or plants within the period determined by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in Clause 1 and Clause 3 of this Article is committed;

b) Enforce the restoration of initial environmental state within the period determined by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

### **Article 38. Violations against regulations on environmental monitoring activities**

1. A fine ranging from VND 10,000,000 to VND 30,000,000 shall be imposed for changing any of the conditions in the application for which the Certificate of eligibility for provision of environmental monitoring service has been issued but failing to send a written notice to competent agency as regulated.

2. A fine ranging from VND 30,000,000 to VND 60,000,000 shall be imposed for performing activities improperly with the scope or sector stated in the Certificate of eligibility for provision of environmental monitoring service; erasing content(s) of the Certificate.

3. A fine ranging from VND 60,000,000 to VND 80,000,000 shall be imposed for conducting environmental monitoring activities when any of the conditions in the application for which the Certificate of eligibility for provision of environmental monitoring service has been issued is changed resulting in failure to maintain the satisfaction of prescribed requirements.

4. A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for any of the following violations:

a) Providing data on waste monitoring or environmental supervision inconsistently with the existing pollution or environmental status of organizational/ individual entity;

b) Colluding with organizational/ individual entities in making false report on results of waste monitoring or environmental supervision with the aim of ensuring the compliance with environmental technical regulations;

c) Providing, selling or giving data on waste monitoring or environmental supervision results of organizational/ individual entity in contravention of law regulations.

5. A fine ranging from VND 100,000,000 to VND 150,000,000 shall be imposed for failing to have a Certificate of eligibility for provision of environmental monitoring service (with respect of each monitoring parameter or content) as prescribed or conducting environmental monitoring activities when the Certificate of eligibility for provision of environmental monitoring service has been expired.

6. Additional penalties:

a) Suspend the Certificate of eligibility for provision of environmental monitoring service for 03 - 06 months if any of the violations prescribed in Clause 2 and Clause 3 of this Article is committed;

b) Suspend the Certificate of eligibility for provision of environmental monitoring service for 06 – 12 months if the violation prescribed in Point a Clause 4 of this Article is committed;

c) Suspend the Certificate of eligibility for provision of environmental monitoring service for 12 – 24 months if any of the violations prescribed in Point b and Point c Clause 4 of this Article is committed;

d) Suspend illegal environmental monitoring activities if the violation prescribed in Clause 5 of this Article is committed.

### **Article 39. Violations against regulations on conservation and sustainable development of natural ecosystems**

1. A warning shall be issued for failing to submit regular reports on the sanctuary's biodiversity status to a competent agency as regulated.

2. Penalties for building works, houses or tents without the license granted by competent agencies in ecological restoration regions or strictly protected zones of sanctuaries:

a) A fine ranging from VND 500,000 to VND 1,000,000 shall be imposed for transporting materials and/or equipment for building work, house or tent in the sanctuary's ecological restoration region;

b) A fine ranging from VND 1,000,000 to VND 3,000,000 shall be imposed for transporting materials and/or equipment for building work, house or tent in the sanctuary's strictly protected zone;

c) A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for building work, house or tent in the sanctuary's ecological restoration region;

d) A fine ranging from VND 50,000,000 to VND 80,000,000 shall be imposed for building work, house or tent in the sanctuary's strictly protected zone;

dd) A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for conducting minerals surveys, exploration and mining of minerals; breeding cattle or poultry with a scale of breeding farm, or carrying out aquaculture activities with an industrial scale causing the environmental pollution in the sanctuary's strictly protected zone and ecological restoration region.

3. Penalties for activities causing impacts on the natural ecosystem in the sanctuary and causing damage to the landscape or natural ecosystem (such as digging, leveling, blasting, digging or embanking to prevent water flow, using fire or toxic preparations) without the license granted by competent agencies:

a) A fine ranging from VND 1,000,000 to VND 5,000,000 shall be imposed for act of violation causing damage to less than 200 m<sup>2</sup> of land, wetland or water surface at areas outside the sanctuary's strictly protected zone;

b) A fine ranging from VND 5,000,000 to VND 20,000,000 shall be imposed for act of violation causing damage to between 200 m<sup>2</sup> and 400 m<sup>2</sup> of land, wetland or water surface at areas outside the sanctuary's strictly protected zone;

c) A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed for act of violation causing damage to between 400 m<sup>2</sup> and 800 m<sup>2</sup> of land, wetland or water surface at areas outside the sanctuary's strictly protected zone;

d) A fine ranging from VND 40,000,000 to VND 80,000,000 shall be imposed for act of violation causing damage to between 800 m<sup>2</sup> and 1,200 m<sup>2</sup> of land, wetland or water surface at areas outside the sanctuary's strictly protected zone;

dd) A fine ranging from VND 80,000,000 to VND 150,000,000 shall be imposed for act of violation causing damage to between 1,200 m<sup>2</sup> and 1,500 m<sup>2</sup> of land, wetland or water surface at areas outside the sanctuary's strictly protected zone, or act of violation causing damage to less than 100 m<sup>2</sup> of land, wetland or water surface in the sanctuary's strictly protected zone;

e) A fine ranging from VND 150,000,000 to VND 250,000,000 shall be imposed for act of violation causing damage to between 1,500 m<sup>2</sup> and 2,000 m<sup>2</sup> of land, wetland or water surface at areas outside the sanctuary's strictly protected zone, or act of violation causing damage to between 100 m<sup>2</sup> and 200 m<sup>2</sup> of land, wetland or water surface in the sanctuary's strictly protected zone;

g) A fine ranging from VND 250,000,000 to VND 400,000,000 shall be imposed for act of violation causing damage to 2,000 m<sup>2</sup>, or above, of land, wetland or water surface at areas outside the sanctuary's strictly protected zone, or act of violation causing damage to

between 200 m<sup>2</sup> and 300 m<sup>2</sup> of land, wetland or water surface in the sanctuary's strictly protected zone.

4. Additional penalties:

Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clause 2 and Clause 3 of this Article is committed.

5. Remedial measures:

a) Enforce the restoration of initial environmental state, including the replanting, caring and protection of destroyed sanctuary area; enforce the restoration of biotope for animals if any of the violations prescribed in this Article is committed;

b) Enforce the dismantlement of the work, house or tent which has been illegally built if any of the violations prescribed in Clause 2 of this Article is committed.

**Article 40. Violations against regulations on species of wild flora, plant varieties, fungi and microorganisms in the List of endangered, precious and rare species prioritized protection**

1. A warning shall be issued for planting or propagating species of wild flora, plant varieties, fungi and microorganisms in the List of endangered, precious and rare species prioritized protection without notification as regulated by laws.

2. Penalties for illegally exploiting plant varieties, fungi and microorganisms in the List of endangered, precious and rare species prioritized protection; illegally storing, transporting or trading plant varieties, fungi and microorganisms in the List of endangered, precious and rare species prioritized protection:

a) A fine ranging from VND 1,000,000 to VND 2,000,000 shall be imposed if the exhibits of violation are worth less than VND 500,000;

b) A fine ranging from VND 2,000,000 to VND 5,000,000 shall be imposed if the exhibits of violation are worth from VND 500,000 to less than VND 1,500,000;

c) A fine ranging from VND 5,000,000 to VND 15,000,000 shall be imposed if the exhibits of violation are worth from VND 1,500,000 to less than VND 5,000,000;

d) A fine ranging from VND 15,000,000 to VND 30,000,000 shall be imposed if the exhibits of violation are worth from VND 5,000,000 to less than VND 10,000,000;

dd) A fine ranging from VND 30,000,000 to VND 60,000,000 shall be imposed if the exhibits of violation are worth from VND 10,000,000 to less than VND 20,000,000;

e) A fine ranging from VND 60,000,000 to VND 120,000,000 shall be imposed if the exhibits of violation being plant varieties, fungi and/or microorganisms are worth VND 20,000,000 or above; or if the exhibits of violation are worth from VND 20,000,000 to less than VND 30,000,000.

3. Penalties for illegally exploiting species of wild flora in the List of endangered, precious and rare species prioritized protection:

a) A fine ranging from VND 2,000,000 to VND 5,000,000 shall be imposed if the exhibits of violation are worth less than VND 1,000,000;

b) A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed if the exhibits of violation are worth from VND 1,000,000 to less than VND 2,000,000;

c) A fine ranging from VND 10,000,000 to VND 15,000,000 shall be imposed if the exhibits of violation are worth from VND 2,000,000 to less than VND 5,000,000;

d) A fine ranging from VND 15,000,000 to VND 30,000,000 shall be imposed if the exhibits of violation are worth from VND 5,000,000 to less than VND 10,000,000;

dd) A fine ranging from VND 30,000,000 to VND 60,000,000 shall be imposed if the exhibits of violation are worth from VND 10,000,000 to less than VND 20,000,000;

e) A fine ranging from VND 60,000,000 to VND 120,000,000 shall be imposed if the exhibits of violation are worth from VND 20,000,000 to less than VND 30,000,000, or if the volume of timber which is the exhibit of violation is less than 0.5 m<sup>3</sup>.

4. A fine ranging from VND 60,000,000 to VND 120,000,000 shall be imposed for illegally storing, transporting, processing or trading species of wild flora in the List of endangered, precious and rare species prioritized protection worth from VND 20,000,000 to less than VND 30,000,000 or with the volume of timber of less than 0.5 m<sup>3</sup>.

5. Additional penalties:

Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clauses 1, 2, 3 and 4 of this Article is committed.

**Article 41. Violations against regulations on protection of wild species in strictly protected zones of sanctuaries, except for sanctuaries of special-use forest system and marine sanctuaries**

1. Penalties for illegally exploiting wild species which are not in the List of endangered, precious and rare species prioritized protection in the sanctuary's strictly protected zone:

a) A warning or a fine ranging from VND 100,000 to VND 500,000 shall be imposed if the exhibits of violation are worth less than VND 500,000;

- b) A fine ranging from VND 1,000,000 to VND 3,000,000 shall be imposed if the exhibits of violation are worth from VND 500,000 to less than VND 1,500,000;
- c) A fine ranging from VND 3,000,000 to VND 10,000,000 shall be imposed if the exhibits of violation are worth from VND 1,500,000 to less than VND 5,000,000;
- d) A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed if the exhibits of violation are worth from VND 5,000,000 to less than VND 10,000,000;
- dd) A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed if the exhibits of violation are worth from VND 10,000,000 to less than VND 20,000,000;
- e) A fine ranging from VND 40,000,000 to VND 80,000,000 shall be imposed if the exhibits of violation are worth from VND 20,000,000 to less than VND 30,000,000;
- g) A fine ranging from VND 80,000,000 to VND 120,000,000 shall be imposed if the exhibits of violation are worth from VND 30,000,000 to less than VND 40,000,000;
- h) A fine ranging from VND 120,000,000 to VND 160,000,000 shall be imposed if the exhibits of violation are worth from VND 40,000,000 to less than VND 50,000,000;

## 2. Additional penalties:

Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in this Article is committed.

### **Article 42. Violations against regulations on management of biodiversity conservation institutions**

1. A warning shall be issued for failing to make reports on status of species in the List of endangered, precious and rare species prioritized protection as regulated.
2. A fine ranging from VND 500,000 to VND 1,000,000 shall be imposed for failing to conduct the registration or declaration of origin, or prepare documents for monitoring individuals of species in the List of endangered, precious and rare species prioritized protection.
3. A fine ranging from VND 2,000,000 to VND 5,000,000 shall be imposed for any of the following violations:
  - a) After the issuance of Certificate of biodiversity conservation institution, failing to maintain the satisfaction of any of the eligibility requirements for that Certificate of biodiversity conservation institution;

b) Failing to comply with competent agencies' regulations on protection, breeding and caring of species in the List of endangered, precious and rare species prioritized protection;

c) Failing to comply with competent agencies' regulations on storage and conservation of genetic resources and genetic specimens.

4. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for any of the following violations:

a) Making false statement of fulfilled eligibility requirements for Certificate of biodiversity conservation institution;

b) Conducting activities without a Certificate granted by a competent agency.

5. Additional penalties:

a) Suspend the Certificate of biodiversity conservation institution for 03 – 06 months if any of the violations prescribed in Clause 3 of this Article is committed;

b) Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clause 4 of this Article is committed.

#### **Article 43. Violations against regulations on management of invasive alien species**

1. A warning shall be issued for rearing, storing, transporting, growing or propagating invasive alien species outside the sanctuary for non-commercial purposes provided their development and spread are under control and they do not yet cause damage.

2. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for rearing, storing, transporting, growing or propagating invasive alien species outside the sanctuary for commercial purposes provided their development and spread are under control and they do not yet cause damage.

3. Penalties for rearing, storing, transporting, growing or propagating invasive alien species outside the sanctuary:

a) A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed if the act of violation causes damage at less than VND 10,000,000;

b) A fine ranging from VND 40,000,000 to VND 80,000,000 shall be imposed if the act of violation causes damage at VND 10,000,000 to less than VND 20,000,000;

c) A fine ranging from VND 80,000,000 to VND 160,000,000 shall be imposed if the act of violation causes damage at VND 20,000,000 to less than VND 40,000,000;

- d) A fine ranging from VND 160,000,000 to VND 240,000,000 shall be imposed if the act of violation causes damage at VND 40,000,000 to less than VND 60,000,000;
- dd) A fine ranging from VND 240,000,000 to VND 320,000,000 shall be imposed if the act of violation causes damage at VND 60,000,000 to less than VND 80,000,000;
- e) A fine ranging from VND 320,000,000 to VND 400,000,000 shall be imposed if the act of violation causes damage at VND 80,000,000 to less than VND 100,000,000;
- g) A fine ranging from VND 400,000,000 to VND 480,000,000 shall be imposed if the act of violation causes damage at VND 100,000,000 to less than VND 120,000,000;
- h) A fine ranging from VND 480,000,000 to VND 560,000,000 shall be imposed if the act of violation causes damage at VND 120,000,000 to less than VND 140,000,000;
- i) A fine ranging from VND 560,000,000 to VND 640,000,000 shall be imposed if the act of violation causes damage at VND 140,000,000 to less than VND 150,000,000.

4. Penalties for rearing, storing, transporting, growing or propagating invasive alien species within the sanctuary provided their development and spread are under control:

- a) A fine ranging from VND 50,000,000 to VND 100,000,000 shall be imposed for acts of violation made outside the sanctuary's strictly protected zone;
- b) A fine ranging from VND 100,000,000 to VND 200,000,000 shall be imposed for acts of violation made within the sanctuary's strictly protected zone.

5. Penalties for rearing, storing, transporting, growing or propagating invasive alien species within the sanctuary provided their development and spread are out of control:

- a) The fines prescribed in Clause 4 of this Article shall be increased by 20% - 30% if acts of violation made outside the sanctuary's strictly protected zone;
- b) The fines prescribed in Clause 4 of this Article shall be increased by 40% - 50% if acts of violation made within the sanctuary's strictly protected zone.

Total fine imposed for each violation prescribed in this Clause shall not exceed VND 1,000,000,000.

6. A fine ranging from VND 150,000,000 to VND 200,000,000 shall be imposed for importing invasive alien microorganisms.

7. Penalties for importing invasive alien animals and/or plants:

- a) A fine ranging from VND 20,000,000 to VND 40,000,000 shall be imposed if the exhibits of violation are worth less than VND 10,000,000;

- b) A fine ranging from VND 40,000,000 to VND 80,000,000 shall be imposed if the exhibits of violation are worth from VND 10,000,000 to less than VND 20,000,000;
- c) A fine ranging from VND 80,000,000 to VND 160,000,000 shall be imposed if the exhibits of violation are worth from VND 20,000,000 to less than VND 40,000,000;
- d) A fine ranging from VND 160,000,000 to VND 240,000,000 shall be imposed if the exhibits of violation are worth from VND 40,000,000 to less than VND 60,000,000;
- dd) A fine ranging from VND 240,000,000 to VND 320,000,000 shall be imposed if the exhibits of violation are worth from VND 60,000,000 to less than VND 80,000,000;
- e) A fine ranging from VND 320,000,000 to VND 400,000,000 shall be imposed if the exhibits of violation are worth from VND 80,000,000 to less than VND 100,000,000;
- g) A fine ranging from VND 400,000,000 to VND 480,000,000 shall be imposed if the exhibits of violation are worth from VND 100,000,000 to less than VND 120,000,000;
- h) A fine ranging from VND 480,000,000 to VND 560,000,000 shall be imposed if the exhibits of violation are worth from VND 120,000,000 to less than VND 140,000,000;
- i) A fine ranging from VND 560,000,000 to VND 640,000,000 shall be imposed if the exhibits of violation are worth from VND 140,000,000 to less than VND 160,000,000;
- k) A fine ranging from VND 640,000,000 to VND 720,000,000 shall be imposed if the exhibits of violation are worth from VND 160,000,000 to less than VND 180,000,000;
- l) A fine ranging from VND 720,000,000 to VND 800,000,000 shall be imposed if the exhibits of violation are worth from VND 180,000,000 to less than VND 200,000,000;
- m) A fine ranging from VND 800,000,000 to VND 880,000,000 shall be imposed if the exhibits of violation are worth from VND 200,000,000 to less than VND 220,000,000;
- n) A fine ranging from VND 880,000,000 to VND 920,000,000 shall be imposed if the exhibits of violation are worth from VND 220,000,000 to less than VND 230,000,000;
- o) A fine ranging from VND 920,000,000 to VND 1,000,000,000 shall be imposed if the exhibits of violation are worth from VND 230,000,000 to less than VND 250,000,000.

#### 8. Additional penalties:

Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in this Article is committed.

#### 9. Remedial measures:

a) Enforce the destruction of all of occurred invasive alien species; enforce the restoration of initial state if any of the violations prescribed in Clauses 1, 2, 3, 4 and 5 of this Article is committed;

b) Enforce the re-export of all of invasive alien species which have been illegally imported to outside of the territory of the Socialist Republic of Vietnam if any of the violations prescribed in Clauses 6 and 7 of this Article is committed. Failing to re-export, all of invasive alien species which have been illegally imported must be destroyed.

**Article 44. Violations against regulations on management, access and benefit sharing of genetic resources**

1. A warning shall be issued for any of the following violations:

a) Failing to report to competent agencies on the exchange, transfer or provision of genetic resources to other organizational/ individual entities with the aim of serving research, development and production of commercial products;

b) Failing to make reports on research activities, results thereof and benefits accrued from the development and production of commercial products as regulated by laws.

2. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for any of the following violations:

a) Failing to comply with regulations on management of the investigation and utilization of genetic resources of the organizational/ individual entity that has been issued with the License for access to genetic resources;

b) Failing to enter into a contract for access and benefit sharing of genetic resources with the organization, household or individual that is assigned to manage genetic resources;

c) Failing to apply for certification of access to genetic resources from a competent agency with respect to the contract for access and benefit sharing of genetic resources;

d) Failing to share benefits accrued from genetic resources with relevant parties according to contents of the License for access to genetic resources and the contract for access and benefit sharing of genetic resources;

dd) Failing to make prescribed reports on results of research, development and production of commercial products to competent agencies within the time limit prescribed in the License for access to genetic resources;

e) Using the License for access to genetic resources in contravention of the licensed contents and/or purposes.

3. A fine ranging from VND 10,000,000 to VND 30,000,000 shall be imposed for exchanging, transferring or providing the managing genetic resources to other organizational/ individual entities in contravention of laws.

4. A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for accessing to genetic resources without the license granted by a competent agency.

5. Additional penalties:

a) Suspend the License for access to genetic resources for 06 - 12 months if any of the violations prescribed in Clause 2 of this Article is committed;

b) Confiscate the exhibits and instrumentalities of administrative violations if any of the violations prescribed in Clause 3 and Clause 4 of this Article is committed.

6. Remedial measures:

Confiscate outcomes achieved from the illegal access to genetic resources within the period determined by the person who has the power to impose penalties and specified in the decision on imposition of penalties for administrative violations if any of the violations prescribed in this Article is committed.

**Article 45. Violations against regulations on scientific research and technological development with respect to genetically modified organisms, their products and genetically modified organism testing**

1. A warning or a fine ranging from VND 100,000 to VND 500,000 shall be imposed for failing to disclose information about the level of risks and measures to manage risks to the environmental and biodiversity when doing research and developing technologies for genetically modified organisms and their genetic specimens.

2. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for failing to conduct research to produce, analysis, testing o isolation of genetically modified organisms and/or their products at prescribed places.

3. A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for any of the following violations:

a) Providing false information in the application for the License for genetically modified organism testing, the application for the Certificate of biosafety of genetically modified organism or the application for the Certificate of genetically modified organisms qualified for use as foods and/or animal feeds;

b) Failing to properly comply with contents of the License for genetically modified organism testing, the Certificate of biosafety of genetically modified organism or the

Certificate of genetically modified organisms qualified for use as foods and/or animal feeds.

4. A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for any of the following violations against regulations on research and testing for genetically modified organisms:

a) Hiding information about risks of adverse effects on the environment, biodiversity and human health or domestic animals during the research and testing for genetically modified organisms;

b) Bringing research samples not in the framework of the registered theme or outside the scope of the approved Testing License and Plan into the territory of the Socialist Republic of Vietnam.

5. A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for any of the following violations against regulations on research and testing for genetically modified organisms:

a) Failing to strictly comply with regulations on isolation causing the release of genetically modified organisms into the environment during the research and testing;

b) Failing to adopt emergency response measures to thoroughly handle and destroy genetically modified organisms upon the detection that such genetically modified organisms may cause risks, which are out of control, to the environment, biodiversity, human health and domestic animals;

c) Causing the release of genetically modified organisms into the environment during the research and testing for genetically modified organisms.

6. Additional penalties:

Suspend the License for genetically modified organism testing, the Decision on accreditation of genetically modified organism laboratory, or the Decision on accreditation of genetically modified organism testing facility for 06 - 12 months if any of the violations prescribed in Clause 5 of this Article is committed.

7. Remedial measures:

a) Enforce the destruction of all of genetically modified organisms for which the License for genetically modified organism testing or the Certificate of biosafety is not yet issued;

b) Enforce the application of remedial measures for environmental pollution if any of the violations prescribed in this Article is committed.

**Article 46. Violations against regulations on production, trading, import, storage and transport of genetically modified organisms and their products**

1. A warning or a fine ranging from VND 100,000 to VND 500,000 shall be imposed for failing to disclose information about the level of risks and measures to manage risks to the environment and biodiversity when importing, trading or releasing genetically modified organisms and/ or their genetic specimens.

2. A fine ranging from VND 30,000,000 to VND 50,000,000 shall be imposed for producing and/or trading genetically modified organisms but failing to have a Certificate of biodiversity as regulated by laws.

3. A fine ranging from VND 50,000,000 to VND 70,000,000 shall be imposed for any of the following violations:

a) Intentionally rearing, culturing or releasing genetically modified organisms and/or their genetic specimens when failing to have the Certificate of biosafety;

b) Illegally importing genetically modified organisms and/or their genetic specimens.

4. A fine ranging from VND 80,000,000 to VND 100,000,000 shall be imposed for any of the following violations:

a) Intentionally rearing, culturing or releasing genetically modified organisms and/or their genetic specimens when failing to have the Certificate of biosafety, causing adverse effects on the environment and biodiversity;

b) Illegally importing genetically modified organisms and/or their genetic specimens, causing adverse effects on the environment and biodiversity.

5. Remedial measures:

a) Enforce the destruction of all genetically modified organisms and/or the genetic specimens if any of the violations prescribed in Clause 2, Point a Clause 3 and Point a Clause 4 of this Article is committed;

b) Enforce the re-export of shipments of genetically modified organisms and/or the genetic specimens to outside of the territory of the Socialist Republic of Vietnam if any of the violations prescribed in Point b Clause 3 and Point b Clause 4 of this Article is committed. Failure to re-export, shipments of genetically modified organisms and/or the genetic specimens must be destroyed.

**Article 47. Acts causing obstruction of state management, inspection and imposition of penalties for administrative violations against regulations on environmental protection**

1. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for any of the following violations:

- a) Causing difficulties in conducting environmental status assessment, investigation, research or monitoring, or in performing duty of competent persons;
- b) Uttering words or taking actions threatening, offending or hurting the honor of law enforcers;
- c) Refusing to receive decision on inspection or supervision, decision on imposition of penalty for administrative violation or decision on enforcing the implementation of decision on imposition of penalty for administrative violation;
- d) Failing to organize talks on environmental issues at the requests of competent environment agencies or according to complaints, denunciations, or claims made by relevant organizational/ individual entities as regulated by laws.

2. A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for any of the following violations:

- a) Failing to make declaration or making declaration with untrue information or failing to comply with the time limit for submission of declaration as prescribed by the law enforcer or competent agency;
- b) Failing to provide or providing insufficient information or documents concerning the inspection and imposition of penalty for administrative violation by the law enforcers or competent agencies;
- c) Failing to cooperate or causing obstruction in performing tasks of environmental inspection teams or persons who are assigned to conduct inspection of environmental protection;
- d) Failing to appoint authorized representative as prescribed by law to attend the ceremony to announce decision on inspection of environmental protection issues or failing to appoint authorized representative to work with the inspection team with respect of environmental protection issues.

3. A fine ranging from VND 20,000,000 to VND 50,000,000 shall be imposed for deliberately removing the seals of exhibits, facilities, workshops, machinery and/or equipment under seal, storing or hiding exhibits of violation, or deliberately making change in scenes of violations against regulations on environmental protection.

4. A fine ranging from VND 50,000,000 to VND 80,000,000 shall be imposed for any of the following violations:

a) Delaying or shirking the enforcement of decision on inspection or decision on imposition of penalty for administrative violation against regulations on environmental protection granted by the competent person or agency;

b) Failing to strictly and fully implement contents and requirements specified in the conclusion on inspection results of environmental protection issues made by competent agency.

5. Remedial measures:

Enforce the fulfillment of requirements for environmental protection activities prescribed by competent person or agency.

### **Chapter III**

#### **POWER AND PROCEDURES FOR IMPOSING ADMINISTRATIVE PENALTIES**

##### **Article 48. Power to impose administrative penalties of Chairpersons of People's Committees at all levels**

1. Chairpersons of Communal-level People's Committees have the power to:

a) Issue warning;

b) Impose a fine up to VND 5,000,000;

c) Confiscate the exhibit and instrumentality of administrative violation worth up to VND 5,000,000;

d) Enforce the remedial measures mentioned in Points a, b, c and dd Clause 3 Article 4 of this Decree.

2. Chairpersons of District-level People's Committees have the power to:

a) Issue warning;

b) Impose a fine up to VND 50,000,000;

c) Suspend environmental license or suspend relevant activities intra vires for definite period;

d) Confiscate the exhibit and instrumentality of administrative violation worth up to VND 50,000,000;

dd) Enforce the remedial measures mentioned in Points a, b, c, dd, e, g, h, i, k, l and m Clause 3 Article 4 of this Decree.

3. Chairpersons of Provincial-level People's Committees have the power to:

a) Issue warning;

b) Impose a fine up to VND 1,000,000,000;

c) Suspend environmental license or suspend relevant activities for definite period;

d) Confiscate the exhibits and instrumentalities of administrative violations;

dd) Enforce the remedial measures mentioned in Clause 3 Article 4 of this Decree.

**Article 49. Power to impose administrative penalties of People's Public Security Forces**

1. Soldiers on duty of People's Public Security Forces have the power to:

a) Issue warning;

b) Impose a fine up to VND 500,000;

2. Heads of public security stations, and leaders of soldiers mentioned in Clause 1 of this Article have the power to:

a) Issue warning;

b) Impose a fine up to VND 1,500,000;

3. Communal-level police chiefs, heads of public security stations, heads of public security stations at border gates or export processing zones have the power to:

a) Issue warning;

b) Impose a fine up to VND 2,500,000;

c) Confiscate the exhibit and instrumentality of administrative violation worth up to VND 2,500,000;

d) Enforce the remedial measures mentioned in Points a, c and dd Clause 3 Article 4 of this Decree.

4. Chiefs of District-level Police Agencies, Chiefs of Provincial-level Police Agencies, including Chiefs of Environmental Police Agencies and Chiefs of Immigration Departments on duty have the power to:

- a) Issue warning;
- b) Impose a fine up to VND 25,000,000;
- c) Suspend environmental license or suspend relevant activities *intra vires* for definite period;
- d) Confiscate the exhibit and instrumentality of administrative violation worth up to VND 25,000,000;
- dd) Enforce the remedial measures mentioned in Points a, c, dd, i, k, l and m Clause 3 Article 4 of this Decree.

5. Directors of Provincial-level Police Security Departments have the power to:

- a) Issue warning;
- b) Impose a fine up to VND 50,000,000;
- c) Suspend environmental license or suspend relevant activities for definite period;
- d) Confiscate the exhibit and instrumentality of administrative violation worth up to VND 50,000,000;
- dd) Enforce the remedial measures mentioned in Points a, c, dd, h, i, k, l and m Clause 3 Article 4 of this Decree.

6. Director of the Environmental Police Administration and Director of Immigration Department on duty shall have the power to:

- a) Issue warning;
- b) Impose a fine up to VND 1,000,000,000;
- c) Suspend environmental license or suspend relevant activities for definite period;
- d) Confiscate the exhibits and instrumentalities of administrative violations;
- dd) Enforce the remedial measures mentioned in Points a, c, dd, h, i, k, l and m Clause 3 Article 4 of this Decree.

**Article 50. Power to impose administrative penalties of specialized inspectorates**

1. Environmental inspectors on duty and persons on duty who are assigned to conduct specialized environmental inspections of Departments of Natural Resources and Environment, Vietnam Environment Administration, or Ministry of Natural Resources and Environment have the power to:

- a) Issue warning;
- b) Impose a fine up to VND 500,000;
- c) Confiscate the exhibit and instrumentality of administrative violation worth up to VND 500,000;
- d) Enforce the remedial measures mentioned in Points a, c, dd, i, k, l and m Clause 3 Article 4 of this Decree.

2. The Chief Inspectors of Departments of Natural Resources and Environment and holders of equivalent titles who are assigned by the Government to conduct specialized inspections of natural resources and environment issues shall have the power to:

- a) Issue warning;
- b) Impose a fine up to VND 50,000,000;
- c) Suspend environmental license or suspend relevant activities for definite period;
- d) Confiscate the exhibit and instrumentality of administrative violation worth up to VND 50,000,000;
- dd) Enforce the remedial measures mentioned in Clause 3 Article 4 of this Decree.

3. Director of Department of Pollution Control affiliated to the Vietnam Environment Administration and holders of equivalent titles who are assigned by the Government to conduct specialized inspections of natural resources and environment issues shall have the power to:

- a) Issue warning;
- b) Impose a fine up to VND 250,000,000;
- c) Suspend environmental license or suspend relevant activities for definite period;
- d) Confiscate the exhibit and instrumentality of administrative violation worth up to VND 250,000,000;
- dd) Enforce the remedial measures mentioned in Clause 3 Article 4 of this Decree.

4. The Chief Inspector of Ministry of Natural Resources and Environment, Director General of Vietnam Environment Administration and holders of equivalent titles who are assigned by the Government to conduct specialized inspections of natural resources and environment issues shall have the power to:

- a) Issue warning;
- b) Impose a fine up to VND 1,000,000,000;
- c) Suspend environmental license or suspend relevant activities for definite period;
- d) Confiscate the exhibits and instrumentalities of administrative violations;
- dd) Enforce the remedial measures mentioned in Clause 3 Article 4 of this Decree.

5. Heads of inspectorates in natural resources and environment of Ministry of Natural Resources and Environment shall have the power to impose administrative penalties as prescribed in Clause 3 of this Article.

Heads of inspectorates in natural resources and environment of Departments of Natural Resources and Environment, Vietnam Environment Administration and equivalent-level agencies that are assigned by the Government to conduct inspections of natural resources and environment issues shall have the power to impose administrative penalties as prescribed in Clause 2 of this Article.

#### **Article 51. Power to impose administrative penalties of other forces**

Border guard forces, coast guard units, customs agencies, forestry agencies, agriculture and rural development inspectorates, aquatic product inspectorates, market management forces, taxation agencies, maritime authorities, and inland waterways authorities shall have the rights to impose administrative penalties according to the power set forth in Articles 40, 41, 42, 43, 44, 45 and 47 of the Law on penalties for administrative violations with respect of administrative violations against regulations on environmental protection in connection with their managing sectors as prescribed in this Decree.

#### **Article 52. Determination of power to impose penalties for administrative violations against regulations on environmental protection; transfer of case dossiers denoting environmental crimes for criminal prosecution**

1. The power to impose penalties for administrative violations against regulations on environmental protection of competent forces is determined as follows:

- a) Forestry forces shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations against regulations on environmental protection involving ranger activities prescribed in Articles 39, 40, 41, 42, 43, 44, 45, 46 and 47 of this Decree. Agriculture and rural development

inspectories shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations against regulations on environmental protection involving agriculture and rural development activities prescribed in Clause 5 Article 12, Clause 3 Article 27, Clause 3 Article 34, and Articles 39, 40, 41, 42, 43, 44, 45, 46 and 47 of this Decree. Aquaculture inspectorates shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations against regulations on environmental protection involving aquatic activities prescribed in Clause 5 Article 12, Clause 3 Article 27, and Articles 39, 41, 42, 43, 44, 45, 46 and 47 of this Decree;

b) Maritime authorities shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations against regulations on environmental protection involving maritime activities prescribed in Articles 27, 33, 34 and 47 of this Decree;

c) Inland waterway authorities shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations against regulations on environmental protection involving inland waterway activities prescribed in Articles 33, 34 and 47 of this Decree;

d) Border guard forces shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations against regulations on environmental protection prescribed in Articles 33, 34, 39, 40, 41, 42, 43, 44, 45, 46 and 47 of this Decree;

dd) Coast guard forces shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations against regulations on environmental protection committed in the coastal zone, the exclusive economic zone or zones under the sovereignty of the Socialist Republic of Vietnam prescribed in Articles 13, 14, 15, 16, 19, 20, Clauses 7, 8, 9 and 10 Article 21, Clauses 6, 7, 8 and 9 Article 22, and Articles 27, 33, 34, 39, 40, 41, 42, 43, 44, 45, 46 and 47 of this Decree;

e) Customs agencies shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations against regulations on environmental protection involving customs activities prescribed in Articles 24, 25, 26, 40, 43, 45, 46 and 47 of this Decree;

g) Market management forces shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations against regulations on environmental protection with respect of market management activities, commodities and the trading and use of wild animals prescribed in Articles 26, 40, 43, 46 and 47 of this Decree;

h) People's public security forces shall, under their authority, and within their managing sectors and scope, have the power to impose penalties for administrative violations

prescribed in Points d, dd, e, g, i, k, l, m, n and o Clause 1 Article 9; Clause 3 Article 10; Clause 4 Article 11; Points c and d Clause 2, Points c, d, dd and e Clause 3, Points g, h, i and k Clause 4, Clause 5, Points b and c Clause 6, Points c, d, dd, e, g, h, i and k Clause 7 Article 12; Articles 13, 14, 15, 16, 17, 18 and 19; Clauses 1, 2, 3, 9, 10 and 11 Article 20; Point b Clause 2, Clauses 7, 8, 9 and 10 Article 21; Clauses 5, 6, 7 and 8 Article 22; Clauses 5, 6, 7 and 8 Article 23; Clauses 2 and 3, Point dd, e and g Clause 4 Article 24; Clauses 5, 6 and 7 Article 25; Point dd Clause 3, Clauses 4, 5 and 6 Article 27; Clauses 1, 2, 3 and 5 Article 31; Point c Clause 4, Point b Clause 5, Point b Clause 6 and Clause 8 Article 33; Points b and dd Clause 1, Point d Clause 3 Article 34; Clauses 2, 3 and 4 Article 40; Article 41, Article 43 and Article 47 of this Decree;

i) Chairpersons of Communal-level People's Committees shall, within their authority and managing scope, have the power to impose penalties for administrative violations against regulations on environmental protection prescribed in Articles 11, 19, 20, 28, 30, 39, 40, 41, 42, 43, 44, 45, 46 and 47 of this Decree;

k) Chairpersons of District-level People's Committees shall, within their authority and managing scope, have the power to impose penalties for administrative violations against regulations on environmental protection prescribed in Articles 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 27, 28, 30, 36, 39, 40, 41, 42, 43, 44, 45, 46 and 47 of this Decree;

l) Chairpersons of Provincial-level People's Committees shall, within their authority and managing scope, have the power to impose penalties for all administrative violations against regulations on environmental protection prescribed in this Decree;

m) Chief Inspectors of Departments of Natural Resources and Environment and holders of equivalent titles who are assigned by the Government to conduct specialized inspections of natural resources and environment shall have the power to impose penalties for administrative violations against regulations on environmental protection which are prescribed in this Decree and committed within their managing provinces or central-affiliated cities;

n) Chief Inspector of Ministry of Natural Resources and Environment, Director General of Vietnam Environment Administration and holders of equivalent titles who are assigned by the Government to conduct specialized inspections of natural resources and environment shall have the power to impose penalties for administrative violations against regulations on environmental protection prescribed in this Decree within the nationwide scope *intra vires*.

2. The persons that have the power to impose administrative penalties prescribed in Clause 1 of this Article may, within the ambit of their assigned functions and duties, implement professional methods to detect administrative violations against regulations on environmental protection; make records of administrative violations against regulations on environmental protection which are not under their competence, and cooperate with competent agencies/ persons that have the power to impose penalties for such violations in inspecting and handling such violations in accordance with law regulations.

If an organizational or individual entity commits more than one violation against regulations on environmental protection, the power to impose administrative penalties shall comply with regulations in Clause 4 Article 52 of the Law on penalties for administrative violations.

3. Transfer of case dossiers denoting environmental crimes for criminal prosecution and dossiers of violations for imposition of administrative penalties:

a) The transfer of case dossiers denoting environmental crimes for criminal prosecution and dossiers of violations for imposition of administrative penalties shall be performed in accordance with regulations in Article 62 and Article 63 of the Law on penalties for administrative violations and the Code of Criminal Procedures.

b) Handling of violations suspected of environmental crimes which are detected through the inspection shall comply with regulations of the law on inspection.

**Article 53. Responsibility and coordination mechanism in inspection and imposition of penalties for administrative violations against regulations on environmental protection**

1. The inspection and imposition of penalties for administrative violations against regulations on environmental protection must ensuring the principle of non-overlap and not causing influence on normal activities of committing organization or individual. Only one inspection team is established to inspect the compliance with regulations on environmental protection of a business establishment or enterprise every year, except for unexpected inspection as regulated by laws.

2. Ministry of Natural Resources and Environment shall consistently perform state management of inspection and imposition of penalties for administrative violations against regulations on environmental protection nationwide with respect of the following contents:

a) Formulate, apply for approval and implement the plan for inspection of the compliance with regulations on environmental protection of Ministry of Natural Resources and Environment nationwide in accordance with laws; annually orientate ministries, ministerial-level agencies and provincial-level people's committees in subjects, sectors and regions of inspection of the compliance with regulations on environmental protection;

b) Instruct provincial-level people's committees to formulate, apply for approval and implement their plans for inspection of the compliance with regulations on environmental protection; provide guidance on professional procedures for inspecting and imposing penalties for administrative violations against regulations on environmental protection;

c) Coordinate with People's Public Security Forces in detecting, preventing and combating environmental crimes and violations against regulations on environmental

protection; timely provide information about organizations and/or individuals suspected of environmental crimes to the People's Public Security Forces in accordance with laws;

d) Take charge of handling overlapped inspection and imposition of penalties for administrative violations against regulations on environmental protection according to the principles, responsibility and coordination mechanism prescribed in this Article; consolidate and announce results of penalties imposed for violations administrative violations against regulations on environmental protection nationwide.

3. Ministry of Public Security shall instruct the People's Public Security Forces in implementing measures to prevent, detect and combat environmental crimes and violations against regulations on environmental protection, and be responsible for:

a) Organizing the inspection of compliance with the laws and guidelines of Ministry of Natural Resources and Environment; the subjects of the plan for annual inspection prescribed in Point a Clause 2 and Point a Clause 4 of this Article shall not be subject to the said inspection, except for cases suspected of environmental crimes;

b) Taking charge and coordinating with Ministry of Natural Resources and Environment, and instructing People's Public Security Forces to take charge and coordinate with competent environment agencies in inspecting the compliance with regulations on environmental protection by agencies, organizations and individuals in accordance with laws;

c) Providing information and instructing the People's Public Security Forces to provide information about violations against regulations on environmental protection committed by subjects of the plan for annual inspection of environmental agencies;

d) Instructing the People's Public Security Forces to coordinate with competent environment agencies in conducting unexpected inspection of organizational/ individual entities suspected of environmental crimes upon the detection of the People's Public Security Forces. The inspection team established by the People's Public Security Force must include member(s) of the environment agency;

dd) Every 06 months and on annual basis, submitting reports on the inspection and imposition of penalties for administrative violations against regulations on environmental protection of the People's Public Security Forces to Ministry of Natural Resources and Environment for consolidation and announcement as regulated by laws.

4. Provincial Departments of Natural Resources and Environment shall be responsible for:

a) Formulating plans for inspection of the compliance with regulations on environmental protection on the basis of guidelines of Ministry of Natural Resources and Environment and inspection plans approved by Provincial-level People's Committees; applying for approval and organizing the implementation of approved plans for inspection of the

compliance with regulations on environmental protection intra vires in provinces after obtaining written consent from Ministry of Natural Resources and Environment;

b) Participating in inspection teams responsible by Ministry of Natural Resources and Environment or the People's Public Security Forces to inspect the compliance with regulations on environmental protection in provinces; coordinating with the People's Public Security Forces in preventing, detecting and combating environmental crimes and violations against regulations on environmental protection in provinces;

c) Every 06 months and on annual basis, submitting consolidate reports on the inspection and imposition of penalties for administrative violations against regulations on environmental protection in provinces to Ministry of Natural Resources and Environment and Provincial-level People's Committees.

5. Ministries, ministerial-level agencies and People's Committees at all levels shall assume responsibility to coordinate in inspecting and imposing penalties for administrative violations against regulations on environmental protection according to the principle specified in Clause 1 of this Article.

**Article 54. Procedures for suspending environmental licenses or activities for definite period or enforcing the application of remedial measures and responsibility of relevant agencies**

1. Procedures for suspending the environmental license or activities causing the environmental pollution or those of producer, business or service provider as prescribed in Chapter II of this Decree for definite period shall be performed in compliance with regulations of the Law on penalties for administrative violations.

2. The organizational or individual entity whose environmental license has been suspended for definite period and production/ business activities or services are unconnected with the suspended environmental license shall have its suspended license returned by the person who has the power to impose administrative penalty when the suspension period specified in the decision on imposition of administrative penalty expires.

3. If organizational/ individual entities whose environmental licenses or activities are suspended for definite period have production/ business activities and services causing the environmental pollution, agencies making decision on imposition of administrative penalties shall assume the following responsibilities:

a) Ministry of Natural Resources and Environment shall coordinate with Provincial-level People's Committees, ministries and relevant regulatory bodies in instructing specialized agencies to organize the suspension of environmental license or activities in cases the EIA reports/ environmental protection schemes or certificates of the registration of satisfaction of environmental standards of violating entities are approved/ granted by ministries/ ministerial-level agencies;

Departments of Natural Resources and Environment shall take charge and coordinate with agencies of the persons imposing administrative penalties, the People's Public Security Forces and the People's Committees of districts or communes where the violations are committed and relevant agencies to seal workshops, machinery and/or equipment of the violating organizational/ individual entities on the beginning date of the suspension of environmental licenses or activities specified in decisions on imposition of administrative penalties in cases where the EIA reports/ environmental protection schemes or certificates of the registration of satisfaction of environmental standards of violating entities are approved/ granted by ministries/ ministerial-level agencies or ministries' authorized agencies;

b) Provincial-level People's Committees shall instruct Departments of Natural Resources and Environment to take charge and coordinate with agencies of the persons imposing administrative penalties, the Provincial-level Police Departments, the District-level Police Departments, the People's Committees of districts or communes where the violations are committed and relevant agencies to seal workshops, machinery and/or equipment of the violating organizational/ individual entities of the violating organizational/ individual entities on the beginning date of the suspension of environmental licenses or activities specified in decisions on imposition of administrative penalties in cases where the EIA reports/ environmental protection schemes or certificates of the registration of satisfaction of environmental standards of violating entities are approved/ granted by Provincial-level People's Committees, Departments of Natural Resources and Environment or authorized agencies of the Provincial-level People's Committees;

c) The District-level People's Committees shall take charge and coordinate with agencies of the persons imposing administrative penalties, the District-level Police Departments, the People's Committees of communes where the violations are committed and relevant agencies to seal workshops, machinery and/or equipment of the violating organizational/ individual entities of the violating organizational/ individual entities on the beginning date of the suspension of environmental licenses or activities specified in decisions on imposition of administrative penalties in cases where the environmental protection plans/ schemes are certified by the District-level People's Committees or authorized agencies of the District-level People's Committees.

4. Responsibilities of violating entities whose environmental licenses or activities are suspended or that must enforce remedial measures:

a) Organizational/ individual entities whose environmental licenses or activities are suspended for definite period must strictly implement decisions on imposition of administrative penalties, facilitate competent agencies in fulfilling their duties and may resume their activities only when results of enforced remedial measures are verified/ certified by competent agencies;

b) Organizational/ individual entities that are liable to implement remedial measures must strictly comply with decisions on imposition of administrative penalties, and submit reports on results of such remedial measures to agencies giving approval for their EIA

reports, environmental protection schemes or certifying their environmental protection plans/ schemes for inspection;

c) In cases of violations that cause the environmental pollution or where the implementation of environmental improvement/ restoration measures and the construction of environmental protection works are compulsory, violating entities must promptly implement remedial measures. Violating entities must, after having implemented remedial measures, send reports on the plan on trial operation of environmental protection works to competent agencies prescribed in Point a Clause 2 Article 55 of this Decree for inspection and giving approval for trial operation; the period for trial operation of the environmental protection works shall be 30 days. The report on the plan for trial operation of environmental protection works shall be made using Form No. 01 stated in Annex II enclosed with this Decree; the written approval for trial operation of environmental protection works shall be granted using Form No. 02 stated in Annex II enclosed with this Decree.

#### **Article 55. Inspection and certification of results of remedial measures against administrative violations against regulations on environmental protection**

1. Procedures for inspection and certification of results of remedial measures against administrative violations carried out by the violating entities whose environmental licenses or activities are suspended for definite period before they resume their activities, or the violating entities that are liable to implement remedial measures in cases the persons imposing administrative penalties work at competent agencies that give approval for EIA reports/ environmental protection schemes or certify environmental protection plans/ schemes (hereinafter referred to as competent agencies):

a) At least 15 working days before the suspension period of environmental license/ activities or the prescribed period for implementing remedial measures expires, the violating entity must send the report on results of the implemented remedial measures against administrative violations against regulations on environmental protection (enclosed with documents, materials, data and results of analysis of waste samples in conformity with environmental technical regulations conducted by a functional agency) to the competent agency of the person imposing administrative penalties. The report on results of implemented remedial measures against administrative violations against regulations on environmental protection shall be prepared using Form No. 03 stated in Annex II enclosed with this Decree;

b) Within 05 working days as of the receipt of the report on results of implemented remedial measures against administrative violations against regulations on environmental protection, the competent agency shall conduct an inspection of results of implemented remedial measures according to the contents of the decision on imposition of administrative penalties and conclusion of inspection of compliance with regulations on environmental protection (if any). The decision on the establishment of inspection team and the record of inspection of results of implemented remedial measures against administrative violations against regulations on environmental protection shall be made

in accordance with regulations of the law on environmental protection and the law on inspection;

c) In case the violating entity has finished the implementation of remedial measures against administrative violations against regulations on environmental protection, the competent agency shall, within 05 working days as of the completion of the inspection of results of implemented remedial measures (except for cases where results of inspection, measurement and analysis of environmental samples must be consulted), make certification of results of remedial measures against administrative violations against regulations on environmental protection and remove the seals (if any) in order that the violating entity may resume its activities;

d) If the violating entity does still not yet finish the implementation of remedial measures against administrative violations against regulations on environmental protection, it shall continue implementing remedial measures provided the period for implementing remedial measures specified in the decision on imposition of administrative penalties must be ensured; if the prescribed period is not enough for finishing the implementation of remedial measures, the violating entity may apply to the competent agency for an extension provided it must less than 24 months; if the violating entity deliberately does not implement remedial measures against violations, it shall be forced to implement remedial measures as prescribed by laws.

2. Procedures for inspection and certification of results of remedial measures against administrative violations carried out by the violating entities whose environmental licenses or activities are suspended for definite period before they resume their activities, or the violating entities that are liable to implement remedial measures in cases the persons imposing administrative penalties do not work at competent agencies that give approval for EIA reports/ environmental protection schemes or certify environmental protection plans/ schemes (hereinafter referred to as competent agencies):

a) At least 15 working days before the suspension period of environmental license/ activities or the prescribed period for implementing remedial measures expires, the violating entity must prepare and send the report on results of the implemented remedial measures against administrative violations against regulations on environmental protection (enclosed with documents, materials, data and results of analysis of waste samples in conformity with environmental technical regulations conducted by a functional agency) to:

- The Vietnam Environment Administration (if the project, the business establishment or the concentration of producers, businesses and service providers has its EIA report, environmental protection scheme or certificate of the registration of satisfaction of environmental standards approved/ granted by Ministry of Natural Resources and Environment, Ministry, ministerial-level agency or ministry's authorized agency);

- Provincial Department of Natural Resources and Environment (if the project, the business establishment or the concentration of producers, businesses and service

providers has its EIA report, environmental protection scheme or certificate of the registration of satisfaction of environmental standards approved/ granted by the Provincial-level People's Committee, Provincial Department of Natural Resources and Environment or an authorized agency of the Provincial-level People's Committee);

- The District-level People's Committee (if the project, the producer, the business or the service provider has its environmental protection plan or scheme certified by the District-level People's Committee or an authorized agency of the District-level People's Committee).

The report on results of implemented remedial measures against administrative violations against regulations on environmental protection must be also sent to the agency of the person imposing administrative penalties for cooperation in conducting inspection of results of implemented remedial measures. The report on results of implemented remedial measures against administrative violations against regulations on environmental protection shall be prepared using Form No. 03 stated in Annex II enclosed with this Decree;

b) Within 05 working days as of the receipt of the report on results of implemented remedial measures against administrative violations against regulations on environmental protection, the competent agency prescribed in Point a of this Clause shall take charge and coordinate with the agency of the person imposing administrative penalties in conducting an inspection of results of implemented remedial measures according to the contents of the decision on imposition of administrative penalties and conclusion of inspection of compliance with regulations on environmental protection (if any). The Vietnam Environment Administration shall, where necessary, assigns Provincial Departments of Natural Resources and Environment to conduct the inspection of results of remedial measures against administrative violations implemented by violating entities in cases where such inspection is subject to the responsibility of the Vietnam Environment Administration. The decision on the establishment of inspection team and the record of inspection of results of implemented remedial measures against administrative violations against regulations on environmental protection shall be made in accordance with regulations of the law on environmental protection and the law on inspection;

c) In case the violating entity has finished the implementation of remedial measures against administrative violations against regulations on environmental protection, the competent agency prescribed in Point a of this Clause shall, within 05 working days as of the completion of the inspection of results of implemented remedial measures (except for cases where results of inspection, measurement and analysis of environmental samples must be consulted), make certification of results of remedial measures against administrative violations against regulations on environmental protection and notify the responsible agencies prescribed in Points a, b and c Clause 3 Article 54 of this Decree to remove the seals (if any) in order that the violating entity may resume its activities;

d) If the violating entity does still not yet finish the implementation of remedial measures against administrative violations against regulations on environmental protection, it shall continue implementing remedial measures provided the period for implementing remedial measures specified in the decision on imposition of administrative penalties must be ensured; if the prescribed period is not enough for finishing the implementation of remedial measures, the violating entity may apply to the competent agency prescribed in Point a of this Clause for an extension provided it must less than 24 months; if the violating entity deliberately does not implement remedial measures against violations, it shall be forced to implement remedial measures as prescribed by laws.

3. In case the EIA report, the environmental protection scheme or the environmental protection plan/ scheme of a business establishment or a concentration of producers, businesses and service providers is approved or certified by multiple agencies, the agency that has the power to inspect results of implemented remedial measures against administrative violations against regulations on environmental protection shall be the superior agency that has given approval or certification thereof. The superior agency may, where necessary, assign an inferior agency to conduct the inspection of results of implemented remedial measures against administrative violations against regulations on environmental protection.

#### **Article 56. Regulations on violation notices and the power to make notices and decisions on imposition of penalties for administrative violations against regulations on environmental protection**

1. The notices of administrative violations against regulations on environmental protection shall be made in accordance with regulations in Article 58 of the Law on penalties for administrative violations and the Government's Decree No. 81/2013/ND-CP dated July 19, 2013 elaborating a number of articles and providing measures to implement the Law on penalties for administrative violations.

2. The following persons shall have the power to make notices of administrative violations against regulations on environmental protection:

a) On-duty persons who have the power to impose penalties for administrative violations against regulations on environmental protection;

b) Officials and public employees performing environmental protection duty of the Ministry of Natural Resources and Environment or the Vietnam Environment Administration; the Provincial Departments of Natural Resources and Environment, Environmental Protection Agencies, and the Management Boards of economic zones, industrial parks, or export processing zones of provinces or central-affiliated cities; Offices of Natural Resources and Environment affiliated to the District-level People's Committees;

c) Officials of ministries/ ministerial-level agencies who perform environmental protection duty towards their management sectors;

d) Officials or public employees at commune, ward or town level who perform environmental protection duty in their management communes, wards or towns;

dd) Soldiers of the People's Public Security Forces, police officers at commune, ward or town level and officers in charge of public order who are on duty related to the environmental protection at urban areas, residential areas, commercial areas or public areas;

e) Officials and public employees of forest management boards, the management boards of national parks, wildlife sanctuaries or biosphere reserves who perform environmental protection duty.

The persons that have the power to make administrative violation notices prescribed in this Clause must, upon the detection of any administrative violations against regulations on environmental protection, must timely make violation notices to impose administrative penalties or transfer the cases to the persons who have the power to impose administrative penalties in accordance with regulations of the law on penalties for administrative violations and of this Decree.

3. The forms of administrative violation notices and of decisions on imposition of penalties for administrative violations against regulations on environmental protection shall follow regulations of the Decree elaborating and providing measures to implement the Law on penalties for administrative violations.

The three forms of documents/ reports on results of remedial measures against administrative violations against regulations on environmental protection are promulgated in Annex II herein.

**Article 57. Disclosure of information, the power and procedures for adopting methods of disclosing information about the pollution status and administrative violations against regulations on environmental protection**

1. The following organizational/individual entities committing administrative violations shall have their information relating to the pollution status and administrative violations against regulations on environmental protection disclosed to the public:

a) Organizational/individual entities whose environmental licenses have been suspended;

b) Organizational/individual entities whose activities causing the environmental pollution or facility's activities causing the environmental pollution have been suspended;

c) The establishments being liable to implement remedial measures against their violations or relocate to locations in conformity with the planning and the environment's carrying capacity;

d) Organizational/individual entities committing administrative violations against regulations on environmental protection which lead to serious consequences or cause bad public opinions.

2. The said information shall be publicly posted on the websites or the newspapers of the Ministry of Natural Resources and Environment, the Vietnam Environment Administration, Provincial Departments of Natural Resources and Environment, and the People's Committees of provinces where administrative violations are committed or the governing agencies of the persons imposing administrative penalties are located.

3. The power and procedures for adopting methods of disclosing information about the pollution status and administrative violations against regulations on environmental protection:

a) The agency of the person that has imposed administrative penalty as prescribed in Clause 1 of this Article shall be responsible for disclosing information about the pollution status and administrative violations against regulations on environmental protection.

The head of the agency of the person who has made the decision on imposition of administrative penalty shall send the official dispatch on the information disclosure and the copy of the decision on imposition of administrative penalty to the person in charge of managing the website or the newspaper of the ministry, or department or the people's committee of province where the administrative violation has been committed within 03 working days as of the date on which the decision on imposition of administrative penalty is granted.

b) The disclosed information includes: Name in business registration certificate, trade name or name of the violating entity, primary business sectors; head office of the business establishment, service provider or the organization committing violations; administrative violations against regulations on environmental protection; the process and consequences of committed violations; penalty, remedial measures and period for implementing remedial measures.

c) The head of the agency in charge of disclosing information must be responsible for disclosed information; assume responsibility to correct untrue information within 01 working day as of the detection of such untrue information or the receipt of the request for correction of information, and pay fees for such correction of information.

The person in charge of managing the website or the newspaper must post information on the website within 01 working day or on the next edition of the newspaper as of the receipt of request; if the information prescribed in Point b Clause 3 of this Article has been inaccurately posted on the website or the newspaper, the person in charge of managing the website or the newspaper must correct the untrue information posted on the website within 01 working day or the untrue information posted on the newspaper on the next edition, and pay fees arisen thereof.

d) A decision on imposition of administrative penalty must include reasons for adopting methods of disclosing information of the violating entity on means of mass media, information required to be disclosed, name of the newspaper or the website on which the said information shall be posted.

dd) The newspaper or the agency in charge of managing the website shall, upon the receipt of the request for disclosing information, assume responsibility to post on require information on the next edition or time of posting information on the website.

e) In case the information may not be disclosed within the required time limit due to force majeure events, the person that has the power to disclose information must report it to the superior and must disclose information immediately after the said force majeure events have been remediated.

g) The funding for disclosing environmental protection information shall be covered by the budget for environmental expenditures and regular operating expenditure of the agency where the person makes decision on information disclosure works.

**Article 58. Enforcement of decisions on imposition of administrative penalties; responsibility for organizing the implementation of decision on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution**

1. Coercive measures, the power, contents, procedures, formalities and agencies enforcing the implementation of decisions on imposition of penalties for administrative violations against regulations on environmental protection shall be governed by regulations of the law on penalties for administrative violations.

2. Responsibility for organizing the implementation of decisions on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution:

a) Chairperson of the Provincial-level People's Committee shall instruct the implementation of decision on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution.

Department of Natural Resources and Environment shall take charge and coordinate with the Provincial-level Police Department, the People's Committee of district where the violating establishment is located, and relevant agencies in organizing the implementation of decision on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution.

b) The People's Committees of district where the establishment being liable to enforce the additional penalty which is the suspension of activities or enforce the remedial measure which is the relocation of the establishment causing serious environmental pollution is located shall be responsible for instructing relevant agencies in coordinating to enforce the said suspension or relocation.

c) Relevant People's Public Security Forces shall assume responsibility to ensure the public order and security during the implementation of coercive measures, assign personnel to prevent acts causing disturbance or opposing law enforcers during the implementation of decision on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution as requested.

**Article 59. Responsibilities of organizational/ individual entities involved in the implementation of decision on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution**

1. Any organizational/ individual entities related to the entity that is liable to implement the decision on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution shall assume the responsibility to cooperate in enforcing the said additional penalty which is the suspension of activities or enforcing the said remedial measure which is the relocation of the establishment causing serious environmental pollution as requested.

2. The state treasuries, commercial banks and other credit institutions shall implement measures to freeze deposit accounts as of the time of implementing coercive measures specified in the decision on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution.

3. Competent agencies shall revoke environmental licenses and relevant licenses in accordance with law regulations as of the time of implementing coercive measures specified in the decision on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution.

**Article 60. Responsibilities of relevant ministries/ regulatory bodies for the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution**

Minister of Natural Resources and Environment, Ministers and heads of ministerial-level agencies shall, within the ambit of their assigned duties and power, be responsible for cooperating with Chairpersons of people's committees of central-affiliated cities/

provinces in implementing decision on the enforcement of additional penalty which is the suspension of activities or the enforcement of remedial measure which is the relocation of the establishment causing serious environmental pollution.

## **Chapter IV**

### **IMPLEMENTARY PROVISIONS**

#### **Article 61. Transitional clause**

1. Administrative violations against regulations on environmental protection which have been granted administrative violation notices before the effective date of this Decree shall be governed by regulations in the Government's Decree No. 179/2013/ND-CP dated November 14, 2013 providing for penalties for administrative violations against regulations on environmental protection. In case this Decree provides for a mitigating penalty for an administrative violation, this Decree shall apply.

2. Penalties for administrative violations against regulations on environmental protection which are committed or discovered before the effective date of this Decree but are not granted administrative violation notices shall be imposed in accordance with regulations of this Decree.

#### **Article 62. Effect**

1. This Decree takes effect as of February 01, 2017.

2. The Government's Decree No. 179/2013/ND-CP dated November 14, 2013 providing for penalties for administrative violations against regulations on environmental protection shall be null and void as of the effective date of this Decree.

#### **Article 63. Responsibility for guidance and implementation**

1. Minister of Natural Resources and Environment shall, within the ambit of its assigned functions, duties and power, provide guidance and promulgate detailed regulations on certain articles of this Decree and organize the implementation of this Decree.

2. Minister of Natural Resources and Environment shall take charge and coordinate with Minister of Public Security in promulgating regulations on the cooperation between regulatory bodies in the domain of environmental protection and environmental police forces in inspecting, preventing environmental crimes and imposing penalties on administrative violations against regulations on environmental protection.

3. Ministers, heads of ministerial-level agencies, heads of the Government's affiliates, Chairpersons of people's committees of central-affiliated cities/ provinces shall be responsible for implementing this Decree./.

**ON BEHALF OF THE GOVERNMENT  
PRIME MINISTER**

**Nguyen Xuan Phuc**

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