

THE PRESIDENT

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

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ORDER
On the promulgation of law¹

THE PRESIDENT OF THE SOCIALIST REPUBLIC OF VIETNAM

Pursuant to Articles 88 and 91 of the Constitution of the Socialist Republic of Vietnam;

Pursuant to Article 80 of the Law on Promulgation of Legal Documents;

PROMULGATES:

the Law on Denunciations,

which was passed on June 12, 2018, by the XIVth National Assembly of the Socialist Republic of Vietnam at its 5th session.

President of the Socialist Republic of Vietnam
TRAN DAI QUANG

¹ Công Báo Nos 775-776 (14/7/2018)

Law on Denunciations²

*Pursuant to the Constitution of the Socialist Republic of Vietnam;
The National Assembly promulgates the Law on Denunciations,*

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Law prescribes denunciations and the settlement of denunciations against illegal acts committed in the performance of tasks or official duties, and other illegal acts in the state management of sectors; protection of denunciators; and responsibilities of agencies and organizations in the management of denunciation settlement work.

Article 2. Interpretation of terms

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

1. *Denunciation* means that an individual notifies according to the procedures prescribed in this Law a competent agency, organization or person of an illegal act committed by any agency, organization or individual which harms or threatens to harm the interests of the State or lawful rights and interests of agencies, organizations or individuals, including:

a/ Denunciation against an illegal act in the performance of a task or an official duty;

b/ Denunciation against an illegal act in the state management of sectors.

2. *Denunciation against illegal acts in the performance of tasks or official duties* means a denunciation against illegal acts in the performance of tasks or official duties by:

a/ Cadres, civil servants or public employees; other persons assigned to perform tasks or official duties;

² Công Báo Nos 775-776 (14/7/2018)

b/ Persons who are no longer cadres, civil servants or public employees but committed illegal acts while they were cadres, civil servants or public employees; persons who are no longer assigned to perform tasks or official duties but committed illegal acts while they were assigned to perform tasks or official duties; and,

c/ Agencies or organizations.

3. *Denunciation against illegal acts in the state management of sectors* means a denunciation against an illegal act in the state management of sectors of any agency, organization or individual, except illegal acts in the performance of tasks or official duties.

4. *Denunciator* means an individual who makes a denunciation.

5. *The denounced* means an agency or organization or a person that has committed a denounced act.

6. *Denunciation settler* means an agency or organization or a person that is competent to settle a denunciation.

7. *Denunciation settlement* means the acceptance, verification and making of conclusions on denunciation contents and the handling of conclusions on denunciation contents by a denunciation settler.

Article 3. Application of the law on denunciations and settlement of denunciations

1. Denunciations and settlement of denunciations must comply with this Law and other relevant regulations. In case another law contains provisions on denunciations and settlement of denunciations which are different from those of this Law, the provisions of such law prevail.

2. The receipt and settlement of reports and information on crime must comply with the criminal procedure law.

Article 4. Principles of settlement of denunciations

1. The settlement of denunciations shall be carried out in a timely, accurate and objective manner according to the competence, order and procedures and within the time limit prescribed by law.

2. The settlement of denunciations must ensure safety for denunciators and guarantee the lawful rights and interests of the denounced in the process of denunciation settlement.

Article 5. Responsibilities of competent agencies, organizations and persons in receiving and settling denunciations

1. Within the ambit of their tasks and powers, competent agencies, organizations and persons shall:

a/ Organize the receipt and settlement of denunciations in accordance with law; apply necessary measures to prevent possible damage and ensure safety for denunciators; strictly handle persons committing illegal acts and take responsibility before law for their decisions;

b/ Guarantee lawful rights and interests of the denounced until denunciation settlers make conclusions on denunciation contents.

2. Agencies, organizations and individuals that are competent to receive and settle denunciations but fail to receive and settle them in accordance with law, show irresponsibility in receiving and settling denunciations, or settle denunciations in contravention of law shall be strictly handled; if causing damage, they shall pay compensations in accordance with law.

Article 6. Responsibilities of related agencies, organizations and individuals for coordination in the denunciation settlement

Within the ambit of their tasks and powers, related agencies, organizations and individuals shall coordinate with denunciation settlers; provide information and documents relating to denunciation contents in accordance with law; apply measures to protect denunciators according to their competence; handle persons committing illegal acts according to conclusions on denunciation contents; and handle agencies, organizations and individuals that violate the law on denunciations.

Article 7. Execution of denounced illegal act-handling decisions

Denounced act-handling decisions issued by competent agencies, organizations or persons shall be respected and strictly executed by related agencies, organizations and individuals. Agencies, organizations and individuals that are responsible for executing denounced illegal act-handling decisions but fail to do so shall be strictly handled in accordance with law.

Article 8. Prohibited acts in the making and settlement of denunciations

1. Obstructing, causing difficulties or troubles to denunciators.
2. Showing irresponsibility or discriminatory treatment in the settlement of denunciations.
3. Disclosing full names, addresses and autographs of denunciators and other information which may reveal their names and identity.
4. Losing or falsifying denunciation case files and documents in the course of denunciation settlement.

5. Failing to settle denunciations or deliberately settling denunciations in contravention of law; abusing positions and powers in the denunciation settlement to commit illegal acts, harass or cause troubles to denunciators and the denounced.

6. Failing to discharge or improperly discharging the responsibility to protect denunciators.

7. Illegally intervening in or obstructing the denunciation settlement.

8. Intimidating, buying off, taking revenge on, repressing or offending denunciators.

9. Covering up the denounced.

10. Deliberately making untruthful denunciations; forcing, inducing, provoking, enticing or buying off others to make untruthful denunciations; assuming others' full names to make denunciations.

11. Buying off, giving bribes to, intimidating, taking revenge on or offending denunciation settlers.

12. Taking advantage of the right to denunciation to carry out propaganda against the State or infringe upon the State's interests; disrupting public security and order; distorting, slandering, or offending others' honor, dignity and prestige.

13. Reporting untrue information on denunciations and settlement of denunciations.

Chapter II

RIGHTS AND OBLIGATIONS OF DENUNCIATORS, THE DENOUNCED, AND DENUNCIATION SETTLERS

Article 9. Rights and obligations of denunciators

1. A denunciator has the following rights:

a/ To exercise the right to denunciation in accordance with this Law;

b/ To have his/her full name, address, autograph and other personal information kept confidential;

c/ To be notified of the acceptance of or refusal to accept his/her denunciation, transfer of his/her denunciation to competent agencies, organizations or persons for settlement, prolongation of the time limit for denunciation settlement, termination, suspension or resumption of the denunciation settlement, and conclusions on denunciation contents;

d/ To make a subsequent denunciation if having grounds to believe that his/her denunciation is settled not in accordance with law or his/her denunciation remains unsettled past the prescribed time limit;

dd/ To withdraw his/her denunciation;

e/ To request competent agencies, organizations or persons to apply measures to protect him/her;

g/ To be commended and rewarded or receive compensations for damage in accordance with law.

2. A denunciator has the following obligations:

a/ To provide his/her personal information as specified in Article 23 of this Law;

b/ To honestly present denunciation contents; to provide information and documents relating to denunciation contents;

c/ To take responsibility before law for denunciation contents;

d/ To cooperate with the denunciation settler when so requested;

dd/ To pay compensations for damage caused by his/her act of making untruthful denunciation.

