

NATIONAL ASSEMBLY

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

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**CODE
CRIMINAL***Pursuant to the Constitution of the Socialist Republic of Vietnam ;**The National Assembly promulgates the Penal Code.***Part One****GENERAL PROVISIONS****Chapter I****BASIC TERMS****Article 1. Tasks of the Penal Code**

The Criminal Code has the task of protecting national sovereignty, national security, protecting the socialist regime, human rights, civil rights, protecting equality among ethnic groups, protecting the interests of the State and organizations, protecting legal order, combating all criminal acts; educating people to be aware of obeying the law, preventing and fighting against crime.

This Code prescribes crimes and punishments.

Article 2. Basis of criminal liability

1. Only a person who commits a crime as prescribed by the Penal Code shall bear criminal responsibility.
2. Only a commercial legal entity that commits a crime specified in Article 76 of this Code shall be held criminally liable.

Article 3. Handling principles**1. For offenders:**

- a) All criminal acts committed by individuals must be promptly detected and handled quickly and fairly in accordance with the law;
- b) All criminals are equal before the law, regardless of gender, ethnicity, belief, religion, social class or status;
- c) Severely punish masterminds, leaders, commanders, stubborn opponents, thugs, dangerous recidivists, and those who abuse their positions and powers to commit crimes;
- d) Severely punish criminals who use cunning, organized, professional tricks, intentionally causing especially serious consequences .

Leniency for those who confess, turn themselves in, honestly declare, denounce accomplices, atone for their crimes, repent, reform, voluntarily repair or compensate for damage caused;

d) For first-time offenders of less serious crimes, a lighter penalty than imprisonment may be applied, and they may be handed over to an agency, organization or family for supervision and education;

e) For those sentenced to imprisonment, they are required to serve their sentences at detention facilities, work and study to become useful people to society; if they meet the conditions prescribed by this Code, they may be considered for a reduction in the term of serving their sentences or conditionally released from prison early;

g) People who have completed their sentences are given favorable conditions to do business, live honestly, and integrate into the community. When they meet all conditions prescribed by law, their criminal records will be erased.

2. For commercial legal entities committing crimes:

- a) All criminal acts committed by commercial legal entities must be detected promptly and handled quickly and fairly in accordance with the law;
- b) All commercial legal entities committing crimes are equal before the law, regardless of ownership form and economic sector;
- c) Strictly punish commercial legal entities that commit crimes using sophisticated tricks, professionally, and intentionally causing especially serious consequences;
- d) Leniency for commercial legal entities that actively cooperate with the prosecution agency during the process of resolving the case, voluntarily repair or compensate for damage caused, and proactively prevent or remedy consequences .

Article 4. Responsibility for preventing and combating crime

1. The Public Security, People's Procuracy, People's Court and other relevant agencies are responsible for fully performing their functions, tasks and powers, and at the same time guiding and assisting other State agencies, organizations and individuals in

preventing and combating crime, supervising and educating criminals in the community.

2. Agencies and organizations have the duty to educate those under their management to raise vigilance, awareness of protecting and obeying the law, respecting the rules of socialist life; promptly taking measures to eliminate the causes and conditions that cause crime within their agencies and organizations.

3. Every citizen has the obligation to actively participate in crime prevention and control.

Chapter II

EFFECT OF THE CRIMINAL CODE

Article 5. Effect of the Penal Code on criminal acts committed in the territory of the Socialist Republic of Vietnam

1. The Penal Code applies to all criminal acts committed within the territory of the Socialist Republic of Vietnam.

This provision also applies to criminal acts or consequences of criminal acts occurring on aircraft or ships of Vietnamese nationality or in the exclusive economic zone or continental shelf of Vietnam.

2. For foreigners who commit crimes in the territory of the Socialist Republic of Vietnam and are entitled to diplomatic or consular immunity under Vietnamese law, under international treaties to which the Socialist Republic of Vietnam is a member or under international practice, their criminal liability shall be resolved according to the provisions of such international treaties or international practice; in cases where such international treaties do not provide or there is no international practice, their criminal liability shall be resolved through diplomatic channels.

Article 6. Effect of the Penal Code on criminal acts committed outside the territory of the Socialist Republic of Vietnam

1. Vietnamese citizens or Vietnamese commercial legal entities who commit crimes outside the territory of the Socialist Republic of Vietnam that are defined as crimes by this Code may be prosecuted in Vietnam according to the provisions of this Code.

This provision also applies to stateless persons permanently residing in Vietnam.

2. Foreigners and foreign commercial legal entities who commit crimes outside the territory of the Socialist Republic of Vietnam may be prosecuted for criminal liability under the provisions of this Code in cases where the crime infringes upon the legitimate rights and interests of Vietnamese citizens or the interests of the Socialist Republic of Vietnam or under the provisions of international treaties to which the Socialist Republic of Vietnam is a member.

3. For criminal acts or consequences of criminal acts occurring on aircraft or ships not of Vietnamese nationality at sea or in the airspace outside the territory of the Socialist Republic of Vietnam, the offender may be prosecuted for criminal liability according to the provisions of this Code in cases where international treaties to which the Socialist Republic of Vietnam is a member have provisions.

Article 7. Effect of the Penal Code on time

1. The law applicable to a criminal act is the law in force at the time the criminal act is committed.

2. A law that prescribes a new crime, a heavier penalty, a new aggravating circumstance, or restricts the scope of application of suspended sentences, exemption from criminal liability, exclusion of criminal liability, exemption from punishment, reduction of punishment, deletion of criminal records, and other provisions that are not favorable to the offender, shall not be applied to crimes committed before such law comes into effect.

3. A law that abolishes a crime, a penalty, an aggravating circumstance, prescribes a lighter penalty, a new mitigating circumstance, or expands the scope of application of suspended sentences, exemption from criminal liability, exclusion of criminal liability, exemption from penalties, reduction of penalties, conditional early release from prison, expungement of criminal records, and other provisions favorable to the offender shall be applied to criminal acts committed before such law comes into effect.

Chapter III

CRIMINAL

Article 8. Concept of crime

1. Crime is an act dangerous to society as prescribed in the Penal Code, committed intentionally or unintentionally by a person with criminal responsibility or a commercial legal entity, violating the independence, sovereignty, unity, and territorial integrity of the Fatherland, violating the political regime, economic regime, culture, national defense, security, social order and safety, the rights and legitimate interests of organizations, violating human rights, the rights and legitimate interests of citizens, violating other areas of the socialist legal order that must be handled criminally according to the provisions of this Code.

2. Acts that show signs of crime but are not significantly dangerous to society are not crimes and are handled by other measures.

Article 9. Classification of crimes

Based on the nature and level of danger to society of the criminal acts prescribed in this Code, crimes are divided into the following four types:

1. Less serious crimes are crimes whose nature and level of danger to society are not great and the highest level of the penalty prescribed by this Code for such crimes is a fine, non-custodial reform or imprisonment of up to 03 years;

2. A serious crime is a crime of such a nature and level of danger to society that the maximum penalty prescribed by this Code for that crime is from over 03 years to 07 years in prison;
3. Very serious crimes are crimes of a nature and level of danger to society so great that the highest level of the penalty prescribed by this Code for such crimes is from over 07 years to 15 years in prison;
4. An especially serious crime is a crime of an especially great nature and level of danger to society for which the highest level of the penalty prescribed by this Code for that crime is from over 15 years to 20 years in prison, life imprisonment or death penalty.

Article 10. Intentional crime

Intentional crime is a crime in the following cases:

1. The offender is fully aware that his or her behavior is dangerous to society, foresees the consequences of that behavior and desires the consequences to occur;
2. The offender is fully aware that his behavior is dangerous to society, foresees the possible consequences of that behavior, and although he does not want them, he still consciously lets the consequences happen.

Article 11. Unintentional crime

Involuntary crime is a crime in the following cases:

1. The offender, although foreseeing that his actions may cause harmful consequences to society, believes that such consequences will not occur or can be prevented.
2. The offender does not foresee that his actions may cause harmful consequences to society, although he should have foreseen and could have foreseen those consequences.

Article 12. Age of criminal responsibility

1. Persons aged 16 years or older shall bear criminal responsibility for all crimes, except for crimes otherwise provided for in this Code.
2. A person aged 14 or older, but under 16 years old, shall only be criminally responsible for murder, intentional injury or harm to the health of another person, rape, rape of a person under 16 years old, rape of a person from 13 to under 16 years old, robbery, kidnapping for the purpose of appropriating property; for very serious crimes, especially serious crimes specified in one of the following articles :
 - a) Article 143 (crime of rape); Article 150 (crime of human trafficking); Article 151 (crime of human trafficking under 16 years old);
 - b) Article 170 (crime of extortion); Article 171 (crime of robbery); Article 173 (crime of theft); Article 178 (crime of destruction or intentional damage to property);
 - c) Article 248 (crime of illegal production of narcotics); Article 249 (crime of illegal possession of narcotics); Article 250 (crime of illegal transportation of narcotics); Article 251 (crime of illegal trading of narcotics); Article 252 (crime of appropriation of narcotics);
 - d) Article 265 (crime of organizing illegal racing); Article 266 (crime of illegal racing);
 - d) Article 285 (crime of manufacturing, trading, exchanging or giving away tools, equipment, software for illegal purposes); Article 286 (crime of disseminating computer programs that harm the operation of computer networks, telecommunications networks, and electronic means); Article 287 (crime of obstructing or disrupting the operation of computer networks, telecommunications networks, and electronic means); Article 289 (crime of illegally accessing another person's computer network, telecommunications network, or electronic means); Article 290 (crime of using computer networks, telecommunications networks, or electronic means to commit acts of property appropriation);
 - e) Article 299 (crime of terrorism); Article 303 (crime of destroying important works, facilities, and means related to national security); Article 304 (crime of illegally manufacturing, storing, transporting, using, trading, or appropriating military weapons and military technical means).

Article 13. Crimes committed by using alcohol, beer or other strong stimulants

A person who commits a crime while in a state of loss of awareness or ability to control his behavior due to the use of alcohol, beer or other strong stimulants is still criminally responsible.

Article 14. Preparation for crime

1. Preparation for a crime is searching for, preparing tools, means or creating other conditions to commit a crime or establishing, participating in a criminal group except in the cases prescribed in Article 109 , Point a, Clause 2, Article 113 or Point a, Clause 2, Article 299 of this Code .
2. A person who prepares to commit one of the following crimes shall be held criminally responsible:
 - a) Article 108 (crime of treason); Article 110 (crime of espionage); Article 111 (crime of violating territorial security); Article 112 (crime of rioting); Article 113 (crime of terrorism against the people's government); Article 114 (crime of sabotaging material and technical facilities of the Socialist Republic of Vietnam); Article 117 (crime of making, storing, disseminating or propagating information, documents and items against the Socialist Republic of Vietnam); Article 118 (crime of disrupting security); Article 119 (crime of sabotage against detention facilities); Article 120 (crime of organizing, coercing or inciting others to flee abroad or stay abroad to oppose the people's government); Article 121 (crime of fleeing abroad or staying abroad to oppose the people's government);

b) Article 123 (crime of murder); Article 134 (crime of intentionally causing injury or harm to the health of another person);

c) Article 168 (crime of robbery); Article 169 (crime of kidnapping for the purpose of appropriating property);

d) Article 299 (crime of terrorism); Article 300 (crime of financing terrorism); Article 301 (crime of hostage-taking); Article 302 (crime of piracy); Article 303 (crime of destroying important works, facilities, and means related to national security); Article 324 (crime of money laundering).

3. A person from 14 to under 16 years of age who prepares to commit a crime specified in Point b and Point c, Clause 2 of this Article shall bear criminal responsibility.

Article 15. Attempted crime

An attempted crime is an intentional crime that cannot be carried out to the end due to reasons beyond the offender's control.

The person who commits an attempted crime shall be held criminally responsible for the attempted crime.

Article 16. Voluntarily stopping the commission of a crime halfway through

Voluntarily stopping a crime halfway through is not carrying out the crime to the end, even though nothing is stopping it.

A person who voluntarily stops committing a crime halfway through is exempted from criminal liability for the attempted crime; if the actual act committed has sufficient elements of another crime, that person must bear criminal liability for that crime.

Article 17. Accomplices

1. Complicity is a case where two or more people intentionally commit a crime together.

2. Organized crime is a form of complicity involving close collusion between those who commit the crime.

3. Accomplices include organizers, executors, instigators and helpers.

The perpetrator is the person who directly commits the crime.

The organizer is the mastermind, leader, and commander of the crime.

An instigator is a person who incites, entices, or encourages another person to commit a crime.

An accomplice is someone who creates mental or material conditions for the commission of a crime.

4. An accomplice shall not be criminally liable for the excessive acts of the perpetrator.

Article 18. Concealment of crimes

1. Any person who, without prior promise, after knowing that a crime has been committed, conceals the criminal, traces, evidence of the crime, or commits other acts that hinder the detection, investigation, and handling of the criminal, shall be criminally responsible for the crime of concealing a crime in the cases prescribed by this Code.

2. A person who conceals a crime is the grandfather, grandmother, father, mother, child, grandchild, sibling, wife or husband of the offender and shall not be held criminally responsible as prescribed in Clause 1 of this Article, except in cases of concealing crimes against national security or other particularly serious crimes prescribed in Article 389 of this Code .

Article 19. Failure to report crimes

1. Anyone who knows that a crime is being prepared, is being committed or has been committed but does not report it shall bear criminal responsibility for failing to report a crime in the cases specified in Article 389 of this Code .

2. A person who fails to report a crime is the grandfather, grandmother, father, mother, child, grandchild, sibling, spouse of the offender and shall not be held responsible as prescribed in Clause 1 of this Article, except in cases of failure to report crimes against national security or other particularly serious crimes prescribed in Article 389 of this Code .

3. A defender shall not be held criminally liable as prescribed in Clause 1 of this Article in the event of failure to report a crime committed or participated in by the person he/she defends, which the defender learns about while performing his/her defense duties, except in the event of failure to report crimes against national security or other particularly serious crimes as prescribed in Article 389 of this Code .

Chapter IV

EXCLUSIONS FROM CRIMINAL LIABILITY

Article 20. Unexpected events

A person who commits an act causing harmful consequences to society in a situation where he cannot foresee or is not required to foresee the consequences of that act shall not be held criminally responsible.

Article 21. State of lack of criminal responsibility

A person who commits an act dangerous to society while suffering from a mental illness or another disease that causes loss of cognitive ability or the ability to control his or her behavior shall not be held criminally responsible.

Article 22. Legitimate defense

1. Legitimate defense is the act of a person who, in order to protect his or her own legitimate rights or interests, those of others, or the interests of the State, agencies, or organizations, necessarily fights back against a person who is infringing upon the above-mentioned interests.

Self defense is not a crime.

2. Exceeding the limits of legitimate defense is an act of resistance that is clearly excessive and inconsistent with the nature and level of danger to society of the act of infringement.

A person who acts beyond the limits of legitimate defense shall bear criminal responsibility according to the provisions of this Code.

Article 23. Emergency situations

1. An emergency situation is a situation where a person, in order to avoid causing damage to his or her own legitimate rights and interests, those of others, or the interests of the State, agencies, or organizations, has no other choice but to cause a damage smaller than the damage that needs to be prevented.

Causing damage in an emergency is not a crime.

2. In case the damage caused clearly exceeds the requirements of the emergency situation, the person causing the damage shall bear criminal responsibility.

Article 24. Causing damage while arresting a criminal

1. The act of a person who, in order to arrest a person committing a crime, has no other choice but to use necessary force causing damage to the person being arrested is not a crime.

2. In case of damage caused by the use of force clearly exceeding the necessary level, the person causing the damage shall bear criminal responsibility.

Article 25. Risks in research, testing and application of scientific, technical and technological advances

The act of causing damage while conducting research, testing, applying new scientific, technical and technological advances despite strictly following procedures, regulations and fully applying preventive measures is not a crime.

Anyone who fails to properly apply procedures and regulations, or fails to fully apply preventive measures and causes damage, shall still be held criminally responsible.

Article 26. Execution of orders of commanders or superiors

A person who commits an act causing damage while carrying out an order from a commander or superior in the People's Armed Forces to perform a national defense or security task, if he has fully followed the reporting procedure to the person who gave the order but the person who gave the order still requests that the order be carried out, shall not be held criminally responsible. In this case, the person who gave the order shall be held criminally responsible.

This provision does not apply to the cases specified in Clause 2, Article 421 , Clause 2, Article 422 and Clause 2, Article 423 of this Code .

Chapter V

STATUTE OF LIMITATION FOR CRIMINAL PROSECUTION AND EXEMPTION FROM CRIMINAL LIABILITY

Article 27. Statute of limitations for criminal prosecution

1. The statute of limitations for criminal prosecution is the time limit prescribed by this Code, after which the offender will not be prosecuted for criminal liability.

2. The statute of limitations for criminal prosecution is prescribed as follows:

- a) 05 years for less serious crimes;
- b) 10 years for serious crimes;
- c) 15 years for very serious crimes;
- d) 20 years for particularly serious crimes.

3. The statute of limitations for criminal prosecution shall be calculated from the date the crime was committed. If within the time limit prescribed in Clause 2 of this Article, the offender commits a new crime for which this Code prescribes a maximum penalty of over 01 year in prison, the statute of limitations for the old crime shall be recalculated from the date the new crime was committed.

If within the time limit prescribed in Clause 2 of this Article, the offender intentionally evades arrest and a wanted decision has been issued, the statute of limitations shall be recalculated from the time the person surrenders or is arrested.

Article 28. Non-application of statute of limitations for criminal prosecution

The statute of limitations for criminal prosecution prescribed in Article 27 of this Code does not apply to the following crimes:

- 1. Crimes against national security specified in Chapter XIII of this Code;
- 2. Crimes of undermining peace, crimes against humanity and war crimes specified in Chapter XXVI of this Code;

3. The crime of embezzlement of property falls under the provisions of Clause 3 and Clause 4, Article 353 of this Code ; the crime of bribery falls under the provisions of Clause 3 and Clause 4, Article 354 of this Code .

Article 29. Grounds for exemption from criminal liability

1. A criminal is exempted from criminal liability when there is one of the following grounds:

- a) When conducting an investigation, prosecution or trial, due to changes in policy or law, the criminal act is no longer dangerous to society;
- b) When there is a decision of general amnesty.

2. A criminal may be exempted from criminal liability when one of the following grounds exists:

- a) When conducting investigation, prosecution, or trial, due to changes in the situation, the offender is no longer dangerous to society;
- b) During the investigation, prosecution, or trial, the offender suffers from a serious illness that results in him/her no longer being able to pose a danger to society;
- c) The offender confesses, clearly states the incident, effectively contributes to the detection and investigation of the crime, tries to minimize the consequences of the crime and makes great achievements or special contributions, recognized by the State and society .

3. A person who commits a less serious crime or a serious crime unintentionally causing damage to the life, health, honor, dignity or property of another person and is voluntarily reconciled and requested to be exempted from criminal liability by the victim or the victim's representative may be exempted from criminal liability .

Chapter VI

PENALTY

Article 30. Concept of punishment

Penalty is the most severe coercive measure of the State prescribed in this Code, decided by the Court to be applied to a person or commercial legal entity that commits a crime, aiming to deprive or restrict the rights and interests of that person or commercial legal entity.

Article 31. Purpose of punishment

Punishment is not only intended to punish people and commercial legal entities who commit crimes, but also to educate them to obey the law and the rules of life, prevent them from committing new crimes; and to educate other people and commercial legal entities to respect the law, prevent and fight against crimes.

Article 32. Penalties for offenders

1. Main penalties include:

- a) Warning;
- b) Fine;
- c) Non-custodial reform;
- d) Expulsion;
- d) Imprisonment for a fixed term;
- e) Life imprisonment;
- g) Death penalty.

2. Additional penalties include:

- a) Prohibition from holding positions, practicing a profession or doing certain jobs;
- b) Prohibition of residence;
- c) Probation;
- d) Deprivation of certain civil rights;
- d) Confiscation of assets;
- e) Fine, when not applied as the main penalty;
- g) Expulsion, when not applied as the principal penalty.

3. For each crime, the offender shall be subject to only one main penalty and may be subject to one or more additional penalties.

Article 33. Penalties for commercial legal entities committing crimes

1. Main penalties include:

- a) Fine;
- b) Temporary suspension of operations;
- c) Permanent suspension of operations.

2. Additional penalties include:

- a) Prohibition of business and operation in certain fields;
- b) Prohibition of capital mobilization;
- c) Fine, when not applied as the main penalty.

3. For each crime, a commercial legal entity committing a crime shall be subject to only one main penalty and may be subject to one or more additional penalties.

Article 34. Warning

Warning is applied to offenders who commit less serious crimes and have many mitigating circumstances, but not to the extent of exempting from punishment.

Article 35. Fines

1. Fines are applied as the main penalty in the following cases:

- a) Persons who commit less serious crimes or serious crimes as prescribed by this Code;
- b) Persons who commit very serious crimes that violate economic management order, environment, public order, public safety and a number of other crimes prescribed by this Code.

2. Fines are applied as additional penalties for those who commit crimes of corruption, drugs or other crimes prescribed by this Code.

3. The amount of the fine is decided based on the nature and severity of the crime, taking into account the offender's property situation and price fluctuations, but must not be less than VND 1,000,000.

4. Fines for commercial legal entities committing crimes are prescribed in Article 77 of this Code .

Article 36. Non-custodial reform

1. Non-custodial reform is applied from 06 months to 03 years to offenders of less serious crimes or serious crimes as prescribed by this Code who have a stable workplace or a clear place of residence if it is deemed unnecessary to isolate the offender from society.

If the convicted person has been detained or imprisoned, the time spent in detention or imprisonment shall be deducted from the time spent serving the sentence of non-custodial reform; each day of detention or imprisonment shall be equal to 3 days of non-custodial reform.

2. The court shall hand over the person sentenced to non-custodial reform to the agency or organization where he/she works or studies or the People's Committee of the commune where he/she resides for supervision and education. The family of the convicted person shall be responsible for coordinating with the agency, organization or People's Committee of the commune in supervising and educating that person.

3. During the sentence, the convicted person must perform certain obligations according to the provisions on non-custodial reform and have a portion of his income deducted from 5% to 20% to be added to the state budget. Income deductions are made monthly. In special cases, the Court may exempt the income deduction, but must clearly state the reason in the judgment.

No deductions from income shall be made for a person serving a sentence who is performing military service.

4. In case a person sentenced to non-custodial reform has no job or loses his job during the time of serving this sentence, he/she must perform some community service work during the non-custodial reform period.

Community service time does not exceed 04 hours per day and not more than 05 days per week.

Community service labor measures shall not be applied to pregnant women or women raising children under 6 months of age, the elderly, people with serious illnesses, people with severe disabilities or especially severe disabilities.

A person sentenced to non-custodial reform must fulfill the obligations prescribed in the Law on Enforcement of Criminal Judgments .

Article 37. Expulsion

Deportation is forcing a convicted foreigner to leave the territory of the Socialist Republic of Vietnam.

Expulsion is applied by the Court as a main or additional penalty in each specific case.

Article 38. Imprisonment for a fixed term

1. Fixed-term imprisonment is forcing the convicted person to serve the sentence at a detention facility for a certain period of time.

Fixed-term imprisonment for a person who commits a crime has a minimum term of 03 months and a maximum term of 20 years.

Time spent in detention or temporary detention is deducted from the term of imprisonment, each day of detention or temporary detention is equal to 1 day in prison.

2. A fixed-term prison sentence shall not be applied to a first-time offender who commits a less serious crime unintentionally and has a clear place of residence.

Article 39. Life imprisonment

Life imprisonment is an indefinite prison sentence applied to people who commit particularly serious crimes, but not to the extent of being sentenced to death.

Life imprisonment shall not be imposed on persons under 18 years of age who commit crimes.

Article 40. Death penalty

1. The death penalty is a special punishment only applied to those who commit particularly serious crimes in one of the groups of crimes against national security, crimes against human life, drug crimes, corruption and a number of other particularly serious crimes as prescribed by this Code.

2. The death penalty shall not be applied to persons under 18 years of age when committing a crime, pregnant women, women raising children under 36 months of age, or persons 75 years of age or older when committing a crime or at trial.

3. The death penalty shall not be carried out on a convicted person if he falls into one of the following cases:

- a) Pregnant women or women raising children under 36 months old;
- b) People aged 75 years or older;
- c) A person sentenced to death for embezzlement or bribery, who after being sentenced has proactively returned at least three-quarters of the embezzled or bribed property and actively cooperated with authorities in detecting, investigating and handling crimes or has made great achievements.

4. In the case specified in Clause 3 of this Article or in the case where a person sentenced to death is granted clemency, the death penalty shall be converted to life imprisonment.

Article 41. Prohibition from holding positions, practicing a profession or doing certain jobs

Prohibition from holding a position, practicing a profession or doing certain work is applied when it is considered that allowing the convicted person to hold that position, practice a profession or do that work may cause harm to society.

The period of prohibition is from 01 year to 05 years, from the date of completion of the prison sentence or from the date the judgment takes legal effect if the main penalty is a warning, fine, non-custodial reform or in case the convicted person is given a suspended sentence.

Article 42. Prohibition of residence

Residence ban is forcing a person sentenced to imprisonment not to temporarily or permanently reside in certain localities.

The period of residence ban is from 01 year to 05 years, from the date of completion of prison sentence.

Article 43. Probation

Probation is the forcing of a person sentenced to imprisonment to reside, work, live and reform in a certain locality under the control and education of the local government and people. During the probation period, the person sentenced is not allowed to leave the place of residence without permission, is deprived of certain civil rights as prescribed in Article 44 of this Code and is prohibited from practicing a profession or doing certain jobs.

Probation is applied to criminals who violate national security, dangerous recidivists or in other cases prescribed by this Code.

The probation period is from 01 year to 05 years, from the date of completion of the prison sentence.

Article 44. Deprivation of certain civil rights

1. Vietnamese citizens sentenced to imprisonment for crimes against national security or other crimes in cases prescribed by this Code shall be deprived of one or more of the following civil rights:

- a) The right to run for election as a delegate to a State power agency;
- b) The right to work in state agencies and the right to serve in the people's armed forces.

2. The period of deprivation of certain civil rights is from 01 year to 05 years, from the date of completion of the prison sentence or from the date the judgment takes legal effect in case the convicted person is given a suspended sentence.

Article 45. Confiscation of property

Confiscation of property is the confiscation of part or all of the property owned by a convicted person to be paid into the state budget.

Confiscation of property shall only be applied to persons convicted of serious crimes, very serious crimes or especially serious crimes against national security, drug crimes, corruption or other crimes as prescribed by this Code.

When confiscating all assets, the convicted person and his family still have living conditions.

Chapter VII**LEGAL REMEDIES****Article 46. Judicial measures**

1. Judicial measures against criminals include:

- a) Confiscation of objects and money directly related to the crime;
- b) Return property, repair or compensate for damages; force a public apology;
- c) Compulsory medical treatment.

2. Judicial measures against commercial legal entities committing crimes include:

- a) Confiscation of objects and money directly related to the crime;
- b) Return property, repair or compensate for damages; force a public apology;
- c) Restore the original condition;
- d) Take some measures to overcome and prevent further consequences.

Article 47. Confiscation of objects and money directly related to crimes

1. Confiscation to the state budget or confiscation and destruction shall be applied to:

- a) Tools and means used to commit crimes;
- b) Objects or money obtained from committing crimes or from buying, selling, or exchanging such things; illegal profits from committing crimes;
- c) Items that are prohibited from circulation by the State .

2. Objects and money illegally appropriated or used by criminals shall not be confiscated but returned to the owner or legal manager.

3. Objects and money that are the property of another person, if this person is at fault in allowing the offender to use them to commit a crime, can be confiscated.

Article 48. Return of property, repair or compensation for damage; forced public apology

1. The offender must return the appropriated property to the owner or legal manager, and must repair or compensate for material damage determined to have been caused by the crime.

2. In case of a crime causing mental damage, the Court shall force the offender to pay material compensation and publicly apologize to the victim.

Article 49. Compulsory medical treatment

1. For those who commit socially dangerous acts while suffering from the diseases specified in Article 21 of this Code , the Procuracy or the Court, based on the conclusions of the forensic examination or forensic psychiatric examination, may decide to send them to a specialized treatment facility for compulsory treatment.

2. For a person who commits a crime while having criminal capacity but before being sentenced has suffered from an illness to the extent of losing the ability to perceive or control his/her behavior, based on the conclusion of a forensic examination or a forensic psychiatric examination, the Court may decide to send him/her to a specialized treatment facility for compulsory treatment. After recovering from the illness, that person may be held criminally responsible.

3. For those serving a prison sentence who are ill to the extent of losing the ability to perceive or control their behavior, based on the conclusion of a forensic examination or a forensic psychiatric examination, the Court may decide to send them to a specialized treatment facility for compulsory treatment. After recovering from the illness, if there is no other reason to exempt them from serving the sentence, they must continue to serve the sentence.

The time required for medical treatment is deducted from the term of imprisonment.

Chapter VIII**PENALTY DECISION****Section 1. GENERAL PROVISIONS ON PENALTY DECISIONS****Article 50. Basis for deciding on penalties**

1. When deciding on a penalty, the Court shall base itself on the provisions of this Code, consider the nature and degree of danger to society of the criminal act, the personality of the offender, and the mitigating and aggravating circumstances of criminal responsibility.

2. When deciding to apply a fine, in addition to the basis prescribed in Clause 1 of this Article, the Court shall base on the property situation and the ability to execute the sentence of the offender.

Article 51. Circumstances mitigating criminal liability

1. The following circumstances are mitigating circumstances of criminal liability:

- a) The offender has prevented or reduced the harm of the crime;
 - b) The offender voluntarily repairs, compensates for damage or remedies the consequences;
 - c) Committing a crime in cases exceeding the limits of legitimate defense;
 - d) Committing a crime in a situation that exceeds the requirements of an urgent situation;
 - d) Committing a crime in a case of exceeding the necessary level when arresting the offender;
 - e) Committing a crime in a state of mental agitation caused by the victim's illegal acts;
 - g) Committing a crime due to especially difficult circumstances that were not caused by oneself;
 - h) Committing a crime but not causing any damage or causing little damage;
 - i) First-time offender and less serious case;
 - k) Committing a crime because of being threatened or forced by another person;
 - l) Committing a crime in a case of limited cognitive ability that is not caused by one's own fault;
 - m) Crime due to backwardness;
 - n) The offender is a pregnant woman;
 - o) The offender is 70 years of age or older;
 - p) The offender is a person with severe or extremely severe disabilities;
 - q) The offender is a person with a disease that limits his or her ability to perceive or control his or her behavior;
 - r) The offender confesses;
 - s) The offender honestly confesses or repents ;
 - t) The offender actively assists the responsible agencies in detecting or investigating crimes ;
 - u) The offender has made meritorious deeds to atone for his crime;
 - v) The offender is a person with outstanding achievements in production, combat, study or work;
 - x) The offender is the father, mother, wife, husband or child of a martyr or a person with revolutionary contributions .
2. When deciding on the sentence, the Court may consider surrender or other circumstances as mitigating circumstances, but must clearly state the reasons for mitigating in the judgment.
3. Mitigating circumstances that have been prescribed by this Code as signs of conviction or sentencing shall not be considered mitigating circumstances when deciding on punishment.

Article 52. Circumstances aggravating criminal liability

1. Only the following circumstances are aggravating circumstances of criminal liability:

- a) Organized crime;
- b) Committing crimes of a professional nature;
- c) Taking advantage of position and power to commit crimes;
- d) Committing a crime of a hooligan nature;
- d) Committing a crime for base motives;
- e) Intentionally committing a crime to the end;
- g) Committing the crime 02 times or more;
- h) Recidivism or dangerous recidivism;
- i) Committing a crime against a person under 16 years old, a pregnant woman , or a person 70 years of age or older ;
- k) Committing a crime against a person in a state of being unable to defend himself/herself, a person with severe or especially severe disabilities, a person with limited cognitive ability or a person who is dependent on him/her materially, mentally, at work or in other ways;
- l) Taking advantage of war, emergency, natural disaster, epidemic or other special social difficulties to commit crimes;
- m) Using sophisticated, cunning and cruel tricks to commit crimes ;
- n) Using tricks and means capable of causing harm to many people to commit crimes;
- o) Inciting people under 18 years of age to commit crimes;
- p) Acting cunningly or aggressively to evade or conceal a crime.

2. Circumstances that have been prescribed by this Code as signs of crime or penalty determination shall not be considered aggravating circumstances.

Article 53. Recidivism and dangerous recidivism

1. Recidivism is a case where a person who has been convicted and has not had his/her criminal record expunged commits a crime intentionally or commits a very serious crime or an especially serious crime unintentionally.

2. The following cases are considered dangerous recidivism:

- a) Having been convicted of a very serious crime or an especially serious intentional crime, and not having had his/her criminal record expunged, he/she commits a very serious crime or an especially serious intentional crime;
- b) Recidivist, not yet had criminal record cleared but committed a crime intentionally.

Section 2. DECISION ON PENALTIES IN SPECIFIC CASES

Article 54. Decision on penalty below the lowest level of the applicable penalty framework

1. The Court may decide on a penalty below the lowest level of the applicable penalty range but must be within the adjacent lighter penalty range of the law when the offender has at least two mitigating circumstances specified in Clause 1, Article 51 of this Code .

2. The court may decide on a penalty below the lowest level of the applicable penalty range but not necessarily within the adjacent lighter penalty range of the law for a first-time offender who is an accomplice in a case of complicity but has an insignificant role.

3. In case all the conditions specified in Clause 1 or Clause 2 of this Article are met but the law only has one penalty range or that penalty range is the lightest penalty range, the Court may decide to switch to another penalty of a lighter type. The reason for the reduction must be clearly stated in the judgment .

Article 55. Decision on punishment in case of multiple crimes

When trying a person for multiple crimes at the same time, the Court shall decide the penalty for each crime and combine the penalties according to the following provisions:

1. For main penalty:

- a) If the sentences imposed are all non-custodial reform or fixed-term imprisonment, then those sentences shall be added together into a common sentence; the common sentence shall not exceed 03 years for non-custodial reform, 30 years for fixed-term imprisonment;
- b) If the sentences imposed are non-custodial reform or fixed-term imprisonment, the non-custodial reform sentence shall be converted into a prison sentence at the rate of every 03 days of non-custodial reform being converted into 01 day of imprisonment to form a combined sentence as prescribed in Point a, Clause 1 of this Article;
- c) If the heaviest penalty among the penalties imposed is life imprisonment, the combined penalty shall be life imprisonment;
- d) If the heaviest penalty among the penalties imposed is death, the combined penalty is death;
- e) Fines cannot be combined with other types of penalties; fines are added together to form a common penalty;
- e) Expulsion is not combined with other types of punishment;

2. For additional penalties:

- a) If the penalties imposed are of the same type, the common penalty shall be decided within the limits prescribed by this Code for that type of penalty; for fines only, the fines shall be added together to form the common penalty;
- b) If the sentences imposed are of different types, the convicted person must serve all the sentences imposed.

Article 56. Summary of penalties of multiple judgments

1. In case a person is serving a sentence and is tried for a crime committed before the sentence, the Court shall decide on the penalty for the crime being tried, then decide on the general penalty according to the provisions of Article 55 of this Code .

The time served for the previous sentence is deducted from the total sentence.

2. When trying a person who is serving a sentence but commits a new crime, the Court shall decide on the penalty for the new crime, then combine it with the unexecuted penalty of the previous sentence and decide on the overall penalty according to the provisions of Article 55 of this Code .

3. In case a person has to serve multiple sentences that have come into legal effect and the sentences of the sentences have not been combined, the Chief Justice of the Court has the authority to decide to combine the sentences of the sentences according to the provisions of Clause 1 and Clause 2 of this Article.

Article 57. Decision on punishment in case of preparation for crime or attempted crime

1. For acts of preparing to commit a crime and acts of attempting to commit a crime, the penalty shall be decided according to the articles of this Code on the corresponding crimes depending on the nature, level of danger to society of the act, the level of carrying out the intention to commit the crime and other circumstances that prevent the crime from being carried out to the end.

2. In case of preparation for a crime, the penalty is decided within the penalty framework prescribed in specific laws.

3. In the case of an attempted crime, if the applicable law stipulates the highest penalty of life imprisonment or death penalty, the penalty shall not exceed 20 years of imprisonment; if it is a fixed-term imprisonment, the penalty shall not exceed three-quarters of the prison term prescribed by the law.

Article 58. Decision on punishment in case of complicity

When deciding on the punishment for accomplices, the Court must consider the nature of the accomplices and the nature and degree of participation in the crime of each accomplice.

Mitigating, aggravating or excluding circumstances of criminal liability of any accomplice shall only apply to that person.

Article 59. Exemption from punishment

A criminal may be exempted from punishment if he falls under the cases specified in Clause 1 and Clause 2, Article 54 of this Code and deserves special leniency but not to the extent of being exempted from criminal liability.

Chapter IX

STATUTE OF LIMITATION FOR EXECUTION OF JUDGMENT, EXEMPTION FROM EXECUTION OF PENALTY, REDUCTION OF PENALTY TERM

Article 60. Statute of limitations for execution of judgment

1. The statute of limitations for execution of a criminal judgment is the time limit prescribed by this Code, after which the convicted person or convicted commercial legal entity does not have to execute the declared judgment.
2. The statute of limitations for execution of criminal judgments against convicted persons is prescribed as follows:
 - a) 05 years for cases of fines, non-custodial reform or imprisonment of 03 years or less;
 - b) 10 years for cases of imprisonment from over 03 years to 15 years;
 - c) 15 years for cases of imprisonment from over 15 years to 30 years;
 - d) 20 years for cases of life imprisonment or death penalty.
3. The statute of limitations for execution of criminal judgments against commercial legal entities is 05 years.
4. The statute of limitations for execution of a criminal judgment shall be calculated from the date the judgment takes legal effect. If within the time limit prescribed in Clauses 2 and 3 of this Article, the convicted person or convicted commercial legal entity commits a new crime, the statute of limitations shall be recalculated from the date the new crime is committed.
5. Within the time limit prescribed in Clause 2 of this Article, if a convicted person intentionally evades arrest and a wanted decision has been issued, the statute of limitations shall be recalculated from the date that person presents himself or is arrested.

Article 61. Non-application of statute of limitations for execution of judgment

The statute of limitations for execution of judgments does not apply to crimes specified in Chapter XIII and Chapter XXVI of this Code.

Article 62. Exemption from serving a sentence

1. A convicted person shall be exempted from serving his sentence when granted special pardon or general amnesty.
2. A person sentenced to non-custodial reform or imprisonment for a term of up to 03 years who has not served his/her sentence, upon the request of the Chief Prosecutor, the Court may decide to exempt him/her from serving the sentence, if he/she falls into one of the following cases:
 - a) After being sentenced, he has made achievements;
 - b) Suffering from a serious illness;
 - c) Comply with the law, have particularly difficult family circumstances and are considered no longer a danger to society.
3. A person sentenced to a term of imprisonment of more than 03 years, who has not yet served his sentence, if he has made great contributions or has a serious illness and is no longer a danger to society, then upon the request of the Chief Prosecutor, the Court may decide to exempt him from serving the entire sentence.
4. A person sentenced to up to 03 years in prison, whose sentence has been temporarily suspended, if during the period of temporary suspension he/she has made merits or complied well with the law, his/her family circumstances are particularly difficult and it is considered that he/she is no longer a danger to society, then upon the proposal of the Chief Prosecutor, the Court may decide to exempt him/her from serving the remaining part of the sentence.
5. A person sentenced to a fine who has actively served part of the sentence but falls into a particularly difficult economic situation for a long time due to natural disasters, fires, accidents or illnesses and is unable to continue serving the remaining sentence or has made great achievements, then upon the request of the Chief Prosecutor, the Court may decide to exempt the remaining part of the fine.
6. A person sentenced to a residence ban or probation, if he/she has served half of the sentence and has performed well, then upon the request of the district-level criminal enforcement agency where he/she serves the sentence, the Court may decide to exempt him/her from serving the remaining sentence.

7. A person exempted from serving a sentence as prescribed in this Article must still fully perform the civil obligations imposed by the Court in the judgment.

Article 63. Reduction of the imposed penalty

1. A person sentenced to non-custodial reform, fixed-term imprisonment or life imprisonment, if he/she has served the sentence for a certain period of time, has made much progress and has partially compensated for his/her civil obligations, then upon the request of the competent criminal enforcement agency, the Court may decide to reduce the term of serving the sentence.

The time served for the first reduction is one-third of the term for non-custodial reform, fixed-term imprisonment, and 12 years for life imprisonment.

2. A person can be reduced many times, but must ensure that he/she serves half of the sentence imposed.

A person sentenced to life imprisonment, the first time is reduced to 30 years in prison and even if reduced many times, must ensure the actual time of serving the sentence is 20 years.

3. In case a person is convicted of multiple crimes, including a crime punishable by life imprisonment, the Court shall only consider reducing the sentence for the first time to 30 years in prison after serving 15 years in prison. Even if the sentence is reduced multiple times, the actual time served must still be 25 years.

4. For a person who has had a part of his/her sentence reduced but then commits a new, less serious crime intentionally, the Court will only consider the first reduction after that person has served half of the total sentence.

5. For a person who has had a part of his/her sentence reduced but commits a new serious, very serious or especially serious crime, the Court shall only consider the first reduction after that person has served two-thirds of the total sentence, or in the case where the total sentence is life imprisonment, the consideration of sentence reduction shall be carried out in accordance with the provisions of Clause 3 of this Article.

6. For a person sentenced to death who is granted pardon or a person sentenced to death in the case specified in Point b or Point c, Clause 3, Article 40 of this Code, the time served for the first reduction is 25 years and even if reduced many times, the actual time served for the sentence must still be 30 years.

Article 64. Reduction of sentence execution term in special cases

If a convicted person has reasons that merit additional leniency, such as having made meritorious contributions, being too old or sick, or suffering from a serious illness, the Court may consider reducing the sentence at an earlier time or at a higher level than the time and level prescribed in Article 63 of this Code.

Article 65. Suspended sentence

1. When sentencing a person to a prison term of no more than 03 years, based on the offender's personal background and mitigating circumstances, if it is deemed unnecessary to enforce the prison sentence, the Court shall grant a suspended sentence and set a probation period of 01 to 05 years and perform obligations during the probation period according to the provisions of the Law on Enforcement of Criminal Judgments.

2. During the probation period, the Court shall assign the person serving a suspended sentence to the agency or organization where he/she works or the local authority where he/she resides for supervision and education. The family of the convicted person shall be responsible for coordinating with the agency, organization or local authority in supervising and educating that person.

3. The Court may decide to apply an additional penalty to the person enjoying a suspended sentence if the applicable law provides for this penalty.

4. If a person serving a suspended sentence has served half of the probation period and has made much progress, the Court may, at the request of the agency or organization responsible for supervision and education, decide to shorten the probation period.

5. During the probation period, if the person serving a suspended sentence intentionally violates the obligations prescribed by the Law on the Enforcement of Criminal Judgments 02 times or more, the Court may decide to force that person to serve the prison sentence of the suspended sentence. In case of committing a new crime, the Court shall force that person to serve the sentence of the previous sentence and combine it with the sentence of the new sentence according to the provisions of Article 56 of this Code.

Article 66. Conditional early release from prison

1. A person serving a prison sentence may be released early if he/she meets all of the following conditions:

- a) First offense;
- b) Have made much progress and have good reform awareness;
- c) The term of imprisonment has been reduced for those convicted of serious crimes or more;
- d) Have a clear place of residence;
- d) Having completed the additional penalty of fine, court fees and civil compensation obligations;
- e) Having served at least half of the prison term for a fixed-term prison sentence or at least 15 years for a life sentence that has been reduced to a fixed-term prison sentence.

In case the offender is a war invalid, sick soldier, relative of a martyr, family with revolutionary contributions, a person aged 70 or older, a person with severe or especially severe disabilities, or a woman raising a child under 36 months old, the time served must be at least one-third of the fixed-term imprisonment sentence or at least 12 years of life imprisonment reduced to a fixed-term imprisonment;

g) Not falling under one of the criminal cases specified in Clause 2 of this Article.

2. The provisions of this Article shall not apply to a convicted person in one of the following cases :

a) Persons convicted of crimes against national security; terrorism; crimes against peace, crimes against humanity and war crimes or persons sentenced to 10 years or more in prison for intentional crimes against human life, health and dignity; 07 years or more in prison for crimes of robbery, kidnapping for the purpose of appropriating property and illegal production, illegal trading and appropriation of narcotics;

b) A person sentenced to death who is granted clemency or falls under the cases specified in Clause 3, Article 40 of this Code .

3. Upon request of the competent criminal enforcement agency, the Court shall decide to conditionally release the convicted person from prison early. The person conditionally released from prison early must fulfill his/her obligations during the probation period. The probation period shall be equal to the remaining time of the prison sentence.

4. If a person who is conditionally released from prison intentionally violates his/her obligations two or more times or is administratively sanctioned two or more times during the probation period, the Court may revoke the decision to conditionally release that person from prison and force him/her to serve the remaining unserved prison sentence.

If that person commits a new crime during the probation period, the Court shall force that person to serve the sentence of the new sentence and combine it with the unserved prison sentence of the previous sentence as prescribed in Article 56 of this Code .

5. If a person conditionally released from prison has served at least half of the probation period and has made significant progress, the Court may, at the request of the competent criminal enforcement agency, decide to shorten the probation period.

Article 67. Postponement of execution of prison sentence

1. A person sentenced to imprisonment may have his sentence suspended in the following cases:

a) If seriously ill, the appointment will be postponed until health is restored;

b) Women who are pregnant or raising children under 36 months old will be granted a deferment until their children are 36 months old;

c) Being the only breadwinner in the family, if serving a prison sentence will cause the family to face special difficulties, the sentence will be postponed for up to 01 year, except in cases where the person is convicted of crimes against national security or other crimes that are very serious crimes or especially serious crimes;

d) Convicted of a less serious crime, due to official duties, the sentence may be deferred for up to 01 year.

2. During the period of suspension of the prison sentence, if the person whose sentence is suspended commits a new crime, the Court shall force that person to serve the previous sentence and combine it with the sentence of the new sentence according to the provisions of Article 56 of this Code .

Article 68. Temporary suspension of execution of prison sentence

1. A person serving a prison sentence who falls into one of the cases specified in Clause 1, Article 67 of this Code may have his/her prison sentence temporarily suspended.

2. The period of suspension shall not be counted towards the time of serving the prison sentence.

Chapter X

CLEAR CRIMINAL RECORD

Article 69. Criminal record deletion

1. A convicted person shall have his/her criminal record expunged in accordance with the provisions of Articles 70 to 73 of this Code .

A person whose criminal record is cleared is considered not to have been convicted.

2. A person convicted of a minor crime, a serious crime, or a person exempted from punishment shall not be considered to have a criminal record.

Article 70. Automatic erasure of criminal records

1. Automatic expungement of criminal records is applied to persons convicted of crimes other than those specified in Chapter XIII and Chapter XXVI of this Code when they have completed the main sentence, the probationary period of suspended sentence or the statute of limitations for execution of the sentence has expired and they meet the conditions specified in Clauses 2 and 3 of this Article.

2. A convicted person shall have his/her criminal record automatically expunged if, since completing the main sentence or the probationary period, he/she has completed the additional sentence, other decisions of the judgment and has not committed any new crime within the following period:

- a) 01 year in case of being warned, fined, reformed without detention, imprisoned but with a suspended sentence;
- b) 02 years in case of imprisonment up to 05 years;
- c) 03 years in case of imprisonment from over 05 years to 15 years;
- d) 05 years in case of imprisonment of more than 15 years, life imprisonment or death penalty but the sentence has been reduced.

In case a convicted person is serving an additional penalty of probation, residence ban, ban from holding a position, ban from practicing a profession or doing certain jobs, or deprivation of certain civil rights, and the term of service is longer than the term prescribed in Points a, b and c of this Clause, the period of automatic criminal record erasure will expire at the time the person completes serving the additional penalty.

3. A convicted person shall have his/her criminal record automatically expunged if, from the date of expiration of the statute of limitations for execution of the sentence, he/she does not commit a new crime within the period specified in Clause 2 of this Article.

