

THE PRESIDENT

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. 10/2015/L-CTN

Hanoi, July 8, 2015

ORDER

On the promulgation of law^(*)

THE PRESIDENT OF THE SOCIALIST REPUBLIC OF VIETNAM

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

Pursuant to Article 91 of the Law on Organization of the National Assembly;

Pursuant to Article 57 of the Law on Promulgation of Legal Documents,

PROMULGATES:

The Law on Marine and Island Resources and Environment,
which was passed on June 25, 2015, by the XIIIth National Assembly of the Socialist Republic of Vietnam at its 9th session.

President of the Socialist Republic of Vietnam
TRUONG TAN SANG

^(*) *Công Báo Nos 865-866 (27/7/2015)*

**THE NATIONAL
ASSEMBLY****THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness**

No. 82/2015/QH13

LAW**On Marine and Island Resources and Environment^(*)**

*Pursuant to the Constitution of the Socialist Republic of Vietnam;
The National Assembly promulgates the Law on Marine and Island Resources and Environment.*

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Law prescribes integrated management of marine and island resources and protection of the marine and island environment; and the rights, obligations and responsibilities of agencies, organizations and individuals in integrated management of marine and island resources and protection of the marine and island environment of Vietnam.

The protection of the marine and island environment, and the management, exploitation and use of marine and island resources of all kinds must comply with relevant laws and this Law.

Article 2. Subjects of application

This Law applies to agencies, organizations and individuals involved in integrated management of marine and island resources and protection of the marine and island environment of Vietnam.

Article 3. Interpretation of terms

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

1. *Marine and island resources* include living and non-living resources underwater, on the seabed and the subsoil thereof, in coastal land areas as well as on archipelagoes, islands, low-tide elevations and banks (below collectively referred to as islands) which are under the sovereignty, sovereign rights and jurisdiction of Vietnam.

2. *Integrated management of marine and island resources* means the formulation and organization of implementation of interdisciplinary and inter-regional coordination policies, mechanisms and instruments for effective exploitation and use of marine and island resources, maintenance of the functions and structures of ecosystems for sustainable development, protection of the sovereignty, sovereign rights and jurisdiction of Vietnam over the sea, and assurance of national defense and security.

3. *Low-tide elevation* means a naturally formed area of land or reef which is surrounded by and above water at low tide but submerged at high tide.

4. *Bank* means a reef, coral or sand bank or another naturally formed area which is above the seabed but still submerged at the lowest tide.

^(*) Công Báo Nos 865-866 (27/7/2015)

5. *Master plan on use of maritime zones* means orientations and spatial organization for the use of Vietnam's maritime zones, which is formulated and approved in accordance with the Law of the Sea of Vietnam.

6. *Coastal zone* means a transitional zone between the mainland or an island and the sea, embracing inshore sea area and coastal land area.

7. *Master plan on sustainable exploitation and use of coastal resources* means orientations and spatial organization for the exploitation and use of natural resources of all kinds in the coastal zone.

8. *Baseline survey of marine and island resources and environment* covers the survey, investigation, analysis and assessment of marine and island resources and environment with a view to providing data on the current situation, and identifying the law of distribution, potential and qualitative and quantitative characteristics, of marine and island resources and environment.

9. *Marine and island resource statistical work* means the survey, synthesis and assessment of the current state of marine and island resources at the time of making statistics and of changes occurring in the interval between the times of making statistics.

10. *Integrated monitoring and surveillance of marine and island resources and environment* means the process of systematical monitoring of marine and island resources and environment and factors that affect marine and island resources and environment with a view to providing information on, assessing changes in, and forecasting and warning adverse impacts on, marine and island resources and environment.

11. *Marine and island environment pollution risk* means the possible occurrence of pollution and damage to humans, property, natural resources, living conditions and socio-economic activities caused by the pollution of marine and island environment.

12. *Oil and toxic chemical spill at sea* means the release of oil or toxic chemicals from their containers or carrying vehicles or from oil facilities, installations or wells into the sea due to a technical incident, a natural disaster, an accident or a human activity.

13. *Establishment owner* mean an individual or the head of an agency or organization who is responsible before law for all activities of exploitation, transportation, transshipment and use of oil, oil products and toxic chemicals.

14. *Dumping at sea* means the deliberate disposal at sea of materials and substances into the sea which are allowed to be dumped at sea in accordance with this Law.

Article 4. State policies on marine and island resources and environment

1. The State shall guarantee that marine and island resources are managed, protected, exploited and used in a reasonable, effective and sustainable manner under strategies, master plans and plans to serve socio-economic development, protection of national sovereignty, and assurance of national defense and security.

2. The State shall mobilize resources for, and promote, baseline survey of and scientific research into marine and island resources and environment; give priority to deep and remote sea areas, islands, adjacent international sea areas, and new natural resources which are important to socio-economic development and national defense and security assurance; and adopt policies to encourage organizations and individuals to participate in the sustainable exploitation and use of marine and island resources and protection of the marine and island environment.

3. To intensify control of marine and island environment pollution; to raise the effectiveness of coordination in controlling marine and island environment pollution and preventing and responding to marine and island environment incidents, climate change and sea level rise; to strictly manage dumping at sea.

4. To invest in building the capacity to monitor, supervise and forecast marine and island resources and environment; to establish integrated and synchronous systems of information and databases on marine and island resources and environment to serve marine economy development and national defense and security.

5. To expand, and raise the effectiveness of, international cooperation in the management, exploitation and use of marine and island resources and protection of the marine and island environment on the principle of firmly maintaining national independence and sovereignty.

Article 5. Principles of integrated management of marine and island resources

1. Marine and island resources shall be managed in a unified manner under the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment; the master plan and plans on use of the sea; and the master plan on sustainable exploitation and use of coastal resources, while protecting the national sovereignty and ensuring national defense and security.

2. Integrated management of marine and island resources shall be based on ecosystem approach, ensuring that marine and island resources are exploited and used in a manner suitable to the functions of each sea area and within the load-bearing capacity of marine and island environment and ecosystems.

3. Integrated management of marine and island resources requires close coordination among different sectors and levels, creates favorable conditions for related communities, organizations and individuals to actively and effectively participate in such management; and guarantees the people's right of access to the sea.

Article 6. Participation of related communities, organizations and individuals in integrated management of marine and island resources and protection of marine and island environment

1. Competent state agencies shall ensure convenient and effective participation of related communities, organizations and individuals in the integrated management of marine and island resources and protection of the marine and island environment.

2. Competent state agencies shall collect opinions of related communities, organizations and individuals during the formulation of the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment, the master plan on sustainable exploitation and use of coastal resources, and programs on integrated management of coastal resources and establishment of coast protection corridors; and shall assimilate and respond to collected opinions.

3. Opinions of related communities, organizations and individuals shall be collected through direct meeting, in writing, through the mass media or websites of competent state agencies. The assimilation of and response to collected opinions shall be publicized on the websites of competent state agencies.

Article 7. Vietnam Sea and Island Week

The Vietnam Sea and Island Week lasts from the 1st to the 8th of June every year.

Article 8. Prohibited acts

1. Illegally exploiting and using marine and island resources.

2. Violating the master plan or plans on use of the sea or the master plan on sustainable exploitation and use of coastal resources already approved and announced by competent state agencies.

3. Taking advantage of baseline survey, scientific research or exploitation and use of marine and island resources to cause adverse effects to national defense, security, national interests or lawful rights and interests of other organizations and individuals.

4. Carrying out activities within coast protection corridors prescribed in Article 24, and on archipelagoes, islands, low-tide elevations or banks in need of protection and conservation prescribed in Clauses 2 and 4, Article 41, of this Law.

5. Destroying or degrading the marine and island environment or ecosystems.

6. Dumping materials and substances into Vietnam's maritime zones without a permit or illegally.

7. Illegally providing, exploiting or using information or data on marine and island resources and environment.

8. Abusing positions or powers to violate regulations on integrated management of marine and island resources and protection of the marine and island environment.

Chapter II

STRATEGY ON SUSTAINABLE EXPLOITATION AND USE OF MARINE AND ISLAND RESOURCES AND PROTECTION OF MARINE AND ISLAND ENVIRONMENT

Article 9. Principles of and bases for formulating, and period of, the strategy on sustainable exploitation and use of marine and island resources and protection of marine and island environment

1. Principles of formulating the strategy:

a/ The strategy must conform to the socio-economic development strategy and master plan, Vietnam's marine strategy and the national strategy on environmental protection;

b/ The strategy must satisfy the requirements on reasonable and effective exploitation and use of marine and island resources and protection of the marine and island environment, and response to climate change and sea level rise; protection of national sovereignty and assurance of national defense and security; and conservation and promotion of the values of cultural heritages.

2. Bases for formulating the strategy:

a/ Potential of marine and island resources; results of baseline survey of marine and island resources and environment; results of exploration, assessment and compilation of statistics on marine and island resources; and forecasts about the impacts of climate change and sea level rise on marine and island resources and environment;

b/ Demands for exploitation and use of marine and island resources; and requirements for protection of the marine and island environment;

c/ Results of implementation of the previous strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment.

3. The strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment shall be formulated at the national level for a 20-year period with a 30-year vision.

Article 10. Contents of the strategy on sustainable exploitation and use of marine and island resources and protection of marine and island environment

1. Viewpoints, guiding principles, vision, and objectives for baseline survey, scientific research, international cooperation, and exploitation and use of marine and island resources and

protection of the marine and island environment, which must meet the requirements of integrated management for sustainable development.

2. Orientations, tasks and comprehensive solutions related to baseline survey, scientific research, international cooperation, exploitation and use of marine and island resources and protection of the marine and island environment, and response to climate change and sea level rise.