Article 10. Rights and obligations of the denounced

1. A denounced has the following rights:

a/ To be notified of denunciation contents, prolongation of the time limit for denunciation settlement, termination, suspension or resumption of the denunciation settlement;

b/ To show evidence to prove that denunciation contents are untrue;

c/ To receive written conclusions on denunciation contents;

d/ To have its/his/her lawful rights and interests guaranteed until the denunciation settler makes conclusions on denunciation contents;

dd/ To request competent agencies, organizations and persons to handle those who deliberately make untruthful denunciations and those who settle denunciations in contravention of law;

e/ To have its/his/her infringed honor or lawful rights and interests restored, receive public apologies and corrections and compensations for damage caused by an untruthful denunciation or the improper settlement of a denunciation in accordance with law;

g/ To file complaints about handling decisions of competent agencies, organizations or persons in accordance with law.

2. A denounced has the following obligations:

- a/ To be present to work at the request of the denunciation settler;
- b/ To explain about the denounced act; to provide relevant information and documents at the request of competent agencies, organizations and persons;
- c/ To strictly comply with handling decisions according to conclusions on denunciation contents of competent agencies, organizations and persons;
- d/ To pay compensations for damage caused by its/his/her illegal acts.

Article 11. Rights and obligations of denunciation settlers

1. A denunciation settler has the following rights:

- a/ To request the denunciator to come to work and provide available information and documents relating to denunciation contents;
- b/ To request the denounced to come to work and explain about the denounced act, and provide information and documents relating to denunciation contents;
- c/ To request or propose other agencies, organizations and individuals to provide information and documents relating to denunciation contents;
- d/ To take necessary measures to verify and collect information and documents to serve as a basis for the denunciation settlement in accordance with this Law and other relevant regulations; to apply or request or propose competent agencies, organizations and persons to apply measures prescribed by law to prevent or stop denounced illegal acts;
- dd/ To make conclusions on denunciation contents;
- e/ To process conclusions on denunciation contents according to its/his/her competence or propose competent agencies, organizations and persons to do so in accordance with law

2. A denunciation settler has the following obligations:

- a/ To ensure objective, honest and lawful denunciation settlement;
- b/ To apply necessary measures according to its/his/her competence or request competent agencies to apply measures to protect the denunciator;
- c/ To refrain from disclosing information on the denunciation settlement; to guarantee lawful rights and interests of the denounced pending conclusion on denunciation contents;

d/ To notify the denunciator of the acceptance of or refusal to accept the denunciation, transfer of the denunciation case to a competent agency, organization or person for settlement, prolongation of the time limit for denunciation settlement, termination, suspension or resumption of the denunciation settlement, and conclusions on denunciation contents;

dd/ To notify the denounced of denunciation contents, prolongation of the time limit for denunciation settlement, termination, suspension or resumption of the denunciation settlement; to send written conclusions on denunciation contents to the denounced;

e/ To take responsibility before law for the denunciation settlement;

g/ To pay compensations for damage caused by its/his/her unlawful denunciation settlement.

Chapter III

SETTLEMENT OF DENUNCIATIONS AGAINST ILLEGAL ACTS IN THE PERFORMANCE OF TASKS OR OFFICIAL DUTIES

Section 1

DENUNCIATION-SETTLING COMPETENCE

Article 12. Principles of determining competence

1. A denunciation against an illegal act committed by a cadre, civil servant or public employee when performing his/her tasks or official duties shall be settled by the head of the agency or organization competent to manage such cadre, civil servant or public employee.

A denunciation against an illegal act committed by the head or deputy head of an agency or organization when performing his/her tasks or official duties shall be settled by the head of the direct superior agency or organization of such agency or organization.

2. A denunciation against an illegal act committed by a cadre, civil servant or public employee managed by different agencies or organizations when performing his/her tasks or official duties shall be settled by the head of the agency or organization directly managing such cadre, civil servant or public employee in coordination with heads of related agencies and organizations.

3. A denunciation against an illegal act committed in the past performance of tasks or official duties by a cadre, civil servant or public employee who has been transferred to another agency or organization or

no longer works as a cadre, civil servant or public employee shall be settled as follows:

a/ In case the denounced being the head or deputy head of the agency or organization who has been transferred to another agency or organization but still holds the same position, the denunciation shall be settled by the head of the direct superior agency or organization of the agency or organization managing the denounced at the time he/she committed the illegal act in coordination with the head of the direct superior agency or organization of the agency or organization currently managing the denounced;

b/ In case the denounced has been transferred to another agency or organization and holds a higher position, the denunciation shall be settled by the head of the agency or organization currently managing the denounced in coordination with the head of the agency or organization managing the denounced at the time he/she committed the illegal act.

In case the denounced has been transferred to another agency or organization and is the head or deputy head of such agency or organization, the denunciation shall be settled by the head of the direct superior agency or organization of such agency or organization in coordination with the head of the agency or organization managing the denounced at the time he/she committed the illegal act.

c/ In case the denounced has been transferred to another agency or organization but does not fall into the case specified at Point a or b of this Clause, the denunciation shall be settled by the head of the agency or organization managing the denounced at the time he/she committed the illegal act in coordination with the head of the agency or organization currently managing the denounced;

d/ In case the denounced no longer works as a cadre, civil servant or public employee, the denunciation shall be settled by the head of the agency or organization managing the denounced at the time he/she committed the illegal act in coordination with heads of related agencies and organizations.

4. A denunciation against a cadre, civil servant or public employee of an agency or organization that has been consolidated, merged, divided or separated shall be settled by the head of the agency or organization formed after the consolidation, merger, division or separation where the denounced is working in coordination with heads of related agencies and organizations.

5. A denunciation against a cadre, civil servant or public employee of a dissolved agency or organization shall be settled by the head of the



agency or organization managing such agency or organization before the dissolution.

6. A denunciation against an agency or organization regarding its task or official duty performance shall be settled by the head of the direct superior agency or organization of the denounced agency or organization.

Article 13. Competence to settle denunciations against illegal acts in the performance of tasks or official duties in state administrative agencies

1. Chairpersons of commune-level People's Committees are competent to settle denunciations against illegal acts committed by civil servants under their direct management when performing their official duties.

2. Chairpersons of district-level People's Committees are competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by chairpersons or vice chairpersons of commune-level People's Committees and by other cadres, civil servants and public employees whom they appoint and directly manage;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by agencies or organizations directly managed by district-level People's Committees.

3. Heads of specialized agencies of provincial-level People's Committees are competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by heads or deputy heads of units attached to their agencies and by other civil servants or public employees they appoint and directly manage;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by agencies or organizations they directly manage.

4. Chairpersons of provincial-level People's Committees are competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by chairpersons or vice chairpersons of district-level People's Committees, heads or deputy heads of specialized agencies of provincial-level People's Committees,

and by other civil servants or public employees they appoint and directly manage;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by agencies or organizations directly managed by provincial-level People's Committees.

5. Directors general, directors and holders of equivalent positions in ministries or ministerial-level agencies who are decentralized to manage cadres, civil servants and public employees are competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks and official duties by heads or deputy heads of agencies or units under their general departments, departments and equivalent units, and by other civil servants and public employees they appoint and directly manage;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by agencies or organizations they directly manage.