4. The agency managing the criminal record database is responsible for updating information on the criminal record of convicted persons and, upon request, issuing a criminal record certificate confirming no criminal record, if the conditions specified in Clause 2 or Clause 3 of this Article are met.

Article 71. Criminal record deletion by court decision

1. Criminal record expungement by decision of the Court is applied to persons convicted of crimes specified in Chapter XIII and Chapter XXVI of this Code when they have completed serving the main sentence, the probation period of suspended sentence or the statute of limitations for execution of the sentence has expired and meet the conditions specified in Clauses 2 and 3 of this Article.

The court decides to expunge the criminal record of those convicted of crimes specified in Chapter XIII and Chapter XXVI of this Code, based on the nature of the crime committed, the attitude of law observance, and the work attitude of the convicted person.

2. A convicted person shall have his/her criminal record expunged by the Court if, since completing the main sentence or the probationary period of a suspended sentence, he/she has completed the additional sentence, other decisions of the judgment and has not committed a new crime within the following period:

- a) 03 years in case of warning, non-custodial reform or imprisonment up to 05 years;
- b) 05 years in case of imprisonment from over 05 years to 15 years;
- c) 07 years in case of imprisonment of more than 15 years, life imprisonment or death penalty but the sentence has been reduced.

In case a convicted person is serving an additional penalty of probation, residence ban, or deprivation of certain civil rights for a period longer than the period prescribed in Point a of this Clause, the period for criminal record expungement shall expire at the time the person completes serving the additional penalty.

3. A convicted person shall have his/her criminal record expunged by the Court if, from the expiration of the statute of limitations for execution of the judgment, he/she does not commit a new crime within the period specified in Clause 2 of this Article.

4. A person whose application for criminal record expungement is rejected by the Court for the first time must wait 01 year before applying for criminal record expungement; if the application is rejected for the second time or more, must wait 02 years before applying for criminal record expungement.

Article 72. Criminal record deletion in special cases

In case a convicted person shows clear signs of progress and has made meritorious contributions, and is recommended by the agency or organization where he/she works or the local authority where he/she resides, the Court shall decide to expunge the criminal record if he/she has served at least one-third of the term prescribed in Clause 2, Article 70 and Clause 2, Article 71 of this Code .

Article 73. Method of calculating the time limit for criminal record deletion

- 1. The time limit for expunging criminal records prescribed in Articles 70 and 71 of this Code is based on the main penalty imposed.
- 2. If a convicted person whose criminal record has not been expunged commits a new crime and is sentenced by a court with a legally effective judgment, the time limit for expunging the old criminal record shall be recalculated from the date of completion of the main sentence or the probationary period of the new judgment or from the date the new judgment expires.
- 3. A person convicted of multiple crimes, one of which is automatically expunged, or one of which is expunged by a court decision, shall, based on the time limit prescribed in Article 71 of this Code, decide to expunge the criminal record of that person.
- 4. A person who is exempted from serving the remaining part of the sentence is also considered to have completed the sentence.

Chapter XI

PROVISIONS FOR COMMERCIAL LEGAL ENTITIES COMMITTING CRIMES

Article 74. Application of the provisions of the Penal Code to commercial legal entities committing crimes

A commercial legal entity that commits a crime shall bear criminal responsibility according to the provisions of this Chapter; according to other provisions of Part One of this Code that are not contrary to the provisions of this Chapter.

Article 75. Conditions for criminal liability of commercial legal entities

1. A commercial legal entity shall only be criminally liable when it meets all of the following conditions:

- a) The crime is committed in the name of a commercial legal entity;
- b) The crime is committed for the benefit of a commercial legal entity;
- c) The crime is committed under the direction, management or approval of a commercial legal entity;
- d) The statute of limitations for criminal prosecution as prescribed in Clause 2 and Clause 3, Article 27 of this Code has not expired .

2. The criminal liability of a commercial legal entity does not exclude the criminal liability of an individual.

Article 76. Scope of criminal liability of commercial legal entities

Commercial legal entities shall only be criminally liable for the following crimes:

1. Article 188 (crime of smuggling); Article 189 (crime of illegally transporting goods and currencies across the border); Article 190 (crime of producing and trading in prohibited goods); Article 191 (crime of storing and transporting prohibited goods); Article 192 (crime of producing and trading in counterfeit goods); Article 193 (crime of producing and trading in counterfeit goods such as food, foodstuffs, and food additives); Article 194 (crime of producing and trading in counterfeit goods such as medicines and disease prevention medicines); Article 195 (crime of producing and trading in counterfeit goods such as animal feed, fertilizers, veterinary medicines, pesticides, plant varieties, and livestock); Article 196 (crime of speculation); Article 200 (crime of tax evasion); Article 203 (crime of illegally printing, issuing, and trading in invoices and documents for payment to the state budget); Article 209 (crime of intentionally publishing false information or concealing information in securities activities) ; Article 210 (crime of using inside information to buy and sell securities) ; Article 211 (crime of manipulating the securities market) ; Article 213 (crime of fraud in insurance business); Article 216 (crime of evading payment of social insurance, health insurance, unemployment insurance for employees); Article 217 (crime of violating regulations on competition); Article 225 (crime of infringing copyright and related rights); Article 226 (crime of infringing industrial property rights); Article 227 (crime of violating regulations on research, exploration, and exploitation of resources); Article 232 (crime of violating regulations on forest exploitation, protection, and forest product management); Article 234 (crime of violating regulations on management and protection of wild animals);

2. Article 235 (crime of causing environmental pollution); Article 237 (crime of violating regulations on prevention, response and remediation of environmental incidents); Article 238 (crime of violating regulations on protecting the safety of irrigation works, dykes and natural disaster prevention and control; violating regulations on protecting river banks and beaches); Article 239 (crime of bringing waste into Vietnamese territory); Article 242 (crime of destroying aquatic resources); Article 243 (crime of destroying forests); Article 244 (crime of violating regulations on management and protection of endangered, precious and rare animals); Article 245 (crime of violating regulations on management of nature reserves); Article 246 (crime of importing and spreading invasive alien species).

Article 77. Fines

1. A fine is applied as the main penalty or additional penalty to a commercial legal entity that commits a crime.

2. The amount of the fine is decided based on the nature and severity of the crime and takes into account the financial situation of the commercial legal entity committing the crime and price fluctuations, but must not be lower than VND 50,000,000.

Article 78. Temporary suspension of operations

1. Temporary suspension of operations means temporarily stopping the operations of a commercial legal entity in one or several fields where the commercial legal entity commits a crime causing damage to human life, health, the environment or social security, order and safety and the consequences can be remedied in practice.

2. The suspension period is from 06 months to 03 years.

Article 79. Permanent suspension of operations

1. Permanent suspension of operations means the termination of operations of a commercial legal entity in one or several fields where the commercial legal entity commits a crime that causes damage or is actually capable of causing damage to the lives of many people, causing environmental incidents or adversely affecting security, order and social safety and is unable to remedy the consequences caused.

2. A commercial legal entity established solely to commit crimes shall have all operations permanently suspended.

Article 80. Prohibition of business and operation in certain fields

1. Prohibition of business or operation in certain fields is applied when it is considered that if the convicted commercial legal entity continues to do business or operate in that field, it may cause harm to human life or health or to society.

2. The court decides on specific areas of business or activities that are prohibited.

3. The period of prohibition from doing business or operating in certain fields is from 01 year to 03 years, from the date the judgment comes into legal effect.

Article 81. Prohibition of capital mobilization

1. Prohibition on capital mobilization is applied when it is considered that if a convicted commercial legal entity is allowed to mobilize capital, there is a risk of continuing to commit crimes.

2. Forms of capital mobilization prohibition include:

- a) Prohibition on borrowing from banks, credit institutions or investment funds ;
- b) Prohibition of issuance and offering of securities ;
- c) Prohibition of raising customer capital;
- d) Prohibition of joint ventures and associations at home and abroad;
- d) Prohibition of the formation of real estate trust funds.

3. The Court shall decide to apply one or several forms of capital mobilization prohibition prescribed in Clause 2 of this Article.

4. The period of prohibition on capital mobilization is from 01 year to 03 years, from the date the judgment takes legal effect.

Article 82. Judicial measures applied to commercial legal entities committing crimes

1. The Court may decide to apply the following judicial measures to a commercial legal entity that commits a crime:

- a) Judicial measures prescribed in Articles 47 and 48 of this Code ;
- b) Force restoration to original condition;
- c) Force the implementation of some measures to remedy and prevent further consequences from occurring.

2. The Court may decide to apply judicial measures to force a commercial legal entity that has committed a crime to restore the original state that has been changed due to its criminal act.

3. Based on each specific crime case, the Court may decide to force the commercial legal entity that committed the crime to take one or more of the following measures to remedy and prevent the consequences of the crime:

- a) Forced demolition of construction works or parts of construction works constructed without a permit or constructed inconsistently with the permit;
- b) Forced to remedy environmental pollution and spread of disease;
- c) Compulsory removal from the territory of the Socialist Republic of Vietnam or re-export of goods, items, and means brought into the territory of the Socialist Republic of Vietnam, imported in violation of the provisions of law or temporarily imported and re-exported but not re-exported in accordance with the provisions of law; imported and transit goods that infringe intellectual property rights, goods counterfeiting intellectual property rights, imported means, raw materials, and materials used primarily for the production and trading of counterfeit intellectual property goods after the infringing elements have been removed;
- d) Forced destruction of goods and items harmful to human health, livestock, crops and the environment, cultural products with toxic content or other exhibits subject to destruction according to the provisions of law;
- d) Forced removal of infringing elements on goods, goods packaging, business vehicles, and items;
- e) Forced recall of infringing products and goods currently circulating on the market.

Article 83. Basis for deciding on penalties for commercial legal entities committing crimes

When deciding on the penalty, the Court shall base itself on the provisions of this Code, consider the nature and level of danger to society of the criminal act, the compliance with the law by the commercial legal entity, and the mitigating and aggravating circumstances of criminal liability applicable to the commercial legal entity.

Article 84. Mitigating circumstances of criminal liability applicable to commercial legal entities

1. The following circumstances are mitigating circumstances of criminal liability:

- a) Prevented or reduced the harm of crime;
- b) Voluntarily repair, compensate for damage or remedy consequences;
- c) Committing a crime but causing no damage or causing little damage;
- d) Actively cooperate with the prosecution agencies in the process of resolving the case ;
- d) Has many contributions in implementing social policies.

2. When deciding on the penalty, the Court may consider other circumstances as mitigating circumstances, but must clearly state the reasons for mitigating in the judgment.

3. Mitigating circumstances that have been prescribed by this Code as signs of conviction or sentencing shall not be considered mitigating circumstances when deciding on punishment.

Article 85. Aggravating circumstances of criminal liability applicable to commercial legal entities

1. Only the following circumstances are aggravating circumstances of criminal liability:

- a) Colluding with other commercial legal entities to commit crimes;
- b) Intentionally committing a crime to the end;

- c) Committing the crime 02 times or more;
 - d) Recidivism or dangerous recidivism;
 - d) Taking advantage of war, emergency, natural disaster, epidemic or other special social difficulties to commit crimes;
 - e) Using sophisticated tricks to commit crimes or to evade or conceal crimes.
2. Circumstances that have been prescribed by this Code as signs of crime or penalty determination shall not be considered aggravating circumstances.

Article 86. Decision on penalties in cases where a commercial legal entity commits multiple crimes

When trying a commercial legal entity that commits multiple crimes at the same time, the Court shall decide on the penalty for each crime and combine the penalties according to the following provisions:

1. For main penalty :
 - a) If the penalties imposed are all fines, the fines shall be added together to form a common penalty;
 - b) The imposed penalty is a temporary suspension of operations for each specific field, which is not aggregated;
 - c) Fines cannot be combined with other types of penalties;
2. For additional penalties:
 - a) If the penalties imposed are of the same type, the common penalty shall be decided within the limits prescribed by this Code for that penalty; for fines only, the amounts shall be added together to form the common penalty;
 - b) If the imposed penalties are of different types, the convicted commercial legal entity must serve all imposed penalties.

Article 87. Summary of penalties of multiple judgments

1. In case a commercial legal entity is serving a sentence but is tried for a crime committed before this sentence, the Court shall decide on the penalty for the crime being tried, then decide on the general penalty according to the provisions of Article 86 of this Code .

The time served for a previous sentence of temporary suspension of operations, prohibition of business, prohibition of operations in certain fields or prohibition of capital mobilization shall be deducted from the general sentence.

2. When trying a commercial legal entity that is serving a sentence and commits a new crime, the Court shall decide on the penalty for the new crime, then combine it with the unexecuted penalty of the previous sentence and decide on the general penalty according to the provisions of Article 86 of this Code .

3. In case a commercial legal entity has to serve multiple judgments that have come into legal effect and the penalties of the judgments have not been combined, the Chief Justice of the Court has the authority to decide to combine the penalties of the judgments according to the provisions of Clause 1 and Clause 2 of this Article.

Article 88. Exemption from punishment

A commercial legal entity that commits a crime may be exempted from punishment if it has fully remedied the consequences and fully compensated for the damage caused by the crime.

Article 89. Criminal record deletion

A convicted commercial legal entity shall automatically have its criminal record expunged if, within 02 years from the date of completion of the main penalty, additional penalties, other decisions of the judgment, or from the date of expiration of the statute of limitations for execution of the judgment, the commercial legal entity does not commit a new crime.

Chapter XII

PROVISIONS FOR PERSONS UNDER 18 WHO COMMIT CRIMES

Section 1. GENERAL PROVISIONS ON CRIMINAL TREATMENT OF PERSONS UNDER 18 YEARS OF AGE WHO COMMIT CRIMES

Article 90. Application of the Penal Code to persons under 18 years of age who commit crimes

A person from 14 to under 18 years of age who commits a crime shall bear criminal responsibility according to the provisions of this Chapter; according to other provisions of Part One of this Code that are not contrary to the provisions of this Chapter.

Article 91. Principles for handling crimes committed by persons under 18 years of age

1. The handling of criminals under 18 years of age must ensure the best interests of the under 18 years of age and is mainly aimed at educating and helping them correct their mistakes, develop healthily, and become useful citizens to society.

The handling of criminals under 18 years of age must be based on their age, their ability to perceive the dangerous nature of their criminal acts to society, and the causes and conditions that led to the crime.

2. A person under 18 years of age who commits a crime in one of the following cases and has many mitigating circumstances, voluntarily remedies most of the consequences, if not in the case specified in Article 29 of this Code , may be exempted from criminal liability and subject to the measures specified in Section 2 of this Chapter :

a) Persons from 16 to under 18 years old who commit less serious crimes or serious crimes, except for the cases specified in Article 134 (intentional injury or damage to the health of others); Article 141 (rape); Article 171 (robbery); Article 248 (illegal production of narcotics); Article 249 (illegal possession of narcotics); Article 250 (illegal transportation of narcotics); Article 251 (illegal trading of narcotics); Article 252 (appropriation of narcotics) of this Code;

b) A person from 14 to under 16 years old who commits a very serious intentional crime as prescribed in Clause 2, Article 12 of this Code, except for the cases prescribed in Article 123 (crime of murder); Article 134, Clauses 4, 5 and Clause 6 (crime of intentionally causing injury or harm to the health of another person); Article 141 (crime of rape), Article 142 (crime of raping a person under 16 years old); Article 144 (crime of raping a person from 13 to under 16 years old); Article 150 (crime of human trafficking); Article 151 (crime of human trafficking under 16 years old); Article 168 (crime of robbery); Article 171 (crime of snatching); Article 248 (crime of illegal production of narcotics); Article 249 (crime of illegal possession of narcotics); Article 250 (crime of illegal transportation of narcotics); Article 251 (crime of illegal trading of narcotics); Article 252 (crime of appropriation of narcotics) of this Code;

c) A person under 18 years of age is an accomplice but has an insignificant role in the case.

3. Criminal prosecution of persons under 18 years of age who commit crimes shall only be conducted in necessary cases and must be based on their personal characteristics, the social danger of the criminal act and the requirements of crime prevention.

4. When trying a crime, the Court shall only apply a penalty to a person under 18 years of age who commits a crime if it considers that exemption from criminal liability and application of one of the measures prescribed in Section 2 or application of educational measures at a reformatory school prescribed in Section 3 of this Chapter do not ensure educational and preventive effectiveness.

5. No life imprisonment or death penalty shall be imposed on persons under 18 years of age who commit crimes.

6. The Court shall only apply a fixed-term prison sentence to a person under 18 years of age who commits a crime when it considers that other penalties and educational measures do not have a deterrent or preventive effect.

When imposing a term of imprisonment, the Court shall give a person under 18 years of age who commits a crime a lighter sentence than that applied to a person 18 years of age or older who commits the corresponding crime and for the shortest appropriate term.

No additional penalties shall be applied to persons under 18 years of age who commit crimes.

7. Sentences passed against persons under 16 years of age who commit crimes shall not be taken into account in determining recidivism or dangerous recidivism.

Section 2. SUPERVISION AND EDUCATIONAL MEASURES APPLIED IN CASES OF EXEMPTION FROM CRIMINAL LIABILITY

Article 92. Conditions of application

The investigation agency, the Procuracy or the Court shall only decide to exempt criminal liability and apply reprimand, community reconciliation or educational measures at the commune, ward or town level if the person under 18 years of age commits a crime or their legal representative agrees to the application of one of these measures.

Article 93. Reprimand

1. Reprimand is applied to people under 18 years of age who commit crimes in the following cases to help them clearly perceive their criminal behavior and the consequences it causes to the community, society and their obligations :

a) Persons from 16 to under 18 years old who commit a less serious crime for the first time;

b) A person under 18 years of age is an accomplice with an insignificant role in the case.

2. The investigation agency, the Procuracy or the Court shall decide to apply the measure of reprimand. The reprimand for a person under 18 years of age who commits a crime must be witnessed by the parents or legal representative of the person under 18 years of age.

3. The reprimanded person must perform the following obligations:

a) Comply with the laws, rules and regulations of the place of residence, study and work;

b) Appear before the competent authority when requested;

c) Participate in study and vocational training programs organized by the locality and participate in labor in appropriate forms.

4. Depending on each specific case, the competent authority shall determine the time for performing the obligations specified in Point b and Point c, Clause 3 of this Article from 03 months to 01 year.

Article 94. Community mediation

1. Community reconciliation is applied to people under 18 years of age who commit crimes in the following cases :

a) Persons from 16 to under 18 years of age who commit less serious crimes or serious crimes;

b) Persons from 14 to under 16 years old who commit very serious crimes as prescribed in Point b, Clause 2, Article 91 of this Code .

2. The investigation agency, the Procuracy or the Court shall coordinate with the People's Committee at the commune level to organize community mediation when the victim or the victim's legal representative has voluntarily reconciled and requested exemption from criminal liability.

3. The person to whom community mediation measures are applied must perform the following obligations:

- a) Apologize to the victim and compensate for damages;
- b) Obligations specified in Clause 3, Article 93 of this Code.

Article 95. Education at commune, ward and town levels

1. The investigation agency, the Procuracy or the Court may apply educational measures at the commune, ward or town level from 01 to 02 years for people under 18 years of age who commit crimes in the following cases :

- a) Persons from 16 to under 18 years of age who commit less serious crimes or serious crimes as prescribed in Point a, Clause 2, Article 91 of this Code ;
- b) Persons from 14 to under 16 years old who commit very serious crimes as prescribed in Point b, Clause 2, Article 91 of this Code .

2. A person assigned by the Investigation Agency, the Procuracy or the Court to the People's Committee at the commune level for supervision and education must perform the following obligations:

- a) Fully comply with obligations regarding study and work;
- b) Be subject to supervision and education by family, commune, ward and town;
- c) Do not leave your place of residence without permission;
- d) Obligations as prescribed in Clause 3, Article 93 of this Code .

3. If the person being educated at the commune, ward or town has served half of the term and has made much progress, then upon the proposal of the People's Committee at the commune level assigned with the responsibility of management and education, the agency that applied this measure may decide to terminate the term of education at the commune, ward or town .

Section 3. EDUCATIONAL JUDICIAL MEASURES AT REFORMATION SCHOOLS

Article 96. Education at reformatory schools

1. The court may apply educational measures at a reformatory school for 01 to 02 years for a person under 18 years of age who commits a crime, if it is deemed that due to the seriousness of the crime, the person's personality and living environment, it is necessary to send that person to an educational organization with strict discipline.

2. People educated at reformatory schools must fully comply with their obligations regarding study, vocational training, work, and living under the management and education of the school.

Article 97. Early termination of educational measures at reformatory schools

If the person being educated at a reformatory school has served half of the term and has made much progress, then upon the request of the reformatory school assigned to manage and educate, the Court may decide to terminate the term of education at the reformatory school.

Section 4. PENALTIES

Article 98. Penalties applied to persons under 18 years of age who commit crimes

A person under 18 years of age who commits a crime shall be subject to only one of the following penalties for each crime:

- 1. Warning.
- 2. Fine.
- 3. Non-custodial reform.
- 4. Imprisonment for a term.

Article 99. Fines

Fines are applied as the main penalty for people from 16 years old to under 18 years old, if that person has income or own property.

The fine for a person from 16 to under 18 years old who commits a crime shall not exceed one-half of the fine prescribed by law.

Article 100. Non-custodial reform

1. Non-custodial reform is applied to persons from 16 to under 18 years old who commit less serious crimes, serious crimes or very serious crimes unintentionally, or persons from 14 to under 16 years old who commit very serious crimes intentionally .

2. When applying non-custodial reform to a person under 18 years of age who commits a crime, no deduction shall be made from that person's income.

The term of non-custodial reform for persons under 18 years of age who commit crimes shall not exceed one-half of the term prescribed by law.

Article 101. Imprisonment for a fixed term

The term of imprisonment applicable to persons under 18 years of age who commit crimes is prescribed as follows:

1. For persons from 16 to under 18 years of age when committing a crime, if the applicable law prescribes life imprisonment or the death penalty, the highest penalty applied shall not exceed 18 years of imprisonment; if it is a fixed-term imprisonment, the highest penalty applied shall not exceed three-quarters of the prison term prescribed by the law;
2. For persons from 14 to under 16 years of age who commit a crime, if the applicable law prescribes life imprisonment or the death penalty, the highest penalty applied shall not exceed 12 years of imprisonment; if it is a fixed-term imprisonment, the highest penalty applied shall not exceed one-half of the prison term prescribed by the law.

Section 5. DECISION ON PENALTIES, COMBINATION OF PENALTIES, EXEMPTION OF PENALTIES, AND ERASURE OF CRIMINAL RECORDS

Article 102. Decision on punishment in case of preparation for crime or attempted crime

1. The court decides on the penalty for a person under 18 years of age in case of preparing to commit a crime or an attempted crime according to the principles prescribed in Clause 1, Article 57 of this Code .

2. The highest penalty for a person from 14 to under 16 years old preparing to commit a crime shall not exceed one-third of the penalty prescribed in the penalty framework for the act of preparing to commit a crime in the applicable law.

The maximum penalty for a person from 16 to under 18 years of age preparing to commit a crime shall not exceed one-half of the penalty prescribed in the penalty framework for the act of preparing to commit a crime in the applicable law.

3. The highest penalty applicable to a person from 14 to under 16 years of age who commits an incomplete crime shall not exceed one-third of the penalty prescribed in Articles 100 and 101 of this Code .

The maximum penalty applicable to persons from 16 to under 18 years of age who commit an incomplete crime shall not exceed one-half of the penalty prescribed in Articles 99, 100 and 101 of this Code .

Article 103. Combination of penalties in case of committing multiple crimes

1. When trying a person under 18 years of age who commits multiple crimes at the same time, the Court shall decide on the penalty for each crime and combine the common penalty according to the provisions of Article 55 of this Code .

If the combined penalty is non-custodial reform, the maximum penalty applied shall not exceed 03 years. If the combined penalty is fixed-term imprisonment, the maximum penalty applied shall not exceed 18 years for persons aged 16 to under 18 years at the time of committing the crime and 12 years for persons aged 14 to under 16 years at the time of committing the crime.

2. For persons under 18 years of age who commit multiple crimes, some of which were committed before they turned 16 years old, and some of which were committed after they turned 16 years old, the combined penalties applied are as follows:

a) If the penalty imposed for a crime committed before the person turns 16 years old is heavier than or equal to the penalty imposed for a crime committed after the person turns 16 years old, the total penalty shall not exceed the highest penalty for a person from 14 years old to under 16 years old as prescribed in Clause 1 of this Article;

b) If the penalty imposed for a crime committed after the person turns 16 years old is heavier than the penalty imposed for a crime committed before the person turns 16 years old, the total penalty shall not exceed the highest penalty for a person from 16 years old to under 18 years old as prescribed in Clause 1 of this Article.

3. For those who commit multiple crimes, some of which were committed before they turned 18, and some of which were committed after they turned 18, the combined penalties shall be applied as follows:

a) If the penalty imposed by the Court for a crime committed when the person was under 18 years old is heavier than or equal to the penalty applied to the crime committed when the person was 18 years old, the total penalty must not exceed the highest penalty prescribed in Clause 1 of this Article;

b) If the penalty imposed by the Court for a crime committed when the person is 18 years old is heavier than the penalty applied to a crime committed when the person is under 18 years old, the general penalty shall be applied as if the person were 18 years old or older to commit the crime.

Article 104. Summary of penalties of multiple judgments

The combination of sentences in cases where a person is serving a sentence and is tried for a crime committed before or after the sentence is issued shall be carried out in accordance with the provisions of Articles 55 and 56 of this Code .

The total penalty shall not exceed the highest penalty prescribed in Article 103 of this Code .

Article 105. Reduction of the imposed penalty

1. A person under 18 years of age who commits a crime and is sentenced to non-custodial reform or imprisonment, if he/she makes progress and has served one-quarter of the term, shall be considered for a reduction by the Court; for imprisonment, the sentence may be reduced to four years each time, but must ensure that he/she has served at least two-fifths of the sentence imposed.

2. A person under 18 years of age who commits a crime and is sentenced to reform without detention or imprisonment, if he/she has made meritorious contributions or suffers from a serious illness, will be considered for an immediate reduction in sentence and may be exempted from serving the remaining part of the sentence.

3. Persons under 18 years of age who commit crimes and are fined but are in particularly difficult economic circumstances for a long time due to natural disasters, fires, accidents or illnesses or have made great achievements, upon the proposal of the Chief

Prosecutor, the Court may decide to reduce or exempt the remaining part of the fine.

Article 106. Conditional early release from prison

1. Persons under 18 years of age who are serving a prison sentence, if not falling under the cases specified in Clause 2, Article 66 of this Code, may be released from prison early when meeting all of the following conditions:

- a) First offense;
- b) Have made much progress and have good reform awareness;
- c) Has served one-third of the prison term;
- d) Have a clear place of residence.

2. Conditional early release from prison is carried out in accordance with the provisions of Clauses 3, 4 and 5, Article 66 of this Code .

Article 107. Criminal record deletion

1. A person under 18 years of age who is convicted is considered to have no criminal record if he or she falls into one of the following cases:

- a) Persons from 14 to under 16 years old;
- b) Persons from 16 years of age to under 18 years of age convicted of a less serious crime, serious crime or very serious crime committed unintentionally;
- c) Persons subject to judicial measures prescribed in Section 3 of this Chapter .

2. A person from 16 to under 18 years of age who is convicted of a very serious intentional crime or an especially serious crime shall have his/her criminal record automatically expunged if within 03 years from the date of completion of the main sentence or from the date of expiration of the statute of limitations for execution of the sentence, that person does not commit a new crime .

Part Two

CRIMES

Chapter XIII

CRIMES AGAINST NATIONAL SECURITY

Article 108. Crime of treason

1. Any Vietnamese citizen who colludes with a foreign country to harm the independence, sovereignty, unity and territorial integrity of the Fatherland, the socialist regime and the Socialist Republic of Vietnam, and the national defense and security potential shall be sentenced to imprisonment from 12 to 20 years, life imprisonment or death.

2. Committing a crime in cases with many mitigating circumstances shall be punished with imprisonment from 07 years to 15 years.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 109. Crime of activities aimed at overthrowing the people's government

Anyone who establishes or participates in an organization aimed at overthrowing the people's government shall be punished as follows:

- 1. Organizers, instigators, active participants or those who cause serious consequences shall be sentenced to imprisonment from 12 to 20 years, life imprisonment or death;
- 2. Other accomplices shall be sentenced to imprisonment from 05 years to 12 years;
- 3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 110. Crime of espionage

1. Anyone who commits one of the following acts shall be sentenced to imprisonment from 12 to 20 years, life imprisonment or death penalty:

- a) Intelligence and sabotage activities or creating bases for intelligence and sabotage activities against the Socialist Republic of Vietnam;
- b) Creating bases for intelligence and sabotage activities under the direction of foreign countries; conducting reconnaissance, informing, harboring, guiding or performing other acts to help foreigners conduct intelligence and sabotage activities;
- c) Providing or collecting to provide State secrets to foreign countries; collecting and providing news and other documents for the purpose of being used by foreign countries against the Socialist Republic of Vietnam.

2. In less serious cases, the crime shall be punishable by imprisonment from 05 years to 15 years.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

4. A person who has accepted to be a spy but fails to carry out the assigned task and confesses and honestly reports to the competent state agency shall be exempted from criminal liability for this crime.

Article 111. Crime of violating territorial security

Anyone who invades the territory, commits an act that distorts the national border or commits another act that harms the territorial security of the Socialist Republic of Vietnam shall be punished as follows:

1. Organizers, active participants or those who cause serious consequences shall be sentenced to imprisonment from 12 to 20 years or life imprisonment;
2. Other accomplices shall be sentenced to imprisonment from 05 years to 15 years;
3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 112. Crime of rioting

Anyone who engages in armed activities or uses organized violence to oppose the people's government shall be punished as follows:

1. Organizers, active participants or those who cause serious consequences shall be sentenced to imprisonment from 12 to 20 years, life imprisonment or death;
2. Other accomplices shall be sentenced to imprisonment from 05 years to 15 years;
3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 113. Crime of terrorism against the people's government

1. Anyone who, with the aim of opposing the people's government, infringes upon the life of a cadre, civil servant or other person shall be sentenced to imprisonment from 12 to 20 years, life imprisonment or death .
2. Committing a crime in the following cases shall be punishable by imprisonment from 10 to 15 years :
 - a) Establishing or participating in a terrorist organization or an organization that finances terrorism;
 - b) Coercing, enticing, recruiting, training, and coaching terrorists; manufacturing and providing weapons to terrorists;
 - c) Violating the personal freedom and health of officials, civil servants or other people.
3. Committing a crime in case of threatening to infringe upon life or having other acts of mental intimidation shall be punished with imprisonment from 05 years to 10 years .
4. Terrorism against foreign individuals, organizations or international organizations with the aim of causing difficulties for the international relations of the Socialist Republic of Vietnam shall also be punished according to this Article.
5. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 114. Crime of sabotaging material and technical facilities of the Socialist Republic of Vietnam

1. Anyone who, with the aim of opposing the people's government, sabotages the material and technical facilities of the Socialist Republic of Vietnam in the fields of politics, national defense, security, economy, science and technology, culture and society shall be sentenced to imprisonment from 12 to 20 years, life imprisonment or death.
2. In less serious cases, the crime shall be punishable by imprisonment from 05 years to 15 years.
3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 115. Crime of sabotaging the implementation of socio-economic policies

1. Anyone who, with the aim of opposing the people's government, sabotages the implementation of socio-economic policies shall be sentenced to imprisonment from 07 to 15 years.
2. In less serious cases, the crime shall be punishable by imprisonment from 03 to 07 years.
3. A person who prepares to commit this crime shall be sentenced to imprisonment from 06 months to 03 years.

Article 116. Crime of undermining solidarity policy

1. Anyone who commits one of the following acts against the people's government shall be sentenced to imprisonment from 07 to 15 years:
 - a) Causing division among the people, between the people and the people's government, the people's armed forces, and socio-political organizations;
 - b) Causing hatred, discrimination, division, ethnic separatism, and violating the rights of equality in the community of Vietnamese ethnic groups;
 - c) Causing division between religious people and non-religious people, between people of different religions, dividing religious believers from the people's government, and from socio-political organizations;
 - d) Sabotaging the implementation of international solidarity policies.

2. In less serious cases, the crime shall be punishable by imprisonment from 02 to 07 years.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 06 months to 03 years.

Article 117. Crime of making, storing, disseminating or propagating information, documents and items aimed at opposing the Socialist Republic of Vietnam

1. Anyone who commits one of the following acts against the Socialist Republic of Vietnam shall be sentenced to imprisonment from 05 to 12 years:

a) Making, storing, disseminating or propagating information, documents or items with content that distorts or defames the people's government;

b) Making, storing, disseminating or propagating information, documents or items with fabricated content, causing confusion among the people;

c) Making, storing, disseminating or propagating information, documents or items that cause psychological warfare.

2. In particularly serious cases, the crime shall be punishable by imprisonment from 10 to 20 years.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 118. Crime of disturbing security

1. Anyone who, with the aim of opposing the people's government, incites, attracts, or gathers many people to disrupt security, opposes people on official duty, or obstructs the activities of agencies or organizations, if not falling under the cases specified in Article 112 of this Code, shall be sentenced to imprisonment from 05 to 15 years.

2. Other accomplices shall be sentenced to imprisonment from 02 years to 07 years.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 06 months to 03 years.

Article 119. Crime of sabotage against detention facilities

1. Anyone who, with the aim of opposing the people's government, destroys a detention facility, organizes an escape from a detention facility, rescues a detainee or person being escorted, or escapes from a detention facility, shall be sentenced to imprisonment from 10 to 20 years or life imprisonment.

2. In less serious cases, the crime shall be punishable by imprisonment from 03 years to 10 years.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 120. Crime of organizing, coercing, or inciting others to flee abroad or stay abroad to oppose the people's government

1. Anyone who organizes, forces, or incites others to flee abroad or stay abroad to oppose the people's government shall be sentenced to imprisonment from 05 to 15 years.

2. In particularly serious cases, the crime shall be punishable by imprisonment from 12 to 20 years or life imprisonment.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 121. Crime of fleeing abroad or staying abroad to oppose the people's government

1. Anyone who flees abroad or stays abroad to oppose the people's government shall be sentenced to imprisonment from 03 years to 12 years.

2. In particularly serious cases, the crime shall be punishable by imprisonment from 12 to 20 years.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 122. Additional penalties

A person who commits a crime specified in this Chapter may also be deprived of certain civil rights, placed on probation, banned from residence for a period of 01 to 05 years, or have part or all of his/her property confiscated.

Chapter XIV

CRIMES AGAINST HUMAN LIFE, HEALTH, DIGNITY AND HONOR

Article 123. Crime of murder

1. A person who commits murder in one of the following cases shall be sentenced to imprisonment from 12 to 20 years, life imprisonment or death penalty:

a) Killing 02 people or more;

b) Murder of a person under 16 years of age;

c) Killing a woman who is known to be pregnant;

d) Murder of a person on official duty or for the victim's official duty;

d) Killing one's grandfather, grandmother, father, mother, foster parent, teacher;

- e) Murder immediately before or immediately after committing a very serious crime or an especially serious crime;
- g) To commit or conceal another crime;
- h) To take body parts of the victim;
- i) Committing crimes in a barbaric manner;
- k) By taking advantage of the profession;
- l) By means capable of causing death to many people;
- m) Hiring a murderer or murdering someone for hire;
- n) Having a hooligan nature;
- o) Organized;
- p) Dangerous recidivism;
- q) For base motives.

2. Committing a crime not falling under the cases specified in Clause 1 of this Article shall be punishable by imprisonment from 07 years to 15 years.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

4. The offender may also be banned from practicing a profession or doing certain jobs from 01 to 05 years, placed on probation or banned from residing for 01 to 05 years.

Article 124. Crime of killing or abandoning a newborn child

1. Any mother who, due to the heavy influence of backward ideology or in special objective circumstances, kills her own child within 7 days of birth, shall be sentenced to imprisonment from 6 months to 3 years.

2. Any mother who, due to the heavy influence of backward ideology or in special objective circumstances, abandons her child within 7 days of birth, resulting in the child's death, shall be subject to non-custodial reform for up to 2 years or imprisonment from 3 months to 2 years.

Article 125. Crime of murder in a state of extreme mental agitation

1. A person who kills someone in a state of extreme agitation due to the victim's serious illegal act against that person or against that person's relatives shall be sentenced to imprisonment from 06 months to 03 years.

2. Committing a crime against two or more people shall be punishable by imprisonment from three to seven years.

Article 126. Crime of murder due to exceeding the limits of legitimate defense or due to exceeding the necessary level when arresting a criminal

1. Anyone who kills someone in a case exceeding the limits of legitimate defense or in a case exceeding the necessary level when arresting a criminal shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime against two or more people shall be punishable by imprisonment from two to five years.

Article 127. Crime of causing death while performing official duties

1. Anyone who, while performing official duties, causes death by using force other than in cases permitted by law shall be sentenced to imprisonment from 05 to 10 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 08 years to 15 years:

- a) Causing the death of two or more people;
- b) For people under 16 years old, women who know they are pregnant.

3. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 128. Crime of involuntary manslaughter

1. Anyone who unintentionally causes the death of another person shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years.

2. Committing a crime that causes the death of two or more people shall be punished with imprisonment from three to ten years.

Article 129. Crime of unintentionally causing death due to violation of professional or administrative rules

1. Anyone who unintentionally causes death due to violation of professional or administrative rules shall be sentenced to imprisonment from 01 year to 05 years.

2. Committing a crime that causes the death of two or more people shall be punished with imprisonment from 5 to 12 years.

3. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 130. Crime of forced suicide

1. Anyone who cruelly treats, regularly bullies, mistreats or humiliates a dependent person to the point of causing that person to commit suicide shall be sentenced to imprisonment from 02 years to 07 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years:
 - a) For 02 people or more;
 - b) For people under 16 years old, women who know they are pregnant.

Article 131. Crime of inciting or assisting others to commit suicide

1. Anyone who commits one of the following acts shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:
 - a) Inciting, enticing, or encouraging others to take their own lives;
 - b) Creating material or spiritual conditions for others to take their own lives.
2. Committing the crime of causing 02 or more people to commit suicide shall be punished with imprisonment from 02 years to 07 years.

Article 132. Crime of not rescuing a person in life-threatening danger

1. Anyone who sees another person in a life-threatening situation and, despite having the means, fails to help, resulting in that person's death, shall be subject to a warning, non-custodial reform for up to 02 years, or imprisonment from 03 months to 02 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:
 - a) The person who does not help is the person who unintentionally caused the dangerous situation;
 - b) The person who does not help is the person who is obliged by law or profession to help.
3. Committing a crime resulting in the death of two or more people shall be punishable by imprisonment from three to seven years.
4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 133. Crime of threatening to kill

1. A person who threatens to kill someone, if there is reason to make the threatened person fear that the threat will be carried out, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:
 - a) For 02 people or more;
 - b) Abusing position and power;
 - c) For a person performing official duties or for the victim's official duties;
 - d) For persons under 16 years of age;
 - d) To conceal or avoid being prosecuted for another crime.

Article 134. Crime of intentionally causing injury or harm to the health of another person

1. Anyone who intentionally causes injury or harm to the health of another person with a bodily injury rate of 11% to 30% or less than 11% but falls into one of the following cases, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:
 - a) Using dangerous weapons or tricks to cause harm to two or more people;
 - b) Using sulfuric acid (H_2SO_4) or other dangerous chemicals to cause injury or damage to the health of others;
 - c) Causing minor disability to the victim;
 - d) Committing the crime 02 times or more;
 - d) Committing a crime against two or more people;
 - e) Against persons under 16 years of age, women known to be pregnant, the elderly, sick or others unable to defend themselves;
 - g) Towards your grandparents, parents, foster parents, teachers;
 - h) Organized;
 - i) Abusing position and power;
 - k) Committing a crime while being detained, imprisoned, serving a prison sentence, or being subject to compulsory education, reformatory school, or compulsory drug rehabilitation;
 - l) Hiring someone to cause injury or damage to health or causing injury or damage to health due to being hired;
 - m) Has a hooligan nature;
 - n) Dangerous recidivism;

o) For a person performing official duties or for the victim's official duties.

2. Committing the crime of causing injury or harm to the health of another person with a bodily injury rate of 11% to 30% but falling into one of the cases specified in points a, b, d, dd, e, g, h, i, k, l, m, n and o, Clause 1 of this Article, shall be punished with imprisonment from 02 years to 05 years.

3. Committing the crime of causing injury or damage to the health of another person with a bodily injury rate of 31% to 60% shall be punishable by imprisonment from 04 to 07 years.

4. Committing the crime of causing injury or harm to the health of another person with a bodily injury rate of 31% to 60% but falling into one of the cases specified in points a, b, d, dd, e, g, h, i, k, l, m, n and o, Clause 1 of this Article, shall be punished with imprisonment from 07 years to 12 years.

5. Committing the crime of causing injury or damage to the health of another person with a bodily injury rate of 61% or more, if not falling under the case specified in Point c, Clause 6 of this Article or leading to death, shall be punished with imprisonment from 10 years to 15 years.

6. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment:

a) Causing the death of two or more people;

b) Causing injury or damage to the health of 02 or more people, with each person's body injury rate being 61% or more;

c) Causing injury to another person's face with a body injury rate of 61% or more.

7. A person who prepares to commit this crime shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

Article 135. Crime of intentionally causing injury or harm to the health of another person in a state of strong mental agitation

1. A person who intentionally causes injury or harm to the health of another person with a bodily injury rate of 31% to 60% while in a state of severe mental agitation due to the victim's serious illegal act towards that person or towards that person's relatives shall be subject to a fine of 10,000,000 VND to 50,000,000 VND or non-custodial reform for up to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 06 months to 03 years:

a) For 02 or more people, each person's body injury rate is from 31% to 60% ;

b) Causing injury or damage to the health of another person with a bodily injury rate of 61% or more or leading to death.

Article 136. Crime of intentionally causing injury or harm to the health of another person due to exceeding the limits of legitimate defense or due to exceeding the necessary level when arresting a criminal

1. Anyone who intentionally causes injury or harm to the health of another person with a bodily injury rate of 31% to 60% due to exceeding the limits of legitimate defense or exceeding the necessary level when arresting a criminal shall be subject to a fine of VND 5,000,000 to VND 20,000,000 or non-custodial reform for up to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 months to 02 years:

a) For 02 or more people, each person's body injury rate is from 31% to 60%;

b) Causing injury or damage to the health of another person with a bodily injury rate of 61% or more.

3. Committing a crime that results in death or injury or damage to the health of 02 or more people, with each person's body injury rate being 61% or more, shall be punished with imprisonment from 01 year to 03 years.

Article 137. Crime of causing injury or harm to the health of another person while performing official duties

1. Anyone who, while performing official duties, uses force outside of the cases permitted by law, causing injury or harm to the health of another person with a bodily injury rate of 31% to 60%, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

a) For 02 or more people, with each person's body injury rate being 31% or more;

b) Causing injury or damage to the health of another person with a bodily injury rate of 61% or more;

c) For people under 16 years old, women who are known to be pregnant, the elderly, sick or others who are unable to defend themselves.

3. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 138. Crime of unintentionally causing injury or harm to the health of another person

1. Anyone who unintentionally causes injury or harm to the health of another person with a bodily injury rate of 31% to 60% shall be subject to a warning, a fine of 5,000,000 VND to 20,000,000 VND or non-custodial reform for up to 03 years .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 months to 02 years :

a) For 02 or more people, each person's body injury rate is from 31% to 60%;

b) Causing injury or damage to the health of another person with a bodily injury rate of 61% or more.

3. Committing a crime against 02 or more people with each person's body injury rate being 61% or more, shall be punished with imprisonment from 01 year to 03 years .

Article 139. Crime of unintentionally causing injury or harm to the health of another person due to violation of professional or administrative rules

1. A person who unintentionally causes injury or harm to the health of another person due to violation of professional or administrative rules, resulting in a bodily injury rate of 31% to 60%, shall be subject to a fine of 20,000,000 VND to 100,000,000 VND, non-custodial reform for up to 03 years , or imprisonment of 03 months to 01 year.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 06 months to 03 years :

a) For 02 or more people, each person's body injury rate is from 31% to 60%;

b) Causing injury or damage to the health of another person with a bodily injury rate of 61% or more.

3. Committing a crime against 02 or more people with each person's body injury rate being 61% or more, shall be punished with imprisonment from 01 year to 05 years .

4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 140. Crime of torturing others

1. Anyone who cruelly treats or humiliates a dependent person, if not falling under the cases specified in Article 185 of this Code , shall be subject to non-custodial reform for up to 03 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 03 years:

a) Against persons under 16 years of age, women known to be pregnant, the elderly, sick or others unable to defend themselves;

b) Causing mental and behavioral disorders of the victim of 11% or more ;

c) For 02 people or more.

Article 141. Crime of rape

1. Anyone who uses force, threatens to use force, or takes advantage of the victim's inability to defend himself or herself, or by other means, to have sexual intercourse or perform other sexual acts against the victim's will, shall be sentenced to imprisonment from 02 to 07 years .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :

a) Organized;

b) Against a person for whom the offender is responsible for caring for, educating, or treating;

c) Many people rape one person;

d) Committing the crime 02 times or more;

e) For 02 people or more;

e) Incestuous;

g) Making the victim pregnant;

h) Causing injury or damage to the victim's health with a body injury rate of 31% to 60%;

i) Causing mental and behavioral disorders in the victim from 11% to 45%;

k) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment :

a) Causing injury or damage to the victim's health with a body injury rate of 61% or more;

b) Knowing that he is infected with HIV but still commits a crime;

c) Causing mental and behavioral disorders of the victim of 46% or more;

d) Causing the victim to die or commit suicide.

4. Committing a crime against a person from 16 to under 18 years old shall be punishable by imprisonment from 05 to 10 years.

Committing a crime in one of the cases specified in Clause 2 or Clause 3 of this Article shall be punished according to the penalty specified in those clauses.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 142. Crime of rape of a person under 16 years old

1. Anyone who commits one of the following acts shall be sentenced to imprisonment from 07 years to 15 years:

a) Using force, threatening to use force or taking advantage of the victim's defenselessness or other means to have sexual intercourse or other sexual acts with a person from 13 to under 16 years old against their will;

b) Having sexual intercourse or other sexual acts with a person under 13 years of age.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years :

a) Incestuous;

b) Making the victim pregnant;

c) Causing injury or damage to the victim's health with a body injury rate of 31% to 60%;

d) Causing mental and behavioral disorders in the victim from 11% to 45%;

d) Against a person for whom the offender is responsible for caring for, educating, or treating;

e) Committing the crime 02 times or more;

g) For 02 people or more;

h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by 20 years in prison, life imprisonment or death penalty :

a) Organized;

b) Many people rape one person;

c) Crime against a person under 10 years old;

d) Causing injury or damage to the victim's health with a body injury rate of 61% or more;

d) Causing mental and behavioral disorders of the victim of 46% or more;

e) Knowing that he is infected with HIV but still commits a crime;

g) Causing the victim to die or commit suicide.

4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 143. Crime of rape

1. Anyone who uses any means to force a person dependent on him or a person in a desperate situation to reluctantly have sexual intercourse or reluctantly perform other sexual acts shall be sentenced to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years :

a) Multiple people rape one person;

b) Rape 02 times or more;

c) Rape of two or more people;

d) Incestuous;

d) Making the victim pregnant;

e) Causing injury or damage to the victim's health with a body injury rate of 31% to 60%;

g) Causing mental and behavioral disorders in the victim from 11% to 45%;

h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 18 years :

a) Causing injury or damage to the victim's health with a body injury rate of 61% or more;

b) Causing mental and behavioral disorders of the victim of 46% or more;

c) Knowing that he is infected with HIV but still commits a crime;

d) Causing the victim to die or commit suicide.