3. Programs, schemes, projects and tasks to achieve the strategy's objectives.

Article 11. Formulation, appraisal, approval and implementation of the strategy on sustainable exploitation and use of marine and island resources and protection of marine and island environment

1. The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with related ministries and ministerial-level agencies and provincial-level People's Committees of coastal localities in, formulating the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment, and submit it to the Government for approval. This strategy requires consultation with related communities, organizations and individuals during its formulation and shall be appraised before being approved.

2. Ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities shall, within the ambit of their tasks and powers, review and propose amendments and supplements to their sectoral or local strategies which have contents related to resource exploitation and use and environmental protection to make them conform to the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment.

3. The Government shall detail this Article.

Chapter III

BASELINE SURVEY OF AND SCIENTIFIC RESEARCH INTO MARINE AND ISLAND RESOURCES AND ENVIRONMENT

Section 1

BASELINE SURVEY OF MARINE AND ISLAND RESOURCES AND ENVIRONMENT

Article 12. Requirements on baseline survey of marine and island resources and environment

1. To provide information and data on marine and island resources and environment to serve the management and development of the marine economy, response to climate change and sea level rise, protection of national sovereignty, and assurance of national defense and security.

2. To determine an order of priority for carrying out activities of baseline survey of marine and island resources and environment based on objects and areas of survey and the State's available resources in each period.

3. To base on the survey needs and make use of the results of baseline surveys and scientific researches already conducted in the area to be surveyed. Baseline survey activities in a sea area shall be integrated with one another to suit the characteristics of baseline survey activities at sea and on islands to ensure cost-saving and efficiency.

4. Baseline survey results shall be tested before acceptance, approved, delivered, exploited and used in accordance with law.

Article 13. Baseline survey of marine and island resources and environment

1. Baseline survey of marine and island resources and environment shall be conducted through:

a/ Baseline survey projects, schemes and tasks under the key program on baseline survey of marine and island resources and environment;

b/ Baseline survey projects, schemes and tasks outside the key program on baseline survey of marine and island resources and environment.

2. The baseline survey projects, schemes and tasks mentioned at Point a, Clause 1 of this Article include interdisciplinary and inter-regional survey projects, schemes and tasks in deep and remote sea areas and adjacent international sea areas; baseline survey of islands and discovery of new natural resources; and baseline survey projects, schemes and tasks which are important to socio-economic development and national defense and security assurance.

3. Ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees of coastal localities shall formulate, approve, and organize the implementation of, the baseline survey projects, schemes and tasks mentioned at Point b, Clause 1 of this Article in accordance with law; before approving these projects, schemes and tasks, they shall consult the Ministry of Natural Resources and Environment on the necessity, objects, scope and contents of survey, and feasibility and efficiency of the projects, schemes or tasks; and, after approving them, they shall send the approval decisions together with information about the locations, boundaries, areas and coordinates of survey areas to the Ministry of Natural Resources and Environment.

Article 14. Key program on baseline survey of marine and island resources and environment

1. Ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees of coastal localities shall, based on the demands of their sectors, fields and localities for baseline survey of marine and island resources and environment, and in pursuance to Clause 2, Article 13 of this Law, propose projects, schemes and tasks and send them to the Ministry of Natural Resources and Environment for summarization and formulation of a key program on baseline survey of marine and island resources and environment for submission to the Prime Minister for approval.

2. Ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees of coastal localities shall organize the implementation of projects, schemes and tasks under the Prime Minister-approved key program on baseline survey of marine and island resources and environment.

3. The Ministry of Natural Resources and Environment shall organize, monitor and examine the implementation of the approved key program on baseline survey of marine and island resources and environment.

4. The Government shall detail this Article.

Article 15. Responsibilities of agencies and organizations in baseline survey of marine and island resources and environment

1. Ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees of coastal localities shall, within the ambit of their tasks and powers, direct and organize the baseline survey of marine and island resources and environment in accordance with this Law and other relevant laws.

2. Agencies and organizations assigned to implement projects, schemes and tasks on baseline survey of marine and island resources and environment shall:

a/ Strictly implement the approved projects, schemes and tasks; and comply with standards, technical regulations, norms and unit prices applicable to baseline survey of marine and island resources and environment;

b/ Ensure truthfulness and completeness in the collection and summarization of documents and information on marine and island resources and environment; and keep such documents and information confidential in accordance with law;

c/ Ensure safety and security at sea and protect marine and island resources and environment during the implementation of survey projects, schemes and tasks;

d/ Submit survey result reports to competent agencies for acceptance test and deliver such reports in accordance with law.

Article 16. Marine and island resource statistics

1. Ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees of coastal localities shall, within the ambit of their tasks and powers, compile statistics on marine and island resources under their management in accordance with the statistics law and send statistical reports to the Ministry of Natural Resources and Environment.

2. The Ministry of Natural Resources and Environment shall summarize marine and island resource statistics and report them to the Prime Minister.

Section 2

SCIENTIFIC RESEARCH INTO MARINE AND ISLAND RESOURCES AND ENVIRONMENT

Article 17. Scientific research into marine and island resources and environment

1. Scientific research into marine and island resources and environment shall be conducted through science and technology tasks related to marine and island resources and environment in accordance with this Law and the law on science and technology.

2. The State shall prioritize investment in science and technology tasks related to marine and island resources and environment through the national-level science and technology program on marine and island resources and environment.

3. Scientific research conducted by foreign organizations or individuals within Vietnam's maritime zones must satisfy the prescribed conditions and shall be licensed in accordance with Vietnamese law.

Article 18. National-level science and technology program on marine and island resources and environment

1. The national-level science and technology program on marine and island resources and environment consists of research subjects, projects and tasks which must satisfy the following criteria:

a/ Being important to socio-economic development, raising the efficiency of sustainable exploitation and use of marine and island resources and protection of the marine and island environment; promoting the scientific and technological potential related to marine and island resources and environment; and ensure national defense and security;

b/ Solving scientific and technological issues on marine and island resources and environment which are related to different sectors, fields, regions and countries;

c/ Serving as a theoretical ground for formulating policies and mechanisms to raise the effectiveness and efficiency of integrated management of marine and island resources and protection of the marine and island environment; setting orientations for baseline survey of marine and island resources and environment, and response to climate change and sea level rise;

d/ Mobilizing national resources and involving many science and technology sectors.

2. Agencies, organizations or individuals shall propose science and technology tasks related to marine and island resources and environment to ministries, ministerial-level agencies, government-attached agencies, provincial-level People's Committees or other central state agencies, which must be relevant to the sectors, fields and geographical areas under the management of these ministries, agencies or localities, for summarization and proposal for inclusion in the national-level science and technology program on marine and island resources and environment.

3. Based on proposals of ministries, ministerial-level agencies, government-attached agencies, provincial-level People's Committees or other central state agencies, the Ministry of Science and Technology shall assume the prime responsibility for, and coordinate with the Ministry of Natural Resources and Environment in, summarizing, formulating, or placing orders for implementation of, subjects, projects and tasks under the national-level science and technology program on marine and island resources and environment. The formulation and organization of implementation of this program must comply with law.

Article 19. Licensing of scientific research within Vietnam's maritime zones for foreign organizations and individuals

1. To conduct scientific research within Vietnam's maritime zones, a foreign organization or individual must satisfy the following conditions:

a/ Having the legal entity status as prescribed by the law of the country where it is established, for foreign organizations; being an inter-governmental organization, for international organizations; or having full civil act capacity as prescribed by the law of the country of which he/she is a citizen, for foreign individuals;

b/ Wishing to conduct scientific research independently or in cooperation with the Vietnamese side. To conduct scientific research within Vietnam's internal waters or territorial sea, the foreign organization or individual shall cooperate with the Vietnamese side upon the latter's request;

c/ Conducting scientific research for peaceful purposes; causing no harm to national sovereignty or national defense and security activities of Vietnam; causing no pollution to the marine environment; and causing no obstruction to lawful activities of organizations and individuals within Vietnam's maritime zones;

d/ Submitting a complete dossier for licensing as prescribed.

2. The Minister of Natural Resources and Environment shall license foreign organizations and individuals to conduct scientific research within Vietnam's maritime zones after consulting related line ministries and provincial-level People's Committees and reaching 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 licensing, the Ministry of Natural Resources and Environment shall notify the licensing to related ministries, sectors and localities for coordinated management.

3. Agencies competent to license scientific research may re-grant, extend, modify, supplement, suspend or revoke the licenses.

4. The Government shall prescribe in detail the licensing of scientific research within Vietnam's maritime zones for foreign organizations and individuals.

Article 20. Rights and obligations of foreign organizations and individuals that conduct scientific research within Vietnam's maritime zones

1. Foreign organizations and individuals that conduct scientific research within Vietnam's maritime zones have the following rights:

a/ To conduct scientific research within Vietnam's maritime zones according to the licensed contents and duration;

b/ To publicize and transfer scientific research information and results in accordance with Clauses 1 and 2, Article 21 of this Law;

c/ To be provided with instructions, communication services and favorable conditions during their scientific research within Vietnam's maritime zones.