6. Heads of government-attached agencies are competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by heads or deputy heads of their attached agencies or organizations, and by other civil servants and public employee they appoint and directly manage;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by agencies or organizations they directly manage.

7. Ministers and heads of ministerial-level agencies are competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by heads or deputy heads of agencies or units under their ministries or agencies, and by other cadres, civil servants and public employee they appoint and directly manage;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by agencies or organizations they directly manage.

8. The Prime Minister is competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks and official duties by ministers, deputy ministers, heads or deputy heads of ministerial-level agencies or government-attached agencies, chairpersons or vice chairpersons of provincial-level

People's Committees, and by other cadres, civil servants or public employees he/she appoints and directly manages;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by agencies or organizations he/she directly manages.

Article 14. Competence to settle denunciations against illegal acts committed in the performance of tasks or official duties in people's courts

1. Chief justices of district-level people's courts are competent to settle denunciations against illegal acts committed in the performance of official duties by civil servants they directly manage.

2. Chief justices of provincial-level people's courts are competent to:

a/ Settle denunciations against illegal acts committed in the performance of official duties by chief justices or deputy chief justices of district-level people's courts, and by other civil servants they directly manage;

b/ Settle denunciations against illegal acts committed in the performance of official duties of district-level people's courts.

3. Chief justices of superior people's courts are competent to settle denunciations committed in the performance of official duties by civil servants they directly manage.

4. The Chief Justice of the Supreme People's Court is competent to:

a/ Settle denunciations against illegal acts committed in the performance of official duties by chief justices or deputy chief justices of superior people's courts and of provincial-level people's courts; or in the performance of tasks or official duties by other civil servants or public employees he/she directly manages;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by agencies or organizations he/she directly manages or by superior people's courts and provincial-level people's courts.

Article 15. Competence to settle denunciations against illegal acts committed in the performance of tasks or official duties in people's procuracies

1. Chief procurators of district-level people's procuracies are competent to settle denunciations against illegal acts committed in the performance of official duties by civil servants they directly manage.

2. Chief procurators of provincial-level people's procuracies are competent to:

a/ Settle denunciations against illegal acts committed in the performance of official duties by chief procurators or deputy chief procurators of district-level people's procuracies, and by other civil servants they directly manage;

b/ Settle denunciations against illegal acts committed in the performance of official duties of district-level people's procuracies.

3. Chief procurators of superior people's procuracies are competent to settle denunciations committed in the performance of official duties by civil servants they directly manage.

4. The Procurator General of the Supreme People's Procuracy is competent to:

a/ Settle denunciations against illegal acts committed in the performance of official duties by chief procurators or deputy chief procurators of superior people's procuracies and provincial-level people's procuracies; or in the performance of tasks or official duties by other civil servants or public employees he/she directly manages;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by agencies or organizations he/she directly manages or by superior people's procuracies and provincial-level people's procuracies.

Article 16. Competence to settle denunciations against illegal acts committed in the performance of tasks or official duties in the State Audit Office of Vietnam

The State Auditor General is competent to settle denunciations against illegal acts in the performance of tasks or official duties by civil servants, public employees and units in the State Audit Office of Vietnam.

Article 17. Competence to settle denunciations against illegal acts committed in the performance of tasks or official duties in other state agencies

1. The National Assembly Standing Committee is competent to settle denunciations against illegal acts committed in the performance of tasks or official duties by National Assembly deputies working on a full-time basis; settle denunciations against illegal acts of other National Assembly deputies when performing their tasks; and settle denunciations against illegal acts committed in the performance of tasks or official

duties by heads or deputy heads of the National Assembly Office and agencies of the National Assembly Standing Committee.

2. Standing bodies of People's Councils are competent to settle denunciations against illegal acts committed in the performance of tasks or official duties by People's Council deputies working on a full-time basis; and settle denunciations against illegal acts of other People's Council deputies when performing their tasks, except chairpersons and vice chairpersons of their People's Councils.

Agencies competent to approve the elections of People's Councils chairpersons and vice chairpersons are competent to settle denunciations against illegal acts committed in the performance of tasks or official duties by such People's Councils chairpersons and vice chairpersons.

3. Heads of other state agencies are competent to settle denunciations against illegal acts committed in the performance of tasks or official duties by cadres, civil servants or public employees they appoint and directly manage and by agencies or organizations they directly manage.

Denunciations against illegal acts committed in the performance of tasks or official duties by heads or deputy heads of other state agencies shall be settled by persons competent to appoint such heads or deputy heads.

Article 18. Competence to settle denunciations of illegal acts committed in the performance of tasks or official duties in public non-business units

1. Heads of public non-business units are competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks by heads or deputy heads of attached organizations or units, or by civil servants or public employees they recruit, appoint and directly manage;

b/ Settle denunciations against illegal acts committed in the performance of tasks by organizations or units they directly manage.

2. Heads of state agencies managing public non-business units are competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by heads or deputy heads of public non-business units, or by civil servants or public employees they appoint and directly manage;

b/ Settle denunciations against illegal acts committed in the performance of tasks or official duties by public non-business units they directly manage.

Article 19. Competence to settle denunciations against illegal acts committed in the performance of tasks by title or position holders in state enterprises

1. Heads of state enterprises are competent to:

a/ Settle denunciations against illegal acts committed in the performance of tasks by heads or deputy heads of attached units, or by other persons they appoint;

b/ Settle denunciations against illegal acts committed in the performance of tasks by attached units they directly manage.

2. Heads of state agencies who are assigned to manage state enterprises are competent to settle denunciations against illegal acts committed in the performance of tasks by chairpersons or members of members' councils, company presidents or controllers they appoint or directly manage in such state enterprises.

Article 20. Competence to settle denunciations against illegal acts committed in the performance of tasks or official duties in political organizations and socio-political organizations

Central bodies of political organizations or socio-political organizations shall base themselves on the principles of determination of competence prescribed in Article 12 of this Law to guide the competence to settle denunciations against illegal acts committed in the performance of tasks or official duties in their organizations, or illegal acts committed in the performance of tasks or official duties by organizations or units they manage.

Article 21. Competence to settle denunciations against illegal acts committed by persons other than cadres, civil servants or public employees who are assigned to perform tasks or official duties

Heads of agencies, organizations or units directly managing persons other than cadres, civil servants or public employees who are assigned to perform tasks or official duties are competent to settle denunciations of illegal acts committed by such persons in the performance of tasks or official duties.

Section 2

FORMS OF DENUNCIATION, RECEIPT AND INITIAL PROCESSING OF DENUNCIATION INFORMATION

Article 22. Forms of denunciation

Denunciations may be made in written form or verbally at competent agencies or organizations.

Article 23. Receipt of denunciations

1. In case a denunciation is made in writing, the written denunciation must clearly state the date of denunciation; full name and address of the denunciator and how to contact him/her; denounced illegal act; the denounced and other relevant information. In case many persons jointly make a written denunciation, such denunciation must clearly state the full name and address of every denunciator and how to contact him/her; and full names of representatives of the denunciators.

Denunciators shall sign or press their fingerprints on their written denunciations.

2. In case a denunciator comes to make a denunciation at a competent agency or organization, the denunciation recipient shall guide the denunciator in making a written denunciation or make a written record of denunciation contents and request the denunciator to sign or press his/her fingerprint on such written record for certification, clearly indicating the contents specified in Clause 1 of this Article. In case many persons jointly make a denunciation, the denunciation recipient shall guide them in appointing a representative to make a written denunciation or make a written record of denunciation contents and request the denunciators to sign or press their fingerprints on such written record.