4. Rape of a person from 16 to under 18 years old shall be punished by imprisonment from 02 to 07 years.

Committing a crime in one of the cases specified in Clause 2 or Clause 3 of this Article shall be punished according to the penalty specified in those clauses.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 144. Crime of rape of a person from 13 to under 16 years old

1. Anyone who uses any means to force a person from 13 to under 16 years old who is in a state of dependence or in a state of distress to reluctantly have sexual intercourse or reluctantly perform other sexual acts shall be sentenced to imprisonment from 05 years to 10 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :

- a) Incestuous;
- b) Making the victim pregnant;
- c) Causing injury or damage to the victim's health with a body injury rate of 31% to 60%;
- d) Causing mental and behavioral disorders in the victim from 11% to 45%;
- d) Committing the crime 02 times or more;
- e) For 02 people or more;
- g) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment :

- a) Multiple people rape one person;
- b) Causing injury or damage to the victim's health with a body injury rate of 61% or more;
- c) Causing mental and behavioral disorders of the victim of 46% or more;
- d) Knowing that he is infected with HIV but still commits a crime;
- d) Causing the victim to die or commit suicide.

4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 145. Crime of sexual intercourse or other sexual acts with a person from 13 to under 16 years old

1. Any person aged 18 or older who has sexual intercourse or other sexual acts with a person aged 13 to under 16, if not falling under the cases specified in Articles 142 and 144 of this Code , shall be sentenced to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Committing the crime 02 times or more;
- b) For 02 people or more;
- c) Incestuous;
- d) Making the victim pregnant;
- d) Causing injury or damage to the victim's health with a body injury rate of 31% to 60%;
- e) For the person for whom the offender is responsible for caring for, educating, or treating.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Causing injury or damage to the victim's health with a body injury rate of 61% or more;
- b) Knowing that he is infected with HIV but still commits a crime.

4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 146. Crime of indecent acts against persons under 16 years of age

1. Any person aged 18 or older who commits an indecent act against a person under 16 years of age without the intention of having sexual intercourse or other sexual acts shall be sentenced to imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Organized crime;
- b) Committing the crime 02 times or more;
- c) For 02 people or more;
- d) Against a person for whom the offender is responsible for caring for, educating, or treating;
- d) Causing mental and behavioral disorders in the victim from 11% to 45% ;
- e) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

- a) Causing mental and behavioral disorders of the victim of 46% or more ;
- b) Make the victim commit suicide.

4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 147. Crime of using persons under 16 years old for pornographic purposes

1. Any person aged 18 or older who entices, entices, or forces a person under 16 years of age to perform obscene acts or directly witnesses obscene acts in any form shall be subject to imprisonment from 06 months to 03 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:
 - a) Organized crime;
 - b) Committing the crime 02 times or more;
 - c) For 02 people or more;
 - d) Against a person for whom the offender is responsible for caring for, educating, or treating;
 - d) For commercial purposes;
 - e) Causing mental and behavioral disorders in the victim from 11% to 45% ;
 - g) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:
 - a) Causing mental and behavioral disorders of the victim of 46% or more ;
 - b) Make the victim commit suicide.
4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 148. Crime of transmitting HIV to others

1. Anyone who knows that he or she is infected with HIV and intentionally transmits HIV to another person, except in cases where the victim already knows about the HIV status of the HIV-infected person and voluntarily has sex, shall be sentenced to imprisonment from 01 year to 03 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:
 - a) For 02 people or more;
 - b) For people under 18 years old ;
 - c) For women who know they are pregnant;
 - d) For doctors or medical staff who directly treat you;
 - d) For a person performing official duties or for the victim's official duties.

Article 149. Crime of intentionally transmitting HIV to others

1. Anyone who intentionally transmits HIV to another person, if not in the case specified in Article 148 of this Code , shall be sentenced to imprisonment from 03 to 07 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:
 - a) Organized;
 - b) For a person performing official duties or for the victim's official duties;
 - c) For persons under 18 years of age;
 - d) For 02 to 05 people;
 - d) Taking advantage of the profession;
 - e) Causes mental and behavioral disorders in victims from 11% to 45% .
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment:
 - a) For women who know they are pregnant;
 - b) For 06 people or more;
 - c) Causing mental and behavioral disorders of the victim of 46% or more ;
 - d) Make the victim commit suicide.
4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 150. Crime of human trafficking

1. Anyone who uses force, threatens to use force, deceives or uses other means to commit one of the following acts shall be sentenced to imprisonment from 05 years to 10 years :
 - a) Transferring or receiving people to deliver or receive money, property or other material benefits;
 - b) Transferring or receiving people for sexual exploitation, forced labor, taking body parts of victims or for other inhumane purposes;
 - c) Recruiting, transporting, or harboring others to commit acts specified in Point a or Point b of this Clause.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 08 years to 15 years :

- a) Organized;
- b) For base motives;
- c) Causing mental and behavioral disorders in the victim from 11% to 45%;
- d) Causing injury or damage to the victim's health with a bodily injury rate of 31% or more, except for the case specified in Point b, Clause 3 of this Article;
- d) Taking the victim out of the border of the Socialist Republic of Vietnam;
- e) For 02 to 05 people;
- g) Committing the crime 02 times or more.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years :

- a) Professional in nature;
- b) Taking body parts of the victim;
- c) Causing mental and behavioral disorders of the victim of 46% or more;
- d) Causing the victim to die or commit suicide;
- d) For 06 people or more;
- e) Dangerous recidivism.

4. The offender may also be fined from VND 20,000,000 to VND 100,000,000, placed on probation, banned from residence from 01 to 05 years, or have part or all of his/her property confiscated.

Article 151. Crime of trafficking in persons under 16 years old

1. Anyone who commits one of the following acts shall be sentenced to imprisonment from 07 to 12 years:

- a) Transferring or receiving a person under 16 years of age to deliver or receive money, property or other material benefits, except for humanitarian purposes;
- b) Transferring or receiving people under 16 years of age for sexual exploitation, forced labor, removal of body parts or for other inhumane purposes;
- c) Recruiting, transporting, or harboring people under 16 years old to commit acts specified in Point a or Point b of this Clause.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:

- a) Abusing position and power;
- b) Taking advantage of adoption activities to commit crimes;
- c) For 02 to 05 people;
- d) For the person for whom one is responsible for caring for and raising;
- d) Taking the victim out of the border of the Socialist Republic of Vietnam;
- e) Committing the crime 02 times or more;
- g) For base motives;
- h) Causing mental and behavioral disorders in the victim from 11% to 45%;
- i) Causing injury or damage to the victim's health with a body injury rate of 31% or more, except for the case specified in Point d, Clause 3 of this Article.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 18 to 20 years or life imprisonment:

- a) Organized;
- b) Professional in nature;
- c) Causing mental and behavioral disorders of the victim of 46% or more;
- d) Taking body parts of the victim;
- d) Causing the victim to die or commit suicide;
- e) For 06 people or more;
- g) Dangerous recidivism.

4. The offender may also be fined from VND 50,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, placed on probation from 01 to 05 years or have part or all of his/her property confiscated.

Article 152. Crime of exchanging children under 1 year old

1. Anyone who swaps a person under 1 year old with another person under 1 year old shall be sentenced to imprisonment from 02 years to 05 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:
 - a) Organized;
 - b) Taking advantage of position, power, or profession;
 - c) For people under 1 year old that you are responsible for caring for and raising;
 - d) Committing the crime 2 times or more.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:
 - a) Professional in nature;
 - b) Dangerous recidivism.
4. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 153. Crime of appropriating a person under 16 years old

1. Anyone who uses force, threatens to use force or other means to seize or allow another person to seize a person under 16 years of age shall be sentenced to imprisonment from 03 years to 07 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years :
 - a) Organized;
 - b) Taking advantage of position, power, or profession;
 - c) For the person for whom one is responsible for caring for and raising;
 - d) For 02 to 05 people;
 - d) Committing the crime 02 times or more;
 - e) Causing mental and behavioral disorders in the victim from 11% to 45%;
 - g) Causing injury or damage to the victim's health with a body injury rate of 31% or more.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :
 - a) Professional in nature;
 - b) For 06 people or more;
 - c) Causing mental and behavioral disorders of the victim of 46% or more;
 - d) Causing the victim to die;
 - d) Dangerous recidivism.
4. The offender may also be fined from VND 10,000,000 to VND 50,000,000; banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years .

Article 154. Crime of buying, selling or appropriating human tissues or body parts

1. Anyone who buys, sells, or appropriates another person's tissues or body parts shall be sentenced to imprisonment from 03 to 07 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:
 - a) Organized;
 - b) For commercial purposes;
 - c) Taking advantage of position, power, or profession;
 - d) For 02 to 05 people;
 - d) Committing the crime 02 times or more;
 - e) Causing injury or damage to the health of another person with a bodily injury rate from 31% to 60%.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment:
 - a) Professional in nature;
 - b) Causing injury or damage to the health of another person with a bodily injury rate of 61% or more;
 - c) For 06 people or more;

d) Causing death;

d) Dangerous recidivism.

4. The offender may also be fined from VND 10,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 155. Crime of humiliating others

1. Anyone who seriously insults the dignity or honor of another person shall be subject to a warning, a fine of VND 10,000,000 to VND 30,000,000 or non-custodial reform for up to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 months to 02 years:

a) Committing the crime 02 times or more;

b) For 02 people or more;

c) Abusing position and power;

d) For people on official duty;

d) For those who educate, raise, care for, or treat you;

e) Using computer networks or telecommunications networks, electronic means to commit crimes;

g) Causes mental and behavioral disorders in victims from 11% to 45% .

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 05 years:

a) Causing mental and behavioral disorders of the victim of 46% or more ;

b) Make the victim commit suicide.

4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 156. Crime of slander

1. Anyone who commits one of the following acts shall be subject to a fine of VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 02 years or imprisonment of from 03 months to 01 year:

a) Fabricating or spreading things known to be untrue with the aim of seriously insulting the dignity or honor or causing damage to the legitimate rights and interests of others;

b) Fabricate crimes against others and denounce them to competent authorities.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 03 years:

a) Organized;

b) Abusing position and power;

c) For 02 people or more;

d) For grandparents, fathers, mothers, people who teach, raise, care for, educate, or treat you;

d) For people performing official duties;

e) Using computer networks or telecommunications networks, electronic means to commit crimes;

g) Causing mental and behavioral disorders in the victim from 11% to 45% ;

h) Slandering another person of committing a very serious or especially serious crime.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

a) For base motives;

b) Causing mental and behavioral disorders of the victim of 46% or more ;

c) Make the victim commit suicide.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Chapter XV

CRIMES AGAINST HUMAN RIGHTS, FREEDOM AND DEMOCRACY OF CITIZENS

Article 157. Crime of illegal arrest, detention or imprisonment

1. Anyone who illegally arrests, detains or imprisons another person, if not in the cases specified in Article 377 of this Code, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years :

- a) Organized;
 - b) Abusing position and power;
 - c) For people performing official duties;
 - d) Committing the crime 02 times or more;
 - d) For 02 people or more;
 - e) For people under 18 years old, women who are known to be pregnant, the elderly or people who are unable to defend themselves;
 - g) Causing the family of the detainee to fall into a difficult and desperate situation;
 - h) Causing mental and behavioral disorders of people illegally arrested, detained or imprisoned from 11% to 45%.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years :
- a) Causing the death or suicide of a person who is illegally arrested, detained or imprisoned;
 - b) Torture, cruel, inhuman or degrading treatment or punishment of the victim;
 - c) Causing mental and behavioral disorders of people illegally arrested, detained, or imprisoned by 46% or more.
4. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 158. Crime of violating another person's residence

1. Anyone who commits one of the following acts of violating another person's residence shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years :
- a) Unlawful search of another person's residence;
 - b) Using force, threatening to use force, causing mental pressure or other illegal means to force others to leave their legal residence;
 - c) Using any illegal means to occupy or hold a residence or illegally obstruct or prevent people who are legally residing or managing the residence from entering their residence;
 - d) Arbitrarily entering another person's residence without the consent of the homeowner or legal manager.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:
- a) Organized;
 - b) Abusing position and power;
 - c) Committing the crime 02 times or more;
 - d) Causing the person whose residence was violated to commit suicide;
 - d) Adversely affecting social security, order and safety.
3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 159. Crime of violating the confidentiality or security of mail, telephone, telegram or other forms of private information exchange of others

1. Anyone who commits one of the following acts, has been disciplined or administratively sanctioned for this act but still commits the violation, shall be subject to a warning, a fine of from VND 20,000,000 to VND 50,000,000 or non-custodial reform for up to 03 years:
- a) Appropriating another person's letters, telegrams, telexes, faxes or other documents transmitted via postal or telecommunications networks in any form;
 - b) Intentionally damaging, losing or intentionally obtaining information, content of letters, telegrams, telexes, faxes or other documents of others transmitted via postal and telecommunications networks;
 - c) Listening to or recording conversations illegally;
 - d) Illegal search and seizure of letters and telegrams;
 - d) Other acts that violate the confidentiality or security of mail, telephone, telegram, telex, fax or other forms of private information exchange of others.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 03 years:
- a) Organized;
 - b) Abusing position and power;
 - c) Committing the crime 02 times or more;
 - d) Disclosing stolen information that affects the honor, reputation, and dignity of others;

d) Causing the victim to commit suicide.

3. The offender may also be fined from VND 5,000,000 to VND 20,000,000 and banned from holding certain positions from 01 to 05 years.

Article 160. Crime of infringing upon citizens' rights to vote, run for election or cast ballots when the State holds a referendum

1. Anyone who deceives, bribes, coerces or uses other tricks to prevent citizens from exercising their right to vote, the right to stand for election or the right to vote when the State holds a referendum shall be subject to a warning, non-custodial reform for up to 01 year or imprisonment from 03 months to 01 year.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 02 years:

a) Organized;

b) Abusing position and power;

c) Leading to the postponement of the election date, re-election or postponement of the referendum.

3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 161. Crime of falsifying election results and referendum results

1. Anyone who is responsible for organizing and supervising elections or referendums and forges documents, commits vote fraud or uses other tricks to distort election results or referendum results shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 03 years:

a) Organized;

b) Lead to re-organizing elections or referendums.

3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 162. Crime of forcing civil servants and public employees to quit their jobs or illegally dismissing employees

1. Anyone who, for personal gain or other personal motives, commits one of the following acts, causing a person who has been laid off, fired or their family to fall into difficulty or leading to a strike, shall be subject to a fine of from VND 10,000,000 to VND 100,000,000, non-custodial reform for up to 01 year or imprisonment from 03 months to 01 year :

a) Making illegal decisions to dismiss civil servants and public employees;

b) Illegal dismissal of employees;

c) Coercing or threatening to force employees, civil servants, and public employees to quit their jobs.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 200,000,000 or imprisonment from 01 year to 03 years :

a) For 02 people or more;

b) For women who know they are pregnant;

c) For people raising children under 12 months old;

d) Causing people who are forced to quit their jobs or who are fired to commit suicide.

3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 163. Crime of violating citizens' rights to assemble and form associations

1. Anyone who uses force, threatens to use force or uses other means to prevent or force others from forming legal associations or meetings, has been disciplined or administratively sanctioned for one of these acts but still commits the violation, shall be subject to non-custodial reform for up to 01 year or imprisonment from 03 months to 01 year.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 03 years:

a) Organized;

b) Abusing position and power;

c) Committing the crime 02 times or more;

d) Leading to protests;

d) Adversely affecting social security, order and safety.

3. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 164. Crime of violating the freedom of belief and religion of others

1. Anyone who uses force, threatens to use force or uses other means to prevent or force others from exercising their right to freedom of belief and religion, to follow or not to follow a religion, has been disciplined or administratively sanctioned for one of these acts and still commits the violation, shall be subject to non-custodial reform for up to 01 year or imprisonment from 03 months to 01 year.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 03 years:
 - a) Organized;
 - b) Abusing position and power;
 - c) Committing the crime 02 times or more;
 - d) Leading to protests;
 - d) Adversely affecting social security, order and safety.
3. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 165. Crime of violating the right to gender equality

1. Anyone who, for gender reasons, commits any act in any form that prevents others from participating in activities in the fields of politics, economics, labor, education and training, science and technology, culture, information, physical education, sports, or health, and has been disciplined or administratively sanctioned for this act but continues to violate, shall be subject to a warning, a fine of from VND 5,000,000 to VND 50,000,000, or non-custodial reform for up to 02 years.
2. Committing a crime in one of the following cases shall be subject to a fine of from VND 50,000,000 to VND 100,000,000 or imprisonment from 03 months to 02 years:
 - a) Abusing position and power;
 - b) Committing the crime 02 times or more;
 - c) For 02 people or more.
3. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 166. Crime of infringing upon the right to complain and denounce

1. Anyone who commits one of the following acts shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:
 - a) Using force, threatening to use force or other acts to obstruct complaints, denunciations, the consideration and settlement of complaints, denunciations or the handling of the person being complained or denounced;
 - b) Abusing one's position or power to obstruct the execution of decisions of competent authorities to consider and resolve complaints and denunciations, causing damage to the complainant or denouncer.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:
 - a) Organized;
 - b) Retaliation against complainants and denouncers;
 - c) Taking advantage of one's position and power to commit the acts specified in Point a, Clause 1 of this Article;
 - d) Leading to protests;
 - d) Making the complainant or denouncer commit suicide.
3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 167. Crime of infringing upon citizens' rights to freedom of speech, freedom of the press, access to information, and right to protest

1. Anyone who uses force, threatens to use force or other means to prevent citizens from exercising their rights to freedom of speech, freedom of the press, access to information, or the right to protest, and has been disciplined or administratively sanctioned for one of these acts but continues to violate, shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:
 - a) Organized;
 - b) Abusing position and power;
 - c) Adversely affecting social security, order and safety.
3. The offender may also be banned from holding any position for a period of 01 to 05 years.

Chapter XVI**PROPERTY CRIMES**

Article 168. Crime of robbery

1. Anyone who uses force, threatens to use force immediately or commits other acts that cause the victim to be unable to resist in order to appropriate property shall be subject to imprisonment from 03 years to 10 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:
 - a) Organized;
 - b) Professional in nature;
 - c) Causing injury or damage to the health of another person with a bodily injury rate of 11% to 30%;
 - d) Using weapons, means or other dangerous tricks;
 - d) Appropriating property worth from VND 50,000,000 to under VND 200,000,000;
 - e) Committing a crime against a person under 16 years of age, a woman known to be pregnant, an elderly person or a person incapable of self-defense;
 - g) Adversely affecting social security, order and safety;
 - h) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:
 - a) Appropriating property worth from VND 200,000,000 to under VND 500,000,000;
 - b) Causing injury or damage to the health of another person with a bodily injury rate of 31% to 60%;
 - c) Taking advantage of natural disasters and epidemics.
4. Committing a crime in one of the following cases shall be punishable by imprisonment from 18 to 20 years or life imprisonment:
 - a) Appropriation of property worth VND 500,000,000 or more;
 - b) Causing injury or damage to the health of 01 person with a body injury rate of 61% or more or causing injury or damage to the health of 02 or more people with a body injury rate of 31% or more for each person;
 - c) Causing death;
 - d) Taking advantage of war and emergency situations.
5. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.
6. The offender may also be fined from VND 10,000,000 to VND 100,000,000, placed on probation, banned from residence from 01 to 05 years, or have part or all of his/her property confiscated.

Article 169. Crime of kidnapping for the purpose of appropriating property

1. Anyone who kidnaps another person as a hostage to appropriate property shall be sentenced to imprisonment from 02 years to 07 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years :
 - a) Organized;
 - b) Professional in nature;
 - c) Using weapons, means or other dangerous tricks;
 - d) For persons under 16 years of age;
 - d) For 02 people or more;
 - e) Appropriation of property worth from VND 50,000,000 to under VND 200,000,000;
 - g) Causing injury or damage to the health of the hostage with a bodily injury rate of 11% to 30%;
 - h) Causing mental and behavioral disorders in the victim from 11% to 45%;
 - i) Adversely affecting social security, order and safety;
 - k) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 18 years :
 - a) Appropriating property worth from VND 200,000,000 to under VND 500,000,000;
 - b) Causing injury or damage to the health of the hostage with a bodily injury rate of 31% to 60%;
 - c) Causing mental and behavioral disorders of the victim of 46% or more.
4. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years or life imprisonment :
 - a) Appropriation of property worth VND 500,000,000 or more;

- b) Causing injury or damage to the health of 01 person with a body injury rate of 61% or more or causing injury or damage to the health of 02 or more people with a body injury rate of 31% or more for each person;
 - c) Causing mental and behavioral disorders in 02 or more people, with each person's rate being 46% or higher;
 - d) Causing death.
5. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.
6. The offender may also be fined from VND 10,000,000 to VND 100,000,000, placed on probation, banned from residence from 01 to 05 years, or have part or all of his/her property confiscated.

Article 170. Crime of extortion of property

1. Anyone who threatens to use force or uses other means to mentally intimidate another person in order to appropriate property shall be sentenced to imprisonment from 01 year to 05 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:
- a) Organized;
 - b) Professional in nature;
 - c) Committing a crime against a person under 16 years of age, a woman known to be pregnant, an elderly person or a person incapable of self-defense;
 - d) Appropriating property worth from VND 50,000,000 to under VND 200,000,000;
 - d) Adversely affecting social security, order and safety;
 - e) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:
- a) Appropriating property worth from VND 200,000,000 to under VND 500,000,000;
 - b) Taking advantage of natural disasters and epidemics.
4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:
- a) Appropriation of property worth VND 500,000,000 or more;
 - b) Taking advantage of war and emergency situations.
5. The offender may also be fined from VND 10,000,000 to VND 100,000,000 or have part or all of his/her property confiscated.

Article 171. Crime of robbery

1. Anyone who robs another person's property shall be sentenced to imprisonment from 01 year to 05 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:
- a) Organized;
 - b) Professional in nature;
 - c) Appropriating property worth from VND 50,000,000 to under VND 200,000,000;
 - d) Using dangerous tricks;
 - d) Assault to escape ;
 - e) Causing injury or damage to the health of another person with a bodily injury rate of 11% to 30%;
 - g) Committing a crime against a person under 16 years of age, a woman known to be pregnant, an elderly person or a person incapable of self-defense;
 - h) Adversely affecting social security, order and safety;
 - i) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:
- a) Appropriating property worth from VND 200,000,000 to under VND 500,000,000;
 - b) Causing injury or damage to the health of another person with a bodily injury rate of 31% to 60%;
 - c) Taking advantage of natural disasters and epidemics.
4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment:
- a) Appropriation of property worth VND 500,000,000 or more;
 - b) Causing injury or damage to the health of 01 person with a body injury rate of 61% or more or causing injury or damage to the health of 02 or more people with a body injury rate of 31% or more for each person;

- c) Causing death;
 - d) Taking advantage of war and emergency situations.
5. The offender may also be fined from VND 10,000,000 to VND 100,000,000.

Article 172. Crime of open appropriation of property

1. Anyone who openly appropriates another person's property worth from VND 2,000,000 to under VND 50,000,000 or under VND 2,000,000 but falling into one of the following cases, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Having been administratively sanctioned for property appropriation but still committing the violation;
- b) Having been convicted of this crime or one of the crimes specified in Articles 168, 169 , 170, 171 , 173, 174 , 175 and 290 of this Code , not having had the criminal record cleared, and still committing the violation;
- c) Adversely affecting social security, order and safety;
- d) The property is the main means of livelihood of the victim and their family; the property is a souvenir, relic, or worship item of special spiritual value to the victim .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Appropriating property worth from VND 50,000,000 to under VND 200,000,000;
- b) Assault to escape ;
- c) Dangerous recidivism;
- d) Appropriation of property that is relief goods;
- d) Openly appropriating property worth from VND 2,000,000 to under VND 50,000,000 but falling into one of the cases specified in one of points a, b, c and d, Clause 1 of this Article .

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Appropriating property worth from VND 200,000,000 to under VND 500,000,000;
- b) Openly appropriating property worth from VND 50,000,000 to under VND 200,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article ;
- c) Taking advantage of natural disasters and epidemics.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:

- a) Appropriation of property worth VND 500,000,000 or more;
- b) Openly appropriating property worth from VND 200,000,000 to under VND 500,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article .
- c) Taking advantage of war and emergency situations.

5. The offender may also be fined from VND 10,000,000 to VND 100,000,000.

Article 173. Crime of property theft

1. Anyone who steals another person's property worth from VND 2,000,000 to under VND 50,000,000 or under VND 2,000,000 but falls into one of the following cases, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

- a) Having been administratively sanctioned for property appropriation but still committing the violation;
- b) Having been convicted of this crime or one of the crimes specified in Articles 168, 169 , 170, 171 , 172, 174, 175 and 290 of this Code , not having had the criminal record cleared, and still committing the violation;
- c) Adversely affecting social security, order and safety;
- d) The property is the main means of livelihood of the victim and their family; the property is a souvenir, relic, or worship item of special spiritual value to the victim.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years :

- a) Organized;
- b) Professional in nature;
- c) Appropriating property worth from VND 50,000,000 to under VND 200,000,000;
- d) Using cunning and dangerous tricks;
- d) Assault to escape ;

e) Stealing property worth from VND 2,000,000 to under VND 50,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article;

g) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :

a) Appropriating property worth from VND 200,000,000 to under VND 500,000,000;

b) Theft of property worth from VND 50,000,000 to under VND 200,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article;

c) Taking advantage of natural disasters and epidemics.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years :

a) Appropriation of property worth VND 500,000,000 or more;

b) Theft of property worth from VND 200,000,000 to under VND 500,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article;

c) Taking advantage of war and emergency situations.

5. The offender may also be fined from VND 5,000,000 to VND 50,000,000.

Article 174. Crime of fraud and appropriation of property

1. Anyone who, by fraudulent means, appropriates another person's property worth from VND 2,000,000 to under VND 50,000,000 or under VND 2,000,000 but falls into one of the following cases, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

a) Having been administratively sanctioned for property appropriation but still committing the violation;

b) Having been convicted of this crime or one of the crimes specified in Articles 168, 169 , 170, 171 , 172, 173 , 175 and 290 of this Code , not having had the criminal record cleared, and still committing the violation;

c) Adversely affecting social security, order and safety;

d) The property is the main means of livelihood of the victim and their family; the property is a souvenir, relic, or worship item of special spiritual value to the victim .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

a) Organized;

b) Professional in nature;

c) Appropriating property worth from VND 50,000,000 to under VND 200,000,000;

d) Dangerous recidivism;

e) Taking advantage of position, power or taking advantage of the name of an agency or organization;

e) Using cunning tricks;

g) Appropriating property worth from VND 2,000,000 to under VND 50,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article .

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

a) Appropriating property worth from VND 200,000,000 to under VND 500,000,000;

b) Appropriating property worth from VND 50,000,000 to under VND 200,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article ;

c) Taking advantage of natural disasters and epidemics.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment:

a) Appropriation of property worth VND 500,000,000 or more;

b) Appropriating property worth from VND 200,000,000 to under VND 500,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article ;

c) Taking advantage of war and emergency situations.

5. The offender may also be fined from VND 10,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 175. Crime of abuse of trust to appropriate property

1. A person who commits one of the following acts of appropriating another person's property worth from VND 4,000,000 to under VND 50,000,000 or under VND 4,000,000 but has been administratively sanctioned for appropriation or has been convicted of this crime or of one of the crimes specified in Articles 168, 169 , 170, 171, 172 , 173 , 174 and 290 of this Code , has not had his/her

criminal record expunged and continues to commit the violation, or the property is the main means of livelihood of the victim or the property has special spiritual value to the victim, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Borrowing, renting, or leasing property from others or receiving property from others through contracts and then using fraudulent means to appropriate that property or intentionally not returning the property when the time comes to return it, despite having the conditions and ability;
- b) Borrowing, renting, or leasing other people's property or receiving other people's property by contract and using that property for illegal purposes, resulting in the inability to return the property.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Organized;
- b) Professional in nature;
- c) Appropriating property worth from VND 50,000,000 to under VND 200,000,000;
- d) Taking advantage of position, power or taking advantage of the name of an agency or organization;
- e) Using cunning tricks;
- e) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 12 years:

- a) Appropriating property worth from VND 200,000,000 to under VND 500,000,000;
- b) Adversely affecting social security, order and safety.

4. Crime of appropriating property worth 500,000,000 VND or more shall be punished with imprisonment from 12 to 20 years.

5. The offender may also be fined from VND 10,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 176. Crime of illegal possession of property

1. Anyone who intentionally fails to return to the owner, legal manager or fails to hand over to the responsible agency property worth from VND 10,000,000 to under VND 200,000,000, relics, antiques or objects of historical or cultural value that were mistakenly delivered or that he/she found or captured, after the owner, legal manager or responsible agency requests to receive the property back according to the provisions of law, shall be subject to a fine of from VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years .

2. Crime of appropriating property worth 200,000,000 VND or more or national treasures, shall be punished with imprisonment from 01 year to 05 years.

Article 177. Crime of illegal use of property

1. Anyone who, for personal gain, illegally uses another person's property worth from VND 100,000,000 to under VND 500,000,000, has been disciplined, administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and continues to violate, or the property is a relic, antique or object of historical or cultural value, if not falling under the cases specified in Article 220 of this Code, shall be subject to a fine of from VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 50,000,000 to VND 100,000,000 or imprisonment from 01 year to 05 years:

- a) Assets worth from VND 500,000,000 to under VND 1,500,000,000;
- b) Property is a national treasure;
- c) Committing the crime 02 times or more;
- d) Abusing position and power;
- d) Dangerous recidivism.

3. Crime of illegal use of property worth 1,500,000,000 VND or more shall be punished with imprisonment from 03 years to 07 years.

4. The offender may also be fined from VND 5,000,000 to VND 20,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 178. Crime of destroying or intentionally damaging property

1. Anyone who destroys or intentionally damages another person's property worth from VND 2,000,000 to under VND 50,000,000, property that is a relic, antique or object of historical or cultural value or property worth less than VND 2,000,000 but falls into one of the following cases, shall be subject to a fine of VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

- a) Having been administratively sanctioned for property appropriation but still committing the violation;

- b) Having been convicted of this crime, not having had his/her criminal record expunged, and still committing the crime;
 - c) Adversely affecting social security, order and safety;
 - d) The property is the main means of livelihood of the victim and their family; the property is a souvenir, relic, or worship item of special spiritual value to the victim.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years :
- a) Organized;
 - b) Causing damage to property worth from VND 50,000,000 to under VND 200,000,000;
 - c) Causing damage to property that is a national treasure;
 - d) Using flammable or explosive substances or other dangerous methods;
 - d) To conceal other crimes;
 - e) For official reasons of the victim;
 - g) Causing damage to property worth from VND 2,000,000 to under VND 50,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article;
 - h) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 10 years :
- a) Causing damage to property worth from VND 200,000,000 to under VND 500,000,000;
 - b) Causing damage to property worth from VND 50,000,000 to under VND 200,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article.
4. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 20 years :
- a) Causing damage to property worth VND 500,000,000 or more;
 - b) Causing damage to property worth from VND 200,000,000 to under VND 500,000,000 but falling into one of the cases specified in points a, b, c and d, Clause 1 of this Article.
5. The offender may also be fined from VND 10,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

Article 179. Crime of irresponsibility causing damage to property of the State , agencies , organizations and enterprises

1. Any person who has direct responsibility in the management of assets of the State, agencies, organizations, and enterprises, and due to lack of responsibility causes loss, damage, waste, causing damage to assets of the State, agencies, organizations, and enterprises from VND 100,000,000 to under VND 500,000,000, shall be subject to a warning or non-custodial reform for up to 03 years.
2. Committing a crime causing damage to the property of the State, agencies, organizations, or enterprises worth from VND 500,000,000 to under VND 2,000,000,000 shall be punished with imprisonment from 01 year to 05 years.
3. Committing a crime that causes damage to the property of the State, agencies, organizations, or enterprises worth VND 2,000,000,000 or more shall be punishable by imprisonment from 05 to 10 years.
4. The offender may also be banned from holding a position, practicing a profession or doing certain work from 01 to 05 years .

Article 180. Crime of unintentionally causing serious damage to property

1. Anyone who unintentionally causes damage to another person's property worth from VND 100,000,000 to under VND 500,000,000 shall be subject to a warning or non-custodial reform for up to 02 years.
2. Committing a crime causing damage to another person's property worth VND 500,000,000 or more shall be punishable by imprisonment from 03 months to 02 years .

Chapter XVII

CRIMES AGAINST MARRIAGE AND FAMILY REGIME

Article 181. Crime of forcing marriage, divorce or preventing voluntary, progressive marriage, preventing voluntary divorce

Anyone who forces another person to marry against their will, prevents another person from marrying or maintaining a voluntary, progressive marriage, or forces or prevents another person from divorcing by torture, ill-treatment, mental intimidation, property claims or other means, and has been administratively sanctioned for this act but continues to violate, shall be subject to a warning, non-custodial reform for up to 03 years or imprisonment from 03 months to 03 years.

Article 182. Crime of violating the monogamy regime

1. A person who is married and marries or lives with another person as husband and wife, or a person who is unmarried and marries or lives with a person whom he or she clearly knows to be married in one of the following cases, shall be subject to a warning, non-custodial reform for up to 01 year, or imprisonment from 03 months to 01 year:

a) Causing the marital relationship of one or both parties to lead to divorce;

b) Having been administratively sanctioned for this violation but still committing it.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 06 months to 03 years:

a) Causing the wife, husband or child of one of the two parties to commit suicide;

b) There has been a court decision to annul the marriage or to force the termination of cohabitation as husband and wife contrary to the monogamous regime but the relationship is still maintained.

Article 183. Crime of organizing child marriage

Anyone who organizes marriages for people under the marriageable age, has been administratively sanctioned for this act and still commits the violation, shall be subject to a fine of from VND 10,000,000 to VND 30,000,000 or non-custodial reform for up to 02 years.

Article 184. Crime of incest

Anyone who has sexual intercourse with a person whom he/she knows to be of the same bloodline, a sibling, half-sibling, or half-sibling, shall be sentenced to imprisonment from 01 year to 05 years.

Article 185. Crime of mistreating or torturing grandparents, parents, spouses, children, grandchildren or people who have raised one

1. Anyone who mistreats or commits acts of physical violence against grandparents, parents, spouses, children, grandchildren or people who have raised them in one of the following cases shall be subject to a warning, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

a) Regularly causing the victim physical and mental pain;

b) Having been administratively sanctioned for this violation but still committing it.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 05 years:

a) For people under 16 years old, women who are known to be pregnant, the elderly and weak;

b) For people with severe disabilities, especially severe disabilities or people with serious illnesses.

Article 186. Crime of refusing or evading the obligation to provide support

Any person who has the obligation to provide support and has the actual ability to provide support to the person he/she is obliged to provide support for according to the Court's decision but refuses or evades the obligation to provide support, causing the person receiving support to be in a dangerous situation to his/her life or health, or has been administratively sanctioned for this act but still violates, shall be subject to a warning, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

Article 187. Crime of organizing surrogacy for commercial purposes

1. Anyone who organizes surrogacy for commercial purposes shall be subject to a fine of VND 50,000,000 to VND 200,000,000, non-custodial reform for up to 02 years or imprisonment of from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:

a) For 02 people or more;

b) Committing the crime 02 times or more;

c) Taking advantage of the name of an agency or organization;

d) Dangerous recidivism.

3. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Chapter XVIII

CRIMES AGAINST ECONOMIC MANAGEMENT ORDER

Section 1. CRIMES IN THE FIELD OF PRODUCTION, BUSINESS AND TRADE

Article 188. Crime of smuggling

1. Anyone who trades across the border or from a duty-free zone to the inland or vice versa in violation of the law in one of the following cases shall be subject to a fine of VND 50,000,000 to VND 300,000,000 or imprisonment of 06 months to 03 years :

a) Goods, Vietnamese currency, foreign currency, precious metals, precious stones worth from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000 but have been administratively sanctioned for the acts specified in this Article or in one of Articles 189, 190 , 191, 192 , 193, 194 , 195, 196 and 200 of this Code or have been convicted of one of these crimes, have not had their criminal records expunged and still commit violations, if not falling under the cases specified in Articles 248, 249 , 250, 251 , 252, 253, 254, 304 , 305 , 306 , 309 and 311 of this Code ;

b) Relics, antiques or objects of historical or cultural value.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 1,500,000,000 or imprisonment from 03 to 07 years:

- a) Organized;
- b) Professional in nature;
- c) Illegal goods worth from 300,000,000 VND to under 500,000,000 VND;
- d) Illegal profits from VND 100,000,000 to under VND 500,000,000;
- d) The illegal object is a national treasure;
- e) Abusing position and power;
- g) Taking advantage of the name of an agency or organization;
- h) Committing the crime 02 times or more;
- i) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be subject to a fine of from VND 1,500,000,000 to VND 5,000,000,000 or imprisonment from 7 to 15 years:

- a) Illegal goods worth from VND 500,000,000 to under VND 1,000,000,000;
- b) Illegal profits from 500,000,000 VND to under 1,000,000,000 VND.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:

- a) Illegal items worth VND 1,000,000,000 or more;
- b) Illegal profits of VND 1,000,000,000 or more;
- c) Taking advantage of war, natural disasters, epidemics or other particularly difficult circumstances.

5. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

6. A commercial legal entity that commits a crime specified in this Article shall be punished as follows :

a) A commercial legal entity that commits an act specified in Clause 1 of this Article with goods, Vietnamese currency, foreign currency, precious metals, precious stones worth from VND 200,000,000 to under VND 300,000,000 or relics, antiques or objects of historical or cultural value and has been administratively sanctioned for an act specified in this Article or in one of Articles 189, 190 , 191, 192 , 193, 194 , 195, 196 and 200 of this Code or has been convicted of one of these crimes, has not had its criminal record expunged and continues to commit the violation, except for the case specified in Point d of this Clause, shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 7,000,000,000;

d) Committing a crime under the provisions of Clause 4 of this Article shall be subject to a fine of from VND 7,000,000,000 to VND 15,000,000,000 or suspension of operations for a period of from 06 months to 03 years;

d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;

e) Commercial legal entities may also be fined from VND 50,000,000 to VND 300,000,000, banned from doing business or operating in certain fields or banned from raising capital from 01 to 03 years.

Article 189. Crime of illegal transportation of goods and currency across borders

1. Anyone who transports across the border or from a duty-free zone to the inland or vice versa in violation of the law in one of the following cases shall be subject to a fine of VND 20,000,000 to VND 200,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years :

a) Goods, Vietnamese currency, foreign currency, precious metals, precious stones worth from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000 but have been administratively sanctioned for the acts specified in this Article or in one of Articles 188, 190 , 191, 192 , 193, 194 , 195, 196 and 200 of this Code or have been convicted of one of these crimes, have not had their criminal records expunged and still commit violations, if not falling under the cases specified in Articles 248, 249 , 250, 251 , 252, 253, 254, 304 , 305 , 306 , 309 and 311 of this Code ;

b) Relics, antiques or objects of historical or cultural value.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 1,000,000,000 or imprisonment from 02 to 05 years:

- a) Organized;
- b) Illegal goods worth from 300,000,000 VND to under 500,000,000 VND;

- c) The illegal object is a national treasure;
- d) Abusing position and power;
- d) Taking advantage of the name of an agency or organization;
- e) Committing the crime 02 times or more;
- g) Dangerous recidivism.

3. Committing a crime in case the value of illegal goods is from VND 500,000,000 or more, shall be subject to a fine from VND 1,000,000,000 to VND 3,000,000,000 or imprisonment from 05 years to 10 years .

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

5. A commercial legal entity that commits a crime specified in this Article shall be punished as follows :

a) A commercial legal entity that commits an act specified in Clause 1 of this Article with goods, Vietnamese currency, foreign currency, precious metals, precious stones worth from VND 200,000,000 to under VND 300,000,000 or relics, antiques or objects of historical or cultural value but has been administratively sanctioned for an act specified in this Article or in one of Articles 188, 190 , 191, 192 , 193, 194 , 195, 196 and 200 of this Code or has been convicted of one of these crimes, has not had its criminal record expunged and continues to violate, except for the case specified in Point d of this Clause, shall be subject to a fine of from VND 200,000,000 to VND 500,000,000;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 500,000,000 to VND 2,000,000,000;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 2,000,000,000 to VND 5,000,000,000 or suspension of operations for a period of from 06 months to 03 years;

d) Committing a crime under the provisions of Article 79 of this Code shall result in permanent suspension of operations;

d) Commercial legal entities may also be fined from VND 50,000,000 to VND 200,000,000, banned from doing business or operating in certain fields or banned from raising capital from 01 to 03 years.

Article 190. Crime of manufacturing and trading in prohibited goods

1. Anyone who produces or trades in goods that the State prohibits from trading, circulation, use, or has not yet permitted to circulate or use in Vietnam in one of the following cases, if not falling under the cases specified in Articles 248 , 251, 253, 254 , 304, 305, 306 , 309 and 311 of this Code, shall be subject to a fine of from VND 100,000,000 to VND 1,000,000,000 or imprisonment from 01 year to 05 years:

a) Illegal goods are chemicals, antibiotics, veterinary drugs, and pesticides prohibited from use in cultivation, animal husbandry, aquaculture, salt production, preliminary processing, processing, and preservation of agricultural, forestry, aquatic products, and salt;

b) Other illegal goods worth from VND 100,000,000 to under VND 300,000,000;

c) Illegal profits from 50,000,000 VND to under 200,000,000 VND;

d) Other illegal goods worth less than VND 100,000,000 or illegal profits of less than VND 50,000,000 but have been administratively sanctioned for the acts specified in this Article or in one of Articles 188, 189 , 191, 192 , 193, 194 , 195, 196 and 200 of this Code or have been convicted of one of these crimes, have not had their criminal records expunged and continue to violate;

d) Trading in prohibited goods across the border or from duty-free zones to the inland and vice versa with a value from VND 50,000,000 to under VND 100,000,000, illegally profiting from VND 20,000,000 to under VND 50,000,000.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 or imprisonment from 05 years to 10 years :

a) Organized;

b) Abusing position and power;

c) Taking advantage of the name of an agency or organization;

d) Professional in nature;

d) Illegal goods worth from 300,000,000 VND to under 500,000,000 VND;

e) Illegal profits from VND 200,000,000 to under VND 500,000,000;

g) Committing a crime in one of the cases specified in Points a, b, c and d, Clause 1 of this Article across the border or from a duty-free zone into the inland and vice versa;

h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 08 years to 15 years :

a) Illegal goods worth VND 500,000,000 or more;

b) Illegal profits of VND 500,000,000 or more.

4. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) A commercial legal entity committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 ;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 6,000,000,000 ;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 6,000,000,000 to VND 9,000,000,000 or suspension of operations for a period of from 06 months to 03 years ;

d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;

d) Commercial legal entities may also be fined from VND 50,000,000 to VND 200,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 191. Crime of storing and transporting prohibited goods

1. Anyone who stores or transports goods that the State prohibits from trading, circulation, use, or has not yet permitted to circulate or use in Vietnam in one of the following cases, if not falling under the cases specified in Articles 249, 250 , 253, 254 , 304, 305, 306 , 309 and 311 of this Code, shall be subject to a fine of from VND 50,000,000 to VND 300,000,000 or imprisonment from 06 months to 03 years:

a) Illegal goods are chemicals, antibiotics, veterinary drugs, and pesticides prohibited from use in cultivation, animal husbandry, aquaculture, salt production, preliminary processing, processing, and preservation of agricultural, forestry, aquatic products, and salt;

b) Illegal goods worth from VND 100,000,000 to under VND 300,000,000;

c) Illegal profits from 50,000,000 VND to under 200,000,000 VND;

d) Illegal goods worth less than VND 100,000,000 or illegal profits of less than VND 50,000,000 but have been administratively sanctioned for the acts specified in this Article or in one of Articles 188, 189 , 190, 192 , 193, 194 , 195, 196 and 200 of this Code or have been convicted of one of these crimes, have not had their criminal records expunged and continue to violate;

d) Transporting prohibited goods across the border or from duty-free zones to the inland and vice versa with a value from VND 50,000,000 to under VND 100,000,000, illegally profiting from VND 20,000,000 to under VND 50,000,000.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000 or imprisonment from 02 to 05 years :

a) Organized;

b) Abusing position and power;

c) Taking advantage of the name of an agency or organization;

d) Professional in nature;

d) Illegal goods worth from 300,000,000 VND to under 500,000,000 VND;

e) Illegal profits from VND 200,000,000 to under VND 500,000,000;

g) Committing a crime in one of the cases specified in Points a, b, c and d, Clause 1 of this Article across the border or from a duty-free zone into the inland and vice versa;

h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 10 years :

a) Illegal goods worth VND 500,000,000 or more;

b) Illegal profits of VND 500,000,000 or more;

c) Committing a crime in one of the cases specified in Points a, b, c, d, dd, e and h, Clause 2 of this Article across the border or from a duty-free zone into the inland and vice versa.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) A commercial legal entity committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000 ;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 ;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 5,000,000,000 or suspension of operations for a period of from 06 months to 03 years ;

- d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;
- d) Commercial legal entities may also be fined from VND 50,000,000 to VND 200,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 192. Crime of manufacturing and trading in counterfeit goods

1. Anyone who produces or trades in counterfeit goods in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 1,000,000,000 or imprisonment from 01 year to 05 years :

- a) Counterfeit goods worth from VND 20,000,000 to under VND 100,000,000 calculated according to selling price, listed price, price stated on invoice;
- b) Counterfeit goods equivalent to the quantity of genuine goods or goods with the same technical features and uses worth from VND 30,000,000 to under VND 150,000,000 in cases where the selling price, listed price, or price stated on the invoice cannot be determined;
- c) Counterfeit goods worth less than VND 20,000,000 calculated according to the selling price, listed price, price stated on the invoice or counterfeit goods equivalent to the quantity of genuine goods or goods with the same technical features and uses worth less than VND 30,000,000 but have been administratively sanctioned for the acts specified in this Article or in one of Articles 188, 189 , 190 , 191, 193 , 194 , 195, 196 and 200 of this Code or have been convicted of one of these crimes, not yet had their criminal records cleared but still commit the violation;
- d) Counterfeit goods worth less than VND 20,000,000 calculated according to the selling price, listed price, price stated on the invoice or counterfeit goods equivalent to the quantity of genuine goods or goods with the same technical features and uses worth less than VND 30,000,000 but causing consequences in one of the following cases: causing damage to the health of one person with a body injury rate of 31% to 60%; causing damage to the health of 02 or more people with the total body injury rate of these people from 31% to 60% or causing property damage from VND 100,000,000 to less than VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years :

- a) Organized;
- b) Professional in nature;
- c) Abusing position and power;
- d) Taking advantage of the name of an agency or organization;
- d) Counterfeit goods worth from VND 100,000,000 to under VND 200,000,000 calculated according to selling price, listed price, price stated on invoice;
- e) Counterfeit goods equivalent to the quantity of genuine goods or goods with the same technical features and uses worth from VND 150,000,000 to under VND 500,000,000 in cases where the selling price, listed price, or price stated on the invoice cannot be determined;
- g) Illegal profits from VND 100,000,000 to under VND 500,000,000;
- h) Causing death;
- i) Causing harm to the health of 01 person with a body injury rate of 61% or more;
- k) Causing harm to the health of 02 or more people with the total body injury rate of these people from 61% to 121%;
- l) Causing property damage from VND 500,000,000 to under VND 1,500,000,000;
- m) Committing a crime in one of the cases specified in Clause 1 of this Article across the border or from a duty-free zone into the inland and vice versa;
- n) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :

- a) Counterfeit goods have a production cost of VND 100,000,000 or more;
- b) Counterfeit goods have a selling price, listed price, or invoice price of VND 200,000,000 or more;
- c) Counterfeit goods equivalent to the quantity of genuine goods or goods with the same technical features and uses worth VND 500,000,000 or more in cases where the production cost, selling price, listed price, or price stated on the invoice cannot be determined;
- d) Illegal profits of VND 500,000,000 or more;
- d) Causing the death of two or more people;
- e) Causing harm to the health of 02 or more people, with each person's body injury rate being 61% or more;
- g) Causing harm to the health of 02 or more people, the total body injury rate of these people is 122% or more;
- h) Causing property damage of VND 1,500,000,000 or more.

