

**THE NATIONAL  
ASSEMBLY**

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

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Law No. 82/2015/QH13

*Hanoi, June 25, 2015*

**LAW**

**NATURAL RESOURCES AND ENVIRONMENT OF SEA AND ISLANDS**

*Pursuant to the Constitution of the Socialist Republic of Vietnam;*

*National Assembly promulgates natural resources and environment of sea and island.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Governing scope**

This Law regulates general management of natural resources and environment (hereinafter referred to as natural resources and environment); rights, obligations and responsibilities of agencies, organizations and individuals in general management and protection of natural resources and environment in Vietnam.

Environmental protection activities, management, exploitation and use of natural resources of sea and islands are prescribed in relevant laws and ensure accordance with provisions set out hereof.

**Article 2. Regulated entities**

This Law applies to agencies, organizations or individuals involved in activities in connection with general management and protection of natural resources and environment in Vietnam.

**Article 3. Interpretation of terms**

In this Law, some terms are construed as follows:

1. *Natural resources of sea and islands* include biotic resources and non-biotic resources within sea blocks, seabed, underwater landmass, shoreline areas, archipelago, islands, shallow areas, sandbank (hereinafter referred to as islands) that belong to sovereignty, sovereign rights and national jurisdiction of Vietnam.

2. *General management of natural resources of sea and islands* means activities of planning and organizing the implementation of policies, mechanism and means for intersectoral and inter-regional coordination to ensure natural resources of sea and islands are exploited and used effectively, maintain function and structure of ecosystem for sustainable development, protection of sovereignty, sovereign rights and national jurisdiction of Vietnam over the sea, and to ensure national defense and security.

3. *Shallow area* means an area of soil and rock rising naturally from sea surface, surrounded by ocean, being exposed or submerged at low or high tides respectively.

4. *Sandbank* means an area of rock, coral, sand or other natural components raising high from seabed but still submerged at lowest tide.

5. *Sea use planning* means orientation and arrangement of space for use of territorial waters of Vietnam, being formulated and approved according to the Law on Sea.

6. *Coastal area* means a transitional area between mainland or islands and ocean including coastal territorial waters and coastal land.

7. *General planning for exploitation and sustainable use of natural resources in littoral zones* means orientation and arrangement of space for exploitation and use of natural resources in littoral zones.

8. *Fundamental investigation into natural resources and environment* (hereinafter referred to as fundamental investigation) means activities of research, investigation, analysis and assessment of natural resources and environment in order to supply figures on current conditions, determine the law of distribution, potentiality, qualitative and quantitative characteristics of natural resources and environment.

9. *Statistical report on natural resources of sea and islands* means investigation, compilation and assessment of current conditions of natural resources of sea and islands at the time of statistical reporting and fluctuations between statistical reporting periods.

10. *General monitoring and supervision of natural resources and environment* mean a process of monitoring natural resources and environment, and impacts on natural resources and environment in a systematical way to supply information for assessment of current conditions and development of natural resources and environment, making forecasts and warnings about negative impacts on natural resources and environment.

11. *Risk of environmental pollution* means possible occurrence of pollution and damage to people, property, natural resources, living conditions and socio-economic activities caused by sea and island environment pollution.

12. *Oil and toxic chemical spill on the sea* means oil and toxic chemicals released into the sea from containers, transport vehicles, or from installations, facilities and oil field as a result of technical failures, natural disasters, and accidents or by human activities.

13. *Facility owners* mean individuals or heads of agencies, organizations responsible for all activities of exploitation, transportation and use of oil, oil products and toxic chemicals.

14. *Sea dumping* means intentional plunging or emptying into the sea all physical objects, matters subject to dumping at the sea as prescribed hereof.

#### **Article 4. State policies on natural resources and environment of sea and island**

1. The State shall guarantee natural resources and environment are managed, protected, exploited and used in an appropriate, effective and sustainable way under strategy, planning and plan for socio-economic development, protection of national sovereignty and assurance of National defense and security.

2. The State shall mobilize resources and encourage fundamental investigation and scientific research of natural resources and environment; place priority on deep and remote ocean, islands, bordering international waters and new natural resources of great importance for socio-economic development, assurance of National defense and security; issue policies encouraging organizations or individuals to participate in the exploitation and use of natural resources and environment in a sustainable way.

3. Intensify control of sea and island environmental pollution; increase efficiency in coordination in pollution control, prevention and coping with sea and island environment problems, climate change, rising sea; keep tight control of sea dumping activities.

4. Making investment to increase capability of observation, monitoring and forecasts about natural resources and environment; establish comprehensive information and database system on natural resources and environment fostering development of marine economy and National defense and security.

5. Expand and increase efficiency in international cooperation in the management, exploitation and use of natural resources and environment on the principles of maintaining independence and sovereignty of the Nation.

#### **Article 5. Principles of general management of natural resources of sea and islands**

1. Natural resources of sea and islands must be managed in agreement with strategy for exploitation and sustainable use and protection of natural resources and environment; planning and plans for use of sea; general planning for exploitation and sustainable use of natural resources in littoral zones; protection of national sovereignty, assurance of National defense and security.

2. General management of natural resources of sea and islands must be based on ecosystem approach ensuring natural resources of sea and islands are exploited and used in agreement with function of each sea area and within load capacity of environment, ocean ecosystem and islands.

3. General management of natural resources of sea and islands must have close coordination between sectors and levels; creating favorable conditions for residential communities, relevant organizations or individuals to get involved actively and effectively during the management, ensuring rights of residents to get access to the sea.

#### **Article 6. Participation of residential communities, relevant organizations or individuals in the general management of natural resources and environment**

1. Competent state agencies shall be responsible for ensuring smooth and effective participation of residential communities, relevant organizations or individuals in the general management of natural resources and environment.

2. Competent state agencies shall be responsible for getting suggestions from residential communities, relevant organizations or individuals during the formulation of the strategy for exploitation and sustainable use of natural resources and environment, the general planning for exploitation and sustainable use of natural resources in littoral zones, the program of general management of natural resources in littoral zones and establishment of coastal area protection corridors; be open to and make explanation of suggestions contributed by residential communities, relevant organizations or individuals.

3. Collection of suggestions from residential communities, relevant organizations or individuals is carried out in writing or by means of mass media, electronic information pages of competent state agencies. Reception or explanation of suggestions must be made public on electronic information pages of competent state agencies.

#### **Article 7. Week of Sea and Islands in Vietnam**

Week of Sea and Islands in Vietnam is from June 01-08 annually.

#### **Article 8. Prohibited acts**

1. Exploitation and use of natural resources of sea and islands in opposition to law provisions;
2. Violate the planning and plans for use of sea, general planning for exploitation and sustainable use of natural resources of littoral zones approved and announced by competent state agencies;
3. Make corrupt use of fundamental investigation, scientific research, exploitation and use of natural resources of sea and islands to affect national defense and security, national interests, lawful rights and benefits of other organizations, individuals.
4. Perform activities within coastal area protection corridors as prescribed in Article 24 and on archipelago, islands, shallow areas, and sandbanks to be protected as prescribed in Clauses 2, 4, Article 41 hereof.
5. Destroy and degrade environment and ecosystem of sea and islands;

6. Plunge and empty into the sea within territorial waters of Vietnam physical matters without permission and in opposition to law provisions;
7. Supply, exploit and use of natural resources of sea and islands in opposition to law provisions;
8. Make corrupt use of business titles and powers to break regulations on general management of natural resources and environment;

## **Chapter II**

### **STRATEGY FOR EXPLOITATION AND SUSTAINABLE USE OF NATURAL RESOURCES AND ENVIRONMENT OF SEA AND ISLAND**

#### **Article 9. Principles and foundations for formulation of strategy for exploitation and sustainable use of natural resources and environment of sea and island**

##### 1. Principles:

- a) Accord with strategy and general planning for socio-economic development, strategy for Vietnamese sea and for protecting the national environment;
- b) Satisfy demands for exploitation, appropriate and effective use and protection of natural resources and environment, coping with climate change, rising sea; protection of national sovereignty, assurance of National defense and security; preserve and bring into play values of cultural heritages;

##### 2. Foundations:

- a) Potentiality of sea and islands; result of fundamental investigation; result of research, assessment and statistical reports on natural resources and environment; forecasts about impacts of climate change, rising sea on natural resources and environment;
- b) Demands for exploitation and use of natural resources of sea and islands; demands for protection of environment of sea and islands;
- c) Result of exploitation and sustainable use of natural resources of environment in the previous reporting period;

3. Strategy for exploitation and sustainable use of natural resources and environment established at national level for a 20-year period and a 30-year vision;

#### **Article 10. Content of strategy for exploitation and sustainable use of natural resources and environment**

1. Viewpoints and principles of directions, vision and objectives of fundamental investigation, scientific research, international cooperation, exploitation and use of natural resources and environment meeting demands for general management for sustainable development;
2. Orientation, tasks and general solutions for fundamental investigation, scientific research, international cooperation, exploitation and use of natural resources and environment, coping with climate change and rising sea;
3. Programs, projects and tasks for the implementation of the strategy's objectives;

### **Article 11. Formulation, assessment, approval and implementation of the strategy for exploitation and sustainable use of natural resources and environment**

1. The Ministry of Natural Resources and Environment shall preside over and cooperate with relevant ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces in the formulation of the strategy for exploitation and sustainable use of natural resources and environment and making submission to the Government for approval. The formulation of the strategy for exploitation and sustainable use of natural resources and environment must be based partly on suggestions from residential communities and relevant organizations and individuals during the formulation and must be assessed before approval.
2. Ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces, within the scope of duties and powers, shall be responsible for making checks, proposals for supplements and amendments to the strategy of relevant sectors and localities to accord with the strategy for exploitation and sustainable use of natural resources and environment.
3. This Article shall be detailed by the Government.