3. Agencies, organizations or individuals competent to settle denunciations shall organize the receipt of denunciations. Denunciators shall send or make their denunciations to/at the addresses of places for denunciation receipt as announced by agencies, organizations or individuals competent to settle denunciations.

Article 24. Initial processing of denunciation information

1. Within 7 working days after receiving a denunciation, an agency, organization or individual shall record it in a receipt book, classify and initially process denunciation information, examine and verify information about the denunciator and conditions for accepting the denunciation; in case it is necessary to examine and verify information at different places or to authorize a competent agency or organization to do so, the above time limit may be longer but must not exceed 10 working days.

In case the conditions for accepting a denunciation are fully satisfied, a decision on denunciation acceptance shall be issued under Article 29 of this Law. In case the conditions for accepting a

denunciation are not satisfied, such denunciation shall be rejected and the rejection reason shall be promptly notified to the denunciator.

2. In case a denunciation falls beyond its/his/her competence, the recipient shall, within 5 working days after receiving it, forward the denunciation to a competent agency, organization or person and notify such to the denunciator. In case a denunciator makes a verbal denunciation, the denunciation recipient shall guide the denunciator to come to a competent agency, organization or person to make a denunciation.

3. In case a denunciation falls beyond the competence of the recipient and is concurrently sent to different agencies, organizations and individuals, including the agency, organization or individual competent to settle it, or in case a denunciator who has been instructed to send his/her denunciation to a competent recipient still sends his/her denunciation to an improper recipient, the denunciation recipient shall not settle the denunciation.

Article 25. Receipt and processing of denunciatory information

1. When receiving denunciatory information from a denunciator whose full name and address are not clearly stated or who cannot be identified through examination and verification or who uses another person's full name to send such information, or receiving denunciatory information presented not in the forms specified in Article 22 of this Law, a competent agency, organization or person shall refuse to process it under this Law.

2. In case denunciatory information mentioned in Clause 1 of this Article contains clear details about a person committing an illegal act, or is accompanied by specific documents or evidence on an illegal act and there is a ground for examining and verifying it, the recipient shall conduct the examination and inspection according to its/his/her competence or forward such information to a competent agency, organization or person for examination and inspection to serve management work.

Article 26. Receipt and processing of denunciations transferred from press agencies or competent agencies, organizations and persons

1. When receiving a denunciation of an individual transferred from a press agency or a competent agency, organization or person, the recipient shall classify and process it as follows:

a/ In case the denunciation falls within its/his/her competence and fully satisfies the conditions for acceptance, it/he/she shall accept it. In case the denunciation falls beyond its/his/her settling competence,

it/he/she shall forward it to a competent agency, organization or person for settlement;

b/ In case the denunciation does not satisfy the conditions for acceptance prescribed in Article 29 of this Law, it/he/she shall refuse to accept it. In case the denunciation does not satisfy the conditions for acceptance but has clear contents and information about a person committing an illegal act and is accompanied by specific documents and evidence on the illegal act and there is a ground for examining and verifying it, the recipient shall conduct examination and inspection according to its/his/her competence to serve management work.

2. Results of the processing of a denunciation under Clause 1 of this Article shall be notified in writing to the press agency or competent agency, organization or person that has transferred it within 20 days after the denunciation is received.

Article 27. Processing of denunciations against illegal acts showing signs of crime, application of measures to prevent illegal acts

1. In the course of receiving and processing a denunciation, if finding that the denounced act shows signs of crime, a recipient shall immediately transfer the case file and documents to a competent investigation body or people's procuracy for handling in accordance with law.

2. In case a denounced illegal act harms or threatens to harm the interests of the State, lawful rights and interests of agencies and organizations, or the life, health, property, honor, dignity and other lawful rights and interests of individuals, the denunciation recipient shall apply necessary measures according to its/his/her competence or immediately notify the illegal act to a public security office or a competent agency, organization or person in order to promptly prevent it.

Section 3

ORDER AND PROCEDURES FOR SETTLEMENT OF DENUNCIATIONS

Article 28. Order of settlement of denunciations

1. Acceptance of denunciations.
2. Verification of denunciation contents.
3. Making of conclusions on denunciation contents.
4. Handling of conclusions on denunciation contents by denunciation settlers.

Article 29. Acceptance of denunciations

1. A denunciation settler shall issue a decision on acceptance of a denunciation when the following conditions are fully satisfied:

- a/ The denunciation is made under Article 23 of this Law;
- b/ The denunciator has the full civil act capacity. In case the denunciator does not have full civil act capacity, he/she must have a lawful representative;
- c/ The case of denunciation falls within the competence of the recipient;
- d/ Denunciation contents provide grounds for identifying the violator and his/her illegal act.

In case a denunciation stems from a complaint which has been properly settled according to the law-prescribed competence, order and procedures but the complainant disagrees with settlement results and makes a denunciation against the complaint settler, such denunciation may be accepted only when the denunciator can provide information, documents or evidence to ascertain that the complaint settler has committed an illegal act.

2. A decision on acceptance of a denunciation must have the following principal details:

- a/ Date of issuance;
- b/ Grounds for issuance;
- c/ Accepted denunciation contents;
- d/ Time limit for settlement of the denunciation.

3. Within 5 working days after issuing a decision on acceptance of a denunciation, a denunciation settler shall notify such to the denunciator and notify denunciation contents to the denounced.

Article 30. Time limit for denunciation settlement

1. The time limit for settlement of a denunciation is 30 days after such denunciation is accepted.

2. For a complicated case, the time limit for denunciation settlement may be prolonged only once for no more than 30 days.

3. For a particularly complicated case, the time limit for denunciation settlement may be prolonged twice for no more than 30 days each time.

4. A denunciation settler shall issue a decision on prolongation of the time limit for settlement of a denunciation and notify it to the denunciator, denounced and related agencies, organizations and individuals.

5. The Government shall detail this Article.

Article 31. Verification of denunciation contents

1. A denunciation settler shall verify denunciation contents or assign the same-level inspectorate or another agency, organization or individual (below collectively referred to as denunciation content verifier) to do so. The assignment of the verification of denunciation contents shall be made in writing.

2. A document on assignment of the verification of denunciation contents must have the following principal details:

- a/ Date of assignment;
- b/ Person to be assigned to verify denunciation contents;
- c/ Full name and address of the denounced person; name and head office of the denounced agency or organization;
- d/ Contents to be verified;
- dd/ Time of verification;
- e/ Rights and responsibilities of the person assigned to verify denunciation contents.

3. A denunciation content verifier shall take necessary measures to collect information and documents to clarify denunciation contents. Collected information and documents shall be recorded in writing and kept in denunciation case files.

4. In the course of verification, a denunciation content verifier shall create conditions for the denounced to explain and provide evidence to prove or disprove to-be-verified contents.

5. A denunciation content verifier may exercise the rights and perform the obligations prescribed at Points a, b, c and d, Clause 1, and Points a, b and c, Clause 2, Article 11 of this Law as assigned by the denunciation settler.

6. Upon concluding the verification of the denunciation content, a denunciation content verifier shall send a written report on verification results to the denunciation settler and propose handling measures.