2. Foreign organizations and individuals that conduct scientific research within Vietnam's maritime zones have the following obligations:

a/ To respect the independence and sovereignty of the Socialist Republic of Vietnam; to conduct scientific research only for peaceful purposes; to refrain from carrying out activities other than scientific research already licensed by competent Vietnamese agencies;

b/ To comply with regulations on maritime security and safety; establishment of maritime safety areas around installations used for research; maritime signaling; and maintenance of communication, and other provisions of Vietnam's maritime law;

c/ To refrain from letting their scientific research affect Vietnam's national defense and security activities or baseline survey, scientific research, exploration, exploitation and use of marine and island resources and environment which are lawfully carried out within Vietnam's maritime zones; to refrain from carrying into Vietnam's maritime zones weapons, explosives, toxic chemicals or other facilities and installations which are likely to cause harm to humans or marine resources or to pollute the marine environment, except explosives and toxic chemicals which are permitted by competent licensing agencies to be used for scientific research;

d/ To comply with Vietnamese laws on environmental protection, environmental restoration and compensation if their scientific research pollutes or degrades marine and island environment or ecosystems;

dd/ To conduct scientific research with appropriate methods and facilities in accordance with Vietnamese law and relevant international law;

e/ To ensure necessary working conditions, including funds for at least 2 scientists appointed by a competent Vietnamese state agency to participate in the research;

g/ To promptly notify the Ministry of Natural Resources and Environment of any change occurring in the course of scientific research against the licensed contents and duration, and to effect such change only after obtaining written approval from the Minister of Natural Resources and Environment;

h/ When finishing scientific research, to report preliminary research results to the Ministry of Natural Resources and Environment; within 30 days, except in *force majeure* events or otherwise agreed, to complete the dismantlement of facilities and installations used for scientific research and carry them out of Vietnam's maritime zones;

i/ Within 6 months after finishing the licensed scientific research, to send official reports on the research results and provide original documents and specimens to the Ministry of Natural Resources and Environment.

Article 21. Publicization and transfer of information on and results of scientific research conducted by foreign organizations and individuals within Vietnam's maritime zones

1. Foreign organizations and individuals that conduct scientific research within Vietnam's internal waters and territorial sea may publicize and transfer the research information and results to a third party only after obtaining written approval from the Minister of Natural Resources and Environment.

2. Foreign organizations and individuals that conduct scientific research within Vietnam's exclusive economic zone and continental shelf may publicize and transfer the research information and results directly related to natural resource exploration and exploitation to a third party only after obtaining written approval from the Minister of Natural Resources and Environment.

3. The Minister of Natural Resources and Environment shall decide to allow the publicization and transfer of research information and results prescribed in Clauses 1 and 2 of this Article after reaching agreement 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

MASTER PLAN ON SUSTAINABLE EXPLOITATION AND USE OF COASTAL RESOURCES; PROGRAMS ON INTEGRATED MANAGEMENT OF COASTAL RESOURCES

Section 1

COASTAL ZONES AND COAST PROTECTION CORRIDORS

Article 22. Scope of coastal zones

1. The scope of a coastal zone shall be identified based on natural and socio-economic conditions of each area in this zone; characteristics of the interaction between the mainland or an island and the sea; requirements on protection of the coastal zone's environment and response to climate change and sea level rise; current situation, and demand for exploitation and use, of natural resources and other characteristics in the coastal zone, in order to organize integrated management of coastal resources as suitable to management capacity.

2. The Government shall stipulate in detail the scope of coastal zones prescribed in Clause 1 of this Article.

Article 23. Coast protection corridors

1. Coast protection corridor means the coastal land strip established in an area where it is necessary to protect ecosystems and conserve the service value of ecosystems and natural landscapes in the coastal zone; minimize coastal erosion, respond to climate change and sea level rise; and guarantee people's right of access to the sea.

2. The establishment of a coast protection corridor must adhere to the following principles:

a/ Being based on requirements on and objectives of such establishment as prescribed in Clause 1 of this Article;

b/ Ensuring scientificity and objectivity; harmony between protection and development requirements, taking into account the current situation of exploitation and use of natural resources in the coastal land area; conservation and promotion of the values of cultural heritages; and feasibility and suitability to local practical conditions;

c/ Complying with the law on dikes and marine border areas, and ensuring national defense and security;

d/ Clearly identifying the corridor's landmarks in the area where it is established;

dd/ Ensuring harmony of interests of the State and lawful rights and interests of related organizations and individuals; ensure publicity, transparency, and involvement of related communities, organizations and individuals in the area where the corridor is established; and guaranteeing people's right of access to the sea.

3. The width of a coast protection corridor shall be measured from the mean high tide's water level over many years to the mainland or to the inside of an island.

4. Provincial-level People's Committees of coastal localities shall, based on local practical conditions and in pursuance to this Article, establish, publicize and manage coast protection corridors under their management.

5. The Government shall detail this Article.

Article 24. Prohibited activities within coast protection corridors

1. Exploiting minerals, except special cases approved by the Prime Minister.

2. Building new works or expanding existing ones, except works for national defense and security, prevention and control of natural disasters and coastal erosion, response to climate change and sea level rise, or conservation and promotion of the values of cultural heritages, and other works for the sake of national and public interests as decided by the National Assembly, the Government, the Prime Minister, ministers, heads of central agencies, or provincial-level People's Councils or People's Committees of coastal localities.

3. Building new cemeteries and landfills.

4. Carrying out drilling, dredging or embanking activities, except the activities prescribed in Article 25 of this Law.

5. Encroaching upon or illegally using coast protection corridors.

6. Carrying out activities which cause coastal erosion, degrade coastal ecosystems or reduce the service value of ecosystems and natural landscapes.

Article 25. Restricted activities within coast protection corridors

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

a/ Exploiting groundwater;

b/ Carrying out seaward reclamation or encroachment activities;

c/ Upgrading existing works;

d/ Exploring minerals or oil and gas;

dd/ Carrying out production, business and service activities which threaten to degrade coastal ecosystems or reduce the service value of ecosystems and natural landscapes.

2. The Government shall detail this Article.

Section 2

MASTER PLAN ON SUSTAINABLE EXPLOITATION AND USE OF COASTAL RESOURCES

Article 26. Principles and grounds for formulating the master plan on sustainable exploitation and use of coastal resources

1. Principles of formulating the master plan:

a/ The master plan must conform to the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment and the master plan on use of the sea; and shall be linked with master plans on natural resource exploitation and use and sectoral development in coastal zones;

b/ The master plan must ensure harmony in natural resource exploitation and use, environmental protection and sustainable development in coastal zones; and protection of national sovereignty and assurance of national defense and security;

c/ The master plan must include requirements on prevention and control of natural disasters and response to climate change and sea level rise;

d/ The formulation of the master plan must ensure publicity, transparency, and involvement of related communities, agencies, organizations and individuals; and guarantee people's right of access to the sea;

dd/ The master plan must suit its implementation resources and be feasible.

2. Bases for formulating the master plan:

a/ The strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment; and the master plan on use of the sea;

b/ Natural and socio-economic conditions and specific characteristics of each area in coastal zones, potential of natural resources and current environmental conditions in coastal zones; and forecasted impacts of climate change and sea level rise;

c/ Results of baseline survey of natural resources and environment in coastal zones; statistics on coastal resources;

d/ Demand for natural resource exploitation and use and requirements on environmental protection in coastal zones;

dd/ Results of implementation of the previous master plan on sustainable exploitation and use of coastal resources.

Article 27. Scope, contents and period of the master plan on sustainable exploitation and use of coastal resources

1. The master plan on sustainable exploitation and use of coastal resources shall be formulated for all coastal zones nationwide.

2. Contents of the master plan:

a/ Overall assessment of natural, socio-economic and environmental conditions; current state of coastal resources; trend of changes in, and forecasted impacts of climate change and sea level rise on, coastal resources and environment in coastal zones; demands for natural resource exploitation and use and requirements on environmental protection in coastal zones;

b/ Identification of objectives and orientations and making of an overall plan on sustainable exploitation and use of natural resources and environmental protection in coastal zones;

c/ Zoning of areas for exploitation and use of coastal resources; sea areas used for dumping on the principles prescribed in Article 33 of this Law;

d/ Solutions and programs for implementation of the master plan.

3. The master plan on sustainable exploitation and use of coastal resources shall be made for a 10-year period, with a 20-year vision.

Article 28. Adjustment of the master plan on sustainable exploitation and use of coastal resources

1. The approved master plan on sustainable exploitation and use of coastal resources shall be adjusted when its contents are changed as a result of:

a/ Adjustment of the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment or the master plan on use of sea areas;

b/ Impacts of a natural disaster, war or environmental incident.

2. Adjustments to the approved master plan on sustainable exploitation and use of coastal resources constitute part of this master plan.

Article 29. Formulation, appraisal, approval and adjustment of the master plan on sustainable exploitation and use of coastal resources

1. The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities in, formulating and submitting to the Government for approval or adjustment the master plan on sustainable exploitation and use of coastal resources.

2. Before being approved, the master plan on sustainable exploitation and use of coastal resources shall be appraised in accordance with the law on planning.

3. The Government shall detail this Article.

Article 30. Consultation on and publicization of the master plan on sustainable exploitation and use of coastal resources

1. Consultation during the formulation of the master plan on sustainable exploitation and use of coastal resources:

a/ The Ministry of Natural Resources and Environment shall consult related agencies, organizations, individuals and communities;

b/ Consultations shall be held through meetings, in writing or directly, and posted on the websites of the Government, the Ministry of Natural Resources and Environment and provincial-level People's Committees of coastal localities.

The time limit for posting the master plan on the websites for public opinion is 90 days;

c/ The Ministry of Natural Resources and Environment shall make a report on assimilation of and response to collected opinions, and post it on the websites of the Government, the Ministry of Natural Resources and Environment and provincial-level People's Committees of coastal localities.

2. Within 30 days after the master plan on sustainable exploitation and use of coastal resources is approved by the Government, the Ministry of Natural Resources and Environment shall announce and publicize it throughout the planning period.

Article 31. Organization of implementation of the master plan on sustainable exploitation and use of coastal resources

1. The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities in, organizing and examining the implementation of the master plan on sustainable exploitation and use of coastal resources.

2. Ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities shall organize the implementation of the master plan on sustainable exploitation and use of coastal resources.

3. Organizations and individuals involved in the exploitation and use of coastal resources shall comply with the master plan on sustainable exploitation and use of coastal resources.