## **Chapter III**

### **FUNDAMENTAL INVESTIGATION, SCIENTIFIC RESEARCH ON NATURAL RESOURCES AND ENVIRONMENT**

#### **Section 1: Fundamental investigation**

#### **Article 12: Requirements for fundamental investigation**

1. Ensure adequate provision of information and data on natural resources and environment to serve management and development of marine economy, coping with climate change, rising sea, protection of national sovereignty, assurance of National defense and security;
2. Identify order of priority for activities of fundamental investigation into natural resources and environment by subject, location in accordance with the State's capacity to meet resources in each period;

3. Base oneself on demands for investigation, result of fundamental investigation, scientific research carried out in the location expected to be investigated; Activities of fundamental investigation on an area of sea must integrate appropriately with special characteristics of activities of fundamental investigation on sea and islands to ensure thrifty and efficiency.

4. Result of fundamental investigation must be inspected, approved, submitted, exploited and used according to law provisions.

### **Article 13: Activities of fundamental investigation**

1. Activities of fundamental investigation shall be carried out through projects and tasks as follows:

a) Projects and tasks of fundamental investigation within key program for fundamental investigation;

b) Projects and tasks of fundamental investigation outside key program for fundamental investigation;

2. Projects and tasks of fundamental investigation as prescribed in Point a, Clause 1 of this Article include projects and tasks of investigation at intersectorial, interregional levels, at deep and high sea areas and neighboring international waters; fundamental investigation into islands, discovery of new natural resources; projects and tasks of importance for socio-economic development and assurance of National defense and security.

3. Projects and tasks as prescribed in Point b, Clause 1 of this Article shall be formulated, approved and implemented in accordance with law provisions by relevant ministries, ministerial-level agencies, Governmental agencies and People's committees of central-affiliated coastal cities and provinces; prior to approval, suggestions on necessity, subjects, scope and information of investigation, feasibility and efficiency must be collected from the Ministry of Natural Resources and Environment; after approval, the decision on approval and information on location, borderlines, area and coordinates of the area subject to investigation shall be sent to the Ministry of Natural Resources and Environment.

### **Article 14. Key program for fundamental investigation**

1. Ministries, ministerial-level agencies, Governmental agencies, People's committees of central-affiliated coastal cities and provinces, in reliance on demands for fundamental investigation of sectors, fields and localities and provisions set out in Clause 2, Article 13 hereof, shall be responsible for proposing projects and tasks to the Ministry of Natural Resources and Environment for compilation and formulation of the key program for fundamental investigation and submission to the Government for approval.

2. Ministries, ministerial-level agencies, Governmental agencies, People's committees of central-affiliated coastal cities and provinces shall carry out implementation of projects and tasks according to the key program for fundamental investigation approved by the Prime Minister.

3. The Ministry of Natural Resources and Environment shall be responsible for organizing, monitoring and inspecting the implementation of the approved program for fundamental investigation.

4. This Article shall be detailed by the Government.

#### **Article 15: Responsibilities of agencies, organizations for fundamental investigation**

1. Ministries, ministerial-level agencies, Governmental agencies, People's committees of central-affiliated coastal cities and provinces, within the scope of duties and powers, shall be responsible for directing and organizing the implementation of fundamental investigation as prescribed hereof and relevant law provisions.

2. Agencies, organizations that are assigned to carry out projects and tasks of fundamental investigation shall take the responsibilities as follows:

a) Carry out projects and tasks as approved and in accordance with technical regulations and standards, norms, unit price in fundamental investigation;

b) Ensure honesty and sufficiency in collection and compilation of documents, information on natural resources and environment of sea and islands; keep confidential documents and information according to law provisions;

c) Ensure safety and security on the sea as well as protection of natural resources and environment of sea and islands during the implementation of projects and tasks;

d) Make submission to competent agencies for inspection, acceptance and submission of report on result of investigation according to law provisions;

#### **Article 16. Statistical reports on natural resources and environment of sea and island**

1. Ministries, ministerial-level agencies, Governmental agencies, People's committees of central-affiliated coastal cities and provinces, within the scope of duties and powers, shall be responsible for carrying out statistical reports on natural resources and environment within management according to provisions of the Law on Statistical Reports and submitting the result to the Ministry of Natural Resources and Environment.

2. The Ministry of Natural Resources and Environment shall be responsible for compiling statistical work and make the report to the Prime Minister.

### **Section 2: SCIENTIFIC RESEARCH ON NATURAL RESOURCES AND ENVIRONMENT**

#### **Article 17: Activities of scientific research on natural resources and environment**



1. Activities of scientific research on natural resources and environment shall be carried out through science and technology tasks for natural resources and environment as prescribed hereof and the Law on Science and Technology.

2. The State shall prioritize investment in science and technology tasks for natural resources and environment through national-level science and technology programs for natural resources and environment.

3. Activities of scientific research conducted by foreign organizations and individuals within Vietnamese waters must meet conditions and must be permitted by the Laws of Vietnam.

### **Article 18. National-level science and technology program for natural resources and environment**

1. National-level science and technology programs for natural resources and environment include topics, projects and tasks meeting the following criteria:

a) Have importance for socio-economic development, increase efficiency in exploitation and sustainable use of natural resources and environment; bring into play capability of science and technology for natural resources and environment and ensure National defense and security;

b) Deal with scientific and technological problems for natural resources and environment in connection with various sectors, fields, interregional and international waters;

c) As rationale for planning policies, mechanism to increase effectiveness and efficiency in general management of natural resources and environment; orientate activities of fundamental investigation; cope with climate change and rising sea;

d) Mobilize national resources and participation of various scientific and technological branches;

2. Agencies, organizations, and individuals that have proposals for science and technology tasks for natural resources and environment should make the submission of such proposals in accordance with sectors, fields and administrative divisions within management to ministries, ministerial-level agencies, Governmental agencies, People's committees of central-affiliated coastal cities and provinces, and other regulatory agencies at central level for compiling and proposing science and technology tasks to be included to national-level science and technology programs for natural resources and environment.

3. Based on proposals from ministries, ministerial-level agencies, Governmental agencies, People's committees of central-affiliated coastal cities and provinces, and other regulatory agencies at central level, the Ministry of Science and Technology shall preside over and cooperate with the Ministry of Natural Resources and Environment in compiling, formulating and placing order for implementation of projects and tasks within national-level science and technology programs for natural resources and environment. Identification and implementation of the program are carried out in accordance with law provisions.

## **Article 19. Issuance of permit for scientific research within Vietnamese waters to foreign organizations and individuals**

1. Article 19. Issuance of permits for scientific research to foreign organizations and individuals that conduct scientific research within Vietnam's territorial waters (hereinafter referred to as foreign organizations and individuals)

a) Organizations with legal status according to the laws of the country where such organizations are established; international organizations as inter-governmental organizations; individuals fully capable of civil acts according to the laws of the country of which such individuals are nationals;

b) Have demands for independent scientific research or cooperation in scientific research with Vietnam; in case scientific research takes place within the territorial waters of Vietnam, cooperation with Vietnam is required at the request of Vietnam;

c) Activities of scientific research for peaceful purpose without causing harm to national sovereignty and National defense and security, pollution to sea environment and obstructions to legal activities of organizations and individuals within Vietnam's territorial waters;

d) Have application for permit as prescribed;

2. The Minister of Natural Resources and Environment shall issue scientific research permit to foreign organizations and individuals after collection of suggestions from relevant sectors, fields, People's committees of central-affiliated cities and provinces and after getting agreement with the Ministry of National Defense, the Ministry of Public Security, the Ministry of Foreign Affairs and the Ministry of Science and Technology. After the permit is issued, the Ministry of Natural Resources and Environment shall be responsible for making notifications to relevant ministries, regulatory bodies and local governments for cooperation in management;

3. Competent agencies that issue scientific research permit have the right to re-issue, extend, amend, supplement, suspend and revoke the permit.

4. The Government shall detail issuance of scientific research permit to foreign organizations and individuals.

## **Article 20. Rights and obligations of foreign organizations and individuals**

1. Foreign organizations and individuals that conduct scientific research within Vietnam's territorial waters shall have the following rights:

a) Carry out activities of scientific research within Vietnam's territorial waters as prescribed in the permit;

b) Announce and transfer information, research findings as prescribed in Clauses 1, 2, Article 21 hereof;

c) Instruct, provide communication services, and create favorable conditions for scientific research in Vietnam's territorial waters;

2. Foreign organizations and individuals that conduct scientific research within Vietnam's territorial waters shall have the following obligations:

a) Respect independence and sovereignty of the Socialist Republic of Vietnam; only carry out activities of scientific research for peaceful purpose; not allowed to carry out activities other than scientific research activities permitted by competent agencies;

b) Comply with regulations on marine security and safety; establish marine safety area surrounding research facilities; marine signals; maintain contact and comply with other regulations on marine;

c) Do not cause negative effects to National defense and security and activities of fundamental investigation, scientific research, survey, exploitation and use of natural resources and environment legally carried out in Vietnam's territorial waters; do not bring into the territorial waters of Vietnam weapons, explosives, toxic chemicals, other means and equipment capable of causing damage to people, natural resources, and sea environment except explosives, toxic chemicals permitted by competent agencies for implementation of activities of scientific research;

d) Comply with regulations on environmental protection and remediation, and compensation for damage according to law provisions in case activities of scientific research cause pollution and degradation to sea and island environment and ecosystem;

dd) Activities of scientific research must be carried out with appropriate manner and vehicles, in accordance with the Laws of Vietnam and relevant international laws;

e) Ensure necessary conditions including expenses for at least two scientists appointed to take part in the research by competent state agencies;

g) Make immediate notice to the Ministry of Natural Resources and Environment upon detection of changes during scientific research in comparison with content and time limit prescribed in the permit, and only perform such changes when a written approval from the Minister of Natural Resources and Environment is obtained;

h) When activities of scientific research are completed, make the report on preliminary result of research findings to the Ministry of Natural Resources and Environment; within 30 days, unless otherwise as negotiated or except force majeure, complete removal and bring out of the territorial waters of Vietnam vehicles and equipment used for scientific research;

i) Within six months since permitted activities of scientific research are completed, make an office report on result of scientific research and provide materials or original specimen to the Ministry of Natural Resources and Environment;

## **Article 21. Announce and transfer information and research findings by foreign organizations and individuals**

1. Foreign organizations and individuals are permitted to announce and transfer information and research findings to a third party only when a written approval from the Minister of Natural Resources and Environment is obtained;
2. Foreign organizations and individuals Foreign organizations and individuals are permitted to announce and transfer information and research findings in direct connection with survey and exploitation of natural resources to a third party only when a written approval from the Minister of Natural Resources and Environment is obtained;
3. The Minister of Natural Resources and Environment shall decide to permit announcement and transfer of information and research findings as prescribed in Clauses 1, 2 of this Article after consulting with the Ministry of National Defense, the Ministry of Public Security, the Ministry of Foreign Affairs and the Ministry of Science and Technology.

## **Chapter IV**

### **GENERAL PLANNING FOR EXPLOITATION AND SUSTAINABLE USE OF NATURAL RESOURCES IN LITTORAL ZONES**

#### **Section 1: Littoral zones and coastal area protection corridors**

##### **Article 22. Scope of coastal area**

1. Scope of coastal area is determined on the basis of natural, socio-economic conditions in each coastal area; characteristics of interaction between mainland or islands and ocean; demands for protection of coastal area environment, coping with climate change, rising sea; current conditions and demands for exploitation and use of natural resources, and other characteristics for general management of natural resources in littoral zones in accordance with management capacity.
2. The Government shall detail scope of coastal area as prescribed in Clause 1 of this Article.

#### **Section 23: Coastal area protection corridors**

1. Coastal area protection corridor is a littoral strip established in the areas in need of protection to maintain service value of ecosystem and natural landscape in littoral zones, maximize coastal land slides, cope with climate change and rising sea; ensure people's rights to access to sea.
2. Establishment of coastal area protection corridors must comply with the following principles:
  - a) Base oneself on requirements, objectives of the establishment of coastal area protection corridors as prescribed in Clause 1 of this Article;

b) Ensure scientificity, objectivity and harmony between requirements for protection and development with due account taken of current conditions of exploitation and use of natural resources in shoreline areas; preserve and bring into play value of cultural heritages; ensure feasibility and conformity with actual conditions in local administrative division;

c) Accord with regulations on dikes and dike maintenance, sea borders; ensure National defense and security;

d) Define borderlines of coastal area protection corridors in the areas with corridors being established;

đ) dd) Ensure interests of the State, lawful rights and benefits of relevant organizations and individuals; ensure public disclosure, transparency and participation of residential communities, relevant organizations and individuals in the areas with corridors established; ensure people's rights to access to sea.

3. Width of coastal area protection corridors is calculated from average height of tides over years to the mainland or inside the island.

4. People's committees of central-affiliated coast cities and provinces shall rely on actual circumstances in local administrative divisions as prescribed in this Article to organize establishment, announcement of coastal area protection corridors within management.

5. This Article shall be detailed by the Government.

#### **Section 24: Prohibited acts within coastal area protection corridors**

1. Mineral extraction unless otherwise as approved by the Prime Minister;

2. Establish new constructions and expand construction works except the works used for protection of National defense and security, prevention and fighting against natural disaster and coastal land slides, coping with climate change, rising sea, preserving and bringing into play value of cultural heritages and other construction works serving interests of the nation, communities decided to invest by the National Assembly, Government, the Prime Minister, heads of ministries, central agencies, People's Council, People's committees of central-affiliated coastal cities and provinces.

3. Construct cemeteries and landfills;

4. Activities of drilling, excavation, and backfilling within coastal area protection corridors except activities as prescribed in Article 25 hereof;

5. Illegal transgression and use of coastal area protection corridors;

6. Activities that cause coastal landslide, degrade ecosystem, value of service of ecosystem and natural landscapes;

## **Article 25: Restricted activities within coastal area protection corridors**

1. Within coastal area protection corridors, the following activities are restricted:

- a) Exploit underground water;
- b) Carry out land reclamation;
- c) Renovate constructed works;
- d) Carry out survey of minerals, oil and gas;
- dd) Activities of production, trading and services likely to degrade ecosystem, value of service of ecosystem and natural landscapes;

2. This Article shall be detailed by the Government.

## **Section 2: GENERAL PLANNING FOR EXPLOITATION AND SUSTAINABLE USE OF NATURAL RESOURCES IN LITTORAL ZONES**

### **Section 26: Principles, foundations for formulating general planning**

1. Principles:

- a) Accord with the strategy for exploitation and sustainable use and protection of natural resources and environment; sea-use planning;
- b) Ensure harmony in exploitation and use of natural resources, protection of environment and sustainable development of littoral zones, protection of national sovereignty, defense and security;
- c) Integrate requirements for preventing and fighting natural disasters, coping with climate change, rising sea;
- d) Ensure public disclosure, transparency and participation of residential communities, and relevant agencies, organizations, and individuals; ensure people's rights to access to sea;
- dd) Accord with resources and ensure feasibility;

2. Foundations:

- a) Strategy for exploitation and sustainable use of natural resources and environment; sea-use planning;

- b) Natural and socio-economic conditions and specific characteristics of each area within littoral zones, potentiality of natural resources, current conditions of coastal area environment; forecast impacts of climate change, rising sea;
- c) Result of fundamental investigation of littoral zones; statistical reports on natural resources in littoral zones;
- d) Demands for exploitation and use of natural resources; demands for protection of environment in littoral zones;
- dd) Result of performance of general planning for exploitation and sustainable use of natural resources in littoral zones in previous reporting period;

**Article 27: Scope, content and period of general planning for exploitation and sustainable use of natural resources in littoral zones**

1. General planning for exploitation and sustainable use of natural resources in littoral zones is formulated for the entire coast areas across the country.

2. Content of the planning:

- a) Perform general assessment of natural and socio-economic conditions, environment; current conditions of coastal area environment; trends in fluctuation of natural resources and environment in littoral zones; demands for exploitation and use of natural resources and demands for environmental protection in littoral zones;
- b) Identify objectives, orientation and construction of general method of exploitation and sustainable use of natural resources and protection of environment in littoral zones;
- c) Zoning for exploitation and use of natural resources in littoral zones; sea areas used to dump physical matters as prescribed in Article 33 hereof;
- d) Solutions and programs for implementing the planning

3. Period of general planning of exploitation and sustainable use of natural resources in littoral zones established for a 10-year period, and a 20-year vision.

**Article 28: Revision of general planning for exploitation and sustainable use of natural resources in littoral zones**

1. Revision of general planning for exploitation and sustainable use of natural resources of littoral zones is made in the following cases:

- a) Revisions made to the strategy for exploitation and sustainable use of natural resources, protection of environment, the sea-use planning result in changes to the approved planning.

b) Impacts of natural disasters, wars, environmental emergencies result in changes to the approved planning.

2. Revisions made to the general planning for exploitation and sustainable use of natural resources in littoral zones are an integral part of the approved general planning for exploitation and sustainable use of natural resources in littoral zones.

**Article 29: Formulation, assessment, approval and revision of general planning for exploitation and sustainable use of natural resources in littoral zones**

1. The Ministry of Natural Resources and Environment shall preside over and cooperate with ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces in the formulation and submission of the general planning for exploitation and sustainable use of natural resources in littoral zones to the Government for revision and approval.

2. The general planning for exploitation and sustainable use of natural resources in littoral zones must be assessed prior to submission for approval according to law provisions.

3. This Article shall be detailed by the Government.

**Article 30: Collection of suggestions and announcement of general planning for exploitation and sustainable use of natural resources in littoral zones**

1. Collection of suggestions during the formulation of general planning for exploitation and sustainable use of natural resources in littoral zones;

a) The Ministry of Natural Resources and Environment shall be responsible for organizing collection of suggestions from relevant agencies, organizations, individuals, and residential communities;

b) Suggestions are collected through conferences, written communications, and public announcement on the websites of the Government, the Ministry of Natural Resources and Environment and People's committees of central-affiliated coastal cities and provinces.

Time for public announcement on the websites to collect suggestions is at least 90 days.

c) The Ministry of Natural Resources and Environment shall be responsible for making the report, compilation and explanations of suggestions; making public announcement on the websites of the Government, the Ministry of Natural Resources and Environment and People's committees of central-affiliated coastal cities and provinces.

2. Within 30 days since general planning for exploitation and sustainable use of natural resources in littoral zones is approved by the Government, the Ministry of Natural Resources and Environment shall be responsible for making public announcement of the planning throughout the planning period;



### **Article 31: Implementation of general planning for exploitation and sustainable use of natural resources in littoral zones**

1. The Ministry of Natural Resources and Environment shall preside over and cooperate with ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces in organizing and inspecting the implementation of the general planning for exploitation and sustainable use of natural resources in littoral zones.
2. Ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces shall be responsible for organizing the implementation of the general planning for exploitation and sustainable use of natural resources in littoral zones.
3. Organizations and individuals in connection with exploitation and sustainable use of natural resources in littoral zones shall be responsible for complying with the general planning for exploitation and use of natural resources in littoral zones.

### **Article 32. Relationship between general planning for exploitation and sustainable use of natural resources in littoral zones and planning for exploitation and use of natural resources, planning for development of sectors and localities**

1. Planning for exploitation and use of natural resources, planning for development of sectors and localities with content in connection with exploitation and sustainable use of natural resources in littoral zones must conform to the approved general planning for exploitation and sustainable use of natural resources in littoral zones.
2. Ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces, within the scope of duties and powers, shall be responsible for making checks, proposals for supplements and amendments to planning for exploitation and use of natural resources, planning for development of sectors, localities with content in connection with exploitation and sustainable use of natural resources and environment in accordance with the approved general planning for exploitation and sustainable use of natural resources in littoral zones.

### **Article 33. Principles of zoning exploitation and use of natural resources in littoral zones**

1. Making consideration and overall assessment of natural resources, environmental conditions, geographic characteristics of the area; role of the area expected to be zoned for socio-economic development, national defense and security, preservation and promotion of values of cultural heritages, protection of environment and ecosystem.
2. Ensure integrity and harmony between demands for exploitation and use, and demands for protection of natural resources, environment and ecosystem; harmonize short-term and long-term interests of organizations and individuals that exploit and use natural resources and interests of the State and communities; prioritize long-term interests and interests of communities; ensure people's rights to access to sea; ensure National defense and security, maritime traffic safety.

3. Based on result of assessment and identification of area, level of priority in exploitation and use natural resources, select an optimal zoning plan to ensure harmony between economic development and protection of environment and ecosystem of sea and islands for sustainable development of littoral zones, defense of national sovereignty, assurance of national defense and security.

### **Section 3. PROGRAM FOR GENERAL MANAGEMENT OF NATURAL RESOURCES IN LITTORAL ZONES**

#### **Article 34. Scope and content of program for general management of natural resources in littoral zones**

1. The program for general management of natural resources in littoral zones includes programs at interprovincial level and programs within management of central-affiliated coastal cities and provinces.

2. Program for general management of natural resources in littoral zones is formulated for the coastal area in the following cases:

a) Concentration of a great deal of activities of exploitation and use of natural resources with conflicts or possible risk of conflicts of interests in exploitation and use of natural resources that need participation of various levels, sectors and communities for handling;

b) Natural resources and values of ecosystems of the coastal area running the risk of severe degradation as a result of activities of exploitation and use of natural resources; running high or very high risk of pollution;

c) Having a particular significance for socio-economic development, National defense and security, preservation and promotion of values of cultural heritages, protection of environment and ecosystem but vulnerable to climate change and rising sea.

3. The program for general management of natural resources in littoral zones includes the following information:

a) Objectives;

b) Issues to be addressed, order of priority to handling; indices for assessment of program implementation;

c) Specific solutions and tasks for implementation of the program;

d) Resources for implementation of the program;

#### **Article 35. Principles, foundations for formulation and revision of program for general management of natural resources in littoral zones**

1. Principles of formulation and revision of program for general management of natural resources in littoral zones;

a) Ensure settlement of conflicts of interests in exploitation and use of natural resources; harmonize interests of the parties involved;

b) Ensure participation of the parties involved during the formulation of the program for general management of natural resources in littoral zones;

c) Ensure practicality, feasibility during the implementation;

2. Foundations for formulation of the program for general management of natural resources in littoral zones:

a) General planning for exploitation and sustainable use of natural resources in littoral zones

b) Current conditions of exploitation and use of natural resources and environment in littoral zones within scope of the program;

c) Financial, workforce, science and technology capabilities;

3. The program for general management of natural resources in littoral zones shall be revised when one of foundations as prescribed in Clause 2 of this Article changes.

**Article 36. Formulation, assessment, approval and revision of program for general management of natural resources in littoral zones**

1. The Ministry of Natural Resources and Environment shall preside over and cooperate with ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces in the formulation and submission of interprovincial-level program for general management of natural resources in littoral zones to the Prime Minister for revision and approval.

2. People's committees of central-affiliated coastal cities and provinces shall organize formulation and revision of the program for general management of natural resources in littoral zones within management; collect suggestions from the Ministry of Natural Resources and Environment before approval.

3. The program for general management of natural resources in littoral zones must be assessed in advance of approval.

4. This Article shall be detailed by the Government.

**Article 37. Collect suggestions and announce program for general management of natural resources in littoral zones**

1. Collect suggestions during formulation of program for general management of natural resources in littoral zones

a) The agency charged with formulating the program shall be responsible for collecting suggestions from relevant agencies, organizations, individuals, and residential communities;

b) Suggestions are collected through conferences, written communications, and public announcement on the websites of the agency charged with formulating the program.

For programs at interprovincial levels and programs within management of central-affiliated coastal cities and provinces, time limit for public announcement on the websites to collect suggestions is at least 90 days and 60 days respectively.

2. The program for general management of natural resources in littoral zones must be made in public within 30 days since it is approved.

### **Section 38. Implementation of program for general management of natural resources in littoral zones**

1. The Ministry of Natural Resources and Environment shall preside over implementation of the interprovincial-level program for general management of natural resources in littoral zones. Ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces shall be responsible for cooperating with the Ministry of Natural Resources and Environment in the implementation of the interprovincial-level program for general management of natural resources in littoral zones.

2. People's committees of central-affiliated coastal cities and provinces shall organize implementation of the program for general management of natural resources in littoral zones under its approval.

## **Chapter V**

### **MANAGEMENT OF NATURAL RESOURCES IN ISLANDS**

#### **Article 39. Requirements for management of natural resources in islands**

1. Natural resources in islands must be managed in agreement with the strategy for exploitation and sustainable use of natural resources and protection of sea and island environment; sea-use planning and plans; general planning for exploitation and sustainable use of natural resources in littoral zones and provisions as prescribed hereof.

2. Islands must be put into fundamental investigation, overall and comprehensive assessment of natural conditions, natural resources and environment; statistical reporting, classification for documentation and orientation of exploitation and appropriate and effective use of natural resources for socio-economic development, defense of national sovereignty, assurance of

National defense and security, coping with climate change, rising sea, preservation and promotion of values of cultural heritages.

3. Ensure harmony between demands for exploitation and use of natural resources and demands for preservation, development and protection of environment and ecosystem;

#### **Article 40. Formulation and management of documentation of natural resources in islands**

1. Islands shall be classified for protection, preservation, exploitation and use of natural resources according to the Government's regulations;

2. Documentation of natural resources in islands includes:

a) Information sheet: names or number signs of islands; type of islands; positions, coordinates, area; exploitation and use of islands;

b) Maps defining positions, coordinates and borderlines of islands;

c) Result of investigation and overall assessment of island natural resources and environment;

d) Statistical reports, records of fluctuations in island natural resources and environment, and other relevant information;

3. People's committees of central-affiliated coastal cities and provinces shall be responsible for formulating and managing documentation of islands within local level.

4. The Minister of Natural Resources and Environment shall detail documentation of natural resources in islands and provide guidance on formulation and management of natural resources in islands.

#### **Article 41. Exploitation and use of natural resources in islands**

1. Exploitation and use of natural resources in archipelago, islands are instructed in the same way as exploitation and use of natural resources in mainland as prescribed hereof and other relevant law provisions.

2. For archipelago, islands that must be protected and preserved except cases as prescribed in Clause 5 of this Article, the following activities are prohibited:

a) Carry out new constructions; installation of facilities;

b) Impacts resulting in changes to topography, geomorphology and soil quality;

c) Activities of exploitation, excavation, backfilling, soil improvement; exploitation of minerals, underground water; bringing natural formations out of archipelago, islands;

d) Reclamation, felling, encroachments on vegetational cover; bringing wild plants out of archipelago, islands;

dd) Hunting, bringing animals out of archipelago, islands; grazing livestock, bringing alien living things on archipelago, islands;

e) Dump or bring waste matters on archipelago, islands;

3. Exploitation and use of natural resources in shallow areas, sandbanks must be permitted by competent state agencies as prescribed hereof, relevant law provisions and the international agreements to which the Socialist Republic of Vietnam is a signatory.

4. For shallow areas, sandbanks to be protected, preserved except cases as prescribed in Clause 5 of this Article, the following activities are prohibited:

a) Carry out new constructions; installation of facilities;

b) Impacts resulting in changes to topography, geomorphology;

c) Reclamation, exploitation, excavation, backfilling, soil improvement; exploitation of minerals; bringing natural formations out of shallow areas, sandbanks;

d) Dump or bring waste matters on shallow areas, sandbanks;

5. Activities as prescribed in Clauses 2, 4 of this Article shall be permitted in the following cases:

a) Serve the purpose of National defense and security and perform state management tasks;

b) Serve the purpose of scientific research, investigation, research and assessment of natural conditions, natural resources and environment permitted by competent state agencies; carry out programs and projects of the State;

c) Prevention and fighting against natural disasters, activities of rescue and relief;

d) Other cases as approved by the Prime Minister;

## **Chapter VI**

### **CONTROL OF POLLUTION, COPING WITH SPILL OF OIL, TOXIC CHEMICALS AND SEA DUMPING**

#### **Section 1: Control of sea and island environment pollution**

##### **Article 42: Principles of sea and island environment pollution control**

1. Control of sea and island environment pollution must be regularly conducted with the task of prevention being prioritized; carry out early and effective remedy for pollution, sea environment emergencies, degradation of sea and island environment.
2. Sea areas must be zoned for risk of pollution to come up with effective solutions for pollution control.
3. Waste sources from mainland, activities on sea and islands, waste of unclear origin and from border crossing must be tightly controlled. Control of waste sources, waste matters must involve consideration of loading capacity of sea and island environment.
4. Effectively coping with sea environment emergencies and early prevention of spread of pollution
5. Close coordination among relevant sectors, levels, organizations and individuals for control of sea and island environment pollution;

#### **Article 43: Content of sea and island environment pollution control**

1. Carry out investigation, statistical work, classification and assessment of waste sources from mainland, activities on sea and islands; state of environmental pollution;
2. Conduct regular monitoring and assessment of current conditions of water, sediments, ecosystems and biodiversity of sea and island areas;
3. Conduct investigation and assessment of loading capacity of environment in the areas running high or very high risk of pollution; make public announcement of areas out of capacity to receive waste;
4. Prevent, detect, handle and overcome pollution and degradation of environment, ecosystems; improve and remediate environment and ecosystems polluted and degraded;
5. Identify level of risk of environmental pollution; zone and map risk of environmental pollution;
6. Cope with environmental emergencies;
7. Grant permits and control sea dumping;
8. Cooperate with state agencies and foreign agencies and organizations in sharing information and assessing sea water environment quality; control cross-border environmental pollution according to law provisions;
9. Make public announcement of areas running the risk of environmental pollution, information about water, sediments of sea and island areas;

#### **Article 44: Responsibilities of investigation and assessment of sea and island environment**

1. The Ministry of Natural Resources and Environment, ministries, ministerial-level agencies, Governmental agencies, People's committees of central-affiliated coastal cities and provinces, within the scope of duties and powers, shall be responsible for carrying out monitoring and assessment of environmental pollution in sea and islands, current conditions of water, sediments, ecosystems and biodiversity of sea and island areas; conducting investigation, statistical work, classification and assessment of waste sources from mainland, activities on sea and islands according to regulations on environmental protection.

2. The Ministry of Natural Resources and Environment shall be responsible for conducting investigation and assessment of loading capacity of environment in areas running high or very high risk of pollution; making public announcement of sea and island areas out of capacity to receive waste; publicize information about sea and island environment according to law provisions;

#### **Article 45: Control of environment pollution from sea activities**

1. Hazardous waste from sea activities must be collected, classified, stored, transported and treated according to regulations on environmental protection.

2. Any works, facility on the sea that are no longer used after expiration date must be dismantled and transported to mainland or dumped at sea as prescribed hereof and other relevant law provisions.

3. Owners of vehicles transporting and storing petrol, oil, chemicals, radioactive substances, toxins and other substances running the risk of sea environment emergencies must have a plan for prevention and coping with environmental emergencies, ensuring no leakage, loss and spilling.

4. Wastewater from ships, drilling rigs, and other works and facilities on the sea; oil sludge and mud containing toxic mixtures from petroleum exploration and extraction must be treated to meet technical regulations on environment before being discharged to sea.

5. Ballast water, rinses, washing water, bilge water must be treated to meet technical regulations on environment before being discharged to sea.

6. Discharge of ballast water, rinses, washing water, bilge water and other wastewater from ships is instructed in accordance with regulations of the laws on maritime, environmental protection, relevant law provisions and the international agreements to which the Socialist Republic of Vietnam is a signatory.

7. Solid waste from ships, drilling rigs, works and other facilities on sea must be closely managed under the laws; mud dredged from navigable channels, ports must be transported to mainland or dumped at sea as prescribed hereof and relevant law provisions.



8. Ports must be equipped with a system to receive and process domestic waste, residual oil from vehicles on sea.

9. Waste floating on ocean surface or along the shores must be collected, classified and treated according to regulations on environmental protection and relevant law provisions.

#### **Article 46: Control of sea environment pollution from mainland**

1. Waste arising from production, trading and domestic activities on mainland must be treated to meet Technical regulations on environment before being discharged to sea.

2. Positions of discharging treated wastewater to sea must be arranged on the basis of natural conditions of the area of discharge; factors such as dynamics, environment, ecology, biodiversity, natural resources and current conditions of exploitation and use of sea areas.

Positions of discharging wastewater to sanctuaries, beaches, famous landscapes along sea shores must be examined, considered and handled according to the laws on environmental protection.

3. Facilities performing activities of production, trading and services on shoreline areas and islands must be equipped with adequate waste treatment plant to ensure treated waste reaches Technical regulations on environment; current conditions of treatment and discharge of waste to sea must be regularly reported to competent state management agencies as prescribed by the Minister of Natural Resources and Environment.

4. Pollution sources from river basins to sea must be investigated, assess and closely controlled.

#### **Article 47: Control of cross-border sea environment pollution**

1. Ministries, ministerial-level agencies, Governmental agencies, People's committees of central-affiliated coastal cities and provinces, within the scope of duties and powers, shall be responsible for conducting monitoring, early detection, prevention and notification of cross-border sea environmental pollution to the Ministry of Natural Resources and Environment.

2. The Ministry of Natural Resources and Environment as a central agency for controlling cross-border sea environment pollution shall be responsible for presiding over and cooperating with the Ministry of Foreign Affairs, the Ministry of National Defense, the Ministry of Science and Technology and relevant ministries, ministerial-level agencies, People's committees of central-affiliated coastal cities and provinces in identifying pollution sources and bringing forward handling and remedial measures.

3. The Ministry of Foreign Affairs and the Ministry of Natural Resources and Environment, within their duties and powers, shall be responsible for cooperating with relevant countries and organizations in handling and remedying cross-border sea environmental pollution.

#### **Article 48: Zoning risk of sea and island environment pollution**

1. Zoning risk of sea and island environment pollution includes the following activities:

a) Monitor, investigate, collect, update, compile, and handle information, data about sea and island environment;

b) Assessment of risk of sea and island environment pollution;

c) Identify and map risk of sea and island environment pollution;

2. The Ministry of Natural Resources and Environment shall preside over and cooperate with relevant ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces in instructing, identifying, assessing and zoning risk of sea and island environment pollution.

#### **Article 49: Level of risk of sea and island environment pollution**

1. Risk of pollution are classified into the following levels: Level of risk of pollution serves as the grounds for provision of effective pollution control measures.

2. Areas running the risk of environment pollution are classified into the following levels:

a) Low risk of pollution;

b) Medium risk of pollution;

c) High risk of pollution;

d) Very high risk of pollution;

3. Criteria for classifying risk of pollution include:

a) Level of pollution or risk of pollution;

b) Affected scope;

c) Level of environmental sensitivity; possible damage caused to human health, sea and island ecosystems, other activities, use of natural resources in sea and islands;

4. The Minister of Natural Resources and Environment shall detail criteria for classifying areas running the risk of pollution.

The Ministry of Natural Resources and Environment shall preside over and cooperate with relevant ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces in formulating maps of zoned risk of pollution and making the submission to the Prime Minister for approval.

## **Article 50: Assessment of performance of sea and island environment pollution control**

1. Performance of sea and island environment pollution control is assessed through a set of factors.
2. The Ministry of Natural Resources and Environment, ministries, ministerial-level agencies, Governmental agencies, People's committees of central-affiliated coastal cities and provinces, within the scope of duties and powers, shall be responsible for conducting assessment of pollution control performance; making public disclosure of performance result on their own website.
3. The Minister of Natural Resources and Environment shall detail the set of factors and the assessment of pollution control performance.

## **Article 51: Reports on current conditions of sea and island environment**

1. Reports on current conditions of sea and island environment include current conditions of national sea and island environment, current conditions of sea and island environment at central-affiliated coastal cities and provinces and current conditions of sea and island environment by special subject.
2. Contents of reports, reporting period, authorities and responsibilities for formulating reports are instructed in accordance with regulations on environmental protection.

## **Section 2: COPING AND REMEDYING OIL AND TOXIC CHEMICAL SPILL**

### **Article 52: Principles of coping and remedying oil and toxic chemical spill**

1. Coping and remedying oil and toxic chemical spill are responsibilities of agencies, organizations and individuals.
2. Focus on the task of prevention; take the initiative in constructing plans, investment in equipment, materials, workforce for coping with oil and toxic chemical spill;
3. Incidents of oil and toxic chemical spill must be classified to assign responsibilities for coping.
4. Information about oil and toxic chemical spill must be reported and handled in a timely manner.
5. Mobilize every resource for coping as quick as possible; ensure effective and close coordination among workforces, vehicles and equipment for coping with oil and toxic chemical spill with activities of rescue and relief being prioritized.
6. Ensure safety, prevention and fighting against explosion during the task of coping;

7. Any facility that causes oil and toxic chemical spill shall be responsible for handling the incident, remedying pollution and remediating environment and at the same time making compensation for any damage caused by such incident according to law provisions.

8. Prevention, remedial work and handling of oil and toxic chemical spill are instructed in accordance with regulations on environmental protection and relevant law provisions.

### **Article 53: Decentralization of coping with incidents of oil and toxic chemical spill**

1. Coping with incidents of oil and toxic chemical spill is carried out in three levels:

2. Grass-root level:

a) If the incident occurs at facilities, the owners thereto must organize, command and mobilize workforces, vehicles and equipment for early coping and at the same time make immediate report to governing body, People's committees of central-affiliated coastal cities and provinces where the incident occurs; if such incident is out of capacity and resources, make immediate report to governing body, People's committees of central-affiliated coastal cities and provinces where the incident occurs for support;

b) If the incident causes severe pollution or occurs in the area prioritized for protection, running high or very high risk of pollution, the owners must make the report to People's committees of central-affiliated cities and provinces where the incident occurs and National Search and Rescue Committee for early direction and coping.

3. Regional level:

If the incident is out of capacity with causes not yet determined, presidents of People's committees of central-affiliated coastal cities and provinces where the incident occurs shall be responsible for giving directions on coping with the incident, and at the same time carrying out urgent mobilization of necessary resources from establishments, sectors and agencies in the administrative divisions for coping.

4. National level:

a) If the incident is out of capacity of localities, People's committees of central-affiliated coastal cities and provinces shall make immediate report to National Search and Rescue Committee for direction and cooperation with relevant agencies for coping;

b) If the incident is out of capacity of the country's forces, National Search and Rescue Committee shall make proposal to the Prime Minister for consideration and decision on calling for international support;

c) In case the incident causes particularly severe pollution, follow regulations on state of emergency;

#### **Article 54. Identification and public announcement of areas with restricted activities**

1. To create favorable conditions for rescue, relief and emergency response, persons in charge should propose areas of restricted activities to pave the way for activities of rescue, relief and emergency response.
2. Identification and public announcement of areas of restricted activities shall be examined and decided by People's committees of central-affiliated coastal cities and provinces where the incident occurs as proposed by agencies and persons in charge.
3. The Government shall detail identification and public announcement of areas of restricted activities to prioritize activities of rescue, relief and emergency response.

#### **Article 55: Temporary suspension of facilities causing oil and toxic chemical spill**

In case facilities causing the incident obstruct remedial work, investigation and identification of the cause, ministries, ministerial-level agencies, People's committees of central-affiliated coastal cities and provinces, in reliance on their duties and powers, shall decide temporary suspension of operation for facilities that cause the incident.

#### **Article 56: Responsibilities for coping with oil and toxic chemical spill**

1. National Search and Rescue Committee shall take the following responsibilities:
  - a) Preside over direction and implementation of the national plan for emergency response across the country after it is approved by the Prime Minister;
  - b) Direct and mobilize workforces and vehicles from ministries, sectors, localities, regional emergency response centers to cope with the incident within responsibilities;
  - c) Cooperate with competent agencies from relevant countries in handling incidents on the territorial waters of Vietnam or waters bordering other countries and make the report to the Prime Minister on ultra vires cases;
2. The Ministry of Natural Resources and Environment shall take the following responsibilities:
  - a) Preside over and cooperate with the Ministry of Industry and Trade, National Search and Rescue Committee, and relevant ministries, sectors in formulating the Statute on Oil and Toxic Chemical Spill Response and making the submission to the Prime Minister for promulgation; preside over and cooperate with relevant ministries, sectors in promulgating or submitting to competent authorities for promulgation regulations on monitoring and assessment of risks, remedial work and handling of incidents of oil and toxic chemical spill;
  - b) Cooperate with National Search and Rescue Committee, relevant ministries, sectors and localities in coping with oil and toxic chemical spill;

3. The Ministry of Foreign Affairs shall take the following responsibilities:

a) Direct ministerial agencies, Vietnam's representative bodies overseas to coordinate handling procedures for Vietnam's emergency response units participating in international support and foreign response forces in Vietnam at the request of National Search and Rescue Committee;

b) Cooperate with National Search and Rescue Committee and relevant ministries and sectors through diplomacy in exchanging information, transferring requirements for coordination or proposing support for incidents occurring on overseas waters but having effects on Vietnam or incidents occurring within the territorial waters of Vietnam but having effects on overseas waters.

4. The Ministry of National Defense shall be responsible for cooperating and agreeing with National Search and Rescue Committee on construction and implementation of plans for combination of use of workforces and vehicles from Navy, Air Force, Border Force, Coastguards and other forces of the Army for the implementation of the tasks; monitoring and detecting incidents and being ready to participate in emergency response within administrative divisions.

5. Relevant ministries, sectors shall be responsible for directing affiliated agencies and units to organize workforces and vehicles for participating in coping with incidents of oil and toxic chemical spill as mobilized by National Search and Rescue Committee and competent agencies.

6. People's committees of central-affiliated coast cities and provinces shall be responsible for approving and organizing the implementation of emergency plan; carrying out early directions for coping with incidents within management.

7. Owners of facilities that cause oil and toxic chemical spill must take urgent measures to mobilize workforces, material resources and vehicles for emergency response; ensure safety to people and property; organize rescue of people and property; make immediate notification to local authorities and competent authorities about incidents.

### **Section 3: SEA DUMPING**

#### **Article 57. Requirements for sea dumping**

1. Sea dumping shall be allowed under the permit issued by competent state management agencies as prescribed hereof.

2. Physical matters arising outside the territorial waters of Vietnam are not allowed to be dumped in the territorial waters of Vietnam.

3. Sea areas used for dumping must accord with sea-use planning, general planning for exploitation and sustainable use of natural resources in littoral zones.

4. Activities of sea dumping shall not be allowed to adversely affect human health and the country's potentiality of economic development; minimize adverse effects on the environment and ecosystem.

5. Sea dumping must be closely managed and controlled.

#### **Article 58. Physical matters subject to sea dumping**

1. Physical matters subject to sea dumping must satisfy the following requirements:

a) Do not contain radioactive substances, or toxins beyond regulations on radiation safety engineering and Technical regulations on environment;

b) Treated to meet Technical regulations on environment and ensure not to adversely affect human health, environment, ecosystem and aquatic resources;

c) Unable to be dumped, stored or treated on mainland or dumping, storage and treatment on mainland do not bring about socio-economic efficiency;

d) Belong to the list of physical matters subject to sea dumping;

2. The list of physical matters subject to sea dumping shall be prescribed by the Government.

#### **Article 59. Permit for sea dumping**

1. Permit for sea dumping (hereinafter referred to as the permit) includes the following information:

a) Name of organizations and individuals granted the permit;

b) Name, weight, size, components of physical matters subject to sea dumping; name, type, weight and components of physical matters subject to sea dumping;

c) Position, borderline, coordinates, areas of sea areas used for sea dumping;

d) Transport vehicles, manner of dumping;

dd) Time and time limit for dumping;

e) Obligations of organizations and individuals granted the permit;

g) Effect

2. Validity period of the permit shall be considered on the basis of physical matters subject to sea dumping, scale and nature of dumping, and areas used for dumping and last no more than two years. Extension is allowed once but no more than one (01) year.

## **Article 60. Issuance, re-issuance, extension, supplements, amendments, returning and revocation of the permit**

1. The Minister of Natural Resources and Environment shall grant the permit for sea areas (used for dumping) that have part or whole of the area lying outside littoral zones or areas bordering two central-affiliated coastal cities and provinces.
2. People's committees of central-affiliated coastal cities and provinces shall grant the permit for littoral zones within their own management except cases within the management of the Minister of Natural Resources and Environment as prescribed in Clause 1 of this Article.
3. Competent agencies that grant the permit for a certain sea area shall have the right to re-issue, extend, supplement, amend, return or revoke the permit for such area.
4. Issuance, re-issuance, extension, supplements, amendments, returning and revocation of the permit shall be detailed by the Government.

## **Article 61. Rights and obligations of organizations and individuals granted the permit**

1. Organizations and individuals granted the permit shall have the following rights:
  - a) Carry out dumping at sea as prescribed in the permit;
  - b) Enjoy protection of lawful rights and interests by the State;
  - c) Request organizations and individuals that cause damage to their lawful rights and interests in dumping to compensate for damage caused according to law provisions;
  - d) Make request to competent state management agencies that grant the permit for re-issuance, extension, amendments, supplements and returning the permit according to law provisions;
  - dd) Make complaints, and take legal proceedings against violations of their own lawful rights and interests in sea dumping according to law provisions;
  - e) Other rights according to law provisions;
2. Organizations and individuals granted the permit shall have the following obligations:
  - a) Comply with regulations of the law on management of natural resources and environment of sea and islands and the permit;
  - b) Pay fees, charges for issuance of the permit and for use of sea areas for dumping according to law provisions;
  - c) Comply with technical regulations concerning activities of dumping during the dumping period;



d) Do not obstruct or cause damage to lawful exploitation and use of natural resources at sea by other organizations and individuals;

dd) Provide adequate and authentic data and information on activities of dumping at the request of competent state agencies;

e) Take measures to ensure safety, prevent and cope with environmental emergencies caused by their own dumping activities according to law provisions;

g) Conduct monitoring and supervision of sea environment, communication and reporting regime on sea dumping activities according to law provisions;

h) Compensate for losses to organizations or individuals suffering the damage caused by irregular dumping activities;

i) Other obligations according to law provisions;

### **Article 62. Control of sea dumping**

1. Organizations and individuals granted the permit must make registration, install movement monitoring devices, and record all dumping activities to facilitate the investigation and supervision of competent state management agencies and sea patrol forces.

2. In case physical matters subject to sea dumping are loaded at a port, authorities of such port shall be responsible for inspecting physical matters to ensure they are in conformity with the permit before permitting them to leave the port.

3. Competent agencies (that grant the permit) and sea patrol forces shall carry out investigation, inspection and supervision of dumping activities and handle violations according to law provisions.

### **Article 63. Dumping outside territorial waters of Vietnam causing damage to natural resources and environment of Vietnam's sea and island**

Organizations and individuals at home or abroad that carry out dumping outside the territorial waters of Vietnam causing damage to the environment, ecosystem and socio-economic development within Vietnam's sea and islands shall be responsible for compensating for losses caused or return all expenses for investigation, research, assessment of damage, implementation of solutions of remediation of environment and ecosystem and other expenses according to the laws of Vietnam and the international agreements to which the Socialist Republic of Vietnam is a signatory.

## **Chapter VII**

### **GENERAL MONITORING AND SUPERVISION, INFORMATION AND DATABASE SYSTEM ON NATURAL RESOURCES AND ENVIRONMENT OF SEA AND ISLANDS**

## **Section 1: GENERAL MONITORING AND SUPERVISION OF NATURAL RESOURCES AND ENVIRONMENT OF SEA AND ISLANDS**

### **Article 64: Requirements for general monitoring and supervision of natural resources and environment of sea and islands**

1. General monitoring and supervision of natural resources and environment of sea and islands must be regularly and comprehensively conducted to serve management of natural resources and environment of sea and islands, to foster socio-economic development and ensure National defense and security.
2. General monitoring and supervision system to be set up must be synchronous and state of the art to ensure adequate and timely collection of information and data on natural resources and environment of sea and islands.
3. Ensure connection with activities of monitoring and supervision of natural resources and sea and islands in the region and the world;

### **Article 65: Establishment of general monitoring and supervision system for natural resources and environment of sea and islands (hereinafter referred to as the general monitoring system)**

1. The general monitoring system is established on the basis of connection with monitoring systems of ministries, sectors and localities.
2. The general monitoring system is an open system that connects and shares information throughout from central to local government.
3. The Ministry of Natural Resources and Environment shall preside over and cooperate with relevant ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces in formulating and submitting the general monitoring system to the Prime Minister for approval.

### **Article 66. Joining sea and ocean monitoring system of the region and the world**

The Ministry of Natural Resources and Environment plays a key role in joining the sea and ocean monitoring system of the region and the world; takes responsibility for managing, announcing, sharing and providing information and data collected from participating in the monitoring system according to law provisions.

## **Section 2: SYSTEM OF INFORMATION AND DATABASE ON NATURAL RESOURCES AND ENVIRONMENT OF SEA AND ISLANDS**

### **Article 67: System of information on natural resources and environment of sea and islands (hereinafter referred to as the information system)**

1. The information system is designed and constructed as a whole and uniform system across the country serving multiple of targets in accordance with national and international technical regulations and standards recognized in Vietnam.

2. The information system includes:

a) Technical infrastructure of information technology for natural resources and environment of sea and islands;

b) Operating softwares, system and application softwares;

c) Database on natural resources and environment of sea and islands;

3. The Ministry of Natural Resources and Environment, relevant ministries, sectors and People's committees of central-affiliated coastal cities and provinces shall construct the information system.

**Article 68. Construction of database on natural resources and environment of sea and islands (hereinafter referred to as the database system)**

1. The database system includes:

a) Data on shoreline areas, topography of seabed;

b) Data on sea meteorology and hydrology;

c) Data on sea geology, geophysics, minerals, oil, gas; data on physical and physiochemical properties of sea water;

d) Data on sea ecosystem, biodiversity and aquatic resources; natural resources and wonders of sea ecosystem;

dd) Data about sea environment, sea dumping;

e) Data on islands;

g) Data on sea-use planning, plans; general planning for exploitation and sustainable use of natural resources in littoral zones; program for general management of natural resources in littoral zones;

h) Data on exploitation and use of natural resources of sea and islands;

i) Result of settlement of disputes, complaints, denunciations on natural resources and environment of sea and islands executed by competent state agencies;

- k) Result of performance of programs, projects, topics and tasks of management, fundamental investigation, scientific research for natural resources and environment of sea and islands;
  - l) Result of statistical reporting on natural resources and environment of sea and island;
  - m) Legislative documents, technical regulations and standards, economic and technical norms on natural resources and environment of sea and islands;
  - n) Other data on natural resources and environment of sea and islands;
2. The database system is a whole and uniform collection of data on natural resources and environment of sea and islands across the country standardized according to national standards, and digitalized for updating, management and exploitation via information technology.
  3. The Minister of Natural Resources and Environment shall regulate construction of the database system.

The Ministry of Natural Resources and Environment shall preside over and cooperate with ministries, ministerial-level agencies, and People's committees of central-affiliated coastal cities and provinces shall construct the database system.

Ministries, ministerial-level agencies, and People's committees of central-affiliated coastal cities and provinces, within their duties and powers, shall be responsible for investigating and collecting data on natural resources and environment of sea and islands to construct the database system for ministries, sectors and localities; providing data to the Ministry of Natural Resources and Environment for construction of national database system.

#### **Article 69. Storage, exploitation and use of natural resources and environment of sea and islands**

1. Storage of data on natural resources and environment of sea and islands is instructed in accordance with the Archives Law. All collected data shall be classified, assessed and processed to ensure appropriate and safe storage and preservation.
2. Data on natural resources and environment of sea and islands must be made public according to law provisions; Organizations and individuals that exploit and use natural resources and environment of sea and islands must ensure right purposes and efficiency and pay fees as prescribed.
3. The Minister of Natural Resources and Environment shall regulate exploitation and use of natural resources and environment of sea and islands.

Ministers, heads of ministerial-level agencies, People's committees of central-affiliated coastal cities and provinces shall regulate scope of supply, level and entities permitted to exploit and use of data on natural resources and environment of sea and islands within management as prescribed.

4. The Minister of Finance shall instruct collection and payment of fees, charges for exploitation and use of data.

#### **Article 70. Incorporating, exchanging and sharing data on natural resources and environment of sea and islands**

1. The database system must be standardized according to national standards on the basis of database on natural resources and environment of sea and islands incorporated from ministries, ministerial-level agencies, and People's committees of central-affiliated coastal cities and provinces shall construct the database system.

2. Data on natural resources and environment of sea and islands shall be exchanged and shared between ministries, ministerial-level agencies and People's committees of central-affiliated coastal cities and provinces in the following principles:

a) Ensure quick access to data serving assessment, forecasting and planning of strategy, policies, construction of planning, increasing effectiveness and efficiency in state management tasks meeting demands for socio-economic development and assurance of National defense and security.

b) Conform to functions and duties of each agency, organization; ensure no duplication or overlap between relevant agencies and organizations and ensure close coordination in collection and management of data;

c) Ensure data are adequately, accurately and systematically collected in agreement with the collected, updated and managed data;

d) Ensure smooth and timely exchange and provision of data; requirements for information safety and state secrecy;

dd) Ensure effective and feasible collection, management, updating, exploitation of data;

### **Chapter VIII**

#### **INTERNATIONAL COOPERATION ON NATURAL RESOURCES AND ENVIRONMENT OF SEA AND ISLANDS**

#### **Article 71. Principles of international cooperation on natural resources and environment of sea and islands**

1. International cooperation on natural resources and environment must be included in overall strategy, planning for socio-economic development, sea strategy, strategy for exploitation and sustainable use of natural resources and environment of sea and islands, protection of sea and island environment and in accordance with foreign policies of Vietnam.

2. International cooperation on natural resources and environment of sea and islands must ensure principles of constructing a sea area of peace, cooperation and friendship developed on the basis of respects for independence, sovereignty and territorial integrity without interfering in each other's internal affairs, equality and mutual benefits, and respects for the laws of Vietnam and the International Agreement to which Vietnam is a signatory.

3. Ensure to bring into play all potentiality, strength and effective exploitation of natural resources and environment of sea and islands, sustainable development of sea and islands;

4. Take the initiative in joining and fulfilling rights and obligations in international organizations and the International Agreement to which Vietnam is a signatory.

#### **Article 72. International cooperation in general management of natural resources and environment of sea and islands**

1. The State shall carry out cooperation with other countries, foreign organizations or international organizations in the following activities:

a) Study, construct and complete the laws on management of natural resources and protection of sea and island environment;

b) Investigate, study natural resources and environment of sea and islands; apply science and technology to investigation and study on sea and islands; investigate and assess level of damage caused to natural resources and environment of sea and islands; make forecasts about natural disasters, sea and island environment pollution caused by activities of exploitation of natural resources of sea and islands.

c) Carry out sustainable exploitation of natural resources of sea and islands;

d) Protect sea and island biodiversity and maintain productivity and diversity of ecosystem in sea, islands and littoral zones;

dd) Control sea and island environment pollution, cope with sea environment pollution, climate change and rising sea;

2. The Ministry of Natural Resources and Environment shall play a key role in compiling international cooperation activities in general management of natural resources and environment of sea and islands.

3. Ministries, sectors and People's committees of central-affiliated coastal cities and provinces involved in international cooperation on natural resources and environment of sea and islands shall be responsible for conducting annual assessment of international activities of their own agencies and making the report to the Ministry of Natural Resources and Environment for compilation and reporting to the Prime Minister.

#### **Chapter IX**

## **RESPONSIBILITIES FOR GENERAL MANAGEMENT OF NATURAL RESOURCES AND ENVIRONMENT OF SEA AND ISLANDS**

### **Article 73. Responsibilities for general management of natural resources and environment of sea and islands of the Government, ministries and ministerial-level agencies**

1. The Government shall unify state administration for natural resources and environment of sea and island.
2. The Ministry of Natural Resources and Environment shall take the following responsibilities to the Government for carrying out general management of natural resources and environment of sea and islands:
  - a) Formulate and make submission to competent authorities for promulgation or promulgate within competence and organize the implementation of legislative documents on general management of natural resources and environment of sea and islands;
  - b) Formulate and make submission to the Government for approval and organize the implementation of the strategy for exploitation and sustainable use of natural resources, protection of sea and island environment; general planning for exploitation and sustainable use of natural resources in littoral zones; submit interprovincial-level program for general management of natural resources in littoral zones to the Prime Minister for approval and organize the implementation.
  - c) Formulate and make submission to the Prime Minister for approval and organize the implementation of the key program for fundamental investigation of natural resources and environment of sea and islands; cooperate with the Ministry of Science and Technology in compiling, constructing and placing order for implementation of topics, projects and tasks within national science and technology program for natural resources and environment of sea and islands.
  - d) Issue, re-issue, extend, amend, supplement, return and revoke the permit within competence; Issue, re-issue, extend, amend, supplement, return and revoke written permission granted to foreign organizations and individuals for activities of scientific research conducted in the territorial waters of Vietnam;
  - dd) Instruct and inspect the establishment and protection of coastal area protection corridors; conduct investigation, statistical reports and management of natural resources of islands;
  - e) Establish and manage the general monitoring system; construct and manage national information system;
  - g) Control sea and island environment pollution; cope with incidents of oil and toxic chemical spill; manage sea dumping;

h) Train and foster professional competence of general management of natural resources and protection of sea and island environment;

i) Carry out propagation of sea and islands; disseminate and educate the laws on general management of natural resources and environment of sea and islands;

k) Investigate, inspect and settle complaints, denunciations in general management of natural resources and environment of sea and islands;

l) Carry out international cooperation in general management of natural resources and environment of sea and islands;

3. Ministers, heads of ministerial-level agencies within their duties and powers, shall take the following responsibilities:

a) Take part in the construction of the strategy for exploitation and sustainable use of natural resources and protection of sea and island environment; general planning for exploitation and sustainable use of natural resources in littoral zones and organize the implementation of the strategy and planning after approval;

b) Preside over the implementation of projects, topics and tasks of fundamental investigation, scientific research on natural resources and environment of sea and islands as prescribed hereof and relevant law provisions;

c) Cooperate with the Minister of Natural Resources and Environment in granting written permission to foreign organizations and individuals for conducting scientific research in the territorial waters of Vietnam;

d) Carry out statistical reports on natural resources and environment of sea and island within management;

dd) Monitor and assess sea and island environment pollution, current conditions of water quality, sediments, ecosystems and biodiversity in sea and island areas; conduct investigation and statistical reports, classification and assessment of waste sources from mainland, activities performed on sea and islands as prescribed hereof and the law on environmental protection;

e) Cooperate with National Search and Rescue Committee, the Ministry of Natural Resources and Environment in coping with incidents of oil and toxic chemical spill;

g) Cooperate with the Ministry of Natural Resources and Environment in establishing and operating the general monitoring system; provide information and data on natural resources and environment of sea and islands within management to the Ministry of Natural Resources and Environment;

h) Carry out propagation of sea and islands; disseminate and educate the laws on general management of natural resources and environment of sea and islands;



i) Assess activities of international cooperation on natural resources and environment of sea and islands within management to the Ministry of Natural Resources and Environment on an annual basis;

**Article 74. Responsibilities of People's committees at all levels for general management of natural resources and environment of sea and islands**

1. People's committees of central-affiliated coastal cities and provinces, within duties and powers, shall take the following responsibilities:

a) Formulate and promulgate within competence, and organize the implementation of legislative documents on general management of natural resources and environment of sea and islands;

b) Organize the implementation of the strategy for exploitation and sustainable use of natural resources, protection of sea and island environment; sea-use planning, plans; general planning for exploitation and sustainable use of natural resources in littoral zones; formulate, approve and organize the implementation of general planning for natural resources and environment in littoral zones within management;

c) Organize the implementation of activities of scientific research, fundamental investigation, statistical reports on natural resources and environment of sea and islands;

d) Issue, re-issue, extend, amend, supplement, return and revoke the permit within competence;

dd) Establish and manage coastal area protection corridors; document and manage natural resources and environment of islands within authorities;

e) Formulate and manage the information and database system in localities;

g) Control sea and island environment pollution; cope with incidents of oil and toxic chemical spill; manage sea dumping;

h) Carry out propagation of sea and islands; disseminate and educate the laws on general management of natural resources and environment of sea and islands in localities;

i) Investigate, inspect and settle complaints, denunciations in general management of natural resources and protection of sea and island environment;

k) Periodically, compile and report activities of general management of natural resources and protection of sea and island environment to the Ministry of Natural Resources and Environment;

2. People's committees of provincial-affiliated coastal districts, communes and equivalent administrative units, within duties and powers, shall take the following responsibilities:

a) Organize the execution of legislative documents on general management of natural resources and environment of sea and islands;

b) Carry out measures of protecting natural resources and islands un-exploited and un-used according to law provisions;

c) Protect coastal area protection corridors within locality; cooperate with relevant agencies, organizations in protecting the monitoring system built on the administrative divisions under management;

d) Participate in coping with incidents of oil and toxic chemical spill; monitor, detect and participate in tackling causes to environmental pollution, landslides;

dd) Carry out propagation of sea and islands; disseminate and educate the laws on general management of natural resources and environment of sea and islands;

e) Periodically, compile and report activities of general management of natural resources and protection of sea and island environment to People's committees of higher levels;

3. People's committees of coastal communes, wards and towns, within their duties and powers, shall the following responsibilities:

a) Organize the execution of legislative documents on general management of natural resources and environment of sea and islands; carry out measures of protecting natural resources and islands un-exploited and un-used according to law provisions;

b) Protect coastal area protection corridors within locality; detect and participate in tackling environmental emergencies, landslides;

c) Carry out propagation of sea and islands; disseminate and educate the laws on general management of natural resources and protection of sea and island environment;

d) Periodically, compile and report activities of general management of natural resources and protection of sea and island environment to People's committees of higher levels;

### **Article 75. Responsibilities of the Vietnamese Fatherland Front and its member organizations**

The Vietnamese Fatherland Front and its member organizations, within duties and powers, shall be responsible for cooperating with state management agencies in performing activities of propagation to people; Enhance social criticism and monitor the task of exploitation and use of natural resources and environment of sea and islands performed by regulatory agencies according to law provisions

### **Article 76. Principles and contents of coordination in general management of natural resources and environment of sea and islands**

1. Principles:

- a) Ensure uniformity of interdisciplinary and interregional management; ensure comprehensiveness and efficiency; specify responsibilities of individual agencies for presiding over and coordinating general management of natural resources and environment of sea and islands;
- b) Implementation of coordinated tasks must be based on functions, tasks, powers assigned as prescribed hereof and relevant law provisions;
- c) Implementation of coordinated tasks must ensure national secrecy and confidentiality according to law provisions; ensure National defense and security and marine safety;
- d) Do not obstruct activities of lawful exploitation and use of natural resources of sea and islands and other lawful activities by organizations and individuals within Vietnamese waters;

## 2. Contents:

- a) Construct and execute the laws on general management of natural resources and protection of sea and island environment;
- b) Formulate and organize the implementation of the strategy for exploitation and sustainable use of natural resources and protection of sea and island environment; sea-use planning, plans; general management of natural resources and sustainable use of natural resources in littoral zones; program for general management of natural resources and environment in littoral zones;
- c) Manage, carry out activities of fundamental investigation, scientific research on natural resources and environment of sea and islands;
- d) Establish the general monitoring system; construct the information and database system on natural resources and environment of sea and islands;
- dd) Control sea and island environment pollution; cope with incidents of oil and toxic chemical spill;
- e) Carry out propagation of sea and islands; disseminate and educate the laws on general management of natural resources and protection of sea and island environment;
- g) Carry out international cooperation in general management of natural resources and protection of sea and island environment;
- h) Investigate, inspect and settle complaints, denunciations in general management of natural resources and protection of sea and island environment;
- i) Other matters according to law provisions;

3. The Government shall detail coordination between ministries, sectors and localities in general management of natural resources and protection of sea and island environment;

## **Article 77. Reports on general management of natural resources and protection of sea and island environment**

1. Annually, the Ministry of Natural Resources and Environment shall be responsible for reporting activities of general management of natural resources and protection of sea and island environment to the Government.
2. Annually, ministries, sectors shall be responsible for reporting management of activities of fundamental investigation, exploitation and use of natural resources and protection of sea and island environment within responsibilities to the Ministry of Natural Resources and Environment.
3. Annually, People's committees of central-affiliated coastal cities and provinces shall be responsible for reporting management of activities of fundamental investigation, exploitation and use of natural resources and protection of sea and island environment, general management of natural resources and environment within responsibilities to the Ministry of Natural Resources and Environment.
4. The Minister of Natural Resources and Environment shall detail contents, manner and time of reporting general management of natural resources and protection of sea and island environment.

## **Article 78. Investigation into general management of natural resources and protection of sea and island environment**

Investigation into general management of natural resources and protection of sea and island environment is instructed in accordance with the law on investigation.

## **Chapter X**

### **IMPLEMENTARY PROVISIONS**

#### **Article 79. Transitional provisions**

1. Since this Law is announced, quo status must be maintained with no permission for any activity of investment or new constructions within 100 meters from average tide over years to mainland or islands determined by People's committees of central-affiliated coastal cities and provinces as instructed by the Ministry of Natural Resources and Environment until coastal area protection corridors are established as prescribed hereof, except the following cases:
  - a) Carry out new constructions for the purpose of National defense and security, prevention and fighting against natural disasters, landslides, coping with climate change, rising sea, preservation and promotion of values of cultural heritages;
  - b) Carry out new constructions under investment projects for the benefits of the country and the public initiated by National Assembly, Government, the Prime Minister, heads of ministries,

central agencies, People's Council, People's committees of central-affiliated coastal cities and provinces;

c) Carry out new construction under investment projects initiated by competent state agencies or permitted by competent state agencies before this Law is announced.

2. Within 18 months since this Law takes effect, People's committees of central-affiliated coast cities and provinces shall be responsible for establishing coastal area protection corridors within management.

3. Planning for exploitation and use of natural resources within sectors and localities, development planning for sectors and localities shall be still implemented until they are checked and revised to suit sea-use planning and plans, approved general planning for exploitation and sustainable use of natural resources in littoral zones.

### **Article 80. Effect**

This Law takes effect since July 01, 2016.

*This Law has been ratified in June 25, 2015 in the 9<sup>th</sup> Session of the 13<sup>th</sup> National Assembly of the Socialist Republic of Vietnam.*

**CHAIRMAN OF NATIONAL  
ASSEMBLY**

**Nguyen Sinh Hung**

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