Article 32. Responsibilities of chief inspectors at all levels and the Government Inspector General

1. Chief inspectors of ministries, ministerial-level agencies, provinces, centrally run cities, provincial-level departments, and rural and urban districts shall:

a/ Verify denunciation contents, report on verification results and propose measures for handling denunciations falling within the competence of heads of same-level state administrative agencies when so assigned;

b/ Examine the settlement of denunciations by heads of subordinate agencies or organizations of same-level state administrative agencies which shows signs of violation. If there are grounds to believe that the settlement of denunciations shows signs of violation, propose heads of same-level state administrative agencies to consider and re-settle such denunciations.

2. The Government Inspector General shall:

a/ Receive, classify, and propose the settlement of, denunciations falling within the competence of the Prime Minister;

b/ Verify denunciation contents, report on verification results and propose measures for handling denunciations falling within the competence of the Prime Minister when so assigned;

c/ Examine the denunciation settlement by ministers, heads of ministerial-level agencies, heads of government-attached agencies or chairpersons of provincial-level People's Committees which shows signs of violation. If there are grounds to believe that the settlement of denunciations shows signs of violation, propose the Prime Minister to consider and re-settle such denunciations.

Article 33. Withdrawal of denunciations

1. A denunciator may withdraw the whole or part of his/her denunciation contents before a denunciation settler makes conclusions on denunciation contents. The withdrawal of denunciations shall be recorded in writing.

2. In case a denunciator withdraws part of his/her denunciation contents, the remaining denunciation contents may continue to be settled in accordance with this Law. In case a denunciator withdraws the whole of his/her denunciation contents, the provision of Point a, Clause 3, Article 34 of this Law shall be complied with. In case more than one individual has jointly made a denunciation but later one or several of them withdraw(s) their denunciation contents, such denunciation may still be settled in accordance with this Law. An individual that withdraws his/her denunciation may not enjoy the rights and is not required to perform the obligations prescribed in Article 9 this Law, except the case specified in Clause 4 of this Article.

3. In case a denunciator withdraws his/her denunciation but the denunciation settler finds that the denounced act shows signs of violation or there is a ground to believe that the denunciator withdraws his/her



denunciation because he/she is intimidated or bought off or takes advantage of the denunciation to slander, offend or harm the denounced, the denunciation shall still be settled.

4. In case a denunciator withdraws his/her denunciation but there is a ground to believe that he/she takes advantage of the denunciation to slander, offend or harm the denounced, he/she shall still bear responsibility for his/her denouncing act and pay compensation for any damage caused by such act in accordance with law.

5. The Government shall detail this Article.

Article 34. Suspension or termination of the denunciation settlement

1. A denunciation settler shall issue a decision to suspend the settlement of a denunciation when:

a/ The denunciation settlement needs to await results of the settlement by other agencies, organizations or individuals or await results of the settlement of other related cases or matters;

b/ The denunciation settlement needs to await results of additional expert examination or expert re-examination.

2. When the grounds for suspension of the denunciation settlement no longer exist, a denunciation settler shall immediately issue a decision to resume the denunciation settlement. The suspension period shall not be counted into the time limit for denunciation settlement.

3. A denunciation settler shall issue a decision to terminate the settlement of a denunciation when:

a/ The denunciator withdraws the whole of denunciation contents, except the case specified in Clause 3, Article 33 of this Law;

b/ The denounced person dies and denunciation contents are related only to his/her responsibility; or,

c/ The case has been settled with a legally effective court judgment or ruling or a valid decision of a competent agency, organization or person.

4. A decision on suspension or termination of the settlement of a denunciation must clearly state the reason and responsibility of related agencies, organizations and individuals and be sent to the denunciator and denounced within 5 working days after it is issued.

Article 35. Conclusions on denunciation contents

1. Based on denunciation contents, written explanations of the denounced, results of denunciation content verification and relevant

documents and evidence, a denunciation settler shall make written conclusions on denunciation contents.

2. Written conclusions on denunciation contents must have the following details:

a/ Results of the denunciation content verification;

b/ Legal grounds for determining whether there is an illegal act;

c/ Conclusion that denunciation contents are correct, partially correct or wrong; determination of the responsibility of each agency, organization or individual related to denunciation contents;

d/ Handling measures to be taken according to competence; proposals on handling measures to be taken by other agencies, organizations or individuals according to their competence against agencies, organizations or individuals committing illegal acts;

dd/ Proposal on policy and legal amendments or supplementations to be made and necessary measures to be taken by competent agencies to protect interests of the State and lawful rights and interests of agencies, organizations and individuals.

3. Within 5 working days after making written conclusions on denunciation contents, a denunciation settler shall send them to the denounced, the agency or organization managing him/her and related agencies, organizations and individuals; and notify them to the denunciator.

Article 36. Handling of conclusions on denunciation contents by denunciation settlers

1. Within 7 working days after making conclusions on denunciation contents, a denunciation settler shall base himself/herself on such conclusions to handle the case as follows:

a/ If concluding that the denounced has committed no illegal act during the performance of tasks or official duties, to restore the lawful rights and interests of the denounced, which have been infringed upon due to the untruthful denunciation and, at the same time, handle according to its/his/her competence or propose a competent agency, organization or person to handle the individual who has deliberately made the untruthful denunciation;

b/ If concluding that the denounced has committed an illegal act during the performance of tasks or official duties, to apply handling measures according to its/his/her competence or propose a competent agency, organization or person to handle the case in accordance with law.

2. In case the denounced illegal act shows signs of crime, the denunciation settler shall immediately transfer the case file to a competent investigation body or people's procuracy for settlement in accordance with law.

3. Within 5 working days after handling results are obtained, the agency, organization or individual competent to handle recommendations in conclusions on denunciation contents specified in Clauses 1 and 2 of this Article shall notify in writing the denunciation settler of handling results.

Article 37. Subsequent denunciations and their settlement

1. In case there are grounds to believe that his/her denunciation is settled not in accordance with law, a denunciator may make a subsequent denunciation to the head of the direct superior agency or organization of the denunciation settler.

2. Within 20 days after receiving a subsequent denunciation, the head of the direct superior agency or organization shall examine the records of denunciation settlement; in case of necessity, he/she shall work directly with the denunciator on subsequent denunciation contents and collect relevant information, documents and evidence to decide on handling the subsequent denunciation as follows:

a/ In case the denunciation settlement was lawful, he/she shall refuse to settle the subsequent denunciation and at the same time notify in writing the refusal to the denunciator, clearly stating the reason;

b/ In case the denunciation settlement was carried out *ultra vires*, he/she shall settle the denunciation according to his/her competence or transfer the subsequent denunciation to a competent agency, organization or person for settlement;

c/ In case the denunciation settlement had one of the grounds specified in Clause 3 of this Article, he/she shall settle the subsequent denunciation within the time limit and according to the order and procedures for denunciation settlement prescribed in this Chapter.

3. The settlement of a subsequent denunciation shall be carried out when there is one of the following grounds:

a/ Verification results or conclusions on denunciation contents are inaccurate or unfair;

b/ Important information, documents and evidence are omitted during the verification or making of conclusions on denunciation contents;

c/ Inappropriate laws are applied during the verification or making of conclusions on denunciation contents.

4. Conclusions on the settlement of a subsequent denunciation must have the following principal contents:

a/ The contents specified in Clause 2, Article 35 of this Law;

b/ Conclusions on violations committed during the denunciation settlement by the head of the subordinate agency or organization;

c/ Responsibility of the agency, organization or individual for the previous denunciation settlement;

d/ Handling according to the settler's competence or request for handling by a competent agency, organization or person of the agency, organization or individual committing an illegal act in the denunciation settlement.

Article 38. Settlement of denunciations which remain unsettled upon expiration of the prescribed time limit

1. Past the time limit prescribed in Article 30 of this Law, if his/her denunciation remains unsettled, a denunciator may make a subsequent denunciation to the head of the direct superior agency or organization of the denunciation settler.

2. Within 5 working days after receiving a subsequent denunciation, the head of the direct superior agency or organization shall request in writing the denunciation settler to report on the denunciation settlement and reason for late settlement and determine the responsibility for settling the denunciation.

3. Within 5 working days after receiving a written request from the head of the direct superior agency or organization, the denunciation settler shall send a report mentioned in Clause 2 of this Article; and continue to settle the denunciation upon the request and report settlement results, except in the case specified in Clause 5 of this Article.

4. The head of the direct superior agency or organization shall monitor and press for the denunciation settlement; notify the denunciator of the consideration and settlement of the denunciation; and apply handling measures according to his/her competence or propose a competent agency, organization or person to handle the competent person who fails to settle the denunciation within the prescribed time limit.

5. If there is a ground to believe that the settlement of a denunciation involves a serious violation of law or shows a sign of

unfairness, the head of the direct superior agency or organization shall settle such denunciation.

The Government shall detail this Clause.

Article 39. Denunciation case files

1. The settlement of a denunciation shall be recorded in a case file. On a case-by-case basis, a denunciation case file must comprise:

a/ The written denunciation or a document recording denunciation contents; a report on or written record of examination and verification of personal information of the denunciator and a written record of the working meeting with the denunciator to verify denunciation contents;

b/ A decision on acceptance of the denunciation for settlement; document on assignment of verification of denunciation contents;

c/ A written record of verification, expert examination results, information, documents and evidence collected in the course of denunciation settlement;

d/ Written explanations of the denounced; a written record of the working meeting with the denounced on his/her explanations;

dd/ A report on results of verification of denunciation contents, in case the denunciation settler assigns another person to conduct the verification;

e/ A decision on suspension of the denunciation settlement; a decision on resumption of the denunciation settlement;

g/ Conclusions on denunciation contents or a decision on termination of the denunciation settlement;

h/ A handling decision of the denunciation settler and written proposal of the competent agency, organization or person on application of handling measures;

i/ Other relevant documents.

2. For the settlement of a subsequent denunciation, a case file must comprise the documents specified in Clause 1 of this Article and the following:

a/ The written subsequent denunciation or a document recording subsequent denunciation contents; a written request for or proposal on the settlement of the subsequent denunciation;

b/ Conclusions on the settlement of the subsequent denunciation;

c/ A decision on the subsequent denunciation settler;

d/ Other relevant documents in the course of settlement of the subsequent denunciation.

3. A denunciation case file shall be paginated by the sequence of documents therein. The preservation, exploitation and use of denunciation case files must comply with law and ensure confidentiality of information on denunciators.

Article 40. Publicity of conclusions on denunciation contents and decisions on handling of denounced acts

1. Within 7 working days after making conclusions on denunciation contents or issuing a decision on handling of a denounced act, the denunciation settler shall publicize such conclusions while the person competent to impose discipline or administrative sanctions shall publicize such decision.

2. The publicization of conclusions on denunciation contents or a decision on handling of a denounced act may be carried out in one of several of the following ways:

a/ Publicization at a meeting of the agency or organization where the denounced works;

b/ Posting up at the working office or citizen reception place of the agency or organization which has settled the denunciation or issued the decision to handle the denounced act;

c/ Publishing on the portal or internal information network of the agency or organization which has settled the denunciation or issued the decision to handle the denounced act;

d/ Announcement in the mass media.

3. The publicization of conclusions on denunciation contents and decisions on handling of denounced acts must ensure confidentiality of information about denunciators and contents classified as state secrets.

4. The Government shall detail this Article.

Chapter IV

SETTLEMENT OF DENUNCIATIONS AGAINST ILLEGAL ACTS IN THE STATE MANAGEMENT OF SECTORS

Article 41. Principles of determination of competence

1. A denunciation against an illegal act committed by an agency, organization or individual which is related to the state management function of a certain agency shall be settled by such agency.

2. In case of a denunciation against more than one illegal act falling under the state management functions of more than one agency, such agencies shall, within the ambit of their tasks and powers, coordinate with one another in identifying an agency to assume the prime responsibility for settling the denunciation or reporting the denunciation to a superior state management agency for the latter to decide to assign a competent agency to assume the prime responsibility for settling the denunciation.

3. A denunciation against an illegal act falling under the settling competence of more than one agency shall be settled by the agency that first accepts it for settlement.

Article 42. Order and procedures for denunciation settlement

1. The order of and procedures for receiving, classifying, verifying and making conclusions on denunciation contents against illegal acts in the state management of sectors must comply with Articles 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39 and 40 of this Law, except the cases specified in Article 43 of this Law.

If concluding that the denounced has committed illegal acts in the state management of sectors, the handling of such acts must also comply with the law on handling of administrative violations.

2. In case the law on handling of administrative violations prescribes a settlement time limit different from that prescribed in Article 30 of this Law, the time limit for denunciation settlement must not exceed the time limit for handling administrative violations prescribed by the law on handling of administrative violations.

Article 43. Order and procedures for settling denunciations with clear contents, specific evidence and sufficient grounds for immediate handling

1. A denunciation against an illegal act in the state management of sectors which has clear contents, specific evidence and sufficient grounds for immediate handling shall be settled in the following order:

a/ The competent person receives and processes denunciation information;

b/ If the denounced act falls into the sector under his/her management, the denunciation settler immediately verifies denunciation contents, apply necessary measures to prevent or stop the illegal act and promptly make a written record of the illegal act. The verification and examination of information about the denunciator shall be carried out if the denunciation settler deems it necessary for the handling of the denounced act;

c/ The denunciation settler issues a decision to handle an illegal act according to its/his/her competence or proposes a competent agency to handle it in accordance with law.

2. The denunciation case file shall be compiled together with the dossier for handling of the administrative violation in accordance with the law on handling of administrative violations.

Chapter V

RESPONSIBILITY TO ORGANIZE THE IMPLEMENTATION OF CONCLUSIONS ON DENUNCIATION CONTENTS

Article 44. Responsibility of denunciation settlers

1. Based on conclusions on denunciation contents and depending on the nature and seriousness of violation, a denunciation settler shall handle as follows:

a/ For an illegal act committed in the performance of tasks or official duties, to handle it according to its/his/her competence or propose a competent agency, organization or person to discipline the violator or compel remediation of consequences of the illegal act and apply other handling measures in accordance with law;

b/ For an illegal act in the state management of sectors, to handle it according to its/his/her competence or propose a competent agency, organization or person to sanction the administrative violation and apply other handling measures in accordance with law;

c/ To handle or propose a competent agency, organization or person to handle the denunciator who has intentionally made an untruthful denunciation;

d/ For an illegal act showing signs of crime, to issue a document to transfer the case file to a competent investigating body or people's procuracy.

2. The competence, order and procedures for disciplining or sanctioning administrative violations and applying other handling measures must comply with the laws on cadres, civil servants, public employees and handling of administrative violation and other relevant regulations.

3. Denunciation settlers shall monitor and press for the implementation of conclusions on denunciation contents or assign same-level state inspectorates to do so.

Article 45. Responsibilities of the denounced

1. To promptly perform all the obligations as determined in written conclusions on denunciation contents within the prescribed time limit.

2. In case of a denunciation against an illegal act committed in the performance of tasks or official duties, the denounced shall report and take responsibility before the denunciation settler and law for implementing conclusions on denunciation contents.

Article 46. Responsibilities of related agencies, organizations and individuals

1. To promptly perform all the obligations as determined in written conclusions on denunciation contents within the prescribed time limit.

2. To coordinate, within the ambit of their functions, tasks and powers, with denunciation settlers in handling denounced illegal acts in accordance with law.

3. To take responsibility before law for implementing conclusions on denunciation contents related to their responsibility.

Chapter VI

PROTECTION OF DENUNCIATORS

Section 1

GENERAL PROVISIONS

Article 47. Protected persons, scope of protection

1. The protection of a denunciator means the protection of confidentiality of his/her information; protection of working positions, jobs, lives, health, property, honor and dignity of his/her own and his/her spouse, blood and adoptive parents, birth and adopted children (below collectively referred to as protected persons).

2. Personal information of denunciators shall be protected, unless they disclose their personal information by themselves.

3. When there is a ground to believe that the working position, job, life, health, property, honor or dignity of a denunciator as specified in Clause 1 of this Article is infringed upon or at risk of being immediately infringed upon or the denunciator is repressed or subject to discriminatory treatment for making the denunciation, a denunciation settler or another competent agency may decide on his/her/its own or at the request of the denunciation settler to decide to apply necessary protection measures.

Article 48. Rights and obligations of protected persons

1. A protected person has the following rights:
 - a/ To be aware of protection measures;
 - b/ To have his/her rights and obligations explained when protection measures are applied;
 - c/ To request change, addition or termination of application of protection measures;
 - d/ To refuse to be protected;
 - dd/ To receive compensations in accordance with the law on compensation liability of the State in case the denunciator has requested the denunciation settler or another competent agency to apply protection measures but such measures are not applied or are applied in an untimely or unlawful manner, causing damage to his/her life, health, property or mind.
2. A protected person has the following obligations:
 - a/ To strictly abide by requests of the agency competent to apply protection measures;
 - b/ To keep confidential information about his/her being protected;
 - c/ To promptly notify the agency applying protection measures of problems arising during the protection.

Article 49. Agencies competent to apply protection measures

1. The denunciation settler shall protect confidential information, working positions and jobs of protected persons under his/her management and other matters in need of protection under his/her competence. For persons and matters falling beyond his/her competence, he/she shall request or propose a competent agency, organization or person to apply protection measures.
2. The agency receiving and verifying denunciation contents shall protect confidential information of denunciators.
3. The public security agency shall assume the prime responsibility for, and coordinate with related agencies and organizations in, protecting lives, health, property, honor and dignity of protected persons.
4. The state management agency in charge of cadres, civil servants, public employees and workers shall, within the ambit of its tasks and powers, assume the prime responsibility for, and coordinate with related agencies and organizations in, protecting working positions and jobs of protected persons.

5. People's Committees and trade union organizations at all levels and other agencies and organizations shall, within the ambit of their tasks and powers, coordinate with agencies competent to apply protection measures in protecting confidential information, working positions, lives, health, property, honor and dignity of protected persons.

Section 2

ORDER AND PROCEDURES FOR PROTECTION

Article 50. Request for application of protection measures

1. When there is a ground specified in Clause 3, Article 47 of this Law, a denunciator may request in writing the denunciation settler to apply a protection measure.

2. A written request for application of a protection measure must have the following principal details:

a/ Date of request;

b/ Full name and address of the denunciator; full name and address of the person in need of protection;

c/ Reason for and contents of the application of a protection measure;

d/ Signature or fingerprint of the denunciator.

3. In case of emergency, a denunciator may request in person or via telephone the denunciation settler to immediately apply a protection measure before he/she makes a written request.

Article 51. Consideration of and decision on protection of denunciators

1. Upon receiving a grounded and reasonable request for application of a protection measure or, if in the course of denunciation settlement, a denunciation settler has a ground specified in Clause 3, Article 47 of this Law, it/he/she shall promptly decide to apply a protection measure according to its/his/her competence or request or propose a competent agency to do so.

2. Upon receiving a request or proposal of a denunciation settler, a competent agency shall consider and decide to apply a protection measure.

3. If the request of a denunciator is groundless or finding it unnecessary to apply a protection measure, an agency competent to apply protection measures shall notify such in writing to the denunciator, clearly stating the reason, or send a notice to the denunciation settler to notify the reason to the denunciator.

Article 52. Decisions on application of protection measures

1. An agency competent to apply protection measures shall issue decisions on application of protection measures.

2. A decision on application of a protection measure must have the following principal details:

a/ Date of issuance of the decision;

b/ Grounds for issuance of the decision;

c/ Full name and address of the protected person;

d/ Protection measure; responsibility of the agency, organization or individual implementing the protection measure;

dd/ Time of starting the protection measure.

3. A decision on application of a protection measure shall be sent to the protected person, denunciation settler and other related agencies, organizations and individuals.

4. After a decision on application of a protection measure is issued, the agency, organization or individual responsible for implementing such protection measure shall immediately carry out the protection. In case of necessity, it/he/she shall coordinate with related agencies, organizations and individuals in carrying out the protection.

5. The protection period shall be counted from the time when the implementation of the protection measure commences to the time when the application of the protection measure is terminated under Clause 2, Article 54 of this Law.

Article 53. Responsibilities of agencies, organizations and individuals

1. An agency deciding on the application of protection measures shall:

a/ Assume the prime responsibility for, and coordinate with related agencies, organizations and individuals in, organizing the application of protection measures; and take responsibility for its decisions;

b/ Make, manage, archive and use dossiers on application of protection measures in accordance with law;

c/ Monitor and solve problems arising in the course of application of protection measures; send reports to competent agencies when so requested.

2. An agency, organization or individual related to the application of a protection measure shall:

a/ Respond promptly and fully to the request or proposal of the agency deciding on the application of a protection measure. In case it/he/she cannot fulfill such a request or proposal, it/he/she shall report or promptly notify such in writing to the agency deciding on the application of the protection measure, clearly stating the reason;

b/ Report on or notify in writing results of the protection to the agency deciding on the application of the protection measure.

Article 54. Change, addition or termination of the application of protection measures

1. An agency that has issued a decision on application of a protection measure may change such protection measure or add a new one if finding it necessary or upon receiving a written request of the protected person.

2. The application of a protection measure shall be terminated in the following cases:

a/ The denunciation settler has made conclusions on denunciation contents or decided to stop the denunciation settlement;

b/ The agency that has decided on the application of the protection measure decides to terminate the application of the protection measure when deeming that the ground for the application of the protection measure no longer exists or upon receiving a written request of the protected person.

3. A decision on change, addition or termination of the application of a protection measure shall be sent to the protected person, denunciation settler and other related agencies, organizations and individuals.

Article 55. Dossiers of application of protection measures

1. The protection of a denunciator shall be recorded in writing.

2. On a case-by-case basis, a dossier of application of a protection measure must comprise:

a/ The denunciator's written request for application of the protection measure; the denunciation settler's request for or proposal on application of the protection measure;

b/ Results of the verification of information about the request for application of the protection measure;

c/ The decision on application of the protection measure;

d/ The written request for change, addition or termination of the application of the protection measure;

dd/ The decision on change of the protection measure or addition of a new one;

e/ Written requests or proposals of related agencies, organizations and individuals in coordinating the application of the protection measure;

g/ A report on results of the implementation of the protection measure;

h/ The decision on termination of the application of the protection measure;

i/ Other documents relevant to the application of the protection measure.

Section 3

PROTECTION MEASURES

Article 56. Protection of confidentiality of information

When receiving and transferring or settling a denunciation, a competent agency, organization or person shall base itself/himself/herself on practical conditions to decide on application of the following measures:

1. Keeping confidential the full name, address, autograph and other personal information of the denunciator in the course of exploiting and using information and documents provided by the denunciator.

2. Removing the full name, address, autograph and other personal information of the denunciator from the denunciation and accompanying documents and evidence for management as classified information when assigning an agency, organization or individual to verify denunciation contents.

3. Arranging working time and places and selecting appropriate working methods to keep information confidentiality for the denunciator when working directly with the denounced and related agencies, organizations and individuals.

4. Applying other measures as permitted by law.

5. Requesting related agencies, organizations and individuals to apply necessary measures to keep confidential information of the denunciator.

Article 57. Measures to protect working positions or jobs

1. Measures to protect the working position or job of the protected person being a cadre, civil servant or public employee include:

a/ Suspending or cancelling part or the whole of the decision to discipline the protected person or another decision infringing upon his/her lawful rights and interests;

b/ Restoring the working position or job, incomes and other lawful benefits from such working position or job for the protected person;

c/ Arranging the protected person to another working position with his/her consent in order to avoid repression or discriminatory treatment;

d/ Handling according to one's competence or proposing a competent agency, organization or person to handle in accordance with law persons who have taken revenge on, repressed or intimidated the protected person, thus infringing upon his/her lawful rights and interests.

2. Measures to protect the job of a protected person working under a labor contract include:

a/ Requesting the employer to terminate the violation; restoring the job, incomes and other lawful interests from such job for the protected person;

b/ Handling according to competence or proposing a competent agency, organization or person to handle the violation in accordance with law.

Article 58. Measures to protect life, health, property, honor and dignity

1. Taking protected persons to safe places.

2. Arranging forces, means and tools to directly protect the lives, health, property, honor and dignity of protected persons at necessary places.

3. Applying necessary measures to prevent or handle acts harming or threatening to harm the lives, health, property, honor and dignity of protected persons in accordance with law.

4. Requesting persons committing acts harming or threatening to harm the lives, health, property, honor and dignity of protected persons to stop their acts.

5. Other measures provided by law.

Chapter VII

RESPONSIBILITIES OF AGENCIES AND ORGANIZATIONS FOR MANAGEMENT OF DENUNCIATION SETTLEMENT

Article 59. Responsibilities of state management agencies for denunciation settlement work

1. The Government shall perform the uniform state management of denunciation settlement work nationwide and directly manage the denunciation settlement by agencies in the state administrative system.

2. The Government Inspectorate shall act as the focal point to assist the Government in performing the state management of denunciation settlement work under the Government's competence.

3. Ministries, ministerial-level agencies and People's Committees at all levels shall perform the state management of denunciation settlement work within the ambit of their tasks and powers.

Article 60. Responsibilities of people's courts, people's procuracies, the State Audit, other state agencies, political organizations and socio-political organizations

1. The Supreme People's Court, Supreme People's Procuracy, State Audit, other state agencies and central bodies of political organizations and socio-political organizations shall, within the ambit of their tasks and powers, manage denunciation settlement work; and annually send reports on denunciation settlement under their management to the Government for summarization and reporting to the National Assembly.

2. Provincial- and district-level people's courts and people's procuracies, other state agencies and local bodies of political organizations and socio-political organizations shall, within the ambit of their tasks and powers, manage denunciation settlement work; and annually send reports on denunciation settlement under their management to same-level People's Committees for summarization and reporting to People's Councils.

3. In pursuance to this Law, the Supreme People's Court, Supreme People's Procuracy, State Audit, other state agencies outside the state administrative system, and competent bodies of political organizations and socio-political organizations shall guide the implementation of the law on denunciations and settlement of denunciations within their agencies or organizations to suit their special organizational and operation characteristics.

Article 61. Responsibility for information provision and reporting in denunciation settlement work

1. Annually, the Government shall report to the National Assembly, National Assembly Standing Committee and President, and send reports to the Central Committee of the Vietnam Fatherland Front on its denunciation settlement work.

2. Ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees shall report to the

Government on the denunciation settlement work under their management on a regular basis or at the request of the Government.

3. Annually, People's Committees shall report to same-level People's Councils and direct superior agencies on, and notify same-level committees of the Vietnam Fatherland Front of, denunciation settlement work in their localities and sectors under their management.

Chapter VIII

COMMENDATION, REWARDING AND HANDLING OF VIOLATIONS

Article 62. Commendation and rewarding

Persons who make truthful denunciations and actively coordinate with competent agencies, organizations and persons in detecting, preventing and handling illegal acts shall be commended and rewarded in accordance with law.

Article 63. Handling of violations committed by denunciation settlers

Denunciation settlers who commit acts specified in Article 8 of this Law or violate other regulations in the denunciation settlement shall, depending on the nature and seriousness of their violations, be disciplined or examined for penal liability; if causing damage, they shall pay compensations in accordance with law.

Article 64. Handling of violations committed by persons responsible for executing decisions to handle denounced illegal acts

Persons responsible for executing decisions to handle denounced illegal acts but fail to do so shall, depending on the nature and seriousness of their violations, be disciplined, administratively sanctioned or examined for penal liability; if causing damage, they shall pay compensations in accordance with law.

Heads of competent agencies and organizations who fail to apply necessary measures to promptly handle denunciation settlers having committed violations specified in Article 63 of this Law shall, depending on the nature and seriousness of their violations, be disciplined or examined for penal liability in accordance with law.

Article 65. Handling of violations committed by denunciators and other related persons

Denunciators and related persons who commit acts specified in Article 8 of this Law or violate other regulations on denunciation and

denunciation settlement shall, depending on the nature and seriousness of their violations, be disciplined, administratively sanctioned or examined for penal liability; if causing damage, they shall pay compensations in accordance with law.

Chapter IX

IMPLEMENTATION PROVISIONS

Article 66. Effect

1. This Law takes effect on January 1, 2019.
2. Law No. 03/2011/QH13 on Denunciations ceases to be effective on the effective date of this Law.
3. Denunciations that have been accepted for settlement and are processed but for which no conclusions are made before the effective date of this Law will be settled under Law No. 03/2011/QH13.

Article 67. Implementation detailing

The Government shall detail Chapter VI and articles and clauses assigned to it in this Law and prescribe denunciations and settlement of denunciations in the People's Army and People's Public Security force.

This Law was passed on June 12, 2018, by the XIVth National Assembly of the Socialist Republic of Vietnam at its 5th session.-

Chairwoman of the National Assembly
NGUYEN THI KIM NGAN