4. The offender may also be fined from VND 20,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) A commercial legal entity committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 ;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 6,000,000,000 ;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 6,000,000,000 to VND 9,000,000,000 or suspension of operations for a period of from 06 months to 03 years;

d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;

d) Commercial legal entities may also be fined from VND 50,000,000 to VND 200,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 193. Crime of manufacturing and trading in counterfeit food, foodstuffs and food additives

1. Anyone who produces or trades in counterfeit food, foodstuffs, or food additives shall be sentenced to imprisonment from 02 to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years :

a) Organized;

b) Professional in nature;

c) Dangerous recidivism;

d) Abusing position and power;

d) Taking advantage of the name of an agency or organization;

e) Committing crimes across borders or from duty-free zones to inland areas and vice versa;

g) Counterfeit goods worth from VND 100,000,000 to under VND 200,000,000 calculated according to selling price, listed price, price stated on invoice;

h) Counterfeit goods equivalent to the quantity of genuine goods worth from VND 150,000,000 to under VND 500,000,000 in cases where the selling price, listed price, or price stated on the invoice cannot be determined;

i) Illegal profits from VND 100,000,000 to under VND 500,000,000;

k) Causing harm to the health of 01 person with a body injury rate from 31% to 60%;

l) Causing harm to the health of 02 or more people, with the total body injury rate of these people from 31% to 60%;

m) Causing property damage from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :

a) Counterfeit goods have a selling price, listed price, or invoice price of VND 200,000,000 or more;

b) Counterfeit goods equivalent to the quantity of genuine goods worth VND 500,000,000 or more in cases where the production cost, selling price, listed price, or price stated on the invoice cannot be determined;

c) Illegal profits from VND 500,000,000 to under VND 1,500,000,000;

d) Causing death;

d) Causing harm to the health of 01 person with a body injury rate of 61% or more;

e) Causing harm to the health of 02 or more people, with the total body injury rate of these people from 61% to 121%;

g) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years or life imprisonment :

a) Illegal profits from VND 1,500,000,000 or more;

b) Causing the death of two or more people;

c) Causing harm to the health of 02 or more people, with each person's body injury rate being 61% or more;

d) Causing harm to the health of 02 or more people, with the total body injury rate of these people being 122% or more;

d) Causing property damage of VND 1,500,000,000 or more.

5. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

6. A commercial legal entity that commits a crime specified in this Article shall be punished as follows :

- a) A commercial legal entity committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 6,000,000,000;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 6,000,000,000 to VND 9,000,000,000;
- d) Committing a crime under the provisions of Clause 4 of this Article shall be subject to a fine of from VND 9,000,000,000 to VND 18,000,000,000 or suspension of operations for a period of from 06 months to 03 years;
- d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;
- e) Commercial legal entities may also be fined from VND 100,000,000 to VND 300,000,000, banned from doing business or operating in certain fields or banned from raising capital from 01 to 03 years.

Article 194. Crime of manufacturing and trading in counterfeit medicines and disease prevention medicines

1. Anyone who produces or trades in counterfeit medicines or disease prevention drugs shall be sentenced to imprisonment from 02 to 07 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years :
 - a) Organized;
 - b) Professional in nature;
 - c) Dangerous recidivism;
 - d) Abusing position and power;
 - d) Taking advantage of the name of an agency or organization;
 - e) Committing crimes across borders or from duty-free zones to inland areas and vice versa;
 - g) Counterfeit goods worth from VND 100,000,000 to under VND 200,000,000 calculated according to selling price, listed price, price stated on invoice;
 - h) Counterfeit goods equivalent to the quantity of genuine goods worth from VND 150,000,000 to under VND 500,000,000 in cases where the selling price, listed price, or price stated on the invoice cannot be determined;
 - i) Illegal profits from VND 100,000,000 to under VND 500,000,000;
 - k) Causing injury or damage to the health of 01 person with a body injury rate from 31% to 60%;
 - l) Causing injury or damage to the health of 02 or more people, with the total body injury rate of these people from 31% to 60%;
 - m) Causing property damage from VND 100,000,000 to under VND 500,000,000.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years :
 - a) Counterfeit goods have a selling price, listed price, or invoice price of VND 200,000,000 or more;
 - b) Counterfeit goods equivalent to the quantity of genuine goods worth VND 500,000,000 or more in cases where the production cost, selling price, listed price, or price stated on the invoice cannot be determined;
 - c) Illegal profits from VND 500,000,000 to under VND 2,000,000,000;
 - d) Causing death;
 - d) Causing harm to the health of 01 person with a body injury rate of 61% or more;
 - e) Causing harm to the health of 02 or more people, with the total body injury rate of these people from 61% to 121%;
 - g) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.
4. Committing a crime in one of the following cases shall be punishable by 20 years in prison, life imprisonment or death penalty :
 - a) Illegal profits of VND 2,000,000,000 or more;
 - b) Causing the death of two or more people;
 - c) Causing injury or damage to the health of 02 or more people, with each person's body injury rate of 61% or more;
 - d) Causing injury or damage to the health of 02 or more people, with the total body injury rate of these people being 122% or more;
 - d) Causing property damage of VND 1,500,000,000 or more.
5. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.
6. A commercial legal entity that commits a crime specified in this Article shall be punished as follows :

- a) A commercial legal entity committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 4,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 4,000,000,000 to VND 9,000,000,000;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 9,000,000,000 to VND 15,000,000,000;
- d) Committing a crime under the provisions of Clause 4 of this Article shall be subject to a fine of from VND 15,000,000,000 to VND 20,000,000,000 or suspension of operations for a period of from 01 to 03 years;
- d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;
- e) Commercial legal entities may also be fined from VND 100,000,000 to VND 300,000,000, banned from doing business or operating in certain fields or banned from raising capital from 01 to 03 years.

Article 195. Crime of manufacturing and trading in counterfeit animal feed, fertilizers, veterinary medicines, pesticides, plant varieties and livestock breeds

1. Anyone who produces or trades in counterfeit animal feed, fertilizers, veterinary medicines, pesticides, plant varieties, or livestock in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 1,000,000,000 or imprisonment from 01 year to 05 years :

- a) Counterfeit goods worth from VND 20,000,000 to under VND 100,000,000 calculated according to selling price, listed price, price stated on invoice;
- b) Counterfeit goods equivalent to the quantity of genuine goods or goods with the same function worth from VND 30,000,000 to under VND 150,000,000 in cases where the selling price, listed price, or price stated on the invoice cannot be determined;
- c) Counterfeit goods worth less than VND 20,000,000 calculated according to the selling price, listed price, price stated on the invoice or counterfeit goods equivalent to the quantity of genuine goods or goods with the same function worth less than VND 30,000,000 but have been administratively sanctioned for the acts specified in this Article or in one of Articles 188, 189 , 190 , 191 , 192, 193 , 194, 196 and 200 of this Code or have been convicted of one of these crimes, have not had their criminal records expunged and continue to violate;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years :

- a) Organized;
- b) Professional in nature;
- c) Dangerous recidivism;
- d) Abusing position and power;
- d) Taking advantage of the name of an agency or organization;
- e) Committing crimes across borders or from duty-free zones to inland areas and vice versa;
- g) Counterfeit goods worth from VND 100,000,000 to under VND 200,000,000 calculated according to selling price, listed price, price stated on invoice;
- h) Counterfeit goods equivalent to the quantity of genuine goods worth from VND 150,000,000 to under VND 500,000,000 in cases where the selling price, listed price, or price stated on the invoice cannot be determined;
- i) Causing property damage from VND 500,000,000 to under VND 1,500,000,000;
- k) Illegal profits from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :

- a) Counterfeit goods have a selling price, listed price, or invoice price of VND 200,000,000 or more;
- b) Counterfeit goods equivalent to the quantity of genuine goods worth VND 500,000,000 or more in cases where the production cost, selling price, listed price, or price stated on the invoice cannot be determined;
- c) Causing property damage from VND 1,500,000,000 to under VND 3,000,000,000;
- d) Illegal profits from 500,000,000 VND to under 2,000,000,000 VND.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years:

- a) Causing property damage of VND 3,000,000,000 or more;
- b) Illegal profits of VND 2,000,000,000 or more.

5. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

6. A commercial legal entity that commits a crime specified in this Article shall be punished as follows :

- a) A commercial legal entity committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 6,000,000,000;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 6,000,000,000 to VND 9,000,000,000;
- d) Committing a crime under the provisions of Clause 4 of this Article shall be subject to a fine of from VND 9,000,000,000 to VND 15,000,000,000 or suspension of operations for a period of from 06 months to 03 years;
- d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;
- e) Commercial legal entities may also be fined from VND 100,000,000 to VND 300,000,000, banned from doing business or operating in certain fields or banned from raising capital from 01 to 03 years.

Article 196. Crime of speculation

1. Anyone who takes advantage of a scarcity situation or creates an artificial scarcity in a natural disaster, epidemic, war or economic difficulty situation to buy up goods on the list of price-stabilized goods or on the list of goods priced by the State in order to resell them for illegal profits in one of the following cases shall be subject to a fine of from VND 30,000,000 to VND 300,000,000 or imprisonment from 06 months to 03 years:

- a) Goods worth from 500,000,000 VND to under 1,500,000,000 VND;
- b) Illegal profits from 100,000,000 VND to under 500,000,000 VND.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 1,500,000,000 or imprisonment from 03 to 07 years:

- a) Organized;
- b) Abusing position and power;
- c) Taking advantage of the name of an agency or organization;
- d) Goods worth from VND 1,500,000,000 to under VND 3,000,000,000;
- d) Illegal profits from VND 500,000,000 to under VND 1,000,000,000;
- e) Adversely affecting social security, order and safety.

3. Committing a crime in one of the following cases shall be subject to a fine of from VND 1,500,000,000 to VND 5,000,000,000 or imprisonment from 07 years to 15 years:

- a) Goods worth VND 3,000,000,000 or more;
- b) Illegal profits of VND 1,000,000,000 or more;
- c) Dangerous recidivism.

4. The offender may also be fined from VND 20,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

5. A commercial legal entity that commits a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 4,000,000,000;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 4,000,000,000 to VND 9,000,000,000;
- d) Commercial legal entities may also be fined from VND 100,000,000 to VND 300,000,000, banned from doing business or operating in certain fields or banned from raising capital from 01 to 03 years .

Article 197. Crime of false advertising

1. Anyone who falsely advertises goods or services, has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged, and continues to violate, shall be subject to a fine of from VND 10,000,000 to VND 100,000,000 or to non-custodial reform for up to 03 years.

2. The offender may also be fined from VND 5,000,000 to VND 50,000,000 and banned from practicing a profession or doing certain jobs from 01 to 05 years.

Article 198. Crime of deceiving customers

1. Anyone who, in the purchase or sale of goods or provision of services, fraudulently weighs, measures, counts, or calculates goods or services or uses other fraudulent means in one of the following cases, shall be subject to a warning, a fine of from VND 10,000,000 to VND 100,000,000 or non-custodial reform for up to 03 years:

a) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;

b) Illegal profits from VND 5,000,000 to under VND 50,000,000.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 500,000,000 or imprisonment from 01 year to 05 years:

a) Organized;

b) Professional in nature;

c) Using cunning tricks;

d) Illegal profits of VND 50,000,000 or more.

3. The offender may also be fined from VND 20,000,000 to VND 100,000,000, and banned from practicing a profession or doing certain jobs from 01 to 05 years.

Article 199. Crime of violating regulations on electricity supply

1. A person who is responsible for committing one of the following acts, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60%, causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60% or causing property damage from 100,000,000 VND to under 500,000,000 VND or has been disciplined, administratively sanctioned for this act or has been convicted of this crime and has not had his/her criminal record expunged but still commits the violation, shall be subject to a fine of 30,000,000 VND to 150,000,000 VND, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years:

a) Power outage without basis or notice as prescribed;

b) Refusal to supply electricity without basis;

c) Delaying the handling of electrical problems without valid reason.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 150,000,000 to VND 500,000,000 or imprisonment from 01 year to 05 years:

a) Causing death;

b) Causing injury or damage to the health of 01 person with a body injury rate of 61% or more or causing damage to the health of 02 or more people with the total body injury rate of these people from 61% to 121%;

c) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

a) Causing the death of two or more people;

b) Causing injury or damage to the health of 02 or more people, with each person's body injury rate being 61% or more, or causing damage to the health of 02 or more people with the total body injury rate of these people being 122% or more;

c) Causing property damage of VND 1,500,000,000 or more.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Section 2. CRIMES IN THE FIELDS OF TAX, FINANCE, BANKING, SECURITIES AND INSURANCE

Article 200. Crime of tax evasion

1. A person who commits one of the following acts of tax evasion with an amount from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000, has been administratively sanctioned for tax evasion or has been convicted of this crime or of one of the crimes specified in Articles 188, 189, 190, 191, 192, 193, 194, 195, 196, 202, 248, 249, 250, 251, 252, 253, 254, 304, 305, 306, 309 and 311 of this Code, whose criminal record has not been cleared, and who continues to commit the violation, shall be fined from VND 100,000,000 to VND 300,000,000. 100,000,000 VND to 500,000,000 VND or imprisonment from 03 months to 02 years:

a) Failure to submit tax registration documents; failure to submit tax declaration documents; failure to submit tax declaration documents within the time limit prescribed by law;

b) Failure to record in the accounting books the revenues related to determining the amount of tax payable;

c) Not issuing invoices when selling goods or services or recording a value on the sales invoice lower than the actual payment value of the goods or services sold;

d) Using illegal invoices and documents to account for goods and input materials in activities that give rise to tax obligations, reducing the amount of tax payable or increasing the amount of tax exempted, the amount of tax reduced or increasing the amount

of tax deducted, the amount of tax refunded;

d) Using other illegal documents and vouchers to incorrectly determine the amount of tax payable or the amount of tax refunded;

e) Falsely declaring exported and imported goods without supplementing the tax declaration after the goods have been cleared through customs;

g) Intentionally failing to declare or making false declarations about taxes on exported and imported goods;

h) Colluding with the shipper to import goods;

i) Using goods that are not subject to tax, are exempt from tax, or are considered for tax exemption for purposes other than those prescribed without declaring the change of purpose of use to the tax authority.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 1,500,000,000 or imprisonment from 01 year to 03 years:

a) Organized;

b) Tax evasion amount from 300,000,000 VND to less than 1,000,000,000 VND;

c) Abusing position and power;

d) Committing the crime 02 times or more;

d) Dangerous recidivism.

3. Those who commit tax evasion with an amount of VND 1,000,000,000 or more shall be subject to a fine of VND 1,500,000,000 to VND 4,500,000,000 or imprisonment of 02 to 07 years:

4. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

5. A commercial legal entity that commits a crime specified in this Article shall be punished as follows :

a) A commercial legal entity that commits an act specified in Clause 1 of this Article, has been administratively sanctioned for this act or has been convicted of this crime, and has not had its criminal record expunged, but continues to commit the violation, shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 10,000,000,000 or suspension of operations for a period of from 06 months to 03 years;

d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;

d) Commercial legal entities may also be fined from VND 50,000,000 to VND 200,000,000, banned from doing business or operating in certain fields or banned from raising capital from 01 to 03 years.

Article 201. Crime of lending at high interest rates in civil transactions

1. Any person who, in a civil transaction, lends money at an interest rate five times higher than the highest interest rate prescribed in the Civil Code, illegally profits from VND 30,000,000 to less than VND 100,000,000, or has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged, and continues to violate, shall be subject to a fine of VND 50,000,000 to VND 200,000,000 or to non-custodial reform for up to 03 years.

2. Those who commit the crime of illegal profits from VND 100,000,000 or more shall be subject to a fine from VND 200,000,000 to VND 1,000,000,000 or imprisonment from 06 months to 03 years.

3. The offender may also be fined from VND 30,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 202. Crime of making and trading in counterfeit stamps and tickets

1. Anyone who makes or trades in counterfeit stamps or tickets in one of the following cases shall be subject to a fine of VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment of 06 months to 03 years:

a) Counterfeit stamps and tickets without face value in quantity from 15,000 to less than 30,000 units;

b) Counterfeit stamps and tickets with a total face value from VND 50,000,000 to under VND 200,000,000;

c) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;

d) Illegal profits from 30,000,000 VND to under 100,000,000 VND.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 500,000,000 or imprisonment from 02 to 07 years:

a) Organized;

- b) Abusing position and power;
- c) Counterfeit stamps and tickets without face value in quantity of 30,000 units or more;
- d) Counterfeit stamps and tickets with a total face value of VND 200,000,000 or more;
- d) Illegal profits of VND 100,000,000 or more;
- e) Dangerous recidivism.

3. The offender may also be fined from VND 5,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

Article 203. Crime of illegally printing, issuing, and trading invoices and documents for payment to the state budget

1. Anyone who illegally prints, issues, or trades in invoices or vouchers for payment to the state budget in blank form from 50 to under 100 numbers or invoices or vouchers with content from 10 to under 30 numbers or illegally profits from VND 30,000,000 to under VND 100,000,000 shall be subject to a fine from VND 50,000,000 to VND 200,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 500,000,000 or imprisonment from 01 year to 05 years:

- a) Organized;
- b) Professional in nature;
- c) Abusing position and power;
- d) Invoices and documents in blank form of 100 numbers or more or invoices and documents with 30 numbers or more of content;
- d) Illegal profits of VND 100,000,000 or more;
- e) Causing damage to the state budget of VND 100,000,000 or more;
- g) Dangerous recidivism.

3. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 100,000,000 to VND 500,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 500,000,000 to VND 1,000,000,000;
- c) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;
- d) Commercial legal entities may also be fined from VND 50,000,000 to VND 200,000,000, banned from doing business, banned from operating in certain fields from 01 to 03 years or banned from raising capital from 01 to 03 years.

Article 204. Crime of violating regulations on preservation and management of invoices and documents for payment to the state budget

1. Any person responsible for preserving and managing invoices and documents who violates State regulations on preserving and managing invoices and documents for payment to the State budget, causing damage to the State budget or to others from VND 100,000,000 to under VND 500,000,000, shall be subject to a fine of VND 10,000,000 to VND 100,000,000 or non-custodial reform for up to 03 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 500,000,000 or imprisonment from 06 months to 03 years:

- a) Committing the crime 02 times or more;
- b) Causing damage of VND 500,000,000 or more.

3. The offender may also be banned from holding certain positions or doing certain jobs from 01 to 05 years.

Article 205. Crime of establishing illegal funds

1. Anyone who abuses his/her position and power to establish a fund in violation of the law and uses that fund to cause damage to State property from VND 50,000,000 to under VND 200,000,000 or has been disciplined for this act but still commits the violation, shall be subject to a fine of VND 50,000,000 to VND 100,000,000 or to non-custodial reform for up to 03 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 500,000,000 or imprisonment from 01 year to 05 years:

- a) Using cunning tricks to evade control;
- b) To commit other illegal acts;

c) Causing damage to State property from VND 200,000,000 to under VND 1,000,000,000.

3. Committing a crime causing damage to State property from VND 1,000,000,000 or more shall be punished with imprisonment from 05 years to 10 years.

4. The offender is also prohibited from holding a position, practicing a profession or doing certain jobs from 01 year to 05 years, and may be fined from 10,000,000 VND to 50,000,000 VND.

Article 206. Crime of violating regulations in the operations of credit institutions and foreign bank branches

1. Any person who, in the activities of credit institutions or foreign bank branches, intentionally commits one of the following acts, causing property damage from VND 100,000,000 to under VND 300,000,000, shall be subject to a fine from VND 50,000,000 to VND 300,000,000 or imprisonment from 06 months to 03 years :

a) Granting credit to cases where credit is not granted, except in the form of issuing credit cards;

b) Granting unsecured credit or granting credit with preferential conditions to subjects not entitled to credit under the provisions of law;

c) Violating restrictions to ensure safety for credit activities as prescribed by the Law on Credit Institutions or intentionally inflating the value of collateral when appraising prices to grant credit;

d) Violation of legal regulations on total outstanding credit balance for subjects subject to credit restrictions;

d) Granting credit exceeding the limit of equity to a customer and related persons, except in cases where there is approval from a competent authority as prescribed by law;

e) Violation of legal provisions on capital contribution, capital contribution limits, share purchase, credit conditions or asset purchase and sale;

g) Issuing, supplying, or using illegal means of payment; forging payment documents or means of payment; using fake payment documents or means of payment; conducting banking activities without permission from a competent state agency.

2. Committing a crime causing property damage from 300,000,000 VND to under 1,000,000,000 VND shall be punishable by imprisonment from 03 years to 07 years.

3. Crimes causing property damage from VND 1,000,000,000 to under VND 3,000,000,000 shall be punished with imprisonment from 07 years to 12 years.

4. Crimes causing property damage of VND 3,000,000,000 or more shall be punished with imprisonment from 12 to 20 years.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 207. Crime of making, storing, transporting and circulating counterfeit money

1. Anyone who makes, stores, transports or circulates counterfeit money shall be sentenced to imprisonment from 03 to 07 years.

2. Committing a crime in case the counterfeit money has a value equivalent to from VND 5,000,000 to under VND 50,000,000, shall be punished with imprisonment from 05 years to 12 years.

3. Committing a crime in case the counterfeit money has a value equivalent to 50,000,000 VND or more, shall be punished with imprisonment from 10 years to 20 years or life imprisonment.

4. A person who prepares to commit this crime shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 03 years.

5. The offender may also be fined from VND 10,000,000 to VND 100,000,000 or have part or all of his/her property confiscated.

Article 208. Crime of making, storing, transporting or circulating counterfeit negotiable instruments or other counterfeit valuable papers

1. Anyone who makes, stores, transports or circulates counterfeit negotiable instruments or other counterfeit valuable papers shall be sentenced to imprisonment from 02 to 07 years.

2. Committing a crime in the case of a counterfeit transfer instrument or other counterfeit valuable papers with a corresponding value from VND 10,000,000 to less than VND 100,000,000, shall be punishable by imprisonment from 05 years to 10 years.

3. Committing a crime in the case of a counterfeit transfer instrument or other counterfeit valuable papers with a corresponding value from VND 100,000,000 to less than VND 300,000,000, shall be punishable by imprisonment from 10 years to 15 years.

4. Committing a crime in the case of a counterfeit transfer instrument or other counterfeit valuable papers with a corresponding value of VND 300,000,000 or more shall be punishable by imprisonment from 15 to 20 years.

5. The offender may also be fined from VND 10,000,000 to VND 100,000,000 or have part or all of his/her property confiscated.

Article 209. Crime of intentionally disclosing false information or concealing information in securities activities

1. Anyone who intentionally publishes false information or conceals information in the activities of offering, listing, trading, securities business, market organization, registration, depository, clearing or payment of securities in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 500,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years:

- a) Causing damage to investors from VND 1,000,000,000 to under VND 3,000,000,000;
- b) Illegal profits from VND 500,000,000 to under VND 1,000,000,000;
- c) Having been administratively sanctioned for the act of disclosing false information or concealing information in securities activities but still violating .

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 2,000,000,000 or imprisonment from 01 year to 05 years:

- a) Organized;
- b) Illegal profits of VND 1,000,000,000 or more;
- c) Causing damage to investors of VND 3,000,000,000 or more;
- d) Dangerous recidivism.

3. The offender may also be fined from VND 50,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 500,000,000 to VND 2,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 2,000,000,000 to VND 5,000,000,000;
- c) Commercial legal entities may also be prohibited from doing business or operating in certain fields or from raising capital for a period of 01 to 03 years .

Article 210. Crime of using inside information to buy and sell securities

1. Any person who knows information related to a public company or public fund that has not been announced and if announced could significantly affect the price of securities of that public company or public fund and uses this information to buy and sell securities or discloses, provides this information or advises others to buy and sell securities on the basis of this information, illegally gains from VND 300,000,000 to less than VND 1,000,000,000 or causes losses to investors from VND 500,000,000 to less than VND 1,500,000,000, shall be subject to a fine of VND 500,000,000 to VND 2,000,000,000 or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 2,000,000,000 to VND 5,000,000,000 or imprisonment from 02 years to 07 years:

- a) Organized;
- b) Illegal profits of VND 1,000,000,000 or more;
- c) Causing damage to investors of VND 1,500,000,000 or more;
- d) Dangerous recidivism.

3. The offender may also be fined from VND 50,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 5,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 5,000,000,000 to VND 10,000,000,000;
- c) Commercial legal entities may also be prohibited from doing business or operating in certain fields or from raising capital for a period of 01 to 03 years .

Article 211. Crime of stock market manipulation

1. Anyone who commits one of the following acts, illegally gains from VND 500,000,000 to under VND 1,500,000,000 or causes damage to investors from VND 1,000,000,000 to under VND 3,000,000,000, shall be subject to a fine of VND 500,000,000 to VND 2,000,000,000 or imprisonment from 06 months to 03 years:

- a) Using one or more of one's own or other people's trading accounts or colluding with each other to continuously buy and sell securities to create fake supply and demand;
- b) Colluding with others to place buy and sell orders for the same type of securities on the same trading day or colluding with each other to buy and sell securities without actually transferring ownership or ownership only circulating among group members to create fake securities prices and supply and demand;
- c) Continuously buying or selling securities with a dominant volume at the time of opening or closing the market to create a new closing price or opening price for that type of security on the market;

d) Trading securities by colluding and enticing others to continuously place orders to buy and sell securities, causing a major impact on supply and demand and securities prices, and manipulating securities prices;

d) Giving opinions directly or indirectly through the mass media about a type of security or the organization issuing the security in order to influence the price of that type of security after conducting a transaction and holding a position in that type of security;

e) Using methods or performing other trading acts to create artificial supply and demand, manipulating securities prices.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 2,000,000,000 to VND 4,000,000,000 or imprisonment from 02 years to 07 years:

a) Organized;

b) Illegal profits of VND 1,500,000,000 or more;

c) Causing damage to investors of VND 3,000,000,000 or more;

d) Dangerous recidivism.

3. The offender may also be fined from VND 50,000,000 to VND 250,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 2,000,000,000 to VND 5,000,000,000;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 5,000,000,000 to VND 10,000,000,000;

c) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;

d) Commercial legal entities may also be fined from VND 500,000,000 to VND 2,000,000,000, banned from doing business, banned from operating in certain fields from 01 to 03 years or banned from raising capital from 01 to 03 years.

Article 212. Crime of falsifying documents in securities offering and listing dossiers

1. Anyone who falsifies documents in the securities offering or listing dossier, illegally gains from VND 1,000,000,000 to under VND 2,000,000,000 or causes losses to investors from VND 1,500,000,000 to under VND 3,000,000,000, shall be subject to a fine of VND 500,000,000 to VND 2,000,000,000 or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 2,000,000,000 to VND 5,000,000,000 or imprisonment from 02 years to 07 years:

a) Illegal profits of VND 2,000,000,000 or more;

b) Causing damage to investors of VND 3,000,000,000 or more;

c) Organized;

d) Dangerous recidivism.

3. The offender may also be fined from VND 50,000,000 to VND 250,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 213. Crime of fraud in insurance business

1. Anyone who commits one of the following acts to appropriate insurance money from VND 20,000,000 to under VND 100,000,000 or causes damage from VND 50,000,000 to under VND 200,000,000 shall be subject to a fine from VND 30,000,000 to VND 100,000,000 or non-custodial reform for up to 03 years:

a) Colluding with insurance beneficiaries to settle insurance claims and pay insurance money illegally;

b) Forging documents, intentionally falsifying information to refuse compensation or insurance payment when an insured event has occurred;

c) Forging documents, intentionally falsifying information in claim files, paying insurance money;

d) Causing damage to one's own property or health to enjoy insurance benefits, except in cases where the law provides otherwise.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 300,000,000 or imprisonment from 01 year to 03 years:

a) Organized;

b) Using sophisticated and cunning tricks;

c) Appropriating insurance money from VND 100,000,000 to under VND 500,000,000;

d) Causing damage from VND 200,000,000 to under VND 1,000,000,000;

d) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Appropriating insurance money of VND 500,000,000 or more;
- b) Causing damage of VND 1,000,000,000 or more.

4. The offender may also be fined from VND 10,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

5. A commercial legal entity that commits a crime specified in this Article shall be punished as follows :

- a) Committing a crime in one of the cases specified in Clause 1 of this Article, with the amount of money appropriated from VND 200,000,000 to under VND 1,000,000,000 or causing damage from VND 400,000,000 to under VND 2,000,000,000, shall be subject to a fine of VND 200,000,000 to VND 1,000,000,000;
- b) Committing a crime in one of the cases specified in Points a, b, c and d, Clause 2 of this Article, with the amount of money appropriated from VND 1,000,000,000 to under VND 3,000,000,000 or causing damage from VND 2,000,000,000 to under VND 5,000,000,000, shall be subject to a fine from VND 1,000,000,000 to VND 3,000,000,000;
- c) Committing a crime with an amount of money appropriated of VND 3,000,000,000 or more or causing damage of VND 5,000,000,000 or more, shall be subject to a fine of from VND 3,000,000,000 to VND 7,000,000,000;
- d) Commercial legal entities may also be prohibited from doing business, operating in certain fields or raising capital for a period of 01 to 03 years.

Article 214. Crime of social insurance and unemployment insurance fraud

1. Anyone who commits one of the following acts, appropriating social insurance or unemployment insurance money from VND 10,000,000 to under VND 100,000,000 or causing damage from VND 20,000,000 to under VND 200,000,000, not falling under the cases specified in one of Articles 174, 353 and 355 of this Code , shall be subject to a fine from VND 20,000,000 to VND 100,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years:

- a) Creating fake records or falsifying the content of social insurance records or unemployment insurance records to deceive social insurance agencies;
- b) Using fake documents or documents with falsified content to deceive social insurance agencies to enjoy social insurance and unemployment insurance benefits.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 200,000,000 or imprisonment from 01 year to 05 years:

- a) Organized;
- b) Professional in nature;
- c) Appropriating social insurance and unemployment insurance money from VND 100,000,000 to under VND 500,000,000;
- d) Causing damage from VND 200,000,000 to under VND 500,000,000;
- d) Using sophisticated and cunning tricks;
- e) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Appropriating social insurance and unemployment insurance money of VND 500,000,000 or more;
- b) Causing damage of VND 500,000,000 or more.

4. The offender may also be fined from VND 10,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 215. Crime of health insurance fraud

1. Anyone who commits one of the following acts, appropriating health insurance money from VND 10,000,000 to under VND 100,000,000 or causing damage from VND 20,000,000 to under VND 200,000,000, not falling under the cases specified in one of Articles 174, 353 and 355 of this Code , shall be subject to a fine from VND 20,000,000 to VND 100,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years:

- a) Creating medical records, prescribing false drugs or prescribing increased quantities or additional types of drugs, medical supplies, technical services, hospital bed costs and other costs that the patient does not actually use;
- b) Forging documents, health insurance cards or using falsely issued health insurance cards, fake health insurance cards, revoked cards, modified cards, or other people's health insurance cards for medical examination and treatment to enjoy health insurance benefits in violation of regulations.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 200,000,000 or imprisonment from 01 year to 05 years:

- a) Organized;

- b) Professional in nature;
 - c) Appropriating health insurance money from VND 100,000,000 to under VND 500,000,000;
 - d) Causing damage from VND 200,000,000 to under VND 500,000,000;
 - d) Using sophisticated and cunning tricks;
 - e) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:
- a) Appropriating health insurance money of VND 500,000,000 or more;
 - b) Causing damage of VND 500,000,000 or more.

4. The offender may also be fined from VND 10,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 216. Crime of evading payment of social insurance, health insurance, unemployment insurance for employees

1. Any person who is obliged to pay social insurance, health insurance, unemployment insurance for employees but commits fraud or other tricks to not pay or not pay fully as prescribed for 06 months or more in one of the following cases, has been administratively sanctioned for this act but still violates, shall be subject to a fine of from 50,000,000 VND to 200,000,000 VND, non-custodial reform for up to 01 year or imprisonment from 03 months to 01 year:

- a) Evading insurance payment from 50,000,000 VND to under 300,000,000 VND;
- b) Evading insurance payment for 10 to less than 50 employees.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 500,000,000 or imprisonment from 06 months to 03 years:

- a) Committing the crime 02 times or more;
- b) Evading insurance payment from 300,000,000 VND to under 1,000,000,000 VND;
- c) Evading insurance payment for 50 to less than 200 people;
- d) Failure to pay the insurance premium collected or deducted from employees as prescribed in Point a or Point b, Clause 1 of this Article.

3. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 1,000,000,000 or imprisonment from 02 to 07 years:

- a) Evading insurance payment of VND 1,000,000,000 or more;
- b) Evading insurance payment for 200 or more people;
- c) Failure to pay the insurance premium collected or deducted from employees as prescribed in Point b or Point c, Clause 2 of this Article.

4. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 200,000,000 to VND 500,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 500,000,000 to VND 1,000,000,000;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000.

Section 3. OTHER CRIMES INFRINGING ON ECONOMIC MANAGEMENT ORDER

Article 217. Crime of violating competition regulations

1. Anyone who directly participates in or commits acts violating competition regulations in one of the following cases, illegally gains profits from VND 500,000,000 to under VND 3,000,000,000 or causes damage to others from VND 1,000,000,000 to under VND 5,000,000,000, shall be subject to a fine of VND 200,000,000 to VND 1,000,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years :

- a) Agreements to prevent or restrain other enterprises from participating in the market or developing business;
- b) Agreement to remove from the market enterprises that are not parties to the agreement;
- c) Agreements restricting competition when the parties to the agreement have a combined market share of 30% or more in the relevant market in one of the following cases: agreement to directly or indirectly fix prices of goods and services; agreement to divide consumption markets, sources of supply of goods and sources of supply of services; agreement to limit or control the quantity

and volume of production, purchase and sale of goods and services; agreement to limit technical and technological development, limit investment; agreement to impose on other enterprises conditions for signing contracts for the purchase and sale of goods and services or to force other enterprises to accept obligations not directly related to the subject of the contract.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 or imprisonment from 01 year to 05 years :

- a) Committing the crime 02 times or more;
- b) Using sophisticated and cunning tricks;
- c) Abuse of dominant market position or market monopoly position;
- d) Illegal profits of VND 5,000,000,000 or more;
- d) Causing damage to others of VND 3,000,000,000 or more.

3. The offender may also be fined from VND 50,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 5,000,000,000 or suspension of operations for a period of from 06 months to 02 years;
- c) Commercial legal entities may also be fined from VND 100,000,000 to VND 500,000,000, banned from doing business or operating in certain fields or banned from raising capital from 01 to 03 years .

Article 218. Crime of violating regulations on property auction activities

1. Anyone who commits one of the following acts, illegally profiting from VND 30,000,000 to under VND 200,000,000 or causing damage to another person from VND 50,000,000 to under VND 300,000,000, shall be subject to a fine of VND 20,000,000 to VND 200,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years:

- a) Making a fake list of people registering to buy auctioned assets;
- b) Creating fake documents or fake records to participate in property auction activities;
- c) Colluding to lower or raise prices in property auction activities.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 1,000,000,000 or imprisonment from 01 year to 05 years:

- a) Organized;
- b) Illegal profits of VND 200,000,000 or more;
- c) Causing damage to others of VND 300,000,000 or more;
- d) Committing the crime 02 times or more;
- d) Using sophisticated, cunning tricks.

3. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 219. Crime of violating regulations on management and use of State assets causing loss and waste

1. Any person who is assigned to manage and use State assets but violates the asset management and use regime, causing loss or waste from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000 but has been disciplined for this act and still violates, shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 12 years:

- a) For personal gain;
- b) Organized;
- c) Using sophisticated and cunning tricks;
- d) Causing property damage from 300,000,000 VND to under 1,000,000,000 VND.

3. Crimes causing property damage of VND 1,000,000,000 or more shall be punished with imprisonment from 10 years to 20 years.

4. The offender may also be banned from holding certain positions or doing certain jobs from 01 to 05 years or have part or all of his/her property confiscated.

Article 220. Crime of violating State regulations on management and use of public investment capital causing serious consequences

1. Anyone who abuses his/her position or power to commit one of the following acts, causing damage from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000 but has been disciplined for this act and still commits the violation, if not falling under the case specified in Article 224 of this Code, shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

- a) Violation of regulations on investment policy decisions;
- b) Violation of regulations on investment policy preparation and appraisal;
- c) Violation of regulations on investment decisions in programs and projects;
- d) Violation of regulations on consulting and designing programs and projects.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 12 years:

- a) For personal gain;
- b) Organized;
- c) Using sophisticated and cunning tricks;
- d) Causing damage from 300,000,000 VND to under 1,000,000,000 VND.

3. Committing a crime causing damage of VND 1,000,000,000 or more shall be punishable by imprisonment from 10 to 20 years.

4. The offender may also be banned from holding certain positions or doing certain jobs from 01 to 05 years or have part or all of his/her property confiscated.

Article 221. Crime of violating State regulations on accounting causing serious consequences

1. Anyone who abuses his/her position or power to commit one of the following acts, causing damage from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000 but has been disciplined for this act and still commits the violation, shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years :

- a) Forging, falsifying, agreeing or forcing others to forge, falsify or erase accounting documents;
- b) Enticing, agreeing or forcing others to provide or confirm false accounting information or data;
- c) Leaving out of the accounting books the assets of the accounting unit or assets related to the accounting unit;
- d) Destroying or intentionally damaging accounting documents before the retention period prescribed by the Law on Accounting ;
- d) Establishing two or more financial accounting systems to exclude assets, capital sources, and expenses of the accounting unit from the accounting books.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 12 years:

- a) For personal gain;
- b) Organized;
- c) Using sophisticated and cunning tricks;
- d) Causing damage from 300,000,000 VND to under 1,000,000,000 VND.

3. Committing a crime causing damage of VND 1,000,000,000 or more shall be punishable by imprisonment from 10 to 20 years.

4. The offender may also be banned from holding certain positions or doing certain jobs from 01 to 05 years or have part or all of his/her property confiscated.

Article 222. Crime of violating bidding regulations causing serious consequences

1. Anyone who commits one of the following acts, causing damage from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000 but has been disciplined for this act and still commits the violation, shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years :

- a) Illegal interference in bidding activities;
- b) Bid rigging;
- c) Fraud in bidding;
- d) Obstructing bidding activities;
- d) Violating the provisions of law on ensuring fairness and transparency in bidding activities;
- e) Organizing contractor selection when the capital source for the bid package has not been determined, leading to the contractor's outstanding debt;
- g) Illegal transfer of contracts.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 12 years:

- a) For personal gain;

- b) Organized;
 - c) Abusing position and power;
 - d) Using sophisticated and cunning tricks;
 - d) Causing damage from 300,000,000 VND to under 1,000,000,000 VND.
3. Committing a crime causing damage of VND 1,000,000,000 or more shall be punishable by imprisonment from 10 to 20 years.
4. The offender may also be banned from holding certain positions or doing certain jobs from 01 to 05 years or have part or all of his/her property confiscated.

Article 223. Crime of colluding with and covering up for taxpayers causing serious consequences

1. Anyone who abuses his/her position or power to commit one of the following acts, causing a loss of tax payable from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000 but has been disciplined for this act and still commits the violation, shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:
- a) Implementing tax exemption, tax reduction, tax debt cancellation, penalty debt cancellation, and tax refund not in accordance with the provisions of the Law on Tax Administration and other provisions of tax law;
 - b) Confirming that the taxpayer's tax obligations are not in accordance with the Law on Tax Administration and other provisions of tax law.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 12 years:
- a) For personal gain;
 - b) Organized;
 - c) Using sophisticated and cunning tricks;
 - d) Causing tax loss from 300,000,000 VND to under 1,000,000,000 VND.
3. Crimes causing tax losses of VND 1,000,000,000 or more shall be punished with imprisonment from 10 years to 20 years.
4. The offender may also be banned from holding certain positions or doing certain jobs from 01 to 05 years or have part or all of his/her property confiscated.

Article 224. Crime of violating regulations on investment in construction works causing serious consequences

1. Anyone who abuses his/her position or power to commit one of the following acts, causing damage from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000 but has been disciplined for this act and still commits the violation, shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:
- a) Decision on construction investment is not in accordance with the provisions of the Construction Law ;
 - b) Establishing, appraising, approving designs, estimates, adjusting estimates, and accepting construction works using State capital contrary to the provisions of the Construction Law ;
 - c) Selecting contractors that do not have sufficient capacity to carry out construction activities;
 - d) Arrangement, collusion to distort the results of project establishment, survey, design, construction supervision, and construction of works.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 12 years:
- a) For personal gain;
 - b) Organized;
 - c) Using sophisticated and cunning tricks;
 - d) Causing damage from 300,000,000 VND to under 1,000,000,000 VND.
3. Committing a crime causing damage of VND 1,000,000,000 or more shall be punishable by imprisonment from 10 to 20 years.
4. The offender may also be banned from holding certain positions or doing certain jobs from 01 to 05 years or have part or all of his/her property confiscated.

Article 225. Crime of infringing copyright and related rights

1. Anyone who, without the permission of the copyright or related rights holder, intentionally commits one of the following acts, infringing upon copyright or related rights protected in Vietnam, illegally profiting from VND 50,000,000 to under VND 300,000,000 or causing damage to the copyright or related rights holder from VND 100,000,000 to under VND 500,000,000 or infringing goods worth from VND 100,000,000 to under VND 500,000,000, shall be subject to a fine of VND 50,000,000 to VND 300,000,000 or non-custodial reform for up to 03 years :
- a) Copying works, audio recordings, video recordings;
 - b) Distribute to the public copies of works, copies of sound recordings, copies of video recordings.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000 or imprisonment from 06 months to 03 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Illegal profits of VND 300,000,000 or more;
- d) Causing damage to copyright and related rights owners of VND 500,000,000 or more;
- d) Infringing goods worth VND 500,000,000 or more.

3. The offender may also be fined from VND 20,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) A commercial legal entity that commits an act specified in Clause 1 of this Article, has been administratively sanctioned for this act or has been convicted of this crime, and has not had its criminal record expunged, but continues to commit the violation, shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000 ;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 or suspension of operations for a period of from 06 months to 02 years;

c) Commercial legal entities may also be fined from VND 100,000,000 to VND 300,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 226. Crime of infringing industrial property rights

1. Anyone who intentionally infringes upon industrial property rights to a trademark or geographical indication protected in Vietnam, illegally profits from VND 100,000,000 to under VND 300,000,000 or causes damage to the owner of the trademark or geographical indication from VND 200,000,000 to under VND 500,000,000 or infringing goods worth from VND 200,000,000 to under VND 500,000,000, shall be subject to a fine of VND 50,000,000 to VND 500,000,000 or non-custodial reform for up to 03 years .

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 1,000,000,000 or imprisonment from 06 months to 03 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Illegal profits of VND 300,000,000 or more;
- d) Causing damage to the owner of a trademark or geographical indication of VND 500,000,000 or more;
- d) Infringing goods worth VND 500,000,000 or more.

3. The offender may also be fined from VND 20,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) A commercial legal entity that commits an act specified in Clause 1 of this Article, has been administratively sanctioned for this act or has been convicted of this crime, and has not had its criminal record expunged, but continues to commit the violation, shall be subject to a fine of from VND 500,000,000 to VND 2,000,000,000 ;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 2,000,000,000 to VND 5,000,000,000 or suspension of operations for a period of from 06 months to 02 years;

c) Commercial legal entities may also be fined from VND 100,000,000 to VND 500,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 227. Crime of violating regulations on research, exploration and exploitation of resources

1. Anyone who violates the State's regulations on research, exploration and exploitation of resources in the mainland, islands, inland waters, territorial waters, exclusive economic zones, continental shelves and airspace of Vietnam without a license or not in accordance with the content of the license in one of the following cases or has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and still commits the violation, shall be subject to a fine of from VND 300,000,000 to VND 1,500,000,000 or imprisonment from 06 months to 03 years :

- a) Illegal profits from research, exploration, exploitation of water resources, oil and gas or other types of minerals from VND 100,000,000 to under VND 500,000,000;
- b) Minerals worth from VND 500,000,000 to under VND 1,000,000,000;
- c) Causing injury or damage to the health of another person with a bodily injury rate of 31% to 60%.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 1,500,000,000 to VND 5,000,000,000 or imprisonment from 02 years to 07 years :

- a) Illegal profits from research, exploration, exploitation of water resources, oil and gas or other types of minerals of VND 500,000,000 or more;
- b) Minerals worth 1,000,000,000 or more;
- c) Organized;
- d) Causing environmental incidents;
- d) Causing injury or damage to the health of 02 people with each person's body injury rate being 61% or more, or causing injury or damage to the health of 04 people with each person's body injury rate being 31% or more;
- e) Causing death.

3. The offender may also be fined from VND 50,000,000 to VND 500,000,000.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) A commercial legal entity that commits an act specified in Clause 1 of this Article, has been administratively sanctioned for this act but still commits the violation, or has been convicted of this crime and has not had its criminal record expunged but still commits the violation, shall be subject to a fine of from VND 1,500,000,000 to VND 3,000,000,000 ;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 7,000,000,000 or suspension of operations for a period of from 06 months to 03 years;
- c) Commercial legal entities may also be fined from VND 100,000,000 to VND 500,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 228. Crime of violating regulations on land use

1. Anyone who encroaches on land, transfers land use rights or uses land in violation of the provisions of law on land management and use, has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and continues to violate, shall be subject to a fine of from VND 50,000,000 to VND 500,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 2,000,000,000 or imprisonment from 02 years to 07 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Dangerous recidivism.

3. The offender may also be fined from VND 10,000,000 to VND 50,000,000.

Article 229. Crime of violating regulations on land management

1. Anyone who takes advantage of or abuses his/her position and power to allocate, recover, lease, permit the transfer of land use rights, or permit the change of land use purpose contrary to the provisions of law in one of the following cases shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Rice-growing land with an area from 5,000 square meters (m^2) to less than 30,000 square meters (m^2); special-use forest land, protective forest land, production forest land with an area from 10,000 square meters (m^2) to less than 50,000 square meters (m^2); other agricultural land and non-agricultural land with an area from 10,000 square meters (m^2) to less than 40,000 square meters (m^2);

- b) Land with land use rights value converted into money from VND 500,000,000 to less than VND 2,000,000,000 for agricultural land or from VND 1,000,000,000 to less than VND 5,000,000,000 for non-agricultural land;

- c) Having been disciplined for this behavior but still violating.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Organized;

- b) Rice-growing land with an area from 30,000 square meters (m^2) to less than 70,000 square meters (m^2); special-use forest land, protective forest land, production forest land with an area from 50,000 square meters (m^2) to less than 100,000 square meters (m^2); other agricultural land and non-agricultural land with an area from 40,000 square meters (m^2) to less than 80,000 square meters (m^2);

c) Land with land use rights value converted into money from VND 2,000,000,000 to less than VND 7,000,000,000 for agricultural land or from VND 5,000,000,000 to less than VND 15,000,000,000 for non-agricultural land;

d) Adversely affecting social security, order and safety.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 12 years:

a) Rice-growing land with an area of 70,000 square meters (m^2) or more; special-use forest land, protective forest land, production forest land with an area of 100,000 square meters (m^2) or more; other agricultural land and non-agricultural land with an area of 80,000 square meters (m^2) or more;

b) Land with land use rights value converted into money of VND 7,000,000,000 or more for agricultural land or VND 15,000,000,000 or more for non-agricultural land.

4. The offender may also be fined from VND 10,000,000 to VND 150,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

Article 230. Crime of violating regulations on compensation, support and resettlement when the State acquires land

1. Anyone who abuses his/her position or power to commit one of the following acts, causing property damage from VND 100,000,000 to under VND 300,000,000 or under VND 100,000,000 but has been disciplined for this act and still commits the violation, shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

a) Violation of legal provisions on land compensation, support and resettlement;

b) Violation of legal provisions on property compensation and business production.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 12 years:

a) For personal gain or other personal motives;

b) Organized;

c) Using sophisticated and cunning tricks;

d) Adversely affecting social security, order and safety;

d) Causing damage from 300,000,000 VND to under 1,000,000,000 VND.

3. Committing a crime causing damage of VND 1,000,000,000 or more shall be punishable by imprisonment from 10 to 20 years.

4. The offender may also be banned from holding certain positions or doing certain jobs from 01 to 05 years or have part or all of his/her property confiscated.

Article 231. Crime of intentionally violating regulations on distribution of relief money and goods

1. Anyone who abuses his/her position or power to intentionally violate regulations on the distribution of relief money and goods, causing damage or loss of relief money and goods from VND 100,000,000 to under VND 300,000,000, shall be subject to a warning, a fine from VND 50,000,000 to VND 200,000,000 or non-custodial reform for up to 02 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 1,000,000,000 or imprisonment from 01 year to 05 years:

a) Organized;

b) Committing the crime 02 times or more;

c) Causing damage or loss of money or relief goods worth VND 300,000,000 or more;

d) Negatively affecting social security, order and safety.