Article 32. Relation between the master plan on sustainable exploitation and use of coastal resources and natural resource exploitation and use master plans or sectoral and local development master plans

1. Natural resource exploitation and use master plans or sectoral and local development master plans which include contents related to exploitation and use of coastal resources must conform to the approved master plan on sustainable exploitation and use of coastal resources.

2. Ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities shall, within the ambit of their tasks and powers, review, propose, amend and supplement natural resource exploitation and use master plans or sectoral and local development master plans which include contents related to exploitation and use of coastal resources to make them conform to the approved master plan on sustainable exploitation and use of coastal resources.

Article 33. Principles of zoning of areas for exploitation and use of coastal resources

1. Ensuring comprehensive consideration and assessment of natural resources, environmental conditions and geographical characteristics of the areas and the current use of coastal zones; role of areas to be zoned in socio-economic development, national defense and security assurance, conservation and promotion of the values of cultural heritages, and protection of the environment and ecosystems.

2. Ensuring entirety and harmony between demands for exploitation and use and requirements on protection of natural resources, environment and ecosystems, and between short-term and long-term interests of natural resource exploiters and users and interests of the State and community, giving priority to long-term and community interests; guaranteeing people's right of access to the sea; and ensuring national defense, security and navigational safety.

3. Based on the assessment results, clearly identifying the fields and order of priority in natural resource exploitation and use, and selecting optimal zoning plans to ensure harmony between economic development and protection of marine and island environment and ecosystems to serve sustainable development of coastal zones, protection of national sovereignty and assurance of national defense and security.

Section 3

PROGRAMS ON INTEGRATED MANAGEMENT OF COASTAL RESOURCES

Article 34. Scope and contents of programs on integrated management of coastal resources

1. Programs on integrated management of coastal resources include inter-provincial programs and programs managed by each coastal province or centrally run city.

2. A program on integrated management of coastal resources shall be formulated for a coastal zone:

a/ Where many activities of natural resource exploitation and use are carried out, and conflicts of interests in natural resource exploitation and use arise or are likely to arise which require coordination among different levels and sectors and communities in conflict settlement;

b/ Natural resources or the value of their ecosystems is likely to seriously decline as a result of natural resource exploitation and use, and which is prone to high or very high pollution risk;

c/ Which is important to socio-economic development, national defense and security assurance, conservation and promotion of the values of cultural heritages, and protection of the environment and ecosystems, and which is vulnerable as a result of climate change or sea level rise.

3. A program on integrated management of coastal resources must have the following contents:

a/ Objectives of the program;

b/ Issues to be settled and order of priority for settlement to serve integrated management; indicators for assessing the program implementation results;

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

d/ Resources for implementation of the program.

Article 35. Principles and bases for formulating or adjusting a program on integrated management of coastal resources

1. Principles of formulating or adjusting a program on integrated management of coastal resources:

a/ Ensuring the settlement of conflicts of interests in natural resource exploitation and use and the harmony of interests of stakeholders;

b/ Ensuring the participation of stakeholders in the program formulation;

c/ Ensuring the program's practicality and feasibility for its implementation.

2. Bases for formulating a program on integrated management of coastal resources:

a/ The master plan on sustainable exploitation and use of coastal resources;

b/ The current situation of natural resource exploitation and use and environment in coastal zones covered by the program;

c/ Financial, human resource and science and technology capacity.

3. A program on integrated management of coastal resources shall be adjusted when there is a change in any of the bases prescribed in Clause 2 of this Article which results in the change of the program's objectives and contents.

Article 36. Formulation, appraisal, approval and adjustment of programs on integrated management of coastal resources

1. The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with related ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities in, formulating and submitting inter-provincial programs on integrated management of coastal resources to the Prime Minister for approval or adjustment.

2. Provincial-level People's Committees of coastal localities shall formulate and adjust programs on integrated management of coastal resources under their management; and consult in writing the Ministry of Natural Resources and Environment before approving these programs.

3. Programs on integrated management of coastal resources shall be appraised before being approved.

4. The Government shall detail this Article.

Article 37. Consultation on and publicization of programs on integrated management of coastal resources

1. Consultations during the formulation of a program on integrated management of coastal resources:

a/ The program-formulating agency shall consult related agencies, organizations, individuals and communities;

b/ Consultations shall be held through meetings, in writing or directly, and posted on the website of the program-formulating agency.

The time limit for posting an inter-provincial program or a program managed by a coastal province or centrally run city on the website for public opinion is 90 days or 60 days, respectively.

2. A program on integrated management of coastal resources shall be publicized within 30 days after it is approved.

Article 38. Organization of implementation of programs on integrated management of coastal resources

1. The Ministry of Natural Resources and Environment shall organize the implementation of inter-provincial programs on integrated management of coastal resources. Related ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities shall coordinate with the Ministry of Natural Resources and Environment in implementing inter-provincial programs on integrated management of coastal resources.

2. Provincial-level People's Committees of coastal localities shall organize the implementation of programs on integrated management of coastal resources they have approved.

Chapter V

MANAGEMENT OF ISLAND RESOURCES

Article 39. Requirements on management of island resources

1. Island resources shall be managed in a unified manner under the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment, the master plan and plans on use of the sea, the master plan on sustainable exploitation and use of coastal resources, and the provisions of this Chapter.

2. Islands require baseline survey and overall and comprehensive assessment of natural conditions, natural resources and environment. They shall be listed and classified for making dossiers and setting orientations for reasonable and effective exploitation and use of natural resources for socio-economic development, protection of national sovereignty, assurance of national defense and security, response to climate change and sea level rise, and conservation and promotion of the values of cultural heritages.

3. The management of island resources must ensure harmony between demands for natural resource exploitation and use and requirements on conservation, development and protection of the environment and ecosystems.

Article 40. Making and management of island resource dossiers

1. Islands shall be classified for protection and conservation and for exploitation and use of natural resources under the Government's regulations.

2. An island resource dossier must comprise:

a/ An extracted information slip, including the name or code of the island; type of the island; location, coordinates and area of the island; and process of exploitation and use of the island;

b/ A map showing the location, coordinates and boundaries of the island;

c/ Results of survey and integrated assessment of island resources and environment;

d/ A book for listing and monitoring changes in island resources and environment and other relevant information.

3. Provincial-level People's Committees of coastal localities shall make and manage dossiers of island resources in their localities.

4. The Minister of Natural Resources and Environment shall prescribe in detail island resource dossiers and guide the making and management of island resource dossiers.

Article 41. Exploitation and use of island resources

1. The exploitation and use of natural resources on archipelagoes and islands are the same as those for natural resources on the mainland in accordance with this Law and relevant laws.

2. On archipelagoes and islands in need of protection and conservation, except the case specified in Clause 5 of this Article, the following activities are prohibited:

- a/ Building new works or carrying out installations;
- b/ Carrying out activities that change topographic and geomorphic characteristics and soil quality;
- c/ Exploiting, excavating, leveling or improving soil and reef or exploiting minerals or groundwater; or bringing natural formations out of archipelagoes or islands;
- d/ Reclaiming, cutting trees or encroaching upon the vegetation cover; bringing wild flora out of archipelagoes or islands;
- dd/ Hunting animals on or bringing animals out of archipelagoes or islands; grazing cattle or introducing alien species on archipelagoes or islands;
- e/ Discharging wastes on or transporting wastes to archipelagoes or islands.

3. The exploitation and use of resources on low-tide elevations and banks shall be licensed by competent Vietnamese state agencies in accordance with this Law, other relevant laws, and treaties to which the Socialist Republic of Vietnam is a contracting party.

4. For low-tide elevations and banks in need of protection and conservation, except the case specified in Clause 5 of this Article, the following activities are prohibited:

- a/ Building new works or carrying out installations;
- b/ Carrying out activities that change topographic and geomorphic characteristics;
- c/ Reclaiming, exploiting, excavating and leveling, or improving soil and reef or exploiting minerals; or bringing natural formations out of low-tide elevations or banks;
- d/ Discharging wastes on or transporting wastes to low-tide elevations or banks.

5. The activities prescribed in Clauses 2 and 4 of this Article are allowed to be carried out in the following cases:

- a/ For national defense and security purposes determined by the Vietnamese State; or for performance of state management work;
- b/ For scientific research, investigation, survey and assessment of natural conditions, natural resources and environment as licensed by competent state agencies; or for implementation of the State's programs, schemes and projects;
- c/ For natural disaster prevention and control, and salvage and rescue;
- d/ Other cases as approved by the Prime Minister.

Chapter VI

CONTROL OF POLLUTION, RESPONSE TO OIL AND TOXIC CHEMICAL SPILLS, AND DUMPING AT SEA

Section 1

CONTROL OF MARINE AND ISLAND ENVIRONMENT POLLUTION

Article 42. Principles of control of marine and island environment pollution

1. Control of marine and island environment pollution shall be conducted on a constant basis with priority given to preventive work. To promptly handle and effectively remedy marine environment pollution and incidents and marine and island environment degradation.

2. Sea areas shall be classified by pollution risk for implementing effective solutions to control marine and island environment pollution.

3. Waste sources from the mainland or from activities carried out at sea and on islands, wastes of unknown origin and transnational wastes shall be controlled. The control of waste sources and wastes must take into account the environmental load-bearing capacity of sea areas and islands.

4. To effectively respond to marine environment incidents and promptly prevent the spread of pollution during marine environment incidents.

5. To ensure close coordination among related sectors, levels, organizations and individuals in controlling marine and island environment pollution.

Article 43. Contents of control of marine and island environment pollution

1. Investigating, compiling statistics on, classifying and assessing waste sources from the mainland and from activities carried out at sea and on islands; and assessing the current situation of marine and island environment pollution.

2. Periodically monitoring and assessing the current state of water quality, sediments, ecosystems and biodiversity of sea areas and islands.

