

THE GOVERNMENT

THE SOCIALIST REPUBLIC OF VIETNAM

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DECREE

PENALTIES FOR ADMINISTRATIVE VIOLATIONS AGAINST REGULATIONS ON LAND SURVEYING AND MAPPING

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

Pursuant to the Law on Penalties for Administrative Violations dated June 20, 2012;

Pursuant to the Law on Land Surveying and Mapping dated June 14, 2018;

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

The Government hereby promulgates a Decree on penalties for administrative violations against regulations on land surveying and mapping.

Chapter I

GENERAL

Article 1. Scope

1. This Decree provides for administrative violations, penalties, fines, remedial measures against each violation; the power to impose penalties, and the power to record administrative violations against regulations on land surveying and mapping.
2. Other administrative violations against regulations on land surveying and mapping which are not prescribed in this Decree shall be governed by other relevant Government's Decrees on penalties for administrative violations within the scope of state management.

Article 2. Regulated entities

1. This Decree applies to domestic and foreign organizations and individuals (hereinafter referred to as “entities”) that commit administrative violations against regulations on land surveying and mapping within the territory of the Socialist Republic of Vietnam; the persons that have the power to record administrative violations, authorities, organizations and individuals involved in imposition of penalties for administrative violations against regulations on land surveying and mapping in accordance with regulations of this Decree.

2. Organizations facing penalties for administrative violations regulated by this Decree include:

- a) Enterprises that are duly established and operate in accordance with Vietnam's laws; branches and representative offices of foreign enterprises operating in Vietnam;
- b) Public service providers;
- c) Non-public services providers;
- d) Cooperatives, cooperative unions;
- dd) Foreign contractors that are organizations in accordance with regulations of law on bidding;
- e) Regulatory authorities committing violations which are not related to their assigned state management duties;
- g) Professional associations operating in the field of land surveying and mapping.

Article 3. Penalties and remedial measures

1. Primary penalties

For each administrative violation against regulation on land surveying and mapping regulated by this Decree, the violator will receive either:

- a) a warning; or
- b) a fine.

2. Additional penalties

Depending on the nature and severity of the violation, the entity who commits administrative violations regulated by this Decree may also incur one or several additional penalties below in addition to the penalties specified in Clause 1 of this Article:

- a) Suspension of the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;
- b) Confiscation of the exhibits and instrumentalities used for committing administrative violations;
- c) Expulsion.

3. Remedial measures

Entities that commit administrative violations regulated by this Decree, in addition to incurring the penalties specified in Article 4 of this Decree, may be liable to one or some of the following remedial measures:

- a) Enforced restoration to original condition;
- b) Enforced dismantling of buildings or parts thereof;
- c) Enforced destruction of land surveying and mapping data and products;
- d) Enforced recall of land surveying and mapping data and products and map publications;
- dd) Enforced correction of land surveying and mapping information, data and products and map publications;
- e) Enforced transfer of land surveying and mapping information and data;
- g) Enforced return of illegal benefits obtained from the administrative violations;
- h) Enforced destruction of land surveying and mapping products and map publications;

Article 4. Fines and power to impose fines

1. The maximum fine for an administrative violation against regulations on land surveying and mapping incurred by an individual is VND 50,000,000; that incurred by an organization is VND 100,000,000.
2. The fines prescribed in Chapter II hereof are imposed for administrative violations committed by individuals. The fine incurred by an organization is twice as much as the fine incurred by an individual for the same violation.
3. The maximum fines imposed by the persons mentioned in Articles 14 through 22 of this Decree are incurred by individuals. The maximum fines they may impose upon organizations are twice as much as the fines incurred by individuals.

Chapter II

ADMINISTRATIVE VIOLATIONS, PENALTIES, FINES AND REMEDIAL MEASURES

Article 5. Violations against regulations on provision of land surveying and mapping services

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

- a) Falsifying the land surveying and mapping practicing certificate;
- b) Practicing land surveying and mapping against the practicing certificate.

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

- a) Falsifying the application for issuance of the land surveying and mapping license;
- b) Practicing land surveying and mapping without the practicing certificate or during the license suspension period;
- c) Carrying out land surveying and mapping activities without maintaining the fulfillment of prescribed conditions for issuance of the land surveying and mapping license.

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

- a) Carrying out land surveying and mapping activities against the land surveying and mapping license;
- b) Falsifying the land surveying and mapping license;
- c) Carrying out land surveying and mapping activities with an unexpired land surveying and mapping license.

4. A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for carrying out land surveying and mapping activities without the license or carrying out land surveying and mapping activities during the license suspension period.

5. Additional penalties:

- a) Confiscate the exhibit or instrumentality used for committing the administrative violation if any of the violations mentioned in Point a Clause 1, Point a Clause 2 and Point b Clause 3 of this Article is committed;
- b) Suspend the land surveying and mapping license for 03 - 12 months if the violation mentioned in Point c Clause 2 of this Article is committed.

6. Remedial measures:

The violator is compelled to destroy land surveying and mapping data/products obtained from the violations mentioned in Point b Clause 2 and Clause 4 of this Article without ensuring quality in accordance with regulations of law on land surveying and mapping.

Article 6. Violations against regulations on construction, use and production of land surveying infrastructure works

1. A fine ranging from VND 2,000,000 to VND 4,000,000 shall be imposed for failure to notify the communal People's Committee of the use of a survey marker.

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

a) Constructing, repairing or renovating an architectural work within the safety corridor of a land surveying infrastructure work without complying with regulations of the Land Law regarding safety corridors of works and other relevant regulations of law;

b) Relocating or dismantling a survey marker without the approval from the authority managing such survey marker.

3. A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for destroying or damaging a survey marker.

4. A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for building a network of GPS satellites for commercial purpose against the list of prioritized investment projects approved by Ministries, ministerial agencies, Governmental agencies and provincial People's Committees.

5. Remedial measures:

a) The violator is compelled to restore the original condition which is changed by any of the violations mentioned in Point b Clause 2 and Clause 3 of this Article;

b) The violator is compelled to dismantle the work or part thereof if the violation mentioned in Point a Clause 2 of this Article is committed;

c) The violator is compelled to dismantle the GPS satellites if the violation mentioned in Clause 4 of this Article is committed.

Article 7. Violations against regulations on preparation and execution/performance of land surveying and mapping projects, technical designs, cost estimates and tasks

1. A fine ranging from VND 1,000,000 to VND 3,000,000 shall be imposed for failure to use or representing inaccurate standardized and published geographical names while carrying out land surveying and mapping activities.

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

- a) Using land surveying and mapping information/data/products of unknown origin for preparing and realizing a land surveying and mapping project, technical design, cost estimate or task;
- b) Failure to verify measuring instruments on the list of measuring instruments for land surveying and mapping that are required to undergo verification in accordance with regulations laid down by the Minister of Science and Technology;
- c) Using measuring instruments that fail to meet specifications in accordance with regulations on realization of a land surveying and mapping project, technical design, cost estimate or task;
- d) Representing inaccurate administrative division lines on the land surveying and mapping information/data/products while preparing and realizing a land surveying and mapping project, technical design, cost estimate or task;

3. A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for any one of the following violations:

- a) Forging or falsifying land surveying and mapping information/data/products while preparing and realizing a land surveying and mapping project, technical design, cost estimate or task;
- b) Showing inaccurate national border lines and territorial sovereignty on the land surveying and mapping information/data/products while preparing and realizing a land surveying and mapping project, technical design, cost estimate or task;
- c) Failure to use basic land surveying and mapping information/data/products while preparing and realizing a specialized land surveying and mapping project, technical design, cost estimate or task;
- d) Failure to use the national geospatial data for determining planning tasks and formulating socio - economic development and national security and defense plans, programs and projects and carrying out other activities serving the state management.

4. Additional penalties:

Suspend the land surveying and mapping license or land surveying and mapping practicing certificate for 03 - 12 months if the violation mentioned in Point c Clause 3 of this Article is committed.

5. Remedial measures:

a) The violator is compelled to destroy land surveying and mapping data/products if any of the violations mentioned in Point b, Point c Clause 2 and Point a Clause 3 of this Article is committed;

b) The violator is compelled to correct land surveying and mapping information/product/data or map publication if any of the violations mentioned in Clause 1, Point d Clause 2, Point b Clause 3 of this Article is violated.

Article 8. Violations against regulations on inspection of quality of land surveying and mapping products

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

a) Failure to verify measuring instruments on the list of measuring instruments for land surveying and mapping that are required to undergo verification in accordance with regulations laid down by the Minister of Science and Technology;

b) Using measuring instruments that fail to meet specifications in order to inspect quality of land surveying and mapping products;

c) Inspecting quality of land surveying and mapping products at investor level when the contractor or entity has yet to sufficiently inspect product quality at construction subcontractor level in accordance with regulations of law on land surveying and mapping.

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

a) Inspecting quality of land surveying and mapping products with insufficient contents or insufficient inspection level in accordance with regulations of law on land surveying and mapping;

b) Forging or falsifying land surveying and mapping data/products during the inspection of land surveying and mapping product quality.

3. Additional penalties:

Suspend the land surveying and mapping license or land surveying and mapping practicing certificate for 03 - 12 months if the violation mentioned in Point b Clause 2 of this Article is committed.

4. Remedial measures:

The violator is compelled to destroy the land surveying and mapping data/products if any of the violations mentioned in Point a, Point b Clause 1 and Point b Clause 2 of this Article is committed.

Article 9. Violations against regulations on reporting of land surveying and mapping

1. A fine ranging from VND 1,000,000 to VND 2,000,000 shall be imposed for failure to notify the authority licensing land surveying and mapping of the change of technical personnel or headquarters address.

2. A fine ranging from VND 2,000,000 to VND 3,000,000 shall be imposed for failure to report the land surveying and mapping in accordance with regulations of law on land surveying and mapping.

Article 10. Violations against regulations on transfer, provision, exploitation, use and exchange of land surveying and mapping information, data and products

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

a) Using land surveying and mapping information/data/products to realize a land surveying and mapping project, technical design, estimate or task against the land surveying and mapping information/data/product request form;

b) Exchanging and providing land surveying and mapping information/data/product that is public property to a domestic or foreign entity against regulations of law on land surveying and mapping;

2. A fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for failure to transfer land surveying and mapping information/data/products for storage purpose in accordance with regulations of law on land surveying and mapping.

3. A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for international exchange or import/export of land surveying and mapping information/data/products related to national sovereignty without representing or without accurately representing the national sovereignty or national border lines in accordance with regulations of law on land surveying and mapping.

4. Additional penalties:

a) The exhibit or instrumentality used for committing the administrative violation shall be confiscated if the violation mentioned in Clause 3 of this Article is committed;

b) Based on the violation's seriousness, the foreign individual that commits the administrative violation specified in Clause 3 of this Article may be expelled from the Socialist Republic of Vietnam.

5. Remedial measures:

The violator is compelled to:

a) return the illegal benefits that are obtained from the administrative violation mentioned in Point b Clause 1 of this Article;

b) transfer the land surveying and mapping information/data/product if the violation mentioned in Clause 2 of this Article is committed;

c) recall the land surveying and mapping data/product/map publication if the violation mentioned in Clause 3 of this Article is committed;

d) destroy the land surveying and mapping data/product/map publication if the violation mentioned in Clause 3 of this Article is committed.

Article 11. Violations against regulations on publishing and circulation of land surveying and mapping products and map publications

1. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for publishing or circulating a land surveying and mapping product or map publication that represents inaccurate administrative divisions in accordance with regulations of law on land surveying and mapping.

2. A fine ranging from VND 30,000,000 to VND 40,000,000 shall be imposed for circulating a land surveying and mapping product or map publication related to national sovereignty without representing or without accurately representing the national sovereignty or national border lines in accordance with regulations of law on land surveying and mapping.

3. A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for publishing a land surveying and mapping product or map publication related to national sovereignty without representing or without accurately representing the national sovereignty or national border lines in accordance with regulations of law on land surveying and mapping.

4. Additional penalties:

a) The exhibit or instrumentality used for committing the administrative violation shall be confiscated if any of the violations mentioned in Clauses 2 and 3 of this Article is committed;

b) Based on the violation's seriousness, the foreign individual that commits the administrative violations specified in Clauses 2 and 3 of this Article may be expelled from the Socialist Republic of Vietnam.

5. Remedial measures:

The violator is compelled to:

- a) correct land surveying and mapping information/data/map publication if any of the violations mentioned in Clauses 1 and 2 of this Article is violated;
- b) recall the land surveying and mapping data/product/map publication if any of the violations mentioned in Clauses 2 and 3 of this Article is committed;
- c) destroy the land surveying and mapping data/product/map publication if the violation mentioned in Clause 3 of this Article is committed;
- d) return the illegal benefits that are obtained from the administrative violations mentioned in Clauses 2 and 3 of this Article.

Article 12. Act of obstructing legal land surveying and mapping activities carried out by entities

1. A fine ranging from VND 2,000,000 to VND 3,000,000 shall be imposed for obstructing an entity in the use of the survey marker when carrying out land surveying and mapping activities.
2. A fine ranging from VND 5,000,000 to VND 10,000,000 shall be imposed for obstructing the legal land surveying and mapping activities carried out by an entity.

Article 13. Act of misusing land surveying and mapping activities to infringe upon national interests and lawful rights and interests of entities

1. A fine ranging from VND 10,000,000 to VND 20,000,000 shall be imposed for misusing land surveying and mapping activities to infringe upon lawful rights and interests of an entity.
2. A fine ranging from VND 40,000,000 to VND 50,000,000 shall be imposed for misusing land surveying and mapping activities to infringe upon national interests.

3. Additional penalties:

- a) The exhibit or instrumentality used for committing the administrative violation shall be confiscated if the violation mentioned in Clause 2 of this Article is committed;

b) The land surveying and mapping license or land surveying and mapping practicing certificate shall be suspended for 03 - 12 months if the violation mentioned in Clause 2 of this Article is committed.

c) Based on the violation's seriousness, the foreign individual that commits the administrative violation specified in Clause 2 of this Article may be expelled from the Socialist Republic of Vietnam.

4. Remedial measures:

The violator is compelled to return the illegal benefits obtained from the administrative violation mentioned in Clause 2 of this Article.

Chapter III

POWER TO IMPOSE PENALTIES FOR ADMINISTRATIVE VIOLATIONS, RECORD ADMINISTRATIVE VIOLATIONS AND ENFORCE REMEDIAL MEASURES IN THE FIELDS OF LAND SURVEYING AND MAPPING

Article 14. The power to impose administrative penalties of Presidents of People's Committees at all levels

Presidents of People's Committees are entitled to impose penalties for the administrative violations specified in Chapter II of this Decree. To be specific:

1. Presidents of the communal People's Committees are entitled to:

a) issue warnings;

b) impose a maximum fine of VND 5,000,000;

c) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;

d) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 5,000,000;

dd) enforce the remedial measures mentioned in Point a Clause 3 Article 3 of this Decree.

2. Presidents of the district-level People's Committees are entitled to:

a) issue warnings;

b) impose a maximum fine of VND 25,000,000;

c) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;

d) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 25,000,000;

dd) enforce the remedial measures mentioned in Clause 3 Article 3 of this Decree.

3. Presidents of the provincial People's Committees are entitled to:

a) issue warnings;

b) impose a maximum fine of VND 50,000,000;

c) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;

d) confiscate the exhibits and instrumentalities used for administrative violation commission;

dd) enforce the remedial measures mentioned in Clause 3 Article 3 of this Decree.

Article 15. The power to impose administrative violations of inspectors and agencies assigned to conduct natural resources and environment inspections

Inspectors and agencies assigned to conduct natural resources and environment inspections are entitled to impose penalties for the administrative violations specified in Chapter II of this Decree. To be specific:

1. Natural resources and environment inspectors and persons who are assigned to conduct natural resources and environment inspections in the performance of their duties are entitled to:

a) issue warnings;

b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 500,000;

c) enforce the remedial measures mentioned in Point a Clause 3 Article 3 of this Decree.

2. Chief Inspectors of provincial Departments of Natural Resources and Environment, chiefs of provincial inspectorates, chiefs of inspectorates of agencies assigned to conduct specialized inspections are entitled to:

a) issue warnings;

- b) impose a maximum fine of VND 25,000,000;
- c) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;
- d) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 25,000,000;
- dd) enforce the remedial measures mentioned in Clause 3 Article 3 of this Decree.

3. Chiefs of ministerial inspectorates:

- a) issue warnings;
- b) impose a maximum fine of VND 35,000,000;
- c) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;
- d) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 35,000,000;
- dd) enforce the remedial measures mentioned in Clause 3 Article 3 of this Decree.

4. Chief Inspector of Ministry of Natural Resources and Environment, Director General of General Department of Geology and Minerals of Vietnam, Director General of Vietnam Environment Administration and Director General of General Department of Land Administration are entitled to:

- a) issue warnings;
- b) impose a maximum fine of VND 50,000,000;
- c) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;
- d) confiscate the exhibits and instrumentalities used for administrative violation commission;
- dd) enforce the remedial measures mentioned in Clause 3 Article 3 of this Decree.

Article 16. The power to impose administrative penalties of People's Public Security Force

The power of the People's Public Security Force to impose penalties for administrative violations and enforce remedial measures is specified in Article 39 of Law on Penalties

for Administrative Violations. Persons that have the power to impose administrative penalties of People's Public Security Force are entitled to impose penalties for the administrative violations in Clauses 1 and 3 Article 10, Clauses 1, 2 and 3 Article 11, Article 12, Clauses 1 and 2 Article 13 of this Decree within their area and their jurisdiction as specified in Clauses 1, 2, 3 and 4 of this Article.

1. Chiefs of communal police authorities, chiefs of police stations and chiefs of police stations of border checkpoints and export-processing zones are entitled to confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 2,500,000.

2. Chiefs of police authorities of districts; chiefs of specialized divisions affiliated to the provincial authorities, including chiefs of Economic Security Divisions, Cybersecurity and High-tech Crime Prevention and Control Divisions, Social Order-related Crime Investigation Divisions, Corruption, Economy and Smuggling-related Crime Investigation Divisions, Police Divisions for Environmental Crime Prevention and Control, Social Order Police Divisions, Traffic Police Divisions or Road and Rail Traffic Police Divisions, Internal Waterways Police Divisions, specialized divisions affiliated to the Traffic Police Department and Internal Political Security Divisions are entitled to:

a) impose a maximum fine of VND 10,000,000;

b) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;

c) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 10,000,000;

d) enforce the remedial measures mentioned in Points d, dd and h Clause 3 Article 3 of this Decree.

3. Directors of provincial police authorities are entitled to:

a) impose a maximum fine of VND 25,000,000;

b) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;

c) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 25,000,000;

d) order the expulsion;

dd) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

4. Directors of Economic Security Department, Department of Cybersecurity and High-tech Crime Prevention and Control, Social Order-related Crime Investigation Department, Police Department of Environmental Crime Prevention and Control, Social Order Police Department, Traffic Police Department, Internal Political Security Department and Corruption, Economy and Smuggling-related Crime Investigation Department are entitled to:

- a) impose a maximum fine of VND 50,000,000;
- b) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;
- c) confiscate the exhibits and instrumentalities used for administrative violation commission;
- d) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

5. The Director of the Immigration Department is entitled to:

- a) impose a maximum fine of VND 50,000,000;
- b) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;
- c) confiscate the exhibits and instrumentalities used for administrative violation commission;
- d) order the expulsion;
- dd) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

Article 17. The power to impose administrative penalties of the Border Guard

Persons that have the power to impose administrative penalties of the Border Guard are entitled to impose penalties and enforce remedial measures against the administrative violations in Point b Clause 1 and Clause 3 Article 10, Clause 2 Article 11, Article 12, Clauses 1 and 2 Article 13 of this Decree within their area and their jurisdiction as specified in Clauses 1 and 2 of this Article.

1. Captains of border-guard posts, commanders of border-guard flotillas and commanders of border guards at port checkpoints are entitled to:

- a) impose a maximum fine of VND 10,000,000;

- b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 10,000,000;
- c) enforce the remedial measures mentioned in Points d and dd Clause 3 Article 3 of this Decree.

2. Commanders of provincial border guards and commanders of coastal guard fleets affiliated to the Border Guard High Command are entitled to:

- a) impose a maximum fine of VND 50,000,000;
- b) confiscate the exhibits and instrumentalities for committing administrative violations;
- c) enforce the remedial measures mentioned in Points d, dd and g Clause 3 Article 3 of this Decree.

Article 18. The power to impose administrative penalties of the Coast Guard

Persons that have the power to impose administrative penalties of the Coast Guard are entitled to impose penalties and enforce remedial measures against the administrative violations in Clause 1, Point b Clause 2, Clauses 3 and 4 Article 5, Clauses 2, 3 and 4 Article 6, Points c and d Clause 2, Points b and d Clause 3 Article 7, Point b Clause 1 and Clause 3 Article 10, Clauses 1, 2 and 3 Article 11, Article 12, Clauses 1 and 2 Article 13 of this Decree within their area and their jurisdiction as specified in Clauses 1, 2, 3, 4 and 5 of this Article.

1. Coastguard squad leaders and captains of coastguard stations are entitled to impose a maximum fine of VND 5,000,000.

2. Commanders of coastguard platoons are entitled to:

- a) impose a maximum fine of VND 10,000,000;
- b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 10,000,000;
- c) enforce the remedial measures mentioned in Points d, dd and h Clause 3 Article 3 of this Decree.

3. Commanders in chief of coastguard squadrons are entitled to:

- a) impose a maximum fine of VND 15,000,000;
- b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 15,000,000;

c) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

4. Commanders of regional coastguard command centers are entitled to:

a) impose a maximum fine of VND 25,000,000;

b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 25,000,000;

c) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

5. Commander of the Coast Guard is entitled to:

a) impose a maximum fine of VND 50,000,000;

b) confiscate the exhibits and instrumentalities for committing administrative violations;

c) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

Article 19. The power to impose administrative penalties of the customs

Persons that have the power to impose administrative penalties of the customs are entitled to impose penalties and enforce remedial measures against the administrative violations in Point b Clause 1 and Clause 3 Article 10, and Clause 2 Article 11 of this Decree within their area and their jurisdiction as specified in Clauses 1, 2 and 3 of this Article.

1. Directors of Sub-departments of Customs, Sub-departments of Post-Clearance Inspection, leaders of customs enforcement teams affiliated to provincial, inter-provincial or city Customs Departments, smuggling prevention team leaders, customs procedures team leaders, leaders of customs control teams at sea and leaders of intellectual property right protection teams of the Smuggling Investigation and Prevention Department of the General Department of Customs are entitled to:

a) impose a maximum fine of VND 25,000,000;

b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 25,000,000;

c) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

2. Director of Smuggling Investigation Department, Director of Post-clearance Inspection Department affiliated to the General Department of Customs, Directors of provincial, inter-provincial or city Customs Departments are entitled to:

- a) impose a maximum fine of VND 50,000,000;
- b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 50,000,000;
- c) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

3. Director General of General Department of Customs is entitled to:

- a) impose a maximum fine of VND 50,000,000;
- b) confiscate the exhibits and instrumentalities for committing administrative violations;
- c) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

Article 20. The power to impose administrative penalties of market surveillance authorities

Persons that have the power to impose administrative penalties of the customs are entitled to impose penalties and enforce remedial measures against the administrative violations in Point b Clause 1 and Clause 3 Article 10, and Clause 2 Article 11 of this Decree within their area and their jurisdiction as specified in Clauses 1, 2 and 3 of this Article.

1. Leaders of market surveillance teams are entitled to:

- a) impose a maximum fine of VND 25,000,000;
- b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 25,000,000;
- c) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

2. Directors of provincial Market Surveillance Departments and Director of Market Surveillance Operations Department are entitled to:

- a) impose a maximum fine of VND 50,000,000;
- b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 50,000,000;

c) enforce the remedial measures mentioned in Points g and h Clause 3 Article 3 of this Decree.

3. Director General of Vietnam Directorate of Market Surveillance is entitled to:

a) impose a maximum fine of VND 50,000,000;

b) confiscate the exhibits and instrumentalities for committing administrative violations;

c) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

Article 21. The power to impose administrative penalties of seaport authorities, airport authorities, inland waterways port authorities

Persons that have the power to impose administrative penalties of seaport authorities, airport authorities, inland waterways port authorities are entitled to impose penalties and enforce remedial measures against the administrative violations in Point b Clause 1 and Clause 3 Article 10, and Clause 2 Article 11 of this Decree within their area and their jurisdiction as specified in Clauses 1 and 2 of this Article.

1. Chief representatives of seaport authorities, airport authorities, the inland waterway port authorities are entitled to impose a maximum fine of VND 10,000,000.

2. Directors of seaport authorities, airport authorities, and the inland waterway port authorities affiliated to Vietnam Inland Waterway Administration are entitled to:

a) impose a maximum fine of VND 25,000,000;

b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 25,000,000;

c) enforce the remedial measures mentioned in Points d, dd, g and h Clause 3 Article 3 of this Decree.

Article 22. The power to impose administrative violations of inspectors and agencies assigned to conduct transport, construction, industry and trade and agriculture and rural development inspections

1. The power to impose administrative violations of inspectors and agencies assigned to conduct specialized inspections:

a) Inspectors and agencies assigned to conduct transport, industry and trade and agriculture and rural development inspections are entitled to impose penalties and enforce the remedial measures against the administrative violations mentioned in Articles 5, 7, 8 and 10 of this Decree;

b) Inspectors and agencies assigned to conduct construction inspections are entitled to impose penalties and enforce the remedial measures against the administrative violations mentioned in Articles 5, 6, 7, 8 and 10 of this Decree.

2. Inspectors and persons who are assigned to conduct specialized inspections in the performance of their duties are entitled to:

a) issue warnings;

b) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 500,000;

c) enforce the remedial measures mentioned in Points a and h Clause 3 Article 3 of this Decree.

3. Chief Inspectors of provincial Departments, chiefs of inspectorates of provincial authorities, chiefs of inspectorates of regulatory agencies assigned to conduct specialized inspections are entitled to:

a) issue warnings;

b) impose a maximum fine of VND 25,000,000;

c) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;

d) confiscate the exhibits and instrumentalities used for administrative violation commission whose value does not exceed VND 25,000,000;

dd) enforce the remedial measures mentioned in Points c, d and h Clause 3 Article 3 of this Decree.

4. Chief Inspectors of the Ministry of Transport, Ministry of Industry and Trade, Ministry of Agriculture and Rural Development; Director General of Directorate for Roads of Vietnam, Director General of Directorate of Water Resources, Director General of Vietnam Administration of Forestry, Director of Vietnam Railway Authority, Director of Vietnam Maritime Administration and Director of Civil Aviation Authority of Vietnam are entitled to:

a) issue warnings;

b) impose a maximum fine of VND 50,000,000;

c) suspend the land surveying and mapping license or the land surveying and mapping practicing certificate for 03 - 12 months;

d) confiscate the exhibits and instrumentalities used for administrative violation commission;

dd) enforce the remedial measures mentioned in Points c, d and h Clause 3 Article 3 of this Decree.

Article 23. The power to record administrative violations

The persons below are entitled to record administrative violations against regulations on land surveying and mapping:

1. Persons that have the power to impose penalties for administrative violations specified in Chapter III of this Decree.
2. Chiefs of land surveying and mapping inspectorates, officials and persons of the Army or People's Public Security Force working at regulatory authorities mentioned in Articles 14 through 22 hereof in their performance of their duties related to land surveying and mapping inspections.
3. Pilots in command, shipmasters and trainmasters and persons assigned by pilots in command, shipmasters and trainmasters to record administrative violations.

Chapter IV

IMPLEMENTATION CLAUSE

Article 24. Effect

1. This Decree comes into force from April 01, 2020.
2. This Decree repeals Clause 3 Article 1 and Chapter 3 and removes the phrase "đo đạc và bản đồ" ("land surveying and mapping") from the title of the Decree, legal references, the title of Chapter 4, Article 2, Clause 1 Article 3 and Point a Clause 1 Article 20 of the Government's Decree No. 173/2013/ND-CP dated November 13, 2013; removes the phrase "đo đạc và bản đồ" ("land surveying and mapping") from the Government's Decree No. 84/2017/ND-CP date July 18, 2017.

Article 25. Transitional clauses

1. If any administrative violation occurs prior to the effective date of this Decree, is detected after the effective date of this Decree or action against such violation is considered, regulations of the Decrees No. 173/2013/ND-CP and No. 84/2017/ND-CP shall apply. If the regulations on penalty imposition specified in this Decree are advantageous to entities, they shall prevail.

2. In case a decision on penalty imposition for the same violation has been issued but not implemented or fully implemented, it shall be enforced.

Article 26. Responsibility for implementation

1. Ministers, heads of ministerial agencies, heads of Governmental agencies, Presidents of People's Committees of provinces and central-affiliated cities and relevant organizations and individuals are responsible for the implementation of this Decree.

2. The Minister of Natural Resources and Environment shall, within the Minister's jurisdiction, organize and provide guidelines for the implementation of this Decree./.

**ON BEHALF OF THE GOVERNMENT
THE PRIME MINISTER**

Nguyen Xuan Phuc

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