3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 232. Crime of violating regulations on forest exploitation, protection and forest product management

1. Anyone who commits one of the following acts, if not falling under the cases specified in Article 243 of this Code, shall be subject to a fine of from VND 50,000,000 to VND 300,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

a) Illegally exploiting production forests with a volume from 20 cubic meters (m^3) to less than 40 cubic meters (m^3) of wood of common plant species; from 12.5 cubic meters (m^3) to less than 25 cubic meters (m^3) of wood of endangered, precious, rare forest plant species of Group IIA;

b) Illegally exploiting protective forests with a volume from 15 cubic meters (m^3) to less than 30 cubic meters (m^3) of wood of common plant species; from 10 cubic meters (m^3) to less than 20 cubic meters (m^3) of wood of endangered, precious, rare forest

plant species of Group IIA;

- c) Illegally exploiting special-use forests with a volume from 15 cubic meters (m^3) to less than 30 cubic meters (m^3) of wood of common plant species; from 5 cubic meters (m^3) to less than 10 cubic meters (m^3) of wood of endangered, precious, rare forest plant species of Group IIA; plants of Group IIA worth from 50,000,000 VND to less than 100,000,000 VND;
- d) Illegal exploitation of non-timber forest plants worth from VND 100,000,000 to under VND 200,000,000;
- d) Exploiting endangered, rare plants that are prioritized for protection, other plants in Group IA with a value from VND 30,000,000 to under VND 60,000,000 or from 01 cubic meter (m^3) to under 02 cubic meters (m^3) of wood in production forests or from 0.5 cubic meter (m^3) to under 1.5 cubic meter (m^3) in protective forests or from 0.5 cubic meter (m^3) to under 01 cubic meter (m^3) of wood in special-use forests or nature reserves;
- e) Illegally storing, transporting, processing, or trading from 1.5 cubic meters (m^3) to less than 03 cubic meters (m^3) of wood of endangered, precious, and rare species in Group IA or wood originating from foreign countries of species listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora or the List of endangered, precious, and rare species prioritized for protection; from 10 cubic meters (m^3) to less than 20 cubic meters (m^3) of wood of endangered, precious, and rare species in Group IIA or wood originating from foreign countries of species listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora ; from 20 cubic meters (m^3) to less than 40 cubic meters (m^3) of wood of common plant species;
- g) Illegally storing, transporting, processing, or trading other wild plants worth from VND 300,000,000 to under VND 600,000,000;
- h) The illegal object has a mass or value below the lowest level specified in one of points a, b, c, d, dd or e of this clause but has been administratively sanctioned for this act or has been convicted of this crime, has not had the criminal record cleared and still commits the violation.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 1,500,000,000 or imprisonment from 02 years to 07 years :

- a) Illegally exploiting production forests with a volume from 40 cubic meters (m^3) to less than 80 cubic meters (m^3) of wood of common plant species; from 25 cubic meters (m^3) to less than 50 cubic meters (m^3) of wood of endangered, precious, rare plant species of Group IIA;
- b) Illegally exploiting protective forests with a volume from 30 cubic meters (m^3) to less than 60 cubic meters (m^3) of wood of common plant species; from 20 cubic meters (m^3) to less than 40 cubic meters (m^3) of wood of endangered, precious, rare plant species of Group IIA;
- c) Illegally exploiting special-use forests with a volume from 30 cubic meters (m^3) to less than 60 cubic meters (m^3) of wood of common plant species; from 10 cubic meters (m^3) to less than 20 cubic meters (m^3) of wood of endangered, precious, rare plant species of Group IIA;
- d) Illegal exploitation of non-timber forest plants worth from VND 200,000,000 to under VND 400,000,000;
- d) Illegally storing, transporting, processing, or trading from 03 cubic meters (m^3) to less than 06 cubic meters (m^3) of wood of endangered, precious, and rare plants in Group IA or wood originating from foreign countries of plants listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora or the List of endangered, precious, and rare species prioritized for protection; from 20 cubic meters (m^3) to less than 40 cubic meters (m^3) of wood of endangered, precious, and rare plants in Group IIA or wood originating from foreign countries of plants listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora ; from 40 cubic meters (m^3) to less than 80 cubic meters (m^3) of wood of common plants;
- e) Illegally storing, transporting, processing, or trading other wild plants worth from VND 600,000,000 to under VND 1,200,000,000;
- g) Committing a crime across the border or from a duty-free zone into the inland or vice versa;
- h) Organized crime;
- i) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years .

- a) Illegally exploiting in production forests 80 cubic meters (m³) or more of wood of common plant species; 50 cubic meters (m³) or more of wood of endangered, precious, rare plant species of Group IIA;
- b) Illegally exploiting in protective forests 60 cubic meters (m³) or more of wood of common plant species; 40 cubic meters (m³) or more of wood of endangered, precious, rare plant species of Group IIA;
- c) Illegally exploiting in special-use forests 60 cubic meters (m³) or more of wood of common plant species; 20 cubic meters (m³) or more of wood of endangered, precious, rare plant species of Group IIA;
- d) Illegally exploiting other forest plants worth VND 400,000,000 or more;
- d) Illegally storing, transporting, processing, or trading 06 cubic meters (m³) or more of wood from endangered, precious, or rare species of plants in Group IA or wood originating from foreign countries of plant species listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora or the List of endangered, precious, or rare species prioritized for protection; 40 cubic meters (m³) or more of wood from endangered, precious, or rare species of plants in Group IIA or wood originating from foreign countries of plant species listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora ; 80 cubic meters (m³) or more of wood from common plant species;
- e) Illegally storing, transporting, processing, or trading other wild plants worth VND 1,200,000,000 or more.
4. The offender may also be fined from VND 10,000,000 to VND 50,000,000.
5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:
- a) Committing a crime under the provisions of Clause 1 of this Article, having been administratively sanctioned for this act but still committing the violation, except for the case specified in Point g, Clause 1 of this Article, shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000 ;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 or suspension of operations for a period of from 06 months to 03 years ;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 6,000,000,000 or suspension of operations for a period of from 06 months to 03 years ;
- d) Commercial legal entities may also be fined from VND 100,000,000 to VND 500,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 233. Crime of violating regulations on forest management

1. Anyone who takes advantage of or abuses his/her position or power to commit one of the following acts shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Illegally allocating forests, forest land, reclaiming forests, forest land from 20,000 square meters (m²) to less than 25,000 square meters (m²) for production forests; from 15,000 square meters (m²) to less than 20,000 square meters (m²) for protection forests or from 10,000 square meters (m²) to less than 15,000 square meters (m²) for special-use forests, if not falling under the cases specified in Article 229 of this Code ;
- b) Allowing illegal conversion of forest and forest land use purposes from 10,000 square meters (m²) to less than 12,500 square meters (m²) for production forests; from 7,500 square meters (m²) to less than 10,000 square meters (m²) for protection forests or from 5,000 square meters (m²) to less than 7,500 square meters (m²) for special-use forests, if not falling under the cases specified in Article 229 of this Code ;
- c) Allowing illegal exploitation and transportation of forest products in one of the cases specified in Clause 1, Article 232 of this Code ;
- d) Having been disciplined for this behavior but still violating.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Illegally allocating forests and forest land, reclaiming forests and forest land from 25,000 square meters (m²) to less than 40,000 square meters (m²) for production forests; from 20,000 square meters (m²) to less than 30,000 square meters (m²) for protection

forests or from 15,000 square meters (m^2) to less than 25,000 square meters (m^2) for special-use forests;

d) Allowing illegal conversion of forest and forest land use purposes from 12,500 square meters (m^2) to less than 17,000 square meters (m^2) for production forests; from 10,000 square meters (m^2) to 15,000 square meters (m^2) for protection forests or from 7,500 square meters (m^2) to 12,000 square meters (m^2) for special-use forests;

d) Allowing illegal exploitation and transportation of forest products in one of the cases specified in Clause 2, Article 232 of this Code .

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 12 years:

a) Illegally allocating forests, forest land, and reclaiming forests, forest land from 40,000 square meters (m^2) or more for production forests; from 30,000 square meters (m^2) or more for protection forests or from 25,000 square meters (m^2) or more for special-use forests;

b) Allowing illegal conversion of forest and forest land use purposes from 17,000 square meters (m^2) or more for production forests; from 15,000 square meters (m^2) or more for protection forests or from 12,000 square meters (m^2) or more for special-use forests.

4. The offender may also be fined from VND 10,000,000 to VND 100,000,000 or banned from holding certain positions from 01 to 05 years.

Article 234. Crime of violating regulations on management and protection of wild animals

1. Anyone who commits one of the following acts, if not falling under the cases specified in Articles 242 and 244 of this Code, shall be subject to a fine of from VND 50,000,000 to VND 300,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

a) Illegally hunting, killing, raising, confining, transporting, and trading endangered, precious, and rare animals in Group IIB or in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora with a value from VND 300,000,000 to under VND 1,000,000,000; other common wild animals with a value from VND 500,000,000 to under VND 1,500,000,000;

b) Illegally storing , transporting, or trading individuals , body parts, or products of endangered, precious, or rare animals in Group IIB or Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora with a value from VND 300,000,000 to under VND 1,000,000,000 or of other common wild animals with a value from VND 500,000,000 to under VND 1,500,000,000;

c) Committing a crime in the case of animals, body parts or animal products with a value below the level specified in Point a and Point b of this Clause but having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, but still committing the crime.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 1,500,000,000 or imprisonment from 03 to 07 years :

a) Organized;

b) Taking advantage of position, power or taking advantage of the name of an agency or organization;

c) Using prohibited hunting tools or means ;

d) Hunting in prohibited areas or during prohibited times ;

d) Cross-border trading and transportation ;

e) The quantity of endangered and rare animals in Group IIB or in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora worth from VND 1,000,000,000 to under VND 2,000,000,000; common wild animals or parts and products of such animals worth VND 1,500,000,000 or more;

g) Illegal profits from VND 200,000,000 to under VND 500,000,000;

h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years :

a) The quantity of endangered and rare animals in Group IIB or in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora or parts and products of such animals worth VND 2,000,000,000 or more;

b) Illegal profits of VND 500,000,000 or more.

4. The offender may also be fined from VND 50,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 ;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 6,000,000,000 or suspension of operations for a period of from 06 months to 03 years;

d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;

d) Commercial legal entities may also be fined from VND 50,000,000 to VND 200,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Chapter XIX

ENVIRONMENTAL CRIMES

Article 235. Crime of causing environmental pollution

1. Anyone who commits one of the following acts shall be subject to a fine of from VND 100,000,000 to VND 1,000,000,000 or imprisonment from 01 year to 05 years:

a) Burying, filling, dumping, or discharging into the environment hazardous waste or persistent organic substances that must be eliminated according to the provisions of Appendix A of the Stockholm Convention on Persistent Organic Pollutants in violation of the law from 3,000 kilograms to less than 5,000 kilograms;

b) Discharging into the environment from 5,000 cubic meters (m³)/day to less than 10,000 cubic meters (m³)/day of wastewater with hazardous environmental parameters exceeding technical standards on waste by 10 times or more;

c) Discharging wastewater into the environment containing radioactive substances causing environmental contamination exceeding technical standards from 02 to less than 04 times;

d) Discharging into the environment from 5,000 cubic meters (m³)/day to less than 10,000 cubic meters (m³)/day of wastewater with a pH from 0 to less than 2 or from 12.5 to 14;

d) Discharging into the environment from 300,000 cubic meters (m³)/hour to less than 500,000 cubic meters (m³)/hour of dust and exhaust gas exceeding technical standards on waste by 10 times or more;

e) Burying, filling, dumping, or discharging into the environment ordinary solid waste in violation of the law from 200,000 kilograms to less than 500,000 kilograms;

g) Waste containing radioactive substances, causing environmental contamination from radioactive sources of medium danger level according to national technical regulations on radiation safety - grouping and classifying radioactive sources exceeding permitted standards;

h) Discharging radiation and radioactivity into the environment exceeding technical standards or exceeding prescribed limits from 02 to less than 04 times.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 or imprisonment from 03 years to 07 years:

a) Burying, filling, dumping, or discharging into the environment hazardous waste or persistent organic substances that must be eliminated according to the provisions of Appendix A of the Stockholm Convention on Persistent Organic Pollutants contrary to the provisions of law in amounts of 5,000 kilograms or more;

b) Discharging into the environment 10,000 cubic meters (m³)/day or more of wastewater with hazardous environmental parameters exceeding technical standards on waste by 10 times or more;

c) Discharging wastewater into the environment containing radioactive substances causing environmental contamination exceeding technical standards by 4 times or more;

d) Discharging into the environment 10,000 cubic meters (m³)/day or more of wastewater with a pH from 0 to below 2 or from 12.5 to 14;

d) Discharging into the environment 500,000 cubic meters (m³)/hour or more of dust and exhaust gas exceeding technical standards on waste by 10 times or more;

- e) Burying, filling, dumping, or discharging into the environment 500,000 kilograms or more of ordinary solid waste in violation of the law;
- g) Waste containing radioactive substances, causing environmental contamination from radioactive sources with a level of danger above average according to the National Technical Regulation on Radiation Safety - grouping and classifying radioactive sources exceeding the permitted standards;
- h) Discharging radiation and radioactivity into the environment exceeding technical standards or exceeding the prescribed limit by 4 times or more.
3. Anyone who commits one of the following acts, has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged, and continues to commit the violation, shall be subject to a fine of from VND 50,000,000 to VND 500,000,000 or imprisonment from 03 months to 02 years:
- a) Burying, filling, dumping, or discharging into the environment hazardous waste or persistent organic substances that must be eliminated according to the provisions of Appendix A of the Stockholm Convention on Persistent Organic Pollutants in violation of the law from 1,000 kilograms to less than 3,000 kilograms;
- b) Transferring, giving, buying, or selling hazardous waste or organic substances that are difficult to decompose on the list of prohibited uses in violation of the law in amounts of 2,000 kilograms or more;
- c) Discharging into the environment from 1,000 cubic meters (m^3)/day to 10,000 cubic meters (m^3)/day of wastewater with hazardous environmental parameters exceeding technical standards on waste from 05 times to less than 10 times;
- d) Discharging wastewater into the environment containing radioactive substances causing environmental contamination exceeding the permitted technical standards or exceeding the prescribed limit from 01 to less than 02 times;
- d) Discharging into the environment from 1,000 cubic meters (m^3)/day to less than 10,000 cubic meters (m^3)/day of wastewater with a pH from 0 to less than 2 or from 12.5 to 14;
- e) Discharging into the environment from 150,000 cubic meters (m^3)/hour to less than 300,000 cubic meters (m^3)/hour of dust and exhaust gas exceeding technical standards on waste by 10 times or more;
- g) Burying, filling, dumping, or discharging into the environment ordinary solid waste in violation of the law from 100,000 kilograms to 200,000 kilograms;
- h) Waste containing radioactive substances, causing environmental contamination from radioactive sources with a level of danger below average according to national technical regulations on radiation safety - grouping and classifying radioactive sources exceeding the permitted standards;
- i) Discharging radiation and radioactivity into the environment exceeding technical standards or exceeding prescribed limits from 01 to less than 02 times.

4. The offender may also be fined from VND 30,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 5,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 5,000,000,000 to VND 10,000,000,000 or suspension of operations for a period of from 06 months to 03 years;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 500,000,000 to VND 3,000,000,000;
- d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;
- d) Commercial legal entities may also be fined from VND 50,000,000 to VND 500,000,000, banned from doing business, banned from operating in certain fields from 01 year to 03 years.

Article 236. Crime of violating regulations on hazardous waste management

1. Any person with authority who allows the illegal burial, filling, dumping, or discharge of hazardous waste in the list of persistent organic pollutants that must be eliminated according to the provisions of Appendix A of the Stockholm Convention on Persistent Organic Pollutants from 3,000 kilograms to less than 5,000 kilograms; waste containing radioactive substances, causing environmental contamination from radioactive sources with a level of danger below average according to the National Technical Regulation on Radiation Safety - Grouping and Classification of radioactive sources exceeding the permitted standards, shall be subject to a fine of from VND 50,000,000 to VND 200,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 1,000,000,000 or imprisonment from 02 to 05 years:

- a) Hazardous waste in the list of persistent organic pollutants that must be eliminated according to the provisions of Appendix A of the Stockholm Convention on Persistent Organic Pollutants from 5,000 kilograms to less than 10,000 kilograms; waste containing radioactive substances, causing environmental contamination from radioactive sources of medium danger level according to national technical regulations on radiation safety - grouping and classifying radioactive sources exceeding permitted standards;
- b) Organized;
- c) Committing the crime 02 times or more;
- d) Dangerous recidivism.

3. Committing a crime in the case of hazardous waste in the list of persistent organic pollutants that must be eliminated according to the provisions of Appendix A of the Stockholm Convention on Persistent Organic Pollutants of 10,000 kilograms or more; waste containing radioactive substances, causing environmental contamination from radioactive sources with a level of danger above average according to national technical regulations on radiation safety - grouping and classifying radioactive sources exceeding the permitted standards, shall be punished with imprisonment from 05 years to 10 years:

4. The offender may also be fined from VND 10,000,000 to VND 150,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

Article 237. Crime of violating regulations on prevention, response and remediation of environmental incidents

1. Anyone who commits one of the following acts shall be subject to a fine of from VND 50,000,000 to VND 500,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

- a) Violating regulations on environmental incident prevention, causing environmental incidents;
- b) Violating regulations on response and remediation of environmental incidents, causing serious environmental pollution or harm to the health of others with a bodily injury rate of 31% or more or causing damage from VND 1,000,000,000 to less than VND 3,000,000,000.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 2,000,000,000 or imprisonment from 02 to 07 years :

- a) Causing death;
- b) Causing damage from 3,000,000,000 VND to under 7,000,000,000 VND.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 10 years :

- a) Causing the death of two or more people;
- b) Causing property damage of VND 7,000,000,000 or more.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 5,000,000,000;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 5,000,000,000 to VND 10,000,000,000 ;
- d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;
- d) Commercial legal entities may also be fined from VND 100,000,000 to VND 500,000,000, banned from doing business, banned from operating in certain fields from 01 year to 03 years.

Article 238. Crime of violating regulations on protecting the safety of irrigation works, dykes and natural disaster prevention and control; violating regulations on protecting river banks and beaches

1. A person who commits one of the following acts, causing injury or damage to the health of another person with a bodily injury rate of 31% or more or causing damage from VND 100,000,000 to under VND 300,000,000, shall be subject to a fine of VND 50,000,000 to VND 300,000,000, non-custodial reform for up to 03 years or imprisonment from 03 months to 02 years :

- a) Building illegal houses and constructions within the safety protection area of irrigation works, dikes, and natural disaster prevention and control;
- b) Destroying or damaging irrigation works, dykes, natural disaster prevention works, works for protection, exploitation, use, monitoring and supervision of water resources, works for prevention, control and overcoming of consequences of harm caused by water, except for the cases specified in Article 303 of this Code ;
- c) Drilling, digging, surveying, exploiting soil, rock, sand, gravel, minerals , and underground water illegally;

d) Using explosives, causing explosions, causing fires within the protection area of irrigation works, dykes, natural disaster prevention and control works; works for protecting, exploiting, using, monitoring, supervising water resources, works for preventing, combating and overcoming the consequences of damage caused by water, except in cases where there is a license or in emergency cases prescribed by law;

d) Operating reservoirs, inter-reservoirs, flood diversion and flood slowing works not in accordance with permitted procedures and technical standards, except in special cases carried out under the direction of competent persons.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 2,000,000,000 or imprisonment from 02 to 07 years :

a) Organized;

b) Committing the crime 02 times or more;

c) Causing death;

d) Causing damage from 300,000,000 VND to under 1,000,000,000 VND;

d) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 10 years :

a) Causing the death of two or more people;

b) Causing damage of VND 1,000,000,000 or more.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000 and banned from practicing a profession or doing certain jobs from 02 to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 5,000,000,000 ;

d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;

d) Commercial legal entities may also be fined from VND 100,000,000 to VND 500,000,000 and banned from doing business or operating in certain fields for a period of 01 to 03 years.

Article 239. Crime of bringing waste into Vietnamese territory

1. Anyone who commits one of the following acts shall be subject to a fine of from VND 200,000,000 to VND 1,000,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

a) Bringing hazardous waste or organic substances that are difficult to decompose and must be eliminated according to the provisions of Appendix A of the Stockholm Convention from 1,000 kilograms to 3,000 kilograms into the territory of Vietnam;

b) Bringing other waste from 70,000 kilograms to less than 170,000 kilograms into Vietnam territory.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 1,000,000,000 to VND 2,000,000,000 or imprisonment from 02 years to 07 years :

a) Organized;

b) Hazardous waste or organic substances that are difficult to decompose and must be eliminated according to the provisions of Appendix A of the Stockholm Convention with a mass from 3,000 kilograms to less than 5,000 kilograms;

c) Other waste with a mass from 170,000 kilograms to less than 300,000 kilograms.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 10 years :

a) Hazardous waste or organic substances that are difficult to decompose and must be eliminated according to the provisions of Appendix A of the Stockholm Convention with a mass of 5,000 kilograms or more;

b) Other waste with a mass of 300,000 kilograms or more.

4. The offender may also be fined from VND 50,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;

- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 5,000,000,000 or temporary suspension of operations from 06 months to 01 year ;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 5,000,000,000 to VND 7,000,000,000 or suspension of operations for a period of from 06 months to 03 years ;
- d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;
- d) Commercial legal entities may also be fined from VND 100,000,000 to VND 500,000,000, banned from doing business, banned from operating in certain fields from 01 year to 03 years.

Article 240. Crime of spreading dangerous infectious diseases to people

1. Anyone who commits one of the following acts, causing the spread of a dangerous infectious disease to people, shall be subject to a fine of from VND 50,000,000 to VND 200,000,000 or imprisonment from 01 year to 05 years:

- a) Taking out or allowing the taking out of an epidemic area of animals, plants, animal or plant products or other items that are capable of transmitting dangerous epidemics to humans, except in cases where the law provides otherwise;
- b) Bringing into or allowing to be brought into the territory of Vietnam animals, plants or animal or plant products that are infected with diseases or carry dangerous pathogens that can be transmitted to humans;
- c) Other acts that spread dangerous diseases to people.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Leading to the declaration of an epidemic under the authority of the Chairman of the Provincial People's Committee or the Minister of Health;
- b) Causing death.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 12 years:

- a) Leading to the declaration of an epidemic under the authority of the Prime Minister;
- b) Causing the death of two or more people.

4. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 241. Crime of spreading dangerous epidemics to animals and plants

1. Anyone who commits one of the following acts, causing the spread of dangerous diseases to animals or plants, causing property damage from VND 100,000,000 to VND 500,000,000, or has been administratively sanctioned for one of these acts but continues to violate, shall be subject to a fine from VND 50,000,000 to VND 200,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

- a) Bringing into, taking out or allowing to be brought into or taken out of an epidemic area animals, plants, animal products, plants or other items infected with diseases or carrying pathogens, except in cases where the law provides otherwise;
- b) Bringing into or allowing to bring into the territory of Vietnam animals, plants, animal and plant products subject to quarantine without complying with the provisions of law on quarantine;
- c) Other acts that spread dangerous diseases to animals and plants.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 05 years.

- a) Causing property damage from VND 500,000,000 to under VND 1,000,000,000;
- b) Leading to the declaration of an epidemic under the authority of the Chairman of the District People's Committee or the Chairman of the Provincial People's Committee.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Causing property damage of VND 1,000,000,000 or more;
- b) Leading to the declaration of an epidemic under the authority of the Minister of Agriculture and Rural Development.

4. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 242. Crime of destroying aquatic resources

1. Anyone who violates the regulations on aquatic resources protection in one of the following cases, causing damage to aquatic resources from VND 100,000,000 to under VND 500,000,000 or aquatic products worth from VND 50,000,000 to under VND 200,000,000 or has been administratively sanctioned for one of these acts or has been convicted of this crime, has not had his/her criminal record expunged and still commits the violation, shall be subject to a fine from VND 50,000,000 to VND 300,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

- a) Using toxic substances, explosives, other chemicals, electric currents or prohibited means and fishing gear to exploit aquatic resources or destroy aquatic resources;

- b) Fishing in prohibited areas or restricted areas for a limited period of time as prescribed by law;
- c) Exploiting aquatic species prohibited from exploitation according to the provisions of law;
- d) Destroying the habitat of aquatic species listed as endangered, precious, and rare as prescribed by law;
- d) Causing injury or damage to the health of another person with a bodily injury rate of 31% to 61%;
- e) Violation of other regulations on protection of aquatic resources.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000 or imprisonment from 03 to 05 years :

- a) Causing damage to aquatic resources from VND 500,000,000 to under VND 1,500,000,000 or aquatic products harvested worth from VND 200,000,000 to under VND 500,000,000;
- b) Causing injury or damage to the health of 02 people with each person's body injury rate being 61% or more, or causing injury or damage to the health of 04 people with each person's body injury rate being 31% or more;
- c) Causing death.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 10 years :

- a) Causing damage to aquatic resources worth VND 1,500,000,000 or more or aquatic products worth VND 500,000,000 or more;
- b) Causing the death of two or more people.

4. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;
- c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 5,000,000,000 or suspension of operations for a period of from 06 months to 03 years;
- d) Commercial legal entities may also be fined from VND 50,000,000 to VND 200,000,000, banned from doing business, banned from operating in certain fields from 01 to 03 years or banned from raising capital from 01 to 03 years.

Article 243. Crime of forest destruction

1. Anyone who illegally burns or destroys forests or commits other acts of forest destruction in one of the following cases shall be subject to a fine of VND 50,000,000 to VND 500,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years :

- a) Unforested trees or regenerated forests in forests without reserves with an area from over 30,000 square meters (m^2) to under 50,000 square meters (m^2);
- b) Production forests with an area from over 5,000 square meters (m^2) to under 10,000 square meters (m^2);
- c) Protective forests with an area from over 3,000 square meters (m^2) to under 7,000 square meters (m^2);
- d) Special-use forests with an area from over 1,000 square meters (m^2) to under 3,000 square meters (m^2);
- d) Causing damage to forest products worth from over VND 30,000,000 to under VND 60,000,000 for natural production forests; from over VND 50,000,000 to under VND 100,000,000 for planted production forests, protected and regenerated forests in cases where the damaged forest cannot be calculated by the area of burned or destroyed forest or other acts of forest destruction that are not concentrated but scattered in the same or many sub-areas;
- e) The forest area or value of forest products and plants is below the level prescribed in one of points a, b, c, d and dd, Clause 1 of this Article, has been administratively sanctioned for this act but still commits the violation or has been convicted of this crime and has not had the criminal record cleared but still commits the violation.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years :

- a) Organized;
- b) Taking advantage of position, power or taking advantage of the name of an agency or organization;
- c) Dangerous recidivism;

d) Plants that have not yet become forests or regenerated forests of forest type with an area from 50,000 square meters (m^2) to less than 100,000 square meters (m^2);

d) Production forests with an area from 10,000 square meters (m^2) to less than 50,000 square meters (m^2);

e) Protective forests with an area from 7,000 square meters (m^2) to less than 10,000 square meters (m^2);

g) Special-use forests with an area from 3,000 square meters (m^2) to less than 5,000 square meters (m^2);

h) Causing damage to forest products worth from VND 60,000,000 to under VND 120,000,000 for natural production forests; from VND 100,000,000 to under VND 200,000,000 for planted production forests, protected and regenerated forests in cases where the damaged forest cannot be calculated by the area of burned or destroyed forest or other acts of forest destruction that are not concentrated but scattered in the same or many sub-areas;

i) Endangered and rare plants that are prioritized for protection, other plants in Group IA worth from over VND 60,000,000 to under VND 100,000,000; plants in Group IIA worth from VND 100,000,000 to under VND 200,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :

a) Plants that have not yet become forests or regenerated forests of forest type with an area of 100,000 square meters (m^2) or more;

b) Production forests with an area of 50,000 square meters (m^2) or more; c) Protection forests with an area of 10,000 square meters (m^2) or more; d) Special-use forests with an area of 5,000 square meters (m^2) or more;

d) Causing damage to forest products worth VND 120,000,000 or more for natural production forests; VND 200,000,000 or more for planted production forests or protected and regenerated forests in cases where the damaged forest cannot be calculated by the area of burned or destroyed forest or other acts of forest destruction that are not concentrated but scattered in the same or many sub-areas;

e) Endangered and rare plants that are prioritized for protection, other plants in Group IA worth VND 100,000,000 or more; plants in Group IIA worth VND 200,000,000 or more.

4. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 500,000,000 to VND 2,000,000,000;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 2,000,000,000 to VND 5,000,000,000 ;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 5,000,000,000 to VND 7,000,000,000 or suspension of operations for a period of from 06 months to 03 years;

d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;

d) Commercial legal entities may also be fined from VND 50,000,000 to VND 200,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 244. Crime of violating regulations on management and protection of endangered, precious and rare animals

1. Anyone who violates regulations on management and protection of animals on the list of endangered, precious and rare species prioritized for protection; endangered and rare animals in Group IB or in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora , in one of the following cases, shall be subject to a fine of from VND 500,000,000 to VND 2,000,000,000 or imprisonment from 01 year to 05 years:

a) Illegally hunting, killing, raising, confining, transporting, or trading animals on the list of endangered, precious, and rare species prioritized for protection;

b) Illegally storing , transporting, or trading individuals , body parts, or products of animals specified in Point a of this Clause; ivory weighing from 02 kilograms to less than 20 kilograms; rhinoceros horn weighing from 0.05 kilograms to less than 01 kilogram;

c) Illegally hunting, killing, raising, confining, transporting, or trading endangered or rare animals in Group IB or Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora that are not species specified in Point a of this Clause in a quantity of 03 to 07 individuals of the mammal class, 07 to 10 individuals of the bird class, reptile class, or 10 to 15 individuals of other classes of animals ;

d) Illegally storing , transporting, or trading from 03 to 07 inseparable body parts of the same species of mammals, of 07 to 10 individuals of birds, reptiles, or 10 to 15 individuals of other classes of animals belonging to the animal species specified in Point c of this Clause;

d) Illegally hunting, killing, raising, confining, transporting, or trading animals or illegally storing , transporting, or trading inseparable vital body parts of the same species of animals in quantities below the minimum level of points b, c, and d of this clause but having been administratively sanctioned for these acts or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years :

a) Organized;

b) Taking advantage of position, power or taking advantage of the name of an agency or organization;

c) Using prohibited hunting tools or means ;

d) Hunting in prohibited areas or during prohibited times ;

d) Cross-border trading and transportation ;

e) Number of animals in the list of endangered, precious and rare species prioritized for protection or number of inseparable body parts of the same type of mammals , birds , reptiles or 10 to 15 individuals of other classes in the list of endangered, precious and rare species prioritized for protection;

g) The number of endangered and rare animals specified in Point c, Clause 1 of this Article or the number of inseparable vital body parts of the same species of from 08 to 11 individuals of the mammal class, from 11 to 15 individuals of the bird or reptile class, or from 16 to 20 individuals of animals of other classes ;

h) From 01 to 02 elephants , rhinos or inseparable body parts of the same species; from 03 to 05 bears , tigers or inseparable body parts of the same species; elephant tusks weighing from 20 kilograms to less than 90 kilograms; rhino horns weighing from 01 kilogram to less than 09 kilograms;

i) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :

a) The number of animals in the list of endangered, precious and rare species prioritized for protection or the number of inseparable body parts of the same species of 08 or more individuals of the mammal class, 11 or more individuals of the bird class, reptile class, or 16 or more individuals of other classes in the list of endangered, precious and rare species prioritized for protection;

b) The number of endangered and rare animals specified in Point c, Clause 1 of this Article or the number of inseparable vital body parts of the same species of 12 or more individuals of the mammal class, 16 or more individuals of the bird or reptile class, or 21 or more individuals of animals of other classes ;

c) From 03 or more elephants, rhinos or inseparable body parts of the same species; 06 or more bears , tigers or inseparable body parts of the same species; elephant tusks weighing 90 kilograms or more; rhino horns weighing 09 kilograms or more.

4. The offender may also be fined from VND 50,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

5. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 5,000,000,000;

b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 5,000,000,000 to VND 10,000,000,000 ;

c) Committing a crime under the provisions of Clause 3 of this Article shall be subject to a fine of from VND 10,000,000,000 to VND 15,000,000,000 or suspension of operations for a period of from 06 months to 03 years;

d) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;

d) Commercial legal entities may also be fined from VND 300,000,000 to VND 600,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 245. Crime of violating regulations on management of nature reserves

1. Anyone who violates the regulations on management of nature reserves in one of the following cases shall be subject to a fine of from VND 50,000,000 to VND 300,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

a) Causing property damage from VND 50,000,000 to under VND 200,000,000;

b) Causing damage to the landscape and natural ecosystem in the strictly protected subdivision of a nature reserve with a total area from 300 square meters (m²) to less than 500 square meters (m²) ;

c) Having been administratively sanctioned for one of these acts and still committing the violation or having been convicted of this crime and not yet had the criminal record cleared and still committing the violation.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Causing property damage of VND 200,000,000 or more;
- b) Causing damage to the landscape and natural ecosystem in the strictly protected area of a nature reserve with a total area of 500 square meters (m²) or more;
- c) Organized;
- d) Using prohibited tools, means and measures;
- d) Dangerous recidivism.

3. The offender may also be fined from VND 10,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000 or suspension of operations for a period of from 06 months to 03 years;
- c) Committing a crime under the provisions of Article 79 of this Code shall be subject to permanent suspension of operations;
- d) Commercial legal entities may also be fined from VND 50,000,000 to VND 500,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Article 246. Crime of importing and spreading invasive alien species

1. Anyone who commits one of the following acts shall be subject to a fine of from VND 100,000,000 to VND 1,000,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

- a) Illegally importing invasive alien animals or plants or invasive alien animals or plants in cases where the value of the illegal item is from VND 250,000,000 to under VND 500,000,000 or where the value of the illegal item is under VND 250,000,000 but the offender has been administratively sanctioned for this act but still commits the violation;
- b) Dispersing invasive alien animals or plants or alien animals or plants that are at risk of being invasive, causing property damage from VND 150,000,000 to less than VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Organized;
- b) Illegally importing invasive alien animals or plants or invasive alien animals or plants in cases where the value of the illegal item is VND 500,000,000 or more;
- c) Dispersing invasive alien animals and plants or alien animals and plants that are at risk of being invasive, causing property damage of VND 500,000,000 or more;
- d) Dangerous recidivism.

3. The offender may also be fined from VND 50,000,000 to VND 500,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

4. A commercial legal entity committing a crime specified in this Article shall be punished as follows:

- a) Committing a crime under the provisions of Clause 1 of this Article shall be subject to a fine of from VND 1,000,000,000 to VND 3,000,000,000;
- b) Committing a crime under the provisions of Clause 2 of this Article shall be subject to a fine of from VND 3,000,000,000 to VND 5,000,000,000 or suspension of operations for a period of from 06 months to 03 years;
- c) Commercial legal entities may also be fined from VND 100,000,000 to VND 1,000,000,000, banned from doing business, banned from operating in certain fields or banned from raising capital from 01 to 03 years.

Chapter XX

DRUG CRIMES

Article 247. Crime of growing opium poppy, coca, cannabis or other plants containing narcotic substances

1. Anyone who grows opium poppy, coca, cannabis or other plants containing narcotic substances in one of the following cases shall be sentenced to imprisonment from 06 months to 03 years:

- a) Have been educated twice and have had stable living conditions;
- b) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;

c) With quantity from 500 trees to less than 3,000 trees.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

a) Organized;

b) With a quantity of 3,000 trees or more;

c) Dangerous recidivism.

3. The offender may also be fined from VND 5,000,000 to VND 50,000,000.

4. A person who commits a crime under Clause 1 of this Article, but voluntarily destroys and hands over the property to a competent authority before harvesting, may be exempted from criminal liability.

Article 248. Crime of illegal production of narcotic substances

1. Anyone who illegally produces narcotics in any form shall be sentenced to imprisonment from 02 years to 07 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :

a) Organized;

b) Committing the crime 02 times or more;

c) Abusing position and power;

d) Taking advantage of the name of an agency or organization;

e) Opium resin, cannabis resin or coca extract weighing from 500 grams to less than 01 kilogram;

f) Heroin, cocaine or Methamphetamine, Amphetamine, MDMA with a weight from 05 grams to less than 30 grams;

g) Other solid narcotics with a mass from 20 grams to less than 100 grams;

h) Other liquid narcotics with a volume from 100 milliliters to less than 200 milliliters;

i) Dangerous recidivism;

j) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point d to point h of this clause.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years :

a) Professional in nature;

b) Opium resin, cannabis resin or coca extract weighing from 01 kilogram to less than 05 kilograms;

c) Heroin, cocaine or Methamphetamine, Amphetamine, MDMA with a weight from 30 grams to less than 100 grams;

d) Other solid drugs weighing from 100 grams to less than 300 grams;

e) Other liquid narcotics with a volume from 200 milliliters to less than 750 milliliters;

f) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point b to point d of this clause.

4. Committing a crime in one of the following cases shall be punishable by 20 years in prison, life imprisonment or death penalty :

a) Opium resin, cannabis resin or coca extract weighing 5 kilograms or more;

b) Heroin, cocaine or Methamphetamine, Amphetamine, MDMA with a weight of 100 grams or more;

c) Other solid drugs weighing 300 grams or more;

d) Other drugs in liquid form with a volume of 750 milliliters or more;

e) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point d of this clause.

5. The offender may also be fined from VND 5,000,000 to VND 500,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 249. Crime of illegal possession of narcotics

1. Anyone who illegally stores narcotics without the purpose of illegally buying, selling, transporting or producing narcotics in one of the following cases shall be sentenced to imprisonment from 01 year to 05 years :

a) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;

b) Opium resin, cannabis resin or coca extract weighing from 01 gram to less than 500 grams;

c) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a mass from 0.1 gram to less than 05 grams;

- d) Leaves, roots, stems, branches, flowers, fruits of cannabis plants or coca leaves weighing from 10 kilograms to less than 25 kilograms;
- d) Dried opium fruit weighing from 05 kilograms to less than 50 kilograms;
- e) Fresh opium fruit weighing from 01 kilogram to less than 10 kilograms;
- g) Other solid drugs weighing from 01 gram to less than 20 grams;
- h) Other liquid narcotics with a volume from 10 milliliters to less than 100 milliliters;
- i) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point b to point h of this clause.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years :

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Abusing position and power;
- d) Taking advantage of the name of an agency or organization;
- d) Using a person under 16 years old to commit a crime;
- e) Opium resin, cannabis resin or coca extract weighing from 500 grams to less than 01 kilogram;
- g) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight from 05 grams to less than 30 grams;
- h) Leaves, roots, stems, branches, flowers, fruits of cannabis plants or coca leaves weighing from 25 kilograms to less than 75 kilograms;
- i) Dried opium fruit weighing from 50 kilograms to less than 200 kilograms;
- k) Fresh opium fruit weighing from 10 kilograms to less than 50 kilograms;
- l) Other solid narcotics with a mass from 20 grams to less than 100 grams;
- m) Other liquid narcotics with a volume from 100 milliliters to less than 250 milliliters;
- n) Dangerous recidivism;
- o) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point e to point m of this clause.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :

- a) Opium resin, cannabis resin or coca extract weighing from 01 kilogram to less than 05 kilograms;
- b) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight from 30 grams to less than 100 grams;
- c) Leaves, roots, stems, branches, flowers, fruits of cannabis plants or coca leaves weighing from 25 kilograms to less than 75 kilograms;
- d) Dried opium fruit weighing from 200 kilograms to less than 600 kilograms;
- d) Fresh opium fruit weighing from 50 kilograms to less than 150 kilograms;
- e) Other solid drugs weighing from 100 grams to less than 300 grams;
- g) Other liquid narcotics with a volume from 250 milliliters to less than 750 milliliters;
- h) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point g of this clause.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years or life imprisonment :

- a) Opium resin, cannabis resin or coca extract weighing 5 kilograms or more;
- b) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight of 100 grams or more;
- c) Leaves, roots, stems, branches, flowers, fruits of cannabis or coca leaves weighing 75 kilograms or more;
- d) Dried opium fruit weighing 600 kilograms or more;
- d) Fresh opium fruit weighing 150 kilograms or more;
- e) Other solid narcotics weighing 300 grams or more;
- g) Other drugs in liquid form with a volume of 750 milliliters or more;
- h) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point g of this clause.

5. The offender may also be fined from VND 5,000,000 to VND 500,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 250. Crime of illegal transportation of narcotic substances

1. Anyone who illegally transports drugs without the purpose of illegally producing, trading, or storing drugs shall be sentenced to imprisonment from 02 to 07 years :

- a) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;
- b) Opium resin, cannabis resin or coca extract weighing from 01 gram to less than 500 grams;
- c) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a mass from 0.1 gram to less than 05 grams;
- d) Leaves, roots, stems, branches, flowers, fruits of cannabis plants or coca leaves weighing from 10 kilograms to less than 25 kilograms;
- d) Dried opium fruit weighing from 05 kilograms to less than 50 kilograms;
- e) Fresh opium fruit weighing from 01 kilogram to less than 10 kilograms;
- g) Other solid drugs weighing from 01 gram to less than 20 grams;
- h) Other liquid narcotics with a volume from 10 milliliters to less than 100 milliliters;
- i) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point b to point h of this clause.

2. Committing a crime in the following cases shall be punishable by imprisonment from 07 years to 15 years :

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Abusing position and power;
- d) Taking advantage of the name of an agency or organization;
- d) Using a person under 16 years old to commit a crime;
- e) Cross-border transport;
- g) Opium resin, cannabis resin or coca extract weighing from 500 grams to less than 01 kilogram;
- h) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight from 05 grams to less than 30 grams;
- i) Leaves, roots, stems, branches, flowers, fruits of cannabis or coca leaves weighing from 10 kilograms to less than 25 kilograms;
- k) Dried opium fruit weighing from 50 kilograms to less than 200 kilograms;
- l) Fresh opium fruit weighing from 10 kilograms to less than 50 kilograms;
- m) Other solid narcotics with a mass from 20 grams to less than 100 grams;
- n) Other liquid narcotics with a volume from 100 milliliters to less than 250 milliliters;
- o) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point g to point n of this clause;
- p) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years :

- a) Opium resin, cannabis resin or coca extract weighing from 01 kilogram to less than 05 kilograms;
- b) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight from 30 grams to less than 100 grams;
- c) Leaves, roots, stems, branches, flowers, fruits of cannabis plants or coca leaves weighing from 25 kilograms to less than 75 kilograms;
- d) Dried opium fruit weighing from 200 kilograms to less than 600 kilograms;
- d) Fresh opium fruit weighing from 50 kilograms to less than 150 kilograms;
- e) Other solid drugs weighing from 100 grams to less than 300 grams;
- g) Other liquid narcotics with a volume from 250 milliliters to less than 750 milliliters;
- h) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point g of this clause.

4. Committing a crime in one of the following cases shall be punishable by 20 years in prison, life imprisonment or death penalty :

- a) Opium resin, cannabis resin or coca extract weighing 5 kilograms or more;

- b) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight of 100 grams or more;
 - c) Leaves, roots, stems, branches, flowers, fruits of cannabis or coca leaves weighing 75 kilograms or more;
 - d) Dried opium fruit weighing 600 kilograms or more;
 - d) Fresh opium fruit weighing 150 kilograms or more;
 - e) Other solid narcotics weighing 300 grams or more;
 - g) Other drugs in liquid form with a volume of 750 milliliters or more;
 - h) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point g of this clause.
5. The offender may also be fined from VND 5,000,000 to VND 500,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 251. Crime of illegal drug trafficking

1. Anyone who illegally buys and sells drugs shall be sentenced to imprisonment from 02 years to 07 years.
2. Committing a crime in the following cases shall be punishable by imprisonment from 07 years to 15 years :
 - a) Organized;
 - b) Committing the crime 02 times or more;
 - c) Buying and selling with 02 or more people;
 - d) Abusing position and power;
 - d) Taking advantage of the name of an agency or organization;
 - e) Using a person under 16 years old to commit a crime or selling drugs to a person under 16 years old;
 - g) Opium resin, cannabis resin or coca extract weighing from 500 grams to less than 01 kilogram;
 - h) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight from 05 grams to less than 30 grams;
 - i) Leaves, roots, stems, branches, flowers, fruits of cannabis plants or coca leaves weighing from 10 kilograms to less than 25 kilograms;
 - k) Dried opium fruit weighing from 50 kilograms to less than 200 kilograms;
 - l) Fresh opium fruit weighing from 10 kilograms to less than 50 kilograms;
 - m) Other solid narcotics with a mass from 20 grams to less than 100 grams;
 - n) Other liquid narcotics with a volume from 100 milliliters to less than 250 milliliters;
 - o) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point n of this clause;
 - p) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years :
 - d) Dried opium fruit weighing from 200 kilograms to less than 600 kilograms;
 - d) Fresh opium fruit weighing from 50 kilograms to less than 150 kilograms;
 - e) Other solid drugs weighing from 100 grams to less than 300 grams;
 - g) Other liquid narcotics with a volume from 250 milliliters to less than 750 milliliters;
 - h) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point g of this clause.
4. Committing a crime in one of the following cases shall be punishable by 20 years in prison, life imprisonment or death penalty :
 - a) Opium resin, cannabis resin or coca extract weighing 5 kilograms or more;
 - b) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight of 100 grams or more;
 - c) Leaves, roots, stems, branches, flowers, fruits of cannabis or coca leaves weighing 75 kilograms or more;
 - d) Dried opium fruit weighing 600 kilograms or more;
 - d) Fresh opium fruit weighing 150 kilograms or more;
 - e) Other solid narcotics weighing 300 grams or more;
 - g) Other drugs in liquid form with a volume of 750 milliliters or more;

h) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point g of this clause.

5. The offender may also be fined from VND 5,000,000 to VND 500,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 252. Crime of appropriation of narcotic substances

1. Anyone who appropriates narcotics in any form in one of the following cases shall be sentenced to imprisonment from 01 year to 05 years :

- a) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;
- b) Opium resin, cannabis resin or coca extract weighing from 01 gram to less than 500 grams;
- c) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a mass from 0.1 gram to less than 05 grams;
- d) Leaves, roots, stems, branches, flowers, fruits of cannabis plants or coca leaves weighing from 10 kilograms to less than 25 kilograms;
- d) Dried opium fruit weighing from 05 kilograms to less than 50 kilograms;
- e) Fresh opium fruit weighing from 01 kilogram to less than 10 kilograms;
- g) Other solid drugs weighing from 01 gram to less than 20 grams;
- h) Other liquid narcotics with a volume from 10 milliliters to less than 100 milliliters;
- i) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point b to point h of this clause.

2. Committing a crime in the following cases shall be punishable by imprisonment from 05 years to 10 years :

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Abusing position and power;
- d) Taking advantage of the name of an agency or organization;
- d) Using a person under 16 years old to commit a crime;
- e) Opium resin, cannabis resin or coca extract weighing from 500 grams to less than 01 kilogram;
- g) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight from 05 grams to less than 30 grams;
- h) Leaves, roots, stems, branches, flowers, fruits of cannabis plants or coca leaves weighing from 10 kilograms to less than 25 kilograms;
- i) Dried opium fruit weighing from 50 kilograms to less than 200 kilograms;
- k) Fresh opium fruit weighing from 10 kilograms to less than 50 kilograms;
- l) Other solid narcotics with a mass from 20 grams to less than 100 grams;
- m) Other liquid narcotics with a volume from 100 milliliters to less than 250 milliliters;
- n) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point e to point m of this clause;
- o) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :

- d) Dried opium fruit weighing from 200 kilograms to less than 600 kilograms;
- d) Fresh opium fruit weighing from 50 kilograms to less than 150 kilograms;
- e) Other solid drugs weighing from 100 grams to less than 300 grams;
- g) Other liquid narcotics with a volume from 250 milliliters to less than 750 milliliters;
- h) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point g of this clause.

4. Committing a crime in one of the following cases shall be punishable by imprisonment of 15 to 20 years or life imprisonment :

- a) Opium resin, cannabis resin or coca extract weighing 5 kilograms or more;
- b) Heroin, cocaine, Methamphetamine, Amphetamine, MDMA with a weight of 100 grams or more;
- c) Leaves, roots, stems, branches, flowers, fruits of cannabis or coca leaves weighing 75 kilograms or more;

- d) Dried opium fruit weighing 600 kilograms or more;
 - d) Fresh opium fruit weighing 150 kilograms or more;
 - e) Other solid narcotics weighing 300 grams or more;
 - g) Other drugs in liquid form with a volume of 750 milliliters or more;
 - h) Possessing 02 or more narcotic substances, the total quantity of which is equivalent to the quantity of narcotic substances specified in one of the points from point a to point g of this clause.
5. The offender may also be fined from VND 5,000,000 to VND 500,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 253. Crime of storing, transporting, trading or appropriating precursors used in the illegal production of narcotics

1. Anyone who stores, transports, buys, sells or appropriates precursors used in the illegal production of narcotics in one of the following cases shall be sentenced to imprisonment from 01 year to 06 years :

- a) Having been administratively sanctioned for one of these acts or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;
- b) Precursors with a mass from 50 grams to less than 200 grams for solid form, from 75 milliliters to less than 300 milliliters for liquid form.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 06 to 13 years :

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Abusing position and power;
- d) Taking advantage of the name of an agency or organization;
- d) Precursors in solid form with a mass from 200 grams to less than 500 grams;
- e) Liquid precursors from 300 milliliters to less than 750 milliliters;
- g) Using a person under 16 years old to commit a crime;
- h) Transport and trade across borders;
- i) Dangerous recidivism.

3. Committing a crime in the case of precursors with a mass from 500 grams to less than 1,200 grams in solid form, from 750 milliliters to less than 1,850 milliliters in liquid form, shall be punished with imprisonment from 13 years to 20 years .

4. Committing a crime in the case of precursors with a mass of 1,200 grams or more in solid form, or 1,850 milliliters or more in liquid form, shall be punished with 20 years' imprisonment or life imprisonment .

5. In case of a crime involving both solid precursors and liquid precursors, the conversion shall be used as a basis for criminal prosecution, with the ratio of 01 gram of solid precursor equivalent to 1.5 milliliters of liquid precursor. After conversion, the amount of precursor falls under which provision, the person committing the crime shall be prosecuted under that provision .

6. The offender may also be fined from VND 5,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her property confiscated.

Article 254. Crime of manufacturing, storing, transporting or trading in means and tools used for illegal production or use of narcotics

1. Anyone who manufactures, stores, transports or trades in means or tools used for the illegal production or use of narcotics in one of the following cases shall be sentenced to imprisonment from 01 year to 05 years:

- a) Having been administratively sanctioned for one of these acts or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;
- b) There are from 06 to 19 units of tools and means of the same or different types.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Abusing position and power;
- d) Taking advantage of the name of an agency or organization;
- d) Transporting 20 or more units of tools and vehicles of the same or different types;
- e) Cross-border transport ;
- g) Using a person under 16 years old to commit a crime;

h) Dangerous recidivism.

3. The offender may also be fined from VND 5,000,000 to VND 500,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 255. Crime of organizing illegal use of narcotics

1. Anyone who organizes the illegal use of drugs in any form shall be sentenced to imprisonment from 02 years to 07 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Committing the crime 02 times or more;
- b) For 02 people or more;
- c) For people from 13 years old to under 18 years old;
- d) For women who know they are pregnant;
- d) For people undergoing drug rehabilitation;
- e) Causing harm to another person's health with a bodily injury rate of 31% to 60%;
- g) Causing dangerous diseases to others;
- h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years:

- a) Causing harm to another person's health with a bodily injury rate of 61% or more or causing death;
- b) Causing harm to the health of 02 or more people, with the rate of bodily injury of each person from 31% to 60%;
- c) Causing dangerous diseases to 02 or more people;
- d) For people under 13 years old.

4. Committing a crime in one of the following cases shall be punishable by 20 years' imprisonment or life imprisonment:

- a) Causing harm to the health of 02 or more people, with each person's body injury rate being 61% or more;
- b) Causing the death of two or more people.

5. The offender may also be fined from VND 50,000,000 to VND 500,000,000, placed on probation, banned from residence from 01 to 05 years, or have part or all of his/her property confiscated.

Article 256. Crime of harboring illegal use of narcotics

1. Anyone who leases or lends a location or commits any other act of harboring the illegal use of narcotics, if not falling under the cases specified in Article 255 of this Code, shall be subject to imprisonment from 02 to 07 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Abusing position and power;
- b) Committing the crime 02 times or more;
- c) For persons under 16 years of age;
- d) For 02 people or more;
- d) Dangerous recidivism.

3. The offender may also be fined from VND 50,000,000 to VND 200,000,000 or have part or all of his/her property confiscated.

Article 257. Crime of forcing others to illegally use drugs

1. Anyone who uses force, threatens to use force or uses other means to mentally intimidate another person to force them to illegally use drugs against their will shall be sentenced to imprisonment from 02 to 07 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) For base motives or for personal gain;
- d) For people from 13 years old to under 18 years old;
- d) For women who know they are pregnant;
- e) For 02 people or more;
- g) For people undergoing drug rehabilitation;
- h) Causing harm to another person's health with a bodily injury rate of 31% to 60%;

i) Causing dangerous diseases to others;

k) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years:

a) Causing harm to another person's health with a bodily injury rate of 61% or more or causing death;

b) Causing dangerous diseases to 02 or more people;

c) For people under 13 years old.

4. Committing a crime that causes the death of two or more people shall be punishable by 20 years in prison or life imprisonment.

5. The offender may also be fined from VND 5,000,000 to VND 100,000,000.

Article 258. Crime of enticing others to illegally use narcotics

1. Anyone who entices, entices, incites or uses other tricks to entice others to illegally use drugs shall be sentenced to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

a) Organized;

b) Committing the crime 02 times or more;

c) For base motives or for personal gain;

d) For people from 13 years old to under 18 years old;

d) For women who know they are pregnant;

e) For 02 people or more;

g) For people undergoing drug rehabilitation;

h) Causing harm to another person's health with a bodily injury rate of 31% to 60%;

i) Causing dangerous diseases to others;

k) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years:

a) Causing harm to another person's health with a bodily injury rate of 61% or more or causing death;

b) Causing dangerous diseases to 02 or more people;

c) For people under 13 years old.

4. Committing a crime that causes the death of two or more people shall be punishable by imprisonment from 15 to 20 years or life imprisonment.

5. The offender may also be fined from VND 5,000,000 to VND 100,000,000.

Article 259. Crime of violating regulations on management and use of narcotic substances, precursors, addictive drugs and psychotropic drugs

1. Any person who is responsible for the production, transportation, preservation, storage, purchase, sale, distribution, use, processing, exchange, export, import, transit through the territory of Vietnam, prescribing, selling drugs, appraising, researching narcotics, precursors, addictive drugs, psychotropic drugs, and commits one of the following acts, has been disciplined or administratively sanctioned for one of these acts or has been convicted of one of the drug-related crimes, has not had his/her criminal record expunged, and continues to commit the violation, shall be subject to a fine of from VND 10,000,000 to VND 100,000,000 or imprisonment from 01 year to 05 years :

a) Violating regulations on export, import, temporary import, re-export, and transit of substances containing narcotic substances, addictive drugs, psychotropic drugs, and precursors;

b) Violating regulations on research, appraisal, production and preservation of narcotic substances and precursors;

c) Violating regulations on delivery, storage and transportation of drugs and precursors;

d) Violating regulations on distribution, purchase, sale, use and exchange of drugs and precursors;

d) Violating regulations on management, control and storage of drugs and precursors at border gates, border areas and at sea;

e) Transferring narcotics, psychotropic substances or other narcotic substances to persons not permitted to store or use them.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

a) Organized;

b) Committing the crime 02 times or more;

c) Dangerous recidivism.

3. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Chapter XXI

CRIMES AGAINST PUBLIC SAFETY AND PUBLIC ORDER

Section 1. CRIMES AGAINST TRAFFIC SAFETY

Article 260. Crime of violating regulations on road traffic participation

1. Anyone who participates in road traffic and violates road traffic safety regulations in one of the following cases shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Not having a driving license as prescribed;
- b) In a state of using alcohol or beer with the alcohol concentration in the blood or breath exceeding the prescribed level or using drugs or other strong stimulants prohibited by law;
- c) Causing an accident and then fleeing to avoid responsibility or intentionally failing to help the victim;
- d) Failure to comply with the orders of the driver or traffic guide;
- d) Causing the death of 02 people;
- e) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- g) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- h) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. Road traffic participants who violate road traffic safety regulations and cause injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or cause injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be fined from 30,000,000 VND to 100,000,000 VND or be subject to non-custodial reform for up to 03 years.

5. Violating road traffic safety regulations that may actually result in damage to the life, health or property of others if not prevented in time shall be subject to a fine of VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 01 year or imprisonment from 03 months to 01 year.

6. The offender may also be banned from holding a position, practicing a profession or doing certain work from 01 to 05 years.

Article 261. Crime of obstructing road traffic

1. Anyone who illegally digs, drills, cuts, or fills road traffic works; illegally places or leaves materials, waste, garbage, dumping slippery substances, sharp objects, or other obstacles that obstruct road traffic; illegally dismantles, moves, distorts, obscures, or destroys signs, traffic lights, markers, convex mirrors, median strips, or other road traffic safety equipment; illegally opens intersections across roads or roads with median strips; illegally uses curbs, sidewalks, or roadways; illegally uses road safety corridors, or violates traffic safety regulations when constructing on roads in one of the following cases, shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years, or imprisonment from 06 months to 03 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 300,000,000 or imprisonment from 02 to 07 years:

- a) At mountain passes, slopes, highways or dangerous road sections;
 - b) Causing the death of 02 people;
 - c) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
 - d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
 - d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:
- a) Causing the death of 3 or more people;
 - b) Causing injury or damage to the health of 03 or more people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
 - d) Causing property damage of VND 1,500,000,000 or more.
4. People who illegally dig, drill, cut, or fill road traffic works; illegally place or leave materials, waste, garbage, dumping slippery substances, sharp objects, or other obstacles that obstruct road traffic; illegally dismantle, move, distort, obscure, or destroy traffic signs, traffic lights, markers, convex mirrors, median strips, or other road traffic safety equipment; illegally open intersections across roads or roads with median strips; illegally use curbs, sidewalks, or roadways; Illegally using road safety corridors or violating traffic safety regulations when constructing on roads, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of 30,000,000 VND to 100,000,000 VND or non-custodial reform for up to 03 years.
5. Committing a crime in a case where there is a real possibility of causing damage to the life, health or property of others if not prevented in time, shall be subject to a fine of from VND 5,000,000 to VND 20,000,000 or non-custodial reform for up to 01 year.

Article 262. Crime of putting into use road motor vehicles and specialized motorbikes that do not meet technical safety standards to participate in traffic

1. Anyone who is directly responsible for the mobilization or technical condition that allows the use of road motor vehicles or specialized motorbikes that do not meet technical safety standards to participate in traffic in one of the following cases shall be subject to a fine of VND 20,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:
- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a body injury rate of 61% or more;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
 - d) Causing property damage from VND 100,000,000 to under VND 500,000,000.
2. Committing a crime in one of the following cases shall be punished from 03 years to 07 years:
- a) Killed 02 people;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
 - d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:
- a) Causing the death of 3 or more people;
 - b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
 - d) Causing property damage of VND 1,500,000,000 or more.
4. A person directly responsible for the mobilization or technical condition that allows the use of a road motor vehicle or specialized motorbike that does not meet technical safety standards to participate in traffic, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of 20,000,000 VND to 100,000,000 VND or non-custodial reform for up to 03 years.
5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 263. Crime of mobilizing unqualified persons to drive vehicles participating in road traffic

1. A competent person who clearly knows that a person does not have a driver's license, is not healthy or of the right age to drive a vehicle, is under the influence of alcohol or beer with a blood or breath alcohol concentration exceeding the prescribed level, or is using drugs or other strong stimulants, but still mobilizes that person to drive a vehicle participating in road traffic in one of the following cases, shall be subject to a fine of from VND 20,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 01 to 03 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 12 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A competent person who clearly knows that a person does not have a driver's license, is not healthy or of the right age to drive a vehicle, is under the influence of alcohol or beer with an alcohol concentration in the blood or breath exceeding the prescribed level, or is using drugs or other strong stimulants, but still mobilizes that person to drive a vehicle to participate in road traffic, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be fined from 20,000,000 VND to 100,000,000 VND or be subject to non-custodial reform for up to 03 years.

5. The offender may also be fined from VND 10,000,000 to VND 30,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 264. Crime of assigning unqualified persons to drive vehicles participating in road traffic

1. The owner or manager of a road vehicle who entrusts a person without a driving license or a person who is under the influence of alcohol or beer with a blood or breath alcohol concentration exceeding the prescribed level or is using drugs or other strong stimulants or does not meet other conditions prescribed by law to drive a road vehicle in one of the following cases shall be subject to a fine of from VND 10,000,000 to VND 50,000,000 or non-custodial reform for up to 03 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 50,000,000 to VND 200,000,000 or imprisonment from 06 months to 03 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. The owner or manager of a vehicle participating in road traffic who entrusts it to a person without a driving license or a person who is under the influence of alcohol or beer with an alcohol concentration in the blood or breath exceeding the prescribed level or is using drugs or other strong stimulants or does not meet other conditions as prescribed by law, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of these people from 31% to 60%, shall be fined from 10,000,000 VND to 50,000,000 VND or sentenced to non-custodial reform for up to 02 years.

5. Offenders may also be fined from VND 10,000,000 to VND 30,000,000.

Article 265. Crime of organizing illegal racing

1. Anyone who illegally organizes racing of cars, motorbikes or other motorized vehicles shall be subject to a fine of VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment of from 01 year to 05 years.
2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 500,000,000 or imprisonment from 03 to 07 years:
 - a) Organizing illegal car races with 10 or more participating cars or organizing 2 or more car races at the same time;
 - b) Betting organization;
 - c) Organizing opposition to persons responsible for ensuring traffic order and safety or persons responsible for dispersing illegal car races;
 - d) Organizing racing in densely populated areas;
 - d) Remove safety equipment from racing vehicles;
 - e) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
 - g) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - h) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
 - i) Causing property damage from VND 100,000,000 to under VND 500,000,000;
 - k) Recidivism of this crime or illegal racing.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:
 - a) Killed 02 people;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
 - d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000;
 - d) Dangerous recidivism.
4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment:
 - a) Causing the death of 3 or more people;
 - b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
 - d) Causing property damage of VND 1,500,000,000 or more.
5. A person who illegally organizes a race of cars, motorbikes or other motorized vehicles that causes injury or damage to the health of one person with a bodily injury rate of 31% to 60% or causes injury or damage to the health of two or more people with a total bodily injury rate of 31% to 60%, shall be sentenced to imprisonment from 01 year to 06 years.
6. The offender may also be fined from VND 10,000,000 to VND 50,000,000.

Article 266. Crime of illegal racing

1. Anyone who illegally races cars, motorbikes or other motor vehicles in one of the following cases shall be subject to a fine of VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years:
 - a) Causing injury or damage to the health of 01 person with a body injury rate from 31% to 60%;
 - b) Causing injury or damage to the health of 02 or more people, with the total body injury rate of these people from 31% to 60%;
 - c) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation.
2. Committing a crime in one of the following cases shall be subject to a fine of from VND 50,000,000 to VND 150,000,000 or imprisonment from 01 year to 05 years:
 - a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
 - d) Causing property damage from VND 100,000,000 to under VND 500,000,000;
 - d) Causing an accident and then fleeing to avoid responsibility or intentionally failing to help the victim;
 - e) Participate in betting;
 - g) Resisting the person responsible for ensuring traffic order and safety or the person responsible for dispersing illegal car races;

- h) Racing in densely populated areas;
- i) Remove safety equipment from the racing vehicle;
- k) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 years to 15 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

5. The offender may also be fined from VND 10,000,000 to VND 50,000,000.

Article 267. Crime of violating regulations on controlling railway vehicles

1. Anyone who commands or operates a railway vehicle and violates railway traffic safety regulations in one of the following cases shall be subject to a fine of VND 50,000,000 to VND 200,000,000, non-custodial reform for up to 03 years or imprisonment of from 01 year to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) No license, diploma or professional certificate corresponding to the assigned tasks;
- b) In a state of drinking alcohol or beer with the alcohol concentration in the blood or breath exceeding the prescribed level or using drugs or other strong stimulants prohibited by law;
- c) Causing an accident and then fleeing to avoid responsibility or intentionally failing to help the victim;
- d) Failure to comply with the orders of the commander or person with authority to control and maintain order and safety of railway traffic;
- e) Causing the death of 02 people;
- f) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- g) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- h) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 years to 15 years.

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. Committing a crime in a case where there is a real possibility of causing actual consequences causing damage to the life, health or property of others, if not prevented in time, shall be subject to a fine of from VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

5. A person who commands or operates a railway vehicle and violates regulations on railway traffic safety, causing injury or damage to the health of one person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of two or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 3 years or imprisonment of 3 months to 2 years.

6. The offender may also be banned from holding a position, practicing a profession or doing certain work from 01 to 05 years.

Article 268. Crime of obstructing railway traffic

1. Anyone who places obstacles on the railway; displaces rails or sleepers; arbitrarily drills, digs, or illegally cuts the railway bed, opens level crossings, builds culverts or other illegal structures across the railway; damages, changes, moves, or obscures signals, signs, or landmarks of railway traffic works; lets animals cross the railway in violation of regulations or lets animals pull carts across the railway without a driver; illegally brings in self-made vehicles or vehicles not permitted to run on the railway or damages railway vehicles or encroaches on the railway traffic safety corridor or the protection area of railway traffic works, obstructing railway traffic, causing damage in one of the following cases, shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 03 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000;
- d) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years.

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 years to 15 years.

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. People who place obstacles on the railway; move rails or sleepers; arbitrarily drill, dig, or illegally cut the railway bed, open level crossings, build culverts or other illegal constructions across the railway; damage, change, move, or obscure signals, signs, or landmarks of railway traffic works; allow animals to cross the railway not in accordance with regulations or allow animals to pull carts across the railway without a driver; Illegally bringing self-made vehicles or vehicles not allowed to run on railways or destroying railway transport vehicles or encroaching on railway traffic safety corridors or railway traffic works protection areas, obstructing railway traffic, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of 10,000,000 VND to 100,000,000 VND, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

5. Committing a crime in a case where there is a real possibility of causing actual consequences causing damage to the life, health or property of others, if not prevented in time, shall be subject to a fine of from VND 10,000,000 to VND 100,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

Article 269. Crime of putting into use unsafe railway vehicles and equipment

1. Anyone who is directly responsible for the operation or technical condition of a railway vehicle and allows the use of vehicles or equipment without a certificate of registration or inspection, or with one but knows that such vehicles or equipment do not meet technical or safety standards, causing damage in one of the following cases, or has been disciplined for this act but still violates, shall be subject to a fine of from VND 20,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Causing the death of 3 or more people;

- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
 - d) Causing property damage of VND 1,500,000,000 or more.
4. A person directly responsible for the mobilization or technical condition of a railway vehicle that allows the use of vehicles or equipment without a certificate of registration or inspection or with a certificate but knows that such vehicles or equipment do not meet technical or safety standards, causing injury or damage to the health of one person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of two or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of VND 20,000,000 to VND 100,000,000, non-custodial reform for up to 2 years or imprisonment from 3 months to 2 years.
5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 270. Crime of mobilizing unqualified persons to operate railway vehicles

1. Anyone who mobilizes or assigns a person without a train driving license, or a person who is under the influence of alcohol or beer with a blood or breath alcohol concentration exceeding the prescribed level, or who is under the influence of drugs or other strong stimulants, or who does not meet other conditions prescribed by law to drive a railway vehicle causing damage in one of the following cases, or who has been disciplined for this act but still commits the violation, shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years, or imprisonment from 01 year to 05 years:
- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
 - d) Causing property damage from VND 100,000,000 to under VND 500,000,000.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:
- a) Killed 02 people;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
 - d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:
- a) Causing the death of 3 or more people;
 - b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
 - d) Causing property damage of VND 1,500,000,000 or more.
4. A person who mobilizes or assigns a person without a train driving license or a person who is not in good health; a person who is under the influence of alcohol or beer with an alcohol concentration in the blood or breath exceeding the prescribed level or who is under the influence of drugs or other strong stimulants to drive a railway vehicle, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60% or who has been disciplined for this act but still violates, shall be subject to a fine of 30,000,000 VND to 100,000,000 VND, non-custodial reform for up to 03 years or imprisonment from 03 months to 02 years.
5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 271. Crime of assigning unqualified persons to drive railway vehicles

1. Anyone who allows a person without a train driving license or a person who is under the influence of alcohol or beer with a blood or breath alcohol concentration exceeding the prescribed level or is using drugs or other strong stimulants or does not meet other conditions prescribed by law to drive a railway vehicle causing damage in one of the following cases or has been disciplined for this act but still violates, shall be subject to a fine of from 30,000,000 VND to 100,000,000 VND, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:
- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
 - d) Causing property damage from VND 100,000,000 to under VND 500,000,000.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:
- a) Killed 02 people;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 122% to 200%;

d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

a) Causing the death of 3 or more people;

b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;

d) Causing property damage of VND 1,500,000,000 or more.

4. A person who allows a person without a train driving license or a person who is under the influence of alcohol or beer with a blood or breath alcohol concentration exceeding the prescribed level or is under the influence of drugs or other strong stimulants or does not meet other conditions prescribed by law to drive a railway vehicle, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60% or has been disciplined for this act but still violates, shall be subject to a fine of 30,000,000 VND to 100,000,000 VND or non-custodial reform for up to 03 years.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 272. Crime of violating regulations on controlling water transport vehicles

1. Anyone who operates a waterway vehicle and violates regulations on waterway traffic safety, causing damage in one of the following cases, shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;

b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;

d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

a) Not having a degree or professional certificate appropriate to the position and type of vehicle as prescribed;

b) In a state of using alcohol or beer with blood or breath alcohol concentration exceeding the prescribed level or using drugs or other strong stimulants;

c) Causing an accident and then fleeing to avoid responsibility or intentionally failing to help the victim;

d) Failure to comply with the orders of the commander or person with authority to control and maintain order and safety of waterway traffic;

d) Causing the death of 02 people;

e) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;

g) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;

h) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

a) Causing the death of 3 or more people;

b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;

d) Causing property damage of VND 1,500,000,000 or more.

4. Committing a crime in a case where there is a real possibility of causing actual consequences causing damage to the life, health or property of others, if not prevented in time, shall be subject to a fine of from VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

5. A person who operates a waterway vehicle and violates regulations on waterway traffic safety, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of 30,000,000 VND to 100,000,000 VND, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

6. The offender may also be banned from holding a position, practicing a profession or doing certain work from 01 to 05 years.

Article 273. Crime of obstructing waterway traffic

1. Anyone who illegally drills or digs, damaging the structure of waterway traffic works; creates obstacles that obstruct waterway traffic without placing and maintaining signals; moves to reduce the effectiveness and efficiency of signals; dismantles signals or destroys waterway traffic works; encroaches on waterway traffic channels or protection corridors or other acts that obstruct

waterway traffic, causing damage in one of the following cases, shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A person who illegally drills or digs, damaging the structure of waterway traffic works; creates obstacles that obstruct waterway traffic without placing and maintaining signals; moves to reduce the effectiveness and efficiency of signals; dismantles signals or destroys waterway traffic works; encroaches on waterway traffic channels or protection corridors or other acts that obstruct waterway traffic, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causes injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of 10,000,000 VND to 50,000,000 VND, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

5. Committing a crime in a case where there is a real possibility of causing actual consequences causing damage to the life, health or property of others, if not prevented in time, shall be subject to a fine of from VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

Article 274. Crime of putting into use unsafe means of water transport

1. Any person who is directly responsible for the mobilization or technical condition of a waterway vehicle and allows the use of a waterway vehicle that is clearly unsafe and causes damage in one of the following cases, or has been disciplined, administratively sanctioned for this act, or has been convicted of this crime and has not had his/her criminal record expunged, but still commits the violation, shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years, or imprisonment from 01 year to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A person who is directly responsible for the mobilization or technical condition of a waterway vehicle and allows the use of a waterway vehicle that is clearly unsafe, causing injury or damage to the health of one person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of two or more people with a total bodily injury rate of 31% to 60% or has been disciplined, administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and

continues to violate, shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 03 months to 02 years.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 275. Crime of mobilizing unqualified persons to operate water transport vehicles

1. Anyone who mobilizes a person without a license, certificate or professional qualification as prescribed or who does not meet other conditions as prescribed by the law on waterway traffic, causing damage in one of the following cases, or who has been disciplined, administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and still commits the violation, shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A person who mobilizes a person without a license, certificate or professional qualification as prescribed or who does not meet other conditions as prescribed by the law on waterway traffic, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60% or who has been disciplined, administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and still commits the violation, shall be subject to a fine of 30,000,000 VND to 100,000,000 VND, non-custodial reform for up to 03 years or imprisonment from 03 months to 02 years.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 276. Crime of assigning unqualified persons to control water transport vehicles

1. Any person who allows a person who does not have a license, certificate or professional qualification as prescribed or does not meet other conditions as prescribed by law to operate a waterway vehicle causing damage in one of the following cases or has been disciplined, administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and still commits the violation, shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 years to 15 years.

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;

d) Causing property damage of VND 1,500,000,000 or more.

4. A person who allows a person without a license, certificate or professional qualification as prescribed or who does not meet other conditions as prescribed by law to drive a waterway vehicle causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60% or who has been disciplined, administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and still commits the violation, shall be subject to a fine of 30,000,000 VND to 100,000,000 VND or non-custodial reform for up to 03 years.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 277. Crime of violating regulations on aircraft control

1. Anyone who commands or operates an aircraft in violation of air traffic safety regulations, which may actually result in damage to the life, health or property of others, if not promptly prevented, shall be subject to a fine of VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment of from 01 to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 278. Crime of obstructing air traffic

1. Anyone who commits one of the following acts, obstructing air traffic, causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more, or causing injury or damage to the health of 02 people with a bodily injury rate of each person from 31% to 60%, or causing injury or damage to the health of 03 people or more with the total bodily injury rate of these people from 62% to 121%, or causing property damage from 100,000,000 VND to under 500,000,000 VND, or has been disciplined, administratively sanctioned for this act, or has been convicted of this crime, not yet had his/her criminal record cleared, but still commits the violation, shall be subject to a fine from 30,000,000 VND to 100,000,000 VND, and non-custodial reform. detained for up to 03 years or imprisoned from 01 year to 05 years:

- a) Placing obstacles that impede air traffic;
- b) Illegally moving, distorting, obscuring, or destroying air traffic safety signs and signals;
- c) Misuse or interference with communication frequencies;
- d) Intentionally providing false information to the extent of threatening the safety of aircraft in flight or on the ground, the safety of passengers, flight crew, ground staff or people at airports, airfields and civil aviation facilities, equipment and facilities;
- d) Damaging airport equipment or other auxiliary equipment serving flight safety;
- e) Other acts that obstruct air traffic.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000;
- e) Is a person directly responsible for ensuring air traffic safety or directly managing air traffic safety equipment.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 years to 15 years.

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. Persons who place obstacles to obstruct air traffic; illegally move, distort, obscure, or destroy air traffic safety signs and signals; misuse or interfere with communication frequencies; intentionally provide false information to the extent of threatening the safety of aircraft in flight or on the ground; the safety of passengers, flight crew, ground staff or people at airports, airfields and civil aviation facilities, equipment and facilities; Damage to airport equipment or other auxiliary equipment serving flight safety or other acts that obstruct air traffic, causing injury or harm to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or harm to the health of 02 or more people with a total bodily injury rate of 31% to 60% or having been disciplined, administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record cleared and still committing the violation, shall be subject to a fine of 30,000,000 VND to 100,000,000 VND, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

5. Committing a crime that is likely to actually result in damage to the life, health or property of others, if not prevented in time, shall be subject to a fine of VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

6. The offender may also be banned from holding a position, practicing a profession or doing certain work from 01 to 05 years.

Article 279. Crime of putting into use unsafe means of air transport

1. Anyone who is directly responsible for the mobilization or technical condition of air transport vehicles and allows them to be put into use which clearly do not ensure technical safety shall be subject to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 08 years to 15 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

5. A person who is directly responsible for the mobilization or technical condition of air transport vehicles and puts into use vehicles that clearly do not ensure technical safety, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 06 months to 03 years, shall be sentenced to imprisonment from 06 months to 03 years.

6. The offender may also be banned from holding a position, practicing a profession or doing certain work from 01 to 05 years.

Article 280. Crime of mobilizing or assigning unqualified persons to control air vehicles

1. Anyone who mobilizes or assigns a person who does not have a pilot license or does not meet other conditions as prescribed by law to operate an air vehicle shall be subject to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

5. A person who mobilizes or assigns a person without a pilot license or who does not meet other conditions prescribed by law to operate an air vehicle, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 06 months to 03 years, shall be sentenced to imprisonment from 06 months to 03 years.

Article 281. Crime of violating regulations on maintenance, repair and management of traffic works

1. Any person who is responsible for the maintenance, repair, or management of road, railway, waterway, or air traffic works and commits one of the following acts, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of 30,000,000 VND to 100,000,000 VND or non-custodial reform for up to 03 years:

- a) Failure to implement or improper implementation of regulations on maintenance, repair and management so that traffic works do not ensure the technical safety status and technical standards of the works related to ensuring traffic safety;
- b) Failure to promptly repair damaged traffic works that threaten traffic safety;
- c) Failure to implement or improper implementation of traffic guidance and control measures, placement of signs, markers, and barriers to prevent accidents when traffic works have been damaged or are undergoing maintenance or repair;
- d) Failure to regularly check and implement traffic safety measures on dangerous mountain passes, roads with landslides, landslides, flooding, or on roads at risk of not ensuring traffic safety;
- d) Failure to take timely measures to handle and prevent accidents upon discovering or receiving reports that traffic works under one's management authority are damaged;
- e) Not placing or not placing enough protective signals according to regulations for construction and repair of traffic works;
- g) Not cleaning up and disposing of protective signs, barriers, vehicles and materials after construction is completed;
- h) Other violations in maintenance, repair and management of traffic works.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 06 months to 03 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 years to 15 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

5. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 282. Crime of appropriation of aircraft or ships

1. Anyone who uses force, threatens to use force or uses other tricks to seize an aircraft or ship shall be sentenced to imprisonment from 07 years to 15 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years :
 - a) Organized;
 - b) Use of weapons or dangerous means;
 - c) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
 - d) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
 - e) Causing property damage from VND 100,000,000 to under VND 500,000,000;
 - g) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by 20 years in prison or life imprisonment :
 - a) Causing the death of two or more people;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 122% or more;
 - d) Causing property damage of VND 500,000,000 or more.
4. The offender shall also be subject to probation or residence ban from 01 to 05 years .

Article 283. Crime of operating an aircraft in violation of aviation regulations of the Socialist Republic of Vietnam

1. Any person who operates an aircraft into or out of Vietnam in violation of the aviation regulations of the Socialist Republic of Vietnam, except in the cases specified in Articles 110 and 111 of this Code , shall be subject to a fine of from VND 100,000,000 to VND 300,000,000 or imprisonment from 03 months to 03 years.
2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 500,000,000 or imprisonment from 01 year to 05 years:
 - a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
 - d) Causing property damage from VND 100,000,000 to under VND 500,000,000.
3. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 1,500,000,000 or imprisonment from 03 to 07 years:
 - a) Killed 02 people;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
 - d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.
4. Committing a crime in one of the following cases shall be subject to a fine of from VND 1,500,000,000 to VND 3,000,000,000 or imprisonment from 05 years to 12 years:
 - a) Causing the death of 3 or more people;
 - b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
 - d) Causing property damage of VND 1,500,000,000 or more.
5. An aircraft operator entering or leaving Vietnam who violates the aviation regulations of the Socialist Republic of Vietnam, if not falling under the cases specified in Articles 110 and 111 of this Code, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of 100,000,000 VND to 300,000,000 VND or non-custodial reform for up to 03 years.

Article 284. Crime of operating maritime vehicles in violation of maritime regulations of the Socialist Republic of Vietnam

1. A person operating a ship or other maritime vehicle entering or leaving Vietnam or passing through Vietnam's territorial waters and committing one of the following acts, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60% or having been administratively sanctioned for this act but still committing the violation, if not falling under the cases specified in Articles 110 and 111 of this Code , shall be subject to a fine of 50,000,000 VND to 200,000,000 VND or non-custodial reform for up to 03 years:

- a) Driving at a speed exceeding the permitted speed in port waters;
- b) Operating in an area not permitted for operation according to regulations;
- c) Failure to carry out or incompletely carry out procedures for entering and leaving the port, pilotage regime, anchoring, mooring, berthing, side-by-side docking procedures, order and hygiene, fire safety, and prevention of environmental pollution caused by maritime vehicles;
- d) Failure to comply or improper compliance with regulations on passing, avoiding, overtaking, and giving way in maritime traffic activities or maritime vehicles not having or not ensuring horns, bells, and gongs at prescribed volume;
- d) Failure to ensure that the travel lights and signal lights meet the prescribed standards; failure to implement or improper implementation of sound and light signals.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 50,000,000 to VND 200,000,000 or imprisonment from 03 months to 02 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 500,000,000 or imprisonment from 01 year to 03 years.

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 1,500,000,000 or imprisonment from 03 years to 07 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

Section 2. CRIMES IN THE FIELD OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS NETWORKS

Article 285. Crime of manufacturing, trading, exchanging or giving away tools, equipment, and software for illegal purposes

1. Anyone who manufactures, trades, exchanges, or donates tools, equipment, or software with the ability to attack computer networks, telecommunications, or electronic devices for illegal purposes shall be subject to a fine of VND 20,000,000 to VND 100,000,000, non-custodial reform for up to 02 years, or imprisonment of 03 months to 02 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 500,000,000 or imprisonment from 01 year to 05 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Professional in nature;
- d) Illegal profits from 50,000,000 VND to under 500,000,000 VND;
- d) Causing property damage from VND 100,000,000 to under VND 1,000,000,000;
- e) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 1,000,000,000 or imprisonment from 03 to 07 years:

- a) Illegal profits of VND 500,000,000 or more;
- b) Causing property damage of VND 1,000,000,000 or more.

4. The offender may also be fined from VND 5,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her property confiscated.

Article 286. Crime of disseminating computer programs that harm the operation of computer networks, telecommunications networks, and electronic devices

1. Anyone who intentionally distributes a computer program that is harmful to a computer network, telecommunications network, or electronic device in one of the following cases shall be subject to a fine of VND 50,000,000 to VND 200,000,000, non-custodial reform for up to 03 years, or imprisonment of 06 months to 03 years:

- a) Illegal profits from 50,000,000 VND to under 200,000,000 VND;
- b) Causing damage from 50,000,000 VND to under 300,000,000 VND;
- c) Infecting from 50 to less than 200 electronic devices or information systems with from 50 to less than 200 users;
- d) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 500,000,000 or imprisonment from 03 to 07 years:

- a) Organized;
- b) Illegal profits from VND 200,000,000 to under VND 500,000,000;
- c) Causing damage from 300,000,000 VND to under 1,000,000,000 VND;
- d) Infecting from 200 to less than 500 electronic devices or information systems with from 200 to less than 500 users;
- d) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

- a) For data systems containing state secrets; information systems serving national defense and security;
- b) For national information infrastructure; national power grid management information system; financial and banking information system; traffic control information system;
- c) Illegal profits of VND 500,000,000 or more;
- d) Causing damage of VND 1,000,000,000 or more;
- d) Infecting 500 or more electronic devices or information systems with 500 or more users.

4. The offender may also be fined from VND 30,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

Article 287. Crime of obstructing or disrupting the operation of computer networks, telecommunications networks, and electronic devices

1. Anyone who arbitrarily deletes, damages or changes software, electronic data or illegally prevents the transmission of data of computer networks, telecommunications networks, electronic means or commits other acts that hinder or disrupt the operation of computer networks, telecommunications networks, electronic means in one of the following cases, if not falling under the cases specified in Articles 286 and 289 of this Code, shall be subject to a fine of from VND 30,000,000 to VND 200,000,000 or imprisonment from 06 months to 03 years:

- a) Illegal profits from 50,000,000 VND to under 200,000,000 VND;
- b) Causing damage from VND 100,000,000 to under VND 500,000,000;
- c) Paralyzing, interrupting, or stopping the operation of computer networks, telecommunications networks, or electronic devices from 30 minutes to less than 24 hours or from 03 to less than 10 times within 24 hours;
- d) Causing the suspension of the operation of an agency or organization for 24 to less than 72 hours;
- d) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 1,000,000,000 or imprisonment from 03 to 07 years:

- a) Organized;
- b) Abusing the right to manage computer networks and telecommunications networks;
- c) Dangerous recidivism;
- d) Illegal profits from VND 200,000,000 to under VND 1,000,000,000;
- d) Causing damage from VND 500,000,000 to under VND 1,500,000,000;
- e) Paralyzing, interrupting, or stopping the operation of computer networks, telecommunications networks, or electronic devices from 24 to less than 168 hours or from 10 to less than 50 times within 24 hours;
- g) Causing the suspension of the operation of an agency or organization from 72 hours to less than 168 hours.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

- a) For data systems containing state secrets; information systems serving national defense and security;
 - b) For national information infrastructure; national power grid management information system; financial and banking information and transaction systems ; traffic control information systems;
 - c) Illegal profits of VND 1,000,000,000 or more;
 - d) Causing damage of VND 1,500,000,000 or more;
 - d) Paralyzing, interrupting, or stopping the operation of computer networks, telecommunications networks, or electronic devices for 168 hours or more or 50 times or more within 24 hours;
 - e) Causing the suspension of the operation of an agency or organization for 168 hours or more.
4. The offender may also be fined from VND 30,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

Article 288. Crime of illegally providing or using information on computer networks or telecommunications networks

1. Anyone who commits one of the following acts, illegally gains from VND 50,000,000 to under VND 200,000,000 or causes damage from VND 100,000,000 to under VND 500,000,000 or causes bad public opinion that reduces the reputation of an agency, organization or individual, shall be subject to a fine of VND 30,000,000 to VND 200,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Posting information on computer networks or telecommunications networks that is contrary to the provisions of law, if not falling under one of the cases specified in Articles 117, 155 , 156 and 326 of this Code ;
- b) Buying, selling, exchanging, donating, repairing, changing or publicizing legal private information of agencies, organizations or individuals on computer networks or telecommunications networks without the permission of the owner of that information;
- c) Other acts of illegal use of information on computer networks and telecommunications networks.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 1,000,000,000 or imprisonment from 02 years to 07 years:

- a) Organized;
- b) Abusing the right to manage computer networks and telecommunications networks;
- c) Illegal profits of VND 200,000,000 or more;
- d) Causing damage of VND 500,000,000 or more;
- d) Violation of personal privacy leading to suicide of the violated person;
- e) Adversely affecting security, order, social safety or foreign relations of Vietnam;
- g) Leading to protests.

3. The offender may also be fined from VND 20,000,000 to VND 200,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

Article 289. Crime of illegally accessing another person's computer network, telecommunications network or electronic device

1. Anyone who intentionally bypasses warnings, access codes, firewalls, uses other people's administrative rights or by other means illegally accesses another person's computer network, telecommunications network or electronic means to take control; interferes with the functioning of electronic means; steals, changes, destroys, falsifies data or illegally uses services, shall be subject to a fine of from VND 50,000,000 to VND 300,000,000 or imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 300,000,000 to VND 1,000,000,000 or imprisonment from 03 to 07 years:

- a) Organized;
- b) Abusing position and power;
- c) Illegal profits from VND 200,000,000 to under VND 500,000,000;
- d) Causing damage from 300,000,000 VND to under 1,000,000,000 VND;
- d) For national internet exchange stations, domain name database systems and national domain name server systems;
- e) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

- a) For data systems containing state secrets; information systems serving national defense and security;
- b) For national information infrastructure; national power grid management information system; financial and banking information system; traffic control information system;
- c) Illegal profits of VND 500,000,000 or more;

d) Causing damage of VND 1,000,000,000 or more.

4. The offender may also be fined from VND 5,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 290. Crime of using computer networks, telecommunications networks, and electronic means to commit acts of property appropriation

1. Anyone who uses a computer network, telecommunications network or electronic means to commit one of the following acts, if not falling under one of the cases specified in Articles 173 and 174 of this Code, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Using information about accounts and bank cards of agencies, organizations and individuals to appropriate assets of account holders, card holders or to pay for goods and services;
- b) Making, storing, buying, selling, using, or circulating fake bank cards to appropriate property of account holders, cardholders, or to pay for goods and services;
- c) Illegal access to the accounts of agencies, organizations and individuals to appropriate property;
- d) Fraud in e-commerce, e-payment, currency trading, capital mobilization, multi-level marketing or online securities trading to appropriate property;
- d) Establishing and illegally providing telecommunications and internet services to appropriate property.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Professional in nature;
- d) Number of fake cards from 50 cards to less than 200 cards;
- d) Appropriating property worth from VND 50,000,000 to under VND 200,000,000;
- e) Causing damage from VND 50,000,000 to under VND 300,000,000;
- g) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Appropriating property worth from VND 200,000,000 to under VND 500,000,000;
- b) Causing damage from 300,000,000 VND to under 500,000,000 VND;
- c) Number of fake cards from 200 cards to less than 500 cards.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:

- a) Appropriation of property worth VND 500,000,000 or more;
- b) Causing damage of VND 500,000,000 or more;
- c) Number of fake cards 500 cards or more.

5. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 291. Crime of illegally collecting, storing, exchanging, buying, selling, or publicizing information about bank accounts

1. Anyone who illegally collects, stores, exchanges, buys, sells, or publicly discloses information about another person's bank accounts in the number of 20 to less than 50 accounts or illegally gains from VND 20,000,000 to less than VND 50,000,000, shall be subject to a fine of VND 20,000,000 to VND 100,000,000 or non-custodial reform for up to 03 years.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 200,000,000 or imprisonment from 03 months to 02 years:

- a) Illegally collecting, storing, exchanging, buying, selling, or publicizing information about other people's bank accounts in numbers from 50 to less than 200 accounts;
- b) Organized;
- c) Professional in nature;
- d) Illegal profits from VND 50,000,000 to under VND 200,000,000;
- d) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 500,000,000 or imprisonment from 02 years to 07 years:

- a) Illegally collecting, storing, exchanging, buying, selling, or publicizing information about other people's bank accounts with a quantity of 200 accounts or more;
 - b) Illegal profits of VND 200,000,000 or more.
4. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her property confiscated.

Article 292. Crime of providing illegal services on computer networks and telecommunications networks

1. Anyone who provides one of the following services on a computer network or telecommunications network without a license or with content other than that licensed, illegally profiting from VND 50,000,000 to less than VND 200,000,000 or having revenue from VND 500,000,000 to less than VND 2,000,000,000, shall be subject to a fine of VND 200,000,000 to VND 500,000,000 or non-custodial reform for up to 02 years:

- a) Gold trading on account;
- b) E-commerce trading floor;
- c) Multi-level marketing;
- d) Payment intermediary;
- d) Online electronic games;
- e) Other types of services on computer networks and telecommunications networks as prescribed by law.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 500,000,000 to VND 1,500,000,000 or imprisonment from 03 months to 02 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Professional in nature;
- d) Dangerous recidivism;
- d) Illegal profits from VND 200,000,000 to under VND 500,000,000 or revenue from VND 2,000,000,000 to under VND 5,000,000,000.

3. Committing a crime in case of illegal profit of VND 500,000,000 or more or revenue of VND 5,000,000,000 or more, shall be subject to a fine of VND 1,500,000,000 to VND 5,000,000,000 or imprisonment of 02 to 05 years.

4. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 293. Crime of illegal use of radio frequencies reserved for the purposes of emergency, safety, search, rescue, national defense and security

1. Anyone who illegally uses radio frequencies reserved for emergency, safety, search, rescue, national defense, and security purposes for other purposes, causing damage from VND 200,000,000 to under VND 500,000,000, or has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged, and continues to violate, shall be subject to a fine from VND 50,000,000 to VND 100,000,000 or to non-custodial reform for up to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:

- a) Organized;
- b) Causing damage of VND 500,000,000 or more;
- c) Dangerous recidivism.

Article 294. Crime of intentionally causing harmful interference

1. Anyone who intentionally causes harmful interference, obstructs the normal operation of the radio information system, causing damage from VND 200,000,000 to under VND 500,000,000, or has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged, and continues to violate, shall be subject to a fine from VND 50,000,000 to VND 100,000,000 or to non-custodial reform for up to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:

- a) Organized;
- b) Causing damage of VND 500,000,000 or more;
- c) Dangerous recidivism.

Section 3. OTHER CRIMES AGAINST PUBLIC SAFETY

Article 295. Crime of violating regulations on labor safety, labor hygiene, and safety in crowded places

1. Anyone who violates regulations on labor safety, labor hygiene, and safety in crowded places in one of the following cases shall be subject to a fine of VND 20,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000;
- d) Be responsible for occupational safety, occupational hygiene, and safety in crowded places.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A person who violates regulations on labor safety, labor hygiene, or safety in crowded places, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of 20,000,000 VND to 100,000,000 VND, non-custodial reform for up to 02 years, or imprisonment from 03 months to 02 years.

5. Committing a crime that is likely to cause actual damage to the life, health or property of another person, if not prevented in time, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

6. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 296. Crime of violating regulations on employment of workers under 16 years old

1. Anyone who employs a person under 16 years of age to do heavy or dangerous work or to work in contact with toxic substances as listed by the State in one of the following cases shall be subject to a fine of VND 30,000,000 to VND 200,000,000, non-custodial reform for up to 03 years or imprisonment of 06 months to 03 years:

- a) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;
- b) Causing injury or damage to the health of 01 person with a body injury rate from 31% to 60%;
- c) Causing injury or damage to the health of 02 or more people, with the total body injury rate of these people from 31% to 60%.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Committing the crime 02 times or more;
- b) For 02 people or more;
- c) Causing the death of 01 person or causing injury or damage to the health of 01 person with a body injury rate of 61% or more;
- d) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 61% or more.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years.

- a) Causing the death of two or more people;
- b) Causing injury or damage to the health of 02 or more people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 122% or more.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000.

Article 297. Crime of forced labor

1. Anyone who uses force, threatens to use force or other means to force another person to work in one of the following cases shall be subject to a fine of VND 50,000,000 to VND 200,000,000, non-custodial reform for up to 03 years or imprisonment from 06

months to 03 years:

- a) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation;
- b) Causing injury or damage to the health of 01 person with a body injury rate from 31% to 60%;
- c) Causing injury or damage to the health of 02 or more people, with the total body injury rate of these people from 31% to 60%.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Organized;
- b) For 02 people or more;
- c) For people under 16 years old, women known to be pregnant, the elderly, people with severe disabilities or especially severe disabilities;
- d) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- d) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- e) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 61% or more;
- g) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

- a) Causing the death of two or more people;
- b) Causing injury or damage to the health of 02 or more people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 122% or more.

4. The offender may be fined from VND 30,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

Article 298. Crime of violating construction regulations causing serious consequences

1. Anyone who violates construction regulations in the fields of survey, design, construction, use of raw materials, materials, machinery, supervision, acceptance of works or other fields, if not falling under the cases specified in Article 224 or Article 281 of this Code and falling under one of the following cases, shall be subject to a fine of from VND 50,000,000 to VND 500,000,000, non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 62% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Being a person with a position and authority;
- b) Causing the death of 02 people;
- c) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in the following cases shall be punishable by imprisonment from 08 years to 20 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A person who violates construction regulations in the fields of survey, design, construction, use of raw materials, materials, machinery, supervision, acceptance of works or other fields, if not falling under the cases specified in Article 225 or Article 281 of this Code, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of these people from 31% to 60%, shall be subject to a fine of 50,000,000 VND to 200,000,000 VND, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

5. The offender may also be fined from VND 30,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 299. Crime of terrorism

1. Anyone who, with the aim of causing public panic, infringes upon the lives of others or destroys the property of an agency, organization or individual shall be sentenced to imprisonment from 10 to 20 years, life imprisonment or death.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 15 years :
 - a) Establishing or participating in a terrorist organization or an organization that finances terrorism;
 - b) Coercing, enticing, recruiting, training, and coaching terrorists; manufacturing and providing weapons to terrorists;
 - c) Violating personal freedom, health or occupying or damaging property of agencies, organizations or individuals.
3. Committing a crime in case of threatening to perform one of the acts specified in Clause 1 of this Article or having other acts of mental intimidation shall be punished with imprisonment from 02 years to 07 years.
4. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.
5. Offenders may also be deprived of certain civil rights, placed on probation, banned from residence for 01 to 05 years, or have part or all of their property confiscated.

Article 300. Crime of financing terrorism

1. Anyone who mobilizes or supports money or property in any form for terrorist organizations or individuals shall be sentenced to imprisonment from 05 to 10 years.
2. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.
3. The offender may also be subject to probation, residence ban from 01 year to 05 years or confiscation of part or all of his/her property.

Article 301. Crime of hostage taking

1. A person who arrests or holds another person hostage and threatens to kill, injure or continue to detain or hold that person in order to force a country, territory, international organization or agency, organization or individual to do or not do something as a condition for releasing the hostage, if not falling under the cases specified in Article 113 and Article 299 of this Code, shall be sentenced to imprisonment from 01 year to 05 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years :
 - a) Organized;
 - b) Abusing position and power;
 - c) For people under 18 years old, women who know they are pregnant, people 70 years old or older;
 - d) Crime against a person performing official duties;
 - d) For 02 people or more;
 - e) Causing injury or damage to the health of 01 person with a body injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total body injury rate of these people from 31% to 60%;
 - g) Causes mental and behavioral disorders in the victim from 11% to 45%.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 10 years :
 - a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
 - d) Causing property damage from VND 100,000,000 to under VND 500,000,000;
 - d) Causing mental and behavioral disorders of the victim of 46% or more.
4. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :
 - a) Causing the death of two or more people;
 - b) Causing injury or damage to the health of 02 or more people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 122% or more;
 - d) Causing property damage of VND 500,000,000 or more.
5. A person who prepares to commit this crime shall be sentenced to imprisonment from 06 months to 03 years.

Article 302. Crime of piracy

1. Anyone who commits one of the following acts shall be sentenced to imprisonment from 05 years to 10 years:
 - a) Attacking a ship, aircraft or other maritime vehicle on the high seas or in a place outside the jurisdiction of any state;
 - b) Attacking or arresting people on board ships, aircraft or other maritime means specified in Point a of this Clause;

c) Robbery of property on ships, aircraft or other maritime vehicles specified in Point a of this Clause.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :

a) Organized;

b) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;

c) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;

d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;

d) Appropriating property worth from VND 50,000,000 to under VND 300,000,000;

e) Causing property damage from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years :

a) Killed 02 people;

b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;

d) Appropriating property worth from 300,000,000 VND to under 1,000,000,000 VND;

d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be punishable by 20 years in prison or life imprisonment :

a) Causing the death of 3 or more people;

b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;

d) Appropriation of property worth VND 1,000,000,000 or more;

d) Causing property damage of VND 1,500,000,000 or more.

5. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

Article 303. Crime of destroying important works, facilities and means related to national security

1. Anyone who destroys works, facilities or means of transport, information and communication, electricity works, fuel pipelines, irrigation works or other important works related to national defense, security, economy, science - technology, culture and society, if not falling under the cases specified in Article 114 of this Code, shall be sentenced to imprisonment from 03 years to 12 years .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 20 years, life imprisonment :

a) Organized;

b) Causing damage or cessation of operations of important national security works, facilities and means;

c) Causing the death of 3 or more people;

d) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;

d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 200% or more;

e) Causing property damage of VND 1,500,000,000 or more;

g) Adversely affecting the socio-economic situation;

h) Dangerous recidivism.

3. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.

4. The offender may also be subject to probation from 01 to 05 years.

Article 304. Crime of illegally manufacturing, storing, transporting, using, trading or appropriating military weapons and military technical means

1. Anyone who illegally manufactures, stores, transports, uses, trades or appropriates military weapons or military technical equipment shall be sentenced to imprisonment from 01 year to 07 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years :

a) Organized;

b) Illegal items in quantity: from 03 to 10 pistols, rifles, submachine guns; from 01 to 05 other infantry guns such as light machine guns, heavy machine guns, 12.7 mm to 25 mm anti-aircraft machine guns, B40, B41 guns; from 05 to 15 mines, grenades; from 03 to 10 mortar shells, artillery shells; from 300 to 1,000 infantry bullets of 11.43 mm or less; from 200 to 600 anti-aircraft machine gun bullets of 12.7 mm to 25 mm; from 10 kilograms to 30 kilograms of various types of explosives or from 1,000 to 3,000 fuses or detonators; from 3,000 meters to less than 10,000 meters of slow-burning fuses, detonating cords.

c) Transport and trade across borders;

d) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;

d) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;

e) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;

g) Causing property damage from VND 100,000,000 to under VND 500,000,000;

h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :

a) Killed 02 people;

b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;

d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

d) Illegal items in quantity: from 11 to 30 pistols, rifles, submachine guns; from 6 to 20 other infantry guns such as light machine guns, heavy machine guns, 12.7 mm to 25 mm anti-aircraft machine guns, B40, B41 guns; from 16 to 45 mines, grenades; from 11 to 30 mortar shells, artillery shells; from 1,001 to 3,000 infantry bullets of 11.43 mm or less; from 601 to 2,000 anti-aircraft machine gun bullets of 12.7 mm to 25 mm; from over 31 kilograms to 100 kilograms of various types of explosives; from 3,001 to 10,000 fuses or detonators or from 10,000 meters to under 30,000 meters of fuse wire, detonating cord.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years or life imprisonment :

a) Illegal items in quantity: from 31 pistols, rifles, submachine guns or more; from 21 other infantry guns such as medium machine guns, heavy machine guns, anti-aircraft machine guns from 12.7 mm to 25 mm, B40, B41 guns or more; from 46 mines, grenades or more; from 31 mortar shells, artillery shells or more; from 3,001 bullets or more (infantry bullets of 11.43 mm or less); from 2,001 anti-aircraft machine gun bullets or more (bullets of 12.7 mm to 25 mm); from 101 kilograms or more of explosives of all kinds; from 10,001 fuses or detonating tubes or from 30,000 meters or more of slow-burning fuses, detonating cords.

b) Causing the death of 3 or more people;

c) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;

d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;

d) Causing property damage of VND 1,500,000,000 or more.

5. The offender may also be fined from VND 10,000,000 to VND 50,000,000, placed under probation or banned from residence from 01 to 05 years.

Article 305. Crime of illegally manufacturing, storing, transporting, using, trading or appropriating explosives

1. Anyone who illegally manufactures, stores, transports, uses, trades or appropriates explosives shall be subject to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years :

a) Organized;

b) Explosives of all kinds from 10 kilograms to 30 kilograms or from 1,000 to 3,000 detonators or tubes; from 3,000 meters to less than 10,000 meters of slow-burning fuses and detonating cords;

c) Transport and trade across borders;

d) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;

d) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;

e) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;

g) Causing property damage from VND 100,000,000 to under VND 500,000,000;

h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :

a) Explosives of all kinds from over 31 kilograms to 100 kilograms; from 3,001 to 10,000 detonators or blasting tubes or from 10,000 meters to under 30,000 meters of slow-burning fuses or detonating cords;

b) Causing the death of 02 people;

c) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;

d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;

d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years or life imprisonment :

- a) Explosives of all kinds from 101 kilograms or more; from 10,001 fuses or detonating tubes or from 30,000 meters of slow-burning fuses or detonating cords or more;
- b) Causing the death of 3 or more people;
- c) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

5. The offender may also be fined from VND 10,000,000 to VND 50,000,000, placed under probation or banned from residence from 01 to 05 years.

Article 306. Crime of illegally manufacturing, storing, transporting, using, trading or appropriating hunting guns, primitive weapons, sports weapons, support tools and other weapons with similar functions and effects

1. Anyone who illegally manufactures, stores, transports, uses, trades or appropriates hunting guns, primitive weapons, sports weapons, support tools and other weapons with similar features and effects to hunting guns, primitive weapons and sports weapons, has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and commits the same violation, shall be sentenced to imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:

- a) Organized;
- b) Having 11 units of hunting guns, primitive weapons, sports weapons, support tools or weapons not on the list of weapons issued by the Government but having features and effects similar to or higher than military weapons;
- c) Transport and trade across borders;
- d) Causing death to one person or more or causing injury or damage to the health of one person or more with a bodily injury rate of 61% or more;
- d) Causing injury or damage to the health of 02 or more people with a bodily injury rate of 31% to 60% for each person;
- e) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- g) Causing property damage of VND 100,000,000 or more;
- h) Dangerous recidivism.

3. The offender may also be fined from VND 10,000,000 to VND 50,000,000, placed under probation or banned from residence from 01 to 05 years.

Article 307. Crime of violating regulations on management of weapons, explosives and supporting tools

1. Anyone who violates regulations on the management of production, repair, equipment, use, preservation, storage, transportation, purchase and sale of military weapons, hunting guns, sports weapons, explosives, and support tools in one of the following cases shall be sentenced to imprisonment from 01 year to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. Committing the crime of causing injury or damage to the health of 01 person with a body injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with the total body injury rate of these people from 31% to 60%, shall be subject

to a fine of 30,000,000 VND to 100,000,000 VND, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

5. Committing a crime in a case where there is a real possibility of causing damage to the life, health or property of another person if not prevented in time, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

6. The offender may also be banned from holding a position, practicing a profession or doing certain work from 01 to 05 years.

Article 308. Crime of irresponsibility in keeping weapons, explosives, and supporting tools causing serious consequences

1. A person who is assigned military weapons, hunting guns, sports weapons, explosives, or support tools but irresponsibly allows others to use the weapons, explosives, or support tools in one of the following cases shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 10 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A person who is assigned military weapons, hunting guns, sports weapons, explosives, or support tools and irresponsibly allows others to use them, causing injury or damage to the health of one person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of two or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 2 years, or imprisonment from 3 months to 2 years.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 309. Crime of illegally producing, storing, transporting, using, disseminating, trading or appropriating radioactive substances or nuclear materials

1. Anyone who illegally produces, stores, transports, uses, distributes, trades or appropriates radioactive substances or nuclear materials shall be sentenced to imprisonment from 02 to 07 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years:

- a) Organized;
- b) Transport and trade across borders;
- c) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- d) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- e) Causing property damage from VND 100,000,000 to under VND 500,000,000;
- g) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years or life imprisonment:

- a) Causing the death of 3 or more people;

- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
 - d) Causing property damage of VND 1,500,000,000 or more.
5. A person who illegally produces, stores, transports, uses, distributes, trades or appropriates radioactive substances or nuclear materials, causing injury or damage to the health of one person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of two or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 3 years or imprisonment of 6 months to 3 years.
6. The offender may also be fined from VND 5,000,000 to VND 50,000,000, placed under probation or banned from residence from 01 to 05 years.

Article 310. Crime of violating regulations on management of radioactive substances and nuclear materials

1. Anyone who violates regulations on management of production, equipment, use, preservation, storage, transportation, and trading of radioactive substances and nuclear materials in one of the following cases shall be sentenced to imprisonment from 03 to 10 years:
- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
 - d) Causing property damage from VND 100,000,000 to under VND 500,000,000.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:
- a) Killed 02 people;
 - b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
 - d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years:
- a) Causing the death of 3 or more people;
 - b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
 - c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
 - d) Causing property damage of VND 1,500,000,000 or more.
4. A person who violates regulations on management of production, equipment, use, preservation, storage, transportation, and trading of radioactive substances and nuclear materials, causing injury or damage to the health of one person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of two or more people with a total bodily injury rate of 31% to 60%, shall be subject to a fine of VND 30,000,000 to VND 100,000,000 or imprisonment of 01 to 05 years.
5. Committing a crime that is likely to cause actual damage to the life, health or property of another person, if not prevented in time, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.
6. The offender may also be banned from holding a position, practicing a profession or doing certain work from 01 to 05 years.

Article 311. Crime of illegally manufacturing, storing, transporting, using or trading in flammable and toxic substances

1. Anyone who illegally produces, stores, transports, uses, or trades in flammable or toxic substances shall be subject to imprisonment from 01 to 05 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:
- a) Causing injury or damage to the health of 01 person with a body injury rate from 31% to 60%;
 - b) Causing injury or damage to the health of 02 or more people, with the total body injury rate of these people from 31% to 60%.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:
- a) Organized;
 - b) Transport and trade across borders;
 - c) Toxic chemicals in Table 3 of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction;
 - d) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
 - d) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
 - e) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;

g) Causing property damage from VND 100,000,000 to under VND 500,000,000;

h) Dangerous recidivism.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 years to 15 years:

a) Toxic chemicals in Table 2 of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction;

b) Causing the death of 02 people;

c) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;

d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;

d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

5. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years or life imprisonment:

a) Toxic chemicals in Table 1 of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction;

b) Causing the death of 3 or more people;

c) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;

d) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;

d) Causing property damage of VND 1,500,000,000 or more.

6. The offender may also be fined from VND 5,000,000 to VND 50,000,000, placed under probation or banned from residence from 01 to 05 years.

Article 312. Crime of violating regulations on management of flammable and toxic substances

1. Anyone who violates regulations on the management of production, equipment, use, preservation, storage, transportation or sale of flammable or toxic substances in one of the following cases shall be subject to imprisonment from 01 year to 05 years:

a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;

b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;

d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

a) Killed 02 people;

b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;

d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years:

a) Causing the death of 3 or more people;

b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;

d) Causing property damage of VND 1,500,000,000 or more.

4. A person who violates regulations on the management of production, equipment, use, preservation, storage, transportation or sale of flammable or toxic substances, causing injury or damage to the health of 01 person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 31% to 60%, shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 313. Crime of violating regulations on fire prevention and fighting

1. Anyone who violates fire prevention and fighting regulations in one of the following cases shall be subject to non-custodial reform for up to 03 years or imprisonment from 02 to 05 years:

a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;

b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;

c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;

d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 08 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A person who violates fire prevention and fighting regulations and causes injury or damage to the health of 01 person with a body injury rate of 31% to 60% or causes injury or damage to the health of 02 or more people with a total body injury rate of 31% to 60%, shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

5. Committing a crime in a case where there is a real possibility of causing damage to the life, health or property of another person, if not prevented in time, shall be subject to a warning, non-custodial reform for up to 01 year or imprisonment from 03 months to 01 year.

6. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 314. Crime of violating regulations on safety in operation of electrical works

1. A person who commits one of the following acts causing injury or damage to the health of 01 person with a body injury rate of 31% to 60%; causing injury or damage to the health of 02 or more people with a total body injury rate of 31% to 60% or causing property damage from 100,000,000 VND to under 500,000,000 VND or has been disciplined or administratively sanctioned for this act but still commits the violation, shall be subject to a fine of 20,000,000 VND to 100,000,000 VND, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Allowing the construction of houses or works or arbitrarily constructing houses or works within the safety corridor of electrical works;
- b) Causing explosions, fires, burning forests for farming, or knocking down trees that affect the safe operation of electrical works;
- c) Digging holes, driving piles, and building houses on the protection corridor of underground power cables;
- d) Anchoring ships and boats in the protection corridor of underground power cables located on riverbeds or seabeds that have been announced or have signs;
- d) Installing electrical equipment or constructing electrical lines that do not ensure safety.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 100,000,000 to VND 300,000,000 or imprisonment from 02 to 07 years:

- a) Causing death;
- b) Causing injury or damage to the health of 01 person with a body injury rate of 61% or more or causing injury or damage to the health of 02 or more people with the total body injury rate of these people from 61% to 121%;
- c) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Causing the death of two or more people;
- b) Causing injury or damage to the health of 02 or more people with a bodily injury rate of 61% or more for each person, or causing injury or damage to the health of 02 or more people with a total bodily injury rate of 122% or more;
- c) Causing property damage of VND 1,500,000,000 or more.

4. Committing a crime in a case where there is a real possibility of causing damage to the life, health or property of others if not prevented in time, shall be subject to a fine of VND 20,000,000 to VND 100,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

5. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 315. Crime of violating regulations on medical examination, treatment, production, preparation of drugs, dispensing of drugs, sale of drugs or other medical services

1. Any person who violates the regulations on medical examination, treatment, production, preparation, dispensing, sale of drugs or other medical services, if not falling under the cases specified in Article 259 of this Code, falls under one of the following cases or

has been disciplined, administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and still commits the violation, shall be sentenced to imprisonment from 01 year to 05 years:

- a) Causing death to 01 person or causing damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing harm to the health of 02 people with the rate of bodily injury of each person from 31% to 60%;
- c) Causing harm to the health of 03 or more people, the total rate of bodily injury of these people is 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Killed 02 people;
- b) Causing harm to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing harm to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 years to 15 years.

- a) Causing the death of 3 or more people;
- b) Causing harm to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing harm to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A person who violates the regulations on medical examination, treatment, production, preparation, dispensing, sale of drugs or other medical services, if not falling under the cases specified in Article 259 of this Code, causing harm to the health of 01 person with a bodily injury rate of 31% to 60% or causing harm to the health of 02 or more people with the total bodily injury rate of these people from 31% to 60% or has been disciplined, administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and still commits the violation, shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

5. The offender may also be fined from VND 10,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 316. Crime of illegal abortion

1. A person who illegally performs an abortion on another person in one of the following cases shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 03 years :

- a) Causing death to 01 person or causing damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing harm to the health of 02 people with the rate of bodily injury of each person from 31% to 60%;
- c) Causing harm to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Having been disciplined, administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record cleared, and still committing the violation.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years :

- a) Killed 02 people;
- b) Causing harm to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing harm to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :

- a) Causing the death of 3 or more people;
- b) Causing harm to the health of 03 people with a bodily injury rate of 61% or more for each person;
- c) Causing harm to the health of 03 or more people, with the total body injury rate of these people being 201% or more.

4. The offender may also be fined from VND 5,000,000 to VND 50,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 317. Crime of violating regulations on food hygiene and safety

1. Anyone who commits one of the following acts in violation of food safety regulations shall be subject to a fine of from VND 50,000,000 to VND 200,000,000 or imprisonment from 01 year to 05 years:

- a) Using prohibited substances in the production, preliminary processing, processing, preservation of food or selling or supplying food knowing that the food contains prohibited substances;
- b) Using chemicals, antibiotics, veterinary drugs, and pesticides banned from use in cultivation, animal husbandry, aquaculture, salt production, preliminary processing, processing, and preservation of agricultural, forestry, fishery products, and salt that create

residues exceeding the permissible threshold in products;

c) Using chemicals, antibiotics, veterinary drugs, pesticides, environmental treatment agents that are not on the list of permitted substances or of unknown origin or not in accordance with regulations in the production, preliminary processing, processing, and preservation of food in cultivation, animal husbandry, aquaculture, and salt production, creating residues exceeding the permitted threshold in the product or having been administratively sanctioned for one of the acts in this point or point a of this clause but still violating;

d) Processing, supplying or selling food that is known to not meet technical standards or food safety regulations; using chemicals, additives or processing aids not on the permitted list or of unknown origin in the production, preliminary processing, processing or preservation of food: causing harm to the health of 01 person with a body injury rate of 31% to 60% or causing harm to the health of 02 or more people with a total body injury rate of these people from 31% to 60% or illegal profits from 50,000,000 VND to 100,000,000 VND.

2. Committing a crime in one of the following cases shall be subject to a fine of from VND 200,000,000 to VND 500,000,000 or imprisonment from 03 to 07 years:

a) Organized crime;

b) Causing death to 01 person or causing damage to the health of 01 person with a body injury rate of 61% or more;

c) Causing harm to the health of 02 people with the rate of bodily injury of each person from 31% to 60%;

d) Causing harm to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%.

d) Illegal profits from VND 100,000,000 to under VND 500,000,000;

e) Committing the crime 02 times or more;

g) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

a) Killed 02 people;

b) Causing harm to the health of 02 people with a bodily injury rate of 61% or more for each person;

c) Causing harm to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;

d) Illegal profits from 500,000,000 VND to under 1,000,000,000 VND.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:

a) Causing the death of 3 or more people;

b) Causing harm to the health of 03 people or more with each person's body injury rate of 61% or more;

c) Causing harm to the health of 03 or more people, with the total body injury rate of these people being 201% or more;

d) Illegal profits of VND 1,000,000,000 or more.

5. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Section 4. OTHER CRIMES AGAINST PUBLIC ORDER

Article 318. Crime of disturbing public order

1. Anyone who causes public disorder that negatively affects social security, order, or safety, or has been administratively sanctioned for this act or has been convicted of this crime, but has not had his/her criminal record expunged, but still commits the violation, shall be subject to a fine of VND 5,000,000 to VND 50,000,000, non-custodial reform for up to 02 years, or imprisonment of from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

a) Organized;

b) Using weapons, dangerous weapons or committing acts of vandalism;

c) Seriously obstructing traffic or causing disruption to public activities;

d) Inciting others to cause trouble;

d) Assaulting people who intervene to protect public order;

e) Dangerous recidivism.

Article 319. Crime of violating corpses, graves and remains

1. Anyone who digs or destroys graves, appropriates objects in or on graves, or commits other acts of violating corpses, graves, or remains, shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Adversely affecting social security, order and safety;
- b) Appropriating or destroying objects of historical or cultural value;
- c) For base motives;
- d) Appropriation of body parts and remains.

Article 320. Crime of practicing superstition

1. Anyone who uses fortune telling, mediumship or other forms of superstition and has been administratively sanctioned for this act or has been convicted of this crime and has not had his/her criminal record expunged but continues to commit the violation shall be subject to a fine of VND 10,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment of 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Causing death;
- b) Illegal profits of VND 200,000,000 or more;
- c) Adversely affecting social security, order and safety.

3. The offender may also be fined from VND 10,000,000 to VND 50,000,000.

Article 321. Crime of gambling

1. Anyone who illegally gambles in any form, wins or loses in money or in kind worth from VND 5,000,000 to under VND 50,000,000 or under VND 5,000,000, has been administratively sanctioned for this act or the act specified in Article 322 of this Code or has been convicted of this crime or the crime specified in Article 322 of this Code, has not had his/her criminal record expunged and continues to commit the violation, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Professional in nature;
- b) Money or objects used for gambling worth VND 50,000,000 or more;
- c) Using the internet, computer networks, telecommunications networks, and electronic means to commit crimes;
- d) Dangerous recidivism.

3. The offender may also be fined from VND 10,000,000 to VND 50,000,000.

Article 322. Crime of organizing gambling or gambling

1. Anyone who organizes illegal gambling or gambling in one of the following cases shall be subject to a fine of 50,000,000 VND to 300,000,000 VND or imprisonment of 01 to 05 years :

- a) Organizing and using a location under one's ownership or management to allow 10 or more people to gamble at the same time or for 2 or more gambling tables with the amount of money or objects used for gambling worth 5,000,000 VND or more;
- b) The total amount of money or objects used for gambling in one time has a value of VND 20,000,000 or more;
- c) Organizing a place to pawn assets for gamblers; installing equipment for gambling; assigning guards and attendants, arranging escape routes when surrounded and arrested, and using means to assist in gambling;
- d) Having been administratively sanctioned for this act or the act specified in Article 321 of this Code or having been convicted of this crime or the crime specified in Article 321 of this Code , not having had the criminal record cleared but still committing the violation.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years :

- a) Professional in nature;
- b) Illegal profits of VND 50,000,000 or more;
- c) Dangerous recidivism.

3. The offender may also be fined from VND 20,000,000 to VND 100,000,000 or have part or all of his/her property confiscated.

Article 323. Crime of harboring or consuming property obtained through another person's crime

1. Anyone who, without prior promise, harbors or consumes property knowingly obtained by another person through criminal activity, shall be subject to a fine of VND 10,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment of from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Organized;
- b) Professional in nature;
- c) Illegal assets and objects worth from VND 100,000,000 to under VND 300,000,000;

- d) Illegal profits from VND 20,000,000 to under VND 100,000,000;
 - d) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 10 years:
- a) Illegal assets and objects worth from 300,000,000 VND to under 1,000,000,000 VND;
 - b) Illegal profits from 100,000,000 VND to under 300,000,000 VND.
4. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years:
- a) Illegal assets and objects worth VND 1,000,000,000 or more;
 - b) Illegal profits of 300,000,000 VND or more.
5. The offender may also be fined from VND 5,000,000 to VND 50,000,000 or have part or all of his/her property confiscated.

Article 324. Crime of money laundering

1. Anyone who commits one of the following acts shall be sentenced to imprisonment from 01 year to 05 years:
- a) Directly or indirectly participating in financial, banking or other transactions to conceal the illegal origin of money or property obtained through one's own crime or knowing or having grounds to know that it was obtained through another's crime;
 - b) Using money or property obtained through one's own crime or knowing or having grounds to know that it was obtained through another's crime to conduct business or other activities;
 - c) Concealing information about the origin, true nature, location, movement or ownership of money or property obtained through one's own crime or knowing or having grounds to know that it was obtained through another's crime or obstructing the verification of such information;
 - d) Committing one of the acts specified in points a, b and c of this clause with respect to money or property known to be obtained from the transfer, assignment or conversion of money or property obtained by another person through the commission of a crime.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:
- a) Organized;
 - b) Abusing position and power;
 - c) Committing the crime 02 times or more;
 - d) Professional in nature;
 - d) Using sophisticated and cunning tricks;
 - e) Criminal money and property worth from VND 200,000,000 to under VND 500,000,000;
 - g) Illegal profits from VND 50,000,000 to under VND 100,000,000;
 - h) Dangerous recidivism.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years:
- a) Criminal money and property worth 500,000,000 VND or more;
 - b) Illegal profits of VND 100,000,000 or more;
 - c) Adversely affecting the safety of the national financial and monetary system.
4. A person who prepares to commit this crime shall be sentenced to imprisonment from 01 year to 05 years.
5. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years, or have part or all of his/her assets confiscated.

Article 325. Crime of enticing, forcing or harboring a person under 18 years of age to commit a crime

1. Any person who is 18 years of age and commits one of the following acts against a person under 18 years of age shall be sentenced to imprisonment from 01 year to 05 years:
- a) Enticing, seducing, enticing, bribing, inciting, or instigating people under 18 years of age to commit crimes or live a depraved life;
 - b) Threatening, intimidating, using force or other acts to force a person under 18 years of age to commit a crime;
 - c) Harboring people under 18 years of age to commit illegal activities.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:
- a) Organized;
 - b) Enticing, seducing, enticing, bribing, inciting, instigating, threatening, intimidating, forcing, or harboring many people;
 - c) For persons under 13 years of age;

d) Enticing, seducing, enticing, bribing, inciting, instigating, threatening, intimidating, forcing, or harboring a person under 18 years of age to commit a very serious crime or an especially serious crime;

d) Dangerous recidivism.

3. The offender may also be fined from VND 10,000,000 to VND 100,000,000. The offender falling under the case specified in Point d, Clause 2 of this Article may also be subject to probation from 01 year to 05 years.

Article 326. Crime of disseminating obscene cultural products

1. Anyone who makes, copies, circulates, transports, sells, or stores for the purpose of disseminating books, newspapers, paintings, photos, films, music, or other items with obscene or pornographic content, or otherwise disseminates obscene items in one of the following cases, shall be subject to a fine of VND 10,000,000 to VND 100,000,000, non-custodial reform for up to 03 years, or imprisonment from 06 months to 03 years :

a) Digitized data with a capacity from 01 gigabyte (GB) to less than 05 gigabytes (GB);

b) Printed books and newspapers with quantity from 50 to 100 units;

c) Paper copies have a quantity of 100 to 200 photos;

d) Disseminate to 10 to 20 people;

d) Having been administratively sanctioned for this act or having been convicted of this crime, not having had the criminal record expunged, and still committing the violation.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years :

a) Organized;

b) Digitized data with a capacity from 05 gigabytes (GB) to less than 10 gigabytes (GB);

c) Printed books and newspapers with quantity from 51 to 100 units;

d) Paper copies have a quantity from 201 to 500 photos;

d) Dissemination to 21 to 100 people;

e) For persons under 18 years of age;

g) Using the internet, computer networks, telecommunications networks, and electronic means to commit crimes;

h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years :

a) Digitized data with a capacity of 10 gigabytes (GB) or more;

b) Printed books and newspapers with a quantity of 101 units or more;

c) Paper copies of 501 or more photos;

d) Disseminate to 101 or more people.

4. The offender may also be fined from VND 5,000,000 to VND 30,000,000 and banned from practicing a profession or doing certain jobs from 01 to 05 years.

Article 327. Crime of prostitution

1. Anyone who harbors prostitution shall be sentenced to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

a) Organized;

b) Forced prostitution;

c) Committing the crime 02 times or more;

d) Prostitution of 04 people or more;

d) For people from 16 years old to under 18 years old;

e) Causing mental and behavioral disorders in prostitutes from 11% to 45% ;

g) Illegal profits from VND 50,000,000 to under VND 200,000,000;

h) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years:

a) For people from 13 years old to under 16 years old;

b) Illegal profits from VND 200,000,000 to under VND 500,000,000;

c) Causing mental and behavioral disorders in prostitutes of 46% or more .

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years or life imprisonment:

- a) For 02 or more people from 13 years old to under 16 years old;
- b) Illegal profits of VND 500,000,000 or more;
- c) Forcing prostitution leading to the person's death or suicide.

5. The offender may also be fined from VND 10,000,000 to VND 100,000,000, placed on probation from 01 year to 05 years or have part or all of his/her property confiscated.

Article 328. Crime of prostitution brokerage

1. Anyone who acts as an intermediary to entice or lead others to buy or sell sex shall be sentenced to imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) For people from 16 years old to under 18 years old;
- b) Organized;
- c) Professional in nature;
- d) Committing the crime 02 times or more;
- e) For 02 people or more;
- f) Illegal profits from VND 100,000,000 to under VND 500,000,000;
- g) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) For people from 13 years old to under 16 years old;
- b) Illegal profits of VND 500,000,000 or more.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000.

Article 329. Crime of prostitution with a person under 18 years old

1. Any person aged 18 or older who buys sex with a person under 18 years of age, except in the case specified in Point b, Clause 1, Article 142 of this Code, shall be sentenced to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Prostitution 02 times or more;
- b) Prostitution with a person from 13 to under 16 years old;
- c) Causing harm to the victim's health with a bodily injury rate of 31% to 60%.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Committing a crime 02 times or more against a person from 13 years old to under 16 years old;
- b) Causing damage to the victim's health with a bodily injury rate of 61% or more.

4. The offender shall also be fined from VND 10,000,000 to VND 50,000,000.

Chapter XXII

CRIMES AGAINST ADMINISTRATIVE ORDER

Article 330. Crime of resisting a person on official duty

1. Anyone who uses force, threatens to use force or uses other means to prevent a public official from performing his or her official duties or forces him or her to commit an illegal act shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Inciting, enticing, or inciting others to commit crimes;
- d) Causing property damage of VND 50,000,000 or more;
- e) Dangerous recidivism.

Article 331. Crime of taking advantage of democratic freedoms to infringe upon the interests of the State and the legitimate rights and interests of organizations and individuals

1. Anyone who abuses the rights to freedom of speech, freedom of the press, freedom of belief, religion, freedom of assembly, association and other democratic freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations and individuals shall be subject to a warning, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime that negatively affects social security, order and safety shall be punishable by imprisonment from 02 to 07 years.

Article 332. Crime of evading military service

1. Anyone who fails to comply with the provisions of law on military service registration, fails to comply with the call-up order, the call-up order for training, has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged, and continues to violate, shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:

- a) Self-injury or damage to one's health;
- b) Crime committed during wartime;
- c) Enticing others to commit crimes.

Article 333. Crime of failing to comply with the order to call up reserve soldiers for military service

1. Any person who is a reserve soldier but fails to comply with the call-up order in case of general mobilization, partial mobilization, war or need to strengthen the regular army force to fight to protect the locality or protect territorial sovereignty, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Self-injury or damage to one's health;
- b) Enticing others to commit crimes.

Article 334. Crime of violating regulations on performing military service

1. Anyone who abuses his/her position or power to violate regulations on military service registration, conscription, or training shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Crimes committed during wartime shall be punishable by imprisonment from 02 years to 07 years.

3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 335. Crime of obstructing the performance of military service

1. Anyone who intentionally obstructs military service registration, military enlistment, or training shall be subject to a warning, non-custodial reform for up to 02 years, or imprisonment from 03 months to 02 years.

2. Committing a crime in case of taking advantage of position, power or during wartime shall be punished by imprisonment from 02 years to 05 years.

Article 336. Crime of illegal household registration

1. Any person who has the duty and authority to register and issue civil status papers illegally, has been disciplined for this act but still violates, shall be subject to a warning or non-custodial reform for up to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 months to 02 years:

- a) Illegal registration and issuance of household registration papers for 02 or more people;
- b) Civil status papers that have been issued or registered illegally are used to commit illegal acts.

3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 337. Crime of intentionally disclosing state secrets; crime of appropriating, trading, or destroying state secret documents

1. Anyone who intentionally discloses or trades in state secrets, if not in the cases specified in Article 110 of this Code, shall be sentenced to imprisonment from 02 to 07 years .

2. Committing a crime in the following cases shall be punishable by imprisonment from 05 years to 10 years :

- a) State secrets of top secret level;
- b) Abusing position and power;
- c) Causing damage to national defense, security, foreign affairs, economy and culture.

3. Committing a crime in the following cases shall be punishable by imprisonment from 10 to 15 years :

- a) Organized;

- b) State secrets of top secret level;
- c) Committing the crime 02 times or more;
- d) Causing damage to the political regime, independence, sovereignty, unity and territorial integrity.

4. The offender may also be fined from VND 10,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 338. Crime of unintentionally disclosing state secrets; crime of losing state secret documents and objects

1. Anyone who unintentionally discloses state secrets or loses state secret documents or objects shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) State secrets of top secret and secret level;
- b) Causing damage to national defense, security, foreign affairs, economy, culture, political regime, independence, sovereignty, unity and territorial integrity .

3. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 339. Crime of impersonating position, rank, or job title

Anyone who impersonates a position, rank, or job title to commit an illegal act but not for the purpose of appropriating property shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

Article 340. Crime of modifying and using certificates and documents of agencies and organizations

1. Anyone who corrects or falsifies the contents of a passport, visa, household registration, civil status, certificates or documents of an agency or organization and uses such documents to commit a crime or has been administratively sanctioned for this act or has been convicted of this crime and has not had his/her criminal record expunged but still commits the crime shall be subject to a warning, a fine of VND 10,000,000 to VND 50,000,000, non-custodial reform for up to 03 years or imprisonment of from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 05 years:

- a) Committing the crime 02 times or more;
- b) Using papers or documents that have been altered or falsified to commit very serious crimes or especially serious crimes.

3. The offender may also be fined from VND 5,000,000 to VND 20,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 341. Crime of forging seals and documents of agencies and organizations; crime of using forged seals and documents of agencies and organizations

1. Anyone who forges a seal, document or other paper of an agency or organization or uses such seal, document or paper to commit an illegal act shall be subject to a fine of from VND 30,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 05 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Make from 02 to 05 seals, documents or other papers;
- d) Using seals, documents or other papers to commit crimes;
- d) Illegal profit from 10,000,000 VND to under 50,000,000 VND;
- e) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Making 06 or more seals, documents or other papers;
- b) Using seals, documents or other papers to commit very serious crimes or especially serious crimes;
- c) Illegal profits of VND 50,000,000 or more.

4. The offender may also be fined from VND 5,000,000 to VND 50,000,000.

Article 342. Crime of appropriating, buying, selling, or destroying seals and documents of agencies and organizations

1. Anyone who illegally appropriates, buys, sells or destroys seals or documents of agencies or organizations that are not state secrets or work secrets shall be subject to a fine of VND 5,000,000 to VND 50,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 05 years:

- a) Organized;
- b) Illegal profits of VND 10,000,000 or more;
- c) Committing illegal acts ;
- d) Dangerous recidivism.

3. The offender may also be fined from VND 5,000,000 to VND 20,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 343. Crime of violating regulations on housing management

1. Anyone who illegally occupies a residence or builds a house, has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged, and continues to violate, shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

Illegal houses and constructions may be demolished, requisitioned or confiscated.

2. The offender may also be fined from VND 5,000,000 to VND 50,000,000.

Article 344. Crime of violating regulations on publishing activities

1. Anyone who violates the regulations on publishing activities in one of the following cases shall be subject to a warning, a fine from VND 20,000,000 to VND 200,000,000, non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years :

- a) Failure to comply with regulations on editing and approving manuscripts but still publishing publications, having been administratively sanctioned for this violation and still violating;
- b) Printing more than 2,000 copies of each publication without a publication registration confirmation, a publishing decision or a license to publish non-commercial documents; without a signed and approved manuscript as prescribed by law;
- c) Publishing, printing or releasing publications that have been suspended from circulation, recalled, confiscated, banned from circulation, destroyed or illegally imported in quantities of 500 copies or more for each publication;
- d) Posting on electronic media publications with content prohibited by law or without a confirmation of publication registration, without a publishing decision, without a signed and approved manuscript and publishing such publications;
- d) Committing a crime with a number of publications below the level specified in one of Points b or c of this Clause, having been administratively sanctioned for one of the acts specified in Points b and c of this Clause or having been convicted of this crime, not having had the criminal record expunged, and still committing the crime;
- e) Not submitting a publication for deposit but still publishing the publication, having been administratively sanctioned for this act and still committing the violation.

2. Committing a crime in one of the following cases, if not falling under the cases specified in Article 117 of this Code, shall be punished with imprisonment from 02 years to 05 years:

- a) Organized;
- b) Changing or distorting the content of an approved manuscript or a non-commercial document manuscript that has been stamped by the publishing licensing authority to publish content prohibited under the provisions of the Publishing Law ;
- c) Publishing publications with content prohibited under the provisions of the Publishing Law .

3. The offender may also be fined from VND 20,000,000 to VND 100,000,000, banned from holding positions, practicing a profession or doing certain jobs from 01 year to 05 years.

Article 345. Crime of violating regulations on protection and use of historical-cultural relics, scenic spots and landscapes causing serious consequences

1. Anyone who violates the regulations on protection and use of historical-cultural relics, landscapes and scenic spots, causing damage to historical-cultural relics, landscapes and scenic spots worth from VND 100,000,000 to under VND 500,000,000; destroys or changes the original elements of provincial-level historical-cultural relics and scenic spots, or has been administratively sanctioned for this act or has been convicted of this crime and has not had his/her criminal record expunged but still commits the violation, shall be subject to a warning, a fine of VND 10,000,000 to VND 100,000,000, non-custodial reform for up to 03 years or imprisonment of from 06 months to 03 years.

2. Committing a crime in case of causing damage to historical-cultural relics, scenic spots, and landscapes worth VND 500,000,000 or more, or destroying or changing the original elements of historical-cultural relics, scenic spots at the national or special national level, shall be punished with imprisonment from 03 years to 07 years.

Article 346. Crime of violating regulations on border areas

1. Any person who violates the regulations on residence, travel or other regulations on border areas, has been administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged and continues to violate, shall be subject to a fine of from VND 10,000,000 to VND 100,000,000 or imprisonment from 06 months to 03 years.

2. Recidivism or crimes that negatively affect security, order and social safety in border areas shall be punished with imprisonment from 02 to 07 years .

3. The offender may also be fined from VND 5,000,000 to VND 50,000,000 and banned from residence from 1 to 5 years.

Article 347. Crime of violating regulations on exit and entry; crime of staying in Vietnam illegally

Anyone who illegally exits, enters or stays in Vietnam, has been administratively sanctioned for this act and continues to violate, shall be subject to a fine of VND 5,000,000 to VND 50,000,000 or imprisonment of 06 months to 03 years.

Article 348. Crime of organizing or brokering for others to illegally exit, enter or stay in Vietnam

1. Anyone who, for personal gain, organizes or brokers for others to illegally exit, enter or stay in Vietnam shall be punished with a term of imprisonment from 01 to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Abusing position and power;
- b) Committing the crime 02 times or more;
- c) For 05 to 10 people;
- d) Professional in nature;
- d) Illegal profits from VND 100,000,000 to under VND 500,000,000;
- e) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) For 11 or more people;
- b) Illegal profits of VND 500,000,000 or more;
- c) Causing death.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000 or banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 349. Crime of organizing or brokering for others to flee abroad or stay abroad illegally

1. Anyone who organizes or brokers for others to flee abroad or stay abroad illegally, if not in the cases specified in Article 120 of this Code, shall be sentenced to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Abusing position and power;
- b) Committing the crime 02 times or more;
- c) For 05 to 10 people;
- d) Professional in nature;
- d) Illegal profits from VND 100,000,000 to under VND 500,000,000;
- e) Dangerous recidivism.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) For 11 or more people;
- b) Illegal profits of VND 500,000,000 or more;
- c) Causing death.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000 or banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 350. Crime of forcing others to flee abroad or stay abroad illegally

1. Anyone who forces another person to flee abroad or stay abroad illegally, if not in the cases specified in Article 120 of this Code, shall be sentenced to imprisonment from 02 to 07 years.

2. Committing a crime in the following cases shall be punishable by imprisonment from 05 years to 12 years:

- a) Committing the crime 02 times or more;
- b) For 05 to 10 people;
- c) Professional in nature;
- d) For base motives;
- d) Dangerous recidivism.

3. Committing a crime in the following cases shall be punishable by imprisonment from 12 to 20 years:

- a) For 11 or more people;
- b) Causing death.

Article 351. Crime of insulting the National Flag, National Emblem, and National Anthem

Anyone who intentionally insults the National Flag, National Emblem, or National Anthem shall be subject to a warning, non-custodial reform for up to 03 years, or imprisonment from 06 months to 03 years.

Chapter XXIII

OFFICE CRIMES

Article 352. Concept of crime related to position

1. Crimes related to position are acts that violate the proper functioning of agencies and organizations committed by people holding positions while performing official duties and tasks.
2. A person holding a position is a person who, by appointment, election, contract or other form, receives a salary or does not receive a salary, is assigned to perform a certain task and has certain authority while performing public duties and tasks.

Section 1. CRIMES OF CORRUPTION

Article 353. Crime of embezzlement of property

1. Anyone who abuses his/her position or power to appropriate property under his/her management worth from VND 2,000,000 to under VND 100,000,000 or under VND 2,000,000 but falling into one of the following cases shall be sentenced to imprisonment from 02 to 07 years:
 - a) Having been disciplined for this behavior but still violating;
 - b) Having been convicted of one of the crimes specified in Section 1 of this Chapter , not having had his/her criminal record expunged, and still committing the offense.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:
 - a) Organized;
 - b) Using cunning and dangerous tricks;
 - c) Committing the crime 02 times or more;
 - d) Appropriating property worth from VND 100,000,000 to under VND 500,000,000;
 - d) Appropriating money and assets used for the purpose of hunger eradication and poverty reduction; money, allowances, subsidies, and incentives for people with revolutionary contributions; reserve funds or money and assets for subsidies and donations to areas affected by natural disasters, epidemics, or areas with special economic difficulties;
 - e) Causing property damage from 1,000,000,000 to under 3,000,000,000 VND ;
 - g) Adversely affect the lives of cadres, civil servants, public employees and workers in agencies and organizations.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years:
 - a) Appropriating property worth from VND 500,000,000 to under VND 1,000,000,000;
 - b) Causing property damage from VND 3,000,000,000 to under VND 5,000,000,000;
 - c) Adversely affecting social security, order and safety;
 - d) Leading to bankruptcy or cessation of operations of other enterprises or organizations.
4. Committing a crime in one of the following cases shall be punishable by 20 years' imprisonment, life imprisonment or death penalty:
 - a) Appropriation of property worth VND 1,000,000,000 or more;
 - b) Causing property damage of VND 5,000,000,000 or more.
5. The offender is also prohibited from holding certain positions from 01 year to 05 years, may be fined from 30,000,000 VND to 100,000,000 VND, and may have part or all of his/her assets confiscated.
6. Persons holding positions and powers in non-state enterprises and organizations who embezzle property shall be handled according to the provisions of this Article.

Article 354. Crime of accepting bribes

1. Anyone who abuses his/her position or power to directly or through an intermediary receive or will receive any of the following benefits for himself/herself or for another person or organization to do or not to do something for the benefit or at the request of the bribe giver shall be sentenced to imprisonment from 02 years to 07 years:
 - a) Money, property or other material benefits worth from VND 2,000,000 to under VND 100,000,000 or under VND 2,000,000 but having been disciplined for this act but still violating or having been convicted of one of the crimes specified in Section 1 of this

Chapter , not having had the criminal record cleared but still violating;

b) Intangible benefits.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

a) Organized;

b) Abuse of position and power;

c) Bribes are money, property or other material benefits worth from VND 100,000,000 to less than VND 500,000,000;

d) Causing property damage from 1,000,000,000 to under 3,000,000,000 VND ;

d) Committing the crime 02 times or more;

e) Knowing clearly that the bribe is State property;

g) Soliciting bribes, harassing or using deceitful tricks.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 15 to 20 years:

a) Bribes are money, property or other material benefits worth from VND 500,000,000 to less than VND 1,000,000,000;

b) Causing property damage from VND 3,000,000,000 to under VND 5,000,000,000.

4. Committing a crime in one of the following cases shall be punishable by 20 years' imprisonment, life imprisonment or death penalty:

a) Bribes are money, property or other material benefits worth VND 1,000,000,000 or more;

b) Causing property damage of VND 5,000,000,000 or more.

5. The offender is also prohibited from holding certain positions from 01 year to 05 years, may be fined from 30,000,000 VND to 100,000,000 VND, and may have part or all of his/her assets confiscated.

6. Persons holding positions and powers in non-state enterprises and organizations who accept bribes shall be handled according to the provisions of this Article.

Article 355. Crime of abusing position and power to appropriate property

1. Anyone who abuses his/her position or power to appropriate another person's property worth from VND 2,000,000 to under VND 100,000,000 or under VND 2,000,000 but falls into one of the following cases, shall be sentenced to imprisonment from 01 year to 06 years:

a) Having been disciplined for this behavior but still violating;

b) Having been convicted of one of the crimes specified in Section 1 of this Chapter , not having had his/her criminal record expunged, and still committing the offense.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 06 to 13 years:

a) Organized;

b) Using cunning and dangerous tricks;

c) Committing the crime 02 times or more;

d) Appropriating property worth from VND 100,000,000 to under VND 500,000,000;

d) Causing property damage from 1,000,000,000 to under 3,000,000,000 VND ;

e) Appropriating money and assets used for the purpose of hunger eradication and poverty reduction; money, allowances, subsidies, and incentives for people with revolutionary contributions; reserve funds or money and assets for subsidies and donations to areas affected by natural disasters, epidemics, or areas with special economic difficulties.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 13 to 20 years:

a) Appropriating property worth from VND 500,000,000 to under VND 1,000,000,000;

b) Causing property damage from VND 3,000,000,000 to under VND 5,000,000,000;

c) Leading to bankruptcy or cessation of operations of other enterprises or organizations;

d) Adversely affecting social security, order and safety.

4. Committing a crime in one of the following cases shall be punishable by 20 years' imprisonment or life imprisonment:

a) Appropriation of property worth VND 1,000,000,000 or more;

b) Causing property damage of VND 5,000,000,000 or more.

5. The offender is also prohibited from holding certain positions from 01 year to 05 years, may be fined from 30,000,000 VND to 100,000,000 VND, and may have part or all of his/her assets confiscated.

Article 356. Crime of abusing position and power while performing official duties

1. Anyone who, for personal gain or other personal motives, takes advantage of his/her position or power to violate his/her official duties, causing property damage from VND 10,000,000 to under VND 200,000,000 or causing damage to the interests of the State, the rights and legitimate interests of organizations and individuals, shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Causing property damage from VND 200,000,000 to under VND 1,000,000,000.

3. Crimes causing property damage of VND 1,000,000,000 or more shall be punished with imprisonment from 10 years to 15 years.

4. The offender is also prohibited from holding certain positions from 01 year to 05 years, and may be fined from 10,000,000 VND to 100,000,000 VND.

Article 357. Crime of abuse of power while performing official duties

1. Anyone who, for personal gain or other personal motives, exceeds his/her authority and acts against his/her official duties, causing property damage from VND 10,000,000 to under VND 100,000,000 or causing damage to the interests of the State, the rights and legitimate interests of organizations and individuals, shall be sentenced to imprisonment from 01 year to 07 years .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Causing property damage from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime causing property damage from VND 500,000,000 to under VND 1,500,000,000 shall be punishable by imprisonment from 10 years to 15 years.

4. Crimes causing property damage of VND 1,500,000,000 or more shall be punished with imprisonment from 15 to 20 years.

5. The offender is also prohibited from holding certain positions from 01 year to 05 years, and may be fined from 10,000,000 VND to 100,000,000 VND.

Article 358. Crime of taking advantage of position and power to influence others for personal gain

1. Anyone who takes advantage of his/her position or power to directly or through an intermediary demand, receive or will receive any of the following benefits in any form to use his/her influence to urge a person with a position or power to do or not do something that is within his/her responsibility or directly related to his/her work or to do something that is not allowed to be done, shall be sentenced to imprisonment from 01 to 06 years :

- a) Money, property or other material benefits worth from VND 2,000,000 to under VND 100,000,000 or under VND 2,000,000 but having been disciplined for this act but still violating;
- b) Intangible benefits.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 06 to 13 years:

- a) Organized;
- b) Committing the crime 02 times or more;
- c) Money, property or other material benefits worth from VND 100,000,000 to under VND 500,000,000;
- d) Causing property damage from 1,000,000,000 to under 3,000,000,000 VND .

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 13 to 20 years:

- a) Money, property or other material benefits worth from VND 500,000,000 to under VND 1,000,000,000;
- b) Causing property damage from VND 3,000,000,000 to under VND 5,000,000,000.

4. Committing a crime in one of the following cases shall be punishable by 20 years' imprisonment or life imprisonment:

- a) Money, property or other material benefits worth VND 1,000,000,000 or more;
- b) Causing property damage of VND 5,000,000,000 or more.

5. The offender is also prohibited from holding certain positions from 01 year to 05 years, and may be fined from 30,000,000 VND to 100,000,000 VND.

Article 359. Crime of forgery in work

1. Anyone who, for personal gain or other personal motives, abuses his/her position or power to commit one of the following acts shall be subject to imprisonment from 01 year to 05 years:

- a) Correcting or falsifying the content of documents or papers;
- b) Making and issuing fake documents;
- c) Forging the signature of a person with a position or authority.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Organized;
- b) The offender is the person responsible for creating or issuing the papers and documents;
- c) Making and issuing fake documents in quantity from 02 to 05 fake documents.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) Making and issuing fake documents in quantity from 05 to 10 fake documents;
- b) To commit a less serious crime or a serious crime.

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:

- a) Making and issuing fake documents in quantity of 11 fake documents or more;
- b) To commit a very serious crime or an especially serious crime.

5. The offender is also prohibited from holding certain positions or doing certain jobs from 01 to 05 years, and may be fined from 10,000,000 VND to 100,000,000 VND.

Section 2. OTHER OFFENCES RELATED TO OFFICIAL OFFICIALS

Article 360. Crime of irresponsibility causing serious consequences

1. Any person holding a position or authority who, due to lack of responsibility, fails to perform or improperly performs assigned tasks in one of the following cases, except for the cases specified in Articles 179, 308 and 376 of this Code , shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 05 years:

- a) Causing the death of 01 person or causing injury or damage to the health of 01 person with a bodily injury rate of 61% or more;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 31% to 60% for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 61% to 121%;
- d) Causing property damage from VND 100,000,000 to under VND 500,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Killed 02 people;
- b) Causing injury or damage to the health of 02 people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people from 122% to 200%;
- d) Causing property damage from VND 500,000,000 to under VND 1,500,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

- a) Causing the death of 3 or more people;
- b) Causing injury or damage to the health of 03 or more people with a bodily injury rate of 61% or more for each person;
- c) Causing injury or damage to the health of 03 or more people, with the total body injury rate of these people being 201% or more;
- d) Causing property damage of VND 1,500,000,000 or more.

4. A person holding a position or authority who, due to lack of responsibility, fails to perform or improperly performs assigned tasks, causing injury or damage to the health of one person with a bodily injury rate of 31% to 60% or causing injury or damage to the health of two or more people with a total bodily injury rate of 31% to 60%, except for the cases specified in Articles 179, 308 and 376 of this Code , shall be subject to non-custodial reform for up to two years or imprisonment from three months to two years.

5. The offender is also prohibited from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 361. Crime of intentionally disclosing work secrets; crime of appropriating, trading or destroying secret work documents

1. Anyone who intentionally discloses work secrets or appropriates, buys, sells, or destroys secret work documents, unless they fall under the cases specified in Articles 110, 337, and 342 of this Code , shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Organized;
- b) Committing the crime 02 times or more;

- c) Illegal profits of VND 50,000,000 or more;
- d) Causing property damage of VND 100,000,000 or more;
- d) Adversely affecting the operations of agencies and organizations;
- e) Allow others to use it to commit illegal acts.

3. The offender is also prohibited from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 362. Crime of unintentionally disclosing work secrets; crime of losing secret work documents

1. Anyone who unintentionally discloses work secrets or loses secret work documents in one of the following cases, if not in the cases specified in Article 338 of this Code , shall be subject to a warning or non-custodial reform for up to 03 years :

- a) Adversely affecting the operations of agencies and organizations;
- b) Causing property damage from VND 100,000,000 to under VND 500,000,000;
- c) Allowing others to use it to commit less serious crimes or serious crimes.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 months to 02 years :

- a) Causing property damage of VND 500,000,000 or more;
- b) Allowing others to use it to commit very serious crimes or especially serious crimes.

3. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 363. Crime of desertion

1. Any cadre, civil servant or public employee who intentionally abandons his/her work duties in one of the following cases shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

- a) Causing injury or damage to the health of another person with a bodily injury rate of 31% or more;
- b) Causing property damage from VND 300,000,000 to under VND 1,000,000,000;
- c) Having been disciplined for this behavior but still violating.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years :

- a) Causing death;
- b) Enticing others to defect;
- c) Causing property damage of VND 1,000,000,000 or more;
- d) Committing a crime in a situation of war, natural disaster, epidemic or in other special difficult social situations.

3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 364. Crime of bribery

1. Any person who, directly or through an intermediary, has given or will give to a person holding a position or authority or another person or organization any of the following benefits so that the person holding a position or authority will do or not do something for the benefit or at the request of the person giving the bribe, shall be subject to a fine of from VND 20,000,000 to VND 200,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Money, assets, and other material benefits worth from VND 2,000,000 to under VND 100,000,000;
- b) Intangible benefits.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Organized;
- b) Using cunning tricks;
- c) Using state assets to give bribes;
- d) Abusing position and power;
- d) Committing the crime 02 times or more;
- e) Bribes are money, assets, and other material benefits worth from VND 100,000,000 to less than VND 500,000,000.

3. Committing a crime in the case of bribery in the form of money, property, or other material benefits worth from VND 500,000,000 to less than VND 1,000,000,000, shall be punishable by imprisonment from 07 to 12 years.

4. Committing a crime in the case of bribery of money, property, or other material benefits worth VND 1,000,000,000 or more shall be punishable by imprisonment from 12 to 20 years.

5. The offender may also be fined from VND 10,000,000 to VND 50,000,000.

6. Anyone who gives or will give bribes to foreign public officials, public officials of international public organizations, or people holding positions in non-state enterprises or organizations shall also be handled according to the provisions of this Article.

7. A person who is forced to give a bribe but proactively reports it before being discovered will be considered innocent and will have all the money used to give the bribe returned.

A bribe giver, even if not forced, but proactively reports before being discovered, may be exempted from criminal liability and have part or all of the bribe returned.

Article 365. Crime of bribery brokerage

1. A person who mediates bribery in one of the following cases shall be subject to a fine of from VND 20,000,000 to under VND 200,000,000, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

- a) Money, property or material benefits worth from VND 2,000,000 to under VND 100,000,000;
- b) Intangible benefits.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Organized;
- b) Committing crimes of a professional nature;
- c) Using cunning tricks;
- d) Knowing that the bribe is State property;
- d) Abusing position and power;
- e) Committing the crime 02 times or more;
- g) Bribes worth from VND 100,000,000 to under VND 500,000,000.

3. Committing a crime in the case of bribery worth from VND 500,000,000 to under VND 1,000,000,000 shall be punished with imprisonment from 05 years to 10 years.

4. Committing a crime in the case of bribery worth 1,000,000,000 VND or more shall be punishable by imprisonment from 08 years to 15 years.

5. The offender may also be fined from VND 20,000,000 to VND 200,000,000.

6. A bribery broker who proactively reports before being discovered may be exempted from criminal liability.

7. Anyone who brokers bribery in non-state enterprises and organizations shall also be handled according to the provisions of this Article.

Article 366. Crime of taking advantage of influence over persons in positions of power for personal gain

1. Anyone who directly or through an intermediary receives any benefit in any form in one of the following cases or has been disciplined for this act but still violates it, in order to use his influence to urge a person in a position or authority to do or not do something within his/her responsibility or to do something he/she is not allowed to do, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

- a) Money, property or other material benefits worth from VND 2,000,000 to under VND 100,000,000;
- b) Intangible benefits.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Committing the crime 02 times or more;
- b) Money, property or other material benefits worth from VND 100,000,000 to under VND 500,000,000;
- c) Dangerous recidivism.

3. Committing a crime in cases where money, property or other material benefits are worth VND 500,000,000 or more, shall be punished with imprisonment from 05 years to 10 years.

4. The offender may also be fined from VND 10,000,000 to VND 50,000,000.

Chapter XXIV

CRIMES AGAINST JUDICIAL ACTIVITIES

Article 367. Concept of crime of violating judicial activities

Crimes against judicial activities are acts that violate the correctness of litigation and execution of judgments.

Article 368. Crime of prosecuting innocent people

1. Any person with authority who prosecutes a person whom he knows to be innocent shall be sentenced to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) Prosecute criminal liability for crimes against national security or other crimes that are particularly serious crimes;
- b) For 02 to 05 people;
- c) For people under 18 years old, women who are known to be pregnant, the elderly and weak;
- d) Causing mental and behavioral disorders in the victim from 11% to 45% ;
- d) Leading to the wrongful conviction of an innocent person for a less serious crime or a serious crime;
- e) Adversely affecting social security, order and safety.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years:

- a) For 06 people or more;
- b) Leading to the wrongful conviction of an innocent person for a very serious crime or an especially serious crime;
- c) Causing mental and behavioral disorders of the victim of 46% or more ;
- d) Causing a person who is wrongly prosecuted to commit suicide.

4. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 369. Crime of failing to prosecute a guilty person

1. Any person with authority who fails to prosecute a person whom he knows to be guilty shall be sentenced to imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Not to prosecute a person who commits a very serious crime;
- b) For 02 to 05 people;
- c) A person who is not subject to criminal prosecution flees or commits an act that obstructs investigation, prosecution, trial, or continues to commit a less serious crime or a serious crime;
- d) Leading to the person who is not prosecuted for criminal liability taking revenge on the person who reports or informs about the crime, the victim or witness;
- d) Adversely affecting social security, order and safety.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

- a) For 05 people or more ;
- b) Not to prosecute criminals who commit crimes against national security or particularly serious crimes ;
- c) A person who is not prosecuted for criminal liability continues to commit a very serious crime or an especially serious crime;
- d) Causing the victim to commit suicide.

4. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 370. Crime of issuing illegal judgments

1. Any judge or jury who issues a verdict that he or she clearly knows is illegal shall be sentenced to imprisonment from 01 year to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 10 years :

- a) Committing the crime 02 times or more;
- b) For people under 18 years old, women who are known to be pregnant, the elderly and infirm;
- c) Wrongfully convicting an innocent person of a serious or very serious crime;
- d) Omitting serious crimes or very serious crimes; people committing serious crimes or very serious crimes;
- d) Causing mental and behavioral disorders of the defendant, victim, plaintiff, defendant, plaintiff, and defendant from 11% to 45%;
- e) Causing property damage from VND 500,000,000 to VND 1,000,000,000;
- g) Adversely affecting social security, order and safety.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :

- a) Wrongfully convicting an innocent person of an especially serious crime;
- b) Omitting particularly serious crimes or particularly serious criminals;
- c) Causing mental and behavioral disorders of the defendant, victim, plaintiff, defendant, plaintiff, or defendant at a rate of 46% or more;

- d) Leading to the defendant, victim, plaintiff, defendant, plaintiff, or defendant committing suicide;
 - d) Causing property damage of VND 1,000,000,000 or more.
4. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 371. Crime of making illegal decisions

1. Any person with authority in litigation and judgment enforcement activities who makes a decision that he/she clearly knows is illegal, causing property damage from VND 50,000,000 to under VND 200,000,000 or causing damage to the legitimate rights and interests of the State, organizations and individuals, if not falling under one of the cases specified in Articles 368, 369, 370, 377 and 378 of this Code, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 07 years :
- a) Organized;
 - b) Committing the crime 02 times or more;
 - c) For people under 18 years old, women who know they are pregnant, the elderly and weak;
 - d) Causing mental and behavioral disorders of arrestees, detainees, suspects, defendants, convicted persons, persons serving sentences, victims, plaintiffs, defendants, petitioners, and persons being sued from 11% to 45%;
 - d) Causing property damage from VND 200,000,000 to under VND 1,000,000,000;
 - e) Adversely affecting social security, order and safety.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years :
- a) Causing mental and behavioral disorders of the arrested person, the detainee, the accused, the defendant, the convicted person, the person serving the sentence, the victim, the plaintiff, the defendant, the person initiating the lawsuit, the person being sued at a rate of 46% or more;
 - b) Causing the arrestee, detainee, suspect, defendant, convicted person, person serving sentence, victim, plaintiff, defendant, plaintiff, or defendant to commit suicide;
 - c) Causing property damage of VND 1,000,000,000 or more.
4. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 372. Crime of forcing a person with authority in judicial activities to violate the law

1. Anyone who abuses his/her position and power to force a competent person in litigation or judgment enforcement activities to act against the law, causing damage to the interests of the State, the legitimate rights and interests of organizations and individuals, or causing property damage from VND 50,000,000 to under VND 200,000,000, shall be subject to imprisonment from 06 months to 03 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 05 years:
- a) Committing the crime 02 times or more;
 - b) Leading to an illegal judgment or decision;
 - c) Using force, threatening to use force or using other dangerous or cunning tricks;
 - d) Causing property damage from VND 200,000,000 to under VND 1,000,000,000;
 - d) Adversely affecting social security, order and safety.
3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:
- a) Leading to the wrongful conviction of innocent people or the escape of criminals ;
 - b) Causing property damage of VND 1,000,000,000 or more.
4. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 373. Crime of using torture

1. Anyone who, during the course of litigation, execution of judgments or implementation of measures of sending to a reformatory school, compulsory education facility, or compulsory drug rehabilitation facility, uses corporal punishment or cruel treatment, humiliates the dignity of another person in any form, shall be sentenced to imprisonment from 06 months to 03 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:
- a) Committing the crime 02 times or more;
 - b) For 02 people or more;
 - c) Using sophisticated and cunning tricks;
 - d) For people under 18 years old, women known to be pregnant, the elderly, people with severe disabilities or especially severe disabilities;

d) Causing injury or damage to the health of another person with a bodily injury rate of 11% to 60%.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

a) Causing injury or damage to the health of another person with a bodily injury rate of 61% or more;

b) Causing the tortured person to commit suicide.

4. Those who commit the crime of causing the victim to die of torture shall be sentenced to imprisonment from 12 to 20 years or life imprisonment.

5. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 374. Crime of forcing confession

1. Anyone who, during litigation activities, uses illegal means to force a person whose testimony is taken or questioned to disclose information related to a case or incident shall be subject to imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

a) Committing the crime 02 times or more;

b) For 02 people or more;

c) For people under 18 years old, women known to be pregnant, the elderly, people with severe disabilities or especially severe disabilities;

d) Using torture or cruel treatment, degrading the dignity of the person being questioned or interrogated ;

d) Using sophisticated and cunning tricks;

e) Distorting the results of prosecution, investigation, indictment, and trial ;

g) Forcing the person whose statement is taken or the person being interrogated to give false testimony.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:

a) Causing the person being forced to commit suicide;

b) Leading to the omission of less serious crimes or serious crimes .

4. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment:

a) Causing the death of the person being tortured;

b) Leading to the wrongful conviction of innocent people;

c) Leading to the omission of very serious crimes or especially serious crimes .

5. The offender is also prohibited from holding any position or practicing any profession for a period of 01 to 05 years.

Article 375. Crime of falsifying case and incident records

1. Any investigator, prosecutor, judge, jury, court clerk, other persons with duties and powers in judicial activities, defenders, or persons protecting the rights of litigants who add, subtract, modify, swap, destroy, or damage documents or evidence of a case or use other means to distort the content of a case or incident shall be subject to imprisonment from 01 to 05 years .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

a) Organized;

b) Leading to incorrect resolution of cases and incidents;

c) Causing damage from 500,000,000 VND to under 1,000,000,000 VND.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 10 to 15 years :

a) Leading to the wrongful conviction of innocent people or the escape of criminals;

b) Causing the arrestee, detainee, suspect, defendant, convicted person, person serving sentence, victim, plaintiff, defendant, plaintiff, or defendant to commit suicide;

c) Causing damage of VND 1,000,000,000 or more.

4. The offender is also prohibited from holding certain positions or doing certain jobs from 01 to 05 years.

Article 376. Crime of negligence in allowing an arrested person, a person in temporary detention, a person serving a prison sentence to escape

1. Any person who is assigned the direct responsibility of managing, guarding, or escorting an arrested person, a person in temporary detention, a person serving a prison sentence, but fails to comply with or improperly complies with the regulations on management, guarding, or escorting, causing that person to escape in one of the following cases, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years :

a) Cause the case to be temporarily suspended;

- b) The fugitive takes revenge on the person conducting the proceedings or the person participating in the proceedings;
- c) The fugitive continues to commit less serious crimes or serious crimes.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 07 years :

- a) Cause the case to be suspended;
- b) The fugitive continues to commit very serious crimes;
- c) Allowing 02 to 05 people to escape;
- d) Allowing a person who commits a very serious crime to escape;
- d) Adversely affecting social security, order and safety.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) The fugitive continues to commit particularly serious crimes;
- b) Letting 6 or more people escape;
- c) Allowing a person who commits a particularly serious crime to escape.

4. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 377. Crime of abusing position and power to illegally detain or detain people

1. Anyone who abuses his/her position or power to commit one of the following acts shall be sentenced to imprisonment from 06 months to 03 years :

- a) Not making a decision to release the person to be released according to the provisions of law;
- b) Decision to arrest, detain, or imprison a person without basis according to the provisions of law;
- c) Failure to comply with the decision to release a person to be released according to the provisions of law;
- d) Arresting, detaining, or imprisoning people without a warrant or decision as prescribed by law, or even though there is a warrant or decision but it has not yet come into effect;
- d) Failure to issue an order or decision to extend the detention or temporary detention period or to change or cancel the detention or temporary detention measure when the detention or temporary detention period expires, resulting in the detainee or temporary detention being detained or held beyond the time limit.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Illegally detaining or holding from 02 to 05 people;
- b) Causing the person being illegally detained or held in custody to suffer health damage with a body injury rate of 31% to 60%;
- c) Causing the detainee or their family to fall into particularly difficult economic circumstances;
- d) For people under 18 years old, women known to be pregnant, the elderly, people with severe disabilities or especially severe disabilities.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 12 years:

- a) Illegally detaining or holding 6 or more people;
- b) Causing an illegally detained or imprisoned person to suffer physical injury of 61% or more or to die;
- c) Causing a detainee to commit suicide;
- d) Causing the family of the detained person to separate.

4. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 378. Crime of illegally releasing an arrested person, a person being detained, imprisoned, or a person serving a prison sentence

1. Anyone who takes advantage of his/her position, power or abuses his/her power to illegally release an arrested person, a person being detained, a person being held in custody , or a person serving a prison sentence shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Illegally releasing an arrested person, a person being detained, a person being imprisoned, or a person serving a prison sentence for a very serious crime or an especially serious crime;
- b) A person who is illegally released escapes or obstructs the investigation, prosecution, trial or continues to commit a less serious crime or a serious crime;
- c) A person who is illegally released takes revenge on the person conducting the proceedings or the person participating in the proceedings;

d) Illegally releasing from 02 to 05 people.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

a) Illegally releasing 06 people or more;

b) A person illegally released commits a very serious crime or an especially serious crime.

4. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 379. Crime of failure to execute judgment

1. Any person with authority who intentionally fails to issue a decision to execute a judgment or fails to execute a decision to execute a judgment or decision of the Court in one of the following cases shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

a) Having been disciplined for this behavior but still violating;

b) Leading to the convict or person serving the sentence escaping;

c) Leading to the expiration of the statute of limitations for execution of judgment;

d) Causing the convicted person, the person who must serve the sentence, or the person with the obligation to execute the sentence to disperse assets and fail to execute the obligation to execute the sentence with an amount from VND 50,000,000 to less than VND 200,000,000.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

a) Committing the crime 02 times or more;

b) Leading to the convicted person or the person serving the sentence continuing to commit less serious crimes or serious crimes;

c) Causing the convicted person, the person subject to judgment enforcement, or the person obligated to enforce the judgment to disperse assets and fail to enforce the judgment with an amount from VND 200,000,000 to less than VND 1,000,000,000.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

a) Leading to the convicted person or the person serving the sentence continuing to commit very serious crimes or especially serious crimes;

b) Causing the convicted person, the person subject to execution of the judgment, or the person obliged to execute the judgment to disperse assets and fail to execute the judgment with an amount of VND 1,000,000,000 or more.

4. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 380. Crime of failure to execute judgment

1. Any person who has the conditions but fails to comply with a judgment or decision of the Court that has come into legal effect, despite having been subject to coercive measures as prescribed by law or having been administratively sanctioned for this act but still commits the violation, shall be subject to imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 05 years:

a) Resisting an enforcement officer or a person performing official duties;

b) Using sophisticated and cunning tricks;

c) Dissipation of assets.

3. Offenders may be fined from VND 5,000,000 to VND 50,000,000.

Article 381. Crime of obstructing the execution of judgment

1. Anyone who abuses his/her position or power to intentionally obstruct the execution of a judgment in one of the following cases shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years:

a) Leading to the convict or person serving the sentence escaping;

b) Leading to the expiration of the statute of limitations for execution of judgment;

c) Causing the convicted person, the person who must serve the sentence, or the person with the obligation to execute the sentence to disperse assets and fail to execute the obligation to execute the sentence with an amount from VND 50,000,000 to less than VND 200,000,000;

d) Causing damage from 50,000,000 VND to under 200,000,000 VND.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 05 years:

a) Committing the crime 02 times or more;

b) Leading to the convicted person or the person serving the sentence to continue committing crimes;

c) Causing the convicted person, the person subject to judgment enforcement, or the person obligated to enforce the judgment to disperse assets and fail to fulfill the obligation to enforce the judgment with an amount of VND 200,000,000 or more;

d) Causing damage of VND 200,000,000 or more.

3. The offender is also prohibited from holding certain positions from 01 to 05 years.

Article 382. Crime of providing false documents or making false statements

1. Any witness, expert, property valuer, interpreter, translator, or defender who makes false conclusions, translates, or declares falsely or provides documents that he or she clearly knows to be false shall be subject to a warning, non-custodial reform for up to 01 year, or imprisonment from 03 months to 01 year.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 03 years:

a) Organized;

b) Leading to incorrect resolution of cases and incidents.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

a) Committing the crime 02 times or more;

b) Leading to the wrongful conviction of innocent people or letting criminals escape .

4. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 383. Crime of refusing to declare, refusing to conclude an appraisal or asset valuation or refusing to provide documents

1. A witness who is not in the case specified in Clause 2, Article 19 of this Code , an expert, a property valuer, or a translator who refuses to testify, avoids concluding an appraisal, property valuation, or property valuation , or refuses to provide documents without a valid reason, shall be subject to a warning, non-custodial reform for up to 01 year, or imprisonment from 03 months to 01 year.

2. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 384. Crime of bribing or coercing others to declare or provide documents

1. Anyone who bribes or forces witnesses, victims, or litigants in criminal, administrative, civil , economic, or labor cases to make false statements, provide false documents, or fail to make statements or provide documents; bribes or forces appraisers or property valuers to make false conclusions, or interpreters or translators to make distorted translations, shall be subject to non-custodial reform for up to 03 years or imprisonment from 03 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

a) Using force, threatening to use force or using other dangerous tricks;

b) Abusing position and power;

c) Leading to incorrect resolution of cases and incidents.

Article 385. Crime of violating the sealing, seizure of assets, and freezing of accounts

1. Any person who is assigned to keep or manage seized or sealed property or sealed evidence or frozen accounts and commits one of the following acts shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years:

a) Breaking the seal or unfreezing an account without a decision from a competent authority;

b) Consuming, transferring, swapping, hiding or destroying seized property.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

a) Leading to incorrect resolution of cases and incidents;

b) Causing the suspect, defendant, convicted person, person subject to judgment enforcement, or person with judgment enforcement obligation to disperse assets and fail to fulfill the judgment enforcement obligation with an amount of VND 100,000,000 or more.

3. The offender may also be banned from holding positions, practicing a profession or doing certain jobs from 01 to 05 years.

Article 386. Crime of escaping from detention or custody or escaping while being escorted or on trial

1. Any person who is being detained, imprisoned, escorted, tried or serving a prison sentence and escapes shall be sentenced to imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

a) Organized;

b) Using force against guards or escorts.

Article 387. Crime of rescuing a person who is arrested , detained, imprisoned, or being escorted, tried, or serving a prison sentence

1. Anyone who rescues a person who is being arrested, detained, imprisoned, escorted, tried or serving a prison sentence, if not in the case specified in Article 119 of this Code , shall be sentenced to imprisonment from 02 to 07 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years:

- a) Organized;
- b) Abusing position and power;
- c) Using force against the guard or escort;
- d) Rescuing a person convicted of a crime against national security or a person sentenced to death.

3. The offender may also be banned from holding certain positions from 01 to 05 years.

Article 388. Crime of violating regulations on detention

1. Anyone who commits one of the following acts, violates the provisions of the law on detention, has been disciplined, administratively sanctioned for this act or has been convicted of this crime, has not had his/her criminal record expunged, and continues to violate, if not falling under one of the cases specified in Articles 119, 170, 252, 253, 254 and 255 of this Code, shall be sentenced to imprisonment from 06 months to 03 years:

- a) Causing disturbance or opposing orders of competent authorities in detention management;
- b) Destroying or intentionally damaging property;
- c) Extortion of property;
- d) Bringing in, storing, appropriating or organizing the use of narcotic drugs, addictive drugs or psychotropic drugs;
- d) Bringing in, storing, or using personal communication devices.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Organized;
- b) Abusing position and power;
- c) Using sophisticated and cunning tricks;
- d) Dangerous recidivism.

3. The offender may also be banned from residence for 01 to 03 years and banned from holding positions for 01 to 03 years.

Article 389. Crime of concealing a crime

1. Anyone who, without prior promise, conceals one of the crimes specified in the following articles, if not falling under the case specified in Clause 2, Article 18 of this Code, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 05 years :

- a) Articles 108 to 121 on crimes against national security;
- b) Article 123 (crime of murder); Article 141, paragraphs 2, 3 and 4 (crime of rape); Article 142 (crime of rape of a person under 16 years old); Article 144 (crime of rape of a person from 13 years old to under 16 years old); Article 146, paragraphs 2 and 3 (crime of indecent acts against a person under 16 years old); Article 150, paragraphs 2 and 3 (crime of human trafficking);
- c) Article 151 (crime of trafficking in persons under 16 years old); Article 152 (crime of fraudulently exchanging persons under 1 year old); Article 153 (crime of appropriating persons under 16 years old); Article 154 (crime of buying, selling or appropriating human tissues or body parts);
- d) Article 168 (crime of robbery); Article 169 (crime of kidnapping for the purpose of appropriating property); Article 173, paragraphs 2, 3 and 4 (crime of theft of property); Article 174, paragraphs 2, 3 and 4 (crime of fraud to appropriate property); Article 175, paragraphs 2, 3 and 4 (crime of abuse of trust to appropriate property); Article 178, paragraphs 2, 3 and 4 (crime of destruction or intentional damage to property);
- d) Article 188, clauses 3 and 4 (crime of smuggling); Article 189, clause 3 (crime of illegally transporting goods and currencies across the border); Article 190, clauses 2 and 3 (crime of producing and trading in prohibited goods); Article 191, clauses 2 and 3 (crime of storing and transporting prohibited goods); Article 192, clauses 2 and 3 (crime of producing and trading in counterfeit goods); Article 193 (crime of producing and trading in counterfeit goods such as food, foodstuffs, and food additives); Article 194 (crime of producing and trading in counterfeit goods such as medicines and disease prevention medicines); Article 195, clauses 2 and 3 (crime of producing counterfeit goods such as animal feed, fertilizers, veterinary medicines, pesticides, plant varieties, and livestock); Article 196, clauses 2 and 3 (crime of speculation); Article 205, paragraphs 3 and 4 (crime of establishing illegal funds); Article 206, paragraphs 2 and 3 (crime of violating regulations on the operations of credit institutions and foreign bank branches); Article 207 (crime of making, storing, transporting and circulating counterfeit money); Article 208 (crime of making, storing, transporting and circulating counterfeit transfer instruments and other counterfeit valuable papers); Article 219, paragraphs 2 and 3 (crime of violating regulations on management and use of state assets causing loss and waste); Article 220, paragraphs 2 and 3 (crime of violating State regulations on management and use of public investment capital causing serious consequences); Article 221, paragraphs 2 and 3 (crime of violating State regulations on accounting causing serious consequences); Article 222, paragraphs 2 and 3 (crime of violating bidding regulations causing serious consequences); Article 223, paragraphs 2 and 3 (crime of colluding with and covering up for taxpayers causing serious consequences); Article 224, paragraphs 2 and 3 (crime of violating regulations on investment in construction works causing serious consequences); Article 243, paragraphs 2 and 3 (crime of destroying forests);

e) Article 248 (crime of illegal production of narcotics); Article 249 (crime of illegal possession of narcotics); Article 250 (crime of illegal transportation of narcotics); Article 251 (crime of illegal trading of narcotics); Article 252 (crime of appropriation of narcotics); Article 253 (crime of storing, transporting, buying and selling or appropriating precursors used in illegal production of narcotics); Article 254, Clause 2 (crime of producing, storing, transporting or buying and selling means and tools used in illegal production or use of narcotics); Article 255 (crime of organizing illegal use of narcotics); Article 256 (crime of harboring illegal use of narcotics); Article 257 (crime of forcing others to illegally use narcotics); Article 258 (crime of enticing others to illegally use narcotics); Article 259, Clause 2 (crime of violating regulations on management and use of narcotic substances, precursors, addictive drugs, and psychotropic drugs);

g) Article 265, clauses 2, 3 and 4 (crime of organizing illegal car racing); Article 282 (crime of appropriating aircraft or ships); Article 299 (crime of manufacturing, storing, transporting, using, illegally trading or appropriating military weapons or military technical means); Article 299 (crime of terrorism); Article 301 (crime of hostage taking); Article 302 (crime of piracy); Article 303 (crime of destroying important works, facilities or means related to national security); Article 304 (crime of manufacturing, storing, transporting, using, illegally trading or appropriating military weapons or military technical means); Article 305, clauses 2, 3 and 4 (crime of manufacturing, storing, transporting, using, illegally trading or appropriating explosives); Article 309, paragraphs 2, 3 and 4 (crime of illegally producing, storing, transporting, using, disseminating, trading or appropriating radioactive substances or nuclear materials); Article 311, paragraphs 2, 3 and 4 (crime of illegally producing, storing, transporting, using or trading in flammable substances or toxic substances);

h) Article 329, paragraphs 2 and 3 (crime of purchasing sex with a person under 18 years old);

i) Article 353, clauses 2, 3 and 4 (crime of embezzlement); Article 354, clauses 2, 3 and 4 (crime of accepting bribes); Article 355, clauses 2, 3 and 4 (crime of abusing one's position and power to appropriate property); Article 356, clauses 2 and 3 (crime of abusing one's position and power while performing official duties); Article 357, clauses 2 and 3 (crime of abusing one's position and power while performing official duties); Article 358, clauses 2, 3 and 4 (crime of abusing one's position and power to influence others for personal gain); Article 359, clauses 2, 3 and 4 (crime of forgery in work); Article 364, clauses 2, 3 and 4 (crime of bribery); Article 365, paragraphs 2, 3 and 4 (crime of acting as a bribery intermediary);

k) Article 373, paragraphs 3 and 4 (crime of using torture); Article 374, paragraphs 3 and 4 (crime of forcing confession); Article 386, paragraph 2 (crime of escaping from a place of detention or custody or escaping while being escorted, escorted, or on trial);

l) Articles 421 to 425 on crimes against peace, crimes against humanity and war crimes.

2. Those who commit crimes by taking advantage of their position and power to prevent the detection of crimes or by other acts of covering up criminals shall be sentenced to imprisonment from 02 to 07 years.

Article 390. Crime of failure to report a crime

1. Anyone who knows that one of the crimes specified in Article 389 of this Code is being prepared, is being or has been committed but does not report it, if not falling under the case specified in Clause 2, Article 19 of this Code, shall be subject to a warning, non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years .

2. A person who fails to report a crime, if he or she has taken action to prevent the crime or limit the harm caused by the crime, may be exempt from criminal liability or from punishment.

Article 391. Crime of disturbing the order of a court session

1. Anyone who, at a court session, insults or seriously offends the honor and dignity of a member of the Trial Panel or other people present at the court session or destroys property shall be subject to a fine of VND 10,000,000 to VND 100,000,000, non-custodial reform for up to 01 year or imprisonment of 03 months to 01 year.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 03 years:

- a) Causing chaos in the courtroom leading to the suspension of the courtroom;
- b) Assaulting a member of the Trial Panel.

Chapter XXV

CRIMES OF VIOLATING THE DUTIES AND RESPONSIBILITIES OF MILITARY PERSONNEL AND RESPONSIBILITIES OF PEOPLE ASSOCIATED WITH THE ARMY IN COMBAT AND COMBAT SERVICE

Article 392. Persons who must bear criminal responsibility for crimes of violating the duties and responsibilities of military personnel

- 1. Active military personnel, workers, defense officials.
- 2. Reserve soldiers during concentrated training period.
- 3. Militia and self-defense forces during the period of coordination with the army in combat and combat service.
- 4. Citizens are drafted to serve in the army.

Article 393. Crime of giving illegal orders

1. Anyone who abuses his/her position and power to issue illegal orders causing serious consequences shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) In combat;
- b) In a war zone;
- c) In performing search and rescue missions;
- d) In an emergency;
- d) Causing very serious consequences.

3. Committing a crime with particularly serious consequences or in other particularly serious cases shall be punished with imprisonment from 07 years to 15 years.

Article 394. Crime of disobeying orders

1. Anyone who refuses to comply or intentionally fails to comply with the orders of a competent person shall be subject to imprisonment from 06 months to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Is a commander or officer;
- b) Enticing others to commit crimes;
- c) Use of force;
- d) Causing serious consequences.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

- a) In combat;
- b) In a war zone;
- c) In performing search and rescue missions;
- d) In an emergency;
- d) Causing very serious consequences.

4. Committing a crime with particularly serious consequences shall be punishable by imprisonment from 12 to 20 years or life imprisonment.

Article 395. Crime of not strictly obeying orders

1. Anyone who negligently, late, or arbitrarily carries out the orders of a competent person, causing serious consequences, shall be subject to reform without detention for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) In combat;
- b) In a war zone;
- c) In performing search and rescue missions;
- d) In an emergency;
- d) Causing very serious or especially serious consequences.

Article 396. Crime of obstructing teammates from performing tasks

1. Anyone who prevents a teammate from performing a task, resulting in that person being unable to perform or not fully performing the assigned task, shall be subject to non-custodial reform for up to 03 years or imprisonment from 03 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Is a commander or officer;
- b) Enticing others to commit crimes;
- c) Use of force;
- d) Causing serious or very serious consequences.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years:

- a) In combat;
- b) In a war zone;
- c) In performing search and rescue missions;
- d) In an emergency;

d) Causing particularly serious consequences.

Article 397. Crime of humiliating comrades

1. Anyone who, in a working relationship, seriously insults the dignity and honor of a teammate shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 to 05 years:

a) Is a commander or officer;

b) Against a commander or superior; c) For reasons of the victim's official duties; d) In a war zone;

d) Committing the crime 02 times or more;

e) For 02 people or more;

g) Causing mental and behavioral disorders of the victim of 46% or more ;

h) Causing the victim to commit suicide.

Article 398. Crime of assaulting teammates

1. Anyone who, in a working relationship, intentionally causes injury or harm to the health of a teammate who does not fall under the provisions of Article 135 of this Code, shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

a) Is a commander or officer;

b) For commanders or superiors;

c) For reasons of the victim's official duties;

d) In a war zone;

d) Causing serious, very serious or especially serious consequences.

Article 399. Crime of surrendering to the enemy

1. Anyone who surrenders to the enemy shall be sentenced to imprisonment from 03 years to 10 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 15 years:

a) Is a commander or officer;

b) Handing over weapons and military technical equipment to the enemy;

c) Submit important documents or declare military secrets;

d) Enticing others to commit crimes;

d) Causing serious or very serious consequences.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years or life imprisonment:

a) Handing over to the enemy state secret documents or objects or declaring state secrets;

b) Causing particularly serious consequences.

Article 400. Crime of reporting or voluntarily working for the enemy when captured as a prisoner of war

1. Anyone who, when captured by the enemy, discloses military secrets or voluntarily works for the enemy shall be sentenced to imprisonment from 01 year to 07 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years:

a) Is a commander or officer;

b) Cruel treatment of other prisoners of war;

c) Enticing others to confess and work for the enemy;

d) Causing serious or very serious consequences.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 12 to 20 years:

a) Handing over to the enemy state secret documents or objects or declaring state secrets;

b) Causing particularly serious consequences.

Article 401. Crime of abandoning combat position or failing to perform duties in combat

1. Anyone who voluntarily leaves a combat position or fails to perform a combat duty shall be sentenced to imprisonment from 02 years to 07 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years:

- a) Is a commander or officer;
- b) Discarding weapons, military technical equipment or secret military documents;
- c) Enticing others to commit crimes;
- d) Causing serious or very serious consequences.

3. Committing a crime with particularly serious consequences shall be punishable by imprisonment from 10 to 20 years.

Article 402. Crime of desertion

1. Anyone who deserts the military to avoid military service during wartime or has been disciplined for this act and still violates it or causes serious consequences shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Is a commander or officer;
- b) Enticing others to commit crimes;
- c) Carrying or discarding weapons, military technical equipment or secret military documents;
- d) Causing very serious consequences.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 to 12 years:

- a) In combat;
- b) In a war zone;
- c) While performing search and rescue missions;
- d) In an emergency;
- d) Causing particularly serious consequences.

Article 403. Crime of shirking duties

1. Anyone who self-inflicts injury, causes damage to his/her health or uses other deceitful means to evade his/her duties shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Is a commander or officer;
- b) Enticing others to commit crimes;
- c) During wartime;
- d) While performing search and rescue missions;
- d) In an emergency;
- e) Causing serious consequences.

3. Committing a crime that causes very serious or especially serious consequences shall be punished with a term of imprisonment from 05 years to 10 years.

Article 404. Crime of intentionally disclosing military secrets

1. Anyone who intentionally discloses military secrets, if not falling under one of the cases specified in Articles 110, 337 and 361 of this Code, shall be sentenced to imprisonment from 06 months to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Is a commander or officer;
- b) In a war zone;
- c) In combat;
- d) Causing serious, very serious or especially serious consequences.

Article 405. Crime of appropriating, trading or destroying secret military documents

1. Anyone who appropriates, buys, sells or destroys secret military documents, if not falling under one of the cases specified in Articles 110, 337 and 361 of this Code, shall be sentenced to imprisonment from 06 months to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Is a commander or officer;

- b) In a war zone;
- c) In combat;
- d) Causing serious, very serious or especially serious consequences.

Article 406. Crime of unintentionally disclosing military work secrets

1. Anyone who unintentionally discloses military secrets, if not falling under one of the cases specified in Article 338 and Article 362 of this Code , shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:

- a) Is a commander or officer;
- b) In a war zone;
- c) In combat;
- d) Causing serious, very serious or especially serious consequences.

Article 407. Crime of losing secret military documents

1. Anyone who loses secret military documents, if not falling under one of the cases specified in Article 338 and Article 362 of this Code , shall be subject to non-custodial reform for up to 02 years or imprisonment from 03 months to 02 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 01 year to 05 years:

- a) Is a commander or officer;
- b) In a war zone;
- c) In combat;
- d) Causing serious, very serious or especially serious consequences.

Article 408. Crime of false reporting

1. Anyone who intentionally makes a false report in a military operation causing serious consequences shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) In combat;
- b) In a war zone;
- c) In an emergency;
- d) Causing very serious or especially serious consequences.

Article 409. Crime of violating regulations on duty, combat duty, and command duty

1. Anyone who fails to strictly comply with the duty, combat duty, and command duty regime, causing serious consequences, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) In combat;
- b) In a war zone;
- c) While performing search and rescue missions;
- d) In an emergency;
- d) Causing very serious or especially serious consequences.

Article 410. Crime of violating regulations on protection

1. Anyone who fails to strictly comply with regulations on patrolling, guarding, escorting, and general protection in one of the following cases shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 05 years :

- a) Causing physical injury to the protected person or guardian ;
- b) Damaging technical means and military equipment;
- c) Causing property damage from VND 100,000,000 to VND 500,000,000;
- d) Causing serious consequences.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years :

- a) Cause the protected person or guardian to die;
- b) Loss of technical means and military equipment;

- c) In combat;
- d) In a war zone;
- d) Enticing others to commit crimes;
- e) Causing very serious or especially serious consequences.

Article 411. Crime of violating regulations on ensuring safety in combat or in training

1. Anyone who fails to strictly comply with safety regulations in combat or training, causing serious consequences, shall be subject to non-custodial reform for up to 03 years or imprisonment from 01 year to 05 years.
2. Committing a crime causing very serious or especially serious consequences shall be punishable by imprisonment from 03 years to 10 years.

Article 412. Crime of violating regulations on the use of military weapons and military technical equipment

1. Anyone who violates regulations on the use of military weapons and military technical equipment, causing serious consequences, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 05 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:
 - a) In combat;
 - b) In a war zone;
 - c) Causing very serious or especially serious consequences.

Article 413. Crime of destroying or intentionally damaging military weapons and military technical equipment

1. Anyone who destroys or intentionally damages military weapons or military technical equipment, if not falling under one of the cases specified in Article 114 and Article 303 of this Code , shall be sentenced to imprisonment from 02 to 07 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 07 to 12 years:
 - a) In combat;
 - b) In a war zone;
 - c) Enticing others to commit crimes;
 - d) Causing serious consequences.
3. Committing a crime with very serious or especially serious consequences shall be punishable by imprisonment from 12 to 20 years or life imprisonment.

Article 414. Crime of losing or unintentionally damaging military weapons or military technical equipment

1. Any person who is assigned to manage or is equipped with military weapons or military technical equipment and loses or unintentionally damages them, causing serious consequences, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 05 years.
2. Committing a crime causing very serious or especially serious consequences shall be punishable by imprisonment from 03 years to 07 years.

Article 415. Crime of harassing people

1. Anyone who harasses people and has been disciplined for this act but still violates or causes serious consequences shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.
2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:
 - a) Is a commander or officer;
 - b) Enticing others to commit crimes;
 - c) In a war zone;
 - d) In the area where a state of emergency has been declared;
 - d) Causing very serious or especially serious consequences.

Article 416. Crime of abusing military needs while performing duties

1. Anyone who, while performing a duty, exceeds the scope of military needs and causes property damage from VND 100,000,000 to under VND 500,000,000 of the State, organization or individual shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.
2. Crimes causing property damage of VND 500,000,000 or more shall be punished with imprisonment from 03 to 07 years.

Article 417. Crime of intentionally abandoning wounded or dead soldiers or failing to care for or treat wounded soldiers

1. Any person who is responsible but intentionally leaves wounded or dead soldiers on the battlefield or fails to care for or treat wounded soldiers, resulting in the death of wounded or dead soldiers or the death of wounded soldiers, shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 05 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 years to 10 years:

- a) Is a commander or officer;
- b) For 02 wounded soldiers or 02 or more martyrs.

Article 418. Crime of appropriating or destroying relics of martyrs

1. Anyone who appropriates or destroys the relics of a martyr shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 03 years.

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 02 years to 07 years:

- a) Is a commander or officer;
- b) Appropriating or destroying the relics of two or more martyrs.

Article 419. Crime of appropriating or destroying war spoils

1. Anyone who, during combat or while clearing the battlefield, appropriates or destroys war spoils shall be subject to non-custodial reform for up to 03 years or imprisonment from 06 months to 05 years .

2. Committing a crime in one of the following cases shall be punishable by imprisonment from 03 to 07 years:

- a) Is a commander or officer;
- b) War booty worth from VND 100,000,000 to under VND 500,000,000;
- c) Negatively affect the military's reputation;
- d) War booty of military value;
- d) Causing serious or very serious consequences.

3. Committing a crime in one of the following cases shall be punishable by imprisonment from 05 years to 10 years.

- a) War booty worth VND 500,000,000 or more;
- b) War trophies of special military value;
- c) Causing particularly serious consequences.

Article 420. Crime of mistreating prisoners of war and deserters

Anyone who mistreats prisoners of war or deserters shall be subject to reform without detention for up to 01 year or imprisonment from 03 months to 02 years.

Chapter XXVI

CRIMES AGAINST PEACE, CRIMES AGAINST HUMANITY AND WAR CRIMES

Article 421. Crime of undermining peace and waging aggressive war

1. Anyone who propagates or incites a war of aggression or prepares, conducts or participates in a war of aggression against the independence, sovereignty and territorial integrity of another country or independent, sovereign territory shall be sentenced to between 12 and 20 years of imprisonment, life imprisonment or death.

2. Committing a crime under duress or under orders from a superior shall be punishable by imprisonment from 10 to 20 years.

Article 422. Crimes against humanity

1. Anyone who, in peacetime or wartime, commits an act of mass extermination of the population of an area, destroys the source of livelihood, undermines the cultural and spiritual life of a nation or an independent, sovereign territory, upsets the foundation of a society with the aim of destroying that society, or commits another act of genocide or commits an act of genocide or destruction of the natural environment, shall be sentenced to imprisonment from 10 to 20 years, life imprisonment or death.

2. Committing a crime under duress or under orders from a superior shall be punishable by imprisonment from 10 to 20 years.

Article 423. War crimes

1. Anyone who, during wartime, orders or directly carries out the killing of civilians, wounded people, prisoners of war, looting of property, destruction of residential areas, uses prohibited means or methods of warfare, or commits other acts that seriously violate international law or international treaties to which the Socialist Republic of Vietnam is a signatory or participant, shall be sentenced to imprisonment from 10 to 20 years, life imprisonment or death.

2. Committing a crime under duress or under orders from a superior shall be punishable by imprisonment from 10 to 20 years.

Article 424. Crime of recruiting, training or using mercenaries

Anyone who recruits, trains or uses mercenaries to fight against a sovereign, independent country or territory shall be punished by imprisonment from 10 to 20 years or life imprisonment.

Article 425. Crime of being a mercenary

Anyone who acts as a mercenary against an independent, sovereign nation or territory shall be punished with imprisonment from 05 years to 15 years.

Part Three

TERMS OF IMPLEMENTATION

Article 426. Entry into force

This Code comes into force from July 1, 2016 .

Penal Code No. 15/1999/QH10 and Law No. 37/2009/QH12 amending and supplementing a number of articles of the Penal Code cease to be effective from the date this Code comes into effect.

This Code was passed by the 13th National Assembly of the Socialist Republic of Vietnam, 10th session, on November 27, 2015./.

CHAIRMAN OF THE NATIONAL ASSEMBLY

Nguyen Sinh Hung