3. Investigating and assessing the environmental load-bearing capacity of sea areas and islands prone to high or very high pollution risk; announcing sea areas and islands that are no longer capable of receiving wastes.

4. Preventing, detecting, handling and remedying pollution and degradation of marine and island environment and ecosystems; improving and restoring the polluted and degraded marine and island environment and ecosystems.

5. Determining levels of risks of marine and island environment pollution; zoning areas prone to marine and island environment pollution risk and drawing maps of these areas.

6. Responding to and remedying marine environment incidents.

7. Licensing and controlling dumping at sea.

8. Ensuring coordination between Vietnamese state agencies and foreign agencies and organizations in sharing information and assessing the quality of seawater environment; and controlling transnational marine environment pollution in accordance with law.

9. Publicly announcing areas prone to marine and island environment pollution risk and information on water and sediment environments of sea areas and islands.

Article 44. Responsibility to investigate and assess marine and island environment

1. The Ministry of Natural Resources and Environment, other ministries, ministerial-level agencies, and provincial-level People's Committees of coastal localities shall, within the ambit of their tasks and powers, monitor and assess the current situation of marine and island environment pollution, water quality, sediments, ecosystems and biodiversity of sea areas and islands; investigate, compile statistics on, classify and assess waste sources from the mainland and from activities carried out at sea and on islands in accordance with the law on environmental protection.

2. The Ministry of Natural Resources and Environment shall investigate and assess the environmental load-bearing capacity of sea areas and islands prone to high or very high pollution risk; announce sea areas and islands that are no longer capable of receiving wastes; and publicize information on the marine and island environment in accordance with law.

Article 45. Control of marine environment pollution caused by activities carried out at sea

1. Hazardous wastes from activities carried out at sea shall be collected, sorted out, stored, transported and disposed of in accordance with the law on environmental protection.

2. Expired artificial structures and installations at sea which will not be used shall be

dismantled and transported to the mainland or dumped in accordance with this Law and other relevant laws.

3. Owners of vehicles carrying and storing petrol, oil, chemicals, radioactive substances, toxic substances and other substances which threaten to cause marine environment incidents shall prepare plans for prevention of and response to environmental incidents, without letting the leakage, spillage or release of such substances into the sea.

4. Wastewater from vessels, drilling rigs, oil and gas rigs and other artificial structures and installations at sea; oil mud and mud containing toxic and hazardous compounds during oil and gas exploration and exploitation shall be treated up to environmental technical regulations before being discharged into the sea.

5. Ballast water, vessel cleaning water and bilge water shall be treated up to environmental technical regulations, and may not be diluted for the purpose of satisfying environmental technical regulations, before being discharged into the sea.

6. The discharge of ballast water, vessel cleaning water, bilge water and wastewater from vessels must comply with the maritime law, the law on environmental protection and other relevant laws of Vietnam and treaties to which the Socialist Republic of Vietnam is a contracting party.

7. Solid wastes from vessels, drilling rigs, oil and gas rigs and other artificial structures and installations at sea shall be closely managed in accordance with law; mud dredged from navigable channels and seaports shall be transported to the mainland or dumped in accordance with this Law and other relevant laws.

8. Seaports must have systems for receiving and treating residential wastes and oil residues discharged by vessels.

9. Wastes going adrift at sea and in inshore areas shall be collected, sorted out and disposed of in accordance with the law on environmental protection and other relevant laws.

Article 46. Control of marine environment pollution caused by activities carried out on the mainland

1. Wastes from production, business and daily-life activities carried out on the mainland shall be treated up to environmental technical regulations before being discharged into the sea.

2. The locations of points for discharging treated wastewater into the sea shall be considered based on natural conditions of the sea areas where wastewater will be discharged, as well as dynamic, environmental and ecological conditions and biodiversity, natural resources and current situation of exploitation and use of the sea areas.

Points for discharging wastewater into marine reserves, beaches and coastal scenic places shall be assessed, examined and handled in accordance with the law on environmental protection.

3. Production, business and service establishments in coastal land areas and on islands must have adequate facilities and equipment for treating wastes up to environmental technical regulations; and shall periodically report to competent state management agencies on the current situation of treatment and discharge of wastes into the sea under regulations of the Minister of Natural Resources and Environment.

4. Sea-polluting sources from river basins shall be surveyed, assessed and strictly controlled.

Article 47. Control of transnational marine environment pollution

1. Ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities shall, within the ambit of their tasks and powers, monitor and promptly detect,

stop, and notify transnational marine environment pollution to the Ministry of Natural Resources and Environment.

2. The Ministry of Natural Resources and Environment shall act as the focal point in controlling transnational marine environment pollution, and assume the prime responsibility for, and coordinate with the Ministry of Foreign Affairs, the Ministry of National Defense, the Ministry of Science and Technology, and related ministries, ministerial-level agencies and provincial-level People's Committees in, identifying polluting sources and making handling and remediation plans.

3. The Ministry of Foreign Affairs and the Ministry of Natural Resources and Environment shall, within the ambit of their tasks and powers, coordinate and cooperate with related countries and organizations in handling and remedying transnational marine environment pollution.

Article 48. Zoning of areas prone to marine and island environment pollution risk

1. Zoning of areas prone to marine and island environment pollution risk includes the following activities:

a/ Monitoring, surveying, collecting, updating, supervising, synthesizing and processing information and data on the marine and island environment;

b/ Assessing marine and island environment pollution risks;

c/ Identifying, and drawing maps of areas prone to marine and island environment pollution risk.

2. The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with related ministries and ministerial-level agencies and provincial-level People's Committees of coastal localities in, guiding, identifying, assessing and zoning areas prone to marine and island environment pollution risk.

Article 49. Levels of marine and island environment pollution risks

1. Marine and island environment pollution risks shall be divided into different levels for use as a basis for working out solutions to effectively control marine and island environment pollution.

2. Areas prone to marine and island environment pollution risk shall be classified into:

a/ Areas prone to low pollution risk;

b/ Areas prone to medium pollution risk;

c/ Areas prone to high pollution risk;

d/ Areas prone to very high pollution risk.

3. Criteria for classification of areas prone to marine and island environment pollution risk include:

a/ Degree or danger of marine and island environment pollution;

b/ Affected scope;

c/ Environmental sensitivity; possible harm to human health, marine and island ecosystems, and exploitation and use of marine and island resources.

4. The Minister of Natural Resources and Environment shall prescribe in detail criteria for classification of areas prone to marine and island environment pollution risk.

The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with related ministries and ministerial-level agencies and provincial-level People's Committees of coastal localities in, drawing maps of areas prone to marine and island

environment pollution risk and submit them to the Prime Minister for approval.

Article 50. Assessment of results of control of marine and island environment pollution

1. Results of control of marine and island environment pollution shall be assessed based on a set of indicators.

2. The Ministry of Natural Resources and Environment, other ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities shall, within the ambit of their tasks and powers, assess the results of control of marine and island environment pollution; and post the assessment results on their websites.

3. The Minister of Natural Resources and Environment shall prescribe in detail a set of indicators for assessing, and the assessment of, results of control of marine and island environment pollution.

Article 51. Reports on current state of marine and island environment

1. Reports on the current state of the marine and island environment include the national report on the current state of the marine and island environment, reports on the current state of the marine and island environment of provincial-level People's Committees of coastal localities, and specialized reports on the current state of the marine and island environment.

2. The contents and periods of, and competence and responsibility to make, reports must comply with the law on environmental protection.

Section 2

RESPONSE TO AND REMEDIATION OF OIL AND TOXIC CHEMICAL SPILLS AT SEA

Article 52. Principles of response to and remediation of oil and toxic chemical spills at sea

1. It is the responsibility of all agencies, organizations and individuals to respond to and remedy oil and toxic chemical spills at sea.

2. To attach importance to preventive work while proactively planning and investing in equipment, supplies and manpower to be ready to respond to oil and toxic chemical spills at sea.

3. Oil and toxic chemical spills at sea shall be classified for the purpose of assigning response responsibilities.

4. Information on oil and toxic chemical spills at sea shall be promptly reported and processed.

5. All resources shall be mobilized as soon as possible for response activities; to ensure unified command, effective coordination and collaboration and close cooperation of forces, means and equipment mobilized to respond to oil and toxic chemical spills at sea, giving priority to saving victims.

6. To ensure safety and fire and explosion prevention and fighting during response activities.

7. Establishments that cause oil and toxic chemical spills at sea shall remedy such incidents and pollution, restore the environment and pay compensation for damage caused by such incidents in accordance with law.

8. The prevention, remediation and handling of oil and toxic chemical spills at sea must comply with the law on environmental protection and other relevant laws.

Article 53. Levels of response to oil and toxic chemical spills at sea

1. Response to oil and toxic chemical spills at sea shall be conducted at three levels: establishment, regional and national levels.

2. Response at establishment level:

a/ For incidents occurring at establishments, the establishment owners shall organize, command and mobilize forces, vehicles and vessels, and equipment for prompt response, and concurrently notify such incidents to their managing agencies and provincial-level People's Committees of coastal localities where the incidents occur; in case the incidents fall beyond their establishments' capacity and resources, the establishment owners shall promptly report such to their managing agencies and provincial-level People's Committees of coastal localities where the incidents occur for assistance;

b/ In case the incidents cause serious environmental pollution or occur in areas prioritized for protection or areas prone to high or very high marine environment pollution risk, the establishment owners shall report such to the provincial-level People's Committees of coastal localities where the incidents occur and the National Committee for Search and Rescue for direction and timely response.

3. Response at regional level:

For incidents which fall beyond the responding capacity of establishments or when the responsible establishments or causes of the incidents are not yet identified, the chairpersons of the provincial-level People's Committees of coastal localities where the incidents occur shall personally direct response activities and have the right to urgently mobilize necessary resources of establishments, ministries and sectors based in the localities to respond to the incidents.

4. Response at national level:

a/ For incidents which fall beyond the responding capacity of localities, the provincial-level People's Committees of coastal localities where the incidents occur shall promptly report them to the National Committee for Search and Rescue for directing, or coordinating with related agencies in, organizing response activities;

b/ For incidents which fall beyond the responding capacity of domestic forces, the National Committee for Search and Rescue shall propose the Prime Minister to consider and decide to seek international assistance;

c/ For incidents causing extremely serious environmental pollution, response activities must comply with the law on states of emergency.

Article 54. Identification and notification of restricted areas

1. To facilitate the salvage, rescue and incident response, agencies or persons in charge of response activities shall propose the establishment of restricted areas prioritized for salvage, rescue and incident response activities.

2. The provincial-level People's Committees of coastal localities where the incidents occur shall, at the proposal of agencies or persons in charge of response activities, consider and decide on the identification and notification of restricted areas prioritized for salvage, rescue and incident response activities in the localities.

3. The Government shall prescribe in detail the identification and notification of restricted areas prioritized for salvage, rescue and incident response activities.

Article 55. Suspension from operation of establishments causing oil and toxic chemical spills at sea

In case establishments that have caused the incidents obstruct the remediation of the incidents or investigation and identification of causes of the incidents, ministries, ministerial-level agencies or provincial-level People's Committees of coastal localities shall, within the ambit of their tasks and powers, decide to suspend such establishments from operation.

Article 56. Responsibilities to respond to oil and toxic chemical spills at sea

1. The National Committee for Search and Rescue shall:

a/ Direct and organize the implementation of the national plan on incident response nationwide after it is approved by the Prime Minister;

b/ Direct within its competence and mobilize forces and facilities of ministries, sectors, localities and regional incident-response centers to respond to incidents which occur in areas under their responsibilities;

c/ Coordinate with competent authorities of related countries in dealing with incidents which occur within Vietnam's maritime zones or waters adjacent to these countries, and report cases falling beyond its competence to the Prime Minister.

2. The Ministry of Natural Resources and Environment shall:

a/ Assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade, the National Committee for Search and Rescue and related ministries and sectors in, elaborating and submitting to the Prime Minister for promulgation a Working Regulation on response to oil and toxic chemical spills at sea; assume the prime responsibility for, and coordinate with related ministries and sectors in, promulgating or submitting to competent authorities for promulgation documents on supervision, risk assessment, and remediation and settlement of consequences of oil and toxic chemical spills at sea;

b/ Coordinate with the National Committee for Search and Rescue and related ministries, sectors and localities in responding to oil and toxic chemical spills at sea.

3. The Ministry of Foreign Affairs shall:

a/ Direct its agencies and overseas Vietnamese representative missions to coordinate with one another in carrying out procedures for Vietnam's incident-response units to participate in international assistance efforts and for Vietnam-based foreign response-assistance forces at the request of the National Committee for Search and Rescue;

b/ Coordinate with the National Committee for Search and Rescue and related ministries and sectors in, through diplomatic channel, exchanging information and forwarding requests for coordination or assistance in responding to incidents which occur in foreign territories or seas and affect Vietnam or which occur within Vietnam's maritime zones and affect foreign countries.

4. The Ministry of National Defense shall coordinate and reach agreement with the National Committee for Search and Rescue in making and implementing plans on coordinated use of forces and facilities of the naval, air, border guard, coast guard and other military forces for performing the tasks of the Ministry of the National Defense, while supervising and detecting incidents, and being prepared to participate in responding to incidents in their areas of operation.

5. Related ministries and sectors shall direct their attached agencies and units to promptly arrange forces and facilities to respond to oil and toxic chemical spills at sea when mobilized by the National Committee for Search and Rescue and competent agencies.

6. Provincial-level People's Committees of coastal localities shall approve, and organize the implementation of, incident response plans; and promptly direct the response to oil and toxic chemical spills at sea under their management.

7. Owners of establishments that have caused oil and toxic chemical spills at sea shall urgently mobilize manpower, material resources and facilities for incident response; ensure safety for humans and property; organize the saving of humans and property; and promptly notify the incidents to local administrations and competent authorities.

Section 3
DUMPING AT SEA

Article 57. Requirements on dumping at sea

1. Dumping at sea may only be carried out when it is licensed by a competent state management agency in accordance with this Law.

2. Materials and substances generated outside the territory of Vietnam may not be dumped into Vietnam's maritime zones.

3. Sea areas reserved for dumping materials and substances must comply with the master plan on use of the sea and the master plan on sustainable exploitation of use of coastal resources.

4. Dumping at sea must not adversely affect human health and national economic development potential, and must minimize adverse impacts on the marine environment and ecosystems.

5. Dumping at sea shall be strictly managed and controlled.

Article 58. Materials and substances allowed to be dumped at sea

1. To be dumped at sea, materials and substances must satisfy the following conditions:

a/ Containing no radioactive substances or toxic substances in excess of radiation safety technical regulations or environmental technical regulations;

b/ Having been treated up to environmental technical regulations; causing no harm to human health, the environment, ecosystems or aquatic resources;

c/ Being impossible to be discharged, stored or disposed of on the mainland or their discharge, storage or disposal on the mainland being inefficient in socio-economic terms;

d/ Being on the list of materials and substances allowed to be dumped at sea.

2. The Government shall issue the list of materials and substances allowed to be dumped at sea.

Article 59. Dumping permits

1. A dumping permit must contain:

a/ Name of the permit holder;

b/ Names, volumes, sizes and components of materials allowed to be dumped; names, kinds, volumes and components of substances allowed to be dumped;

c/ Location, boundary, coordinates and area of the sea area used for dumping;

d/ Vessel carrying materials and substances to be dumped, and method of dumping;

dd/ Time and duration permitted for the dumping;

e/ Obligations of the permit holder;

g/ Validity of the permit.

2. The validity duration of a dumping permit shall be based on materials or substances to be dumped, scope and nature of dumping activities, and sea area used for dumping, but must not exceed 2 years, and may be extended only once for not more than one year.

Article 60. Grant, re-grant, extension, modification, supplementation, permission for return, or revocation of dumping permits

1. The Minister of Natural Resources and Environment shall grant a dumping permit in case the sea area used for dumping is partially or wholly located outside the inshore sea area or is located between two coastal provinces or centrally run cities.

2. Provincial-level People's Committees of coastal localities shall grant permits for dumping within the inshore sea areas under their management, except the case specified in Clause 1 of this Article.

3. Agencies competent to grant permits for dumping in certain sea areas are competent to re-grant, extend, modify, supplement, permit the return of, or revoke, permits for dumping in those sea areas.

4. The Government shall prescribe in detail the grant, re-grant, extension, modification, supplementation, permission for return, or revocation of dumping permits.

Article 61. Rights and obligations of organizations and individuals that are granted dumping permits

1. Dumping permit holders have the following rights:

a/ To dump materials and substances according to the granted permits;

b/ To have their lawful rights and interests protected by the State;

c/ To request organizations and individuals that commit acts damaging their lawful rights and interests during the dumping to pay compensation in accordance with law;

d/ To request state management agencies that are competent to grant dumping permits to re-grant, extend, modify, supplement or return the permits in accordance with law;

dd/ To lodge complaints or initiate lawsuits against acts infringing upon their lawful rights and interests during the dumping in accordance with law;

e/ Other rights prescribed by law.

2. Dumping permit holders have the following obligations:

a/ To observe the law on management of marine and island resources and environment; to strictly comply with the granted permits;

b/ To pay a fee for grant of the permits and a charge for use of the sea area for dumping in accordance with law;

c/ To comply with technical regulations applicable to dumping activities throughout the dumping process;

d/ To refrain from obstructing and damaging the lawful exploitation and use of marine resources by other organizations and individuals;

dd/ To provide full and truthful data and information on dumping activities upon request of competent state agencies;

e/ To take measures to ensure safety and prevent and remedy marine environment incidents caused by their dumping activities in accordance with law;

g/ To conduct marine environment monitoring and surveillance in accordance with law and comply with regulations on information and reporting on dumping activities;

h/ To pay compensation to organizations and individuals that suffer damage caused by their unlawful dumping activities;

i/ Other obligations prescribed by law.

Article 62. Control of dumping at sea

1. Dumping permit holders shall register and install tachographs and record the whole process of dumping and keep the ship's log for examination and supervision by competent state management agencies and marine patrol and control forces.

2. For materials and substances which are loaded at ports, the port authorities shall inspect them to ensure their compliance with the dumping permits before allowing the carrying vessels to leave the ports.

3. Agencies competent to grant dumping permits and marine patrol and control forces shall inspect, examine and supervise dumping activities and handle violations in accordance with law.

Article 63. Dumping outside Vietnam's maritime zones which damages its marine and island resources and environment

Vietnamese or foreign organizations and individuals that carry out dumping outside Vietnam's maritime zones but such dumping damages the environment, ecosystems and socio-economic activities within Vietnam's maritime zones or on islands shall pay compensation, pay all expenses related to investigation, survey and damage assessment, and implement solutions for restoring the environment and ecosystems, and pay other expenses in accordance with Vietnamese law and treaties to which the Socialist Republic of Vietnam is a contracting party.

Chapter VII

INTEGRATED MONITORING AND SURVEILLANCE OF AND SYSTEM OF
INFORMATION AND DATABASE ON MARINE AND ISLAND RESOURCES AND
ENVIRONMENT

Section 1

INTEGRATED MONITORING AND SURVEILLANCE OF MARINE AND ISLAND
RESOURCES AND ENVIRONMENT**Article 64.** Requirements on integrated monitoring and surveillance of marine and island resources and environment

1. Integrated monitoring and surveillance of marine and island resources and environment shall be conducted in a constant and comprehensive manner to serve the management of marine and island resources and environment, socio-economic development, and assurance of national defense and security.

2. The system of integrated monitoring and surveillance of marine and island resources and environment must be synchronous, advanced and modern to ensure timely collection of sufficient information and data on marine and island resources and environment.

3. Connection to the regional and international monitoring and surveillance of marine and island resources and environment shall be effected.

Article 65. Establishment of the system of integrated monitoring and surveillance of marine and island resources and environment

1. The system of integrated monitoring and surveillance of marine and island resources and environment shall be established on the basis of connecting systems of monitoring and surveillance of marine and island resources and environment of ministries, sectors and localities.

2. The system of integrated monitoring and surveillance of marine and island resources and environment is an open and connected one for uninterrupted sharing of information from the central to local level.

3. The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with related ministries and sectors and provincial-level People's Committees of coastal localities in, developing and submitting to the Prime Minister for approval the system of integrated monitoring and surveillance of marine and island resources and environment.

Article 66. Participation in regional and international ocean monitoring and surveillance systems

The Ministry of Natural Resources and Environment shall act as the focal point in organizing the participation in regional and international ocean monitoring and surveillance systems; and shall manage, publicize, share and provide information and data collected from such participation in accordance with law.

Section 2

MARINE AND ISLAND RESOURCE AND ENVIRONMENT INFORMATION SYSTEM AND DATABASE

Article 67. Marine and island resource and environment information system

1. The marine and island resource and environment information system shall be designed to be a complete and unified national system to serve multiple purposes according to national standards and technical regulations and international ones recognized in Vietnam.

2. The marine and island resource and environment information system includes:

- a/ Information technology infrastructure;
- b/ Operating software, system software and applied software;
- c/ Database on marine and island resources and environment.

3. The Ministry of Natural Resources and Environment, related ministries and sectors and provincial-level People's Committees of coastal localities shall develop the marine and island resource and environment information system.

Article 68. Development of database on marine and island resources and environment

1. Data on marine and island resources and environment include:

- a/ Data on coastal land areas and ocean floor and subsoil terrain;
- b/ Data on marine hydrometeorology;
- c/ Data on marine geology, marine geophysics, marine minerals, and oil and gas at sea; and data on physical and physicochemical characteristics of seawater;
- d/ Data on marine ecosystems, biodiversity and aquatic resources; and marine position resources and marine ecological wonders;
- dd/ Data on marine environment and dumping at sea;
- e/ Data on islands;
- g/ Data on the master plan and plans on use of sea areas; the master plan on sustainable exploitation and use of coastal resources; and programs on integrated management of coastal resources;
- h/ Data on exploitation and use of marine and island resources;

i/ Results of settlement of disputes, complaints and denunciations related to marine and island resources and environment by competent state agencies;

k/ Results of programs, schemes, subjects, projects and tasks on marine and island resource and environment management, baseline survey and scientific research;

l/ Marine and island resource statistics;

m/ Legal documents, standards, technical regulations and economic-technical norms on marine and island resources and environment;

n/ Other data related to marine and island resources and environment.

2. The national database on marine and island resources and environment is the collection of all data on marine and island resources and environment nationwide which shall be standardized according to national standards and digitalized for electronic update, management and exploitation.

3. The Minister of Natural Resources and Environment shall prescribe the development of the database on marine and island resources and environment.

The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with other ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities in, developing the national database on marine and island resources and environment.

Ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities shall, within the ambit of their tasks and powers, survey, and collect data on, marine and island resources and environment for developing their own databases on marine and island resources and environment; and provide these data to the Ministry of Natural Resources and Environment for the development of the national database on marine and island resources and environment.

Article 69. Archive, exploitation and use of data on marine and island resources and environment

1. Data on marine and island resources and environment shall be archived in accordance with the law on archives as well as regulations, processes, norms and specialized technical regulations. All collected data shall be classified, assessed and processed in order to find out appropriate forms and measures of data archive, preservation and protection to ensure security.

2. Data on marine and island resources and environment shall be publicized in accordance with law. Organizations and individuals that exploit and use data on marine and island resources and environment shall ensure the proper and effective use of data and shall pay fees in accordance with law.

3. The Minister of Natural Resources and Environment shall prescribe the exploitation and use of databases on marine and island resources and environment.

Ministers, heads of ministerial-level agencies and provincial-level People's Committees of coastal localities shall determine the competence to provide, scope and extent of exploitation of, and entities eligible to exploit and use, data on marine and island resources and environment under their management in accordance with law.

4. The Minister of Finance shall guide the collection, payment and use of fees for exploitation and use of data on marine and island resources and environment.

Article 70. Integration, exchange and sharing of data on marine and island resources and environment

1. The database on marine and island resources and environment shall be standardized according to national standards on the basis of integrating databases of marine and island resources and environment of ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities.

2. Data on marine and island resources and environment shall be exchanged and shared among ministries, ministerial-level agencies and provincial-level People's Committees of coastal localities on the following principles:

a/ Ensuring access to and use of data to timely serve the assessment, forecast, and formulation of strategies, policies and plans, raise the effectiveness and efficiency of state management work and meet the requirements on socio-economic development and national defense and security assurance;

b/ Ensuring relevance to functions and tasks of every agency or organization, no overlap of tasks among related agencies and organizations, and close coordination in data collection and management;

c/ Ensuring the systematic, adequate, accurate collection of data and consistency of collected, updated and managed data;

d/ Ensuring the uninterrupted and timely exchange and provision of data and satisfaction of requirements on information safety and protection of state secrets;

dd/ Ensuring the effective, feasible and efficient collection, management, update, exploitation and use of data.

Chapter VIII

INTERNATIONAL COOPERATION ON MARINE AND ISLAND RESOURCES AND ENVIRONMENT

Article 71. Principles of international cooperation on marine and island resources and environment

1. International cooperation on marine and island resources and environment must be in line with the socio-economic development strategy and master plan, the marine strategy, and the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment, and Vietnam's foreign policies.

2. International cooperation on marine and island resources and environment must adhere to the principles of building the sea of peace, cooperation and friendship for mutual development on the basis of respect for independence, sovereignty and territorial integrity, non-intervention into one another's internal affairs, equality, mutual benefit, and respect for Vietnamese law and relevant treaties to which the Socialist Republic of Vietnam is a contracting party.

3. Ensuring the promotion of the potential and advantages and effective exploitation of marine and island resources, protection of the marine and island environment, and marine and island sustainable development.

4. Ensuring proactive integration and full exercise of the rights and performance of the obligations in relevant international organizations and under treaties to which the Socialist Republic of Vietnam is a contracting party.

Article 72. International cooperation on integrated management of marine and island resources and protection of marine and island environment

1. The State shall cooperate with other countries, foreign organizations and international organizations in:

a/ Studying, elaborating and improving the law on management of marine and island resources and protection of the marine and island environment;

b/ Conducting survey of and research into marine and island resources and environment; applying sciences and technologies to marine and island survey and research; surveying and assessing the degree of vulnerability of marine and island resources and environment; and forecasting natural disasters and marine and island environment pollution caused by the exploitation of marine and island resources;

c/ Carrying out sustainable exploitation of marine and island resources;

d/ Protecting marine and island biodiversity and maintaining productivity and diversity of marine, island and coastal ecosystems;

dd/ Controlling marine and island environment pollution, and responding to marine environment incidents, climate change and sea level rise.

2. The Ministry of Natural Resources and Environment shall act as the focal point in summarizing activities of international cooperation on integrated management of marine and island resources and protection of the marine and island environment.

3. Ministries, sectors and provincial-level People's Committees that enter into international cooperation on marine and island resources and environment shall annually assess their international cooperation activities and send the assessment reports to the Ministry of Natural Resources and Environment for summarization and reporting to the Prime Minister.

Chapter IX

RESPONSIBILITIES FOR INTEGRATED MANAGEMENT OF MARINE AND ISLAND RESOURCES AND PROTECTION OF MARINE AND ISLAND ENVIRONMENT

Article 73. Responsibilities of the Government, ministries and ministerial-level agencies for integrated management of marine and island resources and protection of marine and island environment

1. The Government shall perform the unified state management of marine and island resources and environment.

2. The Minister of Natural Resources and Environment shall take the responsibility before the Government for performing integrated management of marine and island resources and protection of the marine and island environment, and shall:

a/ Elaborate and submit to competent authorities for promulgation or promulgate within his/her competence, and organize the implementation of, legal documents on integrated management of marine and island resources and protection of the marine and island environment;

b/ Formulate, submit to the Government for approval, and organize the implementation of, the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment; and the master plan on sustainable exploitation and use of coastal resources; and formulate, submit to the Prime Minister for approval, and organize the implementation of, inter-provincial programs on integrated management of coastal resources;

c/ Formulate, submit to the Prime Minister for approval, and organize the implementation of, key programs on baseline survey of marine and island resources and environment; coordinate with the Ministry of Science and Technology in summarizing, formulating, and placing orders for implementation of, subjects, projects and tasks under the national-level science and technology program on marine and island resources and environment;

d/ Grant, re-grant, extend, modify, supplement, permit the return of, and revoke dumping permits within his/her competence; grant, re-grant, extend, modify, supplement, suspend and revoke licenses for foreign organizations and individuals to conduct scientific research within Vietnam's maritime zones;

dd/ Guide and examine the establishment and protection of coast protection corridors; survey, compile statistics on, classify and manage island resources;

e/ Establish and manage the system of integrated monitoring and surveillance of marine and island resources and environment; develop and manage the national system of information and database on marine and island resources and environment;

g/ Control marine and island environment pollution; respond to and remedy oil and toxic chemical spills at sea; and manage dumping at sea;

h/ Provide training and retraining in integrated management of marine and island resources and protection of the marine and island environment;

i/ Conduct public information on marine and island issues; disseminate and educate about the law on integrated management of marine and island resources and protection of the marine and island environment;

k/ Inspect, examine, and settle complaints and denunciations related to integrated management of marine and island resources and protection of the marine and island environment;

l/ Carry out international cooperation on integrated management of marine and island resources and protection of the marine and island environment.

3. Within the ambit of their tasks and powers, ministers and heads of ministerial-level agencies shall:

a/ Participate in elaborating the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment; and the master plan on sustainable exploitation and use of coastal resources, and organize the implementation of such strategy and master plan after they are approved;

b/ Organize the implementation of projects, schemes and tasks on baseline survey of and scientific research into marine and island resources and environment in accordance with this Law and other relevant laws;

c/ Coordinate with the Minister of Natural Resources and Environment in licensing scientific research within Vietnam's maritime zones for foreign organizations and individuals;

d/ Make statistics on marine and island resources under their management;

dd/ Monitor and assess the current situation of marine and island environment pollution, water quality, sediments, ecosystems and biodiversity of sea areas and islands; survey, compile statistics on, classify and assess waste-discharging sources from the mainland and from activities carried out at sea and on islands in accordance with this Law and the law on environmental protection;

e/ Coordinate with the National Committee for Search and Rescue and the Ministry of Natural Resources and Environment in responding to and remedying oil and toxic chemical spills at sea;

g/ Coordinate with the Ministry of Natural Resources and Environment in establishing and operating the system of integrated monitoring and surveillance of marine and island resources and environment; provide the Ministry of Natural Resources and Environment with information and data on marine and island resources and environment in the fields under their management;

h/ Conduct public information on marine and island issues; disseminate and educate about the law on integrated management of marine and island resources and protection of the marine and island environment;

i/ Assess international cooperation on marine and island resources and environment in the fields under their management and annually send the assessment reports to the Ministry of Natural Resources and Environment.

Article 74. Responsibilities of People's Committees at all levels for integrated management of marine and island resources and protection of marine and island environment

1. Within the ambit of their tasks and powers, provincial-level People's Committees of coastal localities shall:

a/ Elaborate, promulgate within their competence, and organize the implementation of, legal documents on integrated management of marine and island resources and protection of the marine and island environment;

b/ Organize the implementation of the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment; the master plan and plans on use of the sea; and the master plan on sustainable exploitation and use of coastal resources; and formulate, approve, and organize the implementation of, programs on integrated management of coastal resources and environment under their management;

c/ Conduct scientific research and baseline survey and compile statistics on marine and island resources;

d/ Grant, re-grant, extend, modify, supplement, permit the return of, and revoke, dumping permits within their competence;

dd/ Establish and manage coast protection corridors; make dossiers of, and manage, island resources as decentralized;

e/ Develop and manage local marine and island resources and environment information systems and databases;

g/ Control marine and island environment pollution; respond to and remedy oil and toxic chemical spills at sea; and manage dumping at sea;

h/ Conduct public information on marine and island issues; disseminate and educate about the law on integrated management of marine and island resources and protection of the marine and island environment in localities;

i/ Inspect, examine, and settle complaints and denunciations related to integrated management of marine and island resources and protection of the marine and island environment;

k/ Periodically summarize and report on integrated management of marine and island resources and protection of the marine and island environment to the Ministry of Natural Resources and Environment.

2. Within the ambit of their tasks and powers, People's Committees of coastal rural districts, urban districts, towns, provincial cities and equivalent administrative units shall:

a/ Organize the implementation of legal documents on integrated management of marine and island resources and protection of the marine and island environment;

b/ Take measures to protect unexploited and unused marine and island resources in accordance with law;

c/ Protect coast protection corridors in localities; coordinate with agencies and organizations in protecting systems of monitoring and surveillance of marine and island resources and environment in localities under their management;

d/ Participate in responding to and remedying oil and toxic chemical spills at sea; monitor, detect, and participate in settling, incidents causing marine environment pollution and coastal erosion;

dd/ Conduct public information on marine and island issues; disseminate and educate about the law on integrated management of marine and island resources and protection of the marine and island environment;

e/ Periodically summarize and report on integrated management of marine and island resources and protection of the marine and island environment to their immediate superior People's Committees.

3. Within the ambit of their tasks and powers, People's Committees of coastal communes, wards and townships shall:

a/ Organize the implementation of legal documents on integrated management of marine and island resources and protection of the marine and island environment; and take measures to protect unexploited and unused marine and island resources in accordance with law;

b/ Protect coast protection corridors in localities; detect, and participate in settling, marine environment incidents and coastal erosion;

c/ Conduct public information on marine and island issues; and disseminate and educate about the law on integrated management of marine and island resources and protection of the marine and island environment;

d/ Periodically summarize and report on integrated management of marine and island resources and protection of the marine and island environment to their immediate superior People's Committees.

Article 75. Responsibilities of the Vietnam Fatherland Front and its member organizations

The Vietnam Fatherland Front and its member organizations shall, within the ambit of their tasks and powers, coordinate with state management agencies in conducting public information for people to participate in the effective and sustainable exploitation and use of marine and island resources and protection of the marine and island environment and to strictly observe the law on marine and island resources and environment; organize social criticism and supervise the operation of state agencies in managing the exploitation and use of marine and island resources and protection of the marine and island environment in accordance with law.

Article 76. Principles and contents of coordination in integrated management of marine and island resources and protection of marine and island environment

1. Coordination principles:

a/ Coordination must ensure unified, interdisciplinary and inter-regional management; and ensure synchronicity, efficiency, and assignment of responsibilities to every agency in the integrated management of marine and island resources and protection of the marine and island environment;

b/ Coordination shall be effected based on assigned functions, tasks and powers and in compliance with this Law and other relevant laws;

c/ Coordination must ensure national secrets and information confidentiality in accordance with law, and ensure national defense, security and safety at sea;

d/ Coordination may not obstruct the lawful exploitation and use of marine and island resources and other lawful activities within Vietnam's maritime zones.

2. Coordination contents:

a/ Elaborating and implementing the law on integrated management of marine and island resources and protection of the marine and island environment;

b/ Formulating, and organizing the implementation of, the strategy on sustainable exploitation and use of marine and island resources and protection of the marine and island environment; the master plan and plans on use of the sea; the master plan on sustainable exploitation and use of coastal resources; and programs on integrated management of coastal resources and environment;

c/ Managing and conducting baseline survey of and scientific research into marine and island resources and environment;

d/ Establishing systems of integrated monitoring and surveillance of marine and island resources and environment; and developing marine and island resources and environment information systems and databases;

dd/ Controlling marine and island environment pollution; and responding to and remedying oil and toxic chemical spills at sea;

e/ Conducting public information on marine and island issues; and disseminating and educating about the law on integrated management of marine and island resources and protection of the marine and island environment;

g/ Carrying out international cooperation on integrated management of marine and island resources and protection of the marine and island environment;

h/ Inspecting, examining, and settling complaints and denunciations related to integrated management of marine and island resources and protection of the marine and island environment;

i/ Other contents as prescribed by law.

3. The Government shall prescribe in detail a mechanism for coordination among ministries, sectors and localities in the integrated management of marine and island resources and protection of the marine and island environment.

Article 77. Reporting on integrated management of marine and island resources and protection of marine and island environment

1. Annually, the Ministry of Natural Resources and Environment shall make a report on integrated management of marine and island resources and protection of the marine and island environment and submit it to the Government.

2. Annually, ministries and sectors shall make reports on management of baseline survey, exploitation and use of marine and island resources and protection of the marine and island environment in the fields under their management, and send them to the Ministry of Natural Resources and Environment.

3. Annually, provincial-level People's Committees of coastal localities shall report on the management of baseline survey, exploitation and use of marine and island resources and protection of the marine and island environment, and integrated management of marine and island resources and protection of the marine and island environment in the fields under their management to the Ministry of Natural Resources and Environment.

4. The Minister of Natural Resources and Environment shall prescribe in detail the contents of, and method and time of making, reports on integrated management of marine and island resources and protection of the marine and island environment.

Article 78. Inspection of integrated management of marine and island resources and protection of marine and island environment

The inspection of integrated management of marine and island resources and protection of the marine and island environment must comply with the law on inspection.

Chapter X

IMPLEMENTATION PROVISIONS

Article 79. Transitional provisions

1. From the time this Law is promulgated, no new construction is allowed and the existing works shall be kept unchanged within 100 meters from the mean high tide's water level over many years to the mainland or to the inside of an island as identified by provincial-level People's Committees of coastal localities under the guidance of the Ministry of Natural Resources and Environment until coast protection corridors are established in accordance with this Law, except the following cases:

a/ Construction of new works for national defense and security purposes, prevention and control of natural disasters and coastal erosion, response to climate change and sea level rise, and conservation and promotion of the values of cultural heritages;

b/ Construction of new works under investment projects to serve national and public interests as decided by the National Assembly, the Government, the Prime Minister, ministers, heads of central agencies, or provincial-level People's Councils or People's Committees of coastal localities;

c/ Construction of works under investment projects already decided by competent state agencies or construction of works already licensed by competent state agencies before the time this Law is promulgated.

2. Within 18 months from the effective date of this Law, provincial-level People's Committees of coastal localities shall establish protection corridors for coasts under their management.

3. Sectoral and local master plans on exploitation and use of natural resources and sectoral and local development master plans shall continue to be implemented until they are reviewed and adjusted to conform to the approved master plan and plans on use of sea areas and the master plan on sustainable exploitation and use of coastal resources.

Article 80. Effect

This Law takes effect on July 1, 2016.

Article 81. Detailing provision

The Government and competent agencies shall detail the articles and clauses in this Law as assigned.

This Law was passed on June 25, 2015, by the XIIIth National Assembly of the Socialist Republic of Vietnam at its 9th session.-

Chairman of the National Assembly
NGUYEN SINH